

**City Council Meeting
Tuesday, May 20, 2008
City Council Chambers
7:30 p.m.
AGENDA**



Call to Order
Pledge of Allegiance

1. Approval of Minutes
 - Council Minutes – May 6, 2008 & May 12, 2008
2. Consent Agenda
 - Receipt of Board & Commission Minutes
 - Street Committee – May 9, 2008
 - EDA Commission - May 12, 2008
 - Park & Recreation Commission – May 12, 2008
 - Telecommunication Commission – May 13, 2008
 - Library Board – May 13, 2008
 - P & Z Commission – May 13, 2008
 - Correspondence
 - Kermit Lillegaard – Parking on 16th Street
3. Department Heads
4. Planning Commission Conditional Use Recommendation – 375 River Bluff Drive
5. Resolution Designating Property for Economic Development Purposes
6. License Applications
 - Exempt Permit - Windom Youth Hockey Association
 - August 23, 2008
 - February 7, 2008
 - Dance Permit – Windom Lion’s Club – June 14, 2008 - Riverfest
 - Temporary Liquor License – Windom Lion’s Club
 - June 14 & 15, 2008 – Riverfest
 - June 21, 2008 – Community Center
7. Pool Manager Contract
8. Resolution to Close UHF Fund & Residual Equity Transfer
9. Regular Bills
10. Unfinished Business
11. New Business
12. Council Concerns



Adjourn

P.O. Box 38 • 444 Ninth Street • Windom, MN 56101 • Phone 507-831-6129 • FAX 507-831-6127

Council Meeting
Windom City Hall, Council Chamber
May 12, 2008
4:30 p.m.

1. Call to Order: The meeting was called to order by Mayor Tom Riordan at 4:30 p.m.

2. Roll Call: Mayor: Tom Riordan

Council Members: Jean Fast, Kirby Kruse, Robert Messer and
Bradley Powers

Council Members Absent: JoAnn Ray

City Staff Present: Steve Nasby, City Administrator and
Brigitte Olson, Assistant City Administrator

Public Present: (Signed-in)

3. Pledge of Allegiance

4. Board of Review:

Mayor Riordan welcomed everyone attending the meeting.

Gayle Bondhus and Lisa Will were present representing the Cottonwood County Assessor's Office. Bondhus said that the valuations are based on sales data and the time period used was October 1, 2006 to September 30, 2007 and this period is set by state law. She stated that there were 61 sales that counted towards the calculations. The State requires valuations to be between 90 – 105 percent. She said that Windom's tax valuations were about 88 percent, so to make the adjustment up into the State range she adjusted values city-wide by about 5.9 percent as she generally aims for a 95 percent figure. By keeping at 95 percent it provides a hedge against large movements up or down in tax valuations. She noted that the 5.9 percent general increase did not include additions if a property had new construction or improvements.

Riordan gave an overview of the procedure and informed that the person's wishing to appeal the valuations must sign-in. He said that the Council would listen to everyone first, take a short recess and then re-convene to consider each tax valuation being appealed individually.

Raymond Shelstad – #25-352-0560 – 649 Drake Avenue

Shelstad said that his value went up 25% since 2006 and inquired why the large increase. Will said that there was a \$3,800 raise due to the property being undervalued when compared to similar properties. Also the property's economic age was estimated to be 1971 vs. 1957 as the property is well maintained.

Shirley Grant -- #25-675-0230 – 883 Fairview Lane

Grant said that her value went up \$44,300 over six years and the only improvement was siding. Riordan asked what the 2008\09 increase was on the property. Grant said it rose from \$158,700 to \$168,300. Will said that the increase was about 6%.

Powers asked if the siding is an improvement that adds value. Bondhus said that "yes" it did and there is a schedule of improvement that they work off.

Messer asked if the 5-6% increase here was the standard increase. Bondhus said that was correct.

Riordan asked what if a property did not increase the 5-6% what was the rationale for that situation. Bondhus said that may be a property had been over valued and then it would not have gotten the standard increase this year.

Delores Horkey -- #25-019-0402 – 2815 Cottonwood Lake Drive

Horkey reviewed a list of the amenities in the Community, two school referendums and the telecom system. She felt that taxes are too high to pay for all of these things. The new ball park added expense and there is discussion of a new pool. She said her valuation this year when up \$13,700 to \$242,600.

Riordan asked if the property was classified as lake front. Bondhus said that it was not, but there is a reduction because it is on a gravel road.

Phil Johnson #25-821-0830 – 812 20th Street

Johnson said that he built this house in 1998 for \$40,000 and the valuation is \$141,800 which is way out of line for a 4 bedroom, 2 bath house on a slab (no basement). He requests a valuation of no more than \$100,000.

Phil Johnson #25-617-0190 – 810 20th Street

Johnson said that this property had the homestead classification removed. He stated that he and his wife live there occasionally and his wife's family sometimes comes down. He feels the decision to take away homestead is an arbitrary ruling by Bondhus.

Dale Friesen -- #25-820-1080 – 350 10th Street

Friesen said that the property valuation went from \$72,300 to \$95,700 which is a 32.2% increase. The property was purchased in 2000 and had an appraised value of \$60,000. The property is commercial and split between office and retail.

Other buildings in town have been valued lower than his and the way his valuation was calculated was not based on comparison sales, but backed into through some market formula.

Riordan asked if there was a sale. Bondhus said in 2002 there were no businesses in the building and after that it was filled with retail and office. Recently the retail space was reduced and the office space was expanded. Riordan asked if the split remains office and retail. Bondhus said that was correct. Bondhus noted that the property had gotten a 15% reduction when there were no businesses in place.

Nancy Wepplo -- #25-164-0590 – 452 16th Street

Wepplo said that the property value went up 5-6% in the 1.5 years she has owned the property from \$52,400 to \$64,200. She said that the economy is in recession and now is not the time to raise the values and taxes. She said the only improvement is a new roof, which is maintenance not an improvement. Wepplo said that her staff typically gets a 2% raise at work and increasing property values by 5-6% will make it that much harder for people to keep up with bills.

Karen Brinkman – 741 River Road

Brinkman said that taxes relate to valuation and the value of her property is up 5 – 6%. It was built in 1999-2000 so no improvements have been made. If comparable sales are used to determine value then her neighbor's house is going up for sale soon at \$104,000 and Brinkman's property is being valued at \$228,000. Taxes need to be reduced.

Tod Quiring -- #25-022-5010 – 2721 Kalash Road

Quiring said that the home is newly constructed and the tax valuation was \$614,000. Bondhus said they considered the size of the home and quality of construction. Quiring said that MN statute 273.11 outlines property location, cost of construction, replacement cost, purpose, price which someone is willing to pay and price for similar properties as the methods for determining taxable valuation. No where does it say that value by square foot is used. Quiring said that the building permit was \$500,000 and the neighbor's house was valued at \$270,000 in 2006.

Riordan asked if the valuation included all the land. Bondhus said that there are 11 acres on this parcel and the house is on one acre and the other 10 acres are valued at \$2,500 per acre. Quiring said that he did not have a problem with the land valuation.

Tod Quiring -- #25-839-0065 – 1820 N. Redding Avenue

Quiring said that this is a commercial property and the value was \$514,000 last year and it is now over \$700,000.

Riordan asked if there were improvements. Quiring said that the office space was gutted and then doubled in size (2 floors) at a cost of about \$200,000.

Leo Wesdorf -- #25-794-0080 – 1815 Jamison Drive

Wesdorf said that his value was increased from \$196,100 to \$207,600 and he does not think that it would sell for that price. The housing market is down.

Riordan asked what percent the property was increased in value. Will said between 5.8 – 5.9%.

Eunice Erpestad -- #25-676-0080 – 813 Des Moines Drive

Erpestad noted the value was up more than the 5-6% as the value was up \$4,700. The property had new shingles in 2002. The property used to be on the river and now it is a slough. She lives on a fixed income and the taxes have gone up \$334.

Dan McDonald - signed in but was not present

Doug Westerman – 335 River Bluff Drive

Westerman said he understands the process and why the value increased. His property has gone up from \$103,000 to \$147,000 in the last 7 years.

Rich Elness -- #25-324-0050 – 625 22nd Street

Elness noted that many people in town are getting older and the higher taxes cause hardships. He asked what city around here has higher taxes. Bondhus said that the rate in Storden is nearly double. Elness said taxes are already too high and the City needs to carefully look into future projects before taking them on and consider the impact on the community. He said the valuation for his property went from \$192,700 to \$204,000 which is an increase of 5.8%.

Riordan asked Bondhus what the valuations did in other communities. Bondhus said that the valuations went down by 2% in Mt. Lake, were unchanged in Storden and Jeffers and were 5% lower in Westbrook. The reason for these lower numbers was that the homes selling in the period from October 2006 to September 2007 were selling for less than what property in Windom sold for.

Messer asked what law makes Windom increase the valuations. Bondhus said that the State requires valuations to be in a range of 90 – 105% based on property sales figures compared to tax valuations. In Windom the ratio was about 88% so it was lower than the State required range. She continued by saying if the valuations were placed 2% higher to meet the 90% minimum threshold there would be a risk that the number could be too low and the State would add on an additional 5% to the valuations. Messer clarified that the valuations could go down by about 3% and Windom could still meet the State minimum so he would be in favor of lowering all the valuations by 3%. Bondhus said that the law requires a reason for lowering the values and it has to be considered on each individual property and not a universal lowering of the values.

Dominic Jones -- #25-450-0100 – 1575 17th Street

Jones clarified that the previous discussion that the sales numbers for Windom showed that they were over the estimated values and the ratio has to be 90 – 105%. Bondhus said that was correct and this is why the estimated values had been increased by about 5%. Jones said that the sales numbers from the October 2006 to September 2007 time period are not reflective of the economy today. The estimated value on his property went up by about \$10,000 which he feels is too much. Jones said that taxes are another issue and more people need to be involved in those discussions.

Riordan said that all the budget meetings and work meetings are open to the public and the Council encourages people to attend the meetings and to provide input to the Council. He noted that often there are no members of the public that even come to the budget meetings.

Jones said that the taxes need to be based on a fair valuation.

Margaret Horkey -- #25-023-0300 – 1705 River Road

Horkey said that she has a small house on about 19 acres of property. Her statement showed the standard value increase of 5 – 6% but does not think the land should be valued too high as it is flood plain and it cannot be used for anything. Bondhus said the one acre with the house was valued at \$5,775 and the balance of 17.5 acres had a total value of \$5,850. Horkey said her valuation went from \$134,100 to \$140,400 which was about 5%.

Jim Englehorn -- #25-453-0060 – 1310 20th Street

Englehorn questioned why the value went up. Bondhus said that the value was based on similar lot prices per square foot and that the lot now had a paved road with curb and gutter versus a gravel street so it was more valuable. Englehorn asked how height or story area was calculated. Bondhus said that part is 2 stories with no basement and part is 1 story with no basement plus a garage. Englehorn said that calculation would double count some floor area. Bondhus said it counts the area as 150% of the square foot on one floor. Englehorn concurred that calculation would be correct. He thought the 5 – 6% increase in valuation seems like an annual event and this year the value went up from \$207,500 to \$219,500.

Jim Englehorn -- #25-164-0130 – 325 19th Street

Englehorn said the valuation went up 9% on this property and the only change was a re-shingled roof. Will said that she added \$2,300 to the value due to the changes. Englehorn asked what changes she referred to. Will said the grade of the property went down, but the roof was re-shingled so the effective age of the house went up thus causing a change in the valuation.

Gary Vanderwerf - signed in but was not present

Riordan asked if anyone else had signed in to address the Council's Board of Review meeting. Seeing none, he said that if anyone wanted to make follow-up statements they were welcome, but he asked that they be kept brief.

Delores Horkey said that she wanted to clarify that the property she was discussing which was valued at \$242,000 included her home, a warehouse, rural water shed and some extra land. Bondhus noted that the market value includes the rural water shed, but it is not taxed. Horkey said she concurs with that statement. She added that she lives on a gravel road and would like the City to oil the road to control dust like what is done in the County.

Dale Friesen said the value of improvement on his building for the office space expansion was reflected in the \$4,000 building permit value and he does not understand how that translates into a \$24,000 increase in tax valuation.

Phil Johnson asked Horkey if the \$242,000 valuation she referred to was for all of the properties. Horkey said "yes" it did. Johnson said that he would take the price the assessor estimated for the value on the house. He said that the shoe store downtown is now for sale at \$45,000 and that estimated tax value was \$48,000 so the estimated values are too high. He purchased Loopy's for \$28,000 and sold it for \$35,000, which is reflective of the downtown values. The taxes on his house were \$3,924 and that businesses will not pay high rates to come to Windom. He stated that follow-up also has to be done when there is a change in value so the owner knows what action occurred. Overall, the values are too high and must come down.

A representative for the Eunice Erpestad property asked if it is classified as river front and the taxes are way too high for elderly persons and those on fixed incomes. He added that the assessed value is higher than what he believes the market value is and that no improvements have been made to the property. Bondhus said the lot for this property was averaged to be 115' x 226'.

6:00 p.m. Mayor Riordan declared a 10 minute recess.

6:10 p.m. Mayor Riordan re-convened the meeting.

Riordan gave a brief overview of Minnesota Statute 273.11 and it does not appear to preclude the use of square footage as a measure to determine values. He clarified with Bondhus that local values are used when improvements are made and the improvement is based on an appraised value.

Fast asked if re-shingling a home was maintenance or an improvement and would maintenance add value. Bondhus said that re-shingling does not add value unless it is part of another improvement. Bondhus said that a higher grade of shingle would change the value because the quality is higher than what was in place.

Riordan noted that the valuations in Mt. Lake were down 2%. Bondhus said that their sales ratio was at 102% so the values were lowered, but when all the adjustments are included the valuation in Mt. Lake went down by .1%. She said that each town stands on its own sales numbers and is not compared from town to town. Windom's ratio was 89.7% and the standard change was 5.9% so the ratio would come out to 95.7% which is the close to the middle of the State's required range. By targeting 95% on the valuations it allows for a smoother trend of valuations year by year and avoids large swings up or down.

Riordan asked if the entire valuation could be lowered to make the ratio closer to 90%. Bondhus said she was 99% sure the State Department of Revenue would not allow that action as each property is to be looked at individually and comparatively. Riordan questioned why there can be a blanket increase why not a blanket decrease.

Riordan clarified for everyone that Windom's ratio was 89.7% overall and this was outside of the range and that State statute set the October 2006 to September 2007 time frame.

Messer commented that increasing the valuations now is unfair due to the timing of the sales information and the current state of the economy.

Bondhus said that the numbers cannot get any closer than what is proposed.

Riordan suggested the Council consider the properties in the same order as they were presented.

Raymond Shelstad #25-352-0560 – 649 Drake Avenue

Riordan asked why the prior year rates had not been adjusted to reflect the improvements that were made several years ago and the change is just showing up now. Will said that the previous appraiser may have missed it and the property had not had an on-site inspection since this year. Will added that the property did have a 5% reduction due to the size of the home.

Powers asked if the 25% increase was due to the improvements and not to the loss of some special homestead calculation. Bondhus said that was correct.

Motion by Powers, seconded by Kruse to leave the value as proposed.

Motion carried 3 – 1 (Messer)

Messer said the increase is too high. Riordan agreed and noted the increase is primarily due to the missed improvements.

Will said that this adjustment is needed to maintain fairness with similar properties. Bondhus said the change was from \$19,500 to \$22,400.

Riordan said that the value can only go up 15% then there is limited taxable value. Bondhus noted that this statement is correct.

Riordan said that the next step in the appeal is the County board. Shelstad said that he would appeal and contact Congressman Walz's office.

Shirley Grant -- #25-675-0230 – 883 Fairview Avenue

Motion by Messer, second by Fast to leave it as proposed. Motion carried 4 – 0.

Messer said that if the values city-wide were going up 5 – 6% to comply with the state requirements there is not a whole lot the Council can do to reduce the values. So, the Council needs to be as fair as possible to all properties.

Fast said that she agrees with the positions the property owners have presented but the State mandates much of this process and outcome.

Messer asked for the Mayor to call the question.

Delores Horkey -- #25-019-0402 – 2815 Cottonwood Lake Drive

Bondhus said the value went up 5.9%. \$202,300 for the house and \$39,400 for the warehouse.

Motion by Messer, second by Fast to leave it as proposed. Motion carried 4 – 0.

Riordan asked if the commercial values were flat? Bondhus said "yes", but some commercial land values were up due to sales and she named several transactions.

Messer asked if City sales were not included in the calculations why Bondhus mentioned the River Bend Center. Bondhus said that one was not included, but some EDA related transactions started some of the sales. For example, the EDA sold land to Ron Paplow. This sale was not included in the calculations, but Paplow sub-divided the land and re-sold it to other parties so those transactions counted.

Messer asked for the Mayor to call the question.

Terry Fredin said that he had a house for sale and the price is lower than the estimated market valuation and it is still unsold.

Phil Johnson #25-821-0830 – 812 20th Street

Bondhus said that the property had a 5.9% increase.

Riordan asked if the accessibility features in this property added value. Bondhus said that accessible features do add value, but the property grade is lower so it got a 5% reduction. Riordan noted that Johnson wanted the value lowered to \$100,000.

Motion by Powers, second by Kruse, to leave it as proposed. Motion carried 3 –1 (Messer).

Messer said the value seems too high and the property may have been over-valued last year. To add the standard increase to this property was too much.

Riordan said it is hard to adjust the value based on accessibility as there is likely an absence of comparable sales. Bondhus said that was correct, but they have tables with values to assist in valuation for these type of features. Riordan asked if there were any other features. Bondhus said the property had a garage.

Phil Johnson #25-617-0190 – 810 20th Street

Riordan asked for a clarification on the homestead rules. Bondhus said that one homestead is allowed for married couples and this is state law. Johnson said that the Council can change this and if it was not changed the Council would hear about it in the paper.

Powers asked if a family member could qualify for homestead. Bondhus said yes they could if it is a qualifying relative and the homestead requirements were met.

Riordan asked Bondhus how she picked which house got the homestead exemption. Bondhus said that the couple spends the majority of their time at Phil's house so that is the one.

Motion by Kruse, second by Fast, to leave the homestead exemption as determined by the County Assessor. Motion carried 4 – 0.

Dale Friesen -- #25-820-1080 – 350 10th Street

Bondhus provided the Council with a handout containing property information for downtown buildings and reviewed the information with the Council.

Riordan asked why the value went up 32%. Bondhus said it was the loss of the 15% credit she had previously provided to the property and due to the expansion of the office space and reduction of retail.

Riordan asked if the Council needed to come up with a corrected valuation. Bondhus said that is correct and provide a justification.

Messer said the building value was way off and he does not see the difference in value for using the space as retail or office.

Fast asked if there is a higher value on office space versus retail. Bondhus said that the value per square foot is higher for office space and this property expanded the number of square feet of use for office and reduced the retail square footage.

Motion by Messer, second by Fast, to reduce the valuation on the building by 25%. Motion tied 2 – 2 (Messer and Fast voting aye and Kruse and Powers voting nay). Mayor Riordan voted aye. Motion carried 3 – 2.

Riordan noted that a rational was needed for the adjustment.

Messer said that the increase was still 7% which was a little higher than what the standard 5 – 6% increase was within the community. Bondhus said this property is commercial not residential.

Messer said the valuation still needs to be realistic and this is more in line with the other properties downtown.

Riordan noted that the 25% reduction was on the value of the building only and not the land. Bondhus confirmed.

Nancy Wepplo -- #25-164-0590 – 452 16th Street

Motion by Fast, second by Kruse, to leave the valuation as proposed. Motion carried 4 – 0.

Riordan noted that the increase on this one was the standard increase.

Karen Brinkman – 741 River Road

Bondhus said the value went up 5.78% on this property.

Motion by Powers, second by Fast, to leave the valuation as proposed. Motion carried 4 – 0.

Tod Quiring -- #25-022-5010 – 2721 Kalash Road

Riordan said that this is new construction and the building permit value was \$500,000.

Messer asked how the Building Department came up with that value. Quiring said that he did not know. Bondhus said that a State table of building values is used.

Quiring stated that one other newly built house by Woody Johnson had a \$400,000 building permit value and a tax valuation of \$303,000 which is about 25% less.

Messer said that the value on the land was too high. Fast said she thought Quiring did not have an issue with the land value. Quiring said the land value was okay with him.

Riordan said the house value was \$572,000 and asked Bondhus how this number was calculated. Bondhus said they used quality of construction measures and the size which is 5,792 square feet.

Riordan asked if it was all finished space. Quiring said that not all was finished and that is used as storage.

Fast said the value on this house is much higher than others in Windom. Bondhus agreed and said the value for Windom is different than in other cities and possibly this property could have an “over built” factor which would reduce the value.

Motion by Messer, second by Fast, to lower the total valuation for everything to \$390,000. Motion failed 0 – 4.

Riordan said the total valuation was \$624,700, but the limited market value for taxes would be \$610,000.

Fast thought the land should be pulled out and the value of the house should be done separately. Messer asked if that was possible. Bondhus said “yes”.

Messer said the value for the land is about \$52,500. Bondhus confirmed.

Quiring said he would sell the property for \$600,000.

Motion by Messer to have the land at \$52,500 and the house at \$370,000. Motion died for lack of a second.

Motion by Powers, second by Fast, to have the land value at \$52,500 and the house value at \$400,000. Motion passed 3 – 1 (Kruse).

Fast said the rationale for lowering the house value was that the permit was for \$500,000 and the \$400,000 value is then similar to what was on Johnson’s house.

Tod Quiring -- #25-839-0065 – 1820 N. Redding Avenue

Quiring said he purchased the building for \$525,000 and added some office space, but the valuation is now \$699,800. The building permit was for \$178,700 for the

new offices, but he also gutted the existing offices which would have lowered the value.

Fast asked for confirmation on the numbers. Bondhus said the building permit was for \$189,600.

Messer said the City's spec building is similar and is valued at much less per square foot.

Motion by Messer, second by Powers, to drop the valuation to \$600,000 which leaves the land at \$68,900 and the building value at \$531,100. Motion carried 4 –0.

Fast said that the increase in the land and building improvements is still 14% and that the building value was consistent with other properties up in that area.

Leo Wesdorf -- #25-794-0080 – 1815 Jamison Drive

Riordan said this appeared to have the standard increase.

Motion by Messer, second by Fast, to leave the valuation as proposed. Motion carried 4 – 0.

Eunice Erpestad -- #25-676-0080 – 813 Des Moines Drive

Fast asked if the roof work on this property was part of the added valuation. Will said "no" as there was not an on-site review of this property.

Riordan noted that part of the valuation is location and this is in a higher value area as compared to east hill.

Messer said this was a little less of an increase than some other properties.

Fast said the Council needs to be fair to all properties.

Erpestad said that tax increases are not fair to people on fixed incomes.

Riordan asked about updates. Will said the effective age of the property was upgraded to 1969 versus the built date of 1958 as the property has been well maintained.

Bondhus said there was a comparable sale and the number is close.

Riordan said the increase was within the standard range.

**Motion by Powers, second by Kruse, to leave the valuation as proposed.
Motion carried 3 – 0 (Messer absent).**

Doug Westerman – 335 River Bluff Drive

Will said the valuation is up 5.7%.

Riordan said this was the standard amount.

**Motion by Powers, second by Kruse, to leave the valuation as proposed.
Motion carried 3 – 0 (Messer absent).**

Rich Elness -- #25-324-0050 – 625 22nd Street

Elness said this is not about values as much as it is about taxes and the City should lower spending. He asked why the values were not set just at the 90% level to comply with the State requirements.

Bondhus said that an across the board reduction cannot be done, each property has to be considered individually. She aims for a 95% ratio.

Riordan confirmed that the date range used for the sales data is set by State law. Bondhus said that is correct.

Elness said that the City needs to take a look at these policies and spending.

Riordan encouraged Elness and others to come to the budget meetings.

Messer said the taxes are compromised of more than just the City. There are the County, school district and miscellaneous levies.

Elness said all property should not just automatically go up 5.9% and the amount of increase could have been lower.

Bondhus again reviewed the sales data.

Motion by Fast, second by Kruse, to leave the valuation as proposed. Motion carried 4 – 0.

Dominic Jones -- #25-450-0100 – 1575 17th Street

**Motion by Powers, second by Fast, to leave the valuation as proposed.
Motion carried 4 – 0.**

Margaret Horkey -- #25-023-0300 – 1705 River Road

Motion by Messer, second by Powers, to leave the valuation as proposed. Motion carried 4 – 0.

Jim Englehorn -- #25-453-0060 – 1310 20th Street

Riordan said the increase was in the 5 – 6% range, which was standard and this property went from \$207,500 to \$219,500.

Motion by Fast, second by Kruse, to leave the valuation as proposed. Motion carried 4 – 0.

Jim Englehorn -- #25-164-0130 – 325 19th Street

Riordan said that the increase was about 9%, which was due to the standard increase and a change in shingles.

Fast asked why effective ages are changed when there are no improvements made to a property. Bondhus said if a condition of the house is good and it is well maintained then the effective age is upgraded.

Riordan asked about the re-shingling. Why would this add value if the shingles were replaced. Bondhus said that the replacement shingles were of a higher grade than what was on the house. Riordan asked how they determine that information. Bondhus said visually either in person or by a photograph.

Motion by Fast, second by Messer, to lower the valuation on the building from \$67,800 to \$65,400 because the re-roofing was not proven to add value. Motion carried 4 – 0.

Bondhus said she wanted to ask the Council a question about one of the adjustments. The Big Game building had a value that was close to the actual sales price and other sales in the area we valued comparatively. How is she supposed to calculate the values or what formula should she be using.

Messer said that Quiring noted value determined by square foot prices is not valid by statute.

Riordan said it appeared that the statute did not prohibit use of square foot, but it was not specifically listed.

Motion by Messer to adjourn. Motion died for lack of a second.

Messer said that the sale of a building downtown, the Wendland property, was valued at \$67,000 and the purchase price was much lower. Bondhus said this transaction included rent payments applied to the price. Messer asked if she had that information in writing. Bondhus said that she did not.

Riordan and Fast remarked that Bondhus had asked how the Council wants her to do the valuations and they need to arrive at an answer.

Riordan said that Bondhus should continue using the same formula and calculations and the Council would continue to review them as has been done in the past. The Council concurred with this approach.

Bondhus said that a final acceptance of the valuations needs to be made by the Council.

Motion by Powers, second by Fast, to accept all of the valuations proposed with the revisions. Motion carried 4 – 0.

5. Adjourn:

Motion by Powers, second by Messer, to adjourn. Motion carried 4 –0.

Meeting adjourned at 8:22 p.m.

Tom Riordan, Mayor

Attest: _____
Steve Nasby, City Administrator

WINDOM BOARD OF REVIEW SIGN UP

NAME

PARCEL #

- RAYMOND E Shelstad

25-352-0560 ✓

- Shirley Grant

25-675-0230

- Dolores Horkey

25-019-0402

- Chul Johnson

25-311-3551
Johnson

✓ DALE FRIESEN

25-820-1080

- Nancy E. Wepplo

25-164-0590

- Karen L Brinkman

741 River Rd

- Tod K. Quiring

25-022-5010 + 25-839-0065

- Leo Woodorf

25-794-0080

- Eunice Expert

25-676-0080

WINDOM BOARD OF REVIEW SIGN UP

NAME

PARCEL #

Daniel McDonald

25-452-0010

-Doug Westerman

335 River bluff Drive

-Karl Ehn

Grant Heights LOT 14 N 1/2 LOT 7

LOT 001 BLK 002

25-450-0100

? 1575 17th St.

-Dominic Jones

-Margaret Harvey

25-023-0300

✓ Jim Englehorn

25-453-0060, 25-164-0130

✓ Gary Vanderwerf

? PRL-4 - on River Road

**Council Meeting
Windom City Hall, Council Chamber
May 6, 2008
7:30 p.m.**

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

2. Roll Call: Mayor: Tom Riordan

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

Council Members Absent:

City Staff Present: Steve Nasby, City Administrator; Bruce
Caldwell, Street Superintendent; Mike
Haugen, Water\Wastewater Superintendent;
and Terry Glidden, Telecom

Public Present: Jan Johnson Ojinnaka, Craig Mueller,
Dennis Johnson, Joe Grabowski and Vince
VanderTop (Wenck Associates); Andy
Kehren, Bill Helget and Craig Labat (Bolton
& Menk); Steve Robinson, Mike Kuno and
Alan Murra (SHE); Rahn Larsen and Dirk
Abraham

3. Pledge of Allegiance

4. Approval of Minutes:

Motion by Fast, second by Ray, to approve the April 15, 2008 and April 30, 2008 minutes. Motion carried 5 – 0.

5. Approval of the Consent Agenda:

Messer noted that page four of the Utility Commission minutes under New Business should read “Street Committee” not “City Council”.

Motion by Powers second by Kruse, to approve the Consent Agenda with the correction to the Utility Commission minutes. Motion carried 5 – 0.

6. Public Comment:

Jan Johnson Ojinnaka said that she is the new director of the SW MN Crisis Center. She thanked the local advocate, Angie Blanchan, for the work she has done. Ojinnaka reviewed the purpose and activities of the SW MN Crisis Center.

7. Department Heads:

None

8. License Application – Business Solicitation (Midwest Delivery):

Riordan noted that there was a letter from the Police Chief included for this item.

Motion by Messer, second by Kruse, to approve the application for business solicitation subject to the conditions requested by the Police Chief. Motion carried 5 – 0.

Fast inquired if the sales persons will have a copy of the permit with them if a citizen requests verification. Nasby said that the “approved” permit will be provided to the applicant and that the business could easily make copies available for their sales persons.

9. Request for Engineering Services Qualifications Presentations – 2009\10 Street Project:

Riordan said that three firms were requested to make presentations.

Wenck and Associates

Dennis Johnson thanked the Council for the opportunity to discuss this project and reviewed the history of his involvement in Windom’s projects and how he became part of the Wenck firm. Johnson noted that part of the merger was so that additional services and resources could be made available.

Craig Mueller narrated a power point presentation on the Wenck firm, services and the resources that would be needed for the 2009\10 Street project. He reviewed key points for the project that included access management, bridge replacement, road alignments and public relations.

Vince VanderTop summarized the information and asked if there were any questions from the Council.

Messer asked about the fee schedule and what would be the engineering cost for a \$2 million project. VanderTop said a \$2 million project would result in a fee of 11.1% based upon the fee schedule that was in the hand-out.

Messer asked if the map in the hand-out showed the current road alignment and land that had been acquired. VanderTop confirmed that it did.

Powers asked how Wenck would respond to the issue of the rough surface on 4th Avenue and what would be done in the future to address that issue. Mueller give a brief overview of the 4th Avenue issue, the actions that were taken and the options that were discussed. Mueller said that on-going communication was key.

Riordan asked if the 4th Avenue project met the construction specs. Mueller said that it did.

Powers asked how this matter could be addressed. Mueller said that one option could be the use of a paving machine. Messer noted that one bidder on the 2007 project had a machine, but the cost was higher, possibility due to three different street widths which would have required the machine pavers to be re-aligned which would cost a lot of money. Messer said that in discussions with the contractor and Street Committee the defect may have been due to the concrete being brushed differently. Powers asked if a paver could be used on the next project. Messer said that there would be two different street widths. Mueller said that it could be an option.

Joe Grabowski thanked the City Council for the opportunity and noted that Wenck wants to continue to earn the City of Windom's business.

Riordan recessed the Council meeting for five minutes from 8:00 – 8:05 pm.

Bolton & Menk

Andy Kehren, Bill Helget and Craig Labat introduced themselves to the Council. Kehren gave the Council a brief history of Bolton & Menk and noted that they have 250 employees in 7 Minnesota offices. He said that Bolton & Menk offices offer core municipal engineering services and they have a history with Windom as they have designed the water and wastewater plants. Kehren said their firm works closely with State agencies and has working groups on topics like transportation and water resources.

Bolton & Menk offers a full scope of services for Windom's 2009\10 Street project from preliminary planning through as-built plans and map updates. Kehren identified the key points on the proposed project, identified challenges and discussed possible solutions. He discussed the services provided to other communities and highlighted work on similar projects.

Kehren discussed their role in the public relations issues related to these types of projects including planning, updates, public meetings and participation in the assessment hearings. He said that communication with the public, staff and the Council was important.

Messer noted the fee schedule in the hand-out and asked what the fee would be for a \$1.2 million project. Kehren said approximately 17-18% and that fee ranges of 15-20% were typical. He added that Bolton & Menk is not looking to displace the City Engineer, but to provide an opportunity for the proposed street project. Although Bolton & Menk does not have a Windom office, the service that they provide to all of their communities is timely and well regarded.

Kehren thanked the Council for the opportunity to discuss the proposed project and tell them about Bolton & Menk.

Riordan recessed the Council meeting from 8:25 – 8:30 pm.

Short Elliott and Hendrickson (SEH)

Steve Robinson introduced himself, Mike Kuno and Alan Murra. Robinson provided an overview of SEH's services noting they have 750 employees and are the largest multi-discipline firm in Minnesota. He noted that SEH does work in a number of SW Minnesota communities including Windom where they do electrical engineering and are working with MN DOT on an intersection study.

Murra discussed the proposed 2009\10 Street project and the challenges it presents, specifically the intersections and bridge replacement. He noted that SEH has transportation planners on staff that would be able to work on options and coordinate design concepts. Input from the public, County, utilities, MN DOT, city staff and the Council would be included in this project. He said that SEH's construction managers\inspectors are also consulted on projects as they need to know what the project is to include and they provide valuable input into what is practical. Murra said that SEH strives to keep the public informed through-out the project. Common methods include public meetings, construction notices, newsletters, construction updates, flyers, web pages and local media. Murra added that communication will be important in the proposed project especially as it relates to access issues. Murra concluded by discussing several examples of projects in other communities and similar projects SEH has successfully completed.

Robinson reinforced the need to fully discuss the intersection issues and coordinate the project with the affected parties. He said that SEH has partnered with Zieske Surveying and anticipates using them for the proposed project. He noted that SEH has full-time, qualified inspectors on-site to make sure the work being done is up to specs, follow-up on issues and to answer the questions that come up so City staff is not using their time to track down issues. Bi-weekly updates are given to staff and the Council on project status.

Messer asked about the fee schedule. Robinson said there is not a flat fee schedule as each project is different. SEH bases fees on the type and number of tasks required and the time it takes to complete the tasks. Typically the design

costs are 8 – 10% of a project cost and construction administration is approximately 8 – 12% of the construction cost.

Riordan said that SEH's closest office is in Worthington and how would that work out. Robinson said that the 30 mile distance is not an issue and response would be immediate. SEH's believes they can provide timely, responsive service if a community is within 60 miles.

10. Charter Commission Appointments:

Riordan read the names of the proposed Charter Commission appointments.

Council member Kruse introduced the Resolution No. 2008-11, entitled "A RESOLUTION SELECTING CERTAIN FREEHOLDERS IN THE CITY OF WINDOM FOR PRESENTATION TO THE DISTRICT JUDGE FOR APPOINTMENT TO A CHARTER COMMISSION" 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. Resolution Accepting Donation – Poet Bio-refinery:

Council member Powers introduced the Resolution No. 2008-12, entitled "AUTHORIZATION TO ACCEPT A DONATION FROM POET BIOREFINING FOR THE FIRE DEPARTMENT" and moved its adoption. The resolution was seconded by Fast and on roll call vote: Aye: Ray, Fast, Kruse, Messer and Powers. Nay: none. Absent: none. Resolution passed 5-0.

Messer asked what piece of equipment is being donated. Haugen said that it was a deluge hose.

Fast noted that the Poet donation was a specific designation and that the money could not be used for the "Jaws of Life" equipment the Fire Department had requested money for at the last meeting.

Powers asked if the use for the deluge hose was specialized. Haugen said it is for spraying a stream of water a long distance.

12. Regular Bills:

Motion by Fast, seconded by Ray, to approve the Regular Bills. Motion carried 5 – 0.

13. Unfinished Business:

None.

14. New Business:

Messer noted that the City had gotten an “action alert” from the Coalition of Greater Minnesota Cities regarding levy limits. He said that levy limits hurt small cities and asked that the Council consider writing a letter to the legislators opposing levy limits.

Motion by Messer, seconded by Kruse to have the City Administrator write a letter opposing levy limits to be sent. Motion carried 5 – 0.

Messer noted the letter sent to the new MN DOT Commissioner from Representative Hamilton, Senator Vickerman and the authors of the Transportation Bill highlighting the legislative intent to have all of Highway 60 completed, which included the Windom to St. James section.

Motion by Messer, seconded by Ray to have the Council send a letter to the MN DOT Commissioner in support of this issue and to include a copy of the 2008 Resolution passed by the Council. Motion carried 5 – 0.

Fast said that this is the time to keep the pressure on MN DOT.

15. Council Concerns:

Ray noted the Spring Clean-up schedule and encouraged participation.

Riordan thanked Cottonwood County for having the e-waste recycling program and congratulated them on the operation of the event and its success.

16. Board of Review Reminder – May 12, 2008:

Riordan reminded the Council and public about the upcoming meeting.

17. Adjourn:

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

Meeting adjourned at 8:57 p.m.

Tom Riordan, Mayor

Attest: _____
Steve Nasby, City Administrator

**STREET DEPARTMENT COMMITTEE
MINUTES MAY 9, 2008**

1. Call to Order: The meeting was called to order at 1:30 p.m. at the street shop
2. Attending: Committee Members: JoAnn Ray & Bob Messer

City Staff Present: Street Superintendent Bruce Caldwell, City Administrator
Steve Nasby, Wenck Representative Craig Mueller

Public: none
3. Items Discussed
 - a. Warranty Items 2007 Street Project

The committee reviewed the repair punch list following the inspection on April 30, 2008. Some items that were repaired were not related to the contractor. Some of problem areas were caused by overweight vehicles either on sidewalks or other areas and engineering errors. Repairs costs need to be adjusted accordingly.
 - b. Project Engineering & 3rd Phase Street Reconstruction Projects on 4th ave, Langley ave, 20th street, Pflughau Drive, 5th street & Drake ave

The committee discussed some of the information they received from the engineering firm proposals at the May 6th council meeting. The committee stated that they would like to wait until June 3, 2008 council meeting to make a decision on what engineering firm to hire so that research can be done.

Concerning the next reconstruction street projects, a decision will need to be made following the appointment of an engineer. It was also stated that the bridge on 4th ave may be replaced this next winter if the city and county can work out the details and we receive funding for the project.
 - c. 2008 Seal Coat Project

Contractor is expected t arrive in Early June. Staff will be starting to make repairs on the seal coat streets beginning the week of May 12th. The repairs should take two weeks weather permitting.

Meeting adjourned at 3:10 pm.

**ECONOMIC DEVELOPMENT AUTHORITY OF WINDOM
MINUTES
MAY 12, 2008**

1. Call to Order: The meeting was called to order by President Erickson at 12:01 p.m.

2. Roll Call & Guest Introductions:

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

Also Present: EDA Staff – Aaron Backman, Executive Director, and Mary Hensen, Adm. Asst.; Steve Nasby, City Administrator; and Joel Luitjens, WADC Liaison.

3. Approval of Minutes:

Motion by Commissioner Slette, seconded by Commissioner Palm, to approve the Minutes of the EDA Meeting held on April 14, 2008. Motion carried 4-0.

(Commissioner Kruse was not present for the vote.)

4. SCDP Application Discussion: At the April Meeting, the Board received information regarding the SCDP grant program and application changes for 2008. Director Backman advised the Board concerning communications with Rob Anderson of the Mountain Lake EDA concerning a possible joint application. After further review of the materials provided by the Southwest Minnesota Housing Partnership and additional discussion, the following actions were taken.

Motion by Commissioner Palm, seconded by Commissioner Slette, authorizing the filing of a joint SCDP grant application with Mountain Lake in 2008; approving the fees and services for the preliminary activities and the preparation of the grant application proposed by the Southwest Minnesota Housing Partnership; authorizing the EDA officers to sign any required documentation; authorizing the EDA Executive Director to present the grant application proposal to the City Council; and authorizing the EDA to proceed with follow-up activities required in the grant application process. Motion carried 5-0.

Motion by Commissioner Messer, seconded by Commissioner Palm, designating the proposed target area as the original residential area designated for the third grant round (excluding the area actually covered by the third grant round) plus the addition of Drake's Outlot 1, Block 20 of the Windom Original Townsite, and Block 54 of Windom Second Addition. Motion carried 5-0.

Motion by Commissioner Messer, seconded by Commissioner Slette, approving owner-occupied residential rehab and residential rental rehab as components of the SCDP grant application. Motion carried 5-0.

5. Sign Update: Director Backman updated the Board concerning communications with M & H Electric and South Central Electric regarding the lighting for the North Windom Industrial Park sign. Backman also advised that on May 6th the EDA's billboard on I-90 east of Adrian was installed.

6. WECC Update: Director Backman updated the Board concerning the activities regarding WECC (Windom Education and Collaborative Center). A survey has been prepared to

obtain information on desired training and classes. This survey is being circulated to businesses and individuals throughout the community. Contacts have been made with local businesses and organizations concerning contributions towards the start-up and operating capital for the project. Communications are continuing with South Central College and Minnesota West regarding customized training opportunities.

7. Business Development Public Infrastructure Program – Overview: Director Backman provided the Board with information concerning the Greater Minnesota Business Development Infrastructure Grant Program. This program is administered by the Minnesota Department of Employment & Economic Development. Cities in Greater Minnesota may apply for grants for public infrastructure improvements that will stimulate new economic development or create/retain jobs. Eligible projects include publicly-owned infrastructure, such as wastewater collection and treatment, drinking water, storm sewers, utility extensions, and streets. Cities must provide a match of at least 50 percent of the project capital costs. The program was not funded in 2007, but will again receive funding through the State's bonding bill.
8. Spec Building and Prospect Updates: Director Backman updated the Board concerning previous prospect contacts and showings of the spec building.
9. Closed Session – Proposed Property Sale – Lot 6, Block 2, Windom Industrial Park Subd.: President Erickson closed the public portion of the meeting at 12:41 p.m. for the purpose of discussing the proposed sale of EDA property described as Lot 6, Block 2, Windom Industrial Park Subdivision. The public meeting was re-opened at 1:08 p.m. The following action was taken.

Motion by Commissioner Kruse, seconded by Commissioner Palm, to set a public hearing for Tuesday, May 27, 2008, at 4:00 p.m. for the purpose of considering the proposed sale of Lot 6, Block 2, Windom Industrial Park Subdivision. Motion carried 5-0.

10. New Business
 - A. Business Visits Report: Director Backman updated the Board concerning business visits, area contacts, meetings and events since the April meeting. Director Backman also updated the Board concerning the status of legislation affecting business subsidy reporting requirements and the statewide JOBZ Program.
11. Miscellaneous Information:
 - A. Monthly Budget Recap: The Board received a copy of the Budget Recap Year-to-Date thru March 31, 2008.
 - B. River Bluff Townhomes – Monthly Financial Report: The Board received a copy of the financial report provided by Van Binsbergen & Associates for the period ending March 31, 2008.
 - C. Reschedule June Meeting: Director Backman reported that a Defense Industry Roundtable is scheduled for June 9, 2008, (the regular EDA meeting date). The Board rescheduled the June meeting for Wednesday, June 11, 2008, at noon.

12. Adjourn: On motion, President Erickson adjourned the meeting at 1:20 p.m.

Nestor Palm, Secretary

Attest:

Aaron Backman, Executive Director

**PARK AND RECREATION COMMISSION MEETING
MINUTES MAY 12, 2008**

1. Call to Order: The meeting was called to order by Chairman Terry Fredin at 7:05 p.m. in the Council Chambers.
2. Roll Call:

Commission Present:	Kay Clark, Brenda Muller, Angie Blanshan, & Sherri Zimmerman
Commission Absent:	Jeff LaCanne & Steph Schwalbach
City Staff Present:	Recreation Director Al Baloun, Park Director Bruce Caldwell
Council Liaisons:	Brad Powers & Jean Fast, both absent
Public:	None
3. Approve Agenda
Motion by Blanshan, seconded by Clark
Motion Carried 4-0
4. Approve Minutes April 14, 2008:
Motion by Blanshan, seconded by Clark
Motion Carried 4-0
5. Park Director Report: Bruce Caldwell
 - a. Windom Recreational Park

Caldwell reported that he has contacted Country Price Co-op Agronomics Dept to take some soil samples so that we can figure out why the grass still isn't growing on the new ball fields. Also the irrigation system is ready but due to the wet conditions the staff will hold off as long as possible. Because of the adult leagues starting on May 19th Caldwell was instructed to open Eagle Field for play by the end of the week.
 - c. Tegel's Park Playground; the staff completed the installation of the new playground and all of the seeding & dirt work.
 - d. Island Park Baseball Field Fence Repair

The commission was updated that the main baseball field outfield fence is in need of repair. Caldwell has ordered supplies to make the corrections at a cost of \$350.00 which will come out of the grounds maintenance account.
6. Recreation Directors Budget Report Al Baloun
 - a. Summer Recreation Update
 1. Recreation Report from Signup Night, Baloun stated that all went smoothly at the event. He thanked Angie Blanshan for volunteering her time to help out during the event. The new policy for registration went off without a hitch.

2. Pool

Windom Painting will be completing the painting this week. The staff will begin filling the pool on May 19th weather permitting. Once the pool has been filled the heaters and chemicals will be started. The goal is to open the pool on a limited basis May 24th. Sally Oltmann is scheduled to be pool manager for the season once all the contractual agreements can be reached.

- b, Bureau of Land Management Horse Adoption Baloun stated that the last time they have been in Windom was back in 2001 and they desire to rent the Arena facility on the weekend of Sept 25-27th. This is a late season horse event but Baloun said it shouldn't affect the start up of the ice season as the last two years a bull riding event and the Quarterhorse Futurity has been held on this weekend.

7. Open Mike:

Fredin; asked if the Hockey Association could use their Coke account for concessions during Riverfest. Baloun stated that would be fine and he has contacted them accordingly.

Fredin also stated that perhaps we could sell concessions both days of the playoffs on July 21st & 22nd. The commission was in agreement of this request.

Next Park & Recreation Meeting June 2, 2008 7:00 p.m. Council Chambers

Adjourn at 7:47 p.m.

Telecommunication Commission Minutes
May 13, 2008

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

2. Roll Call:

Commission Members Present: Wendell Woodcock, Robert Messer,
Jean Fast, Forrest Fosheim

Commission Members Absent: Jake Voth Jr.

City Staff Present: Dan Olsen, Telecom Operations Manager, Sally Oltmanns,
Marketing Specialist, Steve Nasby, City Administrator

Public Present: none

3. Approval of Minutes:

**Motion made by Fosheim, seconded by Messer to approve the March 11, 2008
minutes. Motion carried 4-0.**

4. Public Agenda Items: None

5. Director's Report:

Olsen reported that the telecom numbers are continuing to steadily increase.

School update with Blandin, Olsen reported that this is still being worked on and Fosheim stated that some of the equipment has arrived.

Windomnet has a billboard going up on highway 60 south of town by Fortune Transportation. We have partnered with FSN on this project. It will be up for 4 months.

The air conditioner was replaced at the head-end earlier this month.

Olsen stated that he is still working out the details with Lakefield on their cable project.

The telecom staff will be broadcasting the Windom High School Graduation on Friday May 23rd on channel 3. They also will be doing the medallion hunt for Riverfest again this year with the lucky winner receiving one year of expanded basic cable.

6. Other Business:

Woodcock commented on the MQAM that was discussed at the previous meeting. He stated that we need to get this project up and going so we can offer more channels.

7. Next Meeting Date:

The next meeting will be held on Tuesday June 10, 2008 at 11:30 a.m.

8. Adjourn:

Motion made by Woodcock, seconded by Fast, to adjourn the meeting. Motion Carried 4-0.

Wendell Woodcock, Chairman

Attest:

Steven Nasby, City Administrator\Clerk

Windom Library Board Meeting

Windom Library

May 13, 2008

5:05 p.m.

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,
Anita Winkel, Mary Erickson and Jan Johnson.

Members Absent: John Duscher

Library Staff Present: Joan Hunter

City Council Member Present: Jo Ann Ray

3. Agenda and Minutes:

Discussion was held about content of the minutes that were submitted to the city council. The board agreed that the content of the April 8 minutes did reflect the thoughts of the library board submitted by Kathy Hiley the recording secretary.

Motion by Anita Winkel, seconded by Mary Erickson to approve the Agenda and Minutes.

4. Financial Report:

Joan informed the board that Davis Copiers came to replace the toner in the copier and also did some maintenance for a total of \$240. Schwalbachs did repairs to a toilet and the boiler. The roof leak was reported to Ken Hoffman and he has written it down but since there is a deductible, nothing will be paid out a this time. Kato Roofing still hasn't returned to replace the drainagepipe they removed some time ago.

Motion by Charles Reid seconded by Freddie Hoppert to approve the Financial Report.

5. Librarians Report:

Joan reported that she attended a Plum Creek meeting and the Plum Creek Library website was discussed. Joan mentioned some problems with the site and other librarians agreed that their patrons were also complaining about the same things. Some changes were made to the website after their input.

Joan attended a 3 hour class regarding the new cataloging software. The librarians broke up into small groups and shared tips that they have picked up since the new system was implemented.

The Friends of the Library hosted author, Jim Olson, from Jackson. He authored a book entitled "Boomer", a Vietnam era book. The attendance was low but the author was appreciative of the Friends putting this on. The Friends are currently holding their annual membership drive.

Nothing has happened to date regarding the firm the city has hired to study job classifications.

The Redwood Falls library has rescheduled their "Minnesota Crimewave" event to May 15 in Redwood Falls. This event featuring 3 Minnesota mystery writers was postponed from it's earlier date due to snow.

Since the tax season is over, they staff no longer is spending time answering tax questions. They do have on hand packets for those who do not ordinarily file taxes but are eligible for a tax stimulus check.

A "We the People" grant from the National Endowment for Humanities provided 20 books, 5 in Spanish, several children's books and a presentation kit on Abraham Lincoln to the library. Unfortunately the library was not able to pick which books they would receive because they already owned half of what was received.

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

6. Old Business:

None

7. New Business:

None

8. New Book Suggestions

The board presented their suggestions.

9. Adjourn:

Motion by Kathy Hiley, seconded by Freddie Hoppert to adjourn.

Meeting adjourned at 5:28 p.m..

Respectfully submitted,

Kathy Hiley, recording secretary

**CITY OF WINDOM
PLANNING COMMISSION
MINUTES
MAY 13, 2008**

1. Call to Order: The meeting was called to order by Chairman Hunter at 7:04 p.m.

2. Roll Call & Guest Introductions:

Planning Commission: Renee Giefer, Greg Holt, Gary Hunter, Tim Hacker, Marilyn Wahl, and Brad Powers (Council Liaison).

Absent: Lindsey Cartwright, Loie Grandprey, and Greg Pfeffer.

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

Public Present: Jeremy and Jodi Johnson.

3. Oath of Office – Reappointed Members: Chairman Hunter welcomed re-appointed Commissioners Renee Giefer and Tim Hacker. Jim Kartes administered the oath of office to Commissioners Giefer and Hacker.

4. Public Hearing – 7:05 P.M.: Conditional Use Permit – 375 River Bluff Drive - (Applicants/Owners: Jeremy & Jodi Johnson):

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

Zoning Administrator Jim Kartes advised that Jeremy and Jodi Johnson are requesting a conditional use permit to allow the construction of an additional 30' X 26' detached garage. They have an existing 24'X24' attached garage. The total floor area of the existing and new garages would be 1,356 square feet. They have purchased the lot adjacent to their home and combined the two lots into one parcel with a total area of 17,640 square feet. Pursuant to the Code, they are allowed 1,150 square feet without a conditional use permit. The total floor area of the existing garage and proposed new garage would be 206 square feet over the maximum stated in the Code. The number of garages and the total floor area of the existing garage and proposed new garage would require a conditional use permit. The location of the new building has been staked and the Applicants meet all the setback requirements. Zoning Administrator Kartes indicated that he had received no comments from anyone expressing opposition to the proposed building.

The Board had received copies of the application and site plan. Information received from the Application submitted by Jeremy and Jodi Johnson and from statements made by the Owners: The property is in an R-2 District. They plan to pour concrete this year and construct the garage in 2-3 years. There is a utility easement in the back and the gas line runs in the front of the property. The remainder of the lot is clear of utilities.

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 7:08 p.m. After a brief discussion, the following action was taken.

Motion by Commissioner Hacker, seconded by Commissioner Giefer, and carried to recommend to the City Council the approval of the conditional use permit application, submitted by Jeremy and Jodi Johnson, to allow the construction of an additional 30' X 26' detached garage on property situated in an R-2 District. The property is located at 375 River Bluff Drive and is described as: Lots 7 and 8, Block 2, Riverbluff

Estates Subdivision to the City of Windom, Cottonwood County, Minnesota. (Parcel Nos. 25.688.0270 and 25.688.0280.)

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, May 20; and the Council will make the final decision concerning this application.

5. Approval of Minutes:

Motion by Commissioner Wahl, seconded by Commissioner Hacker, and carried to approve the Planning Commission Minutes for the meeting held on December 11, 2007. Motion carried 5-0.

6. New Business: Jim Kartes provided the Commissioners with information concerning a probable preliminary plat that may come before the Commission in June. He also advised the Board concerning a potential dangerous dog ordinance that may come before the Commission.
7. Planning Commission Comments, Concerns, Suggestions: There was a brief discussion concerning the amendment of the public nuisance ordinance and spring cleanup activities.
8. Adjourn: On motion, Chairman Hunter adjourned the meeting at 7:48 p.m.

Gary Hunter, Chairman

Attest: _____

James Kartes, Zoning Administrator

Main Identity

From: <kermit19686@msn.com>
To: "City Council" <snasby@windom-mn.com>
Sent: Thursday, May 15, 2008 9:12 PM
Subject: Question/Comments from Windom City Website

The following question was submitted via the Windom City website:

Name: kermit Lillegaard
Address: 1650 3rd Ave
City: Windom
State: Minnesota
ZipCode: 56101
Phone: 507 831 1068
Email Address: kermit19686@msn.com

Question/Comment: I have a question about parking on 16th stree from third Avenue to the highway. On the south side of the street it is zoned and signed for two hour parking, yet there is a vehicle that is parked in that are every day and longer than two hours, do they have special priviledges? Semi trucks going West on 16th street are not able to go North on 3rd Avenue at the intersection, but they try and their rear duals run over the curb on the North East corner of the intersection, this is new concrete that was just installed in 2007, will it hold up? The local police force seem to have no interest it it"



Memo

To: Mayor and City Council
From: Denise Nichols
CC: Steve Nasby
Date: May 16, 2008
Re: Library Update

Attached please find an update of events and usage at the Library. The Library has had a busy winter and they are looking forward to a fun schedule of events that they have planned for the summer including a reading program, book sale and for young readers entertainment at the Community Center.

If you have any questions regarding the update, please feel free to contact Joan.

LIBRARY STATISTICS THRU APRIL 2008

PATRONS	TOTAL FOR 2007
13839	41236

CHECK-OUTS	
13661	50,163

FINES COLLECTED	
\$537.00	\$1945.00

COMPUTER USAGE

The library averages 150-175 patrons per week

Library notes

1. We had 57 patrons participate in the adult Winter Reading Program. This ran from January to March
2. Friends of the Library sponsored an author in April. Jim Olson wrote the book "Boomer". Jim is originally from Jackson
3. Christa Johnson our high school worker will be graduating on May 23rd. We will be looking to replace her for next fall.
4. Summer reading program for the young people will start June 9th. The theme for this year's program is "Look what's cooking". Dawn will also have 2 entertainers for the young people. The entertainers will perform at the Community Center.
5. Friends of the Library will have their annual book sale in July. With the computers in the adult side, the sale will take place on the children's side.
6. Right now the basement remains empty. We are waiting to see what the summer rains do and how the drains hold up on the roof.
7. We just finished tax season. Beginning in January, we offer state and federal tax forms to our patrons. We offer to get forms off of the computer if we don't have a copy of the form. We charge for the form if we have to print one and we don't offer tax advice.



MEMO

To: Mayor and City Council
From: James Kartes, Zoning Administrator
Date: May 16, 2008
Re: Planning Commission Meeting – May 13, 2008

At its regular meeting on May 13, 2008, 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:

Applicants/Owners: Jeremy A. Johnson & Jodi L. Johnson
Address of Property: 375 River Bluff Drive, Windom, MN
Legal Description: Lots 7 and 8, Block 2 of Riverbluff Estates Subdivision to the City of Windom, Cottonwood County, Minnesota.
Parcel ID#: 25.688.0270 and 25.688.0280

The Applicants propose to construct an additional 30' X 26' detached garage on the property. Pursuant to the City Code section on R-2 Districts, a conditional use permit is needed because of the number of garages and the total floor area of the existing garage and proposed new garage.

THE PLANNING COMMISSION RECOMMENDS TO THE CITY COUNCIL:

Approval of the application, submitted by Jeremy and Jodi Johnson, requesting a conditional use permit to construct an additional 30' X 26' detached garage on the property at 375 River Bluff Drive.

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 May 20th to address any questions the Council may have at that time.

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

JK:mah

**Building & Zoning Office
City Hall, 444 9th 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 Applicants and Owners, Jeremy A. Johnson and Jodi L. Johnson, of 375 River Bluff Drive, Windom, Minnesota, have submitted an application for the granting of a conditional use permit for property located at 375 River Bluff Drive. The Applicants request a conditional use permit to allow the construction of an additional garage on the property. The area is zoned as "R-2 Urban Residential District" (Section 11.19). The number of garages and the total floor area of the 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 structure 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 9th Street, Windom, MN 56101 on Tuesday, May 13, 2008, 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:
Lots 7 and 8, Block 2, Riverbluff Estates Subdivision to the City
of Windom, Cottonwood County, Minnesota.

Parcel ID #: 25.688.0270 and 25.688.0280

Address of the Property is: 375 River Bluff Drive, Windom, MN 56101

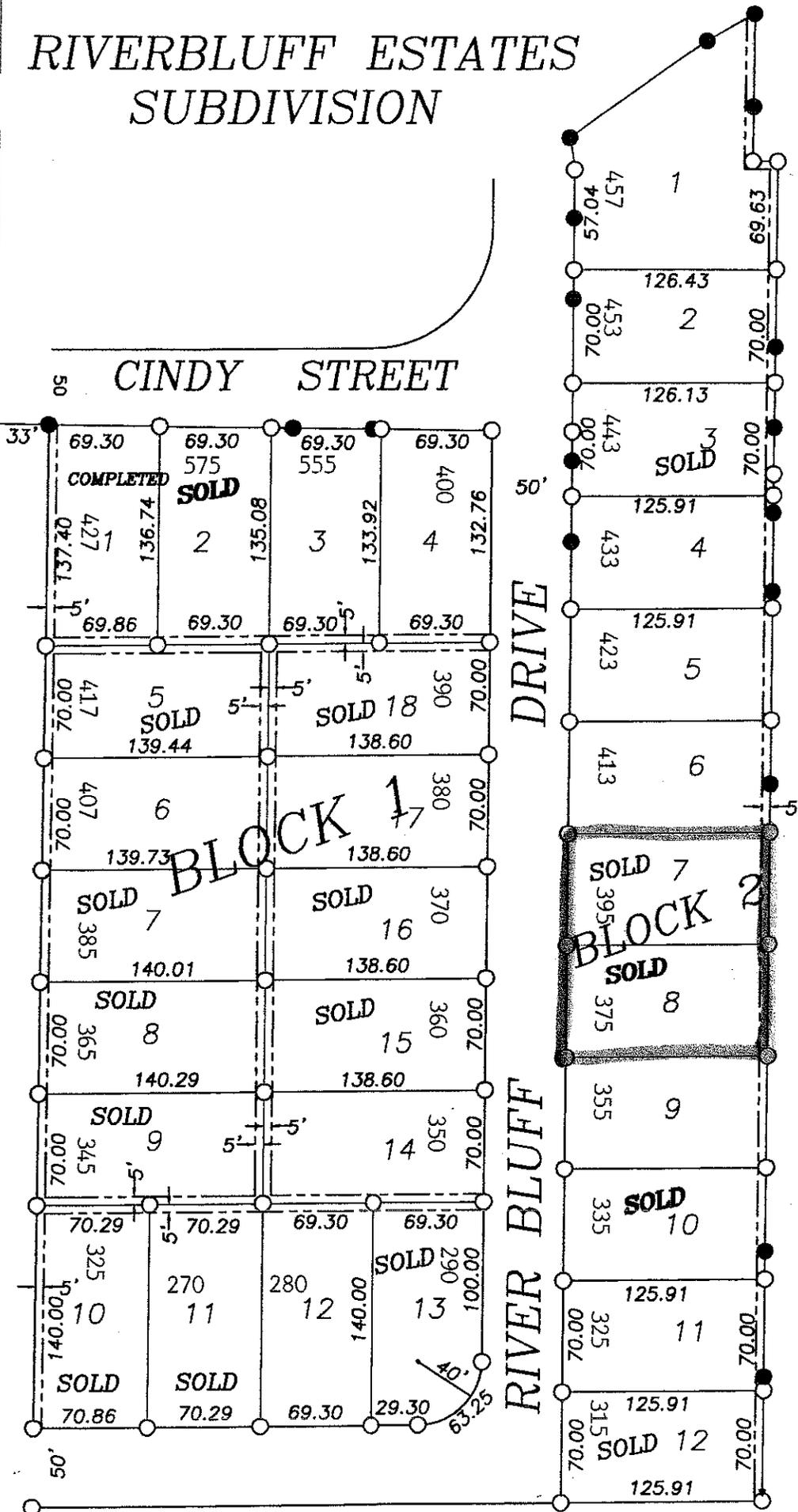
By Order of the City of Windom:

James Kartes, Zoning Administrator

Published: Cottonwood County Citizen (April 30, 2008)

RIVERBLUFF ESTATES SUBDIVISION

SOUTH
AVENUE
SIXTH



RIVER BLUFF TOWNHOMES

CITY OF WINDOM, MINNESOTA

444 9th Street
Windom, MN 56101
507-831-6125

Case No.: _____
Parcel No.: 25-688-0270 + 25-688-0280
Fee: \$ 150.00
Paid: Ck. 5144 Date: 4/21/08
Date Filed: 4-21-08

APPLICATION FOR CONSIDERATION OF ZONING/SUBDIVISION REQUEST

Applicant(s): Name(s) Jeremy and Jodi Johnson
Address 375 Riverbluff Drive
City Windom State MN Zip 56101 (Phone: 507-831-2174)

Owner(s): (If other than Applicant)
Name(s) Same (Jeremy A. + Jodi L. Johnson)
Address _____
City _____ State _____ Zip _____ (Phone: _____)

Property Address: 375 River Bluff Drive, Windom, MN

Legal Description of Property: Lot(s) 7+8 Block(s) 2 Addition Riverbluff Estates
Subdivision
(If metes and bounds, attach description.)

Existing Use of Property: bare lot Present Zoning: R-2

Action Requested: Conditional Use Permit Garage 26x30 Variance _____
Subdivision (Sketch Plat) _____ Preliminary Plat _____ Final Plat _____
Planned Unit Development (PUD) _____
Amendment (Text, Rezoning, Comprehensive Plan) – SPECIFY: _____
Other (Specify): _____

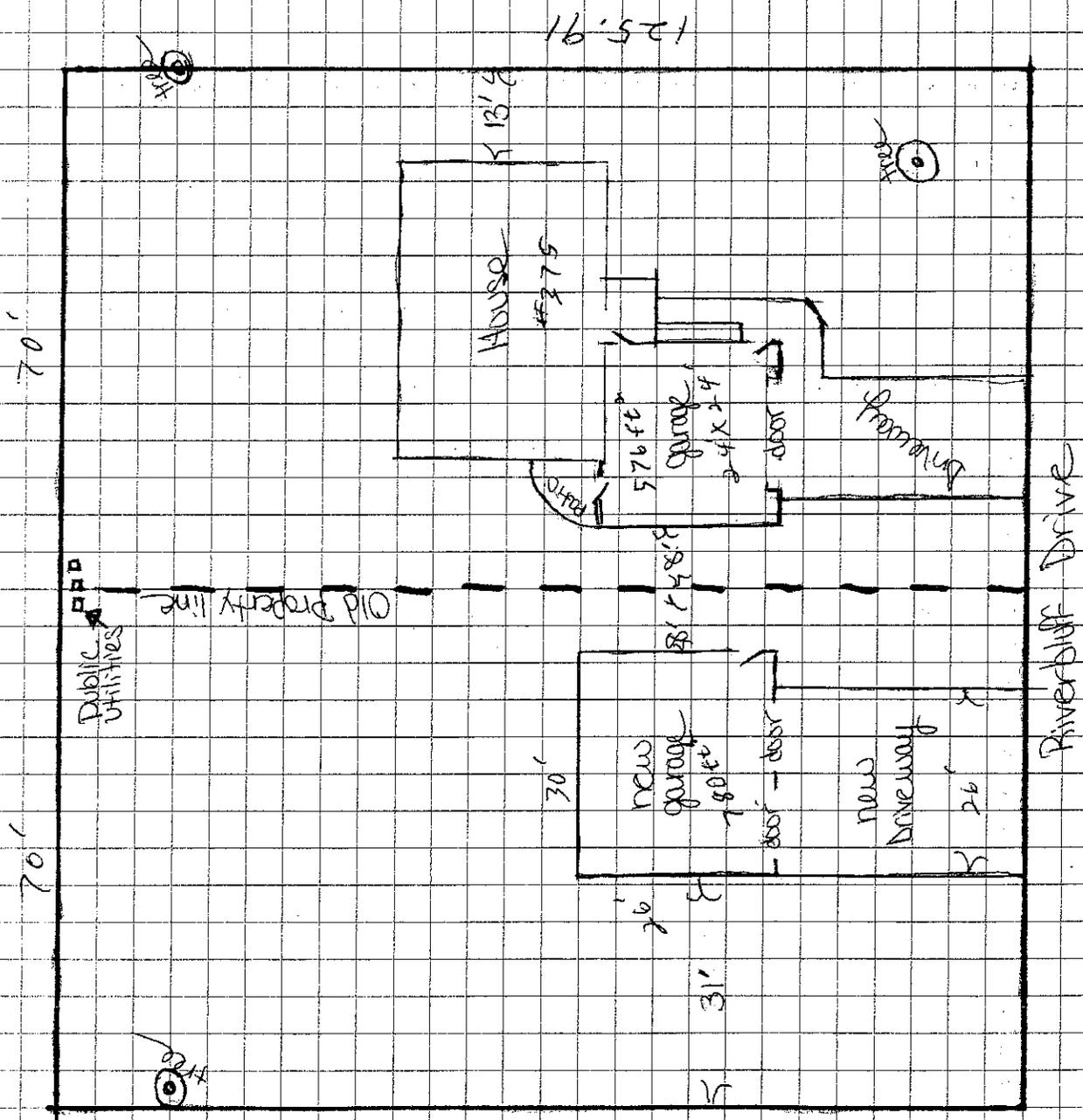
Description and Reason for Request (Attach Additional Information if necessary and required)
We would like to build a garage in order to have more storage for our vehicles. This will inevitably get any of our vehicles off of the street. Asking to Add a Second Garage and 206 ft² over City Code

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.

[Signature] Jodi Johnson Date: 4-20-08
[Signature(s) of Applicant(s)]

1 square = 5'

1356 ft² Total Garage Space



125.91

125.91

Total - 17,640 ft²



City of Windom Staff Report

To: Mayor and Windom City Council
From: Aaron Backman, EDA Executive Director
Date: May 15, 2008
Council Meeting Date: May 20, 2008
Item Title/Subject: Designation of Property as Tax Exempt

Background:

Following the platting of the Windom Industrial Park Subdivision, the property described as Lot 5, Block 2 of the Windom Industrial Park Subdivision was designated as tax exempt. Lots 4 and 5, Block 2 of the Windom Industrial Park Subdivision were subsequently sold to James K. Kramer, Jane A. Kramer, Jerry L. Kramer, Susan M. Kramer, Randall E. Kramer and Laura J. Kramer. The purchase agreement provided that if Lot 5 was not developed within a five-year period, the EDA had the option to repurchase this lot. Lot 5, Block 2, except the South 36 Feet of the East 345 Feet (which was retained by the Kramers), was repurchased by the EDA in September, 2005.

At the time that the property was transferred to the Kramers it became taxable. Because this property is now owned by the EDA for economic development purposes, it is necessary to re-designate this property as tax exempt pursuant to Minnesota Statutes Section 272.02, Subdivision 39.

Attached for your review is a copy of the proposed "Resolution Designating Certain Property for Economic Development Purposes".

Please contact me at 831-6125 should you have any questions concerning this proposed Resolution. I will also be present at the May 20th City Council Meeting to answer any additional questions you may have at that time.

Respectfully submitted,

Aaron A. Backman
EDA Executive Director

AAB:mah

Attachment

RESOLUTION #2008-

INTRODUCED:

SECONDED:

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

CITY OF WINDOM

**RESOLUTION DESIGNATING CERTAIN PROPERTY FOR ECONOMIC
DEVELOPMENT PURPOSES**

WHEREAS, the Economic Development Authority of Windom has re-acquired the following property:

LOT FIVE (5), BLOCK TWO (2), EXCEPT THE SOUTH 36 FEET OF THE EAST 345 FEET THEREOF, OF THE WINDOM INDUSTRIAL PARK SUBDIVISION TO THE CITY OF WINDOM, COTTONWOOD COUNTY, MINNESOTA; and

WHEREAS, the Economic Development Authority and the City of Windom have made or plan to make improvements to the acquired property to improve its economic development purposes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Windom, Minnesota, that the following-described property:

LOT FIVE (5), BLOCK TWO (2), EXCEPT THE SOUTH 36 FEET OF THE EAST 345 FEET THEREOF, OF THE WINDOM INDUSTRIAL PARK SUBDIVISION TO THE CITY OF WINDOM, COTTONWOOD COUNTY, MINNESOTA;

is hereby officially designated to be used for economic development purposes; and said property is thus exempt from property taxes pursuant to Minnesota Statutes Section 272.02, Subdivision 39.

Adopted this 20th day of May, 2008.

Tom Riordan, Mayor

ATTEST: _____
Steven Nasby, City Clerk/City Administrator

Minnesota Lawful Gambling
LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

Fee is \$50 for each event

For Board Use Only

Check # _____

\$ _____

ORGANIZATION INFORMATION

Organization name WINDOM YOUTH Hockey ASS	Previous gambling permit number 00998		
Type of nonprofit organization. Check (✓) one. <input type="checkbox"/> Fraternal <input type="checkbox"/> Religious <input type="checkbox"/> Veterans <input checked="" type="checkbox"/> Other nonprofit organization			
Mailing address P.O. BOX 41	City WINDOM	State/Zip Code MN 56101	County COTTONWOOD
Name of chief executive officer (CEO) DU HIGLEY		Daytime phone number 507-831-3131	

ATTACH A COPY OF ONE OF THE FOLLOWING FOR PROOF OF NONPROFIT STATUS

- ★ Do not attach a sales tax exempt status or federal ID employer numbers as they are not proof of nonprofit status.
- Nonprofit Articles of Incorporation OR a current Certificate of Good Standing.**
 Don't have a copy? This certificate must be obtained each year from:
 Secretary of State, Business Services Div., 180 State Office Building, St. Paul, MN 55155 Phone: 651-296-2803
- Internal Revenue Service - IRS income tax exemption [501(c)] letter in your organization's name.**
 Don't have a copy? To obtain a copy of your federal income tax exempt letter, send your federal ID number and the date your organization initially applied for tax exempt status to:
 IRS, P.O. Box 2508, Room 4010, Cincinnati, OH 45201
- Internal Revenue Service - Affiliate of national, statewide, or international parent nonprofit organization (charter)**
 If your organization falls under a parent organization, attach copies of both of the following:
 - IRS letter showing your parent organization is a registered nonprofit 501(c) organization with a group ruling
 - the charter or letter from your parent organization recognizing your organization as a subordinate.
- Internal Revenue Service - proof previously submitted to Gambling Control Board**
 If you previously submitted proof of nonprofit status from the Internal Revenue Service, no attachment is required.

GAMBLING PREMISES INFORMATION

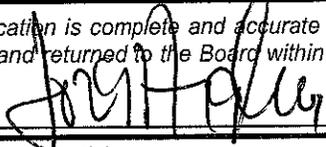
Name of premises where gambling activity will be conducted (for raffles, list the site where the drawing will take place) PIAT PHEASANT PUB			
Address (do not use PO box) 2370 HWY 60 EAST	City WINDOM	Zip Code 56101	County COTTONWOOD
Date(s) of activity (for raffles, indicate the date of the drawing) AUGUST 23 2008			

Check the box or boxes that indicate the type of gambling activity your organization will conduct:

*Bingo Raffles *Paddlewheels *Pull-Tabs *Tipboards

* **Gambling equipment** for pull-tabs, bingo paper, tipboards, and paddlewheels must be obtained from a distributor licensed by the Gambling Control Board.
 EXCEPTION: Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo.

To find a licensed distributor, go to www.gcb.state.mn.us and click on List of Licensed Distributors, or call 651-639-4076.

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT	
<p>If the gambling premises is within city limits, the city must sign this application.</p> <p>Check (✓) the action that the city is taking on this application.</p> <p><input type="checkbox"/> The application is acknowledged with no waiting period.</p> <p><input type="checkbox"/> The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).</p> <p><input type="checkbox"/> The application is denied.</p> <p>Print city name _____</p> <p><i>On behalf of the city, I acknowledge this application.</i> Signature of city personnel receiving application _____</p> <p>Title _____ Date ____/____/____</p>	<p>If the gambling premises is located in a township, both the county and township must sign this application.</p> <p>Check (✓) the action that the county is taking on this application.</p> <p><input type="checkbox"/> The application is acknowledged with no waiting period.</p> <p><input type="checkbox"/> The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days.</p> <p><input type="checkbox"/> The application is denied.</p> <p>Print county name _____</p> <p><i>On behalf of the county, I acknowledge this application.</i> Signature of county personnel receiving application _____</p> <p>Title _____ Date ____/____/____</p> <p>TOWNSHIP: <i>On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. [A township has no statutory authority to approve or deny an application [Minnesota Statute 349.213, subd. 2]]</i></p> <p>Print township name _____</p> <p>Signature of township official acknowledging application _____</p> <p>Title _____ Date ____/____/____</p>
<p>CHIEF EXECUTIVE OFFICER'S SIGNATURE</p> <p><i>The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the date of our gambling activity.</i></p> <p>Chief executive officer's signature <u></u> Date <u>5, 9, 08</u></p>	
<p>Complete an application for each gambling activity:</p> <ul style="list-style-type: none"> • one day of gambling activity • two or more consecutive days of gambling activity • each day a raffle drawing is held <p>Send application with:</p> <ul style="list-style-type: none"> • a copy of your proof of nonprofit status, and • \$50 application fee for each event. <p style="padding-left: 20px;">Make check payable to "State of Minnesota."</p> <p>To: Gambling Control Board 1711 West County Road B, Suite 300 South Roseville, MN 55113</p>	<p>Financial report and recordkeeping required</p> <p>A financial report form and instructions will be sent with your permit. Within 30 days of the activity date, complete and return the financial report form to the Gambling Control Board.</p> <p>Questions? Call the Licensing Section of the Gambling Control Board at 651-639-4076.</p>

Data privacy. This form will be made available in alternative format (i.e. large print, Braille) upon request. The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your qualifications to be involved in lawful gambling activities in Minnesota. You have the right to refuse to supply the information requested; however, if you refuse to supply this information, the Board may not be able to determine your qualifications and, as a consequence, may refuse to issue you a permit. If you supply the information requested,

the Board will be able to process your application. Your name and your organization's name and address will be public information when received by the Board. All the other information you provide will be private data until the Board issues your permit. When the Board issues your permit, all of the information provided to the Board will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your name and your organization's name and address which will remain public. Private data are available to: Board members,

Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney General; Commissioners of Administration, Finance, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies that are specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this Notice was given; and anyone with your consent.

Minnesota Lawful Gambling
LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

Fee is \$50 for each event

For Board Use Only
 Check# _____
 \$ _____

ORGANIZATION INFORMATION

Organization name WINDOM VNTA Hockey ASS	Previous gambling permit number 00998		
Type of nonprofit organization. Check (✓) one. <input type="checkbox"/> Fraternal <input type="checkbox"/> Religious <input type="checkbox"/> Veterans <input checked="" type="checkbox"/> Other nonprofit organization			
Mailing address P.O. Box 41	City WINDOM	State/Zip Code MN 56101	County CITTONWOOD
Name of chief executive officer (CEO) Jim Hibley		Daytime phone number 507-831-3131	

ATTACH A COPY OF ONE OF THE FOLLOWING FOR PROOF OF NONPROFIT STATUS

- ★ Do not attach a sales tax exempt status or federal ID employer numbers as they are not proof of nonprofit status.
- Nonprofit Articles of Incorporation OR a current Certificate of Good Standing.**
 Don't have a copy? This certificate must be obtained each year from:
 Secretary of State, Business Services Div., 180 State Office Building, St. Paul, MN 55155 Phone: 651-296-2803
- Internal Revenue Service - IRS income tax exemption [501(c)] letter in your organization's name.**
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 IRS, P.O. Box 2508, Room 4010, Cincinnati, OH 45201
- Internal Revenue Service - Affiliate of national, statewide, or international parent nonprofit organization (charter)**
 If your organization falls under a parent organization, attach copies of both of the following:
 - IRS letter showing your parent organization is a registered nonprofit 501(c) organization with a group ruling
 - the charter or letter from your parent organization recognizing your organization as a subordinate.
- Internal Revenue Service - proof previously submitted to Gambling Control Board**
 If you previously submitted proof of nonprofit status from the Internal Revenue Service, no attachment is required.

GAMBLING PREMISES INFORMATION

Name of premises where gambling activity will be conducted (for raffles, list the site where the drawing will take place) CITY OF WANDOM ARENA			
Address (do not use PO box) COUNTY FAIR GROUNDS	City WINDOM	Zip Code 56101	County CITTONWOOD
Date(s) of activity (for raffles, indicate the date of the drawing) FEBRUARY 7 2009			

Check the box or boxes that indicate the type of gambling activity your organization will conduct:

- *Bingo Raffles *Paddlewheels *Pull-Tabs *Tipboards

* **Gambling equipment** for pull-tabs, bingo paper, tipboards, and paddlewheels must be obtained from a distributor licensed by the Gambling Control Board.
 EXCEPTION: Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo.

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LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT

<p>If the gambling premises is within city limits, the city must sign this application.</p> <p>Check (✓) the action that the city is taking on this application.</p> <p><input type="checkbox"/> The application is acknowledged with no waiting period.</p> <p><input type="checkbox"/> The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).</p> <p><input type="checkbox"/> The application is denied.</p> <p>Print city name _____</p> <p><i>On behalf of the city, I acknowledge this application.</i> Signature of city personnel receiving application _____</p> <p>Title _____ Date ____/____/____</p>	<p>If the gambling premises is located in a township, both the county and township must sign this application.</p> <p>Check (✓) the action that the county is taking on this application.</p> <p><input type="checkbox"/> The application is acknowledged with no waiting period.</p> <p><input type="checkbox"/> The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days.</p> <p><input type="checkbox"/> The application is denied.</p> <p>Print county name _____</p> <p><i>On behalf of the county, I acknowledge this application.</i> Signature of county personnel receiving application _____</p> <p>Title _____ Date ____/____/____</p> <p>TOWNSHIP: <i>On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. [A township has no statutory authority to approve or deny an application [Minnesota Statute 349.213, subd. 2]]</i></p> <p>Print township name _____</p> <p>Signature of township official acknowledging application _____</p> <p>Title _____ Date ____/____/____</p>
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CHIEF EXECUTIVE OFFICER'S SIGNATURE

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the date of our gambling activity.

Chief executive officer's signature *Joe Haley* Date 5, 9, 08

<p>Complete an application for each gambling activity:</p> <ul style="list-style-type: none"> • one day of gambling activity • two or more consecutive days of gambling activity • each day a raffle drawing is held <p>Send application with:</p> <ul style="list-style-type: none"> • a copy of your proof of nonprofit status, and • \$50 application fee for each event. <p style="padding-left: 20px;">Make check payable to "State of Minnesota."</p> <p>To: Gambling Control Board 1711 West County Road B, Suite 300 South Roseville, MN 55113</p>	<p>Financial report and recordkeeping required</p> <p>A financial report form and instructions will be sent with your permit. Within 30 days of the activity date, complete and return the financial report form to the Gambling Control Board.</p> <p>Questions? Call the Licensing Section of the Gambling Control Board at 651-639-4076.</p>
--	---

Data privacy. This form will be made available in alternative format (i.e. large print, Braille) upon request. The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your qualifications to be involved in lawful gambling activities in Minnesota. You have the right to refuse to supply the information requested; however, if you refuse to supply this information, the Board may not be able to determine your qualifications and, as a consequence, may refuse to issue you a permit. If you supply the information requested,

the Board will be able to process your application. Your name and your organization's name and address will be public information when received by the Board. All the other information you provide will be private data until the Board issues your permit. When the Board issues your permit, all of the information provided to the Board will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your name and your organization's name and address which will remain public. Private data are available to: Board members,

Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney General; Commissioners of Administration, Finance, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies that are specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this Notice was given; and anyone with your consent.



Minnesota Department of Public Safety
ALCOHOL AND GAMBLING ENFORCEMENT DIVISION
 444 Cedar Street Suite 133, St. Paul MN 55101-5133
 (651) 201-7507 Fax (651) 297-5259 TTY (651) 282-6555
 WWW.DPS.STATE.MN.US



**APPLICATION AND PERMIT
 FOR A 1 TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

TYPE OR PRINT INFORMATION

NAME OF ORGANIZATION <i>Windom Lions Club</i>	DATE ORGANIZED <i>4-14-71</i>	TAX EXEMPT NUMBER <i>E41-6175799</i>	
STREET ADDRESS <i>P.O. Box 72</i>	CITY <i>Windom</i>	STATE <i>Mn</i>	ZIP CODE <i>56101</i>
NAME OF PERSON MAKING APPLICATION <i>Deloy King</i>	BUSINESS PHONE <i>(507) 830-0003</i>	HOME PHONE <i>(507) 831-5706</i>	
DATES LIQUOR WILL BE SOLD <i>6-14, 6-15-2008</i>	TYPE OF ORGANIZATION <input checked="" type="checkbox"/> CLUB <input type="checkbox"/> CHARITABLE <input type="checkbox"/> RELIGIOUS <input type="checkbox"/> OTHER NONPROFIT		
ORGANIZATION OFFICER'S NAME <i>Ron Veenker (Pres)</i>	ADDRESS <i>38135 Co Rd 22 Bingham Lake Mn 56118</i>		
ORGANIZATION OFFICER'S NAME <i>Dan Jones (Sec)</i>	ADDRESS <i>875 20th St Windom Mn 56101</i>		
ORGANIZATION OFFICER'S NAME <i>Deloy King (Treas)</i>	ADDRESS <i>136 Buckwheat Ave Windom Mn 56101</i>		
Location license will be used. If an outdoor area, describe <i>Island Park in parking lot by pool. In case of rain Barc Building</i>			
Will the applicant contract for intoxicating liquor service? If so, give the name and address of the liquor licensee providing the service.			
Will the applicant carry liquor liability insurance? If so, please provide the carrier's name and amount of coverage. <i>USG Insurance Services Occurrence - 1,000,000 Aggregate - 1,000,000</i>			
APPROVAL			
APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL & GAMBLING ENFORCEMENT			
CITY/COUNTY _____	DATE APPROVED _____		
CITY FEE AMOUNT _____	LICENSE DATES _____		
DATE FEE PAID _____	_____		
SIGNATURE CITY CLERK OR COUNTY OFFICIAL _____		APPROVED DIRECTOR ALCOHOL AND GAMBLING ENFORCEMENT _____	

NOTE: Submit this form to the city or county 30 days prior to event. Forward application signed by city and/or county to the address above. If the application is approved the Alcohol and Gambling Enforcement Division will return this application to be used as the License for the event



Minnesota Department of Public Safety
ALCOHOL AND GAMBLING ENFORCEMENT DIVISION
 444 Cedar Street Suite 133, St. Paul MN 55101-5133
 (651) 201-7507 Fax (651) 297-5259 TTY (651) 282-6555
 WWW.DPS.STATE.MN.US



**APPLICATION AND PERMIT
 FOR A 1 TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

TYPE OR PRINT INFORMATION

NAME OF ORGANIZATION <i>Windom Lions Club</i>		DATE ORGANIZED <i>4-14-71</i>	TAX EXEMPT NUMBER <i>E 41-6175799</i>	
STREET ADDRESS <i>P.O. Box 72</i>		CITY <i>Windom</i>	STATE <i>MN</i>	ZIP CODE <i>56101</i>
NAME OF PERSON MAKING APPLICATION <i>Deloy King</i>		BUSINESS PHONE <i>(507) 831-5342</i>		HOME PHONE <i>(507) 831-5706</i>
DATES LIQUOR WILL BE SOLD <i>6-21-2008</i>		TYPE OF ORGANIZATION <input checked="" type="checkbox"/> CLUB <input type="checkbox"/> CHARITABLE <input type="checkbox"/> RELIGIOUS <input type="checkbox"/> OTHER NONPROFIT		
ORGANIZATION OFFICER'S NAME <i>Ron Veenker Pres</i>		ADDRESS <i>38135 Co Rd 2 Bingham Lake Mn 56118</i>		
ORGANIZATION OFFICER'S NAME <i>Dan Jones (Sec)</i>		ADDRESS <i>875 20th St Windom Mn 56101</i>		
ORGANIZATION OFFICER'S NAME <i>Deloy King (Treas)</i>		ADDRESS <i>136 Buckwheat Arc Windom Mn 56109</i>		
Location license will be used. If an outdoor area, describe <i>Windom Community Center</i>				
Will the applicant contract for intoxicating liquor service? If so, give the name and address of the liquor licensee providing the service.				
Will the applicant carry liquor liability insurance? If so, please provide the carrier's name and amount of coverage. <i>Hendrickson Agency Inc Occurrence - 1,000,000</i> <i>Aggregate 1,000,000</i>				
APPROVAL				
APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL & GAMBLING ENFORCEMENT				
CITY/COUNTY _____		DATE APPROVED _____		
CITY FEE AMOUNT _____		LICENSE DATES _____		
DATE FEE PAID _____				
SIGNATURE CITY CLERK OR COUNTY OFFICIAL _____		APPROVED DIRECTOR ALCOHOL AND GAMBLING ENFORCEMENT _____		

NOTE: Submit this form to the city or county 30 days prior to event. Forward application signed by city and/or county to the address above. If the application is approved the Alcohol and Gambling Enforcement Division will return this application to be used as the License for the event

2008 SEASON POOL MANAGEMENT AGREEMENT

This Agreement ("Agreement") is made by and between The City of Windom, Minnesota ("City") and Sally Oltmanns ("Manager").

WITNESSETH

WHEREAS, Manager has skill and experience in pool management; and

WHEREAS, the CITY desires to hire Manager to oversee the management and operations of the Windom Pool and Manager desires to provide such services to the CITY on the terms and conditions contained in this Agreement.

AGREEMENT

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree to the terms and conditions set forth herein.

ARTICLE 1. STATEMENT OF WORK

Manager shall provide services (the "Services") as outlined herein and in Exhibit A, attached hereto.

Manager shall receive technical direction and review from, and shall report to the Recreation Director, City Administrator or such other person(s) as the CITY may designate in writing from time to time.

ARTICLE 2. COMPENSATION

In consideration of the Services provided by Manager hereunder, CITY will pay to Manager a fee not to exceed \$8,000, payable as set forth in Article 3.

ARTICLE 3. PAYMENT

Manager shall invoice the CITY on a monthly basis for work performance in the prior 30 days. City agrees to pay Manager within 15 days of receipt of a detailed invoice which outlines the services provided. Total payments shall not exceed compensation set forth in Article 2. A log of off-site work (time and services) shall be kept by Manager and provided to CITY as part of

the payment request(s). On-site work shall be tracked by the Manager through the use of the time clock at the Pool.

ARTICLE 4. INDEPENDENT STATUS

It is understood and agreed that Manager will provide the Services under this Agreement as an independent contractor and that during the performance of the Services under this Agreement, neither Manager nor any of Manager's employees, agents or representatives will be considered an employee of the CITY within the meaning or application of any federal, state or local laws or regulations including, but not limited to, laws or regulations covering unemployment insurance, old age benefits, worker's compensation, industrial accident, labor or taxes of any kind. Neither Manager nor any of Manager's employees, agents or representatives shall be entitled to any benefits that may be afforded from time to time to City's employees, including without limitation, vacation, holidays, sick leave, worker's compensation and unemployment insurance. Further, the CITY shall not be responsible for withholding or paying any taxes or social security for or on behalf of Manager or any of Manager's employees, agents or representatives. Manager shall be fully responsible for any such withholding or payment of taxes or social security for Manager and any of Manager's employees, agents or representatives.

ARTICLE 5. ASSIGNMENT AND DELEGATION

Neither party shall assign or delegate this Agreement or any rights, duties or obligations hereunder without the express written consent of the other party.

ARTICLE 6. ENTIRE AGREEMENT

This Agreement and the attached exhibits and schedules represent the entire agreement between the parties. This Agreement may be amended only by written instrument signed by both parties.

ARTICLE 7. HOLD HARMLESS

Manager shall indemnify, defend, and hold the CITY, its officers, employees and agents harmless from and against any and all damages, expenses, costs and liabilities arising out of Manager's gross negligence, intentional omissions or wrongful conduct in the course of performance of this Agreement, including, without limitation, the breach or failure of the warranties and representations set forth herein.

ARTICLE 8. CONFIDENTIAL INFORMATION

Manager shall not use, duplicate or divulge to others any confidential information or information deemed non-public or private under State law)disclosed to Manager by the CITY in the course of performance hereof without first obtaining written permission from the CITY. The CITY shall not use, duplicate, or divulge to others, any confidential information including, without limitation, trade secrets and private sector compensation data that is disclosed to the CITY by Manager in the course of performance hereof without first obtaining written permission from Manager.

ARTICLE 9. TERMINATION AND TERM

Either Party may terminate this Agreement by giving written notice to the other, which notice shall be effective 90 calendar days following receipt. Manager shall be compensated as provided herein for all Services performed and expenses incurred prior to the date of termination.

Unless earlier terminated, this Agreement shall be in effect from May 21, 2008 through September 30, 2008, unless extended in writing by both parties for convenience.

ARTICLE 10. WARRANTIES AND REPRESENTATIONS

Manager warrants and represents to the CITY as follows: (i) that neither the execution, delivery nor performance of this Agreement constitutes a breach or violation of any contract or agreement to which it is a party or by which it is in any manner bound, (ii) that it will perform any and all Services hereunder in a professional and workmanlike manner in accordance with generally accepted industry standards and requirements.

ARTICLE 11. APPLICABLE LAW

This Agreement shall be governed by, and construed in accordance with, the laws of the State of Minnesota.

ARTICLE 12. LIABILITY INSURANCE

City will provide liability insurance for the Windom Pool. Manager agrees to maintain one million dollars (\$1,000,000.00) in general liability insurance throughout the term of this Agreement in such a form and manner as to provide coverage for performance of the Services as set forth herein and reasonably related to the management of the Windom Pool. Manager shall have the City of Windom named as an additional insured party and provide the City with a copy of the insurance certificate on or before June 1, 2008.

ARTICLE 13. DUE DILIGENCE

The Manager agrees to proceed with performance of the Services with due diligence and complete the Services in a timely manner.

ARTICLE 14. TAXES.

For the Windom Pool, the CITY is not a tax exempt entity..

ARTICLE 15. LICENSES, PERMITS, LEGALITIES.

Manager agrees to obtain any and all necessary permits, certificates or licenses required to perform the Services, to comply with all applicable laws, ordinances, regulations, etc., and to perform the Services in a legal manner.

ARTICLE 16. CONTACT PERSON.

The Manager and the CITY may be contacted through the following people. Either party may change contact people by notifying the other in writing of such change:

MANAGER:

Name: Sally Oltmanns
Address: 1875 Red Leaf Court
Windom, MN 56101

CITY:

CITY OF WINDOM
Steve Nasby
444 9th Street, P. O. Box 38
Windom, MN 56101

ARTICLE 17. REMOVAL OF REPRESENTATION.

Should the CITY reasonably object to an individual deployed on the project by Manager (if any), Manager agrees to promptly replace the individual with someone reasonably acceptable to the CITY.

ARTICLE 18. FORCE MAJEURE.

Manager shall not be liable for any delay or failure in performing any obligation under this Agreement where cause for such failure or delay is beyond Manager's reasonable control.

ARTICLE 19. SEVERABILITY

Every provision of this Agreement shall be construed, to the extent possible, so as to be valid and enforceable. If any provision of this Agreement so construed is held by a court of competent jurisdiction to be invalid, illegal or otherwise unenforceable, such provision shall be deemed severed from this Agreement, and all other provisions shall remain in full force and effect.

ARTICLE 20. BINDING EFFECT.

This Agreement shall be binding upon and inure to the benefit of the parties and their respective successors and permitted assigns. Any attempted assignment not in compliance with this paragraph shall be null and void. No third party beneficiaries are intended or shall be construed as created by virtue of this Agreement.

ARTICLE 21. HEADINGS.

The headings herein are for convenience only and are not intended to have any substantive significance in interpreting this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement by their duly authorized representatives.

By: Sally Oltmanns

Name: Sally Oltmanns

Title: Pool Manager

5/15/08
Date

By: _____

Name: _____

Title: _____

Date

Exhibit A

- Review and revise Pool handbook as needed
- Work with the City and Recreation Director to set Pool dates for opening and closing
- Coordinate open swimming, swimming lessons, swimming lesson registration and splash bash with the Recreation Director
- Communicate regularly with the Recreation Director regarding pool activities or issues
- Keep accurate records of pool attendance, inventory, work schedules, injury reports, time sheets, etc.
- Work with Girl Scouts on Swim Team (practice times, meet schedule, etc.)
- Establish schedules for swimming lessons
- Produce the Community Education booklet advertisement for the Windom Pool and activities
- Contact Red Cross for updates on information, certificates and training
- Attend refresher courses and re-training as required (subject to written approval of the Park and Recreation Director if the expenditure of City funds is required)
- Contact prior year staff regarding upcoming pool season and employment opportunities
- Advertise, interview, hire and train Life Guards, Head Life Guards and Water Safety Instructors as needed.
- Review and revise binders (e.g. swim pass binder, MSDS binder)
- Establish pool staff work schedules
- Order equipment and supplies as needed
- Inform staff regarding in-service training, CPR, swim lesson registration and pool prep
- Prepare and provide staff coverage for swim lesson registration
- Provide information as required to City Hall (e.g. swim pass binder)
- Coordinate activities with Water Department (e.g. drain and fill pool, turn on/off water and changing of chlorine tanks)
- Work with staff to perform and complete pool prep (cleaning, scraping, painting, etc.) as needed/scheduled

- Conduct staff in-service and CPR training (2 dates for CPR training)
- Oversee the sale of concessions, swim passes and rentals on-site
- Operate pool during the pool season (Memorial Day – Labor Day)
- Oversee, support and hold the annual Splash Bash event
- In-service training with Fire Department and EMTs. Including EMT water training as requested
- Enable a schedule for adult swimming and aerobics
- Assist with the scheduling and planning for private pool parties
- Responsible for daily duties to promote the safe, efficient and economical operation of the pool such as adding chemicals, backwashing (as needed), sweeping, vacuuming, inspection of the pool, etc.
- Manager will complete evaluations on Head life guards and coordinate the evaluations of other pool staff
- Complete year end activities and clean-up (work with Recreation Director)
- Contact utility providers for re-connect and disconnect of services (e.g. gas, telephone, water, etc.)
- Finish and finalize Pool numbers and paperwork with copies provided to the Recreation Director
- Other duties or tasks that may reasonably be expected for standard operation of the pool

RESOLUTION #2008-

INTRODUCED:

SECONDED:

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

A RESOLUTION CLOSING UHF FUND

WHEREAS, the City has sold the UHF tower; and

WHEREAS, the City no longer operates the UHF tower or provides services to city or township residences or lessees through the use of the tower; and

WHEREAS, the UHF fund currently has a balance of approximately \$32,289.64; and

WHEREAS, it is prudent that these funds be transferred to the general fund.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WINDOM, MINNESOTA, AS FOLLOWS: That the UHF fund shall be closed and the residual equity from the fund shall be transferred to the general fund.

Adopted by the Council this 20th day of May, 2008.

Tom Riordan, Mayor

Attest: _____
Steve Nasby, City Administrator

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
CITY OFFICE	ELECTRIC FUND	UTILITIES	214.32
CITY OFFICE	MII LIFE	VEBA	194.30
CITY OFFICE	MN NCPERS LIFE INSUR	INSURANCE	80.00
CITY OFFICE	SECR REV FUND/CITY O	POSTSTATE	3.63
	Total for Department 103		492.25*
P & Z / BUILDING OFF	ELECTRIC FUND	UTILITIES	74.67
P & Z / BUILDING OFF	MII LIFE	VEBA	145.72
P & Z / BUILDING OFF	MN NCPERS LIFE INSUR	INSURANCE	24.00
P & Z / BUILDING OFF	SECR REV FUND/CITY O	EXPENSE	5.00
P & Z / BUILDING OFF	VET'S WHOA N'GO	GAS	114.81
	Total for Department 106		364.20*
CITY HALL	COTTONWOOD CO TREASU	TAXES	24.00
CITY HALL	ELECTRIC FUND	MAINTENANCE	42.16
CITY HALL	ELECTRIC FUND	UTILITIES	551.02
CITY HALL	SANDRA HERDER	CLEANING	357.48
CITY HALL	MELISSA PENAS	CLEANING	357.47
	Total for Department 115		1,332.13*
POLICE	DONNA MARCY	CLOTHING ALLOWANCE	325.00
POLICE	ELECTRIC FUND	UTILITIES	90.18
POLICE	SHAWN HAKEN	CLOTHING ALLOWANCE	325.00
POLICE	TODD HYATT	CLOTHING ALLOWANCE	325.00
POLICE	KENT F. KELLY	CLOTHING ALLOWANCE	325.00
POLICE	MII LIFE	VEBA	1,372.76
POLICE	MN NCPERS LIFE INSUR	INSURANCE	144.00
POLICE	KEVIN L. PATTERSON	CLOTHING ALLOWANCE	325.00
POLICE	SECR REV FUND/CITY O	REFUND - UTILITY PREPAYM	87.77
POLICE	JEFFREY SHIRKEY	CLOTHING ALLOWANCE	325.00
POLICE	JEFFREY SHIRKEY	EXPENSE	516.28
POLICE	BRUCE TONINATO	CLOTHING ALLOWANCE	325.00
POLICE	VOYAGER FLEET SERVIC	GAS	80.30
POLICE	DANA WALLACE	CLOTHING ALLOWANCE	325.00
POLICE	WINDOM FIRE RELIEF A	POLICE FEE REFUND	125.00
	Total for Department 120		5,016.29*
FIRE DEPARTMENT	AMOCO OIL COMPANY	GAS	93.75
FIRE DEPARTMENT	ELECTRIC FUND	UTILITIES	27.16
FIRE DEPARTMENT	VET'S WHOA N'GO	GAS	94.16
FIRE DEPARTMENT	VOYAGER FLEET SERVIC	GAS	104.12
	Total for Department 125		319.19*
STREET	AMOCO OIL COMPANY	GAS	1,303.10
STREET	COTTONWOOD CO TREASU	TAXES	24.00
STREET	ELECTRIC FUND	UTILITIES	3,200.11
STREET	BARRY MARCY	EXPENSES	13.30
STREET	MII LIFE	VEBA	923.22
STREET	MN NCPERS LIFE INSUR	INSURANCE	89.00
STREET	SECR REV FUND/CITY O	POSTAGE	8.59
STREET	VET'S WHOA N'GO	GAS	698.64

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
STREET	VOYAGER FLEET SERVIC GAS		151.47
	Total for Department 140		6,411.43*
HEALTH & SANITATION	NEAL GRUNEWALD	COMPOST SITE MANAGER	128.00
	Total for Department 145		128.00*
PARKS	COTTONWOOD CO TREASU TAXES		42.00
PARKS	MN DEPT OF EMPLY & E UNEMPLOYMENT		1,692.00
PARKS	ELECTRIC FUND	MAINTENANCE	15.57
PARKS	ELECTRIC FUND	UTILITIES	287.79
PARKS	MII LIFE	VEBA	182.23
PARKS	MN NCPERS LIFE INSUR INSURANCE		32.00
	Total for Department 165		2,251.59*
	Total for Fund 01		16,315.08*
LIBRARY	COTTONWOOD CO TREASU TAXES		24.00
LIBRARY	ELECTRIC FUND	UTILITIES	274.27
LIBRARY	SANDRA HERDER	CLEANING	357.47
LIBRARY	MELISSA PENAS	CLEANING	357.48
	Total for Department 171		1,013.22*
	Total for Fund 03		1,013.22*
AIRPORT	COTTONWOOD CO TREASU TAXES		59.00
AIRPORT	ELECTRIC FUND	MAINTENANCE	262.52
AIRPORT	MN REVENUE	ANNUAL STORM WATER PERMI	400.00
AIRPORT	RED ROCK RURAL WATER WATER		22.00
AIRPORT	SO. CENTRAL ELECTRIC POWER COST		569.38
	Total for Department 174		1,312.90*
	Total for Fund 11		1,312.90*
POOL	ELECTRIC FUND	UTILITIES	46.10
	Total for Department 175		46.10*
	Total for Fund 12		46.10*
AMBULANCE	ELECTRIC FUND	UTILITIES	23.11
AMBULANCE	TIM HACKER	EXPENSE	44.54
AMBULANCE	ALLAN REMPEL	EXPENSE	54.03
AMBULANCE	VET'S WHOA N'GO	GAS	2,270.63
AMBULANCE	DOUG WESTERMAN	EXPENSES	53.26
	Total for Department 176		2,445.57*
	Total for Fund 13		2,445.57*
MULTI-PURPOSE BUILDI	ELECTRIC FUND	UTILITIES	1,356.80
MULTI-PURPOSE BUILDI	MII LIFE	VEBA	279.38
MULTI-PURPOSE BUILDI	MN NCPERS LIFE INSUR INSURANCE		48.00

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
MULTI-PURPOSE BUILDI	RIVER BEND LIQUOR	MERCHANDISE	282.55
MULTI-PURPOSE BUILDI	SECR REV FUND/CITY O	EXPENSE	15.00
MULTI-PURPOSE BUILDI	VOYAGER FLEET SERVIC	GAS	86.69
	Total for Department 177		2,068.42*
	Total for Fund 14		2,068.42*
	US BANK	BOND PAYMENT	95,000.00
	Total for Department		95,000.00*
EDA LINDAMAN REV LOA	US BANK	BOND PAYMENT	55,490.00
	Total for Department 178		55,490.00*
	Total for Fund 31		150,490.00*
LIQUOR	BEVERAGE WHOLESALERS	MERCHANDISE	2,899.50
LIQUOR	ELECTRIC FUND	UTILITIES	987.05
LIQUOR	HAGEN DISTRIBUTING	MERCHANDISE	10,944.95
LIQUOR	A H HERMEL CANDY & T	MERCHANDISE	306.74
LIQUOR	JOHNSON BROS.	MERCHANDISE	1,740.09
LIQUOR	MII LIFE	VEBA	364.46
LIQUOR	MN NCPERS LIFE INSUR	INSURANCE	28.00
	Total for Department 180		17,270.79*
	Total for Fund 60		17,270.79*
WATER	ELECTRIC FUND	UTILITIES	5,781.92
WATER	H P SUDS	BILLING CONTRACT SERVICE	133.33
WATER	MII LIFE	VEBA	549.72
WATER	MN NCPERS LIFE INSUR	INSURANCE	40.00
WATER	SECR REV FUND/CITY O	POSTAGE	7.68
WATER	VOYAGER FLEET SERVIC	GAS	634.47
	Total for Department 181		7,147.12*
	Total for Fund 61		7,147.12*
	SECR REV FUND/CITY O	REFUND - UTILITY PREPAYM	395.00
	Total for Department		395.00*
ELECTRIC	AMOCO OIL COMPANY	GAS	351.42
ELECTRIC	COTTONWOOD CO TREASU	TAXES	24.00
ELECTRIC	DITCH WITCH OF MINNE	MAINTENANCE	212.25
ELECTRIC	ELECTRIC FUND	UTILITIES	267.52
ELECTRIC	H P SUDS	BILLING CONTRACT SERVICE	133.34
ELECTRIC	MII LIFE	VEBA	1,029.43
ELECTRIC	MN NCPERS LIFE INSUR	INSURANCE	89.00
ELECTRIC	SECR REV FUND/CITY O	BANK DRAFT	3.00
ELECTRIC	SECR REV FUND/CITY O	POSTAGE	9.09
ELECTRIC	BRAD BUSSA	CLEANING	184.60
ELECTRIC	VET'S WHOA N'GO	GAS	170.67

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
Total for Department 182			2,474.32*
Total for Fund 62			2,869.32*
SEWER	AMOCO OIL COMPANY	GAS	304.29
SEWER	ELECTRIC FUND	UTILITIES	16,232.93
SEWER	H P SUDS	BILLING CONTRACT SERVICE	133.34
SEWER	MII LIFE	VEBA	914.14
SEWER	MN NCPERS LIFE INSUR	INSURANCE	72.00
SEWER	VOYAGER FLEET SERVIC	GAS	87.61
Total for Department 183			17,744.31*
Total for Fund 63			17,744.31*
ARENA	AMOCO OIL COMPANY	GAS	40.75
ARENA	ELECTRIC FUND	UTILITIES	3,576.02
ARENA	MII LIFE	VEBA	182.23
ARENA	MN NCPERS LIFE INSUR	INSURANCE	25.00
ARENA	VET'S WHOA N'GO	GAS	72.47
ARENA	VOYAGER FLEET SERVIC	GAS	91.39
Total for Department 184			3,987.86*
Total for Fund 64			3,987.86*
	BANK MIDWEST	PRIN PAY SPEC BLDG 60037	4,000.00
Total for Department			4,000.00*
ECONOMIC DEVELOPMENT	COTTONWOOD CO TREASU	TAXES	3,088.00
ECONOMIC DEVELOPMENT	ELECTRIC FUND	UTILITIES	165.21
ECONOMIC DEVELOPMENT	MII LIFE	VEBA	230.81
ECONOMIC DEVELOPMENT	MN NCPERS LIFE INSUR	INSURANCE	24.00
ECONOMIC DEVELOPMENT	SECR REV FUND/CITY O	EXPENSE	8.00
ECONOMIC DEVELOPMENT	LAMAR	SIGN EXPENSES	500.00
Total for Department 187			4,016.02*
Total for Fund 67			8,016.02*
TELECOMMUNICATIONS	BIG TEN NETWORK	SUBSCRIBER	1,634.17
TELECOMMUNICATIONS	COMCAST MEDIA CENTER	SUBSCRIBER	29.25
TELECOMMUNICATIONS	ELECTRIC FUND	UTILITIES	1,429.44
TELECOMMUNICATIONS	FOOD NETWORK	SUBSCRIBER	11.80
TELECOMMUNICATIONS	FOX SPORTS	SUBSCRIBER	4,941.30
TELECOMMUNICATIONS	H P SUDS	BILLING CONTRACT SERVICE	399.99
TELECOMMUNICATIONS	KARE 11 TELEVISION	SUBSCRIBER	290.00
TELECOMMUNICATIONS	LIFETIME	SUBSCRIBER	641.55
TELECOMMUNICATIONS	LIFETIME MOVIE NETWO	SUBSCRIBER	30.00
TELECOMMUNICATIONS	MII LIFE	VEBA	652.90
TELECOMMUNICATIONS	NATIONAL CABLE TV CO	SUBSCRIBER	22,294.86
TELECOMMUNICATIONS	MN NCPERS LIFE INSUR	INSURANCE	80.00
TELECOMMUNICATIONS	SECR REV FUND/CITY O	EXPENSE	4.00

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
TELECOMMUNICATIONS	SECR REV FUND/CITY O	POSTAGE	.75
TELECOMMUNICATIONS	TOWER DISTRIBUTION C	SUBSCRIBER	215.55
TELECOMMUNICATIONS	VET'S WHOA N'GO	GAS	98.18
TELECOMMUNICATIONS	VOYAGER FLEET SERVIC	GAS	110.83
		Total for Department 199	32,864.57*
		Total for Fund 69	32,864.57*
MN NCPERS	LIFE INSUR	INSURANCE	32.00
		Total for Department	32.00*
		Total for Fund 70	32.00*
		Grand Total	263,623.28*

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
MAYOR & COUNCIL	CONVENT. & VISTOR BU	LODGING TAX	2,335.43
	Total for Department 101		2,335.43*
FIRE DEPARTMENT	QUEST	TELEPHONE	58.66
	Total for Department 125		58.66*
STREET	ERICKSON OIL CO	GAS	686.74
STREET	MIDWEST WIRELESS	TELEPHONE	101.11
STREET	QUEST	TELEPHONE	58.66
STREET	TITAN MACHINERY	MAINTENANCE	32.18
	Total for Department 140		878.69*
PARKS	ERICKSON OIL CO	GAS	179.02
PARKS	COUNTRY PRIDE TRUE V	MAINTENANCE	300.65
	Total for Department 165		479.67*
	Total for Fund 01		3,752.45*
POOL	AL BALOUN	POOL PETTY CASH	75.00
	Total for Department 175		75.00*
	Total for Fund 12		75.00*
AMBULANCE	MIDWEST WIRELESS	TELEPHONE	93.81
AMBULANCE	QUEST	TELEPHONE	58.67
AMBULANCE	JIM SKARPHOL	EXPENSE	163.09
	Total for Department 176		315.57*
	Total for Fund 13		315.57*
MULTI-PURPOSE BUILDI	MIDWEST WIRELESS	TELEPHONE	13.73
	Total for Department 177		13.73*
	Total for Fund 14		13.73*
BDA LINDAMAN REV LOA	US BANK	BOND EXPENSE	431.25
	Total for Department 178		431.25*
	Total for Fund 31		431.25*
LIQUOR	BEVERAGE WHOLESALERS	MERCHANDISE	8,693.40
LIQUOR	HAGEN DISTRIBUTING	MERCHANDISE	2,159.30
LIQUOR	JOHNSON BROS.	MERCHANDISE	2,889.03
LIQUOR	PEPSIAMERICAS	MERCHANDISE	145.60
LIQUOR	QUALITY WINE SPIRITS	MERCHANDISE	388.00
LIQUOR	WINE MERCHANTS	MERCHANDISE	728.00
	Total for Department 180		15,003.33*
	Total for Fund 60		15,003.33*
WATER	GOPHER STATE ONE CAL	LOCATE	13.72

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
WATER	H P SUDS	BILLING CONTRACT SERVICE	137.08
WATER	QUEST	TELEPHONE	58.66
		Total for Department 181	209.46*
		Total for Fund 61	209.46*
ELECTRIC	DITCH WITCH	MAINTENANCE	53.30
ELECTRIC	GOPHER STATE ONE CAL	LOCATE	13.72
ELECTRIC	H P SUDS	BILLING CONTRACT SERVICE	137.10
ELECTRIC	QUEST	TELEPHONE	55.21
ELECTRIC	JACK ROGERS	ENERGY REBATE	200.00
ELECTRIC	ROBYN WILLARD	ENERGY REBATE	200.00
ELECTRIC	ALLEN BARTOSH	ENERGY REBATE	100.00
ELECTRIC	MARY FRANZ	ENERGY REBATE	100.00
ELECTRIC	EUGENE HARNACK	ENERGY REBATE	100.00
ELECTRIC	AMY HENRY	ENERGY REBATE	200.00
ELECTRIC	STEPH ISAACSON	ENERGY REBATE	100.00
ELECTRIC	MURIEL LINK	ENERGY REBATE	200.00
ELECTRIC	HOWARD LYLE	ENERGY REBATE	100.00
ELECTRIC	GILBERT MOLITOR	ENERGY REBATE	275.00
ELECTRIC	RHONDA PETERSON	ENERGY REBATE	100.00
ELECTRIC	TRAFFIC CONTROL CORP	SERVICE	315.52
		Total for Department 182	2,249.85*
		Total for Fund 62	2,249.85*
SEWER	ERICKSON OIL CO	GAS	66.53
SEWER	GOPHER STATE ONE CAL	LOCATE	13.72
SEWER	H P SUDS	BILLING CONTRACT SERVICE	137.08
SEWER	QUEST	TELEPHONE	327.84
		Total for Department 183	545.17*
		Total for Fund 63	545.17*
	BANK MIDWEST	PRIN PAYMENT TO SPEC BLD	30,000.00
		Total for Department	30,000.00*
ECONOMIC DEVELOPMENT	LAMAR	SIGN EXPENSES	853.00
		Total for Department 187	853.00*
		Total for Fund 67	30,853.00*
RIVERBLUFF ESTATES	UNITED PRAIRIE BANK	LOAN PAYMENT	620.78
		Total for Department 166	620.78*
		Total for Fund 68	620.78*
	MN 9-1-1 PROGRAM	911 SERVICE	780.37
		Total for Department	780.37*

CITY OF WINDOM
 FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
TELECOMMUNICATIONS	GOPHER STATE ONE CAL	LOCATE	41.14
TELECOMMUNICATIONS	H P SUDS	BILLING CONTRACT SERVICE	411.24
TELECOMMUNICATIONS	LIFETIME MOVIE NETWO	SUBSCRIBER	30.00
TELECOMMUNICATIONS	QWEST COMMUNICATIONS	DIRECTORY LISTING	316.86
TELECOMMUNICATIONS	WOODSTOCK TELEPHONE	SERVICE	186.67
TELECOMMUNICATIONS	MARTIN JIMINEZ	TELECOM REFUND	13.10
		Total for Department 199	999.01*
		Total for Fund 69	1,779.38*
		Grand Total	55,848.97*

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
MAYOR & COUNCIL	CITIZEN PUBLISHING C	ADVERTISING	160.00
MAYOR & COUNCIL	MCDONALD & SCHRAMEL	LEGAL FEES	85.50
	Total for Department 101		245.50*
CITY OFFICE	DAN'S OFFICE SUPPLY	SUPPLIES	252.19
CITY OFFICE	SUNSHINE FOODS	SUPPLIES	54.80
CITY OFFICE	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	5.78
CITY OFFICE	HARLAND TECHNOLOGY S	SUPPLIES	177.32
	Total for Department 103		490.09*
P & Z / BUILDING OFF	CITIZEN PUBLISHING C	ADVERTISING	88.00
P & Z / BUILDING OFF	DAN'S OFFICE SUPPLY	SUPPLIES	81.86
P & Z / BUILDING OFF	INTERNATIONAL CODE C	DUES	100.00
P & Z / BUILDING OFF	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	5.78
P & Z / BUILDING OFF	PAMIDA	SUPPLIES	11.12
P & Z / BUILDING OFF	CARQUEST AUTO PARTS	MAINTENANCE	100.08
	Total for Department 106		386.84*
CITY HALL	AMERIGAS - WORTHINGT	WATER TREATMENT	23.38
CITY HALL	COTTONWOOD COUNTY SO	RECYCLING PICK UP	18.00
CITY HALL	WASTE MANAGEMENT OF	HAUL GARBAGE	81.47
CITY HALL	SCHWALBACH HARDWARE	MAINTENANCE	308.13
	Total for Department 115		430.98*
POLICE	COTTONWOOD CO TREASU	DISPATCHING	275.00
POLICE	COTTONWOOD CO TREASU	RENT	1,200.00
POLICE	DAN'S OFFICE SUPPLY	SUPPLIES	12.33
POLICE	GRAFIX SHOPPE	MAINTENANCE	475.00
POLICE	HIGLEY FORD	MAINTENANCE	17.24
POLICE	MCDONALD & SCHRAMEL	LEGAL FEES	3,572.00
POLICE	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	22.50
POLICE	MIDWEST RADAR	MAINTENANCE	60.00
POLICE	SCHWALBACH HARDWARE	MAINTENANCE	14.84
POLICE	WINDOM AREA HOSPITAL	SERVICE	30.00
POLICE	COUNTRY PRIDE SERVIC	MAINTENANCE	20.00
	Total for Department 120		5,698.91*
FIRE DEPARTMENT	COTTONWOOD CO TREASU	DISPATCHING	212.50
FIRE DEPARTMENT	FOX BROTHERS	TRUCK	819.02
FIRE DEPARTMENT	HEIMAN FIRE EQUIP. C	MAINTENANCE	233.25
FIRE DEPARTMENT	WINDOM AUTO VALU	MAINTENANCE	.84
FIRE DEPARTMENT	LUCAN COMMUNITY TV I	MAINTENANCE	262.84
FIRE DEPARTMENT	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	5.78
FIRE DEPARTMENT	RIVERSIDE LAUNDRY	SERVICE	27.96
FIRE DEPARTMENT	RUNNING'S SUPPLY	MAINTENANCE	8.80
FIRE DEPARTMENT	SCHWALBACH HARDWARE	MAINTENANCE	47.89
FIRE DEPARTMENT	CARQUEST AUTO PARTS	MAINTENANCE	38.86
	Total for Department 125		1,657.74*
EMERGENCY MANAGEMENT	COTTONWOOD CO TREASU	DISPATCHING	12.50
EMERGENCY MANAGEMENT	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	200.00

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
Total for Department 130			212.50*
ANIMALS	COTTONWOOD-SLAYTON V	VETERINARY SERVICE	31.95
Total for Department 135			31.95*
STREET	EARL ANDERSON	MAINTENANCE	177.86
STREET	CITIZEN PUBLISHING C	ADVERTISING	343.20
STREET	COTTONWOOD CO TREASU	DISPATCHING	125.00
STREET	WASTE MANAGEMENT OF	HAUL GARBAGE	124.94
STREET	DIAMOND VOGEL PAINT	MAINTENANCE	76.68
STREET	ENVIROSIDE	TESTING	325.00
STREET	GDF ENTERPRISES, INC	MAINTENANCE	16.07
STREET	WINDOM AUTO VALU	MAINTENANCE	90.84
STREET	JIFFY-JR. PRODUCTS	SUPPLIES	90.53
STREET	LAMPERTS YARDS, INC.	MAINTENANCE	46.48
STREET	MACQUEEN EQUIP. CO.	MAINTENANCE	4,328.32
STREET	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	5.78
STREET	MESSER MACHINE & MFG	MAINTENANCE	14.04
STREET	MN ENERGY RESOURCES	HEATING	677.46
STREET	QUALITY OVERHEAD DOO	MAINTENANCE	373.00
STREET	RUNNING'S SUPPLY	MAINTENANCE	135.05
STREET	SCHWALBACH HARDWARE	MAINTENANCE	56.85
STREET	HD SUPPLY WATERWORKD	MAINTENANCE	263.11
STREET	THE SEED CENTER	SUPPLIES	663.00
STREET	COUNTRY PRIDE SERVIC	MAINTENANCE	20.00
STREET	WINDOM FARM SERVICE	MAINTENANCE	44.80
STREET	CARQUEST AUTO PARTS	MAINTENANCE	187.14
Total for Department 140			8,185.15*
HEALTH & SANITATION	CITIZEN PUBLISHING C	ADVERTISING	1,587.60
HEALTH & SANITATION	NEAL GRUNEWALD	COMPOST SITE MANAGER	128.00
Total for Department 145			1,715.60*
RECREATION	CITIZEN PUBLISHING C	ADVERTISING	140.50
RECREATION	PIONEER REVERE	MAINTENANCE	116.09
Total for Department 150			256.59*
PARKS	AMUNDSON DIG	MAINTENANCE	89.46
PARKS	BRYAN ROCK PRODUCTS,	MAINTENANCE	248.11
PARKS	COTTONWOOD CO TREASU	DISPATCHING	37.50
PARKS	WASTE MANAGEMENT OF	HAUL GARBAGE	124.22
PARKS	DAN'S OFFICE SUPPLY	SUPPLIES	215.69
PARKS	WINDOM AUTO VALU	MAINTENANCE	79.17
PARKS	LAMPERTS YARDS, INC.	MAINTENANCE	137.60
PARKS	MESSER MACHINE & MFG	MAINTENANCE	48.00
PARKS	MTI DISTRIBUTING COM	MAINTENANCE	156.56
PARKS	PHILS SURPLUS	MAINTENANCE	48.00
PARKS	RUNNING'S SUPPLY	MAINTENANCE	149.55
PARKS	SANFORD LABORATORIES	TESTING	32.56
PARKS	SCHWALBACH HARDWARE	MAINTENANCE	230.06

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
PARKS	SOUTHERN MINN CONSTR	MAINTENANCE	192.93
PARKS	WINDOM FARM SERVICE	MAINTENANCE	8.18
PARKS	CARQUEST AUTO PARTS	MAINTENANCE	26.62
PARKS	WINDOM READY MIX	MAINTENANCE	52.72
PARKS	ABATRON, INC.	MAINTENANCE	315.44
PARKS	BSN SPORTS COLLEGIAT	SUPPLIES	591.97
	Total for Department 165		2,784.34*
	Total for Fund 01		22,096.19*
LIBRARY	BBC AUDIO	BOOKS	224.52
LIBRARY	CARSON INDUSTRIES, I	SUPPLIES	134.95
LIBRARY	CENTER POINT LARGE P	BOOKS	40.14
LIBRARY	CITIZEN PUBLISHING C	ADVERTISING	103.75
LIBRARY	COTTONWOOD COUNTY SO	RECYCLING PICK UP	18.00
LIBRARY	DAN'S OFFICE SUPPLY	SUPPLIES	23.88
LIBRARY	DAVIS TYPEWRITER	MAINTENANCE CONTRACT	240.41
LIBRARY	DEMCO	SUPPLIES	114.33
LIBRARY	GALE	BOOKS	313.81
LIBRARY	GUMDROP BOOKS	BOOKS	552.40
LIBRARY	INGRAM	BOOKS	2,187.64
LIBRARY	J & K WINDOWS	CLEANING	15.00
LIBRARY	MICROMARKETING	AUDIO / BOOKS	445.46
LIBRARY	PEOPLE BOOKS	BOOKS	40.90
LIBRARY	PLUM CREEK LIBRARY	SRP SUPPLIES	46.14
LIBRARY	RECORDED BOOKS, LLC	AUDIO	446.60
LIBRARY	READERS SERVICE	BOOKS	52.86
LIBRARY	READER'S DIGEST	SUBSCRIPTION	29.98
LIBRARY	SCHWALBACH HARDWARE	MAINTENANCE	37.63
LIBRARY	TASTE OF HOME	SUBSCRIPTION	19.98
LIBRARY	WINDOM COMMUNITY EDU	AD	70.00
LIBRARY	MN HISTORICAL SOCIET	SUBSCRIPTION	20.00
LIBRARY	NATURAL HISTORY	SUBSCRIPTION	25.00
	Total for Department 171		5,203.38*
	Total for Fund 03		5,203.38*
	HEIMAN FIRE EQUIP. C	MAINTENANCE	3,590.50
	Total for Department		3,590.50*
	Total for Fund 04		3,590.50*
POOL	CITIZEN PUBLISHING C	ADVERTISING	106.88
POOL	DAN'S OFFICE SUPPLY	SUPPLIES	346.13
POOL	LEWIS FAMILY DRUG #5	SUPPLIES	6.10
POOL	M&G DISTRIBUTORS	MAINTENANCE	320.67
POOL	SCHWALBACH HARDWARE	MAINTENANCE	13.29
POOL	WINDOM PAINTING	MAINTENANCE	6,223.30
	Total for Department 175		7,016.37*

CITY OF WINDOM
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Department	Vendor Name	Description	Amount
Total for Fund 12			7,016.37*
	STRYKER MEDICAL	COT	11,443.72
Total for Department			11,443.72*
AMBULANCE	BOUND TREE	EQUIPMENT	579.83
AMBULANCE	COTTONWOOD CO TREASU	DISPATCHING	200.00
AMBULANCE	FRANKS SHOE REPAIR	SUPPLIES	207.10
AMBULANCE	WINDOM AUTO VALU	MAINTENANCE	35.60
AMBULANCE	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	5.78
AMBULANCE	PRAXAIR DISTRIBUTION	SERVICE	304.14
AMBULANCE	WINDOM AREA HOSPITAL	SERVICE	1,142.69
AMBULANCE	COUNTRY PRIDE SERVIC	MAINTENANCE	853.19
AMBULANCE	CARQUEST AUTO PARTS	MAINTENANCE	11.46
Total for Department 176			3,339.79*
Total for Fund 13			14,783.51*
	LAMPERTS YARDS, INC.	MAINTENANCE	5.46
Total for Department			5.46*
MULTI-PURPOSE BUILDI	CITIZEN PUBLISHING C	ADVERTISING	368.00
MULTI-PURPOSE BUILDI	WASTE MANAGEMENT OF	HAUL GARBAGE	105.30
MULTI-PURPOSE BUILDI	DAN'S OFFICE SUPPLY	SUPPLIES	41.12
MULTI-PURPOSE BUILDI	GDF ENTERPRISES, INC	MAINTENANCE	49.64
MULTI-PURPOSE BUILDI	SUNSHINE FOODS	SUPPLIES	129.58
MULTI-PURPOSE BUILDI	WINDOM AUTO VALU	MAINTENANCE	13.82
MULTI-PURPOSE BUILDI	KDOM RADIO	ADVERTISING	147.40
MULTI-PURPOSE BUILDI	MARTIN'S FLAG COMPAN	FLAG	300.75
MULTI-PURPOSE BUILDI	SCHWALBACH HARDWARE	MAINTENANCE	132.78
MULTI-PURPOSE BUILDI	STONER INDUSTRIAL, I	SERVICE	83.94
MULTI-PURPOSE BUILDI	PAPCO, INC.	MAINTENANCE	53.36
MULTI-PURPOSE BUILDI	WENGER	MAINTENANCE	116.09
Total for Department 177			1,541.78*
Total for Fund 14			1,547.24*
LIQUOR	ENVIROMASTER, INC.	SERVICE	78.82
LIQUOR	CITIZEN PUBLISHING C	ADVERTISING	65.00
LIQUOR	COCA-COLA BOTTLING C	MERCHANDISE	240.00
LIQUOR	CULLIGAN	SERVICE	7.67
LIQUOR	WASTE MANAGEMENT OF	HAUL GARBAGE	45.79
LIQUOR	DAN'S OFFICE SUPPLY	SUPPLIES	34.09
LIQUOR	GOPHER ALARMS	SERVICE	51.12
LIQUOR	GRIGGS COOPER	MERCHANDISE	6,857.48
LIQUOR	HAMCO DATA PRODUCTS	SUPPLIES	125.56
LIQUOR	HEARTLAND PAPER COMP	SUPPLIES	171.22
LIQUOR	A H HERMEL CANDY & T	MERCHANDISE	798.69
LIQUOR	JOHNSON BROS.	MERCHANDISE	144.00
LIQUOR	PEPSIAMERICAS	MERCHANDISE	210.00

CITY OF WINDOM
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Department	Vendor Name	Description	Amount
LIQUOR	QUALITY WINE SPIRITS	MERCHANDISE	88.00
LIQUOR	S&K LINES	FREIGHT	517.65
LIQUOR	SCHWALBACH HARDWARE	MAINTENANCE	8.69
LIQUOR	WINDOM AREA CHAMBER	WOMENS LUNCH/ADVERTISING	39.00
		Total for Department 180	9,482.78*
		Total for Fund 60	9,482.78*
	HD SUPPLY WATERWORKD	MAINTENANCE	180.76
		Total for Department	180.76*
WATER	CALIFORNIA CONTRACTO	SUPPLIES	139.00
WATER	CITIZEN PUBLISHING C	ADVERTISING	254.00
WATER	COTTONWOOD CO TREASU	DISPATCHING	100.00
WATER	HAWKINS, INC	CHEMICALS	4,105.34
WATER	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	5.78
WATER	MIDWEST DATA, INC	SPECIAL SERVICES	111.39
WATER	MIDWEST DATA, INC	UTILITY BILLING	805.71
WATER	MIDWEST WIRELESS	TELEPHONE	43.76
WATER	MN DEPT OF HEALTH	REGISTRATION	60.00
WATER	MN VALLEY TESTING	TESTING	56.25
WATER	NORTHERN WATER WORKS	MAINTENANCE	181.55
WATER	RUNNING'S SUPPLY	MAINTENANCE	13.59
WATER	SCHWALBACH HARDWARE	MAINTENANCE	34.96
WATER	HD SUPPLY WATERWORKD	MAINTENANCE	250.85
WATER	ALPHA RADIATOR	MAINTENANCE	222.25
		Total for Department 181	6,384.43*
		Total for Fund 61	6,565.19*
	B & B TRANSFORMER	INVENTORY	10,299.62
	BORDER STATES ELECTR	MAINTENANCE	1,873.65
	DAKOTA SUPPLY GROUP	MAINTENANCE	7,410.27
	RESCO	INVENTORY	715.68
	RESCO	INVENTORY	1,431.36
	WERNER ELECTRIC	MAINTENANCE	287.10
	WESCO DISTRIBUTION,	SUPPLIES	1,320.60
		Total for Department	23,338.28*
ELECTRIC	CENTRAL MINNESOTA MU	MMTG TRANSMISSION	11,379.00
ELECTRIC	CITIZEN PUBLISHING C	ADVERTISING	228.00
ELECTRIC	COTTONWOOD CO TREASU	DISPATCHING	187.50
ELECTRIC	WASTE MANAGEMENT OF	HAUL GARBAGE	81.08
ELECTRIC	DHL EXPRESS	FREIGHT	24.32
ELECTRIC	SUNSHINE FOODS	SUPPLIES	1.37
ELECTRIC	MARV GRUNIG	EXPENSE	73.73
ELECTRIC	H D ELECTRONICS, INC	MAINTENANCE	154.39
ELECTRIC	HIGLEY FORD	MAINTENANCE	1,318.14
ELECTRIC	WINDOM AUTO VALU	MAINTENANCE	52.47
ELECTRIC	KDOM RADIO	ADVERTISING	231.00

CITY OF WINDOM
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Department	Vendor Name	Description	Amount
ELECTRIC	LAB SAFETY SUPPLY IN	SUPPLIES	74.16
ELECTRIC	J. H. LARSON	MAINTENANCE	118.23
ELECTRIC	MCDONALD & SCHRAMEL	LEGAL FEES	114.00
ELECTRIC	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	5.78
ELECTRIC	MIDWEST DATA, INC	SPECIAL SERVICES	1,269.64
ELECTRIC	MIDWEST DATA, INC	UTILITY BILLING	805.72
ELECTRIC	MN MUNICIPAL UTILITI	CONNECTOR LAYOUT	250.00
ELECTRIC	NORTHLAND CHEMICAL C	SUPPLIES	141.27
ELECTRIC	PAMIDA	SUPPLIES	15.96
ELECTRIC	RESCO	INVENTORY	52.72
ELECTRIC	RETROFIT RECYCLING,	SERVICE	584.21
ELECTRIC	RUNNING'S SUPPLY	MAINTENANCE	250.17
ELECTRIC	SANFORD LABORATORIES	TESTING	32.56
ELECTRIC	SCHWALBACH HARDWARE	MAINTENANCE	52.65
ELECTRIC	STONER INDUSTRIAL, I	SERVICE	67.96
ELECTRIC	UTILITIES PLUS ENERG	MAINTENANCE	1,401.30
ELECTRIC	WERNER ELECTRIC	MAINTENANCE	47.94
ELECTRIC	DEPARTMENT OF ENERGY	POWER COST	60,000.62
ELECTRIC	WINDOM AREA DEVELOPM	INDUSTRIAL DEVELOPMENT	1,200.00
ELECTRIC	WINDOM AREA HOSPITAL	SERVICE	35.00
	Total for Department 182		80,250.89*
	Total for Fund 62		103,589.17*
SEWER	CITIZEN PUBLISHING C	ADVERTISING	42.00
SEWER	COTTONWOOD CO TREASU	DISPATCHING	100.00
SEWER	WASTE MANAGEMENT OF	HAUL GARBAGE	81.47
SEWER	HAWKINS, INC	CHEMICALS	978.22
SEWER	MICHEAL HAUGEN	EXPENSE	40.00
SEWER	WINDOM AUTO VALU	MAINTENANCE	28.53
SEWER	JIFFY-JR. PRODUCTS	SUPPLIES	42.32
SEWER	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	5.77
SEWER	MIDWEST DATA, INC	SPECIAL SERVICES	111.39
SEWER	MIDWEST DATA, INC	UTILITY BILLING	805.71
SEWER	MIDWEST WIRELESS	TELEPHONE	43.75
SEWER	MN REVENUE	2007 ANNUAL PERMIT FEE	5,900.00
SEWER	MN VALLEY TESTING	TESTING	3,808.40
SEWER	NORTHERN WATER WORKS	MAINTENANCE	181.56
SEWER	MN ENERGY RESOURCES	HEATING	513.82
SEWER	RUNNING'S SUPPLY	MAINTENANCE	21.82
SEWER	SCHWALBACH HARDWARE	MAINTENANCE	51.63
SEWER	SUNSHINE FILTERS	MAINTENANCE	484.44
SEWER	ALPHA RADIATOR	MAINTENANCE	222.25
SEWER	MOUNTAIN LAKE MUNICI	CAMERA FOR SEWER	250.00
SEWER	WESTMAN FREIGHTLINER	MAINTENANCE	213.41
	Total for Department 183		13,926.49*
	Total for Fund 63		13,926.49*
ARENA	AMERIPRIDE LINEN CO	SERVICE	126.20

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
ARENA	CITIZEN PUBLISHING C	ADVERTISING	40.00
ARENA	WASTE MANAGEMENT OF	HAUL GARBAGE	125.33
ARENA	GDF ENTERPRISES, INC	MAINTENANCE	8.40
ARENA	WINDOM AUTO VALU	MAINTENANCE	10.83
ARENA	KDOM RADIO	ADVERTISING	70.00
ARENA	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	5.77
ARENA	MESSER MACHINE & MFG	MAINTENANCE	26.94
ARENA	M&G DISTRIBUTORS	MAINTENANCE	301.99
ARENA	RUNNING'S SUPPLY	MAINTENANCE	111.75
ARENA	SCHWALBACH HARDWARE	MAINTENANCE	140.50
ARENA	STONER INDUSTRIAL, I	SERVICE	9.52
ARENA	CARQUEST AUTO PARTS	MAINTENANCE	8.18
ARENA	WINDOM READY MIX	MAINTENANCE	962.05
	Total for Department 184		1,947.46*
	Total for Fund 64		1,947.46*
ECONOMIC DEVELOPMENT	CITIZEN PUBLISHING C	ADVERTISING	240.00
ECONOMIC DEVELOPMENT	DAN'S OFFICE SUPPLY	SUPPLIES	8.55
ECONOMIC DEVELOPMENT	MCDONALD & SCHRAMEL	LEGAL FEES	19.00
ECONOMIC DEVELOPMENT	NEW STAR SALES & SER	COPIER MAINTENANCE	30.00
ECONOMIC DEVELOPMENT	PAMIDA	SUPPLIES	11.12
ECONOMIC DEVELOPMENT	SCHWALBACH HARDWARE	MAINTENANCE	72.40
ECONOMIC DEVELOPMENT	WINDOM BAKERY	EXPENSE	36.00
	Total for Department 187		417.07*
	Total for Fund 67		417.07*
RIVERBLUFF ESTATES	WINDOM AUTO VALU	MAINTENANCE	23.03
RIVERBLUFF ESTATES	BRADY POWERS	MOWING	262.00
RIVERBLUFF ESTATES	WINDOM FARM SERVICE	MAINTENANCE	201.16
	Total for Department 166		486.19*
	Total for Fund 68		486.19*
TELECOMMUNICATIONS	B B C AMERICA	SUBSCRIBER	7.75
TELECOMMUNICATIONS	WASTE MANAGEMENT OF	HAUL GARBAGE	71.96
TELECOMMUNICATIONS	DAN'S OFFICE SUPPLY	SUPPLIES	90.96
TELECOMMUNICATIONS	CARL A DE JONGH	WIRE	6,163.20
TELECOMMUNICATIONS	DISCOVERY DIGITAL NE	SUBSCRIBER	57.61
TELECOMMUNICATIONS	GLOBAL GOV'T/EDUCATI		171.17
TELECOMMUNICATIONS	GRAYBAR ELECTRIC CO	MAINTENANCE	438.80
TELECOMMUNICATIONS	KDOM RADIO	ADVERTISING	88.00
TELECOMMUNICATIONS	MCDONALD & SCHRAMEL	LEGAL FEES	47.50
TELECOMMUNICATIONS	MIDWEST DATA, INC	SPECIAL SERVICES	134.63
TELECOMMUNICATIONS	MIDWEST DATA, INC	UTILITY BILLING	2,417.13
TELECOMMUNICATIONS	PRO CELLULAR	TELEPHONE	484.46
TELECOMMUNICATIONS	RFD TV	SUBSCRIBERS	204.75
TELECOMMUNICATIONS	RUNNING'S SUPPLY	MAINTENANCE	39.38
TELECOMMUNICATIONS	RUSHMORE INDUSTRIES,	MAINTENANCE	84.46

CITY OF WINDOM
 FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
TELECOMMUNICATIONS	SCHWALBACH HARDWARE	MAINTENANCE	88.13
TELECOMMUNICATIONS	SOUTHWEST/WEST CENTR	SERVICE	833.33
TELECOMMUNICATIONS	STONER INDUSTRIAL, I	SERVICE	38.14
TELECOMMUNICATIONS	WENCK ASSOCIATES, IN	FIBER OPTIC	105.00
TELECOMMUNICATIONS	WINDOM AREA CHAMBER	WOMENS LUNCH/ADVERTISING	12.00
TELECOMMUNICATIONS	WINDOM QUICK PRINT	CONNECTION/ADVERTISING	2,075.42
TELECOMMUNICATIONS	FURUKAWA AMERICA, IN	MAINTENANCE	159.00
TELECOMMUNICATIONS	RADIANT COMMUNICATIO	MAINTENANCE	2,050.28
	Total for Department 199		15,863.06*
	Total for Fund 69		15,863.06*
	COLONIAL LIFE INSURA	INSURANCE	22.05
	MN BENEFIT ASSOCIATI	INSURANCE	96.18
	Total for Department		118.23*
	Total for Fund 70		118.23*
	Grand Total		206,632.83*

Lori Frisk-Thompson

From: Lori Frisk-Thompson
Sent: Wednesday, May 14, 2008 9:26 AM
To: 'rhs@schulteassociates.com'; Steve Thompson; Larry Blaine
Cc: Colleen Knudtson
Subject: SD Governor Rounds slams Big Stone ruling

<http://www.argusleader.com/apps/pbcs.dll/article?AID=/200805140155/NEWS/805140307>

ArgusLeader.com

May 14, 2008

Rounds slams Big Stone ruling

Minn. judges' decision could hurt S.D. wind energy, governor says

Terry Woster
twoster@midco.net

PIERRE - South Dakota's fledgling wind-energy industry relies in part on the power-plant transmission lines that an administrative ruling in Minnesota places in jeopardy.

Gov. Mike Rounds criticized the ruling that recommended against allowing transmission lines from the proposed Big Stone II power plant to be built across west-central Minnesota.

"We think it is shortsighted, and we're not done with that issue yet," Rounds said during a call-in radio program on the Dakota News Network. "This could be a real setback ... because we had envisioned 1,000 megawatts of wind power from South Dakota using that same line."

After the program, Rounds said proponents of the power plant would try to persuade the Minnesota Public Utilities Commission to reject the recommendation by two administrative law judges.

"It isn't in the best interests of the people of the area or of energy production for the nation," he said. "If that ruling stands, energy production in the entire region suffers."

Five utility companies want to build the new coal-fired power plant near an existing plant on Big Stone Lake near Milbank. The judges said the utilities didn't show that the demand for power couldn't be met with renewable energy and greater efficiency.

Dan Sharp, communications manager for Big Stone II, said conservation and renewable sources of energy are essential, but "we're also going to need a source of thermal-based power that is reliable."

If Big Stone II becomes a reality, it will represent only about 10 percent of the power that will be needed in the region by 2015, Sharp said. It's one of a series of projects being proposed.

Rounds said wind energy is essential in his vision for South Dakota to become what he called the epicenter for energy production in the upper U.S.

"We have a huge amount of capability here, but we don't have the transmission lines to get it out of state," he said.

Sharp agreed, saying, "Wind energy projects in the area are dependent on this project being built."

Rounds said: "We have to go back in and see if we can get their Public Utilities Commission to literally see the light and recognize that the folks in Montevideo and Granite Falls are not going to be very happy the first time it's 40 below and there's a brownout because an administrative law judge decided on their own that we should just conserve energy instead."

5/14/2008



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Budget negotiations continue

After more than a week of intense negotiations, legislative leadership and Governor Pawlenty have yet to resolve their differences over how to address the projected \$935 million state budget deficit and several related issues that will impact cities including levy limits and local government aid (LGA) funding.

The governor's demand for levy limits is apparently tied to the Legislature's use of two revenue raising tax changes—the foreign operating corporation tax modification and the modification to the foreign royalty subtraction. Combined, these two changes raise an estimated \$109 million in state revenues. Earlier this week, the governor was demanding levy limits that would reduce the estimated 2009 property tax level of cities and counties by \$100 million—about equal to the two corporate tax changes.

To achieve that amount of “savings,” the levy limit applied to cities over 2,500 population was estimated to be limited to three percent of certified levy plus state aid. Initially, the Legislature only agreed to a levy limit that would allow cities and counties to increase levies to cover the cost of inflation as measured by the implicit price deflator and service demand growth as measured by the local growth in households and one-half of the percent increase in commercial and industrial property growth for new construction.

The negotiations have resulted in an increase the governor's proposed limit to 3.9 percent and a decrease in the Legislature's target, first to 5.5 percent and then apparently late last night to 3.9 percent, which matches the governor's demand. However, the two sides are still far apart on the level of LGA funding for cities. The omnibus tax bill, which still has not been considered on the floors, contains \$55 million in additional LGA

beginning in 2009. At one point, the rumored funding level in the budget negotiations was down to \$26 million. Last night, legislators apparently increased their demand for LGA in exchange for the tighter levy limit. However, the negotiations are far from finalized.

The League of Minnesota Cities is still encouraging cities to contact the governor and legislative leadership to express concerns about levy limits. On Thursday, the League sent a letter to the governor and leadership urging that levy limits be dropped from the negotiations.

Of course, cities and counties are far from finalizing their 2009 budgets and related property tax levies, so the “savings” that may result from levy limits is speculative at best. However, the combination of tight levy limits and an LGA increase could increase the exposure of cities to future state budget deficits. For example, if levy limits are imposed for 2009, the LGA increase for a recipient city will effectively reduce the city's allowable levy limit. If LGA is subsequently cut as a result of a future deficit, the city could lose their LGA increase without the ability to immediately increase its property tax levy. The magnitude of any future deficit and whether LGA would be a part of a “solution” is only speculation.

If the Legislature and governor do not reach a budget accord by May 19, cities could also be at significant risk. If the session ends without an agreement, the governor has two choices—he can call a special session or use his unallotment authority to balance the budget.

Before he can unallot, or reduce state expenditure commitments, he must first draw down the state's budget reserve, which currently contains \$653 million. With a deficit estimated at \$935 million, the use of the reserve would leave approximately \$282 million of remaining unallotments to



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balance the budget. However, the Legislature has already approved, and the governor has signed into law, new spending commitments for the bridge collapse survivors (\$38 million) and between \$15 and \$30 million in other miscellaneous expenditures. In other words, the governor would have to unallot as much as \$350 million in existing expenditure commitments to fully balance the budget.

With only a little more than 13 months remaining in the current biennium, the governor does not have many alternatives for unallotment. The only city and county aid payments that remain for this biennium are the scheduled distribution of the first one-half of LGA in July, the first one-half of market value homestead credit in October and the second one-half of both LGA and MVHC in December. In other words, cities could experience aid and credit cuts yet this year.

Questions? Contact Gary Carlson at 651.281.1255 or gcarlson@lmc.org.

Cities lose some, win some in final data practices legislation

Beginning August 1, cities, school districts, counties and certain urban townships will be subject to increased penalty provisions and new protections for information on individuals who apply for and are appointed to serve on local boards, advisory committees and commissions.

Chapter 315, which was signed by Governor Pawlenty on Thursday, May 15, and became effective on Friday, May 16, includes the following increases for the range of penalties that may be imposed for willful violations of Chapter 13, the Minnesota Government Data Practices Act (MGDPA):

- Under Minn. Stat. § 13.08, subd. 1, the range of penalties that can be imposed for a willful

of the MGDPA will increase from \$100 - \$10,000 for each violation will increase to no less than \$1,000 and no more than \$15,000.

Legislators on the conference committee compromised on the penalty increase to resolve repeated attempts over the past several sessions to impose steep increases in such penalties that can be imposed in addition to payments of attorney fees, damages and court costs for violations that are subject to litigation in court. (Amendments to the legislation this year proposed hiking the range of such penalties to no less than \$10,000 to as high as \$50,000 for each violation). Exemplary penalties for willful violations have not been increased since 1974.

Chapter 315 (SF 3235) also contains new provisions in Minn. Stat. § 13.601, subd. 3, pertaining to information on individuals who apply for appointment to city boards and commissions, making data on those applicants private data, except for the name; city of residence (except when the residency requirement necessitates that the entire address be made public); education and training; employment history; volunteer work; awards and honors; prior government service and any data that is required to be provided or that the applicant volunteers in the application.

Once an applicant has been appointed, certain data on that individual is public, including residential address and either a telephone number or email address where the appointee can be reached – or both, at the request of the appointee.

The new data practices requirements on appointments also makes clear that any email address or phone number provided by a city for use by an appointee is public and that an appointee may use an email address or phone number provided by the city as the designated



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email or phone number at which the appointee can be reached.

Questions? Contact Ann Higgins at 651.281.1257 or ahiggins@lmc.org.

Pension conference committee completes bill

Thursday evening, the conference committee on the omnibus pension bill took less than two hours to resolve several major differences between the House and Senate versions of the bill. The conference report may be considered on the House and Senate floors as early as today.

The bills, HF 3082 authored by Rep. Mary Murphy (DFL-Hermantown) and SF 2720 authored by Sen. Don Betzold (DFL-Fridley), contained five differences that the conference committee had to resolve, including two provisions that were significantly different and controversial, including a House provision that would have allowed legislators and elected state officers in the state defined contribution program to transfer into the state defined benefit plan after ten years of employment and a second set of House provisions that would have increased teacher retirement benefits, reduced normal retirement age for members of the Teachers Retirement Association (TRA) from 66 to 65, and increased school employer and employee contributions to cover the cost.

During the conference committee discussions, Rep. Paul Thissen (DFL-Minneapolis) offered an amendment, presumably on behalf of Education Minnesota, the state teacher's organization that would have delayed the implementation of the post fund fix for TRA and would have required a study of benefit improvements for teachers. Sen. Betzold divided the amendment and the conference committee defeated the Post Fund

delay for TRA but ultimately approved a study of teacher retirement benefits.

The conference committee decided to not include the House teacher retirement benefit language and the legislator/elected officer opt-in language. The other major difference between the House and Senate bills was a House provision that would have increased the membership of the Pension Commission to 14 members. Senate conferees did not support the membership expansion.

The conference committee report contains a number of provisions that will impact local government employees and employers, including legislation involving the Public Employees Retirement Association (PERA) as well as Minnesota State Fire Relief Association. One of the most visible and controversial sections of the bill is the proposal that was developed by the Post Fund Committee of the Joint Retirement Systems to address an estimated \$2.4 billion deficit in the Minnesota Post-Retirement Investment Fund. Under current law, there is no mechanism to fund this deficit other than unpredictable investment returns.

Although the Post Fund deficit has been reduced over the past two years, Howard Bicker, the head of the State Board of Investment indicated to the conference committee that the Post Fund status has likely deteriorated in recent months and that the recommendations for the Post Fund are a responsible and necessary step to respond to an ongoing Post Fund deficit.

The plan would begin to address the deficit by reducing the annual benefit adjustments for retirees. In the event that these adjustments are not sufficient to address the deficit in a reasonable amount of time, the proposal includes a failsafe merger proposal that would dissolve the Post Fund if the funding level is reduced to 80



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percent in any one year or 85 percent for two consecutive years. If dissolution were triggered, the assets and liabilities of the Post Fund would be proportionally divided among the three active funds—including PERA.

Questions? Contact Gary Carlson at 651.281.1255 or gcarlson@lmc.org.

Conference committee strips seat belt provision from transportation policy bill

A conference committee report that was rejected by the House last week was modified Thursday and may be reconsidered as soon as this afternoon.

The House had returned the conference committee report on the 2008 Omnibus Transportation Policy bill, HF 3800 (Rep. Frank Hornstein, DFL-Minneapolis and Sen. Steve Murphy, DFL-Red Wing) because a majority of members objected to a provision that would have allowed law enforcement officers to stop a driver for failure of the driver or a passenger to wear a seatbelt. Existing law requires drivers and passengers to wear a seatbelt, but considers failure to wear a seatbelt as a secondary offense.

The conference committee reconvened on Thursday, removed the seat belt provision, and sent the report back to the House and Senate. Remaining in the bill are a number of policy provisions, including language regulating the retrieval of contents from a vehicle that has been towed, and the League's "Truth in Ticketing" initiative, which would require the state surcharge to be printed on all parts of the uniform traffic ticket. It is expected to pass both bodies, and Governor Tim Pawlenty (R) has not indicated any concerns with the bill.

This is the second omnibus transportation policy bill to face hurdles this session. The 2007 omnibus transportation policy bill, HF 1351/SF 1971, sponsored by Rep. Frank Hornstein (DFL-Minneapolis) and Sen. Steve Murphy (DFL-Red Wing), was awaiting final passage when the 2007 Legislature adjourned. It was passed by the House and Senate this session only be vetoed by Governor Pawlenty over language stating Minnesota's refusal to comply with the federal REAL I.D. Act.

The bill was finally signed into law on Friday of last week. It reached the governor's desk after Sen. Murphy successfully offered an amendment that attaches most of the provisions from the vetoed bill to HF 3486, also authored by Rep. Hornstein and Sen. Murphy. HF 3486 is a noncontroversial bill that was awaiting action on General Orders. The re-passed 2007 omnibus bill does not contain the REAL I.D. language. Most provisions in the 2007 bill are considered noncontroversial. It addresses traffic regulations, vehicle registration, Department of Transportation planning reports, towing authority, Metropolitan Council planning, railway safety and truck size and truck weight restrictions.

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

House passes local control bill expanding "dependent" definition

On Thursday afternoon, the House passed SF 960, a bill dealing with group benefits provided by local governments under Minn. Stat. § 471.61. The bill would essentially allow a local unit of government to use their own discretion when defining "dependent" for purposes of providing benefits.



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The bill is permissive for local units of government, and was supported by the League of Minnesota Cities, the Minnesota Association of Small Cities, as well as the gay/lesbian advocacy groups who are seeking to expand domestic benefits coverage. The city groups argued in favor of this bill during the committee process, citing the need to compete with the private sector on retaining and attracting good employees with good benefits. The private sector is already able to provide such benefits, and this issue was discussed during committee debate. The House bill, HF 1097 (Davnie, DFL-Minneapolis) was identical to the SF 960 (Higgins, DFL-Minneapolis), which the Senate passed a few weeks ago. The bill now goes to the governor for his consideration.

Questions? Contact Jennifer O'Rourke at 651.281.1261 or jorourke@lmc.org.

Energy bill likely to move today

The conference committee on the local government energy bill, SF 3096 (Sen. Scott Dibble DFL-Minneapolis), that the League has been supporting this session has completed their work, but the conference committee report has not yet been signed and sent to the House and Senate floors. The Legislature is keeping a few bills available to carry pieces of the budget, if necessary, and this is one of those bills. The final decision on the need for that strategy will be made very soon. The conference committee report will be presented to both the House and Senate later today.

Questions? Contact Craig Johnson at 651.281.1259 or cjohnson@lmc.org.

Governor vetoes sick leave expansion bill

Earlier this week, the League of Minnesota Cities, along with the Minnesota Inter-County Association, and Minnesota School Board Association sent a joint letter to the governor asking him to veto SF 1128—a bill that would significantly expand the use of sick time by including additional relatives in the statute that currently only covers children of an employee. On Thursday, the governor vetoed that bill. In his veto message, he explained his concern with thwarting local control and the increased cost this would have on local governments and school districts. Last year, the bill died because of an estimated \$11 million cost to the state. The provision was brought forward by the Alzheimer's Association and the Minnesota Association American Retired People (AARP).

Questions? Contact Jennifer O'Rourke at 651.281.1261 or jorourke@lmc.org.



Coalition of Greater Minnesota Cities

CGMC in Brief

May 15, 2008

Contact: Tim Flaherty
651.225.8840

Gridlocked Tax Bill Puts LGA in Jeopardy; Strict Levy Limits Anticipated

Faced with an end of session deadline, legislators strive to pass all remaining bills and resolve the state's \$935 million budget deficit by Sunday night. Progress has already been made this week with the passage of the Education Finance Bill, approved by the House 97 – 35 and the Senate 55 – 10. Because the passed education bill shifts money out of the governor's Q-Comp program, legislators expect a veto, but also anticipate maintaining the margins needed to override the governor. The Omnibus Budget Bill is also close to agreement, with the exception of a few snags, including the use of \$50 million from a reserve fund for the state's HMOs.

Viewed by legislative leaders and the governor as a “package deal,” the Education Finance Bill and Omnibus Budget Bill are tied up in the outcome of the Omnibus Tax Bill, which remains gridlocked. The Senate has always supported property tax relief in the form of significantly increased LGA funding, while the House has pushed for a combination of increased LGA and a direct property tax relief credit for homeowners. Meanwhile, the governor continues to strongly oppose significant increases in local aid, and instead favors extremely restrictive levy limits.

The Tax Conference Committee bill has adopted elements of both the House and Senate's proposals—increased LGA, direct property tax relief credits, and a less restrictive levy limit—as an attempt to appease the governor. In response to the Conference Committee's bill, the governor remained adamant that “large spending increases in LGA, county, and township aids when trying to solve a budget deficit is not justified and will only exacerbate the spending tails” and that a less restrictive levy limit is merely “a loose cap with too short of a duration.”

Due to the governor's insistence on these issues, **IF** there is a tax bill passed by Sunday night, CGMC expects that it will include significantly less local aid and more restrictive levy limits than those proposed in the Tax Conference Committee's bill. Because such measures will have far-reaching impacts on Greater Minnesota, the CGMC Board of Directors will hold a conference call Thursday afternoon at 3:30 p.m. to discuss



and approve the Coalition's plan for immediate action on the tax bill. Following the meeting, we will ask CGMC members to alert their legislators of our position Friday morning.

For updated information throughout the weekend on the progress at the Capitol, please visit the "News" section at www.greatermncities.org.

CGMC Events Just Around the Corner

With critical activity taking place at the Capitol, being an active CGMC member is more important now than ever. Join us at the following events this spring and summer to learn more about how the past and upcoming legislative sessions will impact Greater Minnesota.

CGMC Breakfast

CGMC will be presenting its final report of the 2008 legislative session during the League of Minnesota Cities annual conference. Join us **Thursday, June 12 from 7:00 – 8:30 a.m.** at the Rochester Mayo Civic Center to learn what the previous session's results mean for Greater Minnesota.

CGMC Summer Conference

This year's Summer Conference is being hosted by Mankato, North Mankato, and New Ulm and will be held **July 30 – August 1, 2008**. Visit www.greatermncities.org and click on "CGMC Calendar" for more information. Reservations may be made at:

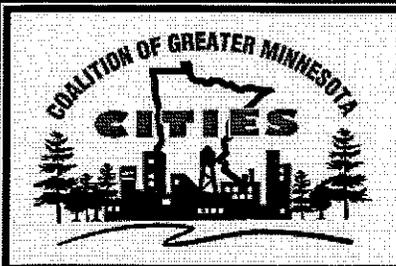
Hilton Garden Inn, Downtown Mankato

20 Civic Center Plaza
Mankato, MN 56001
507-344-1111

CGMC Group Rates at the Hilton (+ tax):

- \$89 for standard king/double queen
- \$129 for junior suites
- \$199 for executive suites





Coalition of Greater Minnesota Cities

CGMC in Brief

May 9, 2008

Contact: Tim Flaherty
651.225.8840

Negotiations Continue on Tax Bill and Budget as May 19 Deadline Nears

After the House passed its tax bill Monday night, legislative leaders and tax chairs are attempting to negotiate with the Governor. Currently, the tax bill rests in conference committee and contains many issues that will impact Greater Minnesota, including LGA funding and a formula change, a local option sales tax moratorium, local sales tax authorization for select cities, termination of JOBZ, a new property tax refund program, and “trigger” levy limits.

Levy Limits Lynchpin for “Deal”; Bleak Outlook for LGA Cities

The Governor has made levy limits the key to bargaining a “deal” with the Legislature. To listen to his April 30 press conference in which he articulates this demand, [click here](#). (You may need to download [Real Player](#) in order to listen to the clip.) Although the Legislature opposes levy limits, the Governor is likely to win the battle by threatening to strike key items that the Legislature wants, including Light Rail Transit funding, a Mall of America subsidy, an increase in LGA funding, and a new property tax relief program. For a substantive discussion of the levy limits issue, [click here](#) for an MPR interview with CGMC President Tom Kuntz, Property Tax Relief and Local Sales Tax Division Chair Rep. Paul Marquart (DFL-Dilworth), and lead GOP member of the House Taxes Committee Rep. Dean Simpson (R-Perham).

Levy Limits Details

The House amended “triggered” levy limits onto their tax bill passed on Monday. The bill also contains a \$50 million increase in LGA and major changes in direct property tax relief. The House does not limit levies until 2010, and only does so if the aggregate of all cities increase their levy plus aid by more than inflation for state and local governments or by three percent (whichever is higher) and household growth.

The Governor limits levies in 2009 by three percent or inflation based off the consumer price index, whichever is less. Additionally, the Governor’s levy limits are particularly hard on cities reliant on state aid, because Gov. Pawlenty bases the levy limit only on a city’s levy, not on its levy plus aid. The Senate is against any type of levy limits in 2009.

Contact Key Legislative Players

CGMC, along with other city and county organizations, is opposing the Governor’s proposed levy limits. We strongly encourage you to contact legislative leaders, tax conference committee chairs, and the Governor’s office to express your city’s unique concerns over levy limits. Contact information can be found below.



Legislature Leaders:

Senate Majority Leader: Sen. Larry Pogemiller
sen.larry.pogemiller@senate.mn
651-296-7809
CAP 235

Senate Minority Leader: Sen. David Senjem
sen.david.senjem@senate.mn
651-296-3903
SOB 147

Speaker of the House: Rep. Margaret Anderson
Kelliher
rep.margaret.kelliher@house.mn
651-296-0171
SOB 463

House Majority Leader: Rep. Tony Sertich
rep.tony.sertich@house.mn
651-296-0172
SOB 459

House Minority Leader: Rep. Marty Seifert
rep.marty.seifert@house.mn
651-296-5374
SOB 267

Tax Conference Committee Chairs:

Sen. Tom Bakk
http://www.senate.leg.state.mn.us/members/member_emailform.php?mem_id=1003&ls=85
651-296-8881
226 CAP

Rep. Ann Lenczewski
rep.ann.lenczewski@house.mn
651-296-4218
509 SOB

Governor's Office
tim.pawlenty@state.mn.us
800-657-3717
130 CAP

MnDOT Blocks Implementation of Greater MN Transit Plan

In negotiations surrounding the Omnibus Transportation Policy bill, MnDOT opposed language requiring implementation of a Greater Minnesota transit plan, stating they did not have the funds to meet the goals of the transit plan.

Language proposed by conferees of the Transportation Conference Committee stated that the Commissioner shall develop a transit service needs implementation plan with the goal of meeting at least 80% of the unmet transit needs in Greater Minnesota by July 1, 2015 and at least 90% of the unmet needs in Greater Minnesota by July 1, 2025. Currently, it is estimated that MnDOT is only meeting roughly 60% of transit needs in Greater Minnesota.

CGMC Lobbyist Holly Thompson met with transportation conferees Rep. Terry Morrow (DFL-St. Peter) and Sen. Rick Olseen (DFL-Harris) to express CGMC's support of implementing the Greater Minnesota transit plan.

While the language to implement the transit plan was not included in the final bill, language was included to require that the Commissioner submit an annual report by February 15 on transit services outside the metro area. In the report, MnDOT must include insufficient amounts of state operating and capital costs to Greater Minnesota transit.

CGMC Breakfast: Help Strengthen the Coalition

CGMC will be presenting its final report of the 2008 legislative session during the League of Minnesota Cities annual conference. Join us **Thursday, June 12 from 7:00-8:30 a.m.** at the Rochester Mayo Civic Center to learn what the previous session's progress means for Greater Minnesota.

With a critical legislative session on the horizon in 2009, the CGMC breakfast is an excellent opportunity to engage non-member cities in our organization and strengthen our impact at the Capitol. CGMC members like you play an important part in this recruitment effort. Please see the attached list of cities, and contact council members, mayors, and administrators who you think would be interested in learning about the Coalition. We ask that you also extend our invitation to the CGMC breakfast at the LMC conference to these individuals.





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ACTION ALERT: Urge Coleman and Klobuchar to vote no on mandatory collective bargaining legislation

On Tuesday, May 13, the U.S. Senate is scheduled to consider mandatory collective bargaining legislation, the Public Safety Employer -Employee Cooperation Act of 2007 (HR 980/S 2123). This legislation would preempt local government authority by requiring local governments to negotiate with labor unions representing public safety officers over the terms and conditions of employment with labor regardless of state constitutions, state laws, and local laws.

Take Action: Call Senators Coleman and Klobuchar and urge them to VOTE NO to mandatory collective bargaining legislation.

Sen. Coleman, 202-224-5641,
<http://coleman.senate.gov/>, Minnesota district office
phone 651-645-0323, 800-642-6041.

Sen. Klobuchar, 202-224-3244,
http://klobuchar.senate.gov, Minnesota district
office phone 612-727-5220.

Talking points:

1. Minnesota already has one of the strongest collective bargaining statutes in the country for public sector employees. HR 980 gives the Federal Labor Relations Authority the ability to usurp our well-established collective bargaining process.
2. This bill could have the impact of allowing paid on-call firefighters (sometimes called "volunteer firefighters") to unionize. Minnesota law has provisions in place that prevent paid on-call firefighters from unionizing due to the part-time, on-call nature of these positions. HR 980 does not have a clear exemption for these jobs.
3. HR 980 leaves too many critical considerations open to interpretation. For example, the bill requires bargaining over "terms and conditions"

of employment. While Minnesota law and arbitration precedent define "terms and conditions" of employment to a great extent, the federal bill would reopen legal debate about what exactly are terms and conditions of employment subject to collective bargaining.

Questions? Contact Laura Kushner at 651.281.1203 or lkushner@lmc.org.

Governor signs energy efficiency building standards

This week, Governor Pawlenty signed into law Chapter 278, a bill that requires the Department of Commerce to periodically review sustainable building design guidelines and revise the guidelines based on performance standards.

SF 2706/HF 3401 authored by Sen. Yvonne Prettner Solon (DFL-Duluth) and Rep. Bill Hilty (DFL-Finlayson) requests the Department of Administration and Commerce to review and revise energy efficiency building standards. Known as Sustainable Buildings 2030, the concept is based on a national initiative called Architecture 2030 Challenge and was part of the recommendations made by the Minnesota Climate Change Advisory Group (MCCAG). The Department of Commerce will contract with the Center for Sustainable Building Research at the University of Minnesota to coordinate development and implementation of energy efficiency performance standards. The energy efficiency performance standards will be designed to reduce carbon emissions 60 percent by 2010, 70 percent in 2015, 80 percent in 2020, and 90 percent by 2025. A performance standard must not be established or increased absent a conclusive engineering analysis that it is cost effective based on established practices.

Under the proposals, the new standards would only be mandatory for newly constructed and substantially reconstructed buildings receiving funding from state bond proceeds. However, the Department of Commerce will require utilities to



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develop and implement conservation improvement programs to achieve the goals consistent with the Sustainable Building 2030 performance standards. Implementation of these standards in private sector buildings will be facilitated by utility-sponsored programs and incentives.

Questions? Contact Hue Nguyen at 651.281.1260 or hnguyen@lmc.org

Omnibus Pension bills containing Post Fund fix, other measures, ready for House and Senate floor debates

The Omnibus Pension bills that were introduced early this month have made their way through the committee process in the House and Senate. With little time to spare, both bodies are expected to take floor votes on their respective versions of the bill, HF 3082 (Murphy, M, DFL-Hermantown) and SF 2720 (Betzold, DFL-Fridley), early next week. If there are differences between the bills when they pass off the floors, the authors will need to hastily convene a conference committee if they want the bill to become law this year. So far, the bills have only minor differences.

The bills represent the recommendations of the Legislative Commission on Pensions and Retirement (LCPR), a group consisting of five members of the senate and five members of the House. The bills contain a number of provisions that could impact local government employees and employers, including legislation involving the Public Employees Retirement Association (PERA) as well as fire relief associations.

Specifically, the League of Minnesota Cities is supporting a proposal contained in the omnibus bills that was developed by the Post Fund Committee of the Joint Retirement Systems to address an estimated \$2.4 billion deficit in the Minnesota Post-Retirement Investment Fund. This was originally introduced as HF 3421/SF 2969 by Rep. Murphy and Sen. Betzold. Under current law,

there is no mechanism to fund this deficit other than unpredictable investment returns. Although the deficit has been reduced over the past two years, there is no certainty that recent investment returns can be sustained.

In response to the deficit, the state's three major public pension plans—the Public Employees Retirement Association, the Minnesota State Retirement System (MSRS) and the Teachers Retirement Association (TRA)—established the Post Fund Committee of the Joint Retirement Systems to develop recommendations to address the Post Fund deficit. The committee heard testimony from active and retired public employees as well as experts. The committee developed a plan that would begin to address the deficit by reducing the annual benefit adjustments for retirees through the elimination of the investment return adjustment, thereby only adjusting benefits by inflation up to 2.5 percent per year. The proposal also contains an "inflation equalizer" adjustment for individuals who retired in 2001 or later that would be triggered in years when current inflation is less than the 2.5 percent adjustment limit. If the 2.5 percent inflation cap in earlier years prevented these retirees from receiving a full inflation adjustment, the current year adjustment would have an inflation equalizer component, however, the sum of the inflation and equalizer adjustments could not exceed 2.5 percent.

In the event that these adjustments are not sufficient to address the deficit in a reasonable amount of time, the proposal includes a failsafe merger proposal that would dissolve the Post Fund and divide the assets proportionally among the three active funds. If the Post Fund is dissolved under this scenario, an annual increase of 2.5 percent would be applied to all retirees regardless of inflation or investment returns.

The failsafe merger provision is opposed by Education Minnesota, a statewide association of educators. The group is advocating for an amendment that would exempt TRA from the



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merger. TRA is supporting keeping the failsafe merger provision in the bill.

The League acknowledges the difficult financial circumstances facing the plans and the limited number of options for addressing the deficiency. The proposal developed by the Post Fund Committee of the Joint Retirement Systems and passed by the Legislative Commission on Pensions and Retirement is a financially sound plan that will allow PERA, MSRS and TRA to meet obligations to active and retired employees.

The League also supports a provision in the omnibus pension bill that would allow local units of government to contribute on behalf of an employee to a wider array of 457 deferred compensation plans and would increase the maximum permissible employer contribution to deferred compensation plans (introduced as HF 3029, Rep. Deb. Hilstrom, DFL-Brooklyn Center, and SF 2759, Betzold).

Questions? Contact Anne Finn at 651.281.1263 or afinn@lmc.org. Or, visit the LCPR web site at www.lcpr.leg.mn.

Casting for a compromise?

With less than two weeks remaining in the 2008 regular legislative session, the conference committee on HF 3149, the session's second omnibus tax bill, began meeting on Tuesday to resolve the differences between the House and Senate bills. As of Friday morning, it looks like the only fishing that conferees will do this weekend is for a compromise on the tax bill.

The House conferees are Reps. Ann Lenczewski (DFL-Bloomington), Paul Marquart (DFL-Dilworth), Jim Davnie (DFL-Minneapolis), Deb Hilstrom (DFL-Brooklyn Park) and Lyle Koenen (DFL-Clara City). The Senate members are Tom Bakk (DFL-Cook), Rod Skoe (DFL-Clearbrook), Mec Mow (DFL-St. Paul), Scott Dibble (DFL-Minneapolis) and Dan Larson (DFL-Bloomington).

On Wednesday, the committee spent several hours discussing the state/local fiscal partnership, including aid programs for cities, counties and townships. The committee asked representatives of local units of government to discuss recent trends in state aids and property taxes. The committee also discussed the House and Senate proposals for LGA, county program aid and a new township aid program.

On Thursday evening into the early hours of Friday morning, the conferees considered many of the individual city tax increment financing and local sales tax requests. Fridley Mayor Scott Lund testified on behalf of a city request for a special TIF modification for a district established for a Northstar transit station. Oakdale Community Development Director Bob Streetar, and then New Brighton Community Development Director Grant Fernelius explained to the committee their respective local TIF project requests. Even though it was well past midnight, legislators spent time reflecting on the state's lack of funding for contamination clean-up programs and the possible effects of the 2006 eminent domain legislation on city development projects.

The tax conference committee negotiations also spill over into the negotiations on the supplemental budget bill, HF 1812, the bill containing most of the Legislature's solution to the state's projected \$935 million budget deficit. Specifically, the Senate tax bill includes a number of tax provisions that will generate an estimated \$109 million in state revenue for the balance of the current biennium. This revenue was accounted for in the Senate's supplemental budget balancing package.

The conference committee on the supplemental bill concluded their work earlier this week but the conference committee report has not yet been signed by the conferees, which means that the committee can reopen the bill if negotiations with the governor yield an agreement on the state budget. That said, the current agreement on the supplemental budget bill includes a number of



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provisions that the governor has publicly opposed and will likely draw a veto.

In addition, Governor Pawlenty is demanding the addition of tight levy limits on cities and counties. Apparently, the demand for levy limits on cities and counties is tied to the Legislature's proposal to modify the tax laws associated with the foreign operating corporation (FOC) and the tax treatment of foreign royalties. He apparently wants "tax savings" through levy limits that will offset the FOC and foreign royalty revenue increase of an estimated \$109 million.

The House tax bill includes a modified version of levy limits that would only impact cities over 2,500 population and would not impact local budgets until the 2010 budget year. The levy limits for 2010 would be triggered only if the aggregate 2009 levy decisions of all cities over 2,500 population exceed a rate of growth equal to household growth plus inflation as measured by the implicit price deflator.

If the aggregate levy decisions are less than the permitted growth, no levy limits would be imposed. If levy limits are triggered, the individual city levy limit would be calculated in a manner similar to previous levy limits, with exceptions for "special levies" and growth adjustments for inflation, household growth and one-half of the increase in commercial and industrial property growth.

The committee is scheduled to reconvene Friday afternoon and negotiations will likely continue meeting on Saturday. The major outstanding issues are the future of JOBZ, LGA, levy limits, prohibition on local sales taxes, the new House Homestead Credit State Refund, Mall of America expansion, corporate tax increases, utility taxation, green acres property tax treatment and changes in the remittance of sales tax by vendors, also known as the June accelerated tax payment.

Questions? Contact Gary Carlson at 651.281.1255 or gcarlson@lmc.org or Jenn O'Rourke at 651.281.1261 or jorourke@lmc.org.

LGA, levy limits and the economy

Except for a brief discussion during hearings on the governor's supplemental budget proposal in early March, levy limits have hardly been mentioned during the 2008 legislative session. Now with less than two weeks remaining, levy limits seem to be one of the most important issues being debated at the capitol. Governor Tim Pawlenty included levy limits in his offers on the supplemental budget-balancing bill. The House countered by adding a softened version of levy limits in their tax bill during the Monday afternoon floor debate.

Why are levy limits back? The additional funding for local government aid (LGA) in the House and Senate tax bills does not appear to be the stimulus. The governor apparently wants to achieve "tax savings" through levy limits in order to offset the foreign operating corporation (FOC) and foreign royalty revenue increases that total an estimated \$109 million. The House levy limit amendment was offered to respond to the governor's demand for levy limits.

Levy limits create obvious problems for cities. For example, with rapidly escalating fuel costs, levy limits can hamper the ability of cities to provide important municipal public safety services. Levy limits can also penalize cities that have been relatively frugal over the past couple of year, and levy limits do not account for the unique circumstances faced by individual cities.

The Omnibus Tax Conference Committee has not yet reached agreement on the 2009 funding level for LGA, but the House has allocated \$50 million while the Senate has increased the appropriation by \$70 million. These increases do not impact the current \$935 million state budget deficit because the 2009 LGA is actually funded in the state's FY 2010-2011 budget. The state will develop the rest of their 2010-2011 budget when they convene next January.

If levy limits are ultimately imposed for taxes payable in 2009 and if LGA is increased for 2009,



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the effect of levy limits would be to reduce, to a degree, the allowable 2009 levy increase in cities that receive increases in LGA.

A growing number of economists are concerned about the state of the economy and with ever increasing energy costs, the subprime mortgage crisis and stagnant economic growth, the outlook for the state's budget for the next biennium would seem to be less than ideal. The budget compromises being discussed at the capitol actually fail to fully address the state's structural budget imbalance and also draw down reserves at a time when the economy is struggling.

So what happens if the state's budget problems persist or even get worse? The 2009 Legislature could be forced to again address a budget deficit—perhaps even bigger than this year's \$935 million problem. With reserves potentially depleted by this year's budget balancing actions, legislators next year could be forced to make very difficult decisions about the entire state budget—possibly including LGA. With levy limits and reduced property tax levies a real possibility this session, future cuts to LGA could be especially painful.

Question? Contact Gary Carlson at 651.281.1255 or gcarlson@lmc.org.

House rejects omnibus bill containing primary seat belt provision

On a vote of 72 to 62, the House of Representatives rejected the conference committee report on the 2008 Omnibus Transportation Policy bill, HF 3800 (Hornstein, DFL-Minneapolis). The motion was to return the conference committee report to the conference committee. The major point of contention was a provision that would have allowed law enforcement officers to stop a driver for failure of the driver or a passenger to wear a seatbelt. Existing law requires drivers and passengers to wear a seatbelt, but considers failure to wear a seatbelt as a secondary offense.

The bill also contained a number of other provisions, including language regulating the retrieval of contents from a vehicle that has been towed, and the League's "Truth in Ticketing" initiative, which would require the state surcharge to be printed on all parts of the uniform traffic ticket. With the House's rejection of the conference committee report, the Senate did not have the opportunity to consider it due to procedural rules.

This is the second omnibus transportation policy bill to face hurdles this session. The 2007 omnibus transportation policy bill, HF 1351/SF 1971, sponsored by Rep. Frank Hornstein (DFL-Minneapolis) and Sen. Steve Murphy (DFL-Red Wing), was awaiting final passage when the 2007 Legislature adjourned. It was passed by the House and Senate this session only be vetoed by Governor Tim Pawlenty over language stating Minnesota's refusal to comply with the federal REAL I.D. Act. The bill is on its way to the governor's desk again after Sen. Murphy successfully offered an amendment that attaches most of the provisions from the vetoed bill to HF 3486, also authored by Rep. Hornstein and Sen. Murphy. HF 3486 is a noncontroversial bill that was awaiting action on General Orders. The re-passed 2007 omnibus bill does not contain the REAL I.D. language. Most provisions in the vetoed bill were considered noncontroversial. It addresses traffic regulations, vehicle registration, Department of Transportation planning reports, towing authority, Metropolitan Council planning, railway safety and truck size and truck weight restrictions. It is expected to become law.

The fate of the 2008 bill is less certain. The Senate author, Sen. Murphy, has stated he is unwilling to let the bill reach the governor's desk without the primary seatbelt language. Judging from the emotional debate over the seatbelt provision on the House floor, members who oppose this provision are unlikely to change their minds.

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



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Senate passes statewide building standards

On Thursday, the Senate passed a bill making the building code the standard that applies statewide. HF 3574/SF 3291, authored by Rep. Al Juhnke (DFL-Willmar) and Sen. Tom Bakk (DFL-Cook), would establish the State Building Code as the standard for all new construction and remodeling of all buildings regulated by the State Building Code in all municipalities, regardless of population. Currently, cities located in the metro area are required to and many cities in greater Minnesota already administer and enforce the State Building Code. The building code remains a local option for cities with a population under 2,500, located outside the metropolitan area, and where voters have approved an exemption from the State Building Code.

The bill does not require enforcement by those municipalities that are not currently enforcing the State Building Code unless they choose to pass an ordinance to enforce the State Building Code in their municipality. The bill does clarify that municipalities that are currently enforcing the State Building Code cannot repeal it unless they are under 2,500 population and located outside of a metropolitan county as defined in Minn. Stat. §473.121, subd. 4. All exemptions listed in current law remain.

During floor debate, Sen. Bakk amended the bill with four new provisions. Two of the provisions were language found in a Department of Labor and Industry technical bill which was stalled in the Senate Finance Committee earlier in the week. The provisions clarified that business classes may be part of the continuing education classes required for builders and required insurance companies to offer completed operations as part of the liability policy. The amendment also changed the period when a city can administer and enforce the code outside of its jurisdiction from the first day of January in the year of the public hearing to no less than 90 days nor more than one year after the public hearing.

This will allow cities who want to implement a code sooner to do so. Finally, Sen. Bakk incorporated language allowing the Duluth Entertainment and Convention Center to enter into a construction contract.

The League worked with the authors of the bills, the Department of Labor and Industry and the Builders Association of Minnesota, to address concerns relating to city administration and costs associated with the building standards.

The Senate passed HF 3574 on a 59-5 vote and sent the bill back to the House. The House passed HF 3574 without the amended language in April on a vote of 112-19.

Questions? Contact Hue Nguyen at 651.281.1260 or hnguyen@lmc.org.

Fireworks out, then back in

A provision that would increase the legal amount of explosives in fireworks was not included in the Public Safety and Judiciary Conference Committee report as its proponents had hoped. The language had been adopted on the House floor as an amendment offered by Rep. Tom Hackbarth (R-Cedar) to HF 2996 (Rep. Michael Paymar, DFL-St. Paul), a bill pertaining to civil commitment for sexually dangerous or psychopathic persons. It would increase from 200 to 500 the grams of chemical mixture allowed in the non-aerial, non-explosive fireworks that are legal in Minnesota. The provision didn't exist in the Senate companion to HF 2996, and the conferees declined to adopt the House's position.

Rep. Hackbarth offered the fireworks language on the House floor again on Thursday, this time as an amendment to the Omnibus Game and Fish bill, SF 2651 (Dill, DFL-Crane Lake). Although the provision is not in the Senate version of this bill, removal of the provision in conference committee may be more difficult than it was in the Public Safety, mainly because the Omnibus Game and Fish conferees in recent sessions have been members

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who tend to oppose restrictions on fireworks. Further, the language offered by Hackbarth is the same language introduced as HF 3568, a bill carried by Rep. David Dill, the author of the omnibus bill that now contains the fireworks provision.

According to data provided by the Minnesota State Fire Marshal Division, injury and dollar losses related to fireworks incidents trends surged after the consumer fireworks ban was lifted by the Legislature in 2002. Hospital reports reveal that the annual number of injuries caused by fireworks rose dramatically in 2002 and remains elevated.

The League of Minnesota Cities opposed the 2002 legislation lifting the fireworks ban that existed in Minnesota since 1941, and has since sought repeal of the 2002 law. The League requested that the conference committee not accept the Hackbarth provision.

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

League's position adopted regarding union communications

For the last year, the Legislature has been debating legislation (HF 611/SF 539) that would have prohibited employers from restricting any form of communication between unions and employees. The League was able to work out significantly improved compromise language with the bill's authors, Rep. Tom Anzele (DFL- Balsam Township) and Sen. David Tomassoni (DFL- Chisholm) and with representatives from AFSCME, the union that proposed and pushed the legislation that left us preferring that the bill not be passed, but with all of our major concerns addressed in the bill language. That compromise language reached the House floor both last year and this year and was recently included in the Senate language of HF 3722, the omnibus work force and economic development policy bill. The conference committee on that omnibus bill met briefly last Monday to decide what language to include in their final bill.

The fact that private company employers and the state, as a public employer, would have been included in this legislation, despite other state and federal statutes that conflict, caused the committee to consider limiting the new communication restrictions to only apply to local government employers. The League was invited to the table to present the concerns of local government. After that testimony, the conference committee instead adopted replacement language that will simply state that nothing in state labor law prohibits union communication issues from being included in collective bargaining agreements between public employers and their employees.

The result is an improvement over even the compromise language developed last year and is completely consistent with the League's repeated position on the issue, which was that the collective bargaining process is the best way to deal with workplace conflicts related to employee communication rules. The bill has since been re-passed by both bodies and is awaiting action from Governor Pawlenty.

Questions? Contact Craig Johnson at 651.281.1259 or cjohnson@lmc.org or Laura Kushner, Human Resources Director, at 651.281.1203 or lkushner@lmc.org

Local government energy bill passes House, clears conference committee

The local government energy bill, SF 3069, that the League has been supporting this session made significant progress this week. The bill passed the House floor on Wednesday and the differences with the Senate version were successfully worked out by a conference committee on Thursday.

The final bill contains two new programs to assist cities with energy efficiency and small renewable energy projects. First, it creates a state program that assists cities in identifying the best energy efficiency improvements to make on qualified public buildings. The program would also assist in

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arranging lease-purchase financing contracts through normal banking institutions. It also creates a new revolving loan program financed by up to \$20 million of state issued revenue bonds for local governments to install small-scale renewable energy projects. It further creates a working group supported by the League to develop a Green Star City designation program where the state would recognize cities making the best progress on reducing energy impacts.

The conference committee report on SF 3069 should be heard early next week in both the House and Senate, where passage is expected.

Questions? Contact Craig Johnson at 651.281.1259 or cjohnson@lmc.org.

Non-conforming lots issue flares up on House floor

In one of the last issues debated for the week, an amendment was brought up to a local government policy bill after midnight on Friday morning related to non-conforming lots. It would have prohibited local units of government from placing any requirement on a lot due to common ownership of an adjoining lot. The debate is almost exclusively focused on shoreland situations where substandard size adjacent lots under common ownership are required under state Department of Natural Resources shoreland rules to be combined to improve the conformity of the lot sizes. Local governments have become the focal point for those claiming the law is unfair, even though they are simply enforcing state law, as required. This issue obviously also affects a number of other cases where lot size conformity is a significant factor for fire safety, septic and well placement, setbacks, and other concerns.

The amendment failed on a 50-84 vote, primarily due to written assurances provided by the League, the Association of Minnesota Counties and the Association of Minnesota Townships that all of the groups are committed to work with legislators and other interested parties over the interim to look for workable solutions to these situations that preserve local governments' abilities to make gains in addressing lot size non-conformity in appropriate situations. The same commitment was made over the last interim, but the Senator expected to take the lead in the discussions resigned to take an appointment as a judge. The chairs of both the House and Senate committees with jurisdiction over local government issues have made it clear that they want those discussions to happen this year and that they will personally be involved, if necessary.

Questions? Contact Craig Johnson at 651.281.1259 or cjohnson@lmc.org.



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House and Senate set targets, conferees to work on omnibus policy bills through the weekend

After several weeks of discussion and negotiations on the supplemental budget bill that included an agreement with the Governor to jettison all non-budget policy language, the House and Senate this week implemented a plan to process a wide array of orphaned policy provisions.

After calling session to order on Wednesday, Majority Leader Larry Pogemiller (DFL – Minneapolis) announced a plan to bundle policy provisions into a series of omnibus policy bills ranging from economic development to game and fish. Sen. Pogemiller said that various Senate and House bills would be amended with provisions already passed by the Senate thus creating omnibus bills. During his explanation of the proposed process, Sen. Pogemiller acknowledged that he had not spoken to Minority Leader David Senjem (R – Rochester) prior to making the announcement on the floor.

Questions were raised by Sen. Senjem and Sen. Claire Robling (R-Jordan) about the process and the intent behind the process. They questioned the openness of the process and why omnibus bills were being put together on the Senate floor. Sen. Pogemiller reiterated that language amended into the bills were all measures already passed by the Senate so members should already be familiar with the provisions. He then said that they were hoping to pass the bills and send them to the House that day so that conference committees could be appointed and that conferees would work through the weekend to reach agreement on the omnibus policy bills by Monday.

The Senate worked for nearly 10 hours to amend and process six omnibus policy bills taking a break for dinner and finally finishing around 11:30 that night. The House received the bills on Friday and without much discussion refused to concur with the Senate amendments. This set up the requirement for the appointment of conference committees.

Conference committees began meeting today and are expected to meet throughout the weekend to negotiate differences between House and Senate positions. Conference committees are expected to complete their work by Monday with the hope that the bills can be taken up on the floor by next Wednesday.

The following is a list of omnibus policy bills:

- HF 3722 – Omnibus Economic Development Policy Bill
- HF 2996 – Omnibus Public Safety Policy Bill
- SF 3168 – Omnibus Health and Human Services Policy Bill
- SF 3385 – Omnibus Environment and Natural Resources Policy Bill
- SF 2651 – Omnibus Game and Fish, Forestry and Lands Policy Bill
- HF 3800 – Omnibus Transportation Policy Bill

On Thursday the House and Senate also released targets for the supplemental budget conference committee. As in previous years, the House and Senate Finance Committee chairs have negotiated targets which are recommended spending increases or in the case of this year spending cuts that should be made in the various budget areas. Specific cuts are left to the discretion of budget division chairs. Hopefully, this will help move discussions



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along since many division chairs have commented that without targets it was difficult to begin discussions on spending cuts.

A summary of the revenue increases and transfers as proposed by the chairs, Sen. Richard Cohen (DFL-St Paul) and Rep. Lyndon Carlson (DFL- Crystal) are outlined below:

- **Budget Reserve:** the House and governor originally proposed transferring \$250 million from the budget reserve, while the Senate proposed transferring \$100 million. The targets propose transferring \$250 million.
- **Health Care Access Fund:** The governor proposed taking \$298 million from the dedicated account; neither the House nor Senate utilized funds from the account. The targets released maintain the House and Senate position.
- **Cash Flow Account:** The House and Senate both proposed taking \$350 million from the Cash Flow Account; the governor did not take any money from the account. The targets take \$350 million is taken from the Cash Flow Account.
- **Taxes:** The House and Senate agreed to increase revenues by \$109 million which is a decrease from both the House and Senate original proposal. The House originally proposed \$190 million in tax revenues and the Senate raised \$150 million. Most of the revenue comes from closing of a foreign operating corporation loophole. The Governor agreed to the same provision but offsets most of the revenue with a proposal for a sales tax decrease.

These targets will also be presented to the governor as the DFL counteroffer, at a leadership meeting scheduled for Saturday at

10:30 am in the governor's office. The House, Senate and governor have until May 19 to reach agreement, which is the constitutionally mandated date for adjournment.

Questions? Contact Hue Nguyen at 651.281.1260 or hnguyen@lmc.org.

Governor adds levy limits to supplemental budget proposal

As part of his Wednesday afternoon press conference outlining his latest budget offer, Governor Pawlenty started his remarks by stressing the need for his original levy limit proposal as his way of holding down property taxes. In his supplemental budget proposal, the Governor had suggested levy limits that would allow for inflationary and service base growth, but the increase would only apply to a city's levy, not the traditional levy plus aid.

He did not comment on the additional LGA included in the House and Senate tax bills. He raised concerns on the House's proposal to restructure and target the individual property tax relief programs. While neither the House or Senate have taken pro-levy limit positions this year, it is evident that this will be a real point of contention for the legislature and Governor in the final negotiations as they try to wrap up the budget this session.

Questions? Contact Jennifer O'Rourke at 651.281.1261 or jorourke@lmc.org.

House Tax bill finally comes together

With little more than two weeks remaining in the legislative session and nearly a month after Senators completed work on their version of



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the omnibus tax bill, the House has completed committee action on their omnibus bill, HF 3149, authored by Rep. Ann Lenczewski (DFL-Bloomington). The bill is expected to be considered on the House floor on Monday.

The House tax committee spent more than six hours on Tuesday considering testimony from citizens and interest groups. The committee reconvened for a two-hour evening meeting where they considered less than ten amendments to the bill. The House floor debate will likely yield significantly more amendments.

The main focus of debate for committee members and the governor's office has been the refigured property tax refund (PTR) now referred to under the House omnibus tax bill as the "homestead credit state refund" program. This revised state-paid property tax relief program is Chair Lenczewski and Property Tax Chair Paul Marquart's (DFL-Dilworth) recommendation to provide expanded income-based property tax relief by eliminating the state income tax deduction for property tax payments, repealing the existing market value homestead credit (MVHC) and then expanding the existing PTR program to apply to taxpayers with household incomes of up to \$200,000 and property tax burdens in excess of two percent of income.

The Department of Revenue and several members of the GOP caucus have expressed their concerns with the structure of the program, and this will likely be the focus of debate during Monday's floor session. For more detail on this, see this week's *Cities Bulletin*.

An interactive resource is available on the House web site (if asked for a username and

password, click on "Cancel," and the model will appear). This model is designed to allow a person to understand how the House proposal would impact his or her overall tax burden.

Among the other items of interest for cities in the bill:

- LGA funding—an additional \$50 million to the program appropriation
- LGA formula changes—including some of the Cities Unity bill, but keeping the regional center aid
- LGA formula "official" study group
- Local option sales tax moratorium until 2012
- Local option sales taxes granted for: Mankato, Clearwater, North Mankato, Winona.
- Limited market value—2 year extension
- JOBZ--changes to tighten the program, and not allow new deals going forward after June 1, 2008.
- TIF—special law changes for Minneapolis, Crystal, Fridley, New Brighton, Hopkins, Austin, Bloomington, Duluth, Wells, and Oakdale
- Class rate changes on electric generation personal property from 2 percent to 2.4 percent for 2009, and 2.8 percent for taxes payable in 2010 and thereafter
- Supplemental notice of proposed property taxes and TNT form changes
- Abatement limit increases allowed
- HRA levy increases allowed

With approximately two weeks remaining in the session, it is unclear whether the House and Senate will be able to reconcile the differences in their respective bills, whether they can reach agreement with Governor Pawlenty and how the tax bill will fit into the overall budget



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deficit solution contained in the supplemental budget bill.

Questions? Contact Jennifer O'Rourke at 651.281.1261 or jorourke@lmc.org.

Truth in Ticketing Amendment adopted in Senate

A provision that would require the uniform traffic ticket to include conspicuous notice of the state surcharge was adopted unanimously on the Senate floor on Monday. The measure was offered as an amendment to the Senate's 2008 Omnibus Transportation Policy bill, SF 3223 (Murphy, DFL-Red Wing) by Sen. Mee Moua (DFL-St. Paul). The League requested the amendment in response to a provision in the Senate's supplemental budget bill, SF 3813 (Cohen, DFL-St. Paul), that increases the surcharge on criminal and traffic offenses by \$3.

If the increase becomes law, the surcharge will reach \$75 this year. The surcharge is added to the base fine of approximately \$40, bringing the minimum cost of a traffic ticket to over \$120 when all fees are included. All but about \$10 of the surcharge, and as much as half of the fine, is deposited into the state's general fund.

City officials are concerned that the public has no way of knowing that local units of government have virtually no control over the cost of tickets, and that even when local peace officers issue the costly state tickets, the state takes most of the revenues.

The so-called "Truth in Ticketing" amendment would require all parts of the uniform traffic ticket to give conspicuous notice of the fact that, if convicted, the person to whom the ticket

was issued must pay a state imposed surcharge. The amount of the surcharge would also be printed on the ticket. The amendment allows law enforcement agencies to exhaust their existing supply of tickets before coming into compliance. This eliminates any fiscal impact on individual agencies.

In 2003, the Legislature increased the surcharge on this category of offenses from \$35 to \$60. Then, in 2005, the Legislature increased the surcharge on the same category of violations from \$60 to \$72. In response, some cities have implemented administrative fine ordinances for minor traffic offenses that may not warrant a \$120-plus traffic ticket.

The administrative citations are typically issued for violations such as speeding less than ten miles per hour above the limit. Cities that have implemented the ordinances say the fines are less than half of what the state collects, and the city keeps the fines that are collected. With a less onerous fine, offenders are less likely to challenge the violation in court, which helps reduce court congestion and local prosecution costs.

Both the Office of the State Auditor and the Office of the Attorney General have issued statements saying local units of government do not have authority to issue their own traffic tickets. The League has been involved in efforts to secure explicit authority for cities to use administrative tickets and has opposed legislation that would prohibit the practice. Unfortunately, neither clarification has secured enough support in recent years to advance.

The Truth in Ticketing language was also introduced this week as a standalone bill, SF 3852 (Moua)/HF 4216 (Bigham, DFL-



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Cottage Grove). The League will work to secure passage of this language. The most promising place to advance the initiative will be in the conference committee on the Omnibus Transportation Policy bill, where the language exists in the Senate version, SF 3223, but not the House version, HF 3800 (Hornstein, DFL-Minneapolis). The conference committee is scheduled to meet for the first time today.

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

Vetoed transportation policy bill moving again

A bill that was vetoed by Governor Tim Pawlenty a week ago may reach his desk again with an objectionable provision omitted. HF 1351/SF 1971, sponsored by Rep. Frank Hornstein (DFL-Minneapolis) and Sen. Steve Murphy (DFL-Red Wing), is the omnibus transportation policy bill that was awaiting final passage when the 2007 Legislature adjourned. It was passed by the House and Senate last week only to meet its fate on the governor's desk.

This week, Sen. Murphy successfully offered an amendment that attaches most of the provisions from the vetoed bill to HF 3486, also authored by Rep. Hornstein and Sen. Murphy. HF 3486 is a noncontroversial bill that was awaiting action on General Orders.

Most provisions in the vetoed bill were considered noncontroversial. It addresses traffic regulations, vehicle registration, Department of Transportation planning reports, towing authority, Metropolitan Council planning, railway safety and truck size and truck weight restrictions.

However, the bill includes language stating a refusal to comply with the federal "REAL I.D. Act," a mandate relating to the implementation of new driver's license standards. The standards, which were recommended by the federal 9/11 Commission, require new security features. The Legislature rejected the mandate because it is unfunded and because some believe it infringes on individuals' privacy.

Governor Pawlenty had requested that the Legislature take steps to move the state in the direction of compliance with the REAL I.D. Act. The governor's veto letter states that he believes the REAL I.D. Act will enhance homeland security, reduce identity fraud and help reduce illegal immigration. While he agrees that the federal government should bear a portion of the cost of helping states comply, he believes it is unrealistic to expect the federal government to pay for implementing all of the features. He also notes that he made his concerns clear to legislators before the bill was passed, and that if Minnesota driver's licenses are not compliant with federal REAL I.D. after December 31, 2009, Minnesotans will be prohibited from using their driver's licenses as identification for air travel or for entering federal buildings.

It is unclear whether the governor and the bill's authors will resolve this issue. In the meantime, it appears the Legislature will send the omnibus policy bill back to the governor without the controversial language. Governor Pawlenty has indicated he will sign the bill sans the REAL I.D. provision.

This is the first of two anticipated transportation policy bills for 2008. The second bill, HF 3800/SF 3223, also authored by



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Rep. Hornstein and Sen. Murphy, is in conference committee.

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

Conference Committee reaches agreement on bridge victim's compensation legislation

Late Thursday evening, Sen. Ron Latz (DFL-St. Louis Park) and Rep. Ryan Winkler (DFL-Golden Valley), the chief authors of the legislation on the bridge victim's compensation legislation, reached an agreement on the structure of the compensation fund. On Friday morning, the members of the conference committee held a press conference to announce the agreement and to outline the parameters of the victim's compensation fund.

Although copies of the conference committee legislation are not yet available, the agreement was outlined at the press conference by Sen. Latz and Rep. Winkler. The agreement includes a total appropriation of \$38 million from the state's general fund to cover associated costs. The appropriation would be split into four sub appropriations with approximately \$24 million set aside for individual claims, \$12.6 million for a supplemental pool of resources to first provide additional compensation for unreimbursed medical expenses and then if funds remain available, for additional wage loss of the victims.

An additional \$610,000 would be set aside for counseling the students that were on the school bus and \$750,000 would be set aside to fund the administration of the fund, including the

operations of the special master to oversee the distribution of the resources.

Individuals would be initially limited to recovery of up to \$400,000 from the fund, mirroring the current state and local individual tort caps. Those individuals with losses that exceed the \$400,000 limit would be eligible for additional compensation from the supplemental pool.

The League has been monitoring the conference committee negotiations and was asked by Sen. Latz to testify at an early meeting of the conference committee. For local units of government, the main concern was the implications of legislative action for state and local government tort liability limits. At that hearing, Tom Grundhoefer, the League's General Counsel voiced concerns that structure of a final compromise could create future challenges to the state and local tort caps because a person injured in the bridge collapse could receive a larger damage award than a similarly injured party might receive as a result of some other event. The League believes the final compromise proposal respects the rationale and public policy justification for the tort liability limit, while at the same time recognizing the unique, unprecedented and widespread nature of the bridge tragedy.

The conference committee will likely meet over the weekend to formally ratify the agreement and sign the conference committee report. That report will then be sent to the House and Senate floors for final approval. The Governor has apparently agreed in principle with the outline of the agreement.

Questions? Contact Gary Carlson at 651.281.1255 or gcarlson@lmc.org.



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Omnibus Pension Bill heading for legislative committees

With little time to spare, the recommendations of the Legislative Commission on Pensions and Retirement (LCPR) were packaged into legislation and given hearings in key committees this week. The bills approved by the commission were rolled into an Omnibus Retirement Bill, which is now HF 3082 (Murphy, M., DFL-Hermantown) and SF 2720 (Betzold, DFL-Fridley).

The bill contains a number of provisions that could impact local government employees and employers, including legislation involving the Public Employees Retirement Association (PERA) as well as fire relief associations. Specifically, the League is supporting, a proposal developed by the Post Fund Committee of the Joint Retirement Systems to address an estimated \$2.4 billion deficit in the Post Fund (introduced as HF 3421, Murphy, M./SF 2969, Betzold), and a provision that would allow local units of government to contribute on behalf of an employee to a wider array of 457 deferred compensation plans and would increase the maximum permissible employer contribution to deferred compensation plans (introduced as HF 3029, Hilstrom/SF 2759, Betzold). Both measures are in the bill.

At a prior hearing, the League testified against HF 3713 (Nelson)/SF 3405 (Betzold), a bill that would have required employers to fund light duty positions for injured police officers and firefighters, and would have increased duty disability benefits for public safety officers who become disabled after more than 20 years of service. The bill was ultimately withdrawn

from consideration by Sen. Betzold, and was not incorporated into the bill as introduced.

The bills were heard and passed this week in the Senate State and Local Government Operations and Oversight Committee and the House Governmental Operations, Reform, Technology and Elections Committee.

For more information, go to the LCPR's website: www.lcpr.leg.mn.

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

Governor Pawlenty signs utility disconnection bill

On Thursday the Governor Tim Pawlenty signed into law Chapter 253, a bill supported by the League of Minnesota Cities requiring utility companies to provide cities with disconnection information. The bill, SF 2775/HF 3229, was authored by Sen. Leo Foley (DFL-Coon Rapids) and Rep. Mike Nelson (DFL-Brooklyn Park).

The bill states that between October 15 and April 15, utility companies that disconnect a customer's gas or electric service must provide notice and a residential address to any city that requests the information. The information would be made available on October 15 and November 1 of each year. Daily updates after November 1, would also be available if a city desired.

Cities that receive the disconnection information are required to share the information with the police and fire departments. Recognizing the sensitivity of



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customer information, all data would be considered private.

Questions? Contact Hue Nguyen, LMC at 651.281.1260 or hnguyen@lmc.org.

Senate passes local government energy bill

The Senate passed a bill this week that contains two new programs to assist cities with energy efficiency and small renewable energy projects.

SF 3096, (Dibble, DFL-Minneapolis) creates a state program that assists cities in identifying the best energy efficiency improvements to make on qualified public buildings. The program would also assist in arranging lease-purchase financing contracts through normal banking institutions. The bill also includes a new revolving loan program for local governments to install small-scale renewable energy projects.

The bill must now be taken up in the House. Their version, HF 3669, (Kalin, DFL-Lindstrom), is awaiting action on the House floor. It does not currently contain the renewable energy loan program.

The League hopes to convince the House to accept the Senate version of the bill so that both programs are passed before the rapidly approaching end of this legislative session. Both the lease-purchase program and the renewable energy loan program are supported by the administration.

Questions? Contact Craig Johnson at 651.281.1259 or cjohnson@lmc.org.

Sustainable development working group proposed

The House Local Government and Metropolitan Affairs Committee held an informational hearing to take testimony and questions on a bill introduced by Rep. Frank Hornstein (DFL-Minneapolis) and Sen. Scott Dibble (DFL-Minneapolis).

HF 3978/SF 3695 establishes a working group that would develop a list of performance goals and priorities for state and local governments and identify staff need and funding opportunities to support the technical assistance and resources required to assist local governments to meet these goals. The working group would consist of representatives from various state agencies and 12 public members appointed by the Environment Quality Board, of which at least two must be representatives of local governments.

Rep. Mary Liz Holberg (R-Lakeville) asked the testifiers to keep in mind market forces because she believes the market is the strongest force in development of infrastructure and housing. Saying that if we don't consider market needs the kickback from businesses can be devastating to communities. Rep. Debra Hilstron (DFL-Brooklyn Center) chair of the House Local said that she wanted to hold a public hearing on the bill even though no action was going to be taken so local governments and other stakeholders would be made aware that efforts will be made during the interim by interested parties and the bill may be reintroduced next session.

Questions? Contact Hue Nguyen at hnguyen@lmc.org or 651.281.1260.



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Conference Committee on Data Practices bill convenes

On Wednesday, the conference committee on the omnibus data practices bill, SF 3235, convened to begin negotiations on differences between the House and Senate language. The House version of the bill, HF 3553, includes three items of concern for cities--dramatic increases in the data practices penalties, a new provision regarding access to data on elected officials and a prohibition on surveying employees for health insurance wellness purposes.

The House language would increase the exemplary damage award to not less than \$5,000 and not more than \$50,000, an increase from the current limits of \$100 and not more than \$10,000. In addition, the bill would increase the potential civil penalty against a government entity to compel compliance from the current \$300 to \$3,000.

The House bill also contains a new provision that would treat all data on elected officials as public except certain telephone numbers, e-mail addresses, and postal addresses; the names, addresses and birth date of dependents; certain medical information; and tax deduction and withholding information. Under current law, if a city treats its elected officials as employees it can treat elected official's data in the same manner as employee data.

The House bill would prohibit health insurance companies from surveying public employees for the purpose of assessing the health of the individual or collective group. Although the target of the amendment was apparently the state, the prohibition affects all public employees. It would effectively prevent cities

from surveying employees for similar wellness initiatives at least through use of the city's health insurance company. The bill may still allow a city to conduct a health assessment through a contracted vendor.

Conferees are Sens. Mary Olson (DFL-Bemidji), Don Betzold (DFL-Fridley), Mee Moua (DFL-St. Paul), Warren Limmer (R-Maple Grove) and Linda Scheid (DFL-Brooklyn Park). The House conferees are Reps. Steve Simon (DFL-St. Louis Park), Melissa Hortman (DFL-Brooklyn Park), John Lesch (DFL-St. Paul), Chris DeLaForest (R-Andover) and Leon Lille (DFL-North St. Paul). The committee will likely reconvene next Tuesday.

Questions? Contact Gary Carlson at 652.281.1255 or gcarlson@lmc.org or Ann Higgins at 651.281.1257 or ahiggins@lmc.org.

OSA Municipal liquor store report released

The State Auditor released their annual municipal liquor store report this week covering sales and operations for 2006. While there is nothing in the report that is controversial or stands out, the report does generate some media interest every year. For a link to the report, go to <http://www.osa.state.mn.us/default.aspx?page=20080429.003>.

Questions? Contact Jennifer O'Rourke at 651.281.1261 or jorourke@lmc.org.



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Public notice requirements for fuel tank incidents

The Senate has had several discussions about what sort of public notice should be required related to spills, leaks, or usage changes related to underground fuel tanks. Initially, very broadly written legislation was introduced to require the Pollution Control Agency (MPCA) to notify the public whenever any new information about a tank becomes available. That requirement carried a \$1.1 million per year fiscal impact on the MPCA, so the bill was amended to require the owners of fuel tanks to pay the costs of notifying the public, which could have caused significant new costs for local governments.

After discussions with the bill author, Sen. Dibble (DFL- Minneapolis), it became apparent that the information that he felt was not being properly transmitted to the public was the results of investigations when underground leaks are discovered. The League successfully worked with interested senators and the petroleum marketers to create a workable solution to address the author's primary concern without creating an unworkable or excessive new mandate for tank owners. The new language, contained in the Omnibus Environmental Policy bill, SE 3385, Section 11), will require that the owners or residents of a property investigated during a vapor release analysis of a suspected tank leak also be notified of the result of that investigation by the owner of the tank, which seemed to all parties like a reasonable follow-up to such an investigation.

Questions? Contact Craig Johnson at 651.281.1259 or cjohnson@lmc.org.

MN Women in City Government award nominations due May 10

The deadline is fast approaching to submit nominations for the Minnesota Women in City Government (MWCG) 2008 Leadership Awards. One award will be presented to an elected woman city official and the other a woman serving an appointed position in city government.

Nominations for both awards are due on or before May 10, 2008. A nomination form and additional information is available online at www.mwcg.org or by contacting Mary McComber at marymccomber@aol.com.

Questions? Contact Brian Strub at 651.281.1256, 800.925.1122, or bstrub@lmc.org.

May 7, 2008

State of Minnesota
Governor Tim Pawlenty
Room 130, State Capitol
75 Rev. Dr. Martin Luther King, Jr. Blvd
St. Paul, MN 55155



RE: Proposed Levy Limits

Dear Governor Pawlenty:

At their May 6, 2008 meeting the Windom City Council unanimously opposed the imposition of levy limits on local units of government. In addition organizations such as the League of Minnesota Cities and Coalition of Greater Minnesota Cities have adopted positions strongly opposing levy limits. Several of the key reasons for our opposition are as follows:

- Levy limits threaten local accountability by permitting state officials to judge the appropriate level of local taxation and local services.
- Local elected officials responsibly balance their budgets annually, and are best situated to respond to the unique local needs of their own cities.
- Local fiscal control works best in the hands of local elected officials.
- A one-size-fits all prescription jeopardizes essential public services, including police and fire protection.
- State restrictions on local budgets can have a negative impact on a city's bond rating due to the restriction on revenue flexibility.
- Levy limits should not be part of the negotiations in solving the state's budget deficit.

Levy limits are not a new concept. When levy limits have been imposed in the past the results included hardships for Minnesota cities and their citizens through cuts to services and the delay or cancellation of important projects. Thank you for your time and consideration.

Sincerely,

Tom Riordan, Mayor
City of Windom

Cc: Senator Jim Vickerman
Representative Rod Hamilton
Representative Margaret Kelliher, Speaker of the House





May 7, 2008

Minnesota State Senate
Senator Jim Vickerman
75 Rev. Dr. Martin Luther King Jr. Blvd.
Capitol Building, Room 226
St. Paul, MN 55155-1606

RE: Proposed Levy Limits

Dear Jim:

The Windom City Council respectfully requests that you oppose the Governor's position of imposing levy limits on local units of government. For your information enclosed is a copy of the letter the City of Windom has sent to the Governor's office which outlines several of the reasons to oppose levy limits.

Thank you for all of the work you have done on behalf of the citizens of Windom. We look forward to your continued support.

Sincerely,

Thomas S. Riordan
Mayor

Enclosure



May 7, 2008

State of Minnesota
Governor Tim Pawlenty
Room 130, State Capitol
75 Rev. Dr. Martin Luther King, Jr. Blvd
St. Paul, MN 55155



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Tom Riordan, Mayor
City of Windom

Cc: ~~Senator Jim Vickerman~~
Representative Rod Hamilton
Representative Margaret Kelliher, Speaker of the House



P.O. Box 38 • 444 Ninth Street • Windom, MN 56101 • Phone 507-831-6129 • FAX 507-831-6127



May 7, 2008

Minnesota House of Representatives
Representative Rod Hamilton
215 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, Minnesota 55155

RE: Proposed Levy Limits

Dear Rod:

The Windom City Council respectfully requests that you oppose the Governor's position of imposing levy limits on local units of government. For your information enclosed is a copy of the letter the City of Windom has sent to the Governor's office which outlines several of the reasons to oppose levy limits.

Thank you for all of the work you have done on behalf of the citizens of Windom. We look forward to your continued support.

Sincerely,

Thomas S. Riordan
Mayor

Enclosure



May 7, 2008

State of Minnesota
Governor Tim Pawlenty
Room 130, State Capitol
75 Rev. Dr. Martin Luther King, Jr. Blvd
St. Paul, MN 55155



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Tom Riordan, Mayor
City of Windom

Cc: ~~Senator Jim Vickerman~~
~~Representative Rod Hamilton~~
~~Representative Margaret Kelliher, Speaker of the House~~



P.O. Box 38 • 444 Ninth Street • Windom, MN 56101 • Phone 507-831-6129 • FAX 507-831-6127

May 7, 2008



Tom Sorel, MN DOT Commissioner
Transportation Building
395 John Ireland Boulevard
St. Paul, MN 55155

RE: Completion of Highway 60

Dear Commissioner Sorel:

Congratulations on your recent appointment as the Commissioner of Minnesota's Department of Transportation. We wish you well with the tasks and opportunities that lie ahead and look forward to working with you on projects that impact Southwest Minnesota.

As you may know, there is an expansion project on Highway 60 that is woefully overdue. The Windom City Council and other communities along Highway 60 have passed resolutions in support of this project for many years. Attached is a copy of the most recent resolution passed by the Windom City Council.

This project involves upgrading portions of Highway 60 from two lanes to four lanes from the Iowa boarder to St. James. Not only is this section of Highway 60 a major route for freight and a necessity for agriculture there are serious safety concerns. Numerous fatalities and accidents have occurred that could have been prevented.

Our legislators have long worked to secure funding for this project. The passage of the 2008 Transportation bill included prioritization for the Highway 60 project. We urge you to carry forward this priority in a timely manner within MN DOT Headquarters in St. Paul and the District 7 office in Mankato.

If you would like to discuss this project please contact me at 507.831.6129. On behalf of the Windom City Council thank you for your assistance with this vital project.

Sincerely,

Steve Nasby
City Administrator

Cc: Senator Jim Vickerman
Representative Rod Hamilton



RESOLUTION #2008 - 05

INTRODUCED: Kruse

SECONDED: Fast

VOTED: Aye: Kruse, Ray, Fast, Messer and Power
Nay: None
Abstained:None
Absent:None

CITY OF WINDOM

RESOLUTION IN SUPPORT OF THE COMPLETION OF THE EXPANSION OF TRUNK HIGHWAY 60 TO A FOUR-LANE FROM THE CITY OF WINDOM TO THE CITY OF ST. JAMES

WHEREAS, the City of Windom is committed to the best interest of the citizens of Windom and the surrounding communities; and

WHEREAS, Trunk Highway 60 is a major transportation artery for the commerce in southwestern Minnesota and provides a vital economic link from the Twin Cities metropolitan area to Interstate 90 and communities adjacent to it; and

WHEREAS, the Minnesota Department of Transportation Southwest Minnesota Regional Freight Study (September 2007) covering Trunk Highway 60 states that "If current agricultural trends continue, freight traffic in Southwest Minnesota will potentially grow by 200 percent by 2030, or double the statewide rate"; and

WHEREAS, energy development of ethanol and wind power is a vital state and national interest and these industries are economic engines for Southwest Minnesota; and

WHEREAS, the Minnesota Department of Transportation states that Trunk Highway 60 from Iowa to Mankato is a key roadway due to its importance to the region's and State's economy for ethanol plants and shuttle elevators; and

WHEREAS, the two-lane to four-lane switch over between St. James, Butterfield, Mountain Lake, Bingham Lake and Windom has caused significant safety issues for motorists, and

WHEREAS, the Minnesota Department of Transportation acknowledges that most traffic fatalities occur in rural Minnesota; and

WHEREAS, 15 traffic fatalities have occurred on Truck Highway 60 between Windom and St. James, which is more than the fatalities caused by the tragic collapse of the I - 35 W bridge in 2007; and

WHEREAS, the reconstruction of Trunk Highway 60 to a four-lane highway has been identified as a priority in the State of Minnesota for over 40 years, and the Minnesota Department of Transportation has designated Trunk Highway 60 as Regional Transportation Corridor in the State of Minnesota; and

WHEREAS, the four-lane section of Trunk Highway 60 between the cities of Worthington and Windom was completed in 2004 and significant portions of the highway between the Cities of Windom and St. James have already been converted into a four-lane highway; and

WHEREAS, the transportation network serving this area is a lifeline connecting many farm and businesses to outside suppliers and customers; and

WHEREAS, it is in the best interests of the City of Windom, and the State of Minnesota, to complete the expansion of Trunk Highway 60 to four lanes between the City of Windom and the City of St. James.

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

The City Council of Windom Minnesota, on behalf of the citizens of Windom, supports the prioritization of completing Trunk Highway from the City of Windom to the City of St. James as a four-lane highway; and further requests that the funding be immediately allocated by the State of Minnesota for the completion of this highway.

ADOPTED this 19th day of February, 2008.



Mayor

ATTEST: <



Brigitte Olson, Assistant City Administrator\Clerk