

**Council Meeting
Tuesday, April 19, 2011
City Council Chambers
7:30 p.m.**



AGENDA

Call to Order
Pledge of Allegiance

1. Approval of Minutes
 - Council Minutes–April 5, 2011
2. Consent Agenda
 - Minutes
 - Telecommunications Commission – April 1, 2011
 - Tree Commission – April 6, 2011
 - EDA Commission – April 11, 2011
 - Street Committee Meeting – April 11, 2011
 - Library Board - April 12, 2011
3. Department Heads
4. Bolton & Menk, Inc – Wastewater Treatment Facility Improvements Contract
5. Street Department
 - Safe Routes to School
 - 4th Avenue Street Closure – Riverfest
 - Seal Coat Update
6. Multi-Agency Law Enforcement Joint Powers Agreement
7. Community Center Donation
8. Windom Pool – New Water Slide
9. EDA – SCDP Commercial Rehabilitation Loan Assignment
10. Emergency Management Director Appointment
11. Strategic Planning & Goal Setting Discussion
12. Regular Bills
13. Unfinished Business
14. New Business
15. Council Concerns
16. Adjourn.



Council Meeting
Windom City Hall, Council Chamber
April 5, 2011
7:30 p.m.

1. Call to Order: The meeting was called to order by Mayor Kruse at 7:30 p.m.

2. Roll Call: Mayor: Kirby Kruse

Council Members: Dominic Jones, Kelsey Fossing, Corey Maricle and
Bradley Powers

Council Members Absent: JoAnn Ray

City Staff Present: Steve Nasby, City Administrator; Marv Grunig,
Electric Utility Manager; Bruce Caldwell, Street &
Park Superintendent; Joan Hunter, Library Director
and Jeremy Rolfes, Telecom

3. Pledge of Allegiance

4. Approval of Minutes:

**Motion by Maricle second by Powers, to approve the City Council minutes from
March 15, 2011 as amended. Motion carried 4 – 0 (Ray absent).**

5. Consent Agenda:

Kruse said there were minutes from the following Boards\Commissions:

- Economic Development Authority – March 14, 2011
- Park & Recreation Commission – March 14, 2011 & March 29, 2011
- Telecommunications Commission – March 15, 2011
- Utility Commission – March 23, 2011
- Community Center Commission – March 28, 2011

Correspondence was received from the following:

- Kevin Freking regarding the proposed HRA parking lot

**Jones asked that the Park & Recreation Commission minutes from March 29, 2011 be
removed from the Consent Agenda and returned to the Park & Recreation
Commission.**

Motion by Jones second by Fossing, to approve the Consent Calendar without the March 29, 2011 Park & Recreation Commission. Motion carried 4 – 0 (Ray absent).

6. Public Comment:

Mari Harries said that she is representing a group of citizens interested in community improvements and her “Finding Windom” blog. They are looking at the possibilities of Windom, opportunities in Windom and innovation in Windom to build a better community. Finding Windom is an on-line journal of activities to track community involvement, inform the public and motivate people to action. She is asking for the Council’s assistance in making Windom a better place through a creative, thriving downtown which will make Windom a unique community experience. Work together for a common goal through collaborations. In September 2010 a citizen group held a “divide and conquer” day to do a downtown clean-up as the appearance of the community is an important part of presenting an image. They have just started a shop local campaign as well.

Jones said that the City had recently applied for a program through the League of Minnesota Cities called Community Conversations that would look at long range planning, community issues, goal setting and community involvement. The group of citizens that are involved with Mari Harries would be a natural fit. The City Council would be getting an update on this Community Conversations project later on this evening’s agenda.

Powers said that he attended one of the Finding Windom citizen meetings and was impressed with their ideas and energy.

Kruse thanked Harries for her work and presentation.

Frank Dorpinghaus encouraged citizens to contact their legislators and the State department of health regarding the levels of fluoride in municipal water systems. He said there are different types of fluoride and that it is also naturally occurring. Fluoride was originally mandated for inclusion in municipal water systems in the 1960’s as a method of deterring tooth decay. Dorpinghaus discussed Sodium Fluoride and the dangers of this chemical. He acknowledged that Windom does not use Sodium Fluoride, but uses Hydro Floracilica Acid. He said there is not much information on Hydro Floracilica Acid available. Fluoride is meant to be topical like tooth paste and mouthwash which is applied to the teeth and rinsed away whereas the municipal drinking water is ingested. The levels of fluoride can build up within the human body and have consequences. He noted the Federal government has gone on record suggesting the reduction of the level of fluoride in municipal drinking water systems to .7 milligrams per liter, partly due to the inclusion of fluoride in many other dental hygiene products.

Kruse thanked Dorpinghaus and asked if there were any questions from the Council.

7. Department Heads:

Bruce Caldwell, Street & Park Superintendent, said that the Windom Compost Site would open on April 12. The site only accepts grass clippings and leaves. These materials may be dumped at the site, but not in plastic bags. Items such as tree branches rose bushes and

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other materials need to go to the Cottonwood County landfill. The cost of a residential pass is \$16 and the site is open on Tuesdays from 3 – 7 pm and Saturdays from 10 am – 2 pm. A commercial pass is available for \$58.75, which includes a key to the site so it may be accessed at anytime.

Caldwell said that the street sweeper is being operated on the streets that are not too soft and that all streets will be attended to as the ground permits. He asked for the public's patience. Also, some boulevards where there was a lot of dirt, sand and grime will be swept.

The parks are currently being opened and the first games are scheduled for the Windom Recreation Area for Thursday, April 7.

8. Proclamation for National Library Week:

Council member Powers introduced the Resolution No. 2011-13, entitled "2011 NATIONAL LIBRARY WEEK PROCLAMATION" and moved its adoption. The resolution was seconded by Maricle and on roll call vote: Aye: Maricle, Powers, Fossing and Jones. Nay: None. Absent: Ray. Resolution passed 4 – 0.

Joan Hunter, Library Director, said that there would be popcorn and coffee at the Library this week to celebrate National Library Week.

9. Central Air "Bonus Bucks":

Marv Grunig, Electric Utility Manager, said that the Windom Municipal Electric Utility will be starting a "Bonus Bucks" program to promote energy efficiency in HVAC units. Grunig noted this program is in addition to the regular energy rebates. Funding for this program is set at \$30,000 and will be on a first-come, first-serve basis. He encouraged homeowners to contact their local HVAC vendor to start the process. Eligible projects must include working HVAC units that are a minimum of 12 years old and be replaced with a qualifying high efficiency unit.

Jones asked what the typical increase in electrical demand is in the summer. Grunig said the current load is 9 – 10 megawatts and in the summer it peaks at 15 – 16 megawatts.

10. Fire Department Donation Resolution – Res – Q – Tube:

Council member Maricle introduced the Resolution No. 2011-14, entitled "AUTHORIZATION TO ACCEPT A DONATION FROM GLEN FRANCIS, SCOTT RAHN AND NOEL RAHN FOR THE WINDOM FIRE DEPARTMENT" and moved its adoption. The resolution was seconded by Fossing and on roll call vote: Aye: Powers, Fossing, Jones and Maricle. Nay: None. Absent: Ray. Resolution passed 4 – 0.

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11. Des Moines River Dam Modeling\Survey Discussion:

Nasby said that next step in the process is to work to getting the hydraulic modeling and surveying work completed so the subsequent steps of review, permitting and eventual completion of plans and specifications. At this time there are two options for taking this next step. The City can use the funding, engineer and MN DNR to pursue the project or involve the U.S. Army Corps of Engineers (USACE). A memorandum outlining the schedules and costs for each of these options was included in the City Council packets. Nasby noted that the USACE is not a granting agency so if the City Council were to go with this option the USACE would be the lead on the project and follow the federal regulations governing their program.

Jones asked if the DNR funding could be used if the USACE option were selected. Nasby said that it was likely the Dam Safety money could be used, but not the Eco-Services money and it was also possible that the City may lose the 2008 bonding money if it were not committed before the deadline for a construction project.

Powers said the USACE schedule shown in their correspondence indicated that the feasibility study would go out to September 2012 before it was completed. This project has been in the works for a long time and he would prefer not to delay it as we already have a feasibility study completed.

Motion by Jones, seconded by Maricle, to proceed with the project with SEH, Inc. and the MN DNR. Motion carried 4 – 0 (Ray absent).

12. SEH, Inc. Engineering Services Contract – 18th Avenue Stormwater Study:

Nasby said the Street Committee had discussed a potential project to address stormwater issues on Red Leaf Court and 18th Avenue due to the problems identified with the heavy rains of September 2010. This agreement is for the storm water drainage study. Nasby asked that the Council to consider two modifications to the proposed SEH, Inc. agreement by including a maximum not to exceed amount of \$15,000 and to set the project completion date at no more than 120 days.

Motion by Powers, seconded by Jones, to approve the engineering services contract with SEH, Inc. with a not to exceed limit of \$15,000 and a project completion date of 120 days. Motion carried 4 – 0 (Ray absent).

13. League of Minnesota Cities – Community Conversations Update:

Nasby said that Windom's application for the Community Conversations program was not approved. The League of Minnesota Cities received 42 applications for 8 – 12 slots. St. James was selected and would be the SW Minnesota representative in that process. He said that staff is now looking for direction from the City Council as to their wishes for proceeding with goal setting and long-range planning discussions.

Jones said that it is important for the City Council and community to move ahead and this type of process will take multiple meetings and a number of hours to complete including

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possible half or full-day sessions. He suggested that a professional facilitator be engaged to guide the process and the University of Minnesota may have some programs available.

Maricle agreed that an independent moderator is needed.

Consensus of the Council was to direct staff to identify possible options for the moderation or facilitation of the process and report back to the Council at the next meeting.

14. LMC Extra-ordinary Expense Loan Program – Street Shop Improvement Project:

Nasby said that the City Council had awarded the bid for this project at the last meeting and funded it with General Fund reserves. Since that time, the League of Minnesota Cities (LMC) has approved a \$250,000 five-year loan for the project. This loan would be 0% for the first year and 3% interest for the remaining four years. There is no penalty for pre-payment and no interest charges if it were repaid within one year. As such, the Council would still have the opportunity to pay this loan off with General Funds or through a bond at a future point.

Fossing suggested re-visiting this within the next year as paying off the loan is possible and repaying the General Fund over time would save the interest expenses. Nasby said it would be part of the 2012 budget discussions that would occur in the fall.

Motion by Maricle, second by Jones, to approve the City's use of a \$250,000 loan through the League of Minnesota Cities Extra-ordinary Expense Program. Motion carried 4 – 0 (Ray absent).

15. Minnesota Department of Transportation – Resolution for Mower Grant Agreement:

Maricle said that this State grant was for a new mower that would be used at the Airport and the grant funds cover 2/3 of the cost.

Council member Maricle introduced the Resolution No. 2011-15, entitled "AUTHORIZATION TO EXECUTE MINNESOTA DEPARTMENT OF TRANSPORTATION GRANT AGREEMENT FOR THE MUNICIPAL AIRPORT" and moved its adoption. The resolution was seconded by Powers and on roll call vote: Aye: Fossing, Jones, Maricle and Powers. Nay: None. Absent: Ray. Resolution passed 4 – 0.

16. Hospital Board Appointments:

Kruse said he had the following appointments:

- Ryan McNamara to fill an unexpired term until April 30, 2012
- Kathy Ratzlaff to a second term until April 30, 2014
- Peggy Pfeffer to a second term until April 30, 2014
- Mike Fisher, Sr. to a first term until April 30, 2014

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Motion by Powers, seconded by Jones, to approve the Hospital Board appointments as presented. Motion carried 4 – 0 (Ray absent).

17. Regular Bills:

Motion by Powers, seconded by Jones, to approve the bills. Motion carried 4 – 0 (Ray absent).

18. Unfinished Business:

None.

19. New Business:

None.

20. Council Concerns:

Jones asked about any legislative news. Nasby said there were a number of informational items in the City Council packet, but the legislature and Governor both forming positions on Local Government Aid (LGA). The legislature has bills to reduce LGA and the House bill eliminates Minneapolis, St. Paul and Duluth from LGA over time. This reduction is touted as helping maintain the program for smaller cities. With a \$5.1 billion deficit and the politics at the State the final outcome is far from certain.

21. Adjourn:

Kruse adjourned the meeting by unanimous consent at 8:25 p.m.

Kirby Kruse, Mayor

Attest: _____
Steve Nasby, City Administrator

Telecommunications Commission Meeting Minutes
April 1, 2011

Meeting called to order 11:32

Roll Call: Maricle, Fosheim, Jones, Woodcock and Meir City Staff
Olsen and Nasby.

Keith Stuebbe SMBS chairman and Round Lake Mayor. Darrel Nissen
SMBS Vice Chair and Mayor of Lakefield.

1. SMBS, City of Windom shared resource discussion SMBS chair and
Vice chair to be present

Dan Olsen introduced everyone present and gave an overview of the
current SMBS project and the desire of the SMBS group to share a
manager. Darrel Nissin spoke on behalf of SMBS and their desire to
share a position. Darrel also thanked Dan Olsen for all his hard work
and continued support of the project. Discussion continued on the
mechanics of sharing position. It was decided by all that there was
interest in sharing a position. Olsen stated he will acquire a sample
contract or agreement for the group to start with.

Motion to adjourn the meeting at 1;56 by Fosheim seconded by Meir.
All in favor YES none opposed.

**CITY OF WINDOM TREE COMMISSION MEETING
MINUTES April 6, 2011**

1. Call to Order: The meeting was called to order by Vice-Chair, Eldon Moon at 5:16 p.m. in the council chambers at city hall.

2. Roll Call:
Commission Present: Joanne Kaiser, Deborah Polzin, Craig Zimmerman
Eldon Moon
Commission Absent: Lindsey Cartwright
City Staff Present: Bruce Caldwell, City of Windom Tree Inspector
Council Liaisons: Kelsey Fossing (Absent)
Public Present: David Bucklin

3. Approve Minutes of February 9, 2011
Motion by Joanne Kaiser, seconded by Deborah Polzin
Motion Carried.

4. Old Business
 - a. Farm and Home Show Booth: David Bucklin reported handouts were given away plus a map of the area was displayed indicating where tree planting will be concentrated in 2011. Interested people have been calling City Hall for more information.

5. New Business:
 - a. Planting Site Survey: Bruce Caldwell reported his findings concerning homeowners wishing to purchase boulevard trees. Some sites did not offer adequate space unless older, damaged trees were first removed. Most sites were suitable for planting. Bruce provided a list of homeowners who have or will purchase trees, tree varieties requested and indicated any problems with the sites in question.
 - b. Trees In Need of a Home: David Bucklin stated 33 trees have been ordered to arrive in the first week of May. 20 trees have been spoken for leaving 13 in need of planting sites. Eldon Moon suggested the unsold trees could be planted in the city parks and each year a certain number of trees should be ordered specifically for city parks. Older or damaged ash trees could be removed to make way for the saplings.

6. Open mike: David Bucklin asked for suggestions to safely store the 6 to 8 foot saplings for the two weeks before planting which will take place the third week in May. Bruce Caldwell suggested he could make space at the street shop for the saplings. Craig Zimmerman asked how it will be determined as to which variety of tree will be planted and where. Homeowners purchasing trees would get the variety requested if possible otherwise, the species planted would depend upon the variety of trees in the area. Greater diversity of tree species is the goal of the Tree Commission. Those wishing to purchase trees should do so soon.

7. Meeting adjourned at 5:55 pm.

Next Tree Commission Meeting May 4, 2011 at 5:15 p.m. at Council Chambers.

ATTEST:

Tree Commission President _____

Tree Commission Secretary _____

Possible Street Closures for Riverfest 2011

Parade Route Saturday June 11th time 4:45 – 9:00 pm.

16th street from fairgrounds east to 6th ave
6th ave south to 14th street
14th street east to 4th ave
4th ave south to 7th street
7th street east to 3rd ave
3rd ave north to 12th street

Soap Box Derby; June 10th 6-9 pm.

4th ave from 19th street intersection south to Langley & 17th street

Downtown Square Functions Saturday - Sunday street closure

4th avenue from 10th street-9th street
9 Street from 4th avenue to 3rd avenue

Vickie Schendel Fun Run

No street closures needed for this event

**ECONOMIC DEVELOPMENT AUTHORITY OF WINDOM
MINUTES
APRIL 11, 2011**

1. Call to Order: The meeting was called to order by President Erickson at 12:00 p.m.

2. Roll Call & Guest Introductions:

EDAWN Commissioners: Juhl Erickson, Trevor Slette, Sally Larson and Corey Maricle.
Absent: Kelsey Fossing.

Also Present: EDA Staff –Mark Hanson, Executive Director, and Denise Nichols, Finance Assistant, City Administrator Steve Nasby, Mayor Kirby Kruse and Mari Harries.

3. Approval of Minutes:

Motion by Commissioner Larson, seconded by Commissioner Slette, to approve the Minutes of the EDA Meeting held on March 14, 2011. Motion carried 4-0.

4. Spec Building Refinancing Proposals: At the March 14, 2011, EDA Meeting, the EDA Board authorized EDA Staff to submit requests for proposals to the four financial institutions in Windom concerning the refinancing of the spec building loan. Responses to these RFPs were received from Bank Midwest, Fulda Area Credit Union and Bank of the West and copies were provided to the Board. President Erickson reviewed the proposals that were received and estimated the loan closing costs at approximately \$4,000.

Motion by Commissioner Slette, seconded by Commissioner Larson, to approve the proposal for refinancing offered by Fulda Area Credit Union for refinancing of the spec building loan with a principal amount of approximately \$435,000 plus interest at a fixed rate of 4.4 percent per annum, maturing in 5 years. After further discussion, Commissioner Maricle suggested including a “not to exceed amount” for the closing costs. The original motion was amended by Commissioner Slette, seconded by Commissioner Larson, to include a “not to exceed” amount of \$4,000 for closing costs. Motion carried 3-0 with Commissioner Erickson abstaining.

Resolution introduced and motion by Commissioner Larson, seconded by Commissioner Maricle, to adopt EDA Resolution No. 2011-01, entitled “Resolution Approving Refinancing of Spec Building Loan” based on the foregoing terms.

Upon roll call vote being taken, the following voted in favor thereof: Commissioner Maricle, Commissioner Slette and Commissioner Larson; the following voted against the same: None; Commissioner Erickson abstained from the voting; and the following were absent: Commissioner Fossing. (The Resolution was adopted.)

President Erickson informed the Commission that the current note is due in three days. The note has been extended for one month; and if a closing with Fulda Area Credit Union is not completed by that time, another extension can be arranged.

5. “Finding Windom” Presentation: Mari Harries provided information and handouts to the Commission regarding the Finding Windom Support Local Campaign entitled “The Little City That Would”. A marketing kit for the campaign is available to local businesses at a cost of \$10. The kit includes posters, stickers and 10 reasons to shop locally. Citizen Publishing is also offering reduced advertising rates for businesses that purchase a marketing kit. The kits are available at the Chamber of Commerce and Harries is personally visiting many of the businesses.

6. SCDP Commercial Rehab Loan – Proposed Assignment: In 2001 and 2008, Loren and Evelyn Hammer participated in the EDA's SCDP Commercial Rehab Loan Program. The Hammers previously entered into a contract for the sale of the "Hammer's Furniture" building at 327 Ninth Street to David and Sheryl Eyberg. The parties wish to pay off that contract at this time. Pursuant to the SCDP Mortgages, payment is due in full upon sale of the property. However, the EDA has the right to waive this requirement and allow the assumption of existing SCDP mortgages by successors in interest. The Board received a copy of the proposed Memorandum of Understanding and Assumption Agreement which has been approved by City Attorney Dan McDonald. After further discussion, the following action was taken.

Motion by Commissioner Larson, seconded by Commissioner Maricle, to approve the proposed transfer in ownership of the property at 327 Ninth Street from Loren and Evelyn Hammer to David and Sheryl Eyberg; to approve the assumption of the existing SCDP mortgages by the Eybergs; to approve the proposed Memorandum of Understanding and Assumption Agreement between the parties; and to recommend approval of the same by the City Council. Motion carried 4-0.

7. Small Cities Development Program
 - A. Owner-Occupied Rehab Project Review: No projects were presented for review.
8. Executive Director's Report
 - A. Available Commercial/Industrial Lots: The Board received a copy of a list of Available Highway Commercial & Light Industrial Lots. Discussion will be held at the next meeting to determine if EDA should consider acquiring any property on the listing.
 - B. Meetings, Seminars & Business Activity – Recap: Director Hanson provided a brief recap of meetings, seminars, conferences, and business activity since the March 14th EDA Meeting.
 - C. Prospect Update: Director Hanson updated the Board concerning recent inquiries.
 - D. Update on MIRC Application (2nd Round): Item was not discussed.
9. Unfinished Business: None.
10. New Business: The Commission discussed expectations and criteria for a loan to the State Theatre owners to repair and update their marquee. At the next meeting, the Commission would like to meet with the theater owners and participate in a tour of the theater. Also discussed was the concept of creation of a downtown façade loan program and potential criteria for the program. It was agreed by the members that further discussion was needed to develop the program.
11. Miscellaneous Information
 - A. Monthly Budget Recap: The Board received a copy of the monthly budget report for February, 2011. There was no discussion regarding the reports.
 - B. River Bluff Townhomes – Monthly Financial Report: The Board received a copy of the financial report provided by Van Binsbergen & Associates for the period ending February, 2011.

12. Adjourn: By consensus, President Erickson adjourned the meeting at 1:15 p.m.

Sally Larson, EDA Secretary-Treasurer

Attest: _____
Mark P. Hanson, Executive Director

**STREET COMMITTEE
MINUTES APRIL 11, 2011**

Call to Order: The meeting was called to order at 4:30 P.M. at the Street Shop.

Members Attending: Committee Members Attending - Brad Powers & JoAnn Ray

City Staff Present: Street Superintendent Bruce Caldwell

Public: Shannon LaCanne Safe Routes to School

1. Safe Routes to School; the committee discussed a request to install 4 - No Parking During School Hours signs on the west side of 6th Avenue between 14th Street & 16th Street. Police Chief Jeff Shirkey stated prior to the meeting he would be favor of the parking restriction as it would be much safer to load and unload students on that side of the street. The handicap parking stalls on 6th Avenue which are located on the west side of the street would be eliminated. The Safe Routes to School Program would seek grants to pay for the signage change (\$599.00) and the city would install them free of charge as an in kind service.

Recommendation from Street Committee is to approve the request for signage change on 6th ave as stated above.

2. 2010-2011 Winter Budget Report the report stated the snow removal cost \$86,115.00 which was approximately \$2500 over the 2009-10 winter. The report also included plow blades and equipment maintenance items from the last five years. Beginning in January 2011 to March 31, 2011 the department expensed 73% of the snow removal & equipment maintenance budget for this year. Caldwell said he's concerned about staying within the annual budget therefore some reductions will need to be made on other accounts for the street department.
3. 2011 Seal Coat Project & Asphalt Road Patching Discussion the committee reviewed the streets that were scheduled for seal coat this season. Due to the costs for snow removal during the first ½ of the year and the condition of several streets in town that are in need of patch work, Powers asked should we eliminate the seal coat project this year and use those funds for necessary road repairs and help the snow removal budget for November and December. Caldwell said the streets that scheduled for seal coat could wait another year and agreed the department needs to repair several streets which we didn't budget for. The committee agreed not to do any seal coat project this year and use those funds (01-140-4317) for snow removal & road repairs.
4. CIP Street Reconstruction Project Discussion; Caldwell said the city needs to consider a major street project possibly in 2012 due to the poor condition of several streets of which many were delayed from the 2009 project year. Priority streets that need repairs are as follows;
 - a. 20th Street
 - b. South Drake Avenue
 - c. 5th Street and trailer court
 - d. 6th Avenue from 10th Street north to 17th Street

Caldwell said this project would be approximately 1.23 miles of reconstruction. He will be contacting the other city departments to get their input then forward this information for review at the next committee meeting. Using the 2009 street project numbers the estimated cost for reconstruction of these streets would be around \$1.7 to \$1.8 million. The city needs to keep moving forward on street reconstruction projects and not delaying in order to keep the projects smaller and more affordable.

5. Request for Additional Driveway Approach 689 Collins Avenue; the city received a request for a second driveway approach from the property owner at this location. This property is currently a rental two family dwelling and it has limited parking off the street. Caldwell stated due to the size of the lot he would deny the request which the committee agreed.
6. Street Shop Building Remodel Project Update; there will be a pre-construction meeting the week of April 18th at that time the start up date will be determined.
7. Bike Racks Downtown Square Caldwell was asked previous of this meeting about the possibility of the city installing a couple bike racks around the downtown square. Because of the area needed for the racks when bicycles are in them, there wouldn't be adequate room for ADA accessibility around them on the sidewalk therefore other options need to be explored.
8. Meeting was adjourned at 5:45 p.m.

Windom Library Board Meeting
Windom Library
April 12, 2011
5:05 p.m.

1. Call to order: The meeting was called to order by Chairman Jan Johnson at 5:05 p.m.

2. Roll call: Members Present: Jan Johnson, Beth Fleming, Mary Erickson
John Duscher Charles Reid and Anita Winkel

Members Absent: Kathy Hiley

Library Staff Present: Dawn Aamot

City Council Member Present: none

3. Agenda and Minutes:

Motion by Charles Reid, seconded by John Duscher to approve the agenda and minutes.

5. Financial Report:

Motion by John Duscher, seconded by Beth Fleming to approve the financial report

6. Librarians Report:

Dawn showed the state report to the members. She also told about the Children's meeting she attended in Slayton. Dawn told about the ad placed in the Community Ed. Booklet. Motion by Anita Winkel and seconded by John Duscher to approve the Librarian's report.

7. Old Business:

Dawn said that Dan Fossing was in to report on the shelving that the library hopes to purchase. There are some areas to adjust and then he will be back in with the bid.

8. New Business:

None

9. New Book suggestions:

The board presented new book suggestions

10. Adjourn:

Motion by Charles Reid and seconded by Beth Fleming to adjourn.

Meeting adjourned at 5:20 p.m.

CONSUMER CONFIDENCE REPORT

PWSID: 1170006

City of Windom 2010 Drinking Water Report

The City of Windom is issuing the results of monitoring done on its drinking water for the period from January 1 to December 31, 2010. The purpose of this report is to advance consumers' understanding of drinking water and heighten awareness of the need to protect precious water resources.

Source of Water

The City of Windom provides drinking water to its residents from a groundwater source: eight wells ranging from 87 to 142 feet deep, that draw water from the Quaternary Buried Artesian and Quaternary Water Table aquifers.

The water provided to customers may meet drinking water standards, but the Minnesota Department of Health has also made a determination as to how vulnerable the source of water may be to future contamination incidents. If you wish to obtain the entire source water assessment regarding your drinking water, please call 651-201-4700 or 1-800-818-9318 (and press 5) during normal business hours. Also, you can view it on line at www.health.state.mn.us/divs/eh/water/swp/swa.

Call 507-831-6138 if you have questions about the City of Windom drinking water or would like information about opportunities for public participation in decisions that may affect the quality of the water.

Results of Monitoring

No contaminants were detected at levels that violated federal drinking water standards. However, some contaminants were detected in trace amounts that were below legal limits. The table that follows shows the contaminants that were detected in trace amounts last year. (Some contaminants are sampled less frequently than once a year; as a result, not all contaminants were sampled for in 2010. If any of these contaminants were detected the last time they were sampled for, they are included in the table along with the date that the detection occurred.)

Key to abbreviations:

MCLG—Maximum Contaminant Level Goal: The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

MCL—Maximum Contaminant Level: The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology.

MRDL—Maximum Residual Disinfectant Level.

MRDLG—Maximum Residual Disinfectant Level Goal.

AL—Action Level: The concentration of a contaminant which, if exceeded, triggers treatment or other requirement which a water system must follow.

90th Percentile Level—This is the value obtained after disregarding 10 percent of the samples taken that had the highest levels. (For example, in a situation in which 10 samples were taken, the 90th percentile level is determined by disregarding the highest result, which represents 10 percent of the samples.) Note: In situations in which only 5 samples are taken, the average of the two with the highest levels is taken to determine the 90th percentile level.

CONSUMER CONFIDENCE REPORT

PWSID: 1170006

ppm—Parts per million, which can also be expressed as milligrams per liter (mg/l).

ppb—Parts per billion, which can also be expressed as micrograms per liter (µg/l).

nd—No Detection.

N/A—Not Applicable (does not apply).

Contaminant (units)	MCLG	MCL	Level Found		Typical Source of Contaminant
			Range (2010)	Average /Result*	
Barium (ppm) (07/14/2009)	2	2	N/A	.22	Discharge of drilling wastes; Discharge from metal refineries; Erosion of natural deposits.
Fluoride (ppm)	4	4	.93-1.1	1.04	State of Minnesota requires all municipal water systems to add fluoride to the drinking water to promote strong teeth; Erosion of natural deposits; Discharge from fertilizer and aluminum factories.
Haloacetic Acids (HAA5) (ppb) (09/14/2009)	0	60	N/A	18.2	By-product of drinking water disinfection.
Nitrate (as Nitrogen) (ppm)	10.4	10.4	N/A	2	Runoff from fertilizer use; Leaching from septic tanks, sewage; Erosion of natural deposits.
TTHM (Total trihalomethanes) (ppb) (09/14/2009)	0	80	N/A	37.2	By-product of drinking water disinfection.
Total Coliform Bacteria	0 present	>1 present	N/A	2♦	Naturally present in the environment.

*This is the value used to determine compliance with federal standards. It sometimes is the highest value detected and sometimes is an average of all the detected values. If it is an average, it may contain sampling results from the previous year.

♦Follow-up sampling showed that the positive total coliform results were likely caused by premise plumbing contamination, and did not show contamination present in the public water supply distribution system.

Contaminant (units)	MRDLG	MRDL	****	*****	Typical Source of Contaminant
Chlorine (ppm)	4	4	.1-2.2	1.33	Water additive used to control microbes.

****Highest and Lowest Monthly Average.

*****Highest Quarterly Average.

CONSUMER CONFIDENCE REPORT

PWSID: 1170006

Contaminant (units)	MCLG	AL	90% Level	# sites over AL	Typical Source of Contaminant
Copper (ppm) (06/24/2009)	1.3	1.3	1.21	1 out of 20	Corrosion of household plumbing systems; Erosion of natural deposits.
Lead (ppb) (06/24/2009)	0	15	nd	0 out of 20	Corrosion of household plumbing systems; Erosion of natural deposits.

If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. City of Windom is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline or at <http://www.epa.gov/safewater/lead>.

Some contaminants do not have Maximum Contaminant Levels established for them. These unregulated contaminants are assessed using state standards known as health risk limits to determine if they pose a threat to human health. If unacceptable levels of an unregulated contaminant are found, the response is the same as if an MCL has been exceeded; the water system must inform its customers and take other corrective actions. In the table that follows are the unregulated contaminants that were detected:

Contaminant (units)	Level Found		Typical Source of Contaminant
	Range (2010)	Average/Result	
Sodium (ppm)	N/A	34	Erosion of natural deposits.
Sulfate (ppm)	N/A	79	Erosion of natural deposits.

Compliance with National Primary Drinking Water Regulations

The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity.

Contaminants that may be present in source water include:

Microbial contaminants, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.

Inorganic contaminants, such as salts and metals, which can be naturally-occurring or result from urban stormwater runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.

Pesticides and herbicides, which may come from a variety of sources such as agriculture, urban stormwater runoff, and residential uses.

Organic chemical contaminants, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, and septic systems.

Radioactive contaminants, which can be naturally-occurring or be the result of oil and gas production and mining activities.

CONSUMER CONFIDENCE REPORT

PWSID: 1170006

In order to ensure that tap water is safe to drink, the U. S. Environmental Protection Agency (EPA) prescribes regulations which limit the amount of certain contaminants in water provided by public water systems. Food and Drug Administration regulations establish limits for contaminants in bottled water which must provide the same protection for public health.

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the Environmental Protection Agency's Safe Drinking Water Hotline at 1-800-426-4791.

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. EPA/CDC guidelines on appropriate means to lessen the risk of infection by Cryptosporidium and other microbial contaminants are available from the Safe Drinking Water Hotline at 1-800-426-4791.

AGREEMENT FOR PROFESSIONAL SERVICES

WASTEWATER TREATMENT FACILITY IMPROVEMENTS WINDOM, MINNESOTA

This Agreement, made this 23rd day of March, 2011, by and between the City of Windom, Minnesota Public Utilities Commission hereinafter referred to as CLIENT, and BOLTON & MENK, INC., 1960 Premier Drive, Mankato, Minnesota 56001, hereinafter referred to as CONSULTANT.

WITNESS, whereas the CLIENT requires professional services in conjunction with the design and construction engineering/observation of wastewater treatment facility improvements; and whereas the CONSULTANT agrees to furnish the various professional services required by the CLIENT.

NOW, THEREFORE, in consideration of the mutual covenants and promises between the parties hereto, it is agreed:

SECTION I - CONSULTANT'S SERVICES

- A. The CONSULTANT agrees to perform the various Engineering Services in connection with the proposed project as described in Exhibit I.A.
- B. The CONSULTANT shall serve as the CLIENT'S professional engineering and surveying representative as described herein.

SECTION II - THE CLIENT'S RESPONSIBILITIES

- A. The CLIENT shall promptly compensate the CONSULTANT in accordance with Section III of this Agreement.
- B. The CLIENT shall place any and all previously acquired information in its custody at the disposal of the CONSULTANT for its use. Such information shall include but shall not be limited to boundary surveys, topographic surveys, plans and specifications, reports, layouts, environmental reviews, and zoning limitations.
- C. The CLIENT will coordinate access to and make all provisions for entry upon public portions of the project and pertinent adjoining properties.
- D. The CLIENT will give prompt notice to the CONSULTANT whenever the CLIENT observes or otherwise becomes aware of any defect in the proposed project.
- E. The CLIENT shall designate the City Administrator and Water and Wastewater Superintendent to act as the CLIENT'S representatives with respect to services to be rendered under this Agreement. Said representative shall have the authority to transmit instructions, receive instructions, receive information, interpret and define CLIENT'S policies with respect to the project and CONSULTANT'S services.
- F. The CLIENT will obtain any and all regulatory permits required for the proper and legal execution of the project.

SECTION III - COMPENSATION FOR SERVICES

A. DESIGN SERVICES

The CLIENT will compensate the CONSULTANT in accordance with the following schedule of fees for the design services.

Total cost for the engineering design services itemized under Exhibit I.A. shall be a lump sum of \$150,000. Payment of the engineering design services to the CONSULTANT shall be made by the CLIENT as follows:

- \$95,000 after submitting construction drawings and contract documents at the 70 percent design level for CLIENT review and comments;
- \$47,500 after submitting final plans and specifications to the City;
- \$7,500 after bids have been received from the contractors.

B. CONSTRUCTION ENGINEERING SERVICES

The CONSULTANT shall provide additional construction engineering services to the CLIENT. The CLIENT will compensate the CONSULTANT in accordance with the following schedule of fees. Construction engineering services itemized under Exhibit I.A. shall be performed on an hourly rate basis with a not-to-exceed amount of \$90,000. This fee is in addition to the design services fee. Payment of the engineering construction engineering services shall be made by the CLIENT upon receiving billing invoices by the CONSULTANT at intervals not more often than monthly at the herein schedule of fees.

Employee Classification	Hourly Billing Rates
Sr. Project Manager - Sr. Principal Engineer/Surveyor	\$120-150/Hour
Sr. Project Manager - Principal Engineer/Surveyor	\$100-150
Principal Environmental Engineer	\$135-190
Senior Transportation Planner	\$110-170
Project Manager	\$100-145
Project/Design Engineer/Planner	\$60-135
Licensed Surveyor	\$70-135
Project Surveyor	\$60-100
Specialist (Nat. Resources; GIS; Traffic; Other)	\$70-120
Senior Technician (Inc. Survey ¹)	\$70-120
Technician (Inc. Survey ¹)	\$50-90
Administrative Support & Clerical	\$35-80

¹ No separate charges will be made for GPS or robotic total stations on Bolton & Menk, Inc. survey assignments; the cost of this equipment is included in the rates for Survey Technicians.

The Schedule of Fees shall apply for the period through December 31, 2011. These rates may be adjusted annually thereafter by the CONSULTANT to account for changed labor costs, inflation or changed overhead conditions. The CONSULTANT shall submit to the CLIENT an annual list of revised hourly rates and these rates shall become part of the Agreement by reference. However, the maximum amount of this agreement shall not change without a formal amendment to this Professional Agreement.

- C. The CONSULTANT will complete the scope of work tasks within the CLIENT'S approved time schedule.

SECTION IV - GENERAL

A. CHANGE IN PROJECT SCOPE

In the event the CLIENT changes or is required to change the scope of the project from that described in Section I and/or the applicable addendum, and such changes require Additional Services by the CONSULTANT, the CONSULTANT shall be entitled to additional compensation at the applicable hourly rates. The CONSULTANT shall give notice to the CLIENT of any Additional Services, prior to furnishing such additional services. The CLIENT may request an estimate of additional cost from the CONSULTANT, and the CONSULTANT shall furnish such, prior to authorizing the changed scope of work.

B. RESPONSIBILITY AND LIMITATION OF LIABILITY

The CONSULTANT agrees to provide all work in a prudent and professional manner. The CLIENT acknowledges that portions of the project may be performed or otherwise controlled by the CLIENT, regulatory agencies, contractors or other personnel over which the CONSULTANT does not have direct employment relationship. The CLIENT agrees to hold the CONSULTANT harmless from claims, including the defense thereof, arising from the actions of persons other than the CONSULTANT and CONSULTANT'S employees, agents or subcontractors.

C. INSURANCE

The CONSULTANT agrees to maintain, at the CONSULTANT'S expense, statutory worker's compensation coverage.

The CONSULTANT also agrees to maintain such general liability insurance for claims arising for bodily injury, death or property damage which may arise from negligent performance by the CONSULTANT or its employees of its day-to-day general business activities (such as automobile use) and exclusive of the performance of the professional services described in this Agreement.

CONSULTANT shall also maintain a professional liability insurance policy, insuring CONSULTANT against damages for legal liability arising out of the performance of professional services hereunder, if such legal liability is caused by an error, omission or negligent act of the insured or any person or organization for whom the insured is legally liable. Said policy shall provide minimum limits of \$1,000,000 and shall state that such insurance cannot be canceled until 30 days after CLIENT has received written notice of the insurer's intention to cancel this insurance.

D. OPINIONS OR ESTIMATES OF CONSTRUCTION COST

If included as a service by exhibit, the CONSULTANT will furnish construction cost estimates as stated herein. Cost estimates will be based upon public construction cost information. Since the CONSULTANT has no control over the cost of labor, materials, competitive bidding process, weather conditions and other factors affecting the cost of construction, all cost estimates are opinions for general information of the CLIENT and no warranty or guarantee as to the accuracy of construction cost estimates is made. The CLIENT agrees that costs for project financing shall be based upon actual, competitive bid prices with reasonable contingencies.

E. REUSE OF DOCUMENTS

All documents including Drawings and Specifications prepared or furnished by CONSULTANT pursuant to this Agreement are instruments of service in respect of the Project and CONSULTANT shall retain an ownership and property interest therein whether or not the Project is completed. The CONSULTANT shall be deemed the author of these documents and shall retain all common law, statutory and other reserved rights including the copyright. CLIENT may make and retain copies for information and reference in connection with the use and occupancy of the Project by CLIENT and others; however, such documents are not intended or represented to be suitable for reuse by CLIENT or others on extensions of the Project or on any other project. Any reuse without written verification or adaption by CONSULTANT for the specific purpose intended will be at CLIENT'S sole risk and without liability or legal exposure to CONSULTANT and CLIENT shall indemnify and hold harmless CONSULTANT from all claims, damages, losses and expenses including attorney's fees arising out of or resulting therefrom.

F. PAYMENTS

If CLIENT fails to make any payment due CONSULTANT for services and expenses within thirty days after CLIENT receives the CONSULTANT'S invoice, a service charge of one and one-half percent (1.5%) per month or the maximum rate permitted by law, whichever is less, will be charged on any unpaid balance. In addition, CONSULTANT may, after giving seven days' written notice to CLIENT, suspend services under this Agreement until CONSULTANT has been paid in full all amounts due for services, expenses and charges.

G. NON-DISCRIMINATION

The provision of any applicable law or ordinance relating to civil rights and discrimination shall be considered part of this Agreement as if fully set forth herein.

H. CONTROLLING LAW

This Agreement is to be governed by the laws of the State of Minnesota, the principal place of business of CONSULTANT.

SECTION V - SIGNATURES

THIS INSTRUMENT embodies the whole agreement of the parties, there being no promises, terms, conditions or obligation referring to the subject matter other than contained herein.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in their behalf.

CLIENT: City of Windom, Minnesota
Public Utilities Commission

Mike Schwalbach
Public Utilities Commission Chairman

Steve Nasby
City Administrator

CONSULTANT: Bolton & Menk, Inc.



Robert M. Brown, P.E.
Vice President

EXHIBIT I

Engineering Services Scope of Work

EXHIBIT I

- A. Engineering Services will be provided for the design and construction engineering/observation services for the rehabilitation of the wastewater treatment facility as described in the Wastewater Treatment Facility Plan dated March 2010, and the amendments to the Facility Plan submitted to the Minnesota Pollution Control Agency (MPCA). The City staff has recommended that design services for Alternative 2, with the exception of primary clarification modification, shall be completed. The primary clarifier modification shall be as recommended for Alternative 1. The specific services to be provided are as follows:
1. The CONSULTANT shall conduct field surveys, engineering field studies and investigations necessary for plan preparation.
 2. The CONSULTANT shall coordinate the obtaining of data or services from others for performance of soil tests, foundation tests, and construction quality control testing as is determined necessary for the project design and construction. Costs for the soil tests and/or concrete tests shall be paid for by the CLIENT.
 3. The CONSULTANT will prepare detailed plans and specifications for the new main lift station, river crossing, main interceptor, and wastewater treatment improvements as proposed in the Engineering Feasibility Report, dated February 2011, presented to the Windom Public Utilities Commission. The contract drawings will be generated on a computer aided drafting system (AutoCAD).
 4. The CONSULTANT shall submit review plans and specifications to the Minnesota Pollution Control Agency and any other appropriate agencies.
 5. The CONSULTANT shall submit and review plans, specifications and estimated costs with the CLIENT. Construction drawings and contract documents will be submitted at the 70-80 percent design level for CLIENT'S review and comments. A final construction cost estimate will be prepared after the plans and specifications have been completed and approved by the CLIENT.
 6. The CONSULTANT shall provide the CLIENT technical information such as capital and operating cost opinions and descriptions of the project for use by the CLIENT and its financing consultants in preparation of any related financing activities.
 7. The CONSULTANT will complete the Minnesota Pollution Control Agency construction permit application for the wastewater treatment facility improvements. The CLIENT will execute the permit application, pay the permit fee and submit to the MPCA for review and approval.
 8. The CONSULTANT will prepare the necessary bid documents and proposal forms, assist in the preparation of advertisement for bids and supply a sufficient number of plan sets for distribution to bidders for which a charge to cover reproduction and clerical time can be made by the CONSULTANT to plan holders.
 9. The CONSULTANT will attend the public bid letting, tabulate bid prices and report back to the CLIENT with recommendations on award of bid.
 10. The CONSULTANT shall be the CLIENT'S representation during the construction of the wastewater treatment facility improvements. The following construction engineering services shall be provided: project administration and monthly construction observation visits; attendance at preconstruction conference and monthly construction progress meetings and distribution of meeting notes; response to contractor's questions regarding interpretation of and clarification of contract drawings; issuance of field orders, work directive changes and request for proposals for changes to the construction contract; review of change order proposal requests; review of shop drawings and distribution of shop drawings; coordination of material testing requirements with a material testing company; review of contractor payment requests; conduct final inspection and recommendations for final acceptance to the

CLIENT; preparation of record drawing at the completion of the project; conduct post-construction inspection and provide assurance that the plant operation is in accordance with design criteria intended and construction of the wastewater treatment facility.

11. The CONSULTANT shall perform the construction staking and surveying for the rehabilitation of the wastewater treatment facility.
12. The CONSULTANT will provide part-time project construction observation. The following project construction observation services will be provided: act as the CLIENT'S liaison with Contractor; performance of on-site observations (estimated 1000 hours) of the work for the wastewater treatment facility rehabilitation to determine if work is, in general, proceeding in accordance with the contract documents; reporting to the CLIENT'S staff when clarifications or modifications to the contract documents are required; maintaining log of site conditions during on-site observation; and provisions of site/field staking and surveying services.
13. The CONSULTANT will prepare an Operation and Maintenance (O&M) Manual for the wastewater treatment facility improvements. Included in the O & M Manual will be process operation procedures and maintenance procedures for equipment.
14. The CONSULTANT will provide up to 40 hours of start-up training to the CLIENT'S staff. The CONSULTANT will familiarize the CLIENT'S staff with the wastewater treatment facility improvements operations and maintenance. The CONSULTANT will provide on-site training to include the following: provide instruction on maintenance management of equipment and provide operational training and assistance to optimize the performance of the wastewater treatment facility improvements.

B. ADDITIONAL SERVICES

Engineering services performed other than those authorized under Exhibit I.A. shall be considered not part of the engineering services and shall be authorized in writing by the CLIENT as additional services with a negotiated contract amendment. Additional services consist of those services which are not generally considered to be normal engineering services, or are not definable prior to the commencement of the project. Additional services may consist of the following:

1. To prepare detailed property survey descriptions of sites or easements to be purchased, and maps, drawings or estimates related thereto. Assistance in negotiating for land and easement rights.
2. Serving as an expert witness for the CLIENT on any litigation or other proceedings involving the project except where the CONSULTANT is a party hereto.

City of Windom Street Department Winter Expense Report

Year Oct 1st-April 1st	Salt/Sand \$		Fuel \$		Snow Hire \$ & Maintenance		Plow Blades		Total \$		O.T. Hrs	O.T. Pay	All Total
	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>	<u>K</u>	<u>L</u>	<u>M</u>	<u>N</u>
1994-1995	\$6,212.13	\$3,569.47	N/A	N/A	\$9,781.60	N/A	N/A	N/A					
1995-1996	\$5,664.76	\$4,684.24	N/A	N/A	\$10,349.00	N/A	N/A	N/A					
1996-1997	\$8,563.45	\$9,408.96	N/A	N/A	\$17,972.41	N/A	N/A	N/A					
1997-1998	\$7,532.45	\$9,250.66	N/A	N/A	\$16,783.11	486	\$12,150.00						\$28,933.11
1998-1999	\$7,532.45	\$5,324.25	N/A	N/A	\$12,856.70	531	\$13,275.00						\$26,131.70
1/1/00-3/31/00													
1999-2000	\$6,669.78	\$3,966.81	\$2,446.50	N/A	\$13,083.09	348 1/2	\$8,712.50						\$21,795.59
2000-2001	\$8,076.49	\$11,115.34	\$4,968.00	N/A	\$24,159.83	633	\$15,825.00						\$39,984.83
2001-2002	\$4,693.30	\$6,178.09	\$2,924.05	N/A	\$13,795.44	359	\$8,975.00						\$22,770.44
2002-2003	\$6,188.28	\$4,706.20	\$1,120.00	N/A	\$12,014.48	457 1/2	\$11,437.50						\$23,451.98
2003-2004	\$5,971.74	\$5,049.09	\$2,177.50	N/A	\$13,198.33	362 1/2	\$9,062.50						\$22,260.83
2004-2005	\$8,220.50	\$5,850.00	\$1,050.00	N/A	\$14,070.50	427 1/2	\$10,687.50						\$24,758.00
2005-2006	\$11,591.78	\$10,068.03	\$1,080.00	N/A	\$21,659.81	362	\$9,050.00						\$30,709.81
											Av. \$27.50		
2006-2007	\$7,510.43	\$9,198.31	\$3,870.00	\$8,704.00	\$29,282.74	416	\$11,440.00						\$40,722.74
2007-2008	\$16,294.79	\$9,128.55	0	\$9,602.00	\$35,025.34	327 3/4	\$9,013.13						\$44,038.47
2008-2009	\$22,137.32	\$12,700.00	\$1,165.00	\$10,909.00	\$46,911.32	338.00	\$9,295.00						\$56,206.32
2009-2010	\$17,364.43	\$11,850.00	\$5,622.24	\$29,706.00	\$64,542.67	698	\$19,195.00						\$83,737.67
2010-2011	\$25,110.63	\$24,000.00	\$4,601.25	\$16,363.74	\$70,075.62	583 1/4	\$16,039.38						\$86,115.00

Note Overtime can be taken in time off and not actual pay.
 Note column E; plow blades that were purchase for given year, if not used they are held for following season

RESOLUTION #2011-

INTRODUCED:

SECONDED:

VOTED: Aye:

Nay:

Absent:

AUTHORIZATION TO EXECUTE MULTI-AGENCY LAW ENFORCEMENT JOINT POWERS AGREEMENT, AMENDMENTS AND SUPPLEMENTS WITH THE STATE OF MINNESOTA FOR THE "INTERNET CRIMES AGAINST CHILDREN (ICAC) PROGRAM"

WHEREAS, the State of Minnesota, through its Commissioner of Public Safety, Bureau of Criminal Apprehension, is a recipient of a federal grant of \$320,000 disbursed by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) in Washington, D.C. to assist law enforcement in investigating and prosecuting crimes committed against children and the criminal exploitation of children that are committed and/or facilitated by or through the use of computers, and to disrupt and dismantle organizations engaging in such activity; and

WHEREAS, the City of Windom has received a Multi-Agency Law Enforcement Joint Powers Agreement from the State of Minnesota, through its Commissioner of Public Safety, Bureau of Criminal Apprehension, for assistance from the City of Windom law enforcement agencies in investigating and prosecuting crimes committed against children and the criminal exploitation of children that are committed and/or facilitated by or through the use of computers, and to disrupt and dismantle organizations engaging in such activity; and

WHEREAS, the City of Windom will receive from the State of Minnesota, through its Commissioner of Public Safety, Bureau of Criminal Apprehension, funds for equipment, training, and expenses, including travel and overtime salary including fringe benefits, which are incurred as a result of such investigations by the Windom Police Department.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WINDOM, MINNESOTA, AS FOLLOWS:

1. That the City Council approves the Joint Powers Agreement Contract No. DPS-M-0557 with the State of Minnesota, through its Commissioner of Public Safety, Bureau of Criminal Apprehension, and agrees to the terms and conditions therein.
2. That on behalf of the City of Windom, Police Chief Jeffrey Shirkey, or his successor, is designated as the Authorized Representative for the Police Department. The Authorized Representative is also authorized to sign any subsequent amendments or agreements that may be required by the State of Minnesota to maintain the City of Windom's member law enforcement agency connection to the multi-agency task force.
3. That Kirby Kruse, Mayor of the City of Windom, and Steve Nasby, City Administrator, are authorized to execute the Joint Powers Agreement Contract No. DPS-M-0557 and any subsequent amendments or agreements that may be required by the State of Minnesota.

Adopted by the Council this 19th day of April, 2011.

Kirby G. Kruse, Mayor

Attest: _____
Steve Nasby, City Administrator

CERTIFICATION

STATE OF MINNESOTA }
COUNTY OF COTTONWOOD }

I certify that the above Resolution is a true and correct copy of the Resolution adopted by the Windom City Council at an authorized meeting held on the 19th day of April, 2011, as shown by the records in my possession.

Date: _____

Steve Nasby, City Administrator

Notary Public

My Commission Expires: _____

Minnesota Internet Crimes Against Children Task Force

Multi-Agency Law Enforcement Joint Powers Agreement

This Multi-Agency Law Enforcement Joint Powers Agreement, and amendments and supplements thereto, ("Agreement") is between the State of Minnesota, acting through its Commissioner of Public Safety, Bureau of Criminal Apprehension ("Grantee"), empowered to enter into this Agreement pursuant to Minn. Stat. § 471.59, Subd. 10 & 12, and City of Windom, acting through its Windom Police Department located at 902 Fifth Ave., Windom, MN 56101, ("Undersigned Law Enforcement Agency"), empowered to enter into this Agreement pursuant to Minn. Stat. § 471.59, subd. 10,

Whereas, the above subscribed parties have joined together in a multi-agency task force intended to investigate and prosecute crimes committed against children and the criminal exploitation of children that is committed and/or facilitated by or through the use of computers, and to disrupt and dismantle organizations engaging in such activity; and

Whereas, the undersigned agencies agree to utilize applicable state and federal laws to prosecute criminal, civil, and forfeiture actions against identified violators, as appropriate; and

Whereas, the Grantee is the recipient of a federal grant (attached to this Agreement as Exhibit A) disbursed by the Office of Juvenile Justice and Delinquency Prevention ("OJJDP") in Washington, D.C. to assist law enforcement in investigating and combating the exploitation of children which occurs through the use of computers by providing funding for equipment, training, and expenses, including travel and overtime funding, which are incurred by law enforcement as a result of such investigations; and

Whereas, the OJJDP Internet Crimes Against Children ("ICAC") has established a Working Group of Directors representing each of the existing ICAC Task Forces to oversee the operation of the grant and sub-grant recipients; and the State of Minnesota, acting through its Commissioner of Public Safety, Bureau of Criminal Apprehension has designated Donald Cheung as the Commander of the Minnesota ICAC Task Force.

Now Therefore, the parties agree as follows:

1. The Undersigned Law Enforcement Agency approves, authorizes, and enters into this Agreement with the purpose of implementing a three-pronged approach to combat Internet Crimes Against Children: **prevention, education and enforcement**; and
2. The Undersigned Law Enforcement Agency shall adhere to the Minnesota ICAC Task Force Program Standards contained in Exhibit B attached to this Agreement, in addition to complying with applicable Minnesota state and federal laws in the performance of this Agreement, including conducting undercover operations relative to ICAC, ; a list of Regional ICAC Task Force, Minnesota State Affiliate Agency and Training & Technical Assistance

Program contact information is contained in Exhibit C attached to this Agreement; and

3. Exhibits A and B are incorporated into this Agreement and made a part thereof. In the event of a conflict between this Agreement and the Exhibits, the terms of the Exhibits prevail; and
4. The Undersigned Law Enforcement Agency and the Grantee agree that each party will be responsible for its own acts and the results thereof to the extent authorized by law and shall not be responsible for the acts of any others and the results thereof. The Grantee's liability shall be governed by the provisions of the Minnesota Tort Claims Act, Minnesota Statutes, Section 3.736, and other applicable law. The Undersigned Law Enforcement Agency's liability shall be governed by the provisions of the Municipal Tort Claims Act, Minnesota Statutes, Section 466.01 - 466.15, and other applicable law; and
5. All members of the Undersigned Law Enforcement Agency shall continue to be employed and directly supervised by the same Law Enforcement Agency employer which currently employs the member performing Minnesota ICAC Task Force assignments; and all services, duties, acts or omissions performed by the member will be within the course and duty of that employment, and therefore, are covered by the Workers Compensation programs of that employer; will be paid by that employer and entitled to that employer's fringe benefits; and
6. The Undersigned Law Enforcement Agency must first submit a written request for funds and receive approval for the funds from the Grantee to receive any funds from the Grantee; and
7. The Undersigned Law Enforcement Agency must supply original receipts to be reimbursed on pre-approved requests. Approved reimbursement will be paid directly by the Grantee to the Undersigned Law Enforcement Agency within 30 days of the date of invoice, with payment made out to the City of Windom, and mailed to the Windom Police Department, 902 Fifth Ave., Windom, MN 56101.
8. The Undersigned Law Enforcement Agency shall maintain accurate records pertaining to prevention, education, and enforcement activities, to be collected and forwarded monthly to the Minnesota ICAC Task Force Commander or his designee for statistical reporting purposes; and
9. The Undersigned Law Enforcement Agency shall participate fully in any audits required by the OJJDP. In addition, under Minn. Stat. § 16C.05, subd. 5, the Undersigned law Enforcement Agency's books, records, documents, and accounting procedures and practices relevant to this Agreement are subject to examination by the Grantee and/or the Minnesota State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end date of this Agreement; and
10. The Undersigned Law Enforcement Agency shall make a reasonable good faith attempt to be represented at any scheduled regional meetings in order to share information and resources amongst the multiple entities; and

11. The Undersigned Law Enforcement Agency shall be solely responsible for forwarding information relative to investigative targets to the Child Pornography Pointer System (CPPS) pursuant to the OJJDP guidelines; and
12. The Undersigned Law Enforcement Agency shall provide the Minnesota ICAC Task Force Commander in a timely manner all investigative equipment that was acquired through OJJDP grant funding; in the event that future federal funding is no longer available, the Undersigned Law Enforcement Agency decides to dissolve its binding relationship with the Minnesota ICAC Task Force and the State of Minnesota Department of Public Safety, or the Undersigned Law Enforcement Agency breaches the Agreement.
13. That the Grantee may reimburse, the Undersigned Law Enforcement Agency for the following duties:
 - A. Investigations by the Undersigned Law Enforcement Agency under this agreement should be conducted in accordance with the OJJDP ICAC Task Force Program Standards contained in Exhibit B, and concluded in a timely manner. The Undersigned Law Enforcement Agency will only be reimbursed by the Grantee for overtime hours inclusive of fringe benefits of actual hours and/or actual expenses incurred related to performing Minnesota ICAC Task Force assignments and/or training approved by the Minnesota ICAC Task Force Commander through the term of this agreement or until all Federal funds under the OJJDP grant have been expended, whichever comes first.
 - B. The Grantee has a **TOTAL** Expense Budget of \$320,000.00 that was approved under the OJJDP Internet Crimes Against Children ("ICAC") Grant for investigative hours and expense reimbursement. The Undersigned Law Enforcement Agency participating in the Minnesota ICAC Task Force investigations will be reimbursed by the Grantee for actual costs as defined in Clause 13, Section A., to the extent such actual costs have been reviewed and approved by the Minnesota ICAC Task Force Commander.
14. Any amendment to this Agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original agreement, or their successors in office.
15. The Undersigned Law Enforcement Agency and the Grantee may terminate this Agreement at any time, with or without cause, upon 30 days' written notice to the other party.
16. **Terms of this agreement:**

This Agreement shall be effective on the date the Undersigned Law Enforcement Agency obtains all required signatures under Minn. Stat. § 16C.05, Subd. 2, and shall remain in effective through May 31, 2011 unless terminated or canceled. **Upon the effective date of this Agreement, the Undersigned Law Enforcement Agency will be entitled to reimbursements approved by the Grantee dating back to September 13, 2010 for**

overtime salary including fringe benefits, equipment, training and expenses to the extent Grantee has available funds to pay such and they have been approved consistent with Clause 13, Section B. Nothing in this Agreement shall otherwise limit the jurisdiction, powers, and responsibilities normally possessed by an employee as a member of the Undersigned Law Enforcement Agency.

1. Undersigned Law Enforcement Agency

Undersigned Law Enforcement Agency certifies that the appropriate person(s) have executed the Agreement on behalf of the Undersigned Law Enforcement Agency and its jurisdictional government entity as required by applicable articles, laws, by-laws, resolutions, or ordinances.

Jeffrey A. Shubert, Chief of Police
By and Title
Undersigned Law Enforcement Agency

4-12-11
Date

Title:
City of Windom

Date

Title:
City of Windom

Date

Mayor or Board Chair
City of Windom

Date

**2. Department or Public Safety,
Bureau of Criminal Apprehension**

Name: _____

Signed: _____

Title: _____
(With delegated authority)

Date

3. Commissioner of Administration

By and Title
MN Department of Administration
(With delegated authority)

Date

RESOLUTION #2011-

INTRODUCED:

SECONDED:

VOTED: Aye:
 Nay:
 Absent:

AUTHORIZATION TO ACCEPT A DONATION FROM DUCKS UNLIMITED FOR THE WINDOM COMMUNITY CENTER

WHEREAS, Minnesota State Statute §465.03 requires that any city accepting a grant or gift of real or personal property shall accept such by resolution of the governing body expressing the terms prescribed by the donor; and

WHEREAS, Ducks Unlimited is a supporter of the City of Windom and the Windom Community Center; and

WHEREAS, the City of Windom has recently received a donation of a wildlife duck print from Ducks Unlimited as a memorial for Carl Schneider. The value of the print is \$250.00; and

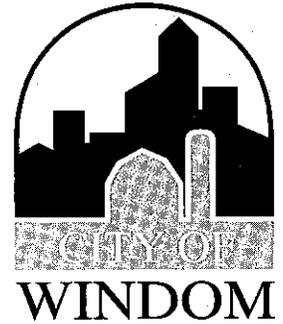
WHEREAS, the donor requests that the print be displayed at the Windom Community Center.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WINDOM, MINNESOTA, that the City Council hereby accepts the donation of the Wildlife Duck print valued at \$250.00, given by Ducks Unlimited as a memorial for Carl Schneider, for use as set forth herein.

Adopted by the Council this 19th day of April, 2011.

Kirby G. Kruse, Mayor

Attest: _____
Steven Nasby, City Administrator



April 14, 2011

Memo: Pool Slide

To: Windom City Council
CC: Windom Parks and Recreation Commission
From: Al Baloun, Recreation Director & Bruce Caldwell, Parks Superintendent

At the March 14, 2011 Parks and Recreation Commission meeting, Bruce Caldwell discussed with commission members that \$7000 maybe available from the Parks Capital Outlay account from the lawn mower purchase. At the April 18, 2011 meeting commission members will be approving a motion to recommend that the city council transfer this amount from the Parks to the Pool now that additional funds have come available.

Cost Estimates and Total Funds available are listed on the attached sheets. Enclosed are the drawings for the pool slide that I received from Jay Weber for a slide which is done by Avalanche Waterslides. It has been relayed to me by the slide vendors that we are getting the slide for quite a bit below retail cost because they see our slide as a possible new market for smaller communities and motels.

If you have any questions on the Pool Slide feel free to contact me before Tuesday's meeting Cell 507-822-0514, Work 831-6122, or e-mail winarena@windomnet.com.

Attachments:

Cost Estimated and Total Funds Available for Waterslide Windom Pool
Waterslide Drawing
Avalanche Waterslide Flyer



**PARK AND RECREATION COMMISSION MEETING
MINUTES MARCH 14, 2011**

1. **Call to Order:** The meeting was called to order by Terry Fredin at 5:15 p.m. in the council chambers at city hall.
2. **Roll Call:**

Commission Present:	Sherri Zimmerman, Terry Fredin, Jeff LaCanne & Angie Blanshan
Commission Absent:	Kay Clark
City Staff Present:	Sally Oltmann Pool Manager, Recreation Director Al Baloun & Park Superintendent Bruce Caldwell
Council Liaisons:	Corey Maricle & JoAnn Ray absent
Public:	Hannah Bartosh, Alan Bartosh, Jay Weber - Miracle Recreation Company Representative.
3. Approve Agenda
Motion by LaCanne, seconded by Blanshan to approve agenda with additions
Motion Carried Unanimous
4. Approve Minutes, February 28, 2011
Motion by LaCanne, seconded by Blanshan
Motion Carried Unanimous
5. **Recreation Director's Report- Al Baloun**
 - a. **Pool Slide** the Miracle Recreation Co. representative Jay Weber discussed with the group several options for slides. The commission stated they wanted something that would be exciting to go down and taller than what was first presented. If they would go with a larger slide then one of the one meter diving boards would also have to be removed due to rules and regulations. The budget for pool improvements is \$20,000 which may not be enough to purchase the larger slide. Baloun was instructed to get the costs for demolition and concrete work for a couple options. Mr. Weber was asked to get quotes on the different options and inform Baloun what is needed so the commission can make a decision. It was also stated that there is some money in the CIP account that could possibly be used to make up the shortage. The commission will need to hold a special meeting due to the shortage of time before the pool opens. They next meeting to review all the options and prices will be March 29, 2011.
 - b. **Pool Manger Sally Oltmann** she said all the staff have been sent letters concerning the 2011 season concerning the job openings. The pool is slated to open June 6th and close on August 17th. Oltmann said she lost the adult aerobics instructor therefore she is looking for another. If one can't be found she feels the adults that participated in prior years could run the exercises themselves.
 - c. **Recreation Programming:**
 1. Baloun and the commission agreed that the schedule for T-Ball should remain the same as previous years 9:00 -11:00 am. daily so not to interfere with swimming lessons. Girl's softball program will have to run at 11:00 – 12:00 am. There were some questions if girls could still participate in the T-Ball program. Baloun said they could be both T-Ball and Girls softball beings there not at the same time of day. Baloun said if there are enough kids the Tykes could play at 10:00 or 11:00 am. because not all the fields will be used for girls softball at 11:00 am. 30/60 league will be played Tuesday & Thursday evenings. Commission members recommended having a letter for participants to give out on registration night explaining the changes taking place with the youth baseball programs.

2. The advertisement for Summer Baseball Coordinator and Assistants to help with the Baseball program will be in the Citizen. It was recommended to add to the baseball coordinator position that "College students seeking coaching experience encouraged to apply".
 3. Baloun reported that he had received notification that Windom had not been chosen to host a Minnesota Twins Youth Baseball Clinic this Summer. He will reapply next year.
 4. Baloun reported that he had not heard anything more from the promoter that wanted to bring a Monster Truck Show to the Arena,
 5. Baloun handed out a Revenue/Expense Report for the Arena for the last ten years to Commission members.
 6. Baloun reported that an additional horse show had been added the second weekend of July put on by South Dakota Palomino Association
-
6. Park Superintendents Report – Bruce Caldwell
Caldwell informed the commission that the new archway at Island Park is done and will be installed within the next two to three weeks. Most of the other Park entrance signs have also been refurbished as well.
 7. Open Mike:
Jeff Lacanne- Wanted to make sure that all participants in the 30/60 League are allowed to participate in the tourney put on by the Windom Youth Baseball Association in June.
 8. Meeting Adjourned at 7:15 P.M.

**Special Meeting Park & Recreation Tuesday March 29th,
2011 5:15 p.m. Council Chambers "Pool
Improvements"**

COST ESTIMATES FOR WATERSLIDE WINDOM POOL

SLIDE

Jay Weber Recreational Design INC	\$28,215.00	
Pump	<u>-\$1500.00</u>	
	\$26,715.00	
TAX X 1.06875	\$1,836.65	\$28,551.65
Plan Review		
MN Dept of Health		\$600.00
Signature Aquatics		
Pump Installation		\$5,500.00
Ron's Electric		
Electric		\$1,000.00
Concrete		
Negan		
Remove of 1& 3 Meter Boards, 10 x 30 Pad		
Repair Deck		\$1,882.00
Extras		
Excavate Sod & Dirt		\$87.50
Haul & Disposal of Concrete	\$162.50	
1 Load Gravel- 7 Yards		\$91.50
Cut Concrete		\$300.00
Total Extras	\$162.50	
Totals W Concrete		<u>38,012.65</u>

In Kind Labor-City of Windom

	Hours	Rate/Staff	Staff	
Truck to haul Debris				\$100
Labor to take out old Fencing	2	\$50	2	\$400
New Fence Materials				\$300
New Fence Install	6	\$50	2	\$600
Labor to Install Pool Slide	16	\$50	3	\$2,400
Truck to Haul Sod & Dirt				<u>\$100</u>
Total In Kind				\$3,900

Total Funds - Available for Waterslide Project

Pool Capital Outlay	\$20,000.00
Parks- Transfer to Pool from Lawn Mower Purchase	\$7,000.00
Remick Foundation	<u>\$11,000.00</u>
Total	\$38,000.00

**The Robert and Helen Remick Charitable Foundation Trust
Windom, Minnesota**

John Remick
Lynel Nelson
Cheryl Holthe Rients
Howard Davis
Trustees

Address correspondence to:
Patrick Costello
P. O. Box 123
Lakefield, MN 56150
(507) 662-6621

April 15, 2011

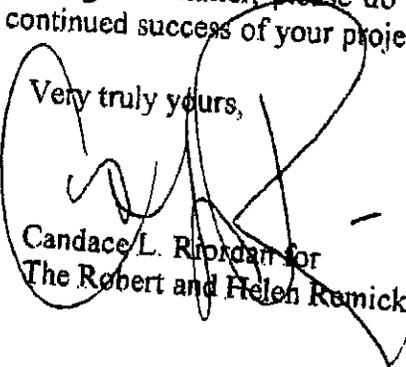
Denise Nichols, Grant Writer
City of Windom
444 9th Street
P.O. Box 38
Windom, MN 56101

Dear Denise:

On behalf of the trustees of the Foundation, I am pleased to inform you your grant has been approved in full. Enclosed please find a check in the amount of \$11,000.00 made payable to the City for expenses associated with the installation of a new pool slide.

If you have any questions regarding this matter, please do not hesitate to contact me. May I extend my good wishes for the continued success of your project.

Very truly yours,


Candace L. Ripordan for
The Robert and Helen Remick Charitable Foundation Trust

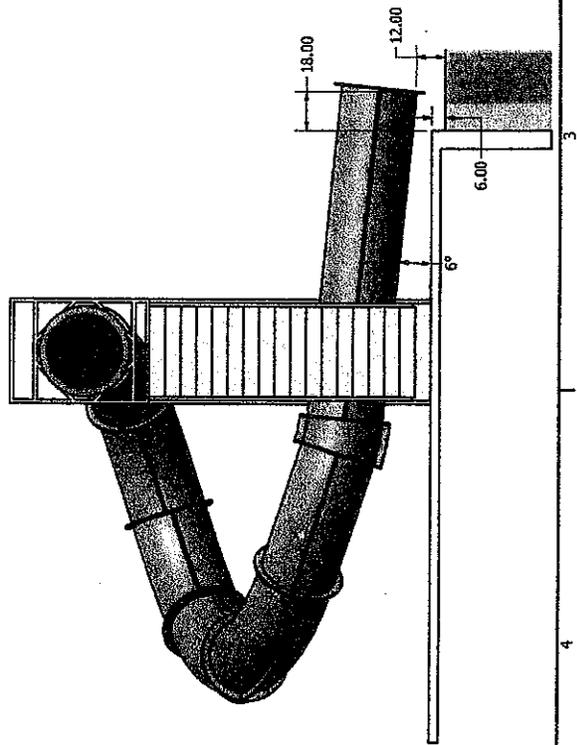
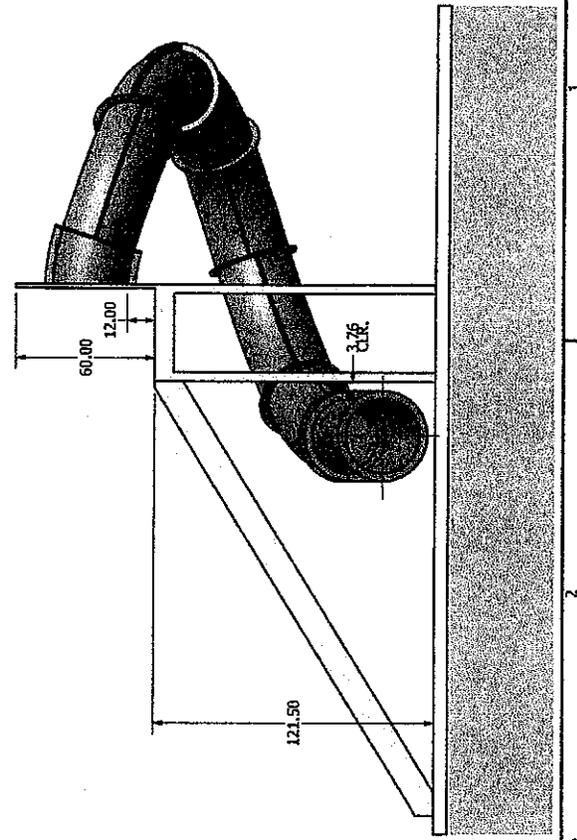
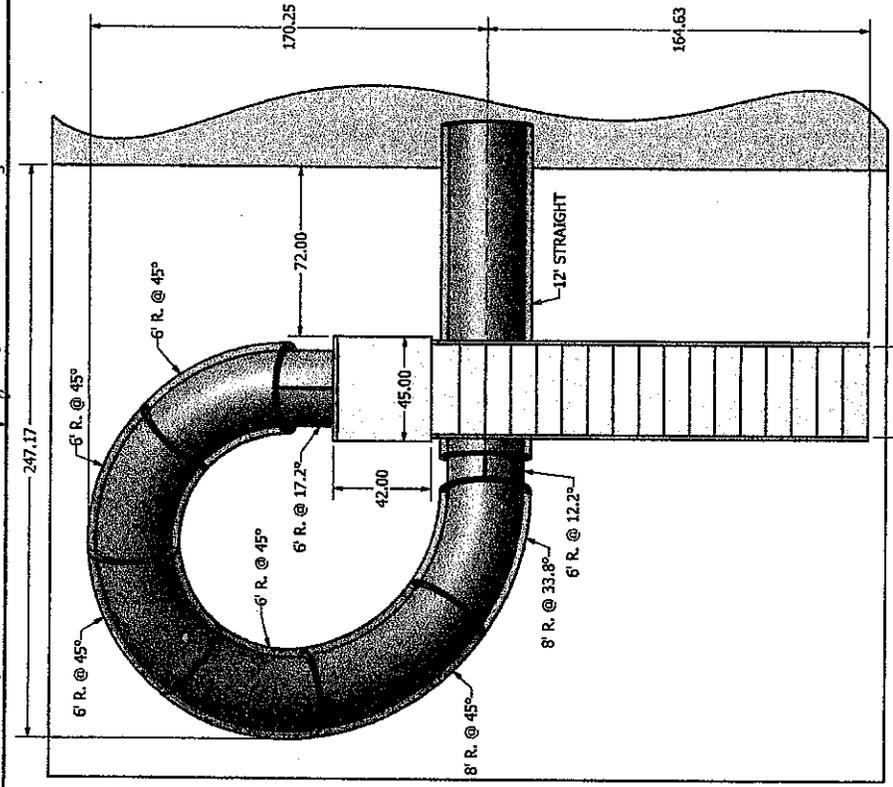
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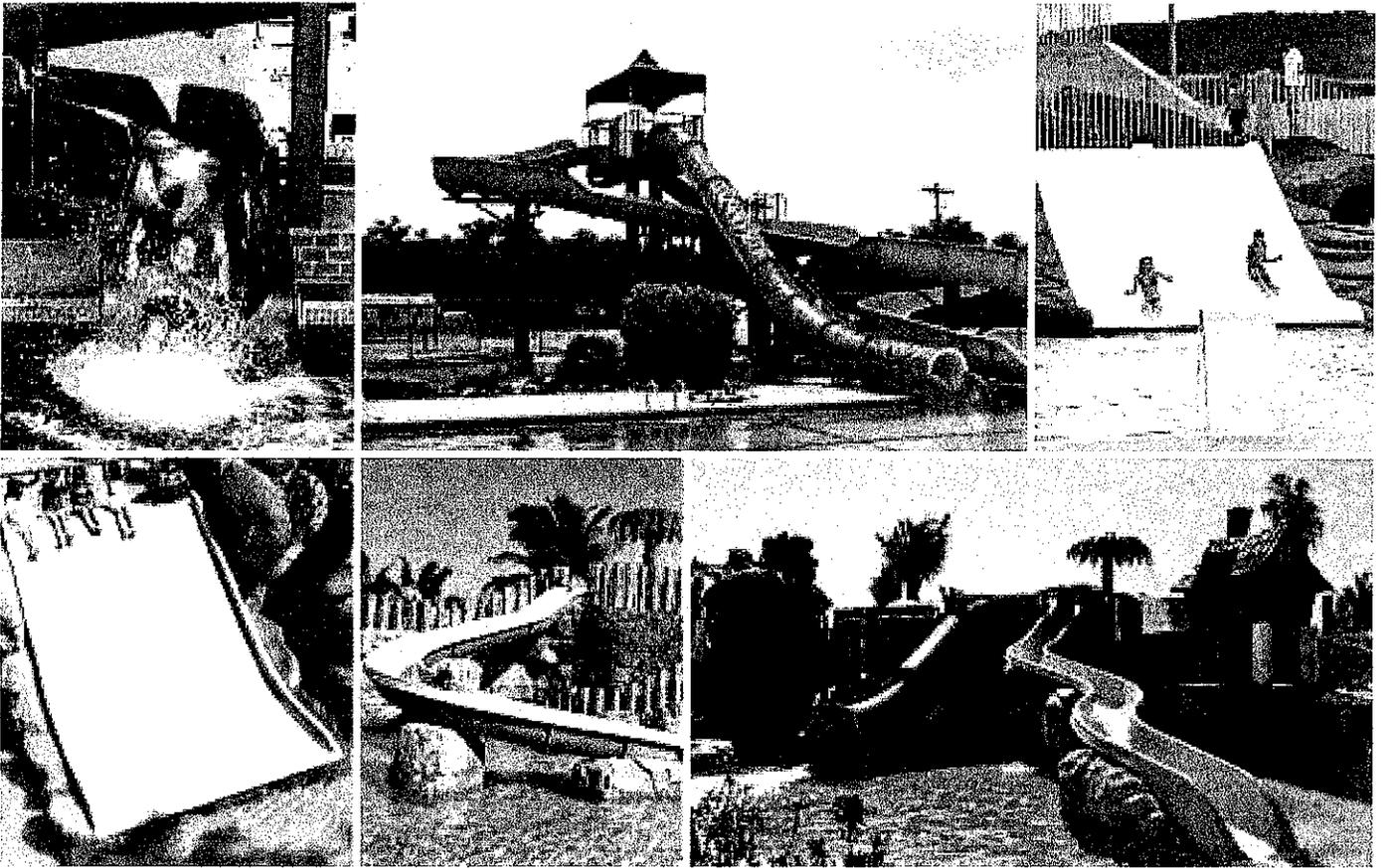
2016

7129

SLIDE LENGTH - 44'-8"

2	1	AVALANCHE WATERSLIDES INC.	
DRAWN Geotops	3/16/2011	TITLE DECK TOP SLIDE	
CHECKED		SIZE C	REV
QA		SCALE	
MEG		DWG. NO. DTS-001	SHEET 1 OF 1
APPROVED			





avalanche waterslides™

Your Ultimate Water Slide Solution

Avalanche Waterslides is an experienced and reliable partner for all your water slide needs! As a full service system integrator, Avalanche Waterslides offers architectural, engineering, manufacturing and installation capabilities for all types of aquatic projects.

Avalanche Waterslides offers exceptional customer service and expert installation.

Featuring brand new molds and innovative designs, Avalanche's water slides and accessories are safe, durable and attractive. Avalanche Waterslides designs are constructed of high quality fiberglass and marine gel coats which meet or exceed all industry standards.

- ◆ 32-inch Enclosed Water Slides
- ◆ 42-inch to 54-inch Open Water Slides

- ◆ Fun Stuff (body slides, inner tube slides, speed slides, family slides, kiddie slides, bowl slides and more)

- ◆ Floatable Sculptures
- ◆ Shades, Pumps & Nets

Waterslide Experience

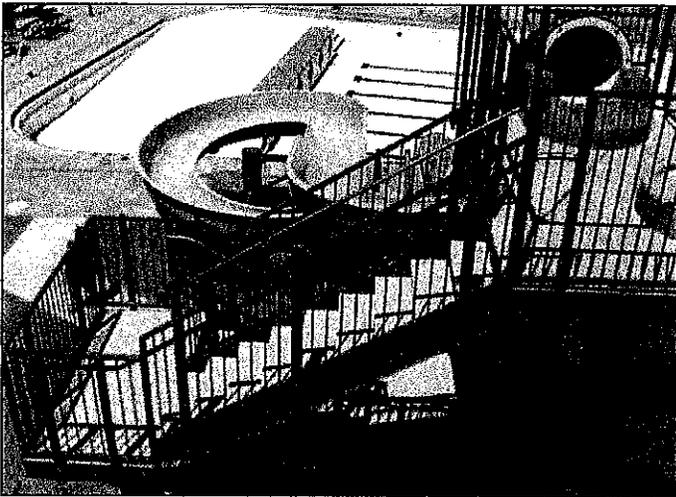
At Avalanche Waterslides, our employees possess a combined 60 years of experience in project management, waterslide engineering, structure manufacturing, and waterslide installation.

We dedicate this vast experience to our clients and emphasize industry knowledge, as well as strong customer service. When you select Avalanche for your project, you will receive a project plan and a time line. Our staff strives to communicate updates in a timely manner at each stage of the project.

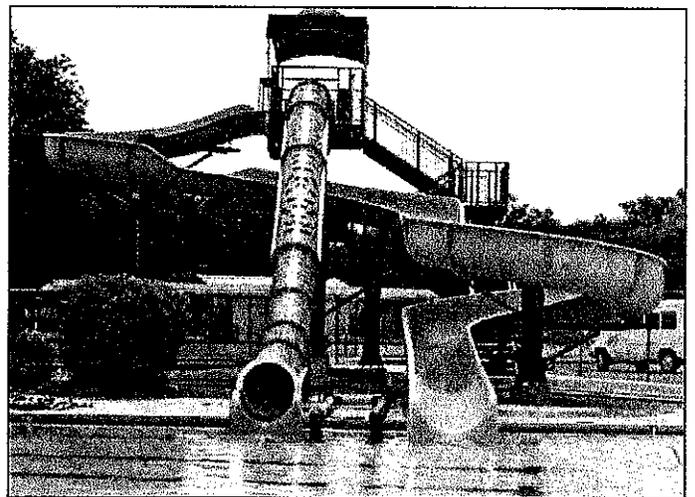
All water slide structures are built by our fabrication partner, who has 13 years experience and is a leader in the waterslide industry. Their ability to turn projects quickly has propelled them to be leader in water slide structure manufacturing and an ideal partner for your next project.

Recent Projects

Wipeout Waterslide in La Junta, CO

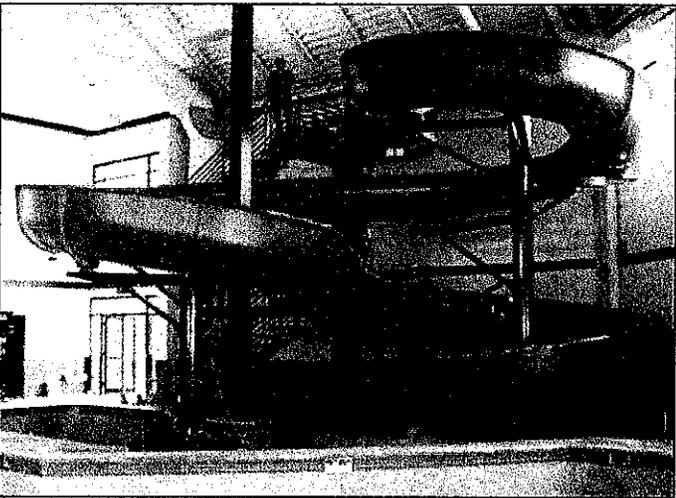


The city of La Junta awarded a contract for two new decktop waterslides to Avalanche Waterslides.



The newly refurbished Wipeout Waterslide is open and a new tunnel slide has added extra excitement.

Silverthorne Recreation Center in Silverthorne, CO

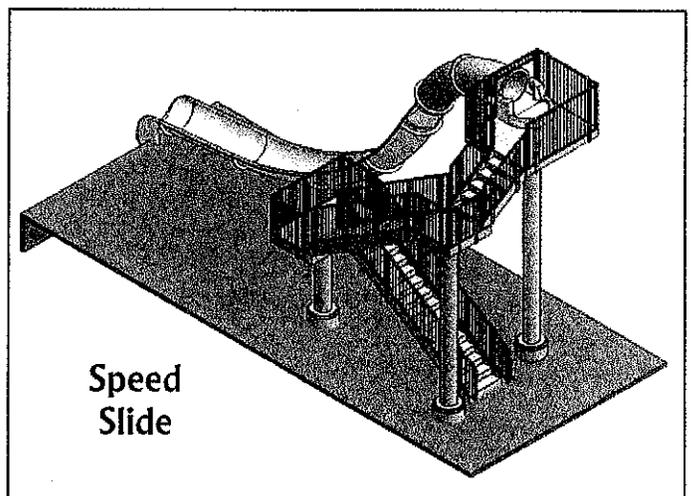
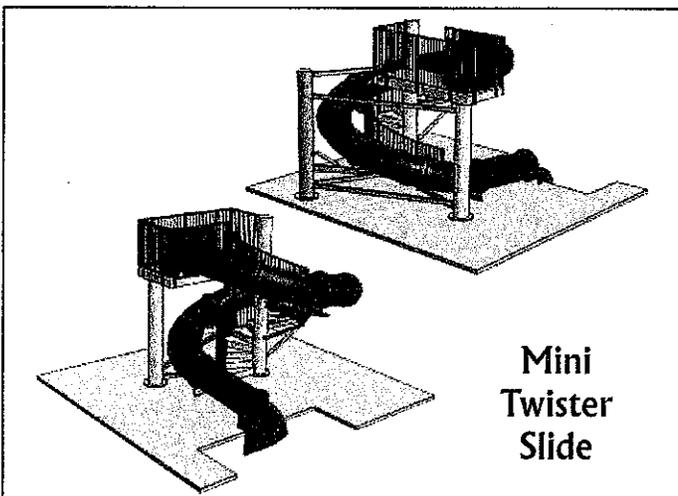
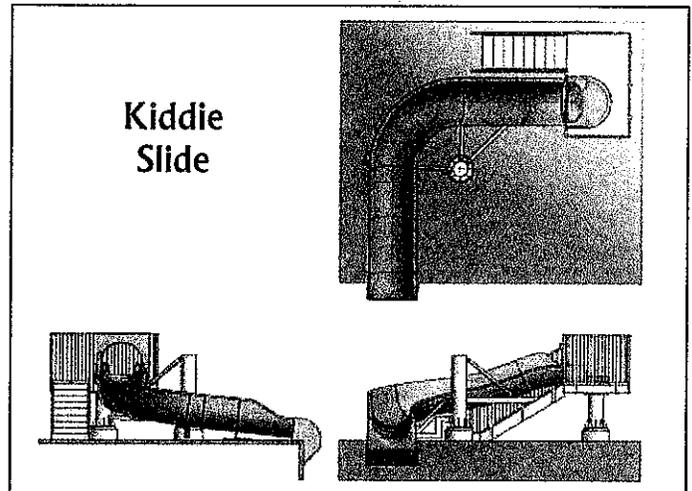
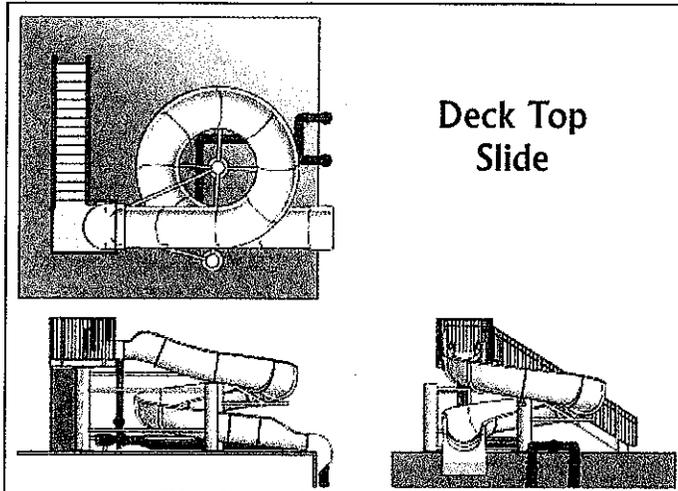


A 42" open body flume water slide was installed in 10 business days, which allowed the aquatics center to stay on schedule.



Silverthorne Mayor Dave Koop inaugurated the water slide by taking the first ride after installation was completed.

Water Slide Plans

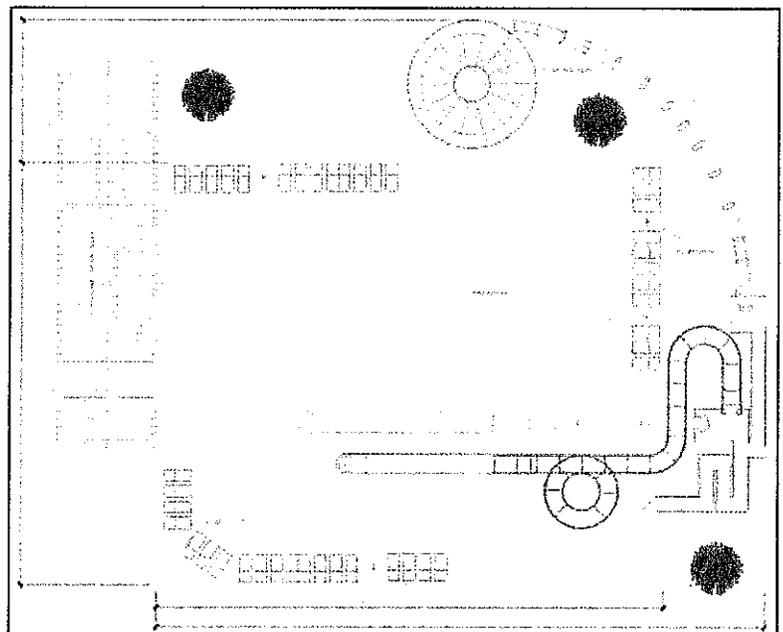


Concept Designs Including Water Slides

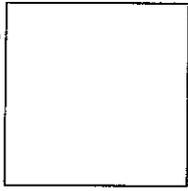
Whether your plans call for building a single water slide, or incorporating multiple slides as part of a larger atmosphere such as a pool or water park, Avalanche Waterslides is the right partner.

Our project managers have over 22 years of experience in handling multi-faceted projects, and our engineers have been putting together designs and monitoring projects from conception to completion for over 20 years.

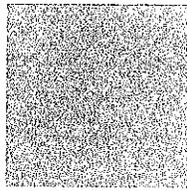
Simply put, Avalanche brings the experience you need and expect for any type of water play environment.



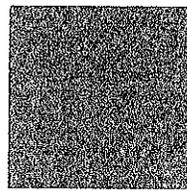
Flume Colors



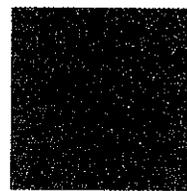
White
#564491



Sand
#564307



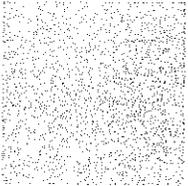
Yellow
#119391



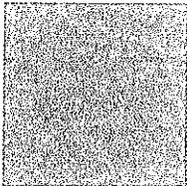
Orange
#565014



Red
#563896



Sea Foam
#562252



Sky Blue
#562985



Ocean Blue
#126754



Green
#562327



coming
soon
Translucent/
Clear

About Avalanche Waterslides, Inc.

Avalanche Waterslides offers a variety of customizable waters slides and aquatics products suitable for theme parks, water parks, recreation facilities, municipal and community centers, fitness centers, hotel and resort facilities, camp grounds and residential developments.

With 60 years of combined experience in project management, water slide engineering, structural manufacturing and water slide installation, Avalanche Waterslides moves projects from conception to completion with ease. Contact Avalanche Waterslides with your next project and see what sets Avalanche apart.

avalanchewaterslides™
Your Ultimate Water Slide Solution

(816) 896-8913 or (816) 896-8915 | avalanchewaterslides@yahoo.com
PO Box 24 • 2112 Carrie Street • Carthage, MO 64836
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City of Windom Staff Report

To: Mayor, City Council, and City Administrator
From: Mark P. Hanson, EDA Executive Director
Date: April 15, 2011
Item Title/Subject: SCDP – 327 Ninth Street – Assignment

Background: Loren and Evelyn Hammer own commercial property located at 327 Ninth Street. In 2001, Loren and Evelyn Hammer participated in the EDA's SCDP Commercial Rehab Loan Program. Also, in 2008 the Hammers and David and Sheryl Eyberg participated again in the EDA's SCDP Commercial Rehab Loan Program. The Hammers previously entered into a contract for the sale of the "Hammer's Furniture" building at 327 Ninth Street to David and Sheryl (Hammer) Eyberg. The parties wish to pay off that contract at this time. Pursuant to the SCDP Mortgages, payment is due in full upon sale of the property. However, the EDA has the right to waive this requirement and allow the assumption of existing SCDP mortgages by successors in interest. Eybergs have been making payments and intend to continue making the monthly payments on the SCDP mortgages. In 2002 and 2007, similar transfers between parents and children were allowed and the mortgage payments were assumed by the children.

On April 11, 2011, the EDA Board reviewed this proposal and also a copy of the proposed Memorandum of Understanding and Assumption Agreement which has been approved by City Attorney Dan McDonald. (A copy of which is attached.)

Also on April 11, 2011, the EDA Board approved a motion recommending to the City Council: Approval of the proposed transfer in ownership of the property at 327 Ninth Street from Loren and Evelyn Hammer to David and Sheryl Eyberg; approval of the assumption of the existing SCDP mortgages by the Eybergs; and approval of the proposed Memorandum of Understanding and Assumption Agreement between the parties. In addition, the City Council would need to authorize the Mayor to execute the consent to the assignment provided in the Agreement.

Should you have any questions concerning this matter, please do not hesitate to stop by our office or contact me at 831-6125. I also plan to be present for the April 19th City Council Meeting.

Respectfully submitted,

Mark P. Hanson

MPH:mah

MEMORANDUM OF UNDERSTANDING
AND ASSUMPTION AGREEMENT

THIS MEMORANDUM OF UNDERSTANDING AND ASSUMPTION AGREEMENT is made and entered into this _____ day of _____, 2011, by and between LOREN D. HAMMER and EVELYN E. HAMMER, husband and wife, (hereinafter referred to as "BORROWERS"); DAVID L. EYBERG and SHERYL L. EYBERG, husband and wife, (hereinafter referred to as "ASSIGNEES"); and the CITY OF WINDOM, a municipal corporation under the laws of the State of Minnesota, (hereinafter referred to as "LENDER").

WHEREAS, the BORROWERS are the owners of property located at 327 Ninth Street and legally described as:

THE EAST SIXTEEN AND ONE-HALF FEET (16.5') OF LOT ELEVEN (11) AND ALL OF THE ALLEY BETWEEN LOTS ELEVEN (11) AND TWELVE (12) IN BLOCK TWELVE (12) OF THE ORIGINAL TOWNSITE TO THE CITY OF WINDOM, COTTONWOOD COUNTY, MINNESOTA; and

WHEREAS, the BORROWERS participated in commercial rehab projects as part of the Small Cities Development Programs offered by the LENDER in 2001 and in 2008; and

WHEREAS, on April 26, 2001, the BORROWERS executed a Combination Mortgage, Security Agreement and Loan Repayment Agreement encumbering the above-described real estate; and said Mortgage was recorded on October 5, 2001, as Document No. 233834 in File 201 on Card 1374; and

WHEREAS, on July 17, 2008, DAVID L. EYBERG and SHERYL L. EYBERG, husband and wife, and LOREN HAMMER and EVELYN HAMMER, husband and wife, (as Contract for Deed Vendors) executed a Combination Mortgage, Security Agreement, Note and Loan Repayment Agreement encumbering the above-described real estate; and said Mortgage was recorded on July 31, 2008, as Document No. 257073; and

WHEREAS, DAVID L. EYBERG and SHERYL L. EYBERG are in the process of purchasing the property on contract from the BORROWERS and plan to pay off the remaining balance on the contract in 2011; and

WHEREAS, it is the BORROWERS' intent to convey the above-described real estate to DAVID L. EYBERG and SHERYL L. EYBERG and to assign their interest in the Mortgages to the EYBERGS; and

WHEREAS, DAVID L. EYBERG and SHERYL L. EYBERG, as "ASSIGNEES", have agreed to assume the Mortgages and to fulfill all remaining obligations under said Mortgages; and

WHEREAS, the LENDER has consented to the proposed conveyance of the above-described real estate, based upon assumption of the Mortgages by the ASSIGNEES; and the LENDER requires that specific language be added to the Warranty Deed regarding the Mortgages.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. The Warranty Deed from the BORROWERS to the ASSIGNEES shall contain the following language:

"Grantees, by acceptance of this Warranty Deed, agree to assume and be responsible for all terms and conditions of the two Combination Mortgage, Security Agreement, and Loan Repayment Agreements between the above Grantors, as Borrowers, and the City of Windom, the first of which was dated April 26, 2001, and recorded on October 5, 2001, as Document No. 233834 in File 201 on Card 1374 and the second instrument dated July 17, 2008, and recorded on July 31, 2008, as Document No. 257073."

2. The ASSIGNEES acknowledge receipt of a copy of each of the above-described Mortgages and agree to assume and fulfill all terms and conditions of said Mortgages.

3. The LENDER, in consideration of the assumption of the aforementioned Mortgage obligations by David L. Eyberg and Sheryl L. Eyberg, agrees to release the original Borrowers from any further liability under said Mortgages, contemporaneously with the conveyance of the real estate to DAVID L. EYBERG and SHERYL L. EYBERG.

IN WITNESS WHEREOF, the undersigned have executed this Memorandum of Understanding and Assumption Agreement.

BORROWERS:

Loren D. Hammer

Evelyn E. Hammer

ASSIGNEES:

David L. Eyberg

Sheryl L. Eyberg

LENDER:

CITY OF WINDOM

By _____
Kirby G. Kruse, Mayor

STATE OF MINNESOTA,
SS:
COUNTY OF COTTONWOOD.

The foregoing instrument was acknowledged before me this _____ day of _____, 2011, by Loren D. Hammer and Evelyn E. Hammer, husband and wife, as "Borrowers".

Notary Public

(Stamp or Seal)

STATE OF MINNESOTA,
SS:
COUNTY OF COTTONWOOD.

The foregoing instrument was acknowledged before me this _____ day of _____, 2011, by David L. Eyberg and Sheryl L. Eyberg, husband and wife, as "Assignees".

Notary Public

(Stamp or Seal)

STATE OF MINNESOTA,
SS:
COUNTY OF COTTONWOOD.

The foregoing instrument was acknowledged before me this _____ day of _____, 2011, by Kirby G. Kruse, Mayor, on behalf of the City of Windom, a municipal corporation under the laws of the State of Minnesota, on behalf of said corporation.

Notary Public

(Stamp or Seal)

Drafted By:
City of Windom
444 9th Street, P. O. Box 38
Windom, MN 56101
507-831-6125

MEMORANDUM



CITY OF WINDOM
444 9th Street
Windom, MN 56101
Phone: 507-831-6129
Fax: 507-831-6127
www.windom-mn.com

TO: City Council
FROM: City Administrator 
DATE: April 15, 2011
RE: Strategic Planning & Goal Setting – Resource Identification

On April 5, 2011 the Council requested information identifying potential resources for strategic planning and goal-setting meetings. The following are brief summaries of the possibilities.

University of Minnesota Extension Service

Tobias "Toby" Spanier, Educator, Leadership & Civic Engagement, Center for Community Vitality is the representative for southwest Minnesota. Due to his schedule, Mr. Spanier was unable to provide information for the Council packet by today's deadline; however, he will forward information to the City Council for a handout on Tuesday evening. During our discussion, I outlined the key points the City Council had previously discussed as their intent or vision for this process. As such, the information Mr. Spanier provides will resemble an outline for a work plan and possible costs specific to Windom.

Private Consultants

I researched the availability of private consulting firms and there are numerous options. After consultation with the League of Minnesota Cities there were several firms that have done work in other Minnesota cities. These contacts included Bruce Lesley with FirstFocus, Richard Fursman with Brimeyer\Fursman and Dave Unmacht with Springsted, Inc.

- FirstFocus has been used by the League of Minnesota Cities, but the firm is located in Washington DC and the expenses were likely outside of our budget so I did not pursue this option.
- Brimeyer\Fursman is located in Maplewood, MN and was contacted on April 12 about our project, but no response from them has been received.
- Springsted, Inc. is located in St. Paul, MN. They also inquired about the key points the City Council identified as their intent or vision for this process. Attached are two work plans Springsted has completed for other communities and these "bookend" proposals show the range of services offered by this firm.

League of Minnesota Cities

The League of Minnesota Cities noted that they do have staff trained in facilitation, but they do not have an identified service available or marketed to communities.

Finding Windom

Mari Harries stated that the Finding Windom group would like to participate in this activity and the range of their participation can be flexible. Attached is an email from Mari.

Should the City Council like to further detail its expectations for this process and/or discuss the project, both the University of Minnesota Extension Office and Springsted, Inc. have indicated that they would be available to meet with the City Council prior to a final decision. In addition, I anticipate the Finding Windom group would also be available for further discussion.

Main Identity**FINDING WINDOM**

From: "Finding Windom" <findingwindom@hotmail.com>
To: "Steve Nasby" <snasby@windom-mn.com>
Sent: Friday, April 08, 2011 11:17 AM
Subject: RE: community conversation.

Yes, I understand we were not selected, this is why Finding Windom is extending a helping hand. We can make this "community conversation" happen without the League of MN Cities formal "Community Conversations." Maybe we can get things rolling before we pay someone to come facilitate a community meeting. The U of M Extension could come in after gather the communities ideas--this way we can give the paid "facilitator" ideas of where we are heading. It should be as simple as a city hall meeting--and Finding Windom would love to help make this meeting happen and see that it is organized and successful. This is how many communities have started and completed community development efforts. If we as a community can't come together to discuss our visions, then there would be no use for an outsider to come into the community to get things done.

We can also utilize social media to get the ball rolling, and we can use Finding Windom's facebook page to get the community conversation happening. This would be a great way to get more people's ideas and visions about Windom without taking too much of their time. While many may think it worth an infinite amount of their time to make the community a better place (like me), some people don't. Using social media would be less of a time commitment for a lot of people, but still allow for involvement.

So if you want to add these ideas to your list to present to the council that would be wonderful. It is good to have options...

Thanks Steve, and I'm looking forward to working with the council to make the quality of life that much better in Windom.

Mari

From: snasby@windom-mn.com
To: findingwindom@hotmail.com
Subject: Re: community conversation.
Date: Thu, 7 Apr 2011 13:51:24 -0500

Mari -

Unfortunately we were not selected by the League of MN Cities as one of the Community Conversations participants. However, the City Council does want to proceed with long-range planning, goal setting and work with citizens to help guide the community's future. My charge from the Council was to identify resources for the moderation/facilitation of these meetings. I have contacted the U of M Extension Service, League of Minnesota Cities and Minnesota City Managers Association. If you know of other possibilities I would be happy to include that information when I report back to the Council on April 19.

Steve

----- Original Message -----

From: Finding Windom
To: snasby@windom-mn.com
Sent: Thursday, April 07, 2011 1:48 PM
Subject: community conversation.

Hi Steve,

I'm just following up about the community conversation piece at the city council meeting on Tuesday.

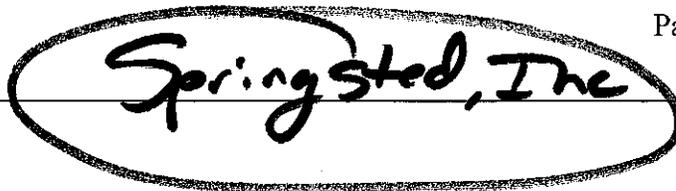
Would you like to collaborate with Finding Windom to make this happen? Finding Windom would really like to help stir conversation about a strategic plan/goals for Windom. I have been doing a lot of research and making a lot of contacts the past few month with people who have done exactly this--community conversations about the future and vision of their community.

Let me know if you would like to meet to get the ball rolling on this--as you know, it is much needed within the community and Finding Windom would love to get it started with the help of the city.

Let me know what your thoughts are.

Finding Windom together,

Mari Harries
507-822-1691

Main Identity

From: "Brenda Krueger" <bkrueger@springsted.com>
To: <snasby@windom-mn.com>
Cc: "David Unmacht" <dunmacht@springsted.com>
Sent: Friday, April 15, 2011 3:09 PM
Attach: Windom Example Work Plan 1.pdf; Windom Example Work Plan 2.pdf
Subject: Windom - Strategic Planning Workplan Examples from Springsted

Good afternoon Steve,

We have attached two examples of workplans for strategic planning initiatives we are assisting with. These workplans provide an excellent example of the scope of our services and also reflects the needs of the City of Windom as we discussed earlier today. We estimate the fee for assisting the City of Windom would be between \$1,500 and \$3,000.

We would appreciate the opportunity to work with you!

Please call Brenda directly if you have additional questions this afternoon. David Unmacht's direct dial phone number is 651.223.3047. Brenda is able to contact Dave by cell phone this afternoon if additional discussion would be helpful.

Brenda A. Krueger, CIPFA
Vice President

Springsted Incorporated
380 Jackson Street, Suite 300
Saint Paul, Minnesota 55101-2887

651-223-3065
651-268-5065 Fax
bkrueger@springsted.com

Visit us on the web at www.springsted.com

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Springsted

**City of █████, Minnesota
Draft for Review and Discussion
Initial Work Plan
April 2011**

Background

Recent economic conditions and factors have changed the fabric of our communities. City governments are under a great amount of pressure to deliver high quality services in a fiscally constrained environment. Historically consistent and reliable patterns and trends are no longer valid and all local governments are faced with some tough choices ahead. The lingering impact of the deep recession is causing a revisiting and re-evaluating of local policies, strategies and priorities. Through a deliberate and focused goal setting session the City can successfully evaluate and prioritize its long term goals and ensure that short term actions and financial investments support and advance your priorities and strategies derived from the goals.

Work Session Objectives

The City of █████ is interested in conducting a goal setting session with the City Council and staff. There are four objectives to the work session.

- Focus the City Council and staff on the major strategic and policy priorities which will determine the goals and ultimately define the future direction of the City.
- Engage the participants in a productive and positive conversation about the future of the City (and community).
- Develop an outline that includes the major priorities and strategies identified in the session. (It is anticipated that city staff will use this document to create a working plan with more details and specifics to be added after the session.)
- Ideally, utilize the outcomes of the discussion to help support and prepare the 2012 budget.

Work Session

The agenda will be prepared in consultation with the City. It is anticipated to be an eight (8) hour session. Suggestions to build the agenda include:

- Opening and introductions by all participants – identifying individual expectations
- Reflections on accomplishments and areas of need within the City
- Succinct staff briefings on key issues and challenges facing the City
- Perspective and reflection from the Facilitator (setting the stage at various points in the agenda)
- Review of internal and external factors that influence and shape decisions and directions of the City
- Extensive discussion and engagement of all participants in identifying strategies and policy priorities

The format for the session will be determined in conjunction with the city, but it is my professional preference – based on the size of the group – to keep the group together the entire time and not break out into small groups.

Facilitator

The role of the facilitator is to ensure the meeting runs smoothly, is openly fair and objective, and encourages participation and engagement of all participants. The facilitator also probes and stimulates discussion, adds value to the subjects under consideration and supports the efforts of the City to reach its work session objectives.

Deliverables

- Ongoing conversations with the City Administrator to organize and prepare for the work session.
- Facilitate the work session.
- Draft a document in an outline format that can be used by staff to build upon in the future.
 - Present to the City Council if requested

Costs

The fee for the strategic planning process is \$2,250. This is all inclusive of miscellaneous expenses such as travel, copying, etc. This fee is subject to negotiations and change based on future conversations with the City Administrator.

References

Matt Fulton
City Manager
City of Coon Rapids
(763) 274-8675

Kay Kuhlmann
City Council Administrator
City of Red Wing
(651) 385-3612

Michael Mornson
City Manager
City of St. Anthony
(612) 782-3311

Dave Hemze
County Administrator
Carver County
(952) 201-9872

Optional Service: Preparation and Planning

Prior to the work session meet with the City Council and designated staff to introduce the facilitator and discuss and confirm the four work session objectives. This introduction will also allow the facilitator to obtain input on the work session agenda. Meeting the facilitator in advance builds credibility and familiarity prior to the session as well.

Estimated cost for this is \$475.



David Urmacht
Springsted, Incorporated
_____, 2011



_XXX, Minnesota

Work Plan for Strategic Planning

Framework

Governments are under a great amount of pressure to deliver high quality services in a fiscally constrained environment. To that end, elected officials and public administrators are under pressure to employ new and innovative solutions that require progressive leadership, creative partnerships, cautious risk taking and an investment in their personnel and organizational culture. Success in the public sector is hard to define, but those public entities that enhance and enrich their people, their process, their systems and their strategies are more likely to deliver more value by maximizing the use and allocation of limited public resources.

Recent economic conditions and factors have changed the fabric of our communities. Historically consistent and reliable patterns and trends are no longer valid and all local governments are faced with some tough choices ahead. The impact of the deep recession is causing a revisiting and re-evaluating of local policies and priorities. It is both timely and important for XXX to convene to discuss the future of their organization. Through a deliberate, focused and efficient strategic planning process – the City can successfully evaluate and prioritize its long term direction and goals and ensure that its financial investments match its strategies and priorities.

Goals and Objectives

XXX is interested in developing a Strategic Plan. To accomplish this objective there are three goals and objectives inherent in the City's strategic planning process.

- Focus the City Council and staff on the *major* strategic and policy priorities which will define and determine the future of the City.
- Prepare a plan that includes specific goals, timelines and tasks (action steps) and is easy to understand, monitor and update.
- Utilize the anticipated strategies and goals to help support financial planning including the development of the 2012 budget.

Outcomes

The success of a strategic planning effort is often a function of two variables: 1) how easy the plan is to understand and follow; and 2) how well the plan is integrated into the work flow and daily operations of the City. This planning process, as well as the final product, will consider and include ideas on how the results can be turned into reality. Recommendations will be included which will assist the City Council and staff in the implementation phases of the strategic plan. The written report will be a concise, succinct and easy to understand document.

A strategic planning process must be tailored to the needs and desires of the XXX. The elected officials and staff are experienced community leaders and have committed the time necessary to

conduct an efficient, yet thorough process. The process will begin in March and is anticipated to be completed within a two month timeframe.

Preparation and Planning: First Interaction

Before moving ahead, the process should be presented to the City Council and Department Heads for the purposes of obtaining their input and ideas on the meeting formats and desired outcomes. I suggest we accomplish this through a meeting with both groups; first with the City Council and then with the Department Heads. This step also introduces the facilitator to the City officials and visa versa. This familiarity will help when the actual meetings begin.

There are three meetings planned. The first two are anticipated to last between 2 and 3 hours and the final meeting between 1 and 1 ½ hours.

- **Meeting Number One**

A brief roundtable discussion will open the first meeting allowing each participant the opportunity to describe his/her goals and expectations to be derived from the strategic planning process.

The facilitator will make a presentation to set the stage and prepare the participants for the upcoming process. A brief staff presentation will occur on major challenges the City is facing. A discussion will follow on the main points of the presentation.

A brainstorming session will be held giving each participant an opportunity to express his/her ideas and thoughts about the present and future of the City including their *highest priorities, biggest concerns and most critical policy issues*. Drawn out from this conversation will be what is working really well within the City and what might need to change or be improved. The discussion will include thoughts on the general conditions and external factors which will influence and guide the future of the City. This is similar to a *where are we now, where do we want to go step*. This session is in lieu of a traditional Strength, Weaknesses, Opportunities and Threats (SWOT) analysis.

On-line Staff Survey

Between meetings one and two an on-line confidential staff survey will be administered. The purpose of the survey is to seek input from the staff on the major policy priorities, issues and challenges of the City. (This is not a general "all-purpose" employee survey, but a short list of questions focused on priorities, issues and the future.) The results of the survey will be presented to the participants prior to the second meeting.

Meeting Number Two

This meeting will bring together all information and ideas learned and generated from the first meeting and the staff survey. A draft set of emerging strategies, and policy priorities will be introduced to the City Council for discussion. The estimated number of strategies will be determined at that time – a general guide is to have between five and seven. Preliminary discussion will also begin on goals and action steps within each strategy.

Meeting Number Three

This final step incorporates goals, timelines and action statements into the strategies. This session(s) will put all aspects of the plan together in a final form. The final plan will be presented to the City Council for formal approval.

Deliverables

- Obtaining input into the process from the City Council, City Administrator and staff
- Staff on line survey
- Three meetings
- Planning and organizing work between sessions
 - Ongoing discussions and interactions with the City Administrator
- Drafting and presenting the strategic plan documents
 - Prepare a final document
 - Present to the City Council

Costs

The fee for the strategic planning process is \$5,000. In addition, miscellaneous expenses will be incurred and identified; these are anticipated to be minor and related to travel.

David J. Unmacht
Springsted Incorporated

XXX

_____, 2011

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
CITY OFFICE	MII LIFE	VEBA	198.40
		Total for Department 103	198.40*
P & Z / BUILDING OFF	Verizon Wireless	TELEPHONE	34.10
P & Z / BUILDING OFF	MII LIFE	VEBA	148.80
P & Z / BUILDING OFF	MN DEPT OF LABOR & I	BLDG PERMIT SURCHARGE	542.08
		Total for Department 106	724.98*
CITY HALL	ELECTRIC FUND	MAINTENANCE	66.95
CITY HALL	SANDRA HERDER	CLEANING	195.77
CITY HALL	JOE'S LAWN CARE	BOILER INSPECTION	37.75
CITY HALL	MELISSA PENAS	CLEANING	195.78
		Total for Department 115	496.25*
POLICE	MII LIFE	VEBA	1,584.64
POLICE	VOYAGER FLEET SERVIC	GAS	480.65
		Total for Department 120	2,065.29*
FIRE DEPARTMENT	Verizon Wireless	TELEPHONE	34.10
		Total for Department 125	34.10*
STREET	ELECTRIC FUND	MAINTENANCE	10.81
STREET	Verizon Wireless	TELEPHONE	37.35
STREET	MII LIFE	VEBA	841.92
STREET	VOYAGER FLEET SERVIC	GAS	100.02
		Total for Department 140	990.10*
PARKS	MII LIFE	VEBA	185.68
PARKS	VOYAGER FLEET SERVIC	GAS	95.00
		Total for Department 165	280.68*
		Total for Fund 01	4,789.80*
LIBRARY	DAWN AAMOT	MILEAGE	36.72
LIBRARY	SANDRA HERDER	CLEANING	195.78
LIBRARY	JOE'S LAWN CARE	BOILER INSPECTION	37.75
LIBRARY	MELISSA PENAS	CLEANING	195.77
		Total for Department 171	466.02*
		Total for Fund 03	466.02*
AIRPORT	RED ROCK RURAL WATER	WATER	23.50
AIRPORT	SO. CENTRAL ELECTRIC	POWER COST	1,157.48
		Total for Department 174	1,180.98*
		Total for Fund 11	1,180.98*
POOL	WINDOM LIONS CLUB	ADVERTISING	10.00
		Total for Department 175	10.00*
		Total for Fund 12	10.00*

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
AMBULANCE	JIM AXFORD	EXPENSE	5.71
AMBULANCE	JOLYNN NERHUS	EXPENSE	59.85
AMBULANCE	ROBIN SHAW	EXPENSE	7.28
AMBULANCE	ALLAN REMPEL	EXPENSE	2.76
	Total for Department 176		75.60*
	Total for Fund 13		75.60*
MULTI-PURPOSE BUILDI	Verizon Wireless	TELEPHONE	34.10
MULTI-PURPOSE BUILDI	MII LIFE	VEBA	284.88
MULTI-PURPOSE BUILDI	VOYAGER FLEET SERVIC	GAS	97.06
MULTI-PURPOSE BUILDI	WINDOM LIONS CLUB	ADVERTISING	25.00
	Total for Department 177		441.04*
	Total for Fund 14		441.04*
N IND PARK	SO. CENTRAL ELECTRIC POWER	COST	36.40
	Total for Department 147		36.40*
	Total for Fund 18		36.40*
LIQUOR	WIRTZ BEVERAGE MN WI	MERCHANDISE	4,254.10
LIQUOR	MII LIFE	VEBA	371.36
LIQUOR	BANK MIDWEST	NSF CHECK & NSF FEE-RIVE	20.00
	Total for Department 180		4,645.46*
	Total for Fund 60		4,645.46*
WATER	GOPHER STATE ONE CAL	LOCATES	.72
WATER	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	162.50
WATER	Verizon Wireless	TELEPHONE	58.31
WATER	MII LIFE	VEBA	374.54
WATER	MN DEPT OF HEALTH	WA SUR CHARGE	3,174.00
WATER	VOYAGER FLEET SERVIC	GAS	383.45
	Total for Department 181		4,153.52*
	Total for Fund 61		4,153.52*
	APRIL HARRINGTON	REFUND - METER DEPOSIT	20.00
	KATHY BAUMAN	REFUND - METER DEPOSIT	20.00
	JESSIE BLANSHAN	REFUND - METER DEPOSIT	20.00
	CALEB BROWN	REFUND - METER DEPOSIT	20.00
	CHRIS CURRAY	REFUND - METER DEPOSIT	20.00
	PAM ELLA	REFUND - METER DEPOSIT	20.00
	JANET FLATEBO	REFUND - METER DEPOSIT	20.00
	DAVID GLIDDEN	REFUND - METER DEPOSIT	20.00
	RICHARD HORKEY	REFUND - METER DEPOSIT	10.00
	TODD HORKEY	REFUND - METER DEPOSIT	20.00
	KATHY HEGGESETH	REFUND - METER DEPOSIT	20.00
	LORRAINE LOHSE	REFUND - METER DEPOSIT	20.00

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
	BETTY MOLINA	REFUND METER DEPOSIT	10.00
	PM WINDOM	REFUND - METER DEPOSIT	20.00
	PAIGE SCHOLL	REFUND - METER DEPOSIT	20.00
	MIKE WELTON	REFUND - METER DEPOSIT	20.00
	Total for Department		300.00*
ELECTRIC	GOPHER STATE ONE CAL LOCATES		.75
ELECTRIC	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	162.50
ELECTRIC	CHERYL LILLEGAARD	MILEAGE	264.69
ELECTRIC	Verizon Wireless	TELEPHONE	39.44
ELECTRIC	MII LIFE	VEBA	1,049.86
ELECTRIC	BRAD BUSSA	CLEANING	184.60
ELECTRIC	VOYAGER FLEET SERVIC	GAS	141.08
ELECTRIC	LOIS BARKLOW	ENERGY REBATE	10.00
ELECTRIC	JILL DEFRIES	ENERGY REBATE	50.00
ELECTRIC	JOHN DUSCHER	ENERGY REBATE	50.00
ELECTRIC	DENNIS FREDRICKSON	ENERGY REBATE	35.00
ELECTRIC	SCOTT & COLLEEN SCHO	ENERGY REBATE	50.00
	Total for Department 182		2,037.92*
	Total for Fund 62		2,337.92*
SEWER	GOPHER STATE ONE CAL LOCATES		.72
SEWER	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	162.50
SEWER	Verizon Wireless	TELEPHONE	58.32
SEWER	MII LIFE	VEBA	931.58
SEWER	VOYAGER FLEET SERVIC	GAS	52.21
	Total for Department 183		1,205.33*
	Total for Fund 63		1,205.33*
ARENA	Verizon Wireless	TELEPHONE	68.31
ARENA	MII LIFE	VEBA	371.36
ARENA	WINDOM LIONS CLUB	ADVERTISING	15.00
	Total for Department 184		454.67*
	Total for Fund 64		454.67*
ECONOMIC DEVELOPMENT	BEIM CONSULTING	SERVICE	1,000.00
ECONOMIC DEVELOPMENT	ED PROS	DUES	75.00
ECONOMIC DEVELOPMENT	MARK HANSON	MOVING EXPENSE	241.74
ECONOMIC DEVELOPMENT	Verizon Wireless	TELEPHONE	34.10
ECONOMIC DEVELOPMENT	MII LIFE	VEBA	235.28
	Total for Department 187		1,586.12*
	Total for Fund 67		1,586.12*
	MN 9-1-1 PROGRAM	911 service	1,092.05
	Total for Department		1,092.05*

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
TELECOMMUNICATIONS	JEFFREY DAHNA	INTERNET ACCESS	8.34
TELECOMMUNICATIONS	DISH NETWORK	SERVICE	3,400.00
TELECOMMUNICATIONS	GOPHER STATE ONE CAL	LOCATES	2.16
TELECOMMUNICATIONS	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	487.50
TELECOMMUNICATIONS	Verizon Wireless	TELEPHONE	238.65
TELECOMMUNICATIONS	MII LIFE	VEBA	665.78
TELECOMMUNICATIONS	DAN OLSEN	EXPENSE	534.41
TELECOMMUNICATIONS	OLSEN THIELEN & CO.,	SERVICE	696.52
TELECOMMUNICATIONS	VOYAGER FLEET SERVIC	GAS	90.68
TELECOMMUNICATIONS	WOODSTOCK TELEPHONE	SERVICE	186.67
	Total for Department 199		6,310.71*
	Total for Fund 69		7,402.76*
	Grand Total		28,785.62*

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
CITY OFFICE	CMRS - TMS	POSTAGE	911.95
CITY OFFICE	ELECTRIC FUND	UTILITY BILLING	182.86
CITY OFFICE	QUILL CORP	SUPPLIES	103.39
Total for Department 103			1,198.20*
P & Z / BUILDING OFF	CMRS - TMS	POSTAGE	9.68
P & Z / BUILDING OFF	ELECTRIC FUND	UTILITY BILLING	55.94
P & Z / BUILDING OFF	VET'S WHOA N'GO	GAS	183.57
Total for Department 106			249.19*
CITY HALL	ELECTRIC FUND	UTILITY BILLING	537.88
CITY HALL	SANDRA HERDER	CLEANING	195.77
CITY HALL	MELISSA PENAS	CLEANING	195.78
Total for Department 115			929.43*
POLICE	CMRS - TMS	POSTAGE	.88
POLICE	DELL MARKETING L.P.	EQUIPMENT	1,245.01
POLICE	ELECTRIC FUND	UTILITY BILLING	79.46
POLICE	MII LIFE	VEBA GRANT JOSHUA PARTLO	675.00
POLICE	NATIONAL CRIME PREVE	SUPPLIES	416.37
POLICE	UNICEL	TELEPHONE	187.90
POLICE	VET'S WHOA N'GO	GAS	114.32
POLICE	WATONWAN COUNTY	SOFTWARE SERVICE	117.96
Total for Department 120			2,836.90*
FIRE DEPARTMENT	CMRS - TMS	POSTAGE	38.61
FIRE DEPARTMENT	ELECTRIC FUND	UTILITY BILLING	27.86
FIRE DEPARTMENT	JAY GRANDPREY	MILEAGE	50.49
FIRE DEPARTMENT	MN WEST COLLEGE - CA	REGISTRATION	218.00
FIRE DEPARTMENT	VET'S WHOA N'GO	GAS	223.16
Total for Department 125			558.12*
STREET	CMRS - TMS	POSTAGE	17.23
STREET	ELECTRIC FUND	UTILITY BILLING	3,072.02
STREET	ERICKSON OIL CO	GAS	1,033.78
Total for Department 140			4,123.03*
PARKS	CMRS - TMS	POSTAGE	.44
PARKS	ELECTRIC FUND	UTILITY BILLING	6.64
PARKS	ERICKSON OIL CO	GAS	65.51
Total for Department 165			72.59*
Total for Fund 01			9,967.46*
LIBRARY	ELECTRIC FUND	UTILITY BILLING	248.24
LIBRARY	SANDRA HERDER	CLEANING	195.78
LIBRARY	MELISSA PENAS	CLEANING	195.77
Total for Department 171			639.79*
Total for Fund 03			639.79*

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
AIRPORT	CMRS - TMS	POSTAGE	48.07
		Total for Department 174	48.07*
		Total for Fund 11	48.07*
POOL	CMRS - TMS	POSTAGE	11.88
		Total for Department 175	11.88*
		Total for Fund 12	11.88*
AMBULANCE	CMRS - TMS	POSTAGE	75.14
AMBULANCE	ELECTRIC FUND	UTILITY BILLING	25.76
AMBULANCE	MN WEST COLLEGE - CA	TRAINING	1,099.25
AMBULANCE	VET'S WHOA N'GO	GAS	1,613.71
		Total for Department 176	2,813.86*
		Total for Fund 13	2,813.86*
MULTI-PURPOSE BUILDI	BEVERAGE WHOLESALERS	MERCHANDISE	281.30
MULTI-PURPOSE BUILDI	CMRS - TMS	POSTAGE	51.60
MULTI-PURPOSE BUILDI	ELECTRIC FUND	UTILITY BILLING	1,053.42
MULTI-PURPOSE BUILDI	HAGEN DISTRIBUTING	MERCHANDISE	227.50
MULTI-PURPOSE BUILDI	A H HERMEL CANDY & T	MERCHANDISE	155.55
		Total for Department 177	1,769.37*
		Total for Fund 14	1,769.37*
LIQUOR	ARNESON DISTRIBUTING	MERCHANDISE	109.50
LIQUOR	BELLBOY CORP	MERCHANDISE	129.13
LIQUOR	BEVERAGE WHOLESALERS	MERCHANDISE	8,547.14
LIQUOR	CMRS - TMS	POSTAGE	12.05
LIQUOR	ELECTRIC FUND	UTILITY BILLING	680.54
LIQUOR	WIRTZ BEVERAGE MN WI	MERCHANDISE	4,607.00
LIQUOR	HAGEN DISTRIBUTING	MERCHANDISE	9,433.40
LIQUOR	A H HERMEL CANDY & T	MERCHANDISE	-116.90
LIQUOR	JOHNSON BROS.	MERCHANDISE	5,512.29
LIQUOR	PAUSTIS & SONS	MERCHANDISE	396.01
LIQUOR	PBC - PEPSI BEVERAGE	MERCHANDISE	20.80
LIQUOR	PHILLIPS WINE & SPIR	MERCHANDISE	3,207.31
LIQUOR	QUALITY WINE SPIRITS	MERCHANDISE	4,525.91
LIQUOR	WINE MERCHANTS	MERCHANDISE	461.00
		Total for Department 180	37,525.18*
		Total for Fund 60	37,525.18*
WATER	CMRS - TMS	POSTAGE	300.83
WATER	DATA-PAC MAILING SYS	RESET FEE	2.98
WATER	ELECTRIC FUND	UTILITY BILLING	3,055.18
WATER	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	166.66
WATER	SOURCE ONE SOLUTIONS	POSTAGE	1.94

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount

WATER	SOURCE ONE SOLUTIONS	UTILITY BILL SERVICES	795.60
	Total for Department 181		4,323.19*
	Total for Fund 61		4,323.19*
ELECTRIC	CMRS - TMS	POSTAGE	337.28
ELECTRIC	DATA-PAC MAILING SYS	RESET FEE	3.00
ELECTRIC	ELECTRIC FUND	UTILITY BILLING	275.33
ELECTRIC	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	166.70
ELECTRIC	SOURCE ONE SOLUTIONS	POSTAGE	1.95
ELECTRIC	SOURCE ONE SOLUTIONS	UTILITY BILL SERVICES	1,640.96
ELECTRIC	VET'S WHOA N'GO	GAS	142.12
ELECTRIC	DEPARTMENT OF ENERGY	POWER COST	81,794.00
ELECTRIC	COTTONWOOD COUNTY CO	ENERGY REBATE	720.00
	Total for Department 182		85,081.34*
	Total for Fund 62		85,081.34*
SEWER	CMRS - TMS	POSTAGE	320.05
SEWER	DATA-PAC MAILING SYS	RESET FEE	2.98
SEWER	ELECTRIC FUND	UTILITY BILLING	14,003.68
SEWER	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	166.66
SEWER	SOURCE ONE SOLUTIONS	POSTAGE	1.93
SEWER	SOURCE ONE SOLUTIONS	UTILITY BILL SERVICES	795.60
	Total for Department 183		15,290.90*
	Total for Fund 63		15,290.90*
ARENA	CMRS - TMS	POSTAGE	52.51
ARENA	ELECTRIC FUND	UTILITY BILLING	6,699.67
ARENA	A H HERMEL CANDY & T	MERCHANDISE	18.17
	Total for Department 184		6,770.35*
	Total for Fund 64		6,770.35*
	BANK MIDWEST	LOAN PAYMENT	1,544.51
	Total for Department		1,544.51*
ECONOMIC DEVELOPMENT	CMRS - TMS	POSTAGE	47.71
ECONOMIC DEVELOPMENT	ELECTRIC FUND	UTILITY BILLING	75.18
ECONOMIC DEVELOPMENT	BANK MIDWEST	LOAN PAYMENT	2,455.49
ECONOMIC DEVELOPMENT	MARI HARRIES	PROMO-SHOP @ HOME CAMPAI	20.00
	Total for Department 187		2,598.38*
	Total for Fund 67		4,142.89*
TELECOMMUNICATIONS	B B C AMERICA	SUBSCRIBER	19.56
TELECOMMUNICATIONS	BIG TEN NETWORK	SUBSCRIBER	1,577.74
TELECOMMUNICATIONS	BLUEHIGHWAYS	SUBSCRIBERS	41.68
TELECOMMUNICATIONS	CMRS - TMS	POSTAGE	121.09

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Department	Vendor Name	Description	Amount
TELECOMMUNICATIONS	COMCAST MEDIA CENTER	SUBSCRIBER	19.80
TELECOMMUNICATIONS	DATA-PAC MAILING SYS	RESET FEE	8.94
TELECOMMUNICATIONS	DISCOVERY DIGITAL NE	SUBSCRIBER	35.36
TELECOMMUNICATIONS	DISH NETWORK	SUBSCRIBER	3,400.00
TELECOMMUNICATIONS	E-911	MONTHLY 911 SERVICE	43.95
TELECOMMUNICATIONS	ELECTRIC FUND	UTILITY BILLING	1,542.64
TELECOMMUNICATIONS	FOX SPORTS	SUBSCRIBER	5,620.35
TELECOMMUNICATIONS	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	499.98
TELECOMMUNICATIONS	HUB TELEVISION NETWO	SUBSCRIBER	8.84
TELECOMMUNICATIONS	KARE	SUBSCRIBER	512.00
TELECOMMUNICATIONS	LIFETIME	SUBSCRIBER	707.28
TELECOMMUNICATIONS	LIFETIME MOVIE NETWO	SUBSCRIBER	30.00
TELECOMMUNICATIONS	SOURCE ONE SOLUTIONS	POSTAGE	5.79
TELECOMMUNICATIONS	SOURCE ONE SOLUTIONS	SPECIAL SERVICE	265.00
TELECOMMUNICATIONS	SOURCE ONE SOLUTIONS	UTILITY BILL SERVICES	1,740.39
TELECOMMUNICATIONS	CINNAMON MUELLER	PROFESSIONAL SERVICE	7,249.00
TELECOMMUNICATIONS	NATIONAL CABLE TV CO	SUBSCRIBER	21,884.19
TELECOMMUNICATIONS	QWEST COMMUNICATIONS	DIRECTORY LISTING	171.47
TELECOMMUNICATIONS	ONVOY, INC	SS7 SERVICE	942.66
TELECOMMUNICATIONS	ONVOY, INC	WHOLE 800 SWITCH	1,901.59
TELECOMMUNICATIONS	OWN	SUBSCRIBER	18.76
TELECOMMUNICATIONS	SHOWTIME NETWORKS IN	SUBSCRIBER	290.40
TELECOMMUNICATIONS	TOWER DISTRIBUTION C	SUBSCRIBER	224.35
TELECOMMUNICATIONS	ZAYO BANDWIDTH	BANDWIDTH BILLING	5,895.96
TELECOMMUNICATIONS	KYLE WILSON	REFUND - STATEMENT CREDI	19.17
	Total for Department 199		54,797.94*
	Total for Fund 69		54,797.94*
	COLONIAL LIFE INSURA	INSURANCE	8.82
	Total for Department		8.82*
	Total for Fund 70		8.82*
	Grand Total		223,191.04*

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
MAYOR & COUNCIL	INDOFF, INC	SUPPLIES	2,633.40
MAYOR & COUNCIL	HY-VEE FOOD STORE	MERCHANDISE	-13.68
MAYOR & COUNCIL	MCDONALD & SCHRAMEL	LEGAL FEES	204.00
	Total for Department 101		2,823.72*
CITY OFFICE	A & B BUSINESS EQUIP	MAINTENANCE CONTRACT	26.38
CITY OFFICE	INDOFF, INC	SUPPLIES	394.44
CITY OFFICE	LEAGUE OF MN CITIES	DIRECTORY	57.00
CITY OFFICE	MANKATO MOBIL - ALPH	MAINTENANCE CONTRACT	6.50
CITY OFFICE	STEVE NASBY	EXPENSE	222.73
CITY OFFICE	SELECTACCOUNT	PARTICIPANT FEE	91.50
	Total for Department 103		798.55*
P & Z / BUILDING OFF	INDOFF, INC	SUPPLIES	12.95
P & Z / BUILDING OFF	INTERNATIONAL CODE C	DUES	125.00
P & Z / BUILDING OFF	MANKATO MOBIL - ALPH	MAINTENANCE CONTRACT	6.50
	Total for Department 106		144.45*
LEGAL	MCDONALD & SCHRAMEL	CONFERENCE	127.50
LEGAL	MCDONALD & SCHRAMEL	LEGAL SUPPLIES	144.12
	Total for Department 110		271.62*
CITY HALL	AMERIGAS - WORTHINGT	WATER TREATMENT	23.46
CITY HALL	CULLIGAN	SERVICE	25.50
CITY HALL	HOMETOWN SANITATION	HAUL GARBAGE	85.04
CITY HALL	LAMPERTS YARDS, INC.	MAINTENANCE	288.36
CITY HALL	SCHWALBACH HARDWARE	MAINTENANCE	74.28
	Total for Department 115		496.64*
POLICE	CDW GOVERNMENT INC	MAINTENANCE	417.16
POLICE	CITIZEN PUBLISHING C	ADVERTISING	178.20
POLICE	INDOFF, INC	SUPPLIES	170.69
POLICE	JOHNSON HARDWARE	MAINTENANCE	3.03
POLICE	LANGUAGE LINE SERVIC	SERVICE	16.39
POLICE	MCDONALD & SCHRAMEL	LEGAL FEES	4,391.00
POLICE	MANKATO MOBIL - ALPH	MAINTENANCE CONTRACT	22.50
POLICE	FLEET SERVICES DIVIS	LEASE CAR	2,217.74
POLICE	UNIFORM UNLIMITED	CLOTHING	294.15
POLICE	COUNTRY PRIDE SERVIC	MAINTENANCE	20.00
POLICE	WINDOM FIRE SAFETY	MAINTENANCE	25.29
	Total for Department 120		7,756.15*
FIRE DEPARTMENT	INDOFF, INC	SUPPLIES	105.83
FIRE DEPARTMENT	GALLS	SUPPLIES	121.58
FIRE DEPARTMENT	HEIMAN FIRE EQUIP. C	MAINTENANCE	564.45
FIRE DEPARTMENT	JERRY'S REPAIR	MAINTENANCE	194.51
FIRE DEPARTMENT	LUCAN COMMUNITY TV I	MAINTENANCE	235.13
FIRE DEPARTMENT	MANKATO MOBIL - ALPH	MAINTENANCE CONTRACT	653.87
FIRE DEPARTMENT	MN WEST COLLEGE - CA	REGISTRATION	218.00
FIRE DEPARTMENT	QUEST	TELEPHONE	58.86
FIRE DEPARTMENT	P.M. REPAIR & DETAIL	MAINTENANCE	125.89

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
FIRE DEPARTMENT	RIVERSIDE LAUNDRY	SERVICE	337.73
FIRE DEPARTMENT	RUNNING'S SUPPLY	MAINTENANCE	6.83
FIRE DEPARTMENT	SANFORD HEALTH	PHYSICAL	84.43
FIRE DEPARTMENT	SCHWALBACH HARDWARE	MAINTENANCE	17.59
FIRE DEPARTMENT	CARQUEST AUTO PARTS	MAINTENANCE	90.05
FIRE DEPARTMENT	STURDEVANT'S AUTO PA	MAINTENANCE	62.70
	Total for Department 125		2,877.45*
EMERGENCY MANAGEMENT	CITIZEN PUBLISHING C	COMP SUPPORT	178.20
EMERGENCY MANAGEMENT	MANKATO MOBIL - ALPH	MAINTENANCE CONTRACT	200.00
	Total for Department 130		378.20*
ANIMALS	COTTONWOOD-SLAYTON V	VETERINARY SERVICE	338.96
	Total for Department 135		338.96*
STREET	COTTONWOOD COUNTY LA	GARBAGE	30.00
STREET	DEFRIES COLLISION CE	MAINTENANCE	160.50
STREET	MN DEPT OF EMPLOY & E	UNEMPLOYMENT BENEFIT	96.92
STREET	GCC ALLIANCE CONCRET	MAINTENANCE	1,301.74
STREET	GEMPLER'S	SUPPLIES	545.89
STREET	HOMETOWN SANITATION	HAUL GARBAGE	130.85
STREET	WINDOM AUTO VALU	MAINTENANCE	295.05
STREET	KEMNA-ASA AUTO PLAZA	MAINTENANCE	19.32
STREET	MACQUEEN EQUIP. CO.	MAINTENANCE	2,152.33
STREET	MANKATO MOBIL - ALPH	MAINTENANCE CONTRACT	6.50
STREET	MILLER SELLENER EQUIP	MAINTENANCE	95.30
STREET	M-R SIGNS CO., INC	MAINTENANCE	421.89
STREET	QUEST	TELEPHONE	58.86
STREET	MN ENERGY RESOURCES	HEATING	1,208.94
STREET	PRAXAIR DISTRIBUTION	SERVICE	83.64
STREET	RUNNING'S SUPPLY	MAINTENANCE	295.16
STREET	SCHWALBACH HARDWARE	MAINTENANCE	29.82
STREET	WERNER ELECTRIC	MAINTENANCE	206.34
STREET	COUNTRY PRIDE SERVIC	DISCOUNT FOR FUEL PER CO	-52.16
STREET	COUNTRY PRIDE SERVIC	MAINTENANCE	841.41
STREET	CARQUEST AUTO PARTS	MAINTENANCE	99.26
STREET	BSC BUILDERS SUPPLY	MAINTENANCE	139.51
	Total for Department 140		8,167.07*
RECREATION	A & B BUSINESS EQUIP	MAINTENANCE CONTRACT	26.30
RECREATION	CITIZEN PUBLISHING C	ADVERTISING	579.16
	Total for Department 150		605.46*
PARKS	WINDOM AUTO VALU	MAINTENANCE	142.96
PARKS	MESSER MACHINE & MFG	MAINTENANCE	248.75
PARKS	MTI DISTRIBUTING, IN	MAINTENANCE	412.33
PARKS	RUNNING'S SUPPLY	MAINTENANCE	3.73
PARKS	SANFORD LABORATORIES	TESTING	36.96
PARKS	SCHWALBACH HARDWARE	MAINTENANCE	129.43
	Total for Department 165		974.16*

CITY OF WINDOM
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Department	Vendor Name	Description	Amount
Total for Fund 01			25,632.43*
LIBRARY	AMERICAN DIABETES AS	SUBSCRIPTION	28.00
LIBRARY	AUDIO GO	VIDEO	224.52
LIBRARY	CENTER POINT LARGE P	BOOKS	43.74
LIBRARY	ELECTRIC FUND	MAINTENANCE	43.25
LIBRARY	GALE	BOOKS	357.96
LIBRARY	GUMDROP BOOKS	BOOKS	1,123.15
LIBRARY	INGRAM	BOOKS	1,382.84
LIBRARY	J & K WINDOWS	CLEANING	20.00
LIBRARY	MICROMARKETING	BOOKS & AUDIO	275.32
LIBRARY	PLUM CREEK LIBRARY	SUPPLIES	20.71
LIBRARY	POPULAR MECHANICS	SUBSCRIPTION	28.00
LIBRARY	RECORDED BOOKS, LLC	BOOKS	140.40
LIBRARY	READERS SERVICE	BOOK	40.22
LIBRARY	SCHWAAB, INC	SUPPLIES	21.09
LIBRARY	WINDOM COMMUNITY EDU	AD	70.00
LIBRARY	BLOOMBERG BUSINESSWE	SBUSCRPTION	65.00
LIBRARY	BOTTOM LINE	SUBSCRIPTION	39.00
LIBRARY	HEALTHY COOKING	SUBSCRIPTION	14.98
LIBRARY	THE LAND	SUBSCRIPTION	22.00
LIBRARY	MN MOMENTS	SUBSCRIPTION	15.00
LIBRARY	YANKEE	SUBSCRIPTION	24.00
LIBRARY	DISNEY MOVIE CLUB	MOVIES	80.80
Total for Department 171			4,079.98*
Total for Fund 03			4,079.98*
WENCK ASSOCIATES, IN STREET SHOP			2,523.00
Total for Department			2,523.00*
Total for Fund 04			2,523.00*
AIRPORT	CARQUEST AUTO PARTS	MAINTENANCE	402.97
Total for Department 174			402.97*
Total for Fund 11			402.97*
POOL	A & B BUSINESS EQUIP	MAINTENANCE CONTRACT	26.30
Total for Department 175			26.30*
Total for Fund 12			26.30*
AMBULANCE	ARROW MANUFACTURING	MAINTENANCE	221.84
AMBULANCE	BOUND TREE MEDICAL,	EQUIPMENT	331.26
AMBULANCE	DICKS WELDING INC	MAINTENANCE	11.99
AMBULANCE	WINDOM AUTO VALU	MAINTENANCE	73.60
AMBULANCE	MANKATO MOBIL - ALPH	MAINTENANCE CONTRACT	6.50
AMBULANCE	Verizon Wireless	TELEPHONE	97.89
AMBULANCE	QUEST	TELEPHONE	58.87

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
AMBULANCE	PRAXAIR DISTRIBUTION SERVICE		744.07
AMBULANCE	SCHWALBACH HARDWARE	MAINTENANCE	83.79
AMBULANCE	MN WEST COMMUNITY	TRAINING	3,779.60
AMBULANCE	WINDOM AREA HOSPITAL	SERVICE	2,686.53
AMBULANCE	CARQUEST AUTO PARTS	MAINTENANCE	29.56
AMBULANCE	ZOLL MEDICAL CORPORA	SUPPLIES	713.19
AMBULANCE	CRYSTAL WINSHIELD RE	MAINTENANCE	50.00
	Total for Department 176		8,888.69*
	Total for Fund 13		8,888.69*
MULTI-PURPOSE BUILDI	A & B BUSINESS EQUIP	MAINTENANCE CONTRACT	26.30
MULTI-PURPOSE BUILDI	COCA-COLA BOTTLING C	MERCHANDISE	39.40
MULTI-PURPOSE BUILDI	INDOFF, INC	SUPPLIES	363.43
MULTI-PURPOSE BUILDI	EXTREME BEVERAGE, LL	MERCHANDISE	33.50
MULTI-PURPOSE BUILDI	GOPHER	SUPPLIES	99.10
MULTI-PURPOSE BUILDI	HAGEN DISTRIBUTING	MERCHANDISE	462.45
MULTI-PURPOSE BUILDI	HEARTLAND PAPER COMP	SUPPLIES	188.38
MULTI-PURPOSE BUILDI	HOMETOWN SANITATION	HAUL GARBAGE	103.04
MULTI-PURPOSE BUILDI	HY-VEE FOOD STORE	MERCHANDISE	254.87
MULTI-PURPOSE BUILDI	KDOM RADIO	ADVERTISING	146.80
MULTI-PURPOSE BUILDI	SCHWALBACH HARDWARE	MAINTENANCE	35.26
MULTI-PURPOSE BUILDI	STONER INDUSTRIAL, I	SERVICE	84.22
MULTI-PURPOSE BUILDI	NEW CENTURY PRESS	ADVERTISING	103.00
	Total for Department 177		1,939.75*
	Total for Fund 14		1,939.75*
LIQUOR	A & B BUSINESS EQUIP	MAINTENANCE CONTRACT	26.30
LIQUOR	ENVIROMASTER, INC.	SERVICE	39.54
LIQUOR	INDOFF, INC	SUPPLIES	203.46
LIQUOR	ELECTRIC FUND	MAINTENANCE	95.00
LIQUOR	EXTREME BEVERAGE, LL	MERCHANDISE	67.00
LIQUOR	FIELDSTONE VINEYARDS	MERCHANDISE	107.28
LIQUOR	GOPHER ALARMS	SERVICE	684.00
LIQUOR	HAGEN DISTRIBUTING	MERCHANDISE	2,289.30
LIQUOR	HEARTLAND PAPER COMP	SUPPLIES	148.99
LIQUOR	A H HERMEL CANDY & T	MERCHANDISE	264.60
LIQUOR	HOMETOWN SANITATION	HAUL GARBAGE	48.06
LIQUOR	CAMPUS CLEANERS	SERVICE	20.05
	Total for Department 180		3,993.58*
	Total for Fund 60		3,993.58*
	HENRY'S WATERWORKS, METERS		1,575.50
	Total for Department		1,575.50*
WATER	A & B BUSINESS EQUIP	MAINTENANCE CONTRACT	99.67
WATER	CALIFORNIA CONTRACTO	SUPPLIES	111.60
WATER	INDOFF, INC	SUPPLIES	183.77

CITY OF WINDOM
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Department	Vendor Name	Description	Amount
WATER	FASTENAL	MAINTENANCE	61.67
WATER	HACH COMPANY	SUPPLIES	84.16
WATER	HOMETOWN SANITATION	HAUL GARBAGE	85.04
WATER	LAMPERTS YARDS, INC.	MAINTENANCE	7.14
WATER	MANKATO MOBIL - ALPH	MAINTENANCE CONTRACT	6.50
WATER	MN VALLEY TESTING	TESTING	56.25
WATER	QUEST	TELEPHONE	58.87
WATER	PAMIDA	SUPPLIES	90.83
WATER	SCHWALBACH HARDWARE	MAINTENANCE	133.49
WATER	SVOBODA EXCAVATING,	MAINTENANCE	3,222.50
WATER	FERGUSON WATERWORKS	SUPPLIES	31.74
	Total for Department 181		4,233.23*
	Total for Fund 61		5,808.73*
	B & B TRANSFORMER	INVENTORY	3,280.00
	RESCO	INVENTORY	3,651.54
	STAPLES OIL CO	FUEL	1,045.50
	WERNER ELECTRIC	MAINTENANCE	485.53
	STUART C IRBY CO INC	MAINTENANCE	22,670.83
	Total for Department		31,133.40*
ELECTRIC	A & B BUSINESS EQUIP	MAINTENANCE CONTRACT	26.30
ELECTRIC	ALTERNATIVE TECHNOLO	TESTING	60.00
ELECTRIC	AMERICAN PUBLIC POWE	DUES	3,233.40
ELECTRIC	B & B TRANSFORMER	INVENTORY	146.31
ELECTRIC	BECKER ARENA PRODUCT	MAINTENANCE	132.10
ELECTRIC	CENTRAL MINNESOTA MU	CIP SERVICE ASSESSMENT	4,083.00
ELECTRIC	CENTRAL MINNESOTA MU	POWER COST	237,605.04
ELECTRIC	CITIZEN PUBLISHING C	COMP SUPPORT	155.06
ELECTRIC	DAKOTA SUPPLY GROUP	MAINTENANCE	37.37
ELECTRIC	DICKS WELDING INC	MAINTENANCE	6.43
ELECTRIC	GDF ENTERPRISES, INC	MAINTENANCE	113.96
ELECTRIC	GRAHAM TIRE	TIRES	376.72
ELECTRIC	HAMMERS FURNITURE	MAINTENANCE	32.06
ELECTRIC	HOMETOWN SANITATION	HAUL GARBAGE	108.15
ELECTRIC	JOHNSON HARDWARE	MAINTENANCE	2.94
ELECTRIC	MCDONALD & SCHRAMEL	LEGAL FEES	660.00
ELECTRIC	MANKATO MOBIL - ALPH	MAINTENANCE CONTRACT	6.50
ELECTRIC	MILLERBEND MFG. COMP	MAINTENANCE	658.35
ELECTRIC	QUEST	TELEPHONE	55.41
ELECTRIC	HSBC BUSINESS SOLUTI	SUPPLIES	196.55
ELECTRIC	RETROFIT RECYCLING,	RECYCLING	337.63
ELECTRIC	RUNNING'S SUPPLY	MAINTENANCE	55.62
ELECTRIC	SCHWALBACH HARDWARE	MAINTENANCE	40.10
ELECTRIC	SKARSHAUG TESTING LA	SUPPLIES	280.68
ELECTRIC	STONER INDUSTRIAL, I	SERVICE	68.20
ELECTRIC	WERNER ELECTRIC	MAINTENANCE	2,212.35
ELECTRIC	WINDOM AREA DEVELOPM	INDUSTRIAL DEVELOPMENT	1,200.00
ELECTRIC	CARQUEST AUTO PARTS	MAINTENANCE	290.97

CITY OF WINDOM
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Department	Vendor Name	Description	Amount
ELECTRIC	ZIEGLER, INC.	MAINTENANCE AGREEMENT	26,280.00
ELECTRIC	PRINTLINK STUDIOS, I	SERVICE	64.13
ELECTRIC	TRAFFIC CONTROL CORP	MAINTENANCE	373.38
	Total for Department 182		278,898.71*
	Total for Fund 62		310,032.11*
	VESSCO INC.	MAINTENANCE	5,328.36
	MN MANURE SPECIALIST	MAINTENANCE	4,086.96
	Total for Department		9,415.32*
SEWER	A & B BUSINESS EQUIP	MAINTENANCE CONTRACT	52.60
SEWER	AUTOMATIC SYSTEMS CO	SERVICE	1,222.60
SEWER	BOLTON & MENK, INC.	SERVICE	855.00
SEWER	CALIFORNIA CONTRACTO	SUPPLIES	111.60
SEWER	CITIZEN PUBLISHING C	ADVERTISING	168.00
SEWER	INDOFF, INC	SUPPLIES	50.58
SEWER	DIGI-KEY	MAINTENANCE	117.36
SEWER	DICKS WELDING INC	MAINTENANCE	28.34
SEWER	ENVIRONMENTAL RESOUR	SERVICE	435.12
SEWER	FASTENAL	MAINTENANCE	-8.29
SEWER	HAWKINS, INC	CHEMICALS	3,625.42
SEWER	HACH COMPANY	SUPPLIES	159.96
SEWER	WINDOM AUTO VALU	MAINTENANCE	6.62
SEWER	KEMNA-ASA AUTO PLAZA	MAINTENANCE	615.59
SEWER	MCDONALD & SCHRAMEL	LEGAL FEES	108.00
SEWER	MANKATO MOBIL - ALPH	MAINTENANCE CONTRACT	6.50
SEWER	MN VALLEY TESTING	TESTING	3,586.40
SEWER	QUEST	TELEPHONE	260.61
SEWER	MN ENERGY RESOURCES	HEATING	644.65
SEWER	RON'S ELECTRIC INC	MAINTENANCE	1,090.70
SEWER	RUNNING'S SUPPLY	MAINTENANCE	722.85
SEWER	SCHWALBACH HARDWARE	MAINTENANCE	193.20
SEWER	USA BLUE BOOK	SERVICE	886.21
SEWER	VESSCO INC.	MAINTENANCE	513.00
SEWER	WINDOM FARM SERVICE	MAINTENANCE	775.43
SEWER	CARQUEST AUTO PARTS	MAINTENANCE	21.66
SEWER	NOVELTY MACHINE & SU	MAINTENANCE	124.64
	Total for Department 183		16,374.35*
	Total for Fund 63		25,789.67*
ARENA	A & B BUSINESS EQUIP	MAINTENANCE CONTRACT	26.30
ARENA	CITIZEN PUBLISHING C	COMP SUPPORT	48.09
ARENA	COCA-COLA BOTTLING C	MERCHANDISE	177.30
ARENA	KDOM RADIO	ADVERTISING	74.00
ARENA	RON'S ELECTRIC INC	MAINTENANCE	179.30
ARENA	SCHWALBACH HARDWARE	MAINTENANCE	495.16
ARENA	STONER INDUSTRIAL, I	SERVICE	9.55
ARENA	WERNER ELECTRIC	MAINTENANCE	267.79

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
ARENA	WINDOM FIRE SAFETY	MAINTENANCE	130.00
	Total for Department 184		1,407.49*
	Total for Fund 64		1,407.49*
ECONOMIC DEVELOPMENT	CITIZEN PUBLISHING C	ADVERTISING	381.60
ECONOMIC DEVELOPMENT	CITIZEN PUBLISHING C	COMP SUPPORT	27.00
ECONOMIC DEVELOPMENT	INDOFF, INC	SUPPLIES	28.27
ECONOMIC DEVELOPMENT	MARK HANSON	MILEAGE	31.62
ECONOMIC DEVELOPMENT	MCDONALD & SCHRAMEL	LEGAL FEES	24.00
ECONOMIC DEVELOPMENT	SUBWAY	EXPENSE	34.30
	Total for Department 187		526.79*
	Total for Fund 67		526.79*
TELECOMMUNICATIONS	A & B BUSINESS EQUIP	MAINTENANCE CONTRACT	78.90
TELECOMMUNICATIONS	GRAYBAR ELECTRIC CO	EQUIPMENT	467.81
TELECOMMUNICATIONS	HOMETOWN SANITATION	HAUL GARBAGE	73.92
TELECOMMUNICATIONS	IP NETWORKS	MAINTENANCE	4,858.00
TELECOMMUNICATIONS	KDOM RADIO	ADVERTISING	501.50
TELECOMMUNICATIONS	NATIONAL CABLE TV CO	MAINTENANCE	6,693.74
TELECOMMUNICATIONS	NEW STAR SALES & SER	COPIER MAINTENANCE	35.00
TELECOMMUNICATIONS	NEUSTAR, INC.	MAINTENANCE	45.75
TELECOMMUNICATIONS	CALIX	MAINTENANCE	3,418.00
TELECOMMUNICATIONS	MN ENERGY RESOURCES	HEATING	145.82
TELECOMMUNICATIONS	RFD TV	SUBSCRIBERS	197.03
TELECOMMUNICATIONS	RUSHMORE INDUSTRIES,	FREIGHT	167.26
TELECOMMUNICATIONS	SCHWALBACH HARDWARE	MAINTENANCE	80.08
TELECOMMUNICATIONS	SOUTHWEST/WEST CENTR	SERVICE	1,384.28
TELECOMMUNICATIONS	SUBWAY	EXPENSE	40.61
TELECOMMUNICATIONS	STONER INDUSTRIAL, I	SERVICE	38.26
TELECOMMUNICATIONS	BANK MIDWEST	NSF CHECK	90.00
TELECOMMUNICATIONS	ZAYO BANDWIDTH	BANDWIDTH BILLING	5,808.83
	Total for Department 199		24,124.79*
	Total for Fund 69		24,124.79*
	Grand Total		415,176.28*

Main Identity

From: "Cederholm, Heather" <hcederholm@lmc.org>
To: "General legislative" <legislative@listserv.lmc.org>
Cc: "Directors" <Directors@lmc.org>; "Board of Directors--LMC" <BoardofDirectorsLMC@lmc.org>; "AMM" <AMM2@lmc.org>; "IGR" <IGR@lmc.org>; "Communications" <Communications@lmc.org>
Sent: Friday, April 15, 2011 2:35 PM
Subject: [legislative] Friday Fax--April 15, 2011
Variance bill on the move

On April 13, the Senate Local Government and Elections committee heard HF 52, a bill drafted by the League and a broad coalition of other groups to restore city variance authority, on April 13. It was passed unanimously by the committee with a compromise amendment added to address local government concerns about the way the House had amended it. The bill was reported to the Senate floor on April 14, which could allow the Senate to take final action on it at any future floor session. The bill will likely either be brought up for a vote on April 18, or immediately when the legislature returns from the holiday break in the last week of April. From there, it is expected that the House will accept the changes made by the Senate and pass the bill on to the governor for final approval. Once the bill is signed by the governor, the legal change will go into effect the next business day.

Questions? Contact Craig Johnson at (651) 281-1259 or cjohnson@lmc.org

Vacation home rental bill introduced

A bill was introduced Thursday that would amend county and city zoning laws under Minn. Stat. 394 and 462 to make it easier for those wanting to rent their homes/cabins for vacation opportunities, and take away local control. SF 1190 (Chamberlain, R-Lino Lakes) was slated for a hearing on this coming Monday afternoon in the Senate Local Government and Elections committee, but-- after meeting with representatives from the League of Cities and the Association of MN Counties--Chamberlain seemed open to delaying a hearing on the bill to try and address a number of issues. An additional provision of the bill specifies that "the use of residential property for vacation rental **must** be considered a permitted single family or multifamily residential use of property for the purpose of zoning, except that a municipality (or county) may license such as rental housing".

The issue first came up a few years back as more and more people began renting cabins for vacation opportunities through websites such as homeaway.com and Craig's List. A Minnesota Vacation Home Rental Task Force met in 2008, and came up with a report with some recommendations in January 2009. There are several issues at play besides the competition between private cabins/homes and resorts. Local zoning, the Minnesota Department of Health's role in regulation, and taxation are some, for starters. Stay tuned as this could easily come up in the weeks ahead.

Questions or concerns? Contact Jennifer O'Rourke at (651) 281.261 or jorourke@lmc.org or Craig Johnson at (651) 281.1257 and cjohnson@lmc.org.

Senate committee to hear bill that tweaks interest arbitration

On Monday, April 18, the Senate State Government Innovation and Veterans Committee will hear SF 1140 (Sen. David Brown, R-Becker), a bill that would require arbitrators to consider the financial condition of the public employer when awarding pay increases in labor contracts.

Under the state's Public Employment Labor Relations Act, "essential employees"--mostly public safety, health care and correctional workers--do not have the right to strike. When an employer and a union cannot resolve labor contract disputes, the parties go to arbitration. The bill would require arbitrators to give "substantial weight" to issues like local government aid cuts, property tax burdens and the impact of levy limits. It would also forbid them from considering an employer's budget reserves when determining their ability to pay.

The League will testify in favor of the bill, and will cite recent cases--one in Brainerd, the other in Edina--where the "nonessential" city workers agreed to wage freezes and arbitrators awarded

pay increases for essential employees who went to arbitration. In both cases, the arbitrators overlooked the pattern that had been set in the city for zero percent wage increases and ordered three percent wage increases.

Union leaders have called the legislation an attack on public employees' collective bargaining rights, and have said it would compromise the effectiveness of the Public Employees Labor Relations Act (PELRA).

The companion bill, HF 501 (Rep. Linda Runbeck, R-Circle Pines), passed through the House Government Operations and Elections Committee and the House Civil Law Committee, and is awaiting action by the Taxes Committee.

Questions? Contact Anne Finn at 651.281.1263 or afinn@lmc.org.

Tax conference committee holds first meeting

On Thursday, the conference committee on the omnibus tax bill (HF 42/SF 27) held its first hearing to reconcile the differences between the House and Senate versions. The conferees are Representatives Greg Davids (R-Preston), Sarah Anderson (R-Plymouth), Jenifer Loon (R-Eden Prairie), Linda Runbeck (R-Circle Pines), Ann Lenczewski (DFL-Bloomington) and Senators Julianne Ortman (R-Chanhassen), David Senjem (R-Rochester), Warren Limmer (R-Maple Grove), Roger Chamberlain (R-Lino Lakes), and Julie Rosen (R-Fairmont).

The Thursday hearing included only a walk-through of the content of the House and Senate bills. At the conclusion of the hearing, Senate Tax Chair Ortman announced that the conference committee would not reconvene until April 26 at the earliest, after legislators return from the Passover/Easter recess.

To briefly recap, here is a summary of some of the major provisions included in the House and Senate versions of the omnibus tax bill:

Senate Bill (SF 27)

For 2011, the Senate bill will reduce Local Government Aid (LGA) by \$102 million and will reduce Market Value Homestead Credit (MVHC) reimbursements by \$48 million. These cuts are identical to the cuts in the vetoed HF 130 and would effectively freeze most cities at their 2010 levels for LGA and MVHC after the 2010 unallotment reductions and the 2010 supplemental budget reductions.

For 2012, the Senate bill continues the \$102 million LGA reduction by freezing the LGA amounts to cities. It also eliminates the entire MVHC program. To buffer the impact of the MVHC elimination on homeowners, homesteaded properties would receive a market value exclusion that will effectively reduce the tax capacity of the property and therefore shift the loss of the MVHC reimbursement to all properties.

The Senate bill no longer includes the general local sales tax option but it does include local sales tax amendments or authorizations for the cities of Rochester, Clearwater, Fergus Falls, Lanesboro, Hermantown, and Hutchinson as well as a requirement that future local sales tax requests must be preceded by a local referendum on the sales tax. The bill also includes specific tax increment financing (TIF) modifications for the cities of Cohasset, Lino Lakes, and Ramsey. The Senate bill also includes a one-year extension of last year's tax increment authorization to accommodate the slow economic recovery.

The Senate bill includes a \$3.5 million annual grant program that would make consolidation grants available to cities and counties. The program would be administered by the state auditor, and the maximum grant would be \$100,000. The bill also includes a two-year provision that allows library maintenance of effort requirements to be reduced to 90 percent of the 2011 current law requirements.

House Bill (HF 42)

Under the House bill as approved, Minneapolis, St. Paul, and Duluth will have their 2011 LGA reduced by nearly \$75 million while all other cities will receive their certified 2011 LGA distributions with no immediate reduction.

For the 2012 distributions, all non-first class cities will receive either their net 2010 LGA after all cuts or their certified 2011 LGA, whichever is less. The first class cities of Minneapolis, St. Paul, and Duluth will receive only 50 percent of either their 2010 net LGA or their certified 2011 LGA, whichever is less.

Unlike the Senate bill, the House bill includes a two-year extension of traditional levy limits. Cities over 2,500 in population and all counties will be subject to a two-year extension (through taxes payable in 2013) of current law levy limits. Those levy limits are computed as the lesser of 3.9 percent or the implicit price deflator (IPD) for state and local government consumption expenditures, which is currently running at roughly 2.4 percent.

The levy limit language includes all of the traditional special levies contained in current law except for the special levy for MVHC cuts. This special levy was eliminated due to the fact that the MVHC program will be eliminated beginning in 2012.

The House bill includes local sales tax language for the cities of Cloquet, Fergus Falls, Hutchinson, Marshall, Lanesboro, Medford, Rochester, Clearwater, and Hermantown. Although the bill includes these local sales taxes, it also includes a two-year moratorium that prohibits local units of government from holding a referendum for a local sales tax. The sales tax statute now also includes a permanent prohibition on expending funds by a local unit of government for the promotion of a local sales tax, although after the two-year moratorium, this prohibition does not prevent a city from conducting a referendum.

The bill includes a few local development provisions, including those for the cities of Lino Lakes, Ramsey, and a border city development zone authorization for the city of Taylors Falls. Additionally, the bill still includes last year's provision to allow TIF pooling to be used in certain foreclosure situations on market rate housing.

The bill also includes a small cooperation, consolidation, and innovation grant program that is available to cities, counties, and townships. The program will receive roughly \$1.6 million per year, with a grant maximum of \$100,000 per unit of government, funded on a first come, first served basis. The bill would also exempt purchases of water used directly in providing public safety services by an organized fire department, fire protection district, or fire company regularly charged with the responsibility of providing fire protection to the state or a political subdivision. Finally, the House bill includes a two-year suspension in county and city contributions under the library funding requirements, also known as library maintenance of effort.

Questions? Contact Gary Carlson at (651) 281-1255 or gcarlson@lmc.org or Jennifer O'Rourke at (651) 281-1261 or jorourke@lmc.org.

State government finance bill update

On Thursday evening, the conference committee on SF 1047, the omnibus state government finance bill convened to begin negotiations on the bill that funds a number of state agencies including the Department of Revenue, the Department of Management and Budget, the Department of Administration, the operations of the three major public pension systems and the state constitutional offices—the Governor, Attorney General, State Auditor and the Secretary of State.

Conferees on the bill include Rep. Morrie Lanning (R-Moorhead); Rep. Bruce Anderson (R-Buffalo Township), Rep. Mike Benson (R-Rochester), Rep. Keith Downey (R-Edina), Rep. Kirk Stensrud (R-Eden Prairie), Sen. Mike Parry (R-Waseca), Sen. Paul Gazelka (R-Brainerd), Sen. Dave Thompson (R-Lakeville), Sen. Ted Daley (R-Eagan), and Sen. Ray Vandever (R-Forest Lake).

Appropriations for virtually all areas covered by the State Government Finance bills are directly reduced under the House and Senate bills. However, the Senate bill also includes a general state workforce reduction of 15 percent by 2015 that would save an estimated \$72 million in general fund costs over the FY2012-2013 biennium. The Senate bill would also move all state employees to a healthcare savings/high deductible health care plan that would save an additional \$144 million in general fund costs over the biennium and would also freeze employee salaries saving nearly \$20 million in general fund costs over the two years.

The Senate bill also includes an estimated \$167 million in additional state general fund revenues due to new tax compliance initiatives. Including this new revenue, the Senate bill reduces the state general fund deficit by a net of \$542 million over the biennium.

In the House version of the bill, the overall state general fund savings are lower, with the total net general fund savings estimated to be \$311 million. Similar to the Senate bill, the House includes an estimated \$170 million in new revenues due to tax compliance initiatives. The House bill includes roughly \$47 million in specified agency reductions in general fund spending and an additional unspecified savings of approximately \$95 million that would result from a salary freeze, a reduction in state employment, elimination of deputy and assistant commission positions and other cost savings.

Perhaps the most controversial part of the two bills is the assumed new tax compliance revenues that total nearly \$170 million in both bills. The majority of that revenue is assumed to result from a new "tax analytics" initiative that would utilize a private contractor to analyze information to identify taxpayers who have underpaid or avoided paying their tax liabilities. The controversy surrounds the estimated \$133 million in biennial revenues that would result from this initiative. Rather than using the traditional state agency estimates of revenue, the House and Senate have used information based on the experience in other states. Under the House language, if the actual realized revenues do not materialize, state agency appropriations must be further reduced to make up the difference.

At this point, it is not entirely clear if the state agency and constitutional office appropriations reductions could ultimately result in

higher fees to local units of government for services from the affected state entities. In addition, neither the House nor the Senate bills included a local government salary freeze or the pension contribution shift from employers to employees. The League will continue to monitor the conference committee negotiations for possible impacts on cities.

Questions? Contact Gary Carlson at (651) 281-1255 or gcarlson@lmc.org or Anne Finn at (651) 281-123 or afinn@lmc.org.

Connect with your legislators while they hop away to their home districts next week

The State Legislature will be in Easter/Passover recess from 3 p.m. on Monday, April 18. Legislators will return to St. Paul on Tuesday, April 26—and work toward the first policy bill deadline of April 29. Most legislators use this time to reconnect with their constituents back home. Therefore, this break is a great chance to invite your state representatives to your city. When you meet with them, you can provide them with a better understanding of city services and local constituent needs. Face-to-face meetings and tours of local facilities not only enhance local funding requests, but strengthen personal relationships between your city and legislative leaders.

Call your state legislators today and invite them to your city during this Easter/Passover recess.

Invite local civic and business leaders to attend a meeting with you legislator. Hearing the same message, individually and collectively, from both business and community leaders has a powerful impact. Your discussion should be organized and focused on city friendly legislative issues. Ask directly for help in supporting your city's position and get a clear sense of where each legislator stands on your issues. For background on legislative issues, check out the latest *Cities Bulletin*, information in this FridayFax, and the "Legislative Updates" webpage.

LMC IGR staff will be available during the legislative break to answer any questions or provide a further update on issues. Don't hesitate to contact us!

Need help setting up a meeting with you lawmaker? Contact Heather Cederholm at (651) 281-1256 or hcederholm@lmc.org.

Seeking Nominees: 2011 MWCG Leadership Awards

Minnesota Women in City Government (MWCG) will offer Leadership Awards to two outstanding women in Minnesota city government in 2011. MWCG is now seeking nominations for both awards. One award will be presented to an elected woman in city government, and another award will go to an appointed woman in city government. Both winners will be recognized for individual achievement in their city as well as leadership and mentoring roles both inside and outside of their communities.

The MWCG Leadership Awards are open to all women elected and appointed Minnesota city officials. A panel of judges representing MWCG and the League of Minnesota Cities will determine the finalists and the winner of the awards. Current members of the MWCG Board of Directors are not eligible to be nominated for the award.

Finalists for the awards will be announced in advance of the LMC Annual Conference. The winners will be announced and honored, along with the other finalists, during the Annual MWCG Membership Meeting at 5 p.m. on June 15 at the League's Annual Conference in Rochester.

Nominations are due by **April 29**. Completed nomination forms and nominating statements (below) should be sent via e-mail as attachments to sandrmeans@charter.net or mailed to MWCG, c/o Sandra Means, 105 26th St. NW, Rochester, MN 55901.

- [View the MWCG Leadership Award Program Overview and Nominating Statement information \(pdf\)](#)
- [View the MWCG Leadership Award nomination form \(pdf\)](#)

Questions? Contact Heather Cederholm at (651) 281-1256 or hcederholm@lmc.org or Sandra Means at sandrmeans@charter.net.

Heather Cederholm | Member Outreach Coordinator
Intergovernmental Relations Department
Tel: (651) 281-1256 | Fax: (651) 215-4113
hcederholm@lmc.org | www.lmc.org
League of Minnesota Cities
145 University Ave. West | St. Paul, MN 55103

Connecting & Innovating since 1913



Coalition of Greater Minnesota Cities
CGMC in Brief

April 14, 2011

Contact: Tim Flaherty
651-225-8840

**Taxes Conference
Committee Begins
Discussion**

Earlier this week, the Senate appointed its tax conferees: Sen. Ortman (R-Chanhassen), Sen. Limmer (R-Maple Grove), Sen. Rosen (R-Fairmont), Sen. Senjem (R-Rochester) and Sen. Chamberlain (R-Lino Lakes) who join the previously named house members, Rep. Davids (R-Preston), Rep. Sarah Anderson (R-Plymouth), Rep. Loon (R-Eden Prairie), Rep. Lenczewski (DFL-Bloomington) and Rep. Runbeck (R-Circle Pines). The Conference Committee met for the first time today to review the side-by-side comparisons of the bill. When they adjourned, Sen. Ortman announced the conference committee would resume its work after Easter.

**Administration and
Legislature Disagree
About Budget
Savings**

As conference committees began discussing budget bills, the administration and the legislature sparred over whether the bills would resolve the \$5 billion deficit. On Monday, the Commissioner of Minnesota Management and Budget and the Commissioner of Revenue sent a joint letter to legislative leaders expressing "deep concern about the fiscal status of the budget bills adopted by the House and Senate." According to the commissioners, the House bill is out of balance by \$1.203 billion and the Senate bill is out of balance by \$1.164 billion dollars. In addition, the MMB has not reviewed and agreed to \$1.030 billion in savings claimed by the House Health and Human Services bill.

The Administration believes the bill is out of balance for several reasons: (1) They believe that the proposed HHS waivers are not attainable. (2) Savings from state government efficiencies are overstated and fail to reflect that the state has already implemented a number of the proposed efficiencies. (3) Operating savings from reducing state government are overstated, including the double counting of workforce reductions. (4) Savings from bond refunding is overstated. (5) Unspecified across-the-board reductions for agencies are not workable.

House and Senate leaders responded by downplaying the differences between their numbers and the administration's numbers and suggesting it will be worked out in conference committee.

**Thank LGA Media
tour continues**

CGMC's Media expert Glen Fladeboe traveled with Cloquet Mayor Bruce Ahlgren and St. Paul Mayor Chris Coleman to Duluth for a press conference with Duluth Mayor Don Ness. The purpose of the press conference is to highlight the harm that proposed LGA cuts would cause to the entire state. Coverage of the press conference will be included in a future CGMC in Brief.



Cities and townships meet to discuss municipal detachments.

Just as property owners can petition cities to be annexed into a city, property owners can also petition to be detached from a city and turned back over to a township. Recently cities in various parts of the state have seen an increase in these detachment petitions. Currently if the property is within the city, abuts the township, is rural in character, and not developed for urban residential, commercial, or industrial purposes an administrative law judge (ALJ) may order a detachment from the city.

Due to this increase in detachment petitions, Sen. John Carlson (R-Bemidji) has asked stakeholders to review the detachment statute and suggest changes to make the process as thorough and fair to all parties as it possibly can be. In response, representatives from the League of Minnesota Cities and the Minnesota Association of Townships and CGMC's Bradley Peterson met with Sen. Carlson earlier this week to discuss areas for improvement. Items currently under discussion include the following: requiring that the petition state a reason for the seeking the detachment; requiring that the petitioner send notice of the petition to a wider array of stakeholders including the city, affected townships, and affected counties instead of simply sending the petition to the state's Office of Administrative Hearings; requiring that the matter go to facilitated mediation rather than through the current informal process of holding three meetings; adding current land use plans to the criteria that an ALJ would have to look at before ordering a detachment; and developing a more rational way to share costs of the proceeding that does not leave the city with a majority of the bill simply because they may have deeper pockets than the petitioners (in some recent cases cities have been ordered to pay 70%-80% of the costs of the case hearing).

The next step is for LMC, MAT, and CGMC to work with the Legislative Revisor's Office to draft a bill that we agree on that Sen. Carlson can introduce. The intent would be to introduce a bill this session, but not try to pass it until the next session, giving all stakeholders an opportunity to evaluate it. Stay tuned to the *CGMC in Brief* for further updates, or feel free to contact Bradley Peterson at bmpeterson@flaherty-hood.com with any questions or concerns.

2011 CGMC Labor & Employee Relations Seminars

The CGMC Labor and Employee Relations Committee will be sponsoring two seminars again this year from 10:00 a.m. to 4:00 p.m. as follows: **Thursday, June 2, 2011 in Brainerd** and **Thursday, June 9, 2011 in Mankato**. Topics include: health care reform impacts on local governments, labor negotiation and mediation strategies under tight budgets, update on LGA and other legislation affecting budgets and employment, hiring best practices and handling employees and unions in tough times. Additional details and registration materials were emailed to all CGMC cities and are available online at <http://www.greatermncities.org/>.



Preparation for 2012 Capital Investment Bill Begins

The House Capital Investment Committee heard two bills this week that could impact how proposed capital investment projects are analyzed. The first bill, H.F. 194, authored by Rep. Sarah Anderson (R – Plymouth), requires that MMB commissioner report to the legislature every odd-numbered year the number of jobs that were created or saved as a result of capital projects funded by the state during the previous biennium. Chair Howes (R-Walker) asked whether this information would be difficult for smaller and/or rural cities to quantify. Rep. Anderson asserted that cities in rural Minnesota would probably have an easier time quantifying this number.

The second bill, H.F. 369, authored by Rep. King Banaian, was greeted with more skepticism. This bill would require that all bonding requests perform a return on investment analysis in a format developed by the MMB commissioner. The analysis would include a “comprehensive description of the statewide value of the project” including 10 years worth of measurable outcomes, total cost of ownership, total revenue projection and net jobs impact. When questioned about why statewide impacts are examined, rather than regional impacts, Rep. Banaian indicated his willingness to amend the language so that regional impacts would be considered instead. Rep. Banaian explained that the bill would not require that the ROI analysis be used to make decisions about projects, but would simply make the information available. Both bills were laid on the table.

Further questions regarding these bills can be directed to Elizabeth Wefel at ewefel@flaherty-hood.com or 651-259-1924.

The Legislature will be on Break Tuesday April 19 through Monday April 25. The CGMC in Brief will be on hiatus as well unless breaking news occurs. Don't forget you can get up to the minute information by following the CGMC and its lobbyists on Twitter. You can follow the CGMC @greatermncities; Elizabeth Wefel @St_Paul_Girl, Bradley Peterson @bmpeterson, J.D. Burton @burtonjd and Glenn Fladeboe @GlennFladeboe.

Legislative Break next week

LGA Media Round- up

The Crookston Daily Times printed an editorial stating that cutting LGA to the Twin Cities would be harmful to the whole state: <http://bit.ly/gRnEcU>

A story in the St. Paul Pioneer Press focused on some legislative leaders' questions about the politics of LGA cuts in the House bill: <http://bit.ly/hPwVEc>

The Twin Cities Daily Planet printed a series on LGA and local taxes:
Cut LGA? Fighting words for mayors across Minnesota: <http://bit.ly/fAzNzn>
What “no new taxes” means for local property owners: <http://bit.ly/dJBefZ>
Looking for the money: What about local sales taxes? <http://bit.ly/f72RRH>
Mayors to state lawmakers: We don't want the Twin Cities to become Detroit: <http://bit.ly/ftPm6a>

The Waseca Daily News reported that Senator Parry informed the Waseca city council that LGA won't go away, though there is intent to reformulate the program: <http://bit.ly/iiq7cb>





2011 CGMC Labor & Employee Relations Spring Seminars

Practical & Legal Solutions for Providing Services and Managing Employees in Local Government

- Health care reform impacts on local governments
- Labor negotiation and mediation strategies under tight budgets
- Update on legislation affecting budgets and employment
- Hiring best practices
- Handling employees and unions in tough times

Agenda

Brainerd: Thursday, June 2, 2011 • 9:30 a.m. – 4:00 p.m.

Mankato: Thursday, June 9, 2011 • 9:30 a.m. – 4:00 p.m.

9:30 – 10:00 a.m.	Registration and Networking (Rolls and Coffee)				
10:00 – 10:40 a.m.	Welcome and Introductions				
10:40 – 11:40 a.m.	Labor Negotiation and Mediation Strategies under Tight Budgets <i>Christopher M. Hood, Attorney/Shareholder, Flaherty & Hood, P.A.</i>				
11:45 – 12:20 p.m.	Health Care Reform – Impacts on Local Governments <i>Brainerd: Dan Weir, Risk Management Consultant, Northwest Service Cooperative</i> <i>Mankato: Jim Sarych, Principal and Shari Wodarck, Senior Benefits Consultant, Financial Concepts, Inc.</i>				
12:20 – 1:05 p.m.	Lunch (Provided)				
1:05 – 2:35 p.m.	Interactive Panel of Experts: Legislative Update and Handling Employees and Unions in Tough Times <i>Moderator: Brandon M. Fitzsimmons, Senior Attorney, Flaherty & Hood, P.A.</i>				
	<table border="0"> <tr> <td>Brainerd:</td> <td>Mankato:</td> </tr> <tr> <td> <ul style="list-style-type: none"> • Shawn Gillen, City Administrator <i>City of Grand Rapids</i> • Michael Redlinger, City Manager <i>City of Moorhead</i> • Jodie Torkelson, City Administrator <i>City of Thief River Falls</i> </td> <td> <ul style="list-style-type: none"> • Kay Kuhlmann, Council Administrator <i>City of Red Wing</i> • Joe McCabe, City Manager <i>City of St. James</i> • Crystal Prentice, City Manager <i>City of Waseca</i> </td> </tr> </table>	Brainerd:	Mankato:	<ul style="list-style-type: none"> • Shawn Gillen, City Administrator <i>City of Grand Rapids</i> • Michael Redlinger, City Manager <i>City of Moorhead</i> • Jodie Torkelson, City Administrator <i>City of Thief River Falls</i> 	<ul style="list-style-type: none"> • Kay Kuhlmann, Council Administrator <i>City of Red Wing</i> • Joe McCabe, City Manager <i>City of St. James</i> • Crystal Prentice, City Manager <i>City of Waseca</i>
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2:35 – 2:50 p.m.	Break (Refreshments and Networking)				
2:50 – 3:55 p.m.	Hiring Best Practices <i>Brandon M. Fitzsimmons, Senior Attorney, Flaherty & Hood, P.A.</i>				
4:00 p.m.	Adjourn				

Registration

Join us to discuss key labor and employee relations topics. Local elected officials and administrative, management, and human resources personnel will all benefit from attending, gaining insights from the presenters, and getting answers to important questions impacting you. **Space is limited, so sign up today!**

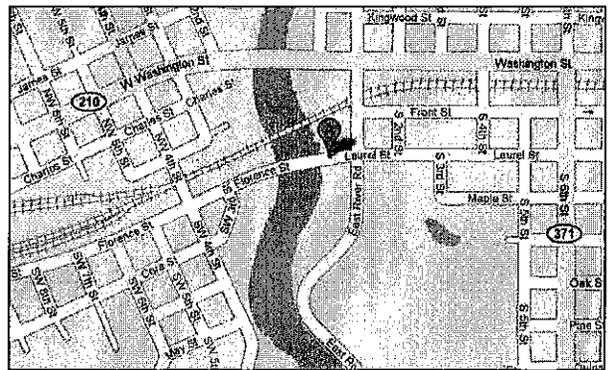
Please send your registration to Bonnie Oaks by May 27, 2011 (Brainerd) or June 3, 2011 (Mankato)

Fax 651-225-9088 • Email bmoaks@flaherty-hood.com • Mail Flaherty & Hood, P.A., 525 Park St., Suite 470, St. Paul, MN 55103

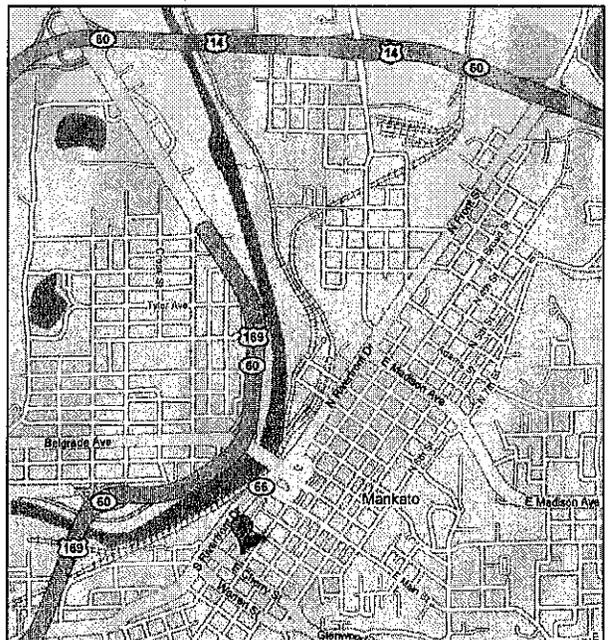
Questions? Contact Bonnie at 651-225-8840.

Unit of Government/Organization _____

Name _____
 Title _____
 Email _____



Brainerd seminar location:
 Brainerd Fire Department
 23 Laurel Street
 Brainerd, MN 56401



Mankato seminar location:
 Intergovernmental Center, City Council Chambers (1st floor)
 10 Civic Center Plaza
 Mankato, MN 56001

CGMC Member(s).....\$55 (per person)
 Non-CGMC Member(s).....\$95 (per person)

Payment Method (Please make checks payable to CGMC)
 _____ Enclosed _____ Bill me _____ I'll pay at the seminar.

For the convenience of attendees, CGMC has scheduled two seminars in different parts of the state. Please indicate below which seminar you plan to attend:

Brainerd, Thursday, June 2, 2011
 Mankato, Thursday, June 9, 2011



JACKSON COUNTY PILOT

PAGE: LOCAL NEWS

City law enforcement to county?

By (April 04, 2011)

The topic of law enforcement as an area of potential city/county partnership will be discussed at the regular meeting of the Jackson City Council Tuesday evening.

The official council agenda released Friday lists "City/county partnerships" as a council discussion item. Jackson Police Department officials, including Jackson Police Chief Tony Legnani, have confirmed the fact they were told the discussion would encompass city law enforcement. On Friday evening, Jackson Mayor Wayne Walter declined to comment, referring all inquiries to the city administrator. On Monday, city clerk Steve Walker forwarded a copy of a document sent to the police department. It read:

"The City of Jackson will be entering the preliminary stages of discussing a possible partnership with the County of Jackson in the execution of its law enforcement services. We will be engaging the citizens of Jackson over the next month in a public discussion regarding the two positions the Council is putting forth to encourage this discourse:

- 1) Cost Savings on our overall police operations budget annually as well as responsibility for the construction of a new police building.
- 2) Expanding our coverage to 24/7 within the City of Jackson.

This will not be a referendum on the performance of our existing police force as the Council has supported the effective execution of policy, law and ordinance enforcement we have all received over their years of service. Rather, all municipalities across our region, state, and country have been put in the position of re-evaluating services throughout all levels of government, and this is the natural progression of that requirement."

Jackson County Sheriff Roger Hawkinson is scheduled to be at Tuesday's meeting.

Last month, the Lakefield City Council considered entering into a partnership with the county sheriff's department for the purposes of law enforcement services, but eventually decided to seek a new police chief for its department

Main Identity

From: "Cederholm, Heather" <hcederholm@lmc.org>
To: "General legislative" <legislative@listserv.lmc.org>
Cc: "Directors" <Directors@lmc.org>; "Board of Directors--LMC" <BoardofDirectorsLMC@lmc.org>; "AMM" <AMM2@lmc.org>; "Communications" <Communications@lmc.org>; "IGR" <IGR@lmc.org>
Sent: Friday, April 08, 2011 3:53 PM
Subject: [legislative] Friday Fax-- April 8, 2011
Six More Weeks?

How time flies. After today, there will be six weeks remaining in the regular 2011 legislative session. Between now and then, here is a rundown of the tentative legislative schedule for the next six weeks:

Next week, the legislature should begin the discussions of their 10 major omnibus appropriations bills--Agriculture and Rural Development, K-12 Education, Environment, Natural Resources and Commerce, Health and Human Services, Higher Education, Jobs and Economic Growth, Judiciary and Public Safety, State Government Finance and Veterans, Taxes, and Transportation. As of today, the only conference committee that has appointed House and Senate conferees is the Agriculture and Rural Development bill. That bill has probably had the least amount of controversy surrounding it.

The following week, the legislature is scheduled to recess for the Easter break. The recess is currently scheduled for April 18 through the 25 with legislators returning for hearings and floor sessions on Tuesday, April 26. Use this time to visit with legislators while they are home, tell your city story, and advocate on issues that impact your city.

The House and Senate decided early in the session to accelerate the budget deadline and have all of the major appropriations bills out of committee by March 25. To accommodate the budget, the deadlines for policy committees were pushed back. The first policy committee deadline is Friday, April 29, only four days after members return from their Easter recess while the second policy committee deadline is one week later, on Friday, May 6. Policy bills must be heard in all committees in the house of origin to meet the first deadline while all bills meeting the first deadline must be favorably acted upon in the other body by the second deadline.

Finally, the legislature is constitutionally required to complete the legislative session by the first Monday after the third Saturday of May each year. This year, that date is May 23.

A lot is going to happen. Stay tuned.

Questions? Contact Gary Carlson at gcarlson@lmc.org or (651) 281-1255.

What would a federal government shutdown mean for Minnesota and Minnesota cities?

With a federal government shutdown likely to occur tonight, the extent to which it affects Minnesota and cities in the state will most likely be directly related to the length of the shutdown. According to a number of national organizations, including the National Association of State Budget Officers (NASBO) and the National Governor's Association, a shutdown that lasts for a couple of weeks, while inconvenient, would not likely cause significant disruptions. According to NASBO, while states rely on federal government funds to help fund a large number of state programs these funds are often not transferred, or drawn down, on a daily basis.

Should a federal government shutdown continue for a protracted period, it could create significant funding difficulties for state programs that are federally funded as well as for those state employees whose salary is partly paid for with federal funding.

Beyond the possible shutdown, please keep in mind that the President and Congress are currently debating a budget compromise that could involve significant cuts its federal government operations, and these reductions could have additional impacts on Minnesota and cities. According to media reports on Friday afternoon, there is some rough agreement around a \$38 billion level of cuts, but we have not seen any specifics on the programmatic impacts.

Impacts related to State Agencies:

League staff have contacted a number of state agencies for information on potential Minnesota-specific impacts. Below is a brief summary of responses.

Minnesota Management and Budget (MMB): MMB has informed all state agencies that a protracted shutdown could have more severe implications for state operations, especially for programs that involve federal reimbursement. MMB has also informed other state agencies that the resolution to the federal budget impasse could involve substantial cuts in federal programs that could impact Minnesota agencies. At this time, it is unclear how the budget impasse will be resolved and what programs might be impacted.

Department of Public Safety (DPS): At this time, department staff believe that it is unlikely there will be any disruption in DPS operations. This is due to the fact that programs such as Homeland Security and Federal Emergency Management Agency (FEMA) disaster operations are classified as “essential” and would not be impacted by a shutdown. However, certain FEMA flood mitigation and flood insurance operations would likely be suspended.

Department of Labor and Industry (DOLI): DOLI staff indicated that they were very concerned about OSHA (Occupational Safety Hazard Association) funding if a federal shutdown goes on for any length of time. To the extent cities are working, or waiting on OSHA staff for inspections and otherwise—cities would eventually see an impact as there would be likely layoffs for those 80-some staff. The bulk of their federal funding is used for OSHA compliance.

Department of Transportation (MnDOT): The most pronounced impact of a federal government shutdown would be a potential delay in reimbursements for Federal Highway Administration (FHWA) projects. However, according to a conference call with the federal Office of Management and Budget and staff from the US DOT, the FHWA will remain funded and will not be impacted by the shutdown. FHWA employees would remain on the job under a shutdown scenario. Under a prolonged shutdown, consideration of Federal Department of Transportation (DOT) grant applications may be postponed and payments delayed. Federal funding is an important part of MnDOT’s financing strategies, so unexpected changes could be problematic.

Department of Revenue (DoR): No immediate impacts have been identified by staff but if citizens cannot file their federal income tax returns or receive assistance to complete their federal returns, they would not be able to file their state income tax returns.

Pollution Control Agency (MPCA): The main impact of a short term federal shutdown would be that federal environmental review and permitting operations would cease. In Minnesota, most of the permit work is done under delegation agreements with the Minnesota Pollution Control Agency, so permits could continue to be processed, but could not get final federal approval, if that was required. Some environmental reviews are processed through the federal Environmental Protection Agency if they are done to satisfy National Environmental Protection Act (NEPA) requirements. Those environmental reviews would not be able to be completed. Work to review or adopt federal health and environmental standards would also be halted during a shutdown.

Minnesota Employment and Economic Development (DEED): DEED staff indicated that the next round of awarding HUD grants would be the most pressing thing for cities—should a federal government shutdown occur. There are other funds, such as the Small Cities Development grants that receive federal funding that would eventually be impacted.

Impacts related to Federal Agencies:

According to the federal Office of Management and Budget, in the event of a federal government shutdown, many federal departments and agencies will be legally prohibited from incurring further financial obligations for those activities that are funded by the annual appropriations that have lapsed. However, an agency may incur obligations that are necessary to carry out an orderly suspension of operations and to perform certain legally-defined “excepted” activities including functions impacting the safety of life and protection of property. In addition, an agency may continue to carry out activities that are supported by other sources of funding which continue to remain available to the agency, such as existing balances of a multi-year appropriation.

In an OMB memo, they provide examples of federal government services that would be suspended or required to operate at lower levels, and many Federal employees would be furloughed and unable to work.

OMB has posted shutdown plans for various federal agencies. The site is being updated as new information becomes available.

Below is a snapshot of services that may be of interest to city officials:

Examples of Services That Would Be Affected:

- The Federal Housing Administration (FHA) would not endorse any single-family mortgage loans or have staff available to

process and approve new multifamily loans. FHA single-family lending represents a market share of more than 20 percent of overall loan volume (home purchases and re-financing).

- USDA would not be able to approve any grants, loans or loan guarantees for its rural development and rural housing, utilities, business, and community facilities programs.
 - Farm loans, farm payment, and enrollment in conservation programs would cease.
- Transit funds related to USDOT that are not related to the American Recovery and Reinvestment Act would not receive funds.
- No new approvals of Small Business Administration (SBA)-guaranteed loans for business working capital, real estate investment or job creation activities would occur.
- National Parks, National Forests, and the Smithsonian Institution would be closed.
- Those filing paper tax returns would not receive tax refunds from the Internal Revenue Service (IRS) and many taxpayers would be unable to receive service from the IRS to help them meet their tax obligations. For example, 400 walk-in service centers would be closed.
- The Mine Safety and Health Administration would not be able to conduct regular safety and health inspections.
- Only emergency passport services would be open; normal processing would not.
- Department of Commerce grant-making programs for economic development would cease, as would most payments by HUD's Community Development Block Grant program to State and local governments.
 - For CDBG, funds in the system can be accessed but no new deposits would be made.
- The Community Development Financial Institutions Fund would suspend its grants and technical assistance to communities across the country, delaying investments that finance businesses and create jobs in distressed neighborhoods.
- HOME funds for affordable housing would be suspended, except for the money already in the system.
- Inspections of stock brokers, receipt and publication of corporate financial disclosures, and routine oversight of financial markets by Federal agencies would cease. Enforcement actions would be postponed in all but a few cases.
- Certain FEMA flood mitigation and flood insurance operations would be suspended but FEMA disaster operations would continue.
- Agricultural export credit activity and other agricultural trade development and monitoring would cease.
- Most of the Veterans Benefits Administration customer support services would be suspended.
- Most Department of Defense budget planning and preparation would cease; military personnel would not receive paychecks during a funding lapse.
- Customer service would be reduced across the federal government.
- Department of Justice civil litigation activities, including civil rights enforcement and defensive litigation (where the U.S. government is a defendant), would mostly stop.
 - Multi-year grant-funded public safety employees: The administration and related support of grants already awarded will continue only to the extent necessary to prevent significant damage to the execution of the terms of the statutory provision underlying the grant program, or to the extent necessary to protect the safety of human life. New grants will not be awarded during a lapse in appropriations.
 - Freedom of Information Act (FOIA) processing would cease.

Examples of Services That Would Remain Operational:

- Federal Highway Administration would continue to provide reimbursements for projects.
- Transit projects that are funded under the American Recovery and Reinvestment Act will continue to receive payments.
- FEMA assistance for disaster operations are classified as "essential."
- The Federal Aviation Administration (FAA) would keep the air traffic control system open and safe.
- Social Security checks would be sent to beneficiaries.
- Unemployment insurance will continue to be administered. It is estimated to be able to be funded at least through the end of the month of April.
- Federal court systems are able to remain funded (with the fees it charges for services) for two weeks. If the government shutdown occurs beyond two weeks, only duties that are constitutionally-required would be fulfilled.
- National Weather Service alerts and forecasts would continue.
- The U.S. Postal Service would continue mail collection, delivery, and other operations.
- Customs and Border Protection activity would continue.
- Core Federal law enforcement, such as the FBI and U.S. Marshals, would continue, as would prison and detention operations.
- Medical services for veterans would continue to be available.
- Services related to the Affordable Care Act would continue to be operate
- FDA monitoring of drug imports would continue.
- Wagner-Peyser workforce grants (under the Department of Health and Human Services) will still receive payments.

- Meat and poultry inspection would continue.
- Medicaid payments will continue
- Treasury's core payment and collection programs would remain operational.

The League will continue to monitor the possible effects of a federal government shutdown and the possible effects of a budget compromise and we will report on any new information in upcoming editions of the *Cities Bulletin* and the FridayFax.

Questions? Contact Gary Carlson at gcarlson@lmc.org or (651) 281-1255 or Lena Gould at lgould@lmc.org or (651) 281-1245.

Concussion Discussion: Mandate bill moving through committees

A possible new mandate for cities, school districts, and youth athletic association non-profits was heard for the first time Friday morning in House Education Reform—HF 905 (Rep. Rod Hamilton, R-Mountain Lake). Essentially the amended bill would require these entities to establish policies for youth athletes with concussions resulting from participation in youth sports. The bill has close to 20 authors in the House—signifying real support. The companion is SF 612 (Sen. Michelle Benson, R-Ham Lake) and is slated for a Tuesday 3 p.m. hearing in Senate Education.

Rep. Hamilton said that the goal of his bill is to raise awareness and set the standard for concussion policies and youth sports/brain injury. League staff was able to visit with Rep. Hamilton, as well as Rep. Jim Davnie on the Education committee—who understood the new training requirements this would add for parks/recreation staff and coaches in terms of training. There is language in the bill to remove any liability, and the thrust of the bill is to educate parents, coaches and children on the seriousness of a concussion. During testimony, two high school student athletes explained their personal painful traumas of their own head injuries and the amount of school absenteeism. They also said that their coaches weren't trained at how to react in the event of an athlete experiencing a concussion. After almost 90 minutes of committee time, the bill was passed and its next stop is the House Health and Human Services Reform committee next week.

In short, the training would be free and likely available on-line. The Minnesota High School League testified with some concerns about the bill stating that they already provide some of this and have been highly involved with the online training that is referenced in the bill, and organized out of the Centers for Disease Control and Prevention website. According to testimony, 13 states have passed similar legislation and 30 are considering it at this time.

What do you think? Most cities would be impacted with any volunteer coaching situations administered through parks/recreation departments or otherwise—even if it is free. Please direct any comments to Jennifer O'Rourke at (651) 281-1261 or jorourke@lmc.org as soon as possible. This bill moves through the process in the next few weeks.

Liquor hearing sparks mini-wine in grocery stores discussion

Wednesday night's Senate Commerce and Consumer Protection hearing brought up a number of liquor-related issues that filled the room with lobbyists and interested citizens. Most all the citizens were there in support of what's been called the Surly bill—SF 416 that would essentially allow the microbrewery Surly to sell on-sale pints, which is currently not allowed under the three-tiered system. The bill is not limited to the Surly operation, and would apply to any microbrewery. While a bill that would allow for wine sales in grocery stores has not been introduced, the subject did come up during the final bill discussion. Senator Latz (DFL-St. Louis Park) brought forward SF 323, which would allow a liquor store to sell its own logo-wear. The example was a local beer store in St. Louis Park named Four Firkens that wanted to sell its own t-shirts and cycling jerseys. Under current law they are unable. SF 416 goes to the Senate floor for consideration. SF 323 was laid over for possible consideration in the omnibus liquor bill that will be put together by the committee and unveiled soon.

The MN Grocers Association submitted a letter to the chair that was made available to the public, outlining its concerns that liquor retailers had been able to sell more and more non-liquor items over the years (locks, books, home brewing equipment, books, reusable bags, etc.). The letter went on to say the liquor stores should be able to open attached, general merchandise stores with separate entrances—exactly as several grocery stores have opened their own liquor stores. This sparked a short discussion among members of the committee, and was interesting to those in the room that have watched this issue over the years.

Questions? Contact Jennifer O'Rourke at (651) 281-1261 or jorourke@lmc.org.

Synthetic marijuana bills move forward in Senate

On Thursday the Senate Judiciary and Public Safety committee took up a series of drug-related bills for an omnibus drug bill (SF 1092) that will come out of the committee. The issue this session has been how to deal with the various synthetic marijuana-type products on the market. While the House moved in January and February with HF 57 (Kriesel, R-Cottage Grove), yesterday's

hearing marked the first movement on this issue since that time. After lengthy discussion on a number of related bills, the committee laid over the omnibus bill as they are waiting to see the fiscal note for the bill. Chair Limmer (R-Maple Grove) explained that members hoped to review that in the next week, and the bill could move forward at that time.

The League submitted a memo outlining a position of support for the statewide ban, and asking the Board of Pharmacy to include it in their list of controlled substances. The League's policy (SD-45) was developed by the Improving Service Delivery committee last interim after some cities in the state passed local ordinances to ban the sale.

Questions or concerns can be directed to Jennifer O'Rourke at (651) 281-1261 or jorourke@lmc.org or Anne Finn at (651) 281-1263 or afinn@lmc.org.

Railroads attempt to get out of paying their share of city stormwater expenses

Legislation that was initially brought forward last year has reappeared in the House. HF 148 (Rep. Beard, R – Shakopee) would exempt railroads from any levy, special assessment, or charge related to storm sewers. The bill will be heard in the House Transportation Policy and Finance committee on Monday, April 11, at 12:30 in Room 5 of the State Office Building. The League opposed this legislation last year and will continue to do so. Cities are under strict federal and state stormwater management mandates. Railroads, like other landowners within cities, contribute to part of the urban run-off situation. Each property is charged a portion of the city's stormwater management costs on a set formula for the impacts their land use have on stormwater flow.

Questions? Contact Craig Johnson at (651) 281-1259 or cjohnson@lmc.org or Anne Finn at (651) 281-1263 or afinn@lmc.org.

Agreement reached on variance bill

The full House on April 4 passed HF 52 (Rep. Joyce Peppin, R-Rogers), a bill to restore cities' variance authority. The bill had been amended in committee, over the objections of local government, to leave the statutory language for how and when conditions may be imposed as part of a variance in different forms for counties than for cities. Because of those differences, the League and other groups opposed the legislation as it appeared on the House floor.

As the bill came up for discussion, however, an agreement was finally reached to resolve those differences with matching language for both county and city statutory authority to impose conditions related to a variance. That agreement was not able to be drafted into an appropriate amendment in time to be offered in the House, although several legislators did suggest laying the bill aside temporarily to allow that to happen. Instead, legislators made it clear that a compromise had been agreed to and that they expected that language to be included in the bill when it came back from the Senate.

The Senate companion bill, SF 13 (Sen. Gen Olson, R-Minnetrista), will be brought to the Senate Local Government and Elections committee on Monday, when the committee will vote on whether to schedule the bill for a hearing. This is an unusual step brought about because of the committee chair, Sen. Ray Vandever (R – Forest Lake), needing to recuse himself from decisions on the bill due to a possible conflict of interest. Presuming the committee decides to hear the bill, it would likely come up later in the week, where the compromise amendment could be adopted. Those concerned about HF 52 and SF 13 should immediately contact their local legislators, Rep. Peppin, and Sen. Olson to ask that they pass the bill with the compromise changes agreed to by the League.

Questions? Contact Craig Johnson at (651) 281-1259 or cjohnson@lmc.org.

Interim use ordinance and development agreement limitations to be discussed

At the same hearing of the Senate Local Government and Elections committee, the committee will decide whether SF 270 (Sen. Limmer, R – Maple Grove) should be scheduled for a hearing. It is also being handled in this unique manner due to a possible conflict of interest for the committee chair. The bill would allow applications for permits that come in prior to the enactment of an interim ordinance to essentially be exempted from the ordinance. It would also require a super-majority to adopt an interim ordinance. The bill goes on to prohibit any conditions in a development agreement that are not specifically authorized by statute and requires that the final development contract with all attachments must be provided to the contractor at least three days prior to a decision on approval being considered. Local government groups strongly oppose this legislation, as do a number of advocacy groups work on environmental and agricultural issues. Monday's discussion will only be to determine whether the bills can be scheduled for hearings.

Questions? Contact Craig Johnson at (651) 281-1259 or cjohnson@lmc.org.

Well drilling legislation update

The bills introduced to remove city authority to restrict well drilling have not been discussed or scheduled for hearings at this time. We have heard from cities that single large users have drilled their own well and removed 15 percent of the utility's rate base,

meaning that the remaining customers will see their rates increase to cover the debt payment and operations and maintenance costs being stranded by that change. These wells can also pose a threat to local groundwater quantity and quality and are being promoted as a way to get around water conservation efforts. The League, along with many individual cities and the Minnesota Municipal Utility Association, opposes this legislation. HF 135 (Rep. Tom Hackbarth, R – Cedar) was passed by the House Government Operations and Elections committee several weeks ago and is now in the Environment, Energy and Natural Resources Policy and Finance committee. Its Senate companion, SF 64 (Sen. Mike Jungbauer, R – East Bethel) was sent to the Senate Environment and Natural Resources committee and has not yet been scheduled for a hearing. Cities should contact the offices of the two environment committee chairs, Sen. Bill Ingebrigtsen (R – Alexandria) and Rep. Denny McNamara (R – Hastings) to explain the impacts this legislation could have on their communities and utilities, and to ask that the chairs not schedule the bills for a hearing.

Questions? Contact Craig Johnson at (651) 281-1259 or cjohnson@lmc.org.

Spring 2011 Flooding

Flooding activity is anticipated and being monitored across most of Minnesota, especially along the Red, Minnesota, and Mississippi Rivers. The State Emergency Operations Center was fully activated on March 24 and will remain operational throughout the flooding period.

Communities around the state are now planning and preparing to fight the floodwaters. For more information about their efforts and to learn what your residents can do to protect homes and business, [click here](#).

On Thursday, Gov. Mark Dayton signed Executive Order 11-11, declaring a state of emergency for 46 Minnesota counties impacted by spring flooding. The emergency declaration enables the State Emergency Operations Center to provide immediate help, when requested by those counties.

The Department of Public Safety Division of Homeland Security and Emergency Management will continue the activation of the Minnesota Emergency Operations Plan, continue the provision of on-site support and assistance to the affected local governments, and determine the need for supplementary disaster aid.

According to the governor's office, all state agencies are directed to continue to provide the assistance necessary to help local units of government respond to and recover from this emergency. In the case of a federal government shutdown, FEMA disaster operations would be available, however, certain FEMA flood mitigation and flood insurance operations would likely be suspended.

Questions? Contact Anne Finn at (651) 281-1263 or afinn@lmc.org.

Seeking Nominees: 2011 MWCG Leadership Awards

Minnesota Women in City Government (MWCG) will offer Leadership Awards to two outstanding women in Minnesota city government in 2011. One award will be presented to an elected woman in city government, and another award will go to an appointed woman in city government. Both winners will be recognized for individual achievement in their city as well as leadership and mentoring roles both inside and outside of their communities.

MWCG is now seeking nominations for both awards. The MWCG Leadership Awards are open to all women elected and appointed Minnesota city officials. A panel of judges representing MWCG and the League of Minnesota Cities will determine the finalists and the winner of the awards. Current members of the MWCG Board of Directors are not eligible to be nominated for the award.

Finalists for the awards will be announced in advance of the LMC Annual Conference. The winners will be announced and honored, along with the other finalists, during the Annual MWCG Membership Meeting at 5 p.m. on June 15 in Rochester during the League's Annual Conference.

Nominations are due by **April 29**. Completed nomination forms and nominating statements (below) should be sent via e-mail as attachments to sandrmeans@charter.net or mailed to MWCG, c/o Sandra Means, 105 26th St. NW, Rochester, MN 55901.

- [View the MWCG Leadership Award Program Overview and Nominating Statement information \(pdf\)](#)
- [View the MWCG Leadership Award nomination form \(pdf\)](#)

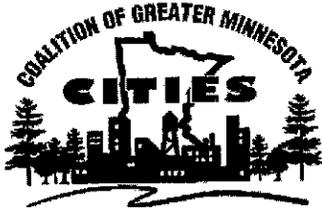
Questions? Contact Heather Cederholm at (651) 281-1256 or hcederholm@lmc.org or Sandra Means at sandrmeans@charter.net.

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Coalition of Greater Minnesota Cities
CGMC in Brief

April 7, 2011

Contact: Tim Flaherty
 651-225-8840

**Tax Bills Progress
 through the
 Legislature**

After much debate, the Senate passed its version of an omnibus tax bill Tuesday afternoon on a 37 to 26 party line vote. Before final passage, the bill was amended to remove the general authority for city sales taxes that had been in the bill when it left committee. A comparison between the House and Senate omnibus tax bills is below. The differences between the two bills will be worked out in conference committee before a final bill is set to the governor.

Issue	House	Senate
LGA 2011	Certified 2011 LGA, except for Minneapolis, St. Paul, and Duluth who are phased off LGA by 2014	Reduces LGA to paid 2010 level or certified 2011 whichever is less
LGA 2012	Reduces LGA to paid 2010 level or certified 2011 whichever is less except for Minneapolis, St. Paul, and Duluth who are phased off LGA by 2014	Reduces LGA to paid 2010 level or certified 2011 whichever is less
LGA 2013 and beyond	Returns distribution to the LGA formula in 2013 and funds LGA at \$274 million appropriation in 2014 with no aid to Minneapolis, St. Paul, or Duluth	Returns LGA distribution to the LGA formula at \$426 million
Market Value Credit	In 2011, reduces credit reimbursement to the paid 2010 level. In 2012, converts credit into a reduction on a homestead's tax capacity. (no reimbursement needed)	Similar to House
Levy Limits	Extends the current levy limits for 2012 and 2013	No levy limits

**House Tax
 Conferees Primarily
 Suburbanites**

Yesterday, the House named its members who will sit on the tax conference committee: Rep. Davids (R- Preston), Rep. Sarah Anderson (R- Plymouth), Rep. Loon (R- Eden Prairie), Rep. Lenczewski (DFL- Bloomington) and Rep. Runbeck (R- Circle Pines). All but one represents suburban districts which receive little or no local government aid.

**CGMC Exec.
 Director Meets with
 Governor**

Tim Flaherty, CGMC's Executive Director, met privately with Governor Dayton on Tuesday. At the meeting the governor reaffirmed his commitment to protecting LGA.



Mayors hold teleconference with newspapers

Last Wednesday Granite Falls Mayor Dave Smiglewski and Cloquet Mayor Bruce Ahlgren held a conference call with Minneapolis Mayor R.T. Rybak, St. Paul Mayor Chris Coleman and 10 outstate editorial boards to express concern over the House legislation that cuts LGA to Minneapolis and St. Paul. The mayors also discussed House author Linda Runbeck's comments that cutting LGA to these cities was the beginning of phasing out LGA in the state. Since the conference call a number of newspapers have weighed in with editorials supporting CGMC and the Minneapolis and St. Paul Mayors. See our media round-up below for a few of the articles.

Senate Removes Cuts to Greater Minnesota Transit

On Monday, the full Senate approved an amendment to protect general fund spending for greater Minnesota transit by eliminating an \$8 million cut originally proposed in the legislation (S.F. 898/H.F. 1140). The amendment, offered by Sen. Kathy Sheran (DFL – Mankato), requires a shift of \$8 million in the next biennium from the Metropolitan Transit Assistance Account to the Greater MN Transit Account, and then reducing funding from the Motor Vehicle Sales Tax (MVST) to the suburban systems (proportionately) by \$8 million in FY2012-13 biennium. The justification for the shift was that the suburban transit systems currently have fund balances larger than the 25% of operating expenses recommended by the Legislative Auditor. The amendment does not take any of those reserve funds. The amendment passed 34-30.

The Senate subsequently approved the full transportation omnibus finance measure, and it now awaits a conference with the House. The House transportation omnibus finance bill cuts \$7.6 million for greater Minnesota transit in the biennium, so the differing House and Senate provisions for transit must be reconciled in conference. The House and Senate will also need to reconcile their different cuts for Metropolitan Transit: The Senate cuts \$32 million from the general fund for Metropolitan Transit, whereas the House cuts \$130 million to Metropolitan Transit.

The House appointed its transportation conferees appointed on April 5th : Rep. Beard (R – Shakopee); Rep. Murdock (R – Ottertail); Rep. Westrom (R – Elbow Lake); Rep. Benson (R – Rochester); Rep. Leidiger (R – Mayer). The Senate has not yet appointed their conferees.

2011 CGMC Labor & Employee Relations Seminars

The CGMC Labor and Employee Relations Committee will be sponsoring two seminars again this year from 10:00 a.m. to 4:00 p.m. as follows: **Thursday, June 2, 2011 in Brainerd** and **Thursday, June 9, 2011 in Mankato.**

More information on these seminars will be sent to cities soon!

Feel free to contact Brandon Fitzsimmons at (651) 259-1910 with any questions



Wisconsin seeks delay of phosphorus regulations

The CGMC has been expressing its discomfort with the new phosphorus regulations that the Wisconsin DNR adopted last fall because of the impact on Minnesota waters flowing into Lake Pepin. We're not the only ones. Wisconsin Governor Scott Walker included a roll back of the pollution regulations in his recent budget proposal. Initially, he had proposed reverting to narrative standards that were no stronger than surrounding states. Wisconsin's DNR has indicated it is abandoning those plans and now looking at delaying the implementation of the rules by two years, mainly because of concerns regarding the cost that Wisconsin municipal wastewater treatment facilities will face as a result of the regulations.

What this delay will mean for Lake Pepin and Minnesota is not clear. If the regulations are delayed, the EPA could step in and impose the standards. To date, the EPA has not commented on what it will do.

You can learn more at <http://bit.ly/eM1tMP>

Media Roundup

Last week's conference call with Mayors Smiglewski, Ahlgren, Coleman and Rybak was covered by this story from the Marshall Independent, <http://bit.ly/e8thZt>, and this editorial from the Worthington Daily Globe: <http://bit.ly/gIFITl>

On Tuesday, after the Senate passed its tax bill, Hometown Source reported about some of the details of the bill, including the continuation of the 2010 cuts to LGA. <http://bit.ly/ehZZ4S>

Wadena Mayor Wayne Wolden and Granite Falls Mayor Dave Smiglewski co-wrote an opinion piece decrying the House bill's cuts to metro cities' LGA and efforts to dismantle the program. <http://bit.ly/ebdIR5> <http://bit.ly/fwwW9q>

The Worthington Daily Globe printed an editorial agreeing with the mayors and highlighting how interdependent the metro area and Greater Minnesota are. <http://bit.ly/f4U3m9>

The Albert Lea Tribune also spoke out against LGA cuts, describing how property-rich suburbs are leading the charge against a program that benefits the whole state. <http://bit.ly/ewhcBp>

The Faribault Daily News challenges the claim that cuts in LGA can be offset with local sales taxes. <http://bit.ly/gmbWBL>

House Legacy Bill Largely Ignores Greater MN

Today, the House Legacy Committee released a delete-all amendment outlining how it proposes spending Legacy Amendment money for the next biennium. Parks and Trails money would be divided so that the DNR state parks and the Metropolitan Parks each receive 40% of the money. If the bill were enacted greater Minnesota regional parks and trails would not receive any dedicated money. They would have to compete with parks from the metropolitan area for the remaining 20%. You can find the bill and spreadsheet here: <http://bit.ly/h2vyg4> .





City Cuts Remain in Final Senate Omnibus Tax Bill

Despite amendment attempts, the bill the Senate approved still contains cuts to LGA and MVHC reimbursements.

(Published Apr 6, 2011)

The Senate on April 4 began the floor debate and mark-up of its omnibus tax bill (**SF 27** ([Link to: https://www.revisor.mn.gov/revisor/pages/search_status/status_detail.php?b=Senate&f=SF0027&ssn=0&y=2011](https://www.revisor.mn.gov/revisor/pages/search_status/status_detail.php?b=Senate&f=SF0027&ssn=0&y=2011))) and, after many hours of discussion and debate, it approved the bill the following day.

The House passed its version of the omnibus tax bill (**HF 42** ([Link to: https://www.revisor.mn.gov/revisor/pages/search_status/status_detail.php?b=House&f=HF42&ssn=0&y=2011](https://www.revisor.mn.gov/revisor/pages/search_status/status_detail.php?b=House&f=HF42&ssn=0&y=2011))) last week, and now the two bills must go to conference committee to work out the differences.

General local sales tax removed

During the floor debate, **Senate Taxes** ([Link to: http://www.senate.leg.state.mn.us/committees/committee_bio.php?cmte_id=1019&ls=](http://www.senate.leg.state.mn.us/committees/committee_bio.php?cmte_id=1019&ls=)) Chair **Julianne Ortman** ([Link to: http://www.senate.leg.state.mn.us/members/member_bio.php?leg_id=10802](http://www.senate.leg.state.mn.us/members/member_bio.php?leg_id=10802)) (R-Chanhassen) offered an amendment to remove the general local sales tax authorization that had been included for cities. Originally, the bill would have authorized cities or groups of cities to impose a local sales tax of one-half percent, with voter approval, that could be used to fund civic and convention centers; public libraries; parks, trails, and recreation centers; overpasses, arterial, and collector roads; bridges, railroad overpasses, and railroad protection measures; water quality for groundwater and drinking water pollution problems; fire and law enforcement facilities; and municipal buildings.

For cities that elected to impose a sales tax under the new authorization, the city's local government aid (LGA) attributable to the Greater Minnesota regional center aid base (for 27 Greater Minnesota cities with populations of more than 10,000 under the 2000 census) or the jobs base aid (for all cities with populations greater than 5,000) would be reduced.

The Ortman amendment to remove the general sales tax authority was approved on a vote of 57 to 5. The only five senators to vote against the removal of the sales tax authorization were Sens. **John Howe** ([Link to: http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1177&ls=](http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1177&ls=)) (R-Red Wing), **Warren Limmer** ([Link to: http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1032&ls=](http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1032&ls=)) (R-Maple Grove), **Jeremy Miller** ([Link to: http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1179&ls=](http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1179&ls=)) (R-Winona), **Roger Reinert** ([Link to: http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1167&ls=](http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1167&ls=)) (DFL-Duluth) and **Julie Rosen** ([Link to: http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1053&ls=](http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1053&ls=)) (R-Fairmont).

Remaining provisions affecting cities

Despite an amendment offered by **Sen. John Marty** ([Link to: http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1035&ls=](http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1035&ls=)) (DFL-Roseville) that would have restored LGA funding, the floor debate did not result in

any changes to the proposed cuts to cities. Under the final bill, LGA payable in 2011 will be cut by \$102 million and market value homestead credit (MVHC) reimbursements payable in 2011 will be reduced by \$48 million. These cuts are identical to the cuts in the vetoed **HF 130** (*Link to:*

https://www.revisor.mn.gov/revisor/pages/search_status/status_detail.php?b=House&f=HF130&ssn=0&y=2011) and would effectively freeze most cities at their 2010 level for LGA and MVHC after the 2010 unallotment reductions and the 2010 supplemental budget reductions.

For 2012, the Senate bill continues the \$102 million LGA reduction by freezing the LGA amounts to cities. It also eliminates the entire MVHC program. To buffer the impact of the MVHC elimination on homeowners, homesteaded properties would receive a market value exclusion that will effectively reduce the tax capacity of the property and therefore shift the loss of the MVHC reimbursement to all properties.

The bill also includes local sales tax amendments or authorizations for the cities of Rochester, Clearwater, Fergus Falls, Lanesboro, Hermantown, and Hutchinson as well as specific tax increment financing (TIF) modifications for the cities of Cohasset, Lino Lakes, and Ramsey. The Senate bill also includes a one-year extension of last year's TIF authorization to accommodate the slow economic recovery.

The bill includes a \$3.5 million annual grant program that would make consolidation grants available to cities and counties. The program would be administered by the state auditor, and the maximum grant would be \$100,000. The bill also includes a two-year provision that allows library maintenance of effort requirements to be reduced to 90 percent of the 2011 current law requirements.

Other amendments not approved

During the six-hour debate on April 5, Sen. Marty offered an amendment to create a fourth-tier income tax bracket. He subsequently offered an amendment to his own amendment to use the new income tax revenues to fund a restoration of LGA, county program aid, and a program that provides payments in lieu of taxes for state-owned property.

Ultimately, the combined Marty amendment was stripped of the fourth-tier income tax on an amendment by Sen. Ortman, leaving the restoration of the property tax aid without a funding source. The remaining amendment—the restoration of funding to aid programs—was ruled out of order because it had no funding source and would have left the tax bill out of fiscal balance.

Other notable amendments that were offered on the floor included an amendment by **Sen. Ann Rest** (*Link to:* http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1051&ls=) (DFL-New Hope) that would have established an “affiliate nexus” that would effectively allow the state to require non-Minnesota online vendors with affiliate businesses in Minnesota to collect and remit the state sales tax.

The Rest amendment was supported by companies like Best Buy, who feel that they are at a competitive disadvantage due to the fact that companies like Amazon can offer products without charging the state sales tax. The League has a similar policy supporting congressional action on the Main Street Fairness Act, which would essentially compel all retailers, regardless of location, to collect the sales tax for states like Minnesota that have adopted the nationwide streamlined sales tax system. The Rest amendment was defeated on a vote of 28 to 36.

Sen. Rod Skoe ([Link to: http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1059&ls=](http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1059&ls=)) (DFL-Clearbrook) offered an amendment would have reduced homestead class rate from 1 percent to 0.9 percent in an effort to further moderate property tax increases on homeowners. Although the amendment would have saved the state roughly \$9.9 million due to a reduced demand for the tax relief under the property tax refund program, the amendment was defeated 26 to 38.

Sen. Tony Lourey ([Link to: http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1078&ls=](http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1078&ls=)) (DFL-Kerrick) offered two amendments on behalf of cities in his district that would have authorized local sales taxes for the cities of Cloquet and Moose Lake. During the debate, **Sen. Gretchen Hoffman** ([Link to: http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1168&ls=](http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1168&ls=)) (R-Vergas), who sits on the Senate Taxes Committee, indicated her opposition to the amendments due to the fact that the cities had not previously conducted referenda before seeking legislative authorization. Current state law does not specify when the referendum must be held, and some cities have sought voter approval prior to seeking legislative authorization while others have gone to the Legislature first. The Cloquet amendment was defeated on a vote of 29-36 while the Moose Lake amendment was defeated on a vote of 28-36.

Over the next several days, the House and Senate will appoint members to a conference committee to reconcile the differences between the two bills.

Read about the House omnibus tax bill ([Link to: http://www.lmc.org/page/1/housetax.jsp](http://www.lmc.org/page/1/housetax.jsp))

Read the current issue of the Cities Bulletin ([Link to: http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp](http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp))

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Pension Study Analyzes Transition to Defined Contribution Plan

Submit your comments about the state-mandated public pension report by May 2.

(Published Apr 6, 2011)

On April 1, the three major Minnesota public pension systems—the Public Employees Retirement Association (PERA), the Minnesota State Retirement System (MSRS), and the Teachers Retirement Association (TRA)—released a preliminary draft of a legislatively mandated study of alternatives to the current defined benefit plans. The preliminary report is an initial draft, and the three pension systems are soliciting comments on the draft report.

For the study, the three systems contracted with Mercer Consulting, the state's actuary, to analyze a lower-cost defined contribution plan that would be structured with contributions of 5 percent of salary for employees and 5 percent of salary from employers. The study provides actuarial analysis of the costs associated with transitioning from the current defined benefit pension structure to a defined contribution plan.

Initial transition cost would be high

According to actuarial analysis, there are initial high costs to transitioning from the existing defined benefit system to a defined contribution system for new employees. For all three systems, the study shows that the costs would be approximately \$2.76 billion over the next decade. The table below summarizes the approximate changes in required contributions for the existing defined benefit plans. Costs increase during a transition period because once a plan is closed to new members any unfunded liabilities remaining in the existing defined benefit plan must be paid off over a shorter period of time, which according to the report is similar to the situation faced recently in funding the costs of the Minneapolis Employees Retirement Fund (MERF), which was closed to new members in 1978.

Additional Contributions Required to Fund Existing Defined Benefit Systems (\$ in millions)

Period	PERA	TRA	MSRA	Total
Years 1 to 5	+\$573	+\$653	+\$276	+\$1,502
Years 6 to 10	+\$529	+\$433	+\$298	+\$1,260
Years 11 to 15	+\$302	-\$57	+\$238	+\$483
Years 16 to 20	+\$58	-\$610	+\$161	-\$391

Although there are significant transitional costs when moving to a new defined contribution system, paying off the current unfunded liability of the existing defined benefit systems in a shorter timeframe would eventually lower future costs due to the fact that the accelerated funding provides the opportunity for the invested funds to generate additional investment earnings. According to the report, savings start to accumulate after year 12 for TRA and after year 19 for PERA.

Once the unfunded liability of the existing defined benefit systems is fully paid off, however, the report states that there are no longer savings when moving to a 5 percent/5 percent defined contribution system. The Mercer analysis shows that the ongoing "normal cost" of the existing defined benefit plan is actually less than the cost of a 5 percent/5 percent future defined contribution plan as modeled in the study. The draft report points out that the Mercer analysis regarding transition costs is consistent with similar studies recently conducted in the states of Nevada and Missouri.

Compared to an open ongoing defined benefit plan, a closed defined benefit system requires higher relative cash outflow due to the fact that each passing year, a higher percentage of remaining employees are closer to retirement and as a result, plan assets must be invested in a lower-risk investment allocation. The financial impact of the changes to a lower-risk investment portfolio are presumed to be significant, but are not included in the cost estimates. Mercer estimates that if the investment earnings and interest assumption for a closed defined benefit system were lowered from 8.5 percent to 6 percent to reflect a more conservative asset allocation, the actuarial accrued liabilities would increase by approximately 30 to 40 percent and the unfunded actuarial accrued liabilities would more than double.

The pros and cons of the two systems

The study includes a list of pros and cons to moving from a defined benefit structure to a defined contribution system, and several examples of alternative benefit designs utilized in other state retirement systems are also described in the report. According to the report, the key arguments regarding defined benefit and defined contribution plans can be summed up as follows:

- Defined benefit plans run the risk of having unfunded liabilities and less predictable costs, but defined contribution plans run the risk of providing inadequately funded retirement incomes that may lead to higher public assistance costs.
- Defined contribution plans grant the individual employee more control over investments, but individuals usually incur higher investment fees and lower returns relative to defined benefit plans.
- Defined contribution plans can be more attractive and beneficial to younger, mobile employees, but recent surveys show defined benefit plans are gaining in popularity as employees have become more aware of investment risks.
- While the short-term costs to transition from a defined benefit plan to a defined contribution plan are high, a defined contribution plan can provide the opportunity to lower government costs over the longer term depending on the contribution rate level established.
- Defined benefit plans can provide the same level of income at roughly half the cost of a defined contribution plan due to superior investment returns for defined benefit plans and the ability to pool longevity risk. Defined contribution plans, however, are more flexible for the employer, allowing the employer to scale back contributions/benefits during difficult economic times.
- Hybrid plans (part defined benefit and part defined contribution) spread the risk between the employees and employers while mitigating but not eliminating unfunded liabilities and longevity risk.

Recommendations

In the report, the three retirement systems make recommendations to the Legislative Commission on Pensions and Retirement (LCPR), including:

- Carefully analyze the financial impacts of transitioning to an alternative plan structure. Modifying plan design in the future can have complex financial implications with unintended consequences. The appropriate design should be reviewed by the LCPR, and a specific long-term funding strategy should be in place prior to implementing any changes.
- Consider the potential negative effect that closing the defined benefit plan will have on future investment returns. It is probable that the investment strategy of the State Board of Investment would need to become more conservative after the plan is closed, thereby lowering expected future returns.
- Analyze benefit adequacy and the impact decisions regarding plan design have on Minnesota public employees, retirees, state and local governments, and the state and local economies.

View the executive summary of the report (pdf) (Link to: <http://www.mnpera.org/vertical/Sites/%7bCB6D4845-437C-4F52-969E-51305385F40B%7d/uploads/%7b8F8F6E8C-3C20-47EF-82A9-93B31CC33127%7d.PDF>)

View the entire draft study (pdf) (Link to: <http://www.mnpera.org/vertical/Sites/%7bCB6D4845-437C-4F52-969E-51305385F40B%7d/uploads/%7bD16C3235-5CC9-4519-97C0-E66263986866%7d.PDF>)

If you would like to comment on the study, please send your comments by **May 2** to:

Mary Vanek, Executive Director
Public Employees Retirement Association
60 Empire Drive, Suite 200
St. Paul, MN 55103-2088

Comments will be reviewed before the final report is issued on June 1.

The report will certainly be discussed by the newly appointed LCPR, a 10-member bicameral group that devotes time to an in-depth study of pension issues. Annually, the LCPR considers individual pension bills and then formulates an omnibus pension bill that is referred to the House and Senate (**see related article** (Link to: <http://www.lmc.org/page/1/lcpr-members.jsp>)).

Read the current issue of the Cities Bulletin (Link to: <http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp>)

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House Votes to Prevent Fire Sprinkler Code Requirements in New Home Construction

The Minnesota House last week approved HF 460, which prevents the state from requiring fire sprinklers to be installed in new single-family homes.

(Published Apr 6, 2011)

Despite the strong support by the Minnesota Fire Chiefs' Association to allow state building and fire code negotiations to address the need for installing fire sprinklers in new homes, House members voted 90-40 last week to approve **HF 460** ([Link to: https://www.revisor.mn.gov/revisor/pages/search_status/status_detail.php?](https://www.revisor.mn.gov/revisor/pages/search_status/status_detail.php?b=House&f=HF460&ssn=0&y=2011)

[b=House&f=HF460&ssn=0&y=2011](http://www.house.leg.state.mn.us/members/members.asp?id=12273)) (**Rep. Joyce Peppin** ([Link to: http://www.house.leg.state.mn.us/members/members.asp?id=12273](http://www.house.leg.state.mn.us/members/members.asp?id=12273)), R-Rogers). The bill prevents development of state building, fire, or subdivision codes that require fire sprinklers to be installed in new single family homes.

A key argument in supporting the restriction on installing fire sprinklers in new home construction was the importance of not increasing housing costs at a time when the real estate market continues to be weak.

But the State Fire Marshal, the Department of Labor & Industry, and fire chiefs maintain that the appropriate decision-making process for such issues is through the state's code development process where housing, fire protection, and other experts are directly involved in the rulemaking process.

In the Senate, **SF 297** ([Link to: https://www.revisor.mn.gov/revisor/pages/search_status/status_detail.php?](https://www.revisor.mn.gov/revisor/pages/search_status/status_detail.php?b=Senate&f=SF0297&ssn=0&y=2011&ls=87)

[b=Senate&f=SF0297&ssn=0&y=2011&ls=87](http://www.senate.leg.state.mn.us/members/member_bio.php?leg_id=10376)) (**Sen. Warren Limmer** ([Link to: http://www.senate.leg.state.mn.us/members/member_bio.php?](http://www.senate.leg.state.mn.us/members/member_bio.php?leg_id=10376)

[leg_id=10376](http://www.senate.leg.state.mn.us/committees/committee_bio.php?cmt_id=3053&ls=87)), R-Maple Grove) is awaiting a hearing in the **Senate Judiciary and Public Safety Committee** ([Link to: http://www.senate.leg.state.mn.us/committees/committee_bio.php?cmt_id=3053&ls=87](http://www.senate.leg.state.mn.us/committees/committee_bio.php?cmt_id=3053&ls=87)).

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