

City Council Meeting  
Tuesday, July 17, 2007  
Windom City Council Chambers  
7:30 p.m.  
AGENDA



Call to Order  
Pledge of Allegiance

1. Approval of Minutes
  - Council Minutes – July 3, 2007
2. Consent Agenda
  - Receipt of Board & Commission Minutes
    - Street Committee – July 3, 2007
    - Economic Development Authority – July 9, 2007
    - Park and Recreation Commission – July 9, 2007
    - Telecommunications – July 10, 2007
    - Library Board – July 10, 2007
    - Planning Commission – July 10, 2007
  - Correspondence
    - Robert Miller – Windom City Dam
3. Department Heads
4. 2006 City Audit – Dennis Rick LTD
5. City Dam Informational Presentation by DNR Representative
6. Request for Street Closures
  - Windom Chamber of Commerce
  - National Night Out
  - Relay for Life
7. Park and Recreation Commission Recommendation - Tobacco Free Parks Policy
8. Planning Commission - Conditional Use Application Recommendation
9. 1<sup>st</sup> Reading of Ordinance #129 2<sup>nd</sup> Series to Adopt New State Building Code
10. Telecommunication Commission Rate Recommendation for 800 Numbers
11. Southwest Crisis Center Donation Request
12. Blandin Light Speed Grant Application - Resolution of Support
13. Regular Bills
14. Unfinished Business
15. New Business
16. Council Concerns
17. Closed Session – Liquor Violations



Adjourn

**City Council Meeting**  
**Windom City Hall, Council Chambers**  
**July 3, 2007**  
**7:30 p.m.**

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

2. Roll Call: Mayor: Tom Riordan

Council Members: Jean Fast, Kirby Kruse, Bob Messer,  
Bradley Powers and JoAnn Ray

Council Members Absent: None

City Staff Present: Steve Nasby, City Administrator; Mike  
Haugen, Water\Wastewater Superintendent;  
Aaron Backman, EDA Executive Director;  
Craig Mueller, Wenck and Associates; and  
Jeremy Rolfes, Telecom

Public: Phil Johnson, Bob & Laura Williams and  
Dirk Abraham

3. Pledge of Allegiance

4. Approval of Minutes:

**Motion by Fast, second by Ray, to approve the Council minutes from June 19, 2007. Motion carried 5 - 0.**

5. Consent Agenda:

- Receipt of Board & Commission Minutes
  - a. Utility Commission – June 20, 2007
  - b. Economic Development Authority – June 25, 2007

**Motion by Powers, second by Messer, to approve the Consent Agenda.**  
**Motion carried 5 - 0.**

6. Public Comment:

Phil Johnson said that he wanted to discuss the Windom Dam with the Council and to express his thanks about how well the 2007 Street project is moving along. Johnson said as a builder he has some experience with different options that could

be used to repair the Windom Dam. His suggestion is to use recycled cement pieces from the 2007 Street project along with cement slurry to form the dam and then to cap off this with a finished layer of cement. Johnson said that he has visited the dam and something needs to be done, but it does not have to cost a lot of money. He acknowledged that the DNR would need to be involved with permits, but the City should pursue this option.

7. Department Heads:

None.

8. License Applications:

Riordan said that there was an application for a cigarette license and several for liquor.

*Sunshine Foods – Cigarette License*

**Motion by Powers, second by Kruse, to approve the Cigarette license for Sunshine Foods. Motion carried 5 – 0.**

Powers asked if there were any other changes for this business. Nasby said there was an ownership change.

*Eagles Club – Authorization to Dispense Liquor on City-owned Property*

**Motion by Kruse, second by Fast, to approve the authorization to dispense liquor on City-owned property on June 30, 2007 for the Eagles Club. Motion carried 5 – 0.**

*Laker Grill – Authorization to Dispense Liquor on City-owned Property*

**Motion by Ray, second by Powers, to approve the authorization to dispense liquor on City-owned property on July 21, August 11 and August 18, 2007 for the Laker Grill. Motion carried 5 – 0.**

9. EDA – Small Cities Development Program – Assumption Agreement:

Backman said that the James and Patricia Hardin property located at 288 10<sup>th</sup> Street was the recipient of SCDP assistance. The terms of the SCDP assistance included a loan that is currently being amortized and paid monthly. The Hardin's are planning to sell this property to their son Don. Under the terms of the SCDP assistance any transfer of property interests carries a provision that the SCDP loan is paid off in full. James and Patricia Hardin are requesting that Don Hardin be allowed to assume the SCDP loan as opposed to pay it off. The EDA Board has reviewed this request and has recommended approval of the assumption.

**Motion by Messer, second by Kruse, to approve the assumption of the SCDP loan for the property at 288 10<sup>th</sup> Street. Motion carried 5 – 0.**

Backman updated the Council on the sale of the EDA property at the River Bend site and the cancellation of the parking lease with McDonalds. He also informed the Council that he has been working with McDonalds to help address their parking needs.

10. Utility Commission Water and Wastewater Rate Change Recommendations:

Haugen said that the Utility Commission had made a recommendation to increase the water and sewer rates by 5 percent due to higher operation and maintenance costs. Haugen noted that this last year there were two major repair projects that need to be done that were not budgeted for and totaled about \$100,000.

Nasby said that one other consideration was the anticipated reduction in the water used by POET in the next year. He said that about 152 million gallons were purchased last year and that figure is expected to drop to the contract minimum in 2008 or 2009 so the City would be selling less water, but have some of the same fixed costs to cover. As such, the Utility Commission thought it would be better to increase rates gradually over time instead of all at once.

Messer asked when rates were last increased. Haugen said in January 2007.

**Council member Fast introduced the Resolution No. 2007-25, entitled “RESOLUTION ESTABLISHING RATES, CHARGES AND FEES FOR ENTERPRISE FUNDS” and moved its adoption. The resolution was seconded by Ray and on roll call vote: Aye: Powers, Ray, Fast, Kruse and Messer. Nay: None. Absent: None. Resolution passed 5 - 0.**

11. Regular Bills:

**Motion by Ray, seconded by Fast, to approve the regular bills. Motion carried 5 – 0.**

12. Contractor Bill:

Riordan said there was one bill from Hjerpe Contracting Inc. for the 2007 Street Project in the amount of \$143,719.11.

**Motion by Powers, seconded by Messer, to approve the contractor bill from Hjerpe Contracting Inc. in the amount of \$143,719.11. Motion carried 5 – 0.**

13. Unfinished Business:

None

14. New Business:

Nasby said that the Lion's Club had three liquor provider permits that were turned in after the packets were distributed. The events were to be held on August 4 (wedding), August 15-18 (beer garden at the Fair) and August 18 (wedding). The Council agreed to consider them at this time.

**Motion by Messer, seconded by Powers, to approve the three liquor license permits for the Lion's Club. Motion carried 5 – 0.**

15. Council Concerns:

Powers asked about the status of the roof repair projects. Nasby said that Kato Roofing, Inc. completed the pool building roof and the library roof. He said that Schwikerts was doing the City Hall roof and this project is scheduled to start the week of July 16.

16. Adjourn:

**Motion by Powers, seconded by Fast, to adjourn. Motion carried 5 – 0.**

Meeting adjourned at 8:10 p.m.

---

Tom Riordan, Mayor

Attest: \_\_\_\_\_  
Steve Nasby, City Administrator

**STREET DEPARTMENT COMMITTEE  
MINUTES JULY 3, 2007**

1. Call to Order: The meeting was called to order at 9:00 a.m. at the Street Shop.
2. Attending: Committee Member: JoAnn Ray
  
- Absent: Bob Messer; the matters were discussed individually with Bob to get his input prior to the meeting and that his comments were represented at the meeting.

City Staff Present: Street Superintendent Bruce Caldwell

Public: None

3. Items Discussed

- a. Street Closure Request Windom Chamber of Commerce  
Request to close 9<sup>th</sup> Street from 3<sup>rd</sup> Ave to 4<sup>th</sup> Ave on July 23, 2007.  
Time of closure 4:30-9:00 p.m. this is for their annual Hot Dog Night and Vehicle Fair.  
**Motion by Ray: permit closure if 4<sup>th</sup> Ave from 10<sup>th</sup> Street to 8<sup>th</sup> Street is open to traffic. If 4<sup>th</sup> Ave is not open due to construction, permit 3<sup>rd</sup> Ave from 8<sup>th</sup> Street to 9<sup>th</sup> Street to be closed for event. Motion Carried 1-0**
  
- b. Street Closure Request for National Night Out  
Request to close 9<sup>th</sup> Street from 3<sup>rd</sup> Ave to 4<sup>th</sup> Ave on August 7<sup>th</sup>, 2007.  
Time of closure 4:30-8:30 p.m..  
**Motion by Ray: permit closure of 9<sup>th</sup> Street between 3<sup>rd</sup> Ave to 4<sup>th</sup> Ave for event. Motion Carried 1-0**
  
- c. Street Closure Request Relay for Life  
Request closing Cottonwood Lake Drive on July 27<sup>th</sup>, 2007 from 5:00 p.m.-Saturday July 28<sup>th</sup> 6:00 a.m. Location of closure is on 16<sup>th</sup> Street north to the park entrance. In case of an emergency barricade will be moved.  
**Motion by Ray: permit closure of Cottonwood Lake Drive from south park entrance on 16<sup>th</sup> Street north to park entrance. Motion Carried 1-0**
  
- d. Tool Purchase Discussion  
Caldwell stated that the current surveying transit has broken and can't be repaired. This old unit took two staff members to operate. Caldwell has contacted a vendor that handles the lazar type transits, the cost would run around \$1,000.00. This type of unit would only require one operator. Caldwell stated that there is funding in the budget for this purchase. This needs not to go to council only agreement from committee for expenditure.  
**Motion by Ray to approve purchase of new lazar transit. Motion Carried 1-0**

**Meeting adjourned at 9:30 a.m.**

**ECONOMIC DEVELOPMENT AUTHORITY OF WINDOM  
MINUTES  
JULY 9, 2007**

1. Call to Order: The meeting was called to order by President Erickson at 12:05 p.m.

2. Roll Call & Guest Introductions:

EDAWN Commissioners: Juhl Erickson, Nestor Palm, Trevor Slette, Kirby Kruse, and Bob Messer.

Also Present: EDA Staff – Aaron Backman, Executive Director, and Mary Hensen, Adm. Asst.; Mayor Tom Riordan; and Preston Rossow, Bill Tjentland, Mark Marcy, Doug Westerman, Todd and Tammy Hyatt, Jeremy and Jodi Johnson, and Don and Lois Kraft (Riverbluff Estates property owners).

3. Approval of Minutes:

**Motion by Commissioner Slette, seconded by Commissioner Messer, to approve the Minutes of the EDA Meeting held on June 25, 2007. Motion carried 5-0.**

4. River Bluff Estates

A. Owners' Meeting Questions and B. Development Policy Modification: The Board received a copy of the Minutes from the Property Owners' Meeting held on May 16, 2007, together with a list of questions from the owners. These matters had been discussed at the June 25<sup>th</sup> EDA Meeting and then tabled pending receipt of further financial information. Property owners had been contacted concerning today's meeting and many were present. Doug Westerman posed questions concerning the lot price and the number of adjoining lots the property owners could purchase. Bill Tjentland asked about the possibility of re-platting two lots which adjoin his property.

The Board reviewed the questions raised by the homeowners at the May 16<sup>th</sup> Meeting and passed the following motions:

**Motion by Commissioner Kruse, seconded by Commissioner Slette, to allow gravel or grass driveways on the lots where a garage or storage building is located provided that is allowed by City Code. A concrete or paved driveway would be required on any lot on which a house is situated. Motion carried 5-0.**

**Motion by Commissioner Kruse, seconded by Commissioner Slette, to adopt a Development Policy Modification for Riverbluff Estates Subdivision which guides the EDA concerning the sale of undeveloped lots. Motion carried 5-0.**

**Motion by Commissioner Slette, seconded by Commissioner Palm, to allow the offering of undeveloped lots for sale first to the adjoining property owners prior to offering them for sale to the public. This option to purchase shall remain open until December 31, 2007, prior to offering these lots for sale to the general public. Any undeveloped lots not abutting developed lots would not be subject to this provision and could be sold to the general public at any time. This action is based on the Development Policy Modification adopted by the Board and shall only be effective if the restrictive covenants are modified allowing the sale of the lots. Motion carried 5-0.**

There was a discussion concerning the number of lots which could be purchased by current property owners. Motion by Commissioner Messer, seconded by Commissioner Palm, to allow property owners to purchase a maximum of one additional lot. Following discussion, Commissioner Messer called the question. Motion failed 1-4. After additional discussion, the following action was taken.

**Motion by Commissioner Kruse, seconded by Commissioner Slette, to allow current property owners of Riverbluff Estates Subdivision to purchase up to 1½ additional lots abutting their property. Arrangements for any lot splits, together with the associated costs, would be the responsibility of the property owners. Motion carried 5-0.**

Director Backman reviewed with the Board the development costs and TIF issues concerning the pricing of the lots. He then outlined a proposed price together with the basis for the calculation. Motion by Commissioner Kruse to establish a lot price of \$8,750 based on the recommendation by EDA Staff. Motion failed for lack of a second. Motion by Commissioner Messer to establish a lot price of \$15,000. Motion failed for lack of a second. After further discussion, the following action was taken.

**Motion by Commissioner Palm, seconded by Commissioner Messer, to establish a per lot price of \$10,000.00 for each undeveloped lot in Riverbluff Estates Subdivision. Motion carried 5-0.**

The Board discussed whether or not to provide any financing assistance for the purchase of undeveloped lots. The infrastructure has been provided to these lots and there are no special assessments because of the TIF District payments. The Board discussed the proposed sales price of these lots as compared to lots in other areas of the City.

**Motion by Commissioner Palm, seconded by Commissioner Messer, to not offer financial assistance for the purchase of undeveloped lots in Riverbluff Estates Subdivision. Motion carried 5-0.**

5. River Bend Development – Update: Director Backman updated the Board on the EDA's activities since the meeting on June 25<sup>th</sup>. Notice has been given to McDonald's Restaurant concerning the cancellation of the lease for the overflow parking area effective August 1, 2007. Director Backman further related information concerning his conversation with the owner of McDonald's of Windom concerning possibilities for additional employee parking. Puetz Corporation is the general contractor for the River Bend Development project. Doug Baltzer will be the Construction Manager and has indicated that they will be working with local subcontractors on the project if bids are competitive. More information concerning the soils should be available within the next couple of weeks.
6. Unfinished Business:
  - A. Prospect Update: Director Backman briefed the Board on developments concerning a potential manufacturing prospect. At the present time, the company is in the process of hiring sales people in Minnesota. He also advised of other preliminary contacts.
  - B. Sign Update: The Board had received samples of the proposed sign for the tech spec building provided by Snick's Signs. The "for sale" sign will be 4'X8' and composed of sign board using vinyl for the sign face. The sign will be placed at the southern end of Lot 6 so as to be visible from North Redding Avenue. The Board suggested removing the word "tech"

and referring to the building simply as the “spec building”. Director Backman also related information concerning a conversation with a commercial realtor from Sioux Falls regarding the spec building.

7. New Business:

A. Billboard Agreement – Update: The Board had received copies of the proposed three-year renewal agreements with Avery Outdoor for two billboards which the EDA is currently renting. One billboard is located on Highway 71 just east of the railroad trestle and the other billboard is located between Krueger Body Shop and Dollar General. Both billboards contain a JOBZ message, but have not been creating the desired results. Director Backman recommended that the Board consider not renewing these leases. The EDA owns a lighted billboard that is situated along Highway 60 just northeast of the Hospital which could be refaced with a new message. Aerial views of the locations of these billboards were circulated to the Board. Director Backman also requested that he be authorized to contact Lamar Advertising concerning a billboard on Highway 60 West just south of Windom that would be visible to traffic coming into Windom from the west. There was a brief discussion concerning items that could be promoted on the billboard, including the spec building, 80-Acre North Windom Industrial Park, fiber optic network, etc. There was also a side discussion concerning the need for a sign at the North Windom Industrial Park.

**Motion by Commissioner Kruse, seconded by Commissioner Messer, authorizing EDA Staff to discontinue the billboard leases with Avery Outdoor and pursue rental of a billboard from Lamar Advertising which is located on Highway 60W between the tower and Fortune Transportation. Motion carried 5-0.**

B. TIF District 1-4 – Update: Director Backman clarified the status of the district.

C. SCDP Commercial Rehab – Update: The third SCDP grant round was closed effective December 31, 2005. The monthly repayments received from the commercial rehab projects may be used for life, health and safety issues in commercial rehab projects in the central business district and also other commercial rehab projects elsewhere in the City. There are current projects in the Central Business District that could qualify under the SCDP policies. After further discussion, the following action was taken.

**Motion by Commissioner Kruse, seconded by Commissioner Slette, authorizing the EDA to accept applications for use of the SCDP commercial rehab funds by commercial businesses for rehab of life, health and safety issues; and authorizing the EDA to contract with Western Community Action concerning the administration of the program. Motion carried 5-0.**

**Motion by Commissioner Messer, seconded by Commissioner Kruse, authorizing the use of the loan/grant payment program as used in prior SCDP commercial rehab grant rounds. Motion carried 5-0.**

D. Business Visits Report: Director Backman updated the Board concerning business visits and other meetings since the June 25th report.

8. Miscellaneous Information

A. River Bluff Townhomes – Monthly Financial Report: The Board received a copy of the financial report provided by Van Binsbergen & Associates for the period ending May 31, 2007.

Mayor Riordan advised that KELO TV had interviewed him, Dan Olsen, and Nestor Palm on July 9<sup>th</sup> concerning WindomNet. The interview will be airing on Friday, July 13<sup>th</sup>, at 10:00 p.m.

9. Adjourn: On motion, President Erickson adjourned the meeting at 1:39 p.m.

\_\_\_\_\_  
Juhl Erickson, President

Attest: \_\_\_\_\_  
Aaron Backman, Executive Director

**PARK AND RECREATION COMMISSION SPECIAL 2007 BUDGET MEETING  
MINUTES JULY 9, 2007**

1. Call to Order: The meeting was called to order by Chairman Terry Fredin at 7:00 p.m. in the Council Chambers.
2. Roll Call:

Chair,	Terry Fredin
Commission:	Brenda Muller, Steph Schwalbach, Sherri Zimmerman, Angie Blanshan & Jeff LaCanne
City Staff Present:	Recreation Director, Al Baloun, Park Director Bruce Caldwell & Council Liaisons; Brad Powers & Jean Fast
Public:	None
3. Approve Agenda with changes: **Motion by Blanshan seconded by Muller Motion Carried 5-0.**
4. Approve Minutes June 11, 2007 **Motion by Blanshan seconded by Muller Motion Carried 5-0.**
5. Tobacco Free Parks Policy for City Parks

**Motion by Muller seconded by Blanshan to approve policy  
Motion Carried 5-0.**

6. Recreation Directors Budget Report Al Baloun
  - a. Summer Recreation Update & Fundraisers

The 30/60 League Tourney will be held on Saturday, June 21 with six to eight teams. The parents will be doing concessions on this day. Profits will go towards equipment for the Windom Recreation Area. Playoffs for T-Ball and Overhand will be held the week of July 23- 27. On Tuesday, July 24 the parks and Recreation Commission will again be doing the Burger and hot dog feed beginning at about 4:30 PM. All t-ball, overhand, Tykes and Kindergarten t- ball, and girl's softball k-3 will be playing games on that night. Proceeds from this fundraiser will go towards the Windom Recreation Area. The District Hershey's track meet went over well on June 16. Al thanked all volunteers and parents for helping with the meet operation and concessions. Over \$3000 in Revenue was brought in from the meet. No Summer recreation dates have been lost this year due to bad weather. Fall program registration material will be handed out Monday or Tuesday of playoff week. Al is waiting for the date of picture night for the varsity football team that is held in conjunction with the youth football clinic.
  - b. Pool

Pool attendance numbers for June were handed out to commission members. Season pass totals are about the same as last year. The pool closed down one date due to cold weather.

- c. Ice Rates Arena  
AI handed out to commission members as history of ice rates charged to the hockey and figure skating association. He would like to see a \$5 per hour increase done over the next two years. That would make the cost per hour of ice at \$100 by the 2008-09 ice season. He would also like to see a \$10 per hour increase on hourly rates for the studio rink.

7. Park Superintendent Report-Bruce Caldwell

- a. Vandalism Parks  
The registration box at the Island Park Camp Ground was vandalized a couple times within the last month. The police department notified Caldwell that the people were caught and admitted to one of the crimes. Estimated damage was \$230.00 plus any camping fees in the container. The money in the container is emptied daily, but the receipts are left in the box. It is unclear how much money was stolen. Caldwell did state that most of the campers use a check for payment. Deposits are now received at the outside deposit boxes by city hall.
- b. New Playground Tegel's Park  
The new playground has been ordered and should arrive in late July. Some site work has been done and Caldwell stated that installation should be done in September.
- c. Shelter House Reservation Complaint  
Caldwell received a phone complaint from a group that reserved the Cottonwood Lake shelter on June 24, 07. The group stated that the shelter was extremely dirty and wanted a refund. City staff checked the shelter in the early a.m. hours prior to the reservation and that staff person said it looked fine. This group uses the shelter once a year.  
**Motion by LaCanne seconded by Muller to send a ½ off coupon to the group for their next reservation and state that if they have any issues at the next reservation they need to call the staff accordingly.**  
**Motion Carried 5-0**
- d. WRA Field Condition Issues Caldwell stated that the grass on the new ball fields are in bad shape due to the lack of rain. We have been irrigating as much as the water department will let us. We may have to decide on the type of usage the fields can take in the spring of 08 if we don't receive much need rain before fall. With the school games beginning in April it doesn't give the fields time to get a good start if we have to reseed. We may have to limit usage at that time.

8. New Business

National Night Out; Angie Blanshan asked if the commission would permit the usage of ten picnic tables for the event free of charge.

**Motion by Muller seconded by LaCanne to permit usage of ten tables free of charge for the National Night Out Event at the Court House on August 7<sup>th</sup>, 2007**

9. Open Mike:

Muller; asked if the concessions room at the WRA is now open. Baloun stated that it is. He also said that we have changed the lock on the door and only Caldwell, Baloun and the vender will have keys. Powers stated that perhaps we should talk to an area lock smith and get a touch pad type locking system for the room. Then it would be easier to change locks or codes in case of problems. Staff will check into this option.

LaCanne; Asked about what needs to be done for the next fundraisers. Baloun will notify them accordingly when the time get closer.

Baloun; budgets will be on next months agenda. He also stated that the contractors will be here to install the new doors by the community room exit and also they will be doing some painting inside the hall area. Staff will also be working on the landscaping in front of the Arena.

Next Park & Recreation Meeting August 13, 2007

Adjourn at 8:45 p.m.

**Telecommunication Commission Minutes**  
**July 10, 2007**

1. Call to Order: The meeting was called to order by Chair Wendell Woodcock.

2. Roll Call:

Commission Members Present: Wendell Woodcock, Robert Messer,  
and Forrest Fosheim.

Commission Members Absent: Paul Voth, Jr., Jean Fast.

City Staff Present: Dan Olsen, Telecom Operations Manager, Sally Oltmanns,  
Marketing Specialist.

Public Present: Tom Riordan, Mayor

3. Approval of Minutes:

**Motion made by Messer, seconded by Fosheim, to approve the June 13,  
2007, Minutes as written. Motion carried 3-0.**

4. 800 #'s New Rate

Olsen presented the new rate of 6¢ per minute with a buy down of \$3.95 per month for  
800 #'s.

**Motion made by Fosheim, seconded by Messer, to approve the 6¢ per minute with a  
Buy down of \$3.95 per month for 800 #'s. Motion carried 3-0.**

5. Other Business:

The current billing system cannot provide account codes. This has been an on-going  
issue. Midwest Data will be contacted to do a demonstration of their billing system  
at the next meeting.

**Motion made by Fosheim, seconded by Messer, to recommend City Hall to look into  
a new billing system and proceed with research and negotiations. Motion carried  
3-0.**

6. Director's Report:

Olsen reported that Windomnet had an interview with KELO TV and that it will be aired  
on Eye on KELOLAND Friday July 13<sup>th</sup> on the 10:00 p.m. news.

The cutover for Fortune Transportation is just about completed.

8. Next Meeting Date:

The next meeting will be held on Wednesday August 15, 2007, 11:30 a.m.

Adjourn:

**Motion made by Messer, seconded by Fosheim, to adjourn the meeting. Motion Carried 3-0.**

---

Wendell Woodcock, Chairman

Attest:

---

Steven Nasby, City Administrator\Clerk

1. Call to order: The meeting was called to order by Jan Johnson at 5:05 p.m..
  
2. Roll Call:  
Members Present: Freddie Hoppert, Kathy Hiley, Charles Reid, Jan Johnson and Anita Winkel.  
  
Members Absent: John Duscher and Tina Peiffer  
  
Library Staff Present: Joan Hunter and Dawn Aamot  
  
City Council Member Present: JoAnn Ray

3. Agenda and Minutes:

Minutes were amended to reflect that Jan Johnson was present at the June 12, 2007 meeting.  
Motion by Charles Reid, seconded by Freddie Hoppert to approve the Agenda and Minutes as amended.

4. Financial Report:

Joan informed the board that we were right at 50% of the budget for the first 6 months of the year.  
Motion by Freddie Hoppert, seconded by Anita Winkel to approve the Financial Report.

5. Librarians Report:

Joan reported that the library, especially the computers have been really busy this summer. A lot of people coming to the library to escape the heat! Saturdays have been slow as people aren't use to the library being open on Saturdays in the summer.

Work was completed on Monday, July 9th, on patching the roof. Water, plus mold continues to be a problem in the basement. It is unknown where the water is coming in at. Servicemaster has agreed to bid on the job of throwing out all the books in the basement and cleaning out the mold. It is unclear whether insurance will help pay for the clean-up as the source of the leak is unknown. The city council's building committee will have to give their approval before clean-up begins. The Ice Skating association will be told that they will have to remove their ice show props that are stored in the basement.

The Friends of the Library are planning a one day book sale on Monday, August 6. It will be held in the children's side of the library. Joan and Dawn have been asked to have the library participate in Windom's Crazy Days on July 20 & 21. They are considering participating and wearing "Beach Wear" to go along with the theme. The books that have been on sale in the back entryway of the library have brought in about \$100 in sales.

Joan has been told that she needs to prepare next years library budget before the August library board meeting.

Dawn reported that the summer reading program was going well. "Lighthouse Puppets" performed at the Windom Community Center this afternoon to a crowd of 52 kids and adults. The puppets were a part of Plum Creek's traveling summer entertainment.

Last night, Dawn held her first family night with 10 people attending. Included in the fun was the decorating of a family journal to record summer activities.

About 15 kids are attending activity days that are for kids in kindergarten and up.

Pre-school storytimes have been well received with about 14 to 15 kids in attendance.

Lunch bunch has been having 7 to 8 kids attending. Tomorrow they are making "Banana Heads". (Think Mr. Potato Head except with real bananas.)

Motion by Anita Winkel and seconded by Charles Reid to approve the librarian's report.

6. Old Business:

None

7. New Business:

None

8. New Book Suggestions

The board presented new book suggestions.

9. Adjourn:

Motion by Anita Winkel, seconded by Charles Reid to adjourn.

Meeting adjourned at 5:25 p.m..

**CITY OF WINDOM  
PLANNING COMMISSION  
MINUTES  
JULY 10, 2007**

1. Call to Order: The meeting was called to order by Chairman Hunter at 7:03 p.m.

2. Roll Call & Guest Introductions:

Planning Commission: Loie Grandprey, Gary Hunter, Tim Hacker, Greg Pfeffer, Marilyn Wahl, and Brad Powers (Council Liaison).

Absent: Lindsey Cartwright, Renee Giefer, and Greg Holt.

Also Present: Planning/Zoning Staff-James Kartes (Zoning Administrator), Mary Hensen (Adm. Asst.).

Public Present: Charlene Carlson, Julie Anderson, and Dennis Purrington.

3. Approval of Minutes:

**Motion by Commissioner Wahl, seconded by Commissioner Grandprey, and carried to approve the Planning Commission Minutes for the meeting held on June 12, 2007.**

**Motion carried 5-0.**

4. Public Hearing – 7:05 P.M.: Conditional Use Permit – 613 16<sup>th</sup> Street – (Applicant/Owner: Charlene Carlson):

Chairman Hunter opened the public hearing at 7:05 p.m.

Zoning Administrator Jim Kartes advised that Charlene Carlson is requesting a conditional use permit to allow the construction of an additional 26' X 28' garage. She has an existing 21' X 20' attached garage and the lot size is 100' X 130'. The Code allows a maximum of 1,150 square feet of garage/accessory building floor area on a lot that size. The total floor area of the existing and proposed new building would be 1,148 square feet. The addition of a second garage would require a conditional use permit. The location of the new building has been staked and the Applicant meets all the setback requirements. Bruce Caldwell, Street Superintendent, has been contacted concerning a second driveway from 6<sup>th</sup> Avenue and has denied the request. Jim indicated that he had been to the site twice and taken measurements concerning the distance to the fire hydrant and distance to the stop sign, etc. He also checked visibility of the corner if a vehicle happened to be parked in the driveway and drainage. None of these items were an issue. Jim indicated that he had received comments from two neighbors—one expressing opposition to the size of the building and the other expressing no opposition to the proposed building. No other inquiries or comments were received.

The Board had received copies of the application and site plan. Information received from the Application submitted by Charlene Carlson and from statements made by the Owner and her contractor, Dennis Purrington: The property is in an R-2 District. The building would be 10 feet from back lot line and 13 feet from the side yard lot line adjacent to 6<sup>th</sup> Avenue. It is planned that the doors will face 6<sup>th</sup> Avenue. The building will be used as a second garage to house a pop-up camper and a boat. There are no other storage buildings on the property. The owner requested a specific reason for denial of access from 6<sup>th</sup> Avenue. There is a utility easement in the back. The building will be used strictly for storage and there would not be "every day" use.

Chairman Hunter asked if there were any other questions or comments from anyone in the audience. No other comments were received from anyone present. All public testimony was

completed and Chairman Hunter referred the matter to the Planning Commission for consideration at 7:21 p.m. After further discussion, the following action was taken.

**Motion by Commissioner Wahl, seconded by Commissioner Grandprey, and carried to recommend to the City Council the approval of the conditional use permit application, submitted by Charlene Carlson, to allow the construction of an additional 26' X 28' garage on property situated in an R-2 District with the condition of access to the new building either from 6<sup>th</sup> Avenue or 16<sup>th</sup> Street. The property is located at 613 16<sup>th</sup> Street and is described as: Lot 1, Block 6, Vold Addition to the City of Windom, Cottonwood County, Minnesota. (Parcel No. 25.791.0790.)**

**The motion includes that the jurisdictional documents and the findings of fact be made a part of the hearing record.**

**Findings of Fact:**

- 1. As stated in the narrative herein.**
- 2. That the proposed use is not in conflict with the Comprehensive Plan.**
- 3. That the proposed use is not in conflict with the stated intent of the Zoning District in which it is to be located.**
- 4. That the proposed use will not unreasonably harm the public health, safety, and welfare, create a nuisance, or create unreasonable congestion injurious to nearby properties.**
- 5. That the proposed use does not interfere with the creation of a beneficial environment within its own property boundaries and on adjoining properties.**
- 6. That the proposed use will not interfere with the provision of a reasonable economic benefit to the community.**
- 7. That the provisions for interrelationship between the proposed development and contiguous and noncontiguous adjacent properties will not adversely affect pedestrian and vehicular movement and will not adversely affect the buffering of the service facilities and parking areas.**

**Motion was declared carried (5-0).**

Chairman Hunter advised that these recommendations will now come before the Windom City Council at its meeting next Tuesday night, July 17; and the Council will make the final decision concerning this application.

5. Unfinished Business: The Planning Commission discussed whether to review the amendments to Chapter 13 at this meeting or in the fall.

**Motion by Commissioner Hacker, seconded by Commissioner Pfeffer, to table the review of proposed amendments to Chapter 13 until later this year with the goal to finish before the first of the year. Motion carried 5-0.**

6. Planning Commission Comments, Concerns, Suggestions: There was a discussion concerning several commercial sites that need clean-up.
7. Adjourn: On motion, Chairman Hunter adjourned the meeting at 8:47 p.m.

---

Gary Hunter, Chairman

Attest: \_\_\_\_\_  
James Kartes, Zoning Administrator

Robert Williams  
805 Des Moines Drive  
Windom, MN 56101

July 10, 2007

MN DNR Division of Waters, Dam Safety  
ATTN: Jason Boyle, State Dam Safety Engineer  
500 Lafayette Road  
St. Paul MN 55155-4040

RE: Windom City Dam

Dear Jason Boyle:

A principle that is a building block of modern economic theory is the law of unintended consequences. It is well respected in economics but all too often ignored by politicians. Briefly defined, this means that the actions of people, especially those in government, have unintended consequences that go beyond the problem or issue they are trying to resolve.

As an example, parents and teachers often instruct children not to talk to strangers. Some have suggested, though, that the "stranger danger" campaign may be making children less safe. Why? Because talking to strangers can be a good survival strategy for children who are lost or in danger. A Utah Cub Scout <http://edition.cnn.com/2005/US/06/22/missing.scout/>, for example, remained lost in the woods for four days because he hid from search and rescue volunteers out of fear they would steal him. Warning children about strangers doesn't protect them much anyway, since it's more likely that they'll be abducted by someone they already know.

It is my understanding the DNR has apparently informed the city it will not financially support the city dam to be restored to its pre-existing condition. But it will financially aid in removing it, and restoring the river to the DNR's definition of acceptable condition, for reasons centered around the silting issues obvious to all who have reviewed this issue. By not fixing what was likely a fairly minor problem a year ago, there is now a more expensive problem to be fixed at public expense, should restoration of the dam abutment be the eventual outcome of the current discussions. Is this an unintended consequence or deliberate neglect of the dam to create the current situation?

More relevant points to the dam issue at hand to consider include:

What experience does the DNR actually have in removing dams in city areas, with their greatly increased economic risks due to the private residences and public structures of various types along the river? The literature seems to imply none, although low head dams have been removed in rural settings with apparent success and limited problems.

With the high potential for a decrease in the river channel elevation in Windom, particularly after bank full flood events with their associated riverbed scour action, two types of unintended hazards appear to be a potential result of an otherwise well-intentioned dam removal project:

- Undermining and slumping of existing shorelines which in many cases include retaining walls, other nearby structures, and often abut residents' back yards.
- Geological hazards of potentially creating slope instabilities and landslide concerns in the hilly Rolling Green neighborhood due to the probable lowering of the groundwater table and river bottom to levels that are lower than when the Rolling Green hillside neighborhood was developed, given the long history of dam structures near the current location. For a very brief introductory review of this subject review:

*<http://www.fema.gov/plan/prevent/earthquake/pdf/fema-182-chapter3-part1.pdf>*

Also, immediately upstream of the current dam is a State Highway bridge, with pile footings. Before introducing the potential for scour into this area, has the DNR assessed the safety of a lower riverbed elevation on this bridge, and determined who is liable for damages should this bridge be damaged by unintended scour, perhaps during a major flood event?

What will the DNR commit to in order to fully analyze, consider and mitigate these sorts of hazards so no serious unintended consequences of the DNR proposal would need to be addressed by the city and its residents after the DNR leaves? "Trust Us" or "We'll take care of any problems" does not cut the mustard when state government has demonstrated a lack of stewardship when it comes to public infrastructure in other areas, let alone the concerns of a few private homeowners adversely affected by actions of the state. It will be in all likelihood the citizens of Windom left holding the bag should the DNR miscalculate, unless the DNR has a really big well thought out comprehensive plan and budget for this project.

The write-up in "Dam Removal Success Stories", sourced by the DNR, in regard to the Cannon River Dam Removal contains the following sentences: *"Prior to the removal of any dam, the Minnesota DNR involves the general public in the decision-making process. The agency's goal is to reach a consensus on which action – repair or removal – is the most appropriate not only for the river ecosystem, but also for the surrounding community."* To date, the DNR has apparently strongly deterred the city from repairing the city-owned dam and appears intent on removing it, regardless of what the city may desire. The effect this has already had this year from our vantage point on the Rolling Green side of the Des Moines river has already been quite negative – no more geese, pelicans, egrets, herons, ducks, etc. Just a big mud hole that is now a prime breeding ground for gnats and mosquitoes. Instead of dozens of baby geese feeding in our backyard as in previous years, this year we have had none. Our living room view of the Des Moines River, once beautiful, is no longer the best photo opportunity for the DNR publication *"The Minnesota Conservation Volunteer"*.

Windom may or may not, after due consideration of the potential costs and benefits, wish to retain the city dam. The city has good people researching and considering this issue. Will the DNR actively support Windom's efforts and work with the City accordingly in order to foster a positive change in the condition of the river? Regardless of the presence or absence of a dam, the same river issues are there that come from upriver of Windom and out of the city's control. The local DNR hydrologist refers to restoration techniques that "...help improve the river ecologically (fish, macroinvertebrates, etc.) while allowing the water and sediment to continue flowing downstream unimpeded." The potential benefits of a well-executed dam removal project are evident to most people, including this author. However the DNR so far apparently has not seriously considered techniques for improving the river conditions with the dam in place, or in place with a slightly reduced crest elevation, nor has it done any risk assessment of the long-term geotechnical and erosive risks of removing the dam. The DNR must not be so narrowly focused on removing the dam that it loses sight of something much more important – the best interests and wishes of the citizens of Windom who do, after all, have a personal stake in the welfare of the river, and who should be considered at least as highly as a macroinvertebrate.

Best regards,



Robert Williams, P.E.

Cc: Division of Waters Director Kent Lokkesmoe  
City Administrator Steven Nasby  
Mayor Tom Riordan  
Members of City Council



# Memo

**To:** Mayor and Council Members

**From:** Park and Recreation Commission

**CC:** Steve Nasby

**Date:** 7/12/2007

**Re:** Tobacco Free Parks Policy Recommendation

---

The Park and Recreation Commission held a meeting on July 9, 2007. The Commission reviewed a proposed policy establishing city parks as tobacco-free areas.

Following review of the information and issues of implementing the proposed policy, the Commission agreed to recommend to the City Council the adoption of the City Parks Tobacco-Free Policy.

**Requested Action:** Approve the Park and Recreation Commission's recommendation and adopt the "Resolution Establishing a Tobacco-Free Policy in City Parks".

# RESOLUTION #2007-

**INTRODUCED:**

**SECONDED:**

**VOTED: Aye:**

**Nay:**

**Absent:**

**Abstained:**

## A RESOLUTION ESTABLISHING A TOBACCO-FREE POLICY IN CITY PARKS

---

**WHEREAS**, the City of Windom believes that tobacco use in the proximity of children and adults engaging in or watching outdoor youth recreational activities at City-owned or operated park facilities is detrimental to their health and can be offensive to those using such facilities; and

**WHEREAS**, the City of Windom believes parents, leaders, and officials involved in recreation are role models for youth and can have a positive effect on the lifestyle choices they make; and

**WHEREAS**, cigarettes, cigars and other forms of tobacco, once consumed in public spaces, are often discarded on the ground requiring additional maintenance expenses, diminish the beauty of the City's park facilities; and

**WHEREAS**, the City of Windom Parks & Recreation Commission determines that the prohibition of tobacco use at the City's park facilities during youth activities serves to help protect the health, safety and welfare of the citizens of our city.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the City Council of the City of Windom that the following policy of the City of Windom, as set forth below, shall be adopted:

### **Tobacco-Free Areas**

No person shall use any form of tobacco within a fifty – foot parameter of any City-owned park playground, swimming pool, entrances/exits at the Windom Arena or in the vicinity where any youth recreation activity or programs are being held.

### **Compliance Procedures**

1. The emphasis on enforcing the Tobacco-Free park policy is through voluntary compliance.
2. Appropriate signs shall be posted in designated areas.

Adopted by the Council this 17th day of July, 2007.

---

Tom Riordan, Mayor

Attest:

Steven Nasby, City Administrator



**MEMO**

**To: Mayor and City Council**  
**From: James Kartes, Zoning Administrator**  
**Date: July 13, 2007**  
**Re: Planning Commission Meeting – July 10, 2007**

---

At its regular meeting on July 10, 2007, the Planning Commission held a public hearing and made the following recommendations concerning the application which came before the meeting:

**1. CONDITIONAL USE PERMIT APPLICATION:**

**Applicant & Owner: Charlene Carlson**  
**Address of Property: 613 16<sup>th</sup> Street, Windom, MN**  
**Legal Description: Lot 1, Block 6 of Vold Addition to the City of Windom,  
Cottonwood County, Minnesota.**  
**Parcel ID#: 25.791.0790**

The Applicant proposes to construct an additional 26' X 28' garage on the property. Pursuant to the City Code section on R-2 Districts, a conditional use permit is needed for an additional garage on the property.

**THE PLANNING COMMISSION RECOMMENDS TO THE CITY COUNCIL:**

**Approval of the application, submitted by Charlene Carlson, requesting a conditional use permit to construct an additional 26' X 28' garage on the property at 613 16<sup>th</sup> Street with the condition of access to the new building either from 6<sup>th</sup> Avenue or 16<sup>th</sup> Street.**

The motion includes that the jurisdictional documents and findings of fact be made a part of the hearing record.

(Please refer to the Planning Commission Minutes for further details and discussion on these matters.)

I will be present at the City Council Meeting on July 17th to address any questions the Council may have at that time.

Prior to that time if there are any questions, please contact the Planning and Zoning Office at 831-6125.

JK:mah

**Building & Zoning Office  
City Hall, 444 9<sup>th</sup> Street, P.O. Box 38  
Windom, MN 56101  
Phone: 507-831-6125**

**CITY OF WINDOM PLANNING COMMISSION  
PUBLIC HEARING NOTICE  
CONDITIONAL USE PERMIT APPLICATION**

Pursuant to City of Windom, City Code Sections 11.58 and 11.59, notice is hereby given that the Applicant and Owner, Charlene K. Carlson, of 613 16<sup>th</sup> Street, Windom, Minnesota, has submitted an application for the granting of a conditional use permit for property located at 613 16<sup>th</sup> Street. The Applicant requests a conditional use permit to allow the construction of an additional garage/storage building on the property. The area is zoned as "R-2 Urban Residential District" (Section 11.19). The number of accessory buildings/garages would exceed the maximums set forth in City Code Section 11.43 (Accessory Structures in Residential Districts). The setbacks, lot area, and proposed placement of the new garage are shown on the plot plan which is on file in the Building & Zoning Office in City Hall.

A public hearing to consider this zoning application requesting a conditional use permit will be held before the Planning Commission in the **City Council Chambers at City Hall, 444 9<sup>th</sup> Street, Windom, MN 56101 on Tuesday, July 10, 2007, at 7:05 p.m.**

Those persons wishing to be heard on this application for consideration of a zoning request for a conditional use permit are requested to be at this meeting. Copies of the application and plot plan and additional information may be reviewed in the Building & Zoning Office at City Hall prior to the Public Hearing.

Legally described as follows: Real Estate located in the City of Windom, described as:  
Lot 1, Block 6, Vold Addition to the City of Windom,  
Cottonwood County, Minnesota.

Parcel ID #: 25.791.0790

Address of the Property is: 613 16<sup>th</sup> Street, Windom, MN 56101

By Order of the City of Windom:

James Kartes, Zoning Administrator

Published: Cottonwood County Citizen (June 27, 2007)

CITY OF WINDOM, MINNESOTA

444 9<sup>th</sup> Street  
Windom, MN 56101  
507-831-6125

Case No.: \_\_\_\_\_  
Parcel No.: 25,791.0790  
Fee: \$150.00  
Paid: Ck. 1423 Date: 6-7-2007  
Date Filed: 6-7-2007

APPLICATION FOR CONSIDERATION OF ZONING/SUBDIVISION REQUEST

**Applicant(s):** Name(s) Char Carlson  
Address 613 16<sup>th</sup> Street  
City Windom State MN Zip 56101 (Phone: 831-2056)

**Owner(s):** (If other than Applicant)  
Name(s) Charlene K. Carlson  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ (Phone: \_\_\_\_\_)

**Property Address:** \_\_\_\_\_

**Legal Description of Property:** Lot(s) 1 Block(s) 6 Addition VOID

(If metes and bounds, attach description.)

**Existing Use of Property:** ~~Residence~~ Residence Present Zoning: R-2

**Action Requested:** Conditional Use Permit  Variance \_\_\_\_\_  
Subdivision (Sketch Plat) \_\_\_\_\_ Preliminary Plat \_\_\_\_\_ Final Plat \_\_\_\_\_  
Planned Unit Development (PUD) \_\_\_\_\_  
Amendment (Text, Rezoning, Comprehensive Plan) – SPECIFY: \_\_\_\_\_  
Other (Specify): \_\_\_\_\_

**Description and Reason for Request** (Attach Additional Information if necessary and required)

Existing garage is too small and need more room for second car and camper.  
Erect A second 26x28 Garage

In signing this Application, I/we hereby acknowledge that I/we have read and fully understand the applicable provisions of the Zoning and Subdivision Ordinances and current administrative procedures. I/we further acknowledge the fee explanation, as outlined in the application procedures, and hereby agree to pay the required fee and all statements received from the City pertaining to additional application expenses.

x Charlene K Carlson Date: 6/7/07  
[Signature(s) of Applicant(s)]

**PLOT PLAN:** Instructions to Applicant: Please provide the following information on the Plot Plan: Location of existing improvements and location of proposed construction and specify use of each building. Show site, building, and setback dimensions. Show easements. (Each building site must have a separate plot plan.)

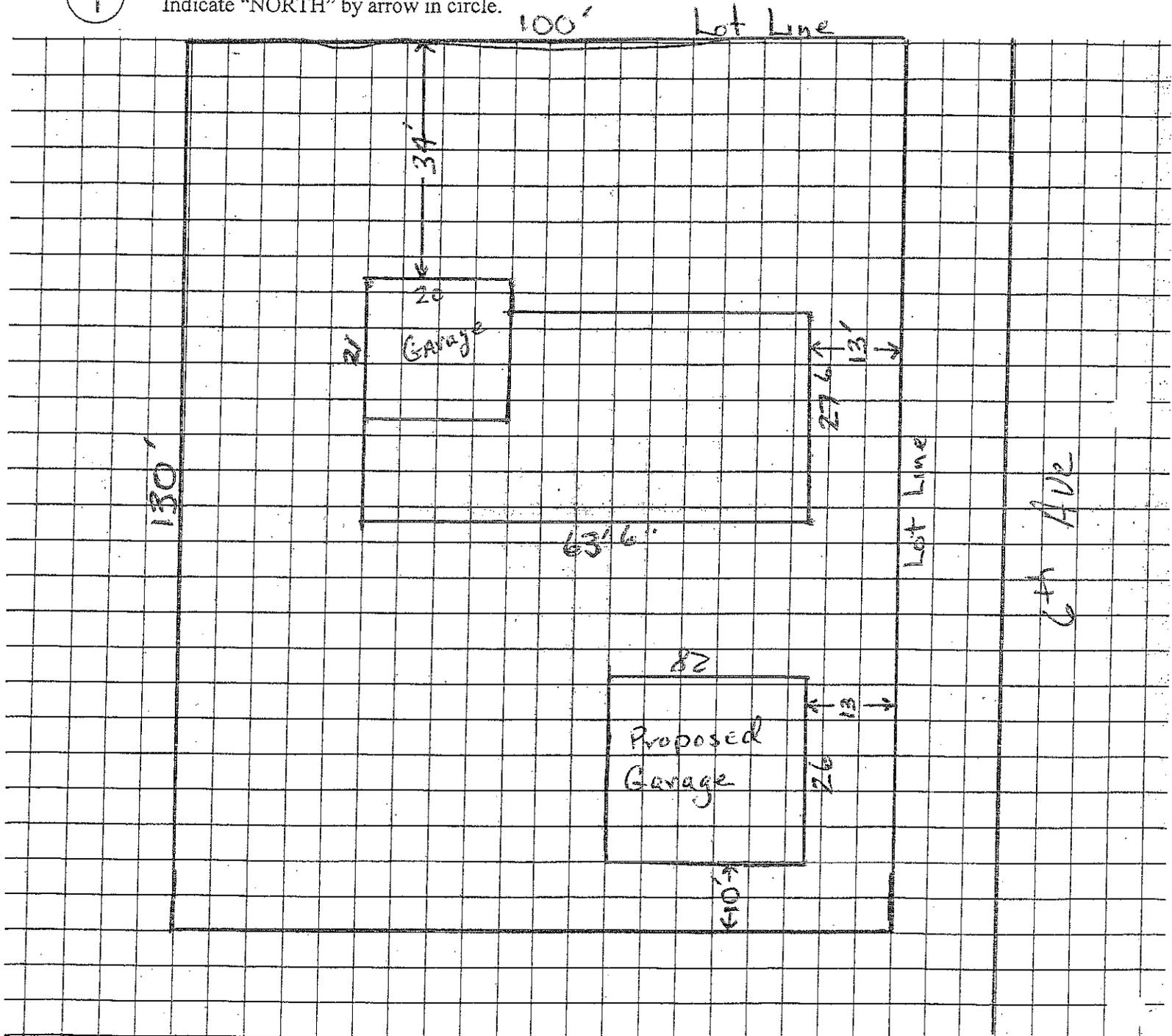
**NOTE:** This form need not be used when plot plans drawn to scale are filed with the Permit Application. **NEW CONSTRUCTION** also require additional items. (For specific requirements, please contact the Window Building & Zoning Office.)

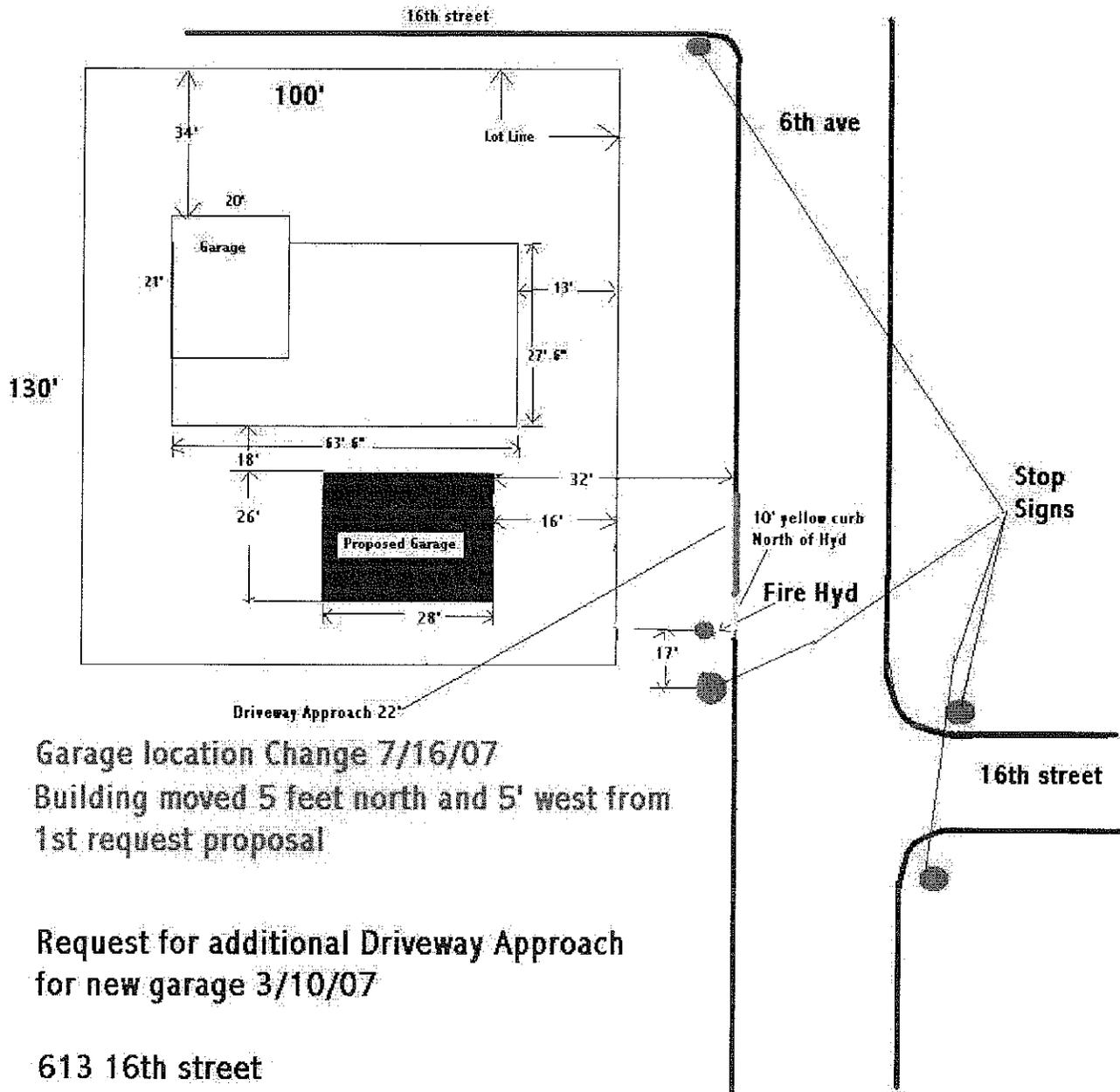
I/WE CERTIFY THAT THE PROPOSED CONSTRUCTION WILL CONFORM TO THE DIMENSIONS AND USES AS SHOWN BELOW AND THAT NO CHANGES WILL BE MADE WITHOUT FIRST OBTAINING APPROVAL FROM THE BUILDING & ZONING OFFICIAL.

Site: Dimensions: 100x130 & Area: 13000 Square Feet. Area Occupied by Buildings: 1826 Square Feet



Indicate "NORTH" by arrow in circle.





Garage location Change 7/16/07  
 Building moved 5 feet north and 5' west from  
 1st request proposal

Request for additional Driveway Approach  
 for new garage 3/10/07

613 16th street

No virus found in this incoming message.  
 Checked by AVG Free Edition.  
 Version: 7.5.476 / Virus Database: 269.10.6/902 - Release Date: 7/15/2007 2:21 PM

**Main Identity**

---

**From:** "Windom Street Dept." <winst@windomnet.com>  
**To:** "bob Messer" <messermfg@windomnet.com>; "JoAnn Ray" <jray1217@yahoo.com>; "Kirby Kruse" <kruserkc@windomnet.com>;  
"Jean Fast" <guardianinn@windomnet.com>; "Brad Powers" <brad.powers@dot.state.mn.us>; "Tom Riordan"  
<windommayor@windomnet.com>; "Steve Nasby" <snasby@windom-mn.com>  
**Sent:** Monday, July 16, 2007 9:54 AM  
**Attach:** 613 16th street driveway request change 7-16-07.JPG  
**Subject:** 613 16th street driveway request change 7-16-07

The garage was moved five feet north and 5 feet west of pervious request.  
That would make the approach 22 feet wide and due to the additional setback of the building the sight window from the 16th street intersection north of their house much better. It will be up to you for approval at Tuesday's council meeting. Bruce.

---

7/16/2007



## **MEMO**

**To: Mayor and City Council**  
**From: James Kartes, Zoning Administrator**  
**Date: July 13, 2007**  
**Re: Adoption of Building Code Ordinance**

---

Earlier this week, the 2007 Minnesota State Building Code was adopted by the State. (New versions of the state building code are typically adopted every three years.)

At such times as a new Building Code is adopted, the cities are also required to adopt the new versions of the Code.

The City has two options for adoption of the new building code:

1. To adopt an ordinance which specifically adopts the new 2007 code.

OR

2. To adopt a "self-perpetuating" ordinance.

[This type of ordinance adopts the Minnesota State Building Code which is in effect at the current time (2007 Code) and perpetually adopts all future editions of the Code.]

Typically whenever there is a rule or section number change or a new code adopted, the City needs to adopt a new ordinance. The benefit of the second option is that the City effectively adopts the current and all subsequent editions of the Minnesota State Building Code without the need for adoption of an ordinance each time a change occurs.

NOTE: There are code changes scheduled for this fall which would require another ordinance unless the "self-perpetuating" ordinance is adopted at this time.

The Minnesota Department of Labor and Industry has provided us with sample ordinances for each option.

Attached, for your review, are copies of the proposed Ordinance No. 129, 2<sup>nd</sup> Series amending Chapter 4, Section 4.01, of the City Code to adopt the new Minnesota State Building Code:

Option 1: Ordinance entitled "Adoption of Minnesota State Building Code".  
(Adopts the 2007 Minnesota State Building Code)

Option 2: Ordinance entitled "Adoption of the Minnesota State Building Code Self-Perpetuating Ordinance".  
(Adopts the 2007 Minnesota State Building Code and all future revisions)

**Recommendation: Adopt Option 2.**

It is requested that the City Council:

1. Choose one of the proposed ordinances for adoption of the building code.
2. Hold the First Reading of this Ordinance at its meeting on July 17, 2007;
3. Hold the Second Reading on July 31, 2007;
4. Adopt the Ordinance on July 31, 2007, with an effective date as of publication of the ordinance (August 8, 2007).

I will be present at the City Council Meeting on July 17th to address any questions the Council may have at that time.

Prior to that time if there are any questions concerning these proposed Ordinances, please contact me at the Building & Zoning Office (831-6125).

JK:mah

Attachments

ORDINANCE NO. 129, 2<sup>ND</sup> SERIES

“ADOPTION OF THE MINNESOTA STATE BUILDING CODE”

AN ORDINANCE OF THE CITY OF WINDOM, MINNESOTA, AMENDING CITY CODE CHAPTER 4 "CONSTRUCTION LICENSING, PERMITS AND REGULATION", SECTION 4.01, ENTITLED "ADOPTION OF CODES".

This Ordinance adopts the Minnesota State Building Code and provides for:

- (1) The application, administration, and enforcement of the Minnesota State Building Code by regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, and maintenance of all buildings and/or structures in this municipality; and
- (2) The issuance of permits and collection of fees thereof;
- (3) Penalties for violation thereof;
- (4) Repeals all ordinances and parts of ordinances that conflict therewith.

THE COUNCIL OF THE CITY OF WINDOM ORDAINS:

**SECTION 4.01 ADOPTION OF CODES IS HEREBY AMENDED TO READ:**

**SECTION 4.01. ADOPTION OF CODES.**

**Subd. 1. Application, Administration and Enforcement.** The application, administration, and enforcement of the code shall be in accordance with Minnesota Rule Chapter 1300. The code shall be enforced within the extraterritorial limits permitted by Minnesota Statutes, 16B.62, Subdivision 1, when so established by this ordinance.

The code enforcement agency of this municipality is called the “Building & Zoning Office”.

This Code shall be enforced by the Minnesota Certified Building Official designated by this municipality to administer the code (Minnesota Statute 16B.65), Subdivision 1.

**Subd. 2. Permits and Fees.** The issuance of permits and the collection of fees shall be as authorized in Minnesota Statutes, 16B.62, Subdivision 1.

Permit fees shall be assessed for work governed by this code in accordance with the fee schedule adopted by the municipality in Resolution #2001-34, effective January 1, 2002. In addition, a surcharge fee shall be collected on all permits issued for work governed by this code in accordance with Minnesota Statute 16B.70.

**Subd. 3 Violations and Penalties.** A violation of the code is a misdemeanor (Minnesota Statute 16B.69) and Minnesota Rules, Chapter 1300.

**Subd. 4 Building Code Adopted.** The 2007 Edition of the Minnesota State Building Code, established pursuant to Minnesota Statutes 16B.59 to 16B.75, is hereby adopted as the building code for this municipality. The Code is incorporated in this Ordinance as if fully set out herein.

A. The Minnesota State Building Code includes the following Chapters of Minnesota Rules:

1. **Chapter 1300** – Administration of the Minnesota State Building Code;
2. **Chapter 1301** - Building Official Certification;
3. **Chapter 1302** - State Building Code Construction Approvals;
4. **Chapter 1303** – Minnesota Provisions;
5. **Chapter 1305** – Adoption of the 2006 International Building Code;
6. **Chapter 1307** - Elevators and Related Devices;
7. **Chapter 1309** - Adoption of the 2006 International Residential Code;
8. **Chapter 1311** – Adoption of the 2000 Guidelines for the Rehabilitation of Existing Buildings;
9. **Chapter 1315** – Adoption of the 2005 National Electrical Code;
10. **Chapter 1325** – Solar Energy Systems;
11. **Chapter 1330** – Fallout Shelters;
12. **Chapter 1335** – Floodproofing Regulations;
13. **Chapter 1341** – Minnesota Accessibility Code;
14. **Chapter 1346** – Adoption of the Minnesota State Mechanical Code;
15. **Chapter 1350** – Manufactured Homes;
16. **Chapter 1360** – Prefabricated Structures;
17. **Chapter 1361** – Industrialized/Modular Buildings;
18. **Chapter 1370** – Storm Shelters (Manufactured Home Parks);
19. **Chapter 4715** – Minnesota Plumbing Code;
20. **Chapters 7670, 7672, 7674, 7676 and 7678** – Minnesota Energy Code.

B. One copy of said Code shall be marked: CITY OF WINDOM OFFICIAL COPY, and shall be kept on file in the Office of the Building Official, and shall be open to inspection and use by the public.

**Effective Date of Ordinance.** The effective date of this Ordinance is August 8, 2007.

PASSED by the Council this 31st day of July, 2007.

---

Tom Riordan, Mayor

ATTEST:

---

Steven Nasby, City Administrator/Clerk

1<sup>st</sup> Reading: July 17, 2007  
2<sup>nd</sup> Reading: July 31, 2007  
Adoption: July 31, 2007  
Published: August 8, 2007

ORDINANCE NO. 129, 2<sup>ND</sup> SERIES

“ADOPTION OF THE MINNESOTA STATE BUILDING CODE”  
SELF-PERPETUATING ADOPTION OF CODE

AN ORDINANCE OF THE CITY OF WINDOM, MINNESOTA, AMENDING CITY CODE CHAPTER 4 "CONSTRUCTION LICENSING, PERMITS AND REGULATION", SECTION 4.01, ENTITLED "ADOPTION OF CODES".

This Ordinance adopts the Minnesota State Building Code and provides for:

- (1) The application, administration, and enforcement of the Minnesota State Building Code by regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, and maintenance of all buildings and/or structures in this municipality; and
- (2) The issuance of permits and collection of fees thereof;
- (3) Penalties for violation thereof;
- (4) Repeals all ordinances and parts of ordinances that conflict therewith.
- (5) **This ordinance shall perpetually include the most current edition of the Minnesota State Building Code with the exception of the optional appendix chapters, unless such chapters are specifically adopted by ordinance.**

THE COUNCIL OF THE CITY OF WINDOM ORDAINS:

**SECTION 4.01 ADOPTION OF CODES IS HEREBY AMENDED TO READ:**

**SECTION 4.01. ADOPTION OF CODES.**

**Subd. 1. Building Codes Adopted by Reference.** The Minnesota State Building Code, as adopted by the Commissioner of Labor and Industry, pursuant to Minnesota Statutes Chapter 16B.59 to 16B.75, including the 2007 Minnesota State Building Code, and including all future editions of the Minnesota State Building Code and all of the amendments, rules and regulations established, adopted, and published from time to time by the Minnesota Commissioner of Labor and Industry, through the Building Codes and Standards Unit, are hereby adopted by reference, with the exception of the optional chapters unless specifically adopted by ordinance. The 2007 Minnesota State Building Code and all future editions of the Minnesota State Building Code are hereby incorporated in this ordinance as if fully set out herein.

This ordinance shall perpetually include the most current edition of the Minnesota State Building Code with the exception of the optional appendix chapters, unless such chapters are specifically adopted by ordinance.

**Subd. 2. Application, Administration and Enforcement.** The application, administration, and enforcement of the code shall be in accordance with the Minnesota State Building Code. The code shall be enforced within the extraterritorial limits permitted by Minnesota Statutes, 16B.62, Subdivision 1, when so established by this ordinance.

The code enforcement agency of this municipality is called the “Building & Zoning Office”.

This Code shall be enforced by the Minnesota Certified Building Official designated by this municipality to administer the code (Minnesota Statute 16B.65), Subdivision 1.

**Subd. 3. Permits and Fees.** The issuance of permits and the collection of fees shall be as authorized in Minnesota Statutes, 16B.62, Subdivision 1.

Permit fees shall be assessed for work governed by this code in accordance with the fee schedule adopted by the municipality in Resolution #2001-34, effective January 1, 2002. In addition, a surcharge fee shall be collected on all permits issued for work governed by this code in accordance with Minnesota Statute 16B.70.

**Subd. 4 Violations and Penalties.** A violation of the code is a misdemeanor (Minnesota Statute 16B.69).

One copy of said Code shall be marked: CITY OF WINDOM OFFICIAL COPY, and shall be kept on file in the Office of the Building Official, and shall be open to inspection and use by the public.

**Effective Date of Ordinance.** The effective date of this Ordinance is August 8, 2007.

PASSED by the Council this 31st day of July, 2007.

---

Tom Riordan, Mayor

ATTEST:

---

Steven Nasby, City Administrator/Clerk

1<sup>st</sup> Reading: July 17, 2007  
2<sup>nd</sup> Reading: July 31, 2007  
Adoption: July 31, 2007  
Published: August 8, 2007



# Memo

**To:** Mayor and Council Members

**From:** Telecommunication Commission

**CC:** Steve Nasby

**Date:** 7/12/2007

**Re:** 1-800 Service Rate Change Recommendation

---

The Telecommunication Commission held a meeting on July 10, 2007. The Commission reviewed information provided by Telecommunications Operation Manager Dan Olsen regarding 1-800 service, revenues and projections.

Following review of the information, the Commission recommended changing the 1-800 service rate to a monthly fee of \$3.95 and 6¢ per minute of use. The proposed rate change would not become effective until approval of the Tariff revision is received from Minnesota Public Utility Commission.

**Requested Action:** Approve the Telecommunication Commission's recommendation and adopt the "Resolution Establishing Rates, Charges and Fees for Enterprise Funds".

**RESOLUTION #2007-**

**INTRODUCED:**

**SECONDED:**

**VOTED: Aye:**

**Nay:**

**Abstained:**

**CITY OF WINDOM**

**RESOLUTION ESTABLISHING  
RATES, CHARGES AND FEES FOR  
TELECOMMUNICATIONS ENTERPRISE FUND**

**WHEREAS**, City Code Section 3.02 authorizes the City Council to establish rates and charges for municipal utilities (including, but not limited to, services, permit fees, connection and meter reading and checking fees, disconnection fees, reconnection fees including penalties for non-payment); and

**WHEREAS**, the City Council periodically establishes rates and fees for municipal utilities; and

**WHEREAS**, the Windom Telecommunication Commission recommends to the Windom City Council to change the rate for 1-800 service to a monthly rate of \$3.95 and 6¢ per minute of use; and

**WHEREAS**, it is in the best interests of the City of Windom and its citizens to operate the city enterprise funds in a cost-effective manner.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Windom, Minnesota, as follows:

Change the 1-800 service rate to a monthly rate of \$3.95 and 6¢ per minute of use.

Adopted this 17th day of July, 2007.

---

Tom Riordan, Mayor

ATTEST:

---

Steven Nasby, City Administrator



# Memo

**To:** Mayor and Council Members

**From:** Denise Nichols

**CC:** Steve Nasby

**Date:** 7/13/2007

**Re:** Southwest Crisis Center Donation Request

---

In the Council packet is a request from Southwest Crisis for a donation request of \$5,000. With a few exceptions, donations from cities to organizations are not allowed.

Some of the exceptions include grants to nonprofit organizations that operate community food shelves and provide food to the needy without charge. There is also authority to provide public money to support hospitals and certain economic development organizations. Cities may also appropriate money to support artistic organizations.

After discussing the request with the Legal Staff at the League of Minnesota Cities, it is their opinion that there is no Statutory Authority to make a donation for this purpose and that a donation is probably not appropriate.



# Southwest Crisis Center

1-800-376-4311

920 Diagonal Road  
PO Box 111  
Worthington, MN 56187  
507-376-4311

July 2, 2007

Windom City Council

Re: Funding for 2008

Dear Council Members:

The Southwest Crisis Center is coming to the City of Windom with a request for funding. Southwest Crisis Center has provided services in the city of Windom since 1990 and has had the good fortune to be able to positively impact the lives of over thousands of families. Unfortunately, funding to provide these services continues to increase and funding opportunities have not grown accordingly. We come to the City of Windom because in FY07, 55% of the 89 adults and 70 children experiencing domestic violence in their homes lived in the city of Windom.

407 5th Street, Room 64  
PO Box 42  
Jackson, MN 56143  
507-847-4202

Again In this past year, the adult number of contacts is up 10%. This increase in reports of violence in the homes of Cottonwood county citizens strengthens our belief that these services are invaluable to the community. We are requesting funding from City of Windom in the amount of \$5000. We request this amount to assist in covering general operating costs of keeping the office and crisis line available.

107 S. McKenzie  
Luverne, MN 56156  
507-283-9917

We would appreciate the opportunity to meet with the Windom City Council and hope to be able to meet with you soon. If you have any questions, please contact me at 507-376-4311.

119 2nd Avenue, Suite 4  
PO Box 94  
Pipestone, MN 56164  
507-825-5688

Sincerely,

Ruth Hubbling  
Director

1043 4th Avenue, Suite 1  
PO Box 11  
Windom, MN 56101  
507-831-2244



**Light Speed Grant Program  
Request for Proposal  
Issued: April 1, 2007**

---

This Request for Proposal (RFP) is an invitation by the Blandin Foundation (Foundation) to qualified community institutions and/or organizations to implement new bandwidth intensive communications applications. These communication applications should connect between institutions or connect institutions to end-customers within the community or region. Blandin is most interested in promoting applications that utilize video, images and large file transfers, preferably with two-way interactive communication. Applications that engage multiple partners and/or community segments are encouraged.

Submission of a proposal does not create any right in or expectation of a contract with the Foundation. The Foundation reserves the right to reject any or all proposals, and the Foundation further declares that it will incur no financial obligations for any costs by any company in preparation of proposals. The Foundation desires to begin these projects by September 3, 2007, and complete the projects no later than August 31, 2008.

Qualified community institutions and/or organizations may submit their proposal responses to:

**Bernadine Joselyn, Director, Public Policy & Engagement  
Blandin Foundation  
100 North Pokegama Avenue  
Grand Rapids, MN 55744**

**Proposal must be received in Blandin Foundation office  
no later than:  
Friday, July 20, 2007**

Applicants are strongly encouraged to contact Bill Coleman at 651.426.7741 or [bill@communitytechnologyadvisors.com](mailto:bill@communitytechnologyadvisors.com) with any questions regarding this RFP; this includes transmitting draft versions of proposals for pre-submittal review.

## ***Background***

### **Brief Description of the Foundation**

Blandin Foundation is a private foundation based in Grand Rapids, Minnesota. The Foundation was created in 1941, and is Minnesota's largest rural-based and rural-focused foundation. The Foundation is funded through annual contributions from the C.K. Blandin Residuary Trust and earnings from its own investments. At the end of 2004, the net assets of the Foundation and the Residuary Trust were approximately \$410 million.

The Foundation's mission "To strengthen rural communities in Minnesota, especially the Grand Rapids Area," and vision "Healthy rural communities grounded in strong economies where the burdens and benefits are widely shared," guide our three program areas, grant making, community leadership training and public policy. See [www.blandinfoundation.org](http://www.blandinfoundation.org) for additional information.

### **The Blandin Broadband Initiative**

The Blandin Broadband Initiative is designed to catalyze broadband investment and use, raise awareness about the value of broadband and encourage public and private investment in rural broadband capacity. Expanding the use of broadband technology increases the potential to retain jobs in rural areas, grows new markets for business, strengthens health care, enhances educational access and improves the quality-of-life.

The Blandin Broadband Initiative began its efforts in 2003. A Strategy Board was convened and identified the need to increase broadband use as an urgent goal of first priority. In response, the Foundation launched the *Get Broadband* Community Grant Program, which supports locally led education and outreach efforts aimed at bringing the benefits of broadband to rural households and businesses. As of December 2006, 29 communities have participated in the program. The Strategy Board also created a vision of ubiquitous ultra-high speed broadband across Minnesota, which the Foundation has been actively promoting.

Today an Increasing number of communities have robust networks capable of supporting very advanced communications applications. Some of these networks are citywide; others may serve only a particular community segment, like the government, health care or education sector while others reach regional partners. With these networks in place, a significant barrier to advanced application implementation has been reduced or eliminated.

Advanced networks are necessary, but not sufficient for advanced application deployment. There are additional barriers including a lack of funding for software or end-user equipment, lack of awareness of these applications and their benefits by administrators, and lack of expertise to implement the application without outside technical assistance.

The Foundation believes that it can play an important role in helping to reduce these barriers and to enable more rapid deployment of advanced applications, providing case study examples and demonstrating the value of these applications.

## ***Light Speed Grant Program***

### **Goals**

1. Spur the implementation of broadband intensive applications by community institutions that will increase the community's competitiveness and/or improve the community's quality of life.
2. Demonstrate the value of robust ultra-high speed networks.
3. Help local institutions develop strategies to overcome barriers to application deployment, providing a model for similar institutions within the community and around the state of Minnesota.

### **Application Examples**

- Real time videoconferencing from a school to homes to provide instruction to home-bound students, home-schooled students, non-traditional students or other purposes.
- Store and forward video instruction from a school or college to a home or business.
- Electronic medical records, including images, shared between hospitals, clinics and nursing homes within a community or region.
- Real-time videoconferencing between a home health care provider and housebound clients.
- Senior citizen peer support visits via videoconferencing.
- Real time monitoring by corrections officials of persons subject to restrictions.

### **Network Requirements**

The Light Speed program is technology-neutral. Preference will be given to applications that require 10 Mbps symmetrical communications. Network ownership can be private, public or operated by a private-public partnership.

### **Uses of Funds**

Foundation funds may be used for equipment or software purchase or lease, technical services, or staff or customer training. Foundation funds may not be used for studies to determine the feasibility of a new application.

### **Grantee Blogs**

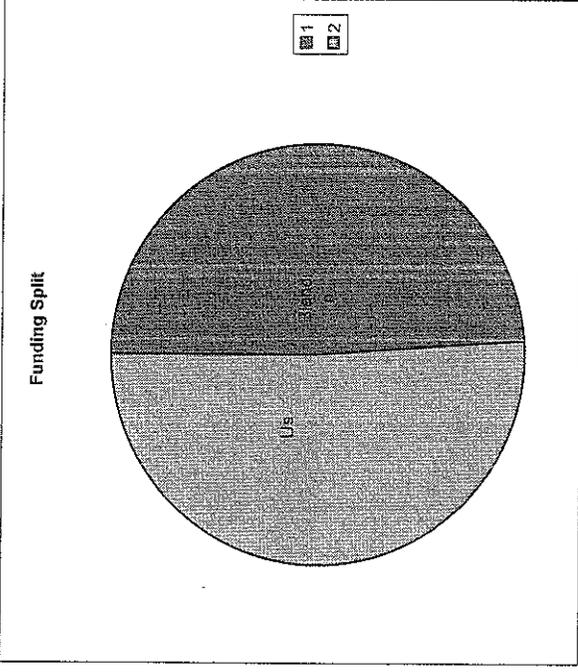
Grantees will be expected to maintain an active project blog on the Foundation web site describing the project and project progress.

### **Funding**

The Foundation will accept applications for up to \$50,000 though the average grant is expected to be approximately \$35,000. All Foundation grant funds must be matched on a 1:1 cash basis. In-kind contributions are welcome and will be considered as an indicator of organizational support for the project. Grantees should plan to expend the funds within one year of funding.

Item	Blandin	Us	Price
Video Ready Classroom	\$5,500.00	\$8,200.00	\$13,700.00
Homework Helper	\$4,250.00	\$24,220.00	\$28,470.00
Video Production	\$31,800.00	\$11,000.00	\$42,800.00

<b>Total Need</b>	<b>\$41,550.00</b>	<b>\$43,420.00</b>	<b>\$84,970.00</b>
-------------------	--------------------	--------------------	--------------------



RESOLUTION #2007-

**INTRODUCED:**

**SECONDED:**

**VOTED:**     **Aye:**  
              **Nay:**  
              **Absent:**

**A LOCAL GOVERNMENT RESOLUTION APPROVING SUBMISSION OF A  
GRANT APPLICATION TO THE BLANDIN FOUNDATION FOR THE  
“LIGHT SPEED” GRANT PROGRAM**

---

**WHEREAS**, the City of Windom supports the Blandin Foundation Broadband Initiative to implement new bandwidth intensive communications applications to improve economic vitality of Minnesota communities; and

**WHEREAS**, the City of Windom is committed to increasing Windom’s vitality through the expanded uses of broadband-based technologies; and

**WHEREAS**, the City of Windom seeks to increase awareness about the value of broadband telecommunications use and services; and

**WHEREAS**, the City of Windom seeks to increase business and residential use of broadband; and

**WHEREAS**, Windom Telecommunications, Windom Public Schools and Southwest Service Cooperative will participate in the Grant Committee and the implementation of the grant activities and will also provide in-kind matching funds to assist with the 1:1 local match requirement of the grant; and

**WHEREAS**, the goal of the Grant Committee is to create opportunities to increase the usage of high-speed internet by supplying equipment, producing content, and providing access to resources for interactive and real time internet experiences through a community server.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Windom will act as legal sponsor for the project contained in the Blandin “Light Speed” grant application that will be submitted on or before July 20, 2007.

**BE IT FURTHER RESOLVED** that if the City of Windom receives a grant award, the City agrees to match the grant funds with a 1:1 local match, which will include in-kind support.

**NOW, THEREFORE, BE IT RESOLVED** that Steve Nasby, City Administrator, is hereby authorized to execute such agreements and contracts as are necessary to implement the project on behalf of the applicant.

Adopted this 17th day of July, 2007.

\_\_\_\_\_  
Tom Riordan, Mayor

Attest: \_\_\_\_\_  
Steve Nasby, City Administrator

CITY OF WINDOM  
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
CITY OFFICE	CMRS - TMS	POSTAGE	361.30
CITY OFFICE	ELECTRIC FUND	UTILITIES	451.71
CITY OFFICE	MII LIFE	VEBA	186.16
CITY OFFICE	STEVE NASBY	EXPENSE	307.52
	Total for Department 103		1,306.69*
P & Z / BUILDING OFF	CMRS - TMS	POSTAGE	37.58
P & Z / BUILDING OFF	MII LIFE	VEBA	139.62
P & Z / BUILDING OFF	CONOCO PHILLIPS FLEE GAS		55.90
	Total for Department 106		233.10*
CITY HALL	ELECTRIC FUND	UTILITIES	482.45
CITY HALL	SANDRA HERDER	CLEANING	330.00
CITY HALL	MELISSA PENAS	CLEANING	330.00
	Total for Department 115		1,142.45*
POLICE	CMRS - TMS	POSTAGE	2.52
POLICE	ELECTRIC FUND	UTILITIES	81.34
POLICE	MII LIFE	VEBA	1,312.27
POLICE	CONOCO PHILLIPS FLEE GAS		54.42
POLICE	SECR REV FUND/CITY O	POSTAGE	1.14
	Total for Department 120		1,451.69*
FIRE DEPARTMENT	AMOCO OIL COMPANY	GAS	123.07
FIRE DEPARTMENT	CMRS - TMS	POSTAGE	11.35
	Total for Department 125		134.42*
STREET	AMOCO OIL COMPANY	GAS	941.65
STREET	CMRS - TMS	POSTAGE	5.96
STREET	ELECTRIC FUND	UTILITIES	2,346.81
STREET	MII LIFE	VEBA	963.93
STREET	CONOCO PHILLIPS FLEE GAS		252.50
	Total for Department 140		4,510.85*
HEALTH & SANITATION	NEAL GRUNEWALD	COMPOST SITE MANAGER	128.00
	Total for Department 145		128.00*
RECREATION	CMRS - TMS	POSTAGE	17.95
RECREATION	AL BALOUN	EXPENSE	30.63
RECREATION	RHONDA HAGLUND	REFUND - PONY LEAGUE	50.00
	Total for Department 150		98.58*
PARKS	CMRS - TMS	POSTAGE	2.35
PARKS	ELECTRIC FUND	UTILITIES	4,356.13
PARKS	MII LIFE	VEBA	174.17
PARKS	CONOCO PHILLIPS FLEE GAS		166.91
PARKS	ANNETTE WRIGHT	REFUND - SHELTER DAMAGE	50.00
PARKS	TERRY GLIDDEN	REFUND- SHELTER DAMAGE D	50.00
	Total for Department 165		4,799.56*
	Total for Fund 01		13,805.34*

CITY OF WINDOM  
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
LIBRARY	ELECTRIC FUND	UTILITIES	294.55
LIBRARY	SANDRA HERDER	CLEANING	330.00
LIBRARY	MELISSA PENAS	CLEANING	330.00
	Total for Department 171		954.55*
	Total for Fund 03		954.55*
UHF TV	ELECTRIC FUND	UTILITIES	25.07
UHF TV	FEDERATED RURAL ELEC	USAGE	113.75
	Total for Department 173		138.82*
	Total for Fund 10		138.82*
AIRPORT	CMRS - TMS	POSTAGE	6.13
AIRPORT	RED ROCK RURAL WATER	WATER	23.10
AIRPORT	SO. CENTRAL ELECTRIC	POWER COST	215.78
	Total for Department 174		245.01*
	Total for Fund 11		245.01*
	KATO ROOFING INC	ROOF REPAIR - POOL	4,795.00
	Total for Department		4,795.00*
POOL	CMRS - TMS	POSTAGE	16.86
POOL	ELECTRIC FUND	UTILITIES	1,547.69
POOL	MIKE HAUGEN	REPUND - SWIM LESSONS	20.00
	Total for Department 175		1,584.55*
	Total for Fund 12		6,379.55*
AMBULANCE	CMRS - TMS	POSTAGE	17.28
	Total for Department 176		17.28*
	Total for Fund 13		17.28*
MULTI-PURPOSE BUILDI	CMRS - TMS	POSTAGE	23.44
MULTI-PURPOSE BUILDI	ELECTRIC FUND	UTILITIES	1,376.89
MULTI-PURPOSE BUILDI	MII LIFE	VEBA	360.33
MULTI-PURPOSE BUILDI	CONOCO PHILLIPS FLEE	GAS	78.41
	Total for Department 177		1,839.07*
	Total for Fund 14		1,839.07*
LIQUOR	BEVERAGE WHOLESALERS	MERCHANDISE	1,772.60
LIQUOR	CMRS - TMS	POSTAGE	4.90
LIQUOR	COLLINS BROTHERS, IN	MERCHANDISE	279.19
LIQUOR	LOCHER BROTHERS INC	MERCHANDISE	2,628.95
LIQUOR	ELECTRIC FUND	UTILITIES	1,096.64
LIQUOR	HAGEN DISTRIBUTING	MERCHANDISE	9,612.20
LIQUOR	HOLINKA DISTR. CO.	MERCHANDISE	157.50

CITY OF WINDOM  
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
LIQUOR	JOHNSON BROS.	MERCHANDISE	2,319.41
LIQUOR	MII LIFE	VEBA	348.34
LIQUOR	PHILLIPS WINE & SPIR	MERCHANDISE	1,945.85
LIQUOR	QUALITY WINE SPIRITS	MERCHANDISE	1,914.82
LIQUOR	THE AMERICAN BOTTLIN	MERCHANDISE	77.57
LIQUOR	WINE MERCHANTS	MERCHANDISE	165.50
	Total for Department 180		22,323.47*
	Total for Fund 60		22,323.47*
WATER	CMRS - TMS	POSTAGE	487.81
WATER	ELECTRIC FUND	UTILITIES	5,559.58
WATER	MII LIFE	VEBA	525.50
WATER	MN DEPT OF HEALTH	WA SUR CHARGE	3,177.00
WATER	CONOCO PHILLIPS FLEE	GAS	221.25
WATER	PRIMAL SOLUTIONS INC	MAINTENANCE CONTRACT	250.00
	Total for Department 181		10,221.14*
	Total for Fund 61		10,221.14*
ELECTRIC	AMOCO OIL COMPANY	GAS	1,083.41
ELECTRIC	CMRS - TMS	POSTAGE	455.74
ELECTRIC	ELECTRIC FUND	UTILITIES	268.33
ELECTRIC	MII LIFE	VEBA	984.92
ELECTRIC	PRIMAL SOLUTIONS INC	MAINTENANCE CONTRACT	250.00
ELECTRIC	BANK MIDWEST	NSF CHECK -	158.89
ELECTRIC	TODD HYATT	ENERGY REBATE	100.00
ELECTRIC	KEVIN BRISTOW	ENERGY REBATE	100.00
ELECTRIC	DANIEL RAVERTY	ENERGY REBATE	50.00
	Total for Department 182		3,451.29*
	Total for Fund 62		3,451.29*
SEWER	AMOCO OIL COMPANY	GAS	366.44
SEWER	CMRS - TMS	POSTAGE	451.84
SEWER	ELECTRIC FUND	UTILITIES	11,001.43
SEWER	MII LIFE	VEBA	873.85
SEWER	MN WATER OPERATORS (	REGISTRATION	200.00
SEWER	PRIMAL SOLUTIONS INC	MAINTENANCE CONTRACT	250.00
	Total for Department 183		13,143.56*
	Total for Fund 63		13,143.56*
ARENA	AMOCO OIL COMPANY	GAS	36.19
ARENA	CMRS - TMS	POSTAGE	13.20
ARENA	ELECTRIC FUND	UTILITIES	1,199.52
ARENA	MII LIFE	VEBA	174.17
	Total for Department 184		1,423.08*
	Total for Fund 64		1,423.08*

CITY OF WINDOM  
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
	SECR REV FUND/CITY O REFUND - CONVERTER DEPOS		770.23
	MARVIN DAGGETT ESTAT REFUND - CONVERTER DEPOS		40.00
	Total for Department		810.23*
	Total for Fund 65		810.23*
RIVERBLUFF TOWNHOMES ELECTRIC FUND		UTILITIES	35.54
	Total for Department 186		35.54*
	Total for Fund 66		35.54*
ECONOMIC DEVELOPMENT AVERY OUTDOOR		RENT	375.00
ECONOMIC DEVELOPMENT CMRS - TMS		POSTAGE	15.23
ECONOMIC DEVELOPMENT ELECTRIC FUND		UTILITIES	117.19
ECONOMIC DEVELOPMENT MII LIFE		VEBA	220.71
	Total for Department 187		728.13*
	Total for Fund 67		728.13*
RIVERBLUFF ESTATES	BRADY POWERS	MOWING	272.00
	Total for Department 166		272.00*
	Total for Fund 68		272.00*
	MN 9-1-1 PROGRAM	911 SERVICE	717.59
	Total for Department		717.59*
TELECOMMUNICATIONS	CMRS - TMS	POSTAGE	496.56
TELECOMMUNICATIONS	ELECTRIC FUND	UTILITIES	1,571.86
TELECOMMUNICATIONS	MII LIFE	VEBA	624.58
TELECOMMUNICATIONS	CONOCO PHILLIPS FLEE GAS		254.86
TELECOMMUNICATIONS	PRIMAL SOLUTIONS INC MAINTENANCE CONTRACT		750.00
TELECOMMUNICATIONS	SECR REV FUND/CITY O POSTAGE		6.26
	Total for Department 199		3,704.12*
	Total for Fund 69		4,421.71*
	Grand Total		80,209.77*

CITY OF WINDOM  
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
POLICE	SECR REV FUND/CITY O	POSTAGE	11.65
	Total for Department 120		11.65*
	Total for Fund 01		11.65*
	HJERPE CONTRACTING I	4TH AVE PROJECT	143,719.11
	Total for Department		143,719.11*
	Total for Fund 07		143,719.11*
MULTI-PURPOSE BUILDI	LIQUOR FUND - RIVER	MERCHANDISE	426.76
	Total for Department 177		426.76*
	Total for Fund 14		426.76*
LIQUOR	BEVERAGE WHOLESALERS	MERCHANDISE	5,638.10
LIQUOR	LOCHER BROTHERS INC	MERCHANDISE	3,966.65
LIQUOR	HAGEN DISTRIBUTING	MERCHANDISE	11,109.80
LIQUOR	QUALITY WINE SPIRITS	MERCHANDISE	194.00
	Total for Department 180		20,908.55*
	Total for Fund 60		20,908.55*
WATER	MIDWEST WIRELESS	TELEPHONE	39.55
WATER	PRO CELLULAR	SUPPLIES	21.29
	Total for Department 181		60.84*
	Total for Fund 61		60.84*
	SECR REV FUND/CITY O	UTILITY PREPAYMENT REFUN	270.00
	DIANNE FIALA	REFUND - UTILITY PREPAYM	20.00
	DUSTIN NEUGEBAUER	REFUND - UTILITY PREPAYM	125.00
	Total for Department		415.00*
ELECTRIC	KRUEGER BODY SHOP	TRUCK REPAIR	11,803.66
ELECTRIC	SECR REV FUND/CITY O	POSTAGE	4.56
ELECTRIC	BRAD BUSSA	CLEANING	184.60
ELECTRIC	FRED FREDERICKSON	ENERGY REBATE	50.00
ELECTRIC	JEFF LACANNE	ENERGY REBATE	200.00
ELECTRIC	KBITH WEINBERG	ENERGY REBATE	200.00
	Total for Department 182		12,442.82*
	Total for Fund 62		12,857.82*
SEWER	MIDWEST WIRELESS	TELEPHONE	39.56
	Total for Department 183		39.56*
	Total for Fund 63		39.56*
	SECR REV FUND/CITY O	CONVERTER REFUNDS	450.00
	PAULINE TEWS	REFUND-UTILITY PREPAY FO	125.00

CITY OF WINDOM  
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
-----			
		Total for Department	575.00*
		Total for Fund 65	575.00*
ECONOMIC DEVELOPMENT	SECR REV FUND/CITY O	SUPPLIES	5.50
ECONOMIC DEVELOPMENT	WINDOM BAKERY	EXPENSE	58.58
ECONOMIC DEVELOPMENT	MCDONALD'S OF WINDOM	REFUND - RENT	750.00
		Total for Department 187	814.08*
		Total for Fund 67	814.08*
TELECOMMUNICATIONS	ONVOY	SS7 SERVICE	1,431.28
TELECOMMUNICATIONS	SECR REV FUND/CITY O	POSTAGE	16.25
		Total for Department 199	1,447.53*
		Total for Fund 69	1,447.53*
	COLONIAL LIFE INSURA	INSURANCE	22.05
		Total for Department	22.05*
		Total for Fund 70	22.05*
		Grand Total	180,882.95*

CITY OF WINDOM  
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
POLICE	SECR REV FUND/CITY O	POSTAGE	11.65
		Total for Department 120	11.65*
		Total for Fund 01	11.65*
	HJERPE CONTRACTING I	4TH AVE PROJECT	143,719.11
		Total for Department	143,719.11*
		Total for Fund 07	143,719.11*
MULTI-PURPOSE BUILDI	LIQUOR FUND - RIVER	MERCHANDISE	426.76
		Total for Department 177	426.76*
		Total for Fund 14	426.76*
LIQUOR	BEVERAGE WHOLESALERS	MERCHANDISE	5,638.10
LIQUOR	LOCHER BROTHERS INC	MERCHANDISE	3,966.65
LIQUOR	HAGEN DISTRIBUTING	MERCHANDISE	11,109.80
LIQUOR	QUALITY WINE SPIRITS	MERCHANDISE	194.00
		Total for Department 180	20,908.55*
		Total for Fund 60	20,908.55*
WATER	MIDWEST WIRELESS	TELEPHONE	39.55
WATER	PRO CELLULAR	SUPPLIES	21.29
		Total for Department 181	60.84*
		Total for Fund 61	60.84*
	SECR REV FUND/CITY O	UTILITY PREPAYMENT REFUN	270.00
	DIANNE FIALA	REFUND - UTILITY PREPAYM	20.00
	DUSTIN NEUGEBAUER	REFUND - UTILITY PREPAYM	125.00
		Total for Department	415.00*
ELECTRIC	KRUEGER BODY SHOP	TRUCK REPAIR	11,803.66
ELECTRIC	SECR REV FUND/CITY O	POSTAGE	4.56
ELECTRIC	BRAD BUSSA	CLEANING	184.60
ELECTRIC	FRED FREDERICKSON	ENERGY REBATE	50.00
ELECTRIC	JEPF LACANNE	ENERGY REBATE	200.00
ELECTRIC	KEITH WEINBERG	ENERGY REBATE	200.00
		Total for Department 182	12,442.82*
		Total for Fund 62	12,857.82*
SEWER	MIDWEST WIRELESS	TELEPHONE	39.56
		Total for Department 183	39.56*
		Total for Fund 63	39.56*
	SECR REV FUND/CITY O	CONVERTER REFUNDS	450.00
	PAULINE TEWS	REFUND-UTILITY PREPAY FO	125.00

CITY OF WINDOM  
 FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
		Total for Department	575.00*
		Total for Fund 65	575.00*
ECONOMIC DEVELOPMENT	SECR REV FUND/CITY O	SUPPLIES	5.50
ECONOMIC DEVELOPMENT	WINDOM BAKERY	EXPENSE	58.58
ECONOMIC DEVELOPMENT	MCDONALD'S OF WINDOM	REFUND - RENT	750.00
		Total for Department 187	814.08*
		Total for Fund 67	814.08*
TELECOMMUNICATIONS	ONVOY	SS7 SERVICE	1,431.28
TELECOMMUNICATIONS	SECR REV FUND/CITY O	POSTAGE	16.25
		Total for Department 199	1,447.53*
		Total for Fund 69	1,447.53*
	COLONIAL LIFE INSURA	INSURANCE	22.05
		Total for Department	22.05*
		Total for Fund 70	22.05*
		Grand Total	180,882.95*

CITY OF WINDOM  
 FM Entry - Invoice Payment - Department Report

Ranges: Fund: (A)  
 Dept Id: (A)  
 Program: (A)  
 Vendor #: (A)  
 Invoice #: (A)  
 Schedule Journal #: (R) 10163 - 10163  
 Bank #: (A)

Options: Print Ranges/Options: Y # of copies: 1  
 Page on Department: N

Department	Vendor Name	Description	Amount
MAYOR & COUNCIL	MCDONALD & SCHRAMMEL	LEGAL FEES	162.00
MAYOR & COUNCIL	SOUTHWEST MINN ARTS	DONATION	200.00
	Total for Department 101		362.00*
CITY OFFICE	CITIZEN PUBLISHING C	ADVERTISING	306.90
CITY OFFICE	DAN'S OFFICE SUPPLY	SUPPLIES	104.22
CITY OFFICE	GORDY'S FOODS	SUPPLIES	32.67
CITY OFFICE	HEARTLAND TECHNOLOGY	BILLING SYSTEM FIRE WALL	40.00
CITY OFFICE	LOOPY'S	SUPPLIES	8.00
CITY OFFICE	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	5.78
CITY OFFICE	DENNIS L. RICK LTD	AUDIT SERVICE	950.00
	Total for Department 103		1,447.57*
P & Z / BUILDING OFF	CITIZEN PUBLISHING C	ADVERTISING	81.90
P & Z / BUILDING OFF	DAN'S OFFICE SUPPLY	SUPPLIES	29.81
P & Z / BUILDING OFF	DAVIS TYPEWRITER	MAINTENANCE	51.06
P & Z / BUILDING OFF	HEARTLAND TECHNOLOGY	BILLING SYSTEM FIRE WALL	40.00
P & Z / BUILDING OFF	MCDONALD & SCHRAMMEL	LEGAL FEES	36.00
P & Z / BUILDING OFF	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	5.78
P & Z / BUILDING OFF	MN DEPT OF LABOR & I	BLDG PERMIT SURCHARGE	673.63
P & Z / BUILDING OFF	SCHWALBACH HARDWARE	MAINTENANCE	28.83
	Total for Department 106		947.01*
CITY HALL	COLE PAPER INC.	SUPPLIES	72.42
CITY HALL	AMERIGAS - WORTHINGT	WATER TREATMENT	23.38
CITY HALL	COTTONWOOD COUNTY SO	RECYCLING PICK UP	12.00
CITY HALL	WASTE MANAGEMENT OF	HAUL GARBAGE	79.09
CITY HALL	SCHWALBACH HARDWARE	MAINTENANCE	25.53
	Total for Department 115		212.42*
POLICE	CELLULARONE - ALLTEL	TELEPHONE	211.79
POLICE	COTTONWOOD CO TREASU	DISPATCHING	275.00
POLICE	COTTONWOOD CO TREASU	RENT	1,200.00
POLICE	DAN'S OFFICE SUPPLY	SUPPLIES	19.69
POLICE	GALLS	SUPPLIES	27.83
POLICE	GRAFIX SHOPPE	SERVICE	275.99
POLICE	WINDOM AUTO VALU	MAINTENANCE	41.63
POLICE	MCDONALD & SCHRAMMEL	LEGAL FEES	3,168.00
POLICE	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	22.50
POLICE	PAMIDA	SUPPLIES	120.00

CITY OF WINDOM  
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
POLICE	SCHWALBACH HARDWARE	MAINTENANCE	148.30
POLICE	JEFFREY SHIRKEY	EXPENSE	6.38
POLICE	STREICHER'S	EQUIPMENT	324.77
POLICE	WINDOM QUICK PRINT	PRINTING	154.27
POLICE	WINDOM TOWING CO	TIRES	101.18
POLICE	A & S TRAINING LLC	TRAINING	150.00
POLICE	L 3 COMMUNICATIONS	MAINTENANCE	28.71
	Total for Department 120		6,276.04*
FIRE DEPARTMENT	COTTONWOOD CO TREASU	DISPATCHING	212.50
FIRE DEPARTMENT	HEIMAN FIRE EQUIP. C	HOSE FOR FIRE DEPT	191.45
FIRE DEPARTMENT	WINDOM AUTO VALU	MAINTENANCE	7.76
FIRE DEPARTMENT	LUCAN COMMUNITY TV I	MAINTENANCE	153.36
FIRE DEPARTMENT	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	5.78
FIRE DEPARTMENT	QUBST	TELEPHONE	57.51
FIRE DEPARTMENT	RIVERSIDE LAUNDRY	SERVICE	37.28
FIRE DEPARTMENT	RUNNING'S SUPPLY	MAINTENANCE	12.19
FIRE DEPARTMENT	SCHWALBACH HARDWARE	MAINTENANCE	74.00
FIRE DEPARTMENT	VET'S WHOA N'GO	GAS	44.15
	Total for Department 125		795.98*
EMERGENCY MANAGEMENT	COTTONWOOD CO TREASU	DISPATCHING	12.50
EMERGENCY MANAGEMENT	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	200.00
	Total for Department 130		212.50*
ANIMALS	COTTONWOOD-SLAYTON V	VET SERVICE	213.38
ANIMALS	GORDY'S FOODS	SUPPLIES	11.85
	Total for Department 135		225.23*
STREET	COTTONWOOD COUNTY LA	GARBAGE	10.00
STREET	COTTONWOOD CO TREASU	DISPATCHING	125.00
STREET	WASTE MANAGEMENT OF	HAUL GARBAGE	121.31
STREET	ENVIROSIDE	TESTING	900.00
STREET	ERICKSON OIL CO	GAS	286.42
STREET	FERRELLGAS	GAS	15.98
STREET	GODFATHER'S PIZZA	EXPENSE	22.34
STREET	WINDOM AUTO VALU	MAINTENANCE	152.58
STREET	LAMPERTS YARDS, INC.	MAINTENANCE	76.52
STREET	MCDONALD & SCHRAMEL	LEGAL FEES	108.00
STREET	MCLAUGHLIN & SCHULZ,	MAINTENANCE	1,306.41
STREET	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	5.78
STREET	MIDWEST WIRELESS	TELEPHONE	99.16
STREET	M-R SIGNS CO., INC	MAINTENANCE	400.33
STREET	QUEST	TELEPHONE	57.51
STREET	PRAXAIR DISTRIBUTION	SERVICE	58.08
STREET	RUNNING'S SUPPLY	MAINTENANCE	43.46
STREET	SCHWALBACH HARDWARE	MAINTENANCE	30.15
STREET	VET'S WHOA N'GO	GAS	382.86
STREET	CARQUEST MOTOR PARTS	MAINTENANCE	98.36
STREET	WINDOM READY MIX	MAINTENANCE	164.83

CITY OF WINDOM  
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
Total for Department 140			4,465.08*
RECREATION	CENTER SPORTS	SUPPLIES	388.25
RECREATION	COCA-COLA ENTERPRISE	MERCHANDISE	571.70
RECREATION	WASTE MANAGEMENT OF	HAUL GARBAGE	50.00
RECREATION	DAN'S OFFICE SUPPLY	SUPPLIES	45.43
RECREATION	GORDY'S FOODS	SUPPLIES	318.05
RECREATION	HEARTLAND IMAGE	T-SHIRTS	3,024.00
RECREATION	A H HERMEL CANDY & T	MERCHANDISE	488.76
RECREATION	LOOPY'S	SUPPLIES	20.00
RECREATION	WINDOM BAKERY	EXPENSE	41.54
RECREATION	BRIAN SCHUCK	LEAGUE FEES	55.00
RECREATION	FAIRMONT BASEBALL AS	TOURNEY FEES	75.00
RECREATION	JACKSON BASEBALL ASS	TOURNEY FEES	75.00
RECREATION	LEANN STEEN	LEAGUE FEES	80.00
Total for Department 150			5,232.73*
PARKS	COLE PAPER INC.	SUPPLIES	472.36
PARKS	COLLEGIATE PACIFIC	SUPPLIES	415.28
PARKS	COTTONWOOD CO TREASU	DISPATCHING	37.50
PARKS	WINDOM AUTO VALU	MAINTENANCE	23.96
PARKS	LAMPERTS YARDS, INC.	MAINTENANCE	39.88
PARKS	MESSER MACHINE & MFG	MAINTENANCE	37.98
PARKS	M-R SIGNS CO., INC	MAINTENANCE	72.57
PARKS	MTI DISTRIBUTING COM	MAINTENANCE	66.43
PARKS	NORTHLAND CHEMICAL C	SUPPLIES	162.14
PARKS	RUNNING'S SUPPLY	MAINTENANCE	6.16
PARKS	SCHWALBACH HARDWARE	MAINTENANCE	52.58
PARKS	THE SEED CENTER	SUPPLIES	265.00
PARKS	VET'S WHOA N'GO	GAS	1.11
Total for Department 165			1,652.95*
Total for Fund 01			21,829.51*
EQUIPMENT/F.A.	DENNIS L. RICK LTD	AUDIT SERVICE	1,500.00
Total for Department 170			1,500.00*
Total for Fund 02			1,500.00*
LIBRARY	AMAZON.COM	BOOKS	15.52
LIBRARY	BBC AUDIO	BOOKS	57.00
LIBRARY	CENTER POINT LARGE P	BOOKS	39.54
LIBRARY	COLE PAPER INC.	SUPPLIES	72.42
LIBRARY	COTTONWOOD COUNTY SO	RECYCLING PICK UP	6.00
LIBRARY	DAN'S OFFICE SUPPLY	SUPPLIES	11.76
LIBRARY	THOMSON GALE	BOOKS	258.40
LIBRARY	JOAN HUNTER	POSTAGE	41.69
LIBRARY	INGRAM	BOOKS	1,816.33
LIBRARY	J & K WINDOWS	CLEANING	15.00
LIBRARY	MESSER MACHINE & MFG	MAINTENANCE	143.54

CITY OF WINDOM  
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
LIBRARY	MICROMARKETING	BOOKS & AUDIO	357.49
LIBRARY	MN DEPT OF ADMINISTR	TELEPHONE	-23.13
LIBRARY	PEOPLE	SUBSCRIPTION	113.88
LIBRARY	DENNIS L. RICK LTD	AUDIT SERVICE	200.00
LIBRARY	RECORDED BOOKS, LLC	AUDIO CASSETTE	442.00
LIBRARY	READERS SERVICE	BOOKS	35.66
LIBRARY	READERS DIGEST - AUD	AUDIO CASSETTE	22.33
LIBRARY	SCHWALBACH HARDWARE	MAINTENANCE	79.44
LIBRARY	ALASKA	SUBSCRIPTION	24.00
LIBRARY	CREATIVE HOME	SUBSCRIPTION	19.97
LIBRARY	HOUSE BEAUTIFUL	SUBSCRIPTION	21.97
LIBRARY	NADA ANALYTICAL SERV	SUBSCRIPTION	70.00
LIBRARY	NAT'L GEOGRAPHIC TRA	SUBSCRIPTION	29.95
LIBRARY	NAT'L WILDLIFE FEDER	SUBSCRIPTION	15.00
LIBRARY	RANGER RICK	SUBSCRIPTION	19.95
LIBRARY	ROMANTIC HOMES	SUBSCRIPTION	39.95
	Total for Department 171		3,945.66*
	Total for Fund 03		3,945.66*
	WINDOM READY MIX	MAINTENANCE	814.83
	Total for Department		814.83*
EQUIPMENT/F.A.	DENNIS L. RICK LTD	AUDIT SERVICE	750.00
	Total for Department 170		750.00*
	Total for Fund 04		1,564.83*
	FEDERAL EXPRESS CORP	TRANSPORTATION	27.81
	WENCK ASSOCIATES, IN 07 STREET IMP (4TH)		26,831.00
	Total for Department		26,858.81*
	Total for Fund 07		26,858.81*
UHF TV	SCHWALBACH HARDWARE	MAINTENANCE	320.41
UHF TV	RON VISKER	PASTURE MOWING	250.00
	Total for Department 173		570.41*
	Total for Fund 10		570.41*
AIRPORT	WINDOM AUTO VALU	MAINTENANCE	1.59
AIRPORT	MN DEPT OF ADMINISTR	TELEPHONE	20.43
AIRPORT	DENNIS L. RICK LTD	AUDIT SERVICE	300.00
AIRPORT	SCHWALBACH HARDWARE	MAINTENANCE	38.08
	Total for Department 174		360.10*
	Total for Fund 11		360.10*
	KATO ROOFING INC	POOL ROOF	4,795.00
	Total for Department		4,795.00*

CITY OF WINDOM  
 FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
POOL	AMERICAN RED CROSS	SUPPLIES	170.00
POOL	CITIZEN PUBLISHING C	ADVERTISING	130.20
POOL	COCA-COLA ENTERPRISE	MERCHANDISE	85.50
POOL	DAN'S OFFICE SUPPLY	SUPPLIES	23.38
POOL	HAWKINS WATER TREATM	CHEMICALS	770.99
POOL	GORDY'S FOODS	SUPPLIES	7.51
POOL	A H HERMEL CANDY & T	MERCHANDISE	1,481.16
POOL	PAMIDA	SUPPLIES	74.54
POOL	DENNIS L. RICK LTD	AUDIT SERVICE	500.00
POOL	RECREATION SUPPLY CO	SUPPLIES	54.26
POOL	RUNNING'S SUPPLY	MAINTENANCE	6.70
POOL	SATELLITE COMPUTER S	MAINTENANCE	26.00
POOL	SCHWALBACH HARDWARE	MAINTENANCE	252.75
POOL	WATER SPECIALTY OF M	POOL VAC FILTERS	132.48
POOL	BETTY OLSON	SWIM SUIT	43.99
	Total for Department 175		3,759.46*
	Total for Fund 12		8,554.46*
AMBULANCE	COTTONWOOD CO TREASU	DISPATCHING	200.00
AMBULANCE	EMERGENCY MEDICAL PR	SUPPLIES	251.78
AMBULANCE	WINDOM AUTO VALU	MAINTENANCE	12.19
AMBULANCE	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	5.78
AMBULANCE	MIDWEST WIRELESS	TELEPHONE	90.24
AMBULANCE	QUEST	TELEPHONE	57.51
AMBULANCE	ROBIN PAPLOW	MILEAGE	305.55
AMBULANCE	DENNIS L. RICK LTD	AUDIT SERVICE	500.00
AMBULANCE	PAULA RAVERTY	EXPENSE	15.57
AMBULANCE	SCHWALBACH HARDWARE	MAINTENANCE	5.31
AMBULANCE	VET'S WHOA N'GO	GAS	1,105.50
AMBULANCE	WINDOM AREA HOSPITAL	SERVICE	1,197.55
AMBULANCE	ZOLL MEDICAL CORPORA	SUPPLIES	637.19
	Total for Department 176		4,384.17*
	Total for Fund 13		4,384.17*
MULTI-PURPOSE BUILDI	COLE PAPER INC.	SUPPLIES	72.42
MULTI-PURPOSE BUILDI	WASTE MANAGEMENT OF	HAUL GARBAGE	105.30
MULTI-PURPOSE BUILDI	DAN'S OFFICE SUPPLY	SUPPLIES	37.28
MULTI-PURPOSE BUILDI	GORDY'S FOODS	SUPPLIES	30.60
MULTI-PURPOSE BUILDI	HY-VEE FOOD STORE	MERCHANDISE	25.93
MULTI-PURPOSE BUILDI	KDOM RADIO	ADVERTISING	133.60
MULTI-PURPOSE BUILDI	MIDWEST WIRELESS	TELEPHONE	12.42
MULTI-PURPOSE BUILDI	MN DEPT OF ADMINISTR	TELEPHONE	20.27
MULTI-PURPOSE BUILDI	PRAXAIR DISTRIBUTION	SERVICE	25.54
MULTI-PURPOSE BUILDI	DENNIS L. RICK LTD	AUDIT SERVICE	300.00
MULTI-PURPOSE BUILDI	RUNNING'S SUPPLY	MAINTENANCE	293.23
MULTI-PURPOSE BUILDI	SCHWALBACH HARDWARE	MAINTENANCE	191.91
MULTI-PURPOSE BUILDI	STONER INDUSTRIAL, I	SERVICE	83.94
	Total for Department 177		1,332.44*

CITY OF WINDOM  
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
Total for Fund 14			1,332.44*
SCDP	DENNIS L. RICK LTD	AUDIT SERVICE	100.00
Total for Department 163			100.00*
Total for Fund 17			100.00*
LIQUOR	ADVERTISING PRODUCTS	BAGS	864.58
LIQUOR	ENVIROMASTER, INC.	SERVICE	78.82
LIQUOR	CITIZEN PUBLISHING C	ADVERTISING	117.80
LIQUOR	COCA-COLA ENTERPRISE	MERCHANDISE	760.80
LIQUOR	CULLIGAN	SERVICE	6.95
LIQUOR	WASTE MANAGEMENT OF	HAUL GARBAGE	54.76
LIQUOR	DAN'S OFFICE SUPPLY	SUPPLIES	69.91
LIQUOR	A H HERMEL CANDY & T	MERCHANDISE	950.54
LIQUOR	GENE LENNING	SUPPLIES	166.91
LIQUOR	MN MUNICIPAL BEVERAG	DUES	925.00
LIQUOR	PEPSIAMERICAS	MERCHANDISE	161.75
LIQUOR	DENNIS L. RICK LTD	AUDIT SERVICE	900.00
LIQUOR	S&K LINES	FREIGHT	694.20
LIQUOR	SCHWALBACH HARDWARE	MAINTENANCE	58.51
LIQUOR	ZIESKE LAND SURVEYIN	SERVICE	600.00
Total for Department 180			6,410.53*
Total for Fund 60			6,410.53*
HD SUPPLY WATERWORKD MAINTENANCE			20.82
Total for Department			20.82*
WATER	BRAUN PUMP & CONTROL	SERVICE	1,667.55
WATER	CITIZEN PUBLISHING C	ADVERTISING	132.38
WATER	COTTONWOOD CO TREASU	DISPATCHING	100.00
WATER	DAN'S OFFICE SUPPLY	PAPER	59.64
WATER	HAWKINS WATER TREATM	CHEMICALS	6,774.56
WATER	GORDY'S FOODS	SUPPLIES	24.41
WATER	IONWARE	HANDHELD UPDATES	79.12
WATER	MCDONALD & SCHRAMEL	LEGAL FEES	27.00
WATER	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	5.78
WATER	MN VALLEY TESTING	TESTING	56.25
WATER	QUEST	TELEPHONE	57.51
WATER	DENNIS L. RICK LTD	AUDIT SERVICE	500.00
WATER	RUNNING'S SUPPLY	MAINTENANCE	22.32
WATER	SCHWALBACH HARDWARE	MAINTENANCE	14.89
WATER	HD SUPPLY WATERWORKD	MAINTENANCE	689.10
WATER	USA BLUE BOOK	MAINTENANCE	48.74
Total for Department 181			10,259.25*
Total for Fund 61			10,280.07*
BORDER STATES ELECTR MAINTENANCE			2,367.20

CITY OF WINDOM  
 FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
	DAKOTA SUPPLY GROUP	MAINTENANCE	851.66
	SCHWALBACH HARDWARE	MAINTENANCE	266.24
	SECR REV FUND/CITY O	REFUNDS-UTILITY PREPAYME	375.00
	SOUTHERN MINN CONSTR	PAVING	12,818.40
	WERNER ELECTRIC	MAINTENANCE	275.31
	WESCO DISTRIBUTION,	MAINTENANCE	1,119.94
	WINDOM READY MIX	MAINTENANCE	71.36
	TARA GRAMSTAD	REFUND - UTILITY PREPAYM	125.00
	Total for Department		18,270.11*
ELECTRIC	CITIZEN PUBLISHING C	ADVERTISING	231.68
ELECTRIC	COLE PAPER INC.	SUPPLIES	148.58
ELECTRIC	COTTONWOOD COUNTY LA	GARBAGE	10.00
ELECTRIC	COTTONWOOD CO TREASU	DISPATCHING	187.50
ELECTRIC	WASTE MANAGEMENT OF	HAUL GARBAGE	78.72
ELECTRIC	DAKOTA SUPPLY GROUP	MAINTENANCE	4,792.50
ELECTRIC	DAN'S OFFICE SUPPLY	PAPER	59.64
ELECTRIC	DITCH WITCH OF MN	SERVICE	174.79
ELECTRIC	DUECO, INC.	SERVICE	509.94
ELECTRIC	GDF ENTERPRISES, INC	MAINTENANCE	450.06
ELECTRIC	IONWARE	HANDHELD UPDATES	79.13
ELECTRIC	KDOM RADIO	ADVERTISING	227.40
ELECTRIC	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	5.78
ELECTRIC	MAY ENGINEERING	MAINTENANCE	536.00
ELECTRIC	MESSER MACHINE & MFG	MAINTENANCE	11.62
ELECTRIC	MN DEPT OF COMMERCE	ASSESSMENT	596.23
ELECTRIC	MN MUNICIPAL UTILITI	REGISTRATION	25.00
ELECTRIC	QUEST	TELEPHONE	57.51
ELECTRIC	DENNIS L. RICK LTD	AUDIT SERVICE	1,000.00
ELECTRIC	RUNNING'S SUPPLY	MAINTENANCE	356.36
ELECTRIC	SCHWALBACH HARDWARE	MAINTENANCE	54.81
ELECTRIC	SKARSHAUG TESTING LA	MAINTENANCE	127.90
ELECTRIC	STONER INDUSTRIAL, I	SERVICE	67.96
ELECTRIC	VET'S WHOA N'GO	GAS	15.07
ELECTRIC	DEPARTMENT OF ENERGY	POWER COST	70,051.58
ELECTRIC	WINDOM AREA DEVELOPM	INDUSTRIAL DEVELOPMENT	1,200.00
ELECTRIC	WINDOM READY MIX	MAINTENANCE	79.34
ELECTRIC	WINDOM TOWING CO	TIRES	202.35
ELECTRIC	ZIEGLER, INC.	MAINTENANCE AGREEMENT	500.00
	Total for Department 182		81,837.45*
	Total for Fund 62		100,107.56*
SEWER	A & B BUSINESS EQUIP	MAINTENANCE CONTRACT	59.62
SEWER	ANALYTICAL PRODUCTS	SERVICE	221.00
SEWER	BALMAC, INC	MAINTENANCE	303.00
SEWER	CITIZEN PUBLISHING C	ADVERTISING	9.38
SEWER	COTTONWOOD CO TREASU	DISPATCHING	100.00
SEWER	WASTE MANAGEMENT OF	HAUL GARBAGE	79.09
SEWER	DAN'S OFFICE SUPPLY	PAPER	59.64

CITY OF WINDOM  
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
SEWER	DAN'S OFFICE SUPPLY	SUPPLIES	68.11
SEWER	DICKS WELDING	MAINTENANCE	15.83
SEWER	ERICKSON OIL CO	GAS	72.20
SEWER	HAWKINS WATER TREATM	CHEMICALS	881.29
SEWER	GRUNEWALD GRAVEL	SERVICE	200.00
SEWER	WINDOM AUTO VALU	MAINTENANCE	29.96
SEWER	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	5.77
SEWER	MN VALLEY TESTING	TESTING	2,555.30
SEWER	NORTH SHORE ANALYTIC	TESTING	125.00
SEWER	QUEST	TELEPHONE	439.20
SEWER	DENNIS L. RICK LTD	AUDIT SERVICE	500.00
SEWER	RUNNING'S SUPPLY	MAINTENANCE	110.60
SEWER	SOUTHERN MINN CONSTR	PAVING	2,081.45
SEWER	SUNSHINE FILTERS OF	MAINTENANCE	479.80
SEWER	SALES TECHNOLOGY, IN	MAINTENANCE	105.45
	Total for Department 183		8,501.69*
	Total for Fund 63		8,501.69*
ARENA	AMERIPRIDE LINEN CO	SERVICE	61.94
ARENA	AL BALOUN	PETTY CASH	150.00
ARENA	COCA-COLA ENTERPRISE	MERCHANDISE	70.50
ARENA	WASTE MANAGEMENT OF	HAUL GARBAGE	144.23
ARENA	A H HERMEL CANDY & T	MERCHANDISE	131.14
ARENA	WINDOM AUTO VALU	MAINTENANCE	1.80
ARENA	KDOM RADIO	ADVERTISING	66.50
ARENA	LAMPERTS YARDS, INC.	MAINTENANCE	367.41
ARENA	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	5.77
ARENA	MAXIMUM SOLUTIONS, I	SERVICE AGREEMENT	379.88
ARENA	MESSER MACHINE & MFG	MAINTENANCE	368.54
ARENA	PETERSON FEED	WOOD CHIPS	4,814.00
ARENA	DENNIS L. RICK LTD	AUDIT SERVICE	500.00
ARENA	RUNNING'S SUPPLY	MAINTENANCE	78.23
ARENA	SCHWALBACH HARDWARE	MAINTENANCE	210.34
ARENA	STONER INDUSTRIAL, I	SERVICE	9.52
ARENA	VET'S WHOA N'GO	GAS	335.91
	Total for Department 184		7,695.71*
	Total for Fund 64		7,695.71*
	SECR REV FUND/CITY O REFUNDS-CONVERTER		240.00
	Total for Department		240.00*
	Total for Fund 65		240.00*
	DAN'S OFFICE SUPPLY	EQUIPMENT	231.40
	DEFRIES COLLISION CE	PAINT FILE CABINETS	351.00
	Total for Department		582.40*
ECONOMIC DEVELOPMENT	BRADLEY & DEIKE, P.A	PROFESSIONAL SERVICE	120.00

CITY OF WINDOM  
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
ECONOMIC DEVELOPMENT	CITIZEN PUBLISHING C	ADVERTISING	330.70
ECONOMIC DEVELOPMENT	DAN'S OFFICE SUPPLY	SUPPLIES	64.85
ECONOMIC DEVELOPMENT	DAVIS TYPEWRITER	MAINTENANCE	51.05
ECONOMIC DEVELOPMENT	HEARTLAND TECHNOLOGY	BILLING SYSTEM FIRE WALL	40.00
ECONOMIC DEVELOPMENT	HOLT ELECTRIC	SERVICE	85.65
ECONOMIC DEVELOPMENT	MCDONALD & SCHRAMEL	LEGAL FEES	711.00
ECONOMIC DEVELOPMENT	DENNIS L. RICK LTD	AUDIT SERVICE	1,500.00
ECONOMIC DEVELOPMENT	ZIESKE LAND SURVEYIN	SERVICE	2,536.00
	Total for Department 187		5,439.25*
	Total for Fund 67		6,021.65*
	CARL A DE JONGH	EQUIPMENT	2,734.65
	ODDSON UNDERGROUND	BORING	7,347.50
	ZIESKE LAND SURVEYIN	SERVICE	120.00
	TARA GRAMSTAD	REFUND - CABLE	1.65
	TERI ZORBIST	REFUND - CABLE	.58
	JILL BENTS	REFUND - CABLE	1.31
	Total for Department		10,205.69*
TELECOMMUNICATIONS	BUDCO	SUPPLIES	1,023.10
TELECOMMUNICATIONS	CITIZEN PUBLISHING C	ADVERTISING	28.11
TELECOMMUNICATIONS	COLE PAPER INC.	SUPPLIES	72.42
TELECOMMUNICATIONS	WASTE MANAGEMENT OF	HAUL GARBAGE	70.20
TELECOMMUNICATIONS	DAN'S OFFICE SUPPLY	PAPER	178.92
TELECOMMUNICATIONS	DAN'S OFFICE SUPPLY	SUPPLIES	13.83
TELECOMMUNICATIONS	ELECTRIC FUND	SUPPLIES	100.05
TELECOMMUNICATIONS	FEDER MECHANICAL	MAINTENANCE	671.50
TELECOMMUNICATIONS	GLOBAL GOV'T/EDUCATI	COMPUTER HARDWARE	506.99
TELECOMMUNICATIONS	GORDY'S FOODS	SUPPLIES	66.08
TELECOMMUNICATIONS	HEARTLAND TECHNOLOGY	ISP PREPAY SUPPORT CONTR	1,500.00
TELECOMMUNICATIONS	KDOM RADIO	ADVERTISING	482.00
TELECOMMUNICATIONS	M&G DISTRIBUTORS	MAINTENANCE	60.00
TELECOMMUNICATIONS	NEW STAR SALES & SER	COPIER MAINTENANCE	30.00
TELECOMMUNICATIONS	ODDSON UNDERGROUND	BORING	4,545.00
TELECOMMUNICATIONS	RUNNING'S SUPPLY	MAINTENANCE	41.24
TELECOMMUNICATIONS	SCHWALBACH HARDWARE	MAINTENANCE	261.22
TELECOMMUNICATIONS	SIJAMBO CAFE	EXPENSE	41.32
TELECOMMUNICATIONS	STONER INDUSTRIAL, I	SERVICE	38.14
TELECOMMUNICATIONS	WELCH & COMPANY LLP	SERVICE	25.00
TELECOMMUNICATIONS	WINDOM AREA CHAMBER	LAUNDRY TABLECLOTHS	11.00
TELECOMMUNICATIONS	WINDOM BAKERY	EXPENSE	70.82
TELECOMMUNICATIONS	WINDOM QUICK PRINT	CONNECTION	1,957.20
TELECOMMUNICATIONS	WOODSTOCK TELEPHONE	SERVICE	186.67
TELECOMMUNICATIONS	ABP INTERNATIONAL, I	PHONE ADAPTER & EQUIPMEN	370.11
TELECOMMUNICATIONS	E & C GRAPHICS INC.	MAINTENANCE	95.85
TELECOMMUNICATIONS	LOCKRIDGE GRINDAL NA	PROFESSIONAL SERVICE	2,838.13
TELECOMMUNICATIONS	TARA GRAMSTAD	REFUND - CABLE	25.42
TELECOMMUNICATIONS	TERI ZORBIST	REFUND - CABLE	12.69
TELECOMMUNICATIONS	JILL BENTS	REFUND - CABLE	20.09

CITY OF WINDOM  
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
-----			
		Total for Department 199	15,343.10*
		Total for Fund 69	25,548.79*
		Grand Total	235,806.39*

# OFFICE OF COTTONWOOD COUNTY ASSESSOR

---

900 THIRD AVENUE, WINDOM, MN 56101

(507)-831-2458

**GALE BONDHUS, SAMA**  
COUNTY ASSESSOR

LISA WILL, CMA  
APPRAISER

JEAN GODE, CMA  
APPRAISER

SUSAN AMUNDSON  
OFFICE MANAGER

July 5, 2007

TO: Township Supervisors, City Council Members

RE: Local Board of Equalization Training

The Minnesota Association of Townships will be holding Local Board of Equalization training for township supervisors during their annual 2007 workshops. In our area those include Tuesday, July 10<sup>th</sup> at the Best Western Inn in Marshall, and Wednesday, July 11<sup>th</sup> at the Country Inn Suites in Mankato.

For city council members and township supervisors unable to attend the above training sessions, there are three dates tentatively set up in September. Those dates are Tuesday, September 5, Wednesday, September 6, and Tuesday, September 11. I will send a letter to all city clerks and township clerks informing you of the dates, times, and locations when confirmed.

Please contact my office if you have any questions.

Sincerely,



Gale Bondhus  
County Assessor

RISK MANAGEMENT INFORMATION  
**ELECTRONIC COMMUNICATIONS  
BETWEEN COUNCIL MEMBERS**

E-mail correspondence can be an unintentional conduit for city officials to violate the Minnesota Open Meeting Law. This memo outlines some points elected officials and members of city committees and boards should be aware of to avoid inadvertently violating the Open Meeting Law.

***The Open Meeting Law***

Under the Minnesota Open Meeting Law, Minn. Stat. §13D, meetings of at least a quorum of the city council or one of its committees to discuss city business must be publicized and open to the public, subject to a few exceptions. A primary purpose of the law is to make sure information and deliberations about city business are available to the public.

The law applies to any discussion about city business, not just voting or official actions, and to any gathering of a quorum of the council or committee. In most cities a quorum is three or more council or committee members.

It's easy to imagine situations where a quorum might gather – coffee at the local café, pre- or post-meeting discussions, a wedding reception or community celebration are all common spots for councilmembers to meet. There are also some not-so-obvious ways a quorum might meet, for instance in a serial meeting – imagine Council Member A talks to Council Member B, B talks to Council Member C, and C talks to A. Another is through written correspondence, or through telephone conference calls. Any of these scenarios would create an open meeting concern if the group discussed city business.

Violating the open meeting law carries with it penalties including personal liability for up to \$300 per occurrence and forfeiture of office for officials who intentionally violate the law three times. Reasonable costs and attorney fees can also be awarded if the court finds specific intent to violate the law.

***Electronic communications and the Open Meeting Law***

The Minnesota Open Meeting Law has a number of tricky aspects, not the least of which results from increasing reliance on e-mail communication between council or committee members.

E-mail makes a serial meeting easier by allowing council or committee members to forward messages from one person to the next. Imagine one Council Member e-mailing another to suggest

This material is provided as general information and is not a substitute for legal advice.  
Consult your attorney for advice concerning specific situations.

the pros and cons of a particular city decision. The recipient forwards the e-mail to another Council Member, along with his or her own comments and interpretations.

Even if the last Council Member to receive the e-mail doesn't reply to either the originator or the Council Member who forwarded the message, the three members have still discussed city business outside a public forum. A violation could be found where serial e-mailing is used to reach a decision.

Many cities are moving toward electronic meeting packets for councils and committees, often sent via e-mail attachments. This sort of one-way distribution of information is fine in terms of the Minnesota Open Meeting Law, remembering that any materials relating to the agenda items of a meeting distributed to members must also be made available to the public as well.

City officials should start to get concerned, though, when one or more Council Members use the "reply to all" feature in e-mail to respond to the content of the meeting materials, or otherwise begin a discussion by e-mail about the packet. This can begin to look a lot like non-public discussion of city business.

### *Suggestions*

One suggestion is that Council Members never communicate to one-another using e-mail, but instead treat e-mail only as a way to receive information from the city clerk or administrator. If a Council Member has information to share via e-mail with the rest of the group, he or she might send it to the clerk and ask for it to be distributed from the clerk to everyone else (by e-mail or in paper form).

Using the clerk as the clearinghouse for information distribution is probably a safer alternative than having Council Members communicate directly, although it doesn't completely eliminate concerns about violating the open meeting law. Even this clearinghouse concept could provide opportunity for three or more Council Members to exchange opinions about city business, so it's important that the city clerk be aware of and watch for possible issues. Finally, this model would still present problems in Standard Plan cities, where the clerk is also a member of the council.

If Council Members are engaged in direct e-mail discussions, it's probably best to limit it to only two members. A "no forwarding and no copying" rule might be a good way to make sure the Minnesota Open Meeting Law isn't unintentionally violated through e-mail conversation.

Finally, be careful when Council Members participate in a listserv or any chatroom sort of forum. Because these distribution lists may include a quorum of your council, one Council Member's comments on the listserv will be viewed by other members. If the topic has to do with city business and another Council Member replies to the listserv, it could prove problematic under the Minnesota Open Meeting Law.

Again, the city might consider a “no reply” sort of rule when it comes to these resources, or perhaps have Council Members send ideas for postings or responses to the city clerk or administrator to manage. Remember, too, that official city committees are subject to the same open meeting requirements and should be similarly educated about correct e-mail use.

Regardless of precautions, there may be times when Council Members find themselves accused of violating the Minnesota Open Meeting Law, perhaps having unintentionally engaged in one of these sorts of conversations. One way to diffuse some concern is to immediately release copies of all e-mail correspondence to anyone who wants to see it. While this doesn't negate the possible violation, it shows good faith and lack of specific intent to violate the law.

***Draft guidelines for electronic communications between Council Members***

Cities might decide to develop policies clarifying appropriate or preferred email use by and between Council Members. Even if a city doesn't formally adopt a policy, the guidelines here might be helpful for any elected official or city board member to follow.

The purpose of these draft guidelines is to suggest how members of city councils and other city committees might communicate via email and electronic means. A city should review these draft guidelines along with its normal operating procedures, consult with the city attorney and determine the best course of action.

**Guidelines for  
Electronic Communications between Council Members  
in the City of \_\_\_\_\_**

These guidelines apply to all members of the city council and all members of council and city committees, commissions, sub-committees, etc. in the City of \_\_\_\_\_.

For purposes of these guidelines, reference to Council Members includes members of all other city committees and groups subject to the Open Meeting Law. Reference to the council shall include all such groups and meetings.

For purposes of these guidelines, “electronic means” means e-mail, instant messaging, chat rooms, and related electronic conversation.

For purposes of these guidelines, “city clerk” means the city clerk, manager, administrator or his / her designee.

These guidelines apply regardless of whether the Council Member is using a city-provided e-mail address and account, his/her personal e-mail address or account, or one provided by his/her employer.

Meeting materials

Electronic communication of meeting materials should generally be conducted in a one-way communication from the city clerk to the council.

- Council Members may receive agenda materials, background information, and other meeting materials via e-mail attachment or other electronic means (such as file sharing) from the city clerk.

- If a Council Member has questions or comments about materials received, s/he should inquire via electronic means directly back to the city clerk. A Council Member should not copy other committee members on his/her inquiry.
- If the clarification is one of value to other Council Members, the city clerk may send follow-up materials or information to the council.

Materials relating to agenda items of a meeting must also be made available to the public at the meeting.

#### Communication during council meetings

- Council Members should not communicate with one another via electronic means during a public meeting.
- Council Members should not communicate with any member of city staff via electronic means during a public meeting.
- Council Members are encouraged not to communicate with the public via electronic means during a public meeting.

#### Communication outside of council meetings

- Council Members should generally act with caution when using electronic means to communicate with one another, being mindful of the Minnesota Open Meeting Law.
- If a Council Member wishes to share information with other members, s/he should do so through the city clerk. The Council Member may request the city clerk distribute materials to others. The communication should not invite response to or discussion between any Council Members, including replies to the person making the distribution request. This should be considered a method for providing one-way information to other members of the council. Again remember that materials relating to agenda items for city business must be provided to the public at the meeting.
- If a Council Member wishes to address only one other member through electronic means on any topic related to city business, s/he can do so directly, but should be mindful of the following:
  - One-to-one communication is ideal.

- The recipient of an electronic message or inquiry should reply only to the sender, should not copy others on the reply and should not forward the original e-mail to other Council Members.
- The sender of an electronic message should not forward or copy the recipient's reply to any other Council Member.
- If a Council Member receives an electronic communication from any source related to city business and distributed to multiple Council Members (i.e. an e-mail sent to the entire council from a member of the public; or an e-mail sent to three Council Members from a local business), s/he should reply only to the sender. The reply should not be copied to all on the original distribution or forwarded to any other Council Member.
- If a Council Member receives listserv distributions, electronic newsletters, or participates in electronic discussion forums where other Council Members are also likely to participate (such as chat rooms), the Council Member should not reply to any distribution or comment so that the reply is copied to the entire distribution group, or any part of the group that might include other Council Members. The Council Member should instead respond only to the sender of any message or inquiry.

#### Classification and Retention of electronic communications

- Regardless of whether electronic communication by a Council Member is taking place on a city-provided computer, home computer or other computer system, classification of information as public, private or other is governed by the Minnesota Government Data Practices Act (Minn. Stat. Chapt. 13) and should be treated accordingly.
- Council Members should retain electronic communications in keeping with city policies and procedures, whether such communication takes place on a city-provided computer, home computer or other computer system.

Ann Gergen 12/04