

Council Meeting
Tuesday, February 5, 2013
City Council Chambers

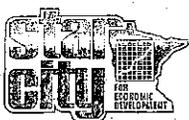
7:30 p.m.

AGENDA



Call to Order
Pledge of Allegiance

1. Approval of Minutes
 - Council Minutes–January 15, 2013
2. Consent Agenda
 - Minutes
 - EDA Commission – January 14, 2013
 - Community Center Commission – January 14, 2013
 - Utility Commission – January 30, 2013
 - Street Committee – January 30, 2013
3. Department Heads
4. License Application
 - Liquor License – Windom Country Club
 - Cigarette License
 - Dollar General Store
 - Windom Country Club
 - Solicitation Permit – Insulation USA, LLC
 - Jackson Ferguson
 - Payden Hathaway
 - Kace Farley
5. Public Comment – Jay Grandprey – Request for Open Burning Permit – Windom Golf Course
6. North Windom Industrial Park TED Grant Agreement
7. North Windom Industrial Park & TH 71 Turn Lanes Projects – Plans & Specs Review and Call for Bids
8. 2013 Street Project – Plans & Specs Review and Call for Bids
9. Resolution Accepting Donations
 - City Council
 - Coralee Krueger
 - Windom Fire Department
 - Stearns Company & Monsanto Company
10. Resolution to Vacate 18th Street Sewer Easement
11. Resolution for Proposal to Impose a Local Option Sales Tax
12. Discussion – Appointment of Arena Building Committee
13. Request for Contract Revisions for the 2012 Large Aircraft Hangar Project
 - Water Service to Hangar
 - Additional Wall Insulation



14. Personnel Committee Recommendation
15. Resolution - Charter Commission Appointments
16. New Business
17. Old Business
18. Regular Bills
19. Contractor Bill – 2012 Large Aircraft Hangar Project – Empire Building Construction \$147,201.50
20. Council Concerns
21. Adjourn

**Regular Council Meeting
Windom City Hall, Council Chamber
January 15, 2013
7:30 p.m.**

1. Call to Order:

The meeting was called to order by Mayor Maricle at 7:30 p.m.

2. Roll Call: Mayor: Corey Maricle

Council Members: Brian Cooley, Kelsey Fossing, Dominic Jones,
Bradley Powers and JoAnn Ray

Council Members Absent: None

City Staff Present: Steve Nasby, City Administrator; Bruce Caldwell,
Streets & Parks Superintendent; Aaron Backman,
EDA Director; Al Baloun, Recreation Director; Mary
Henson, Administrative Assistant and Jeremy Rolfes,
Telecom

3. Pledge of Allegiance

4. Approval of Minutes:

Motion by Fossing second by Ray to approve the City Council minutes from January 2, 2013. Motion carried 5 – 0.

5. Consent Agenda:

Maricle noted the minutes from the following Boards and Commissions:

- Tree Committee – January 2, 2013
- Planning & Zoning Commission – January 8, 2013
- Library Board – January 8, 2013
- Parks & Recreation Commission – January 9, 2013

**Motion by Powers second by Jones, to approve the Consent Calendar as presented.
Motion carried 5 – 0.**

6. Department Heads:

None.

7. License Application:

Maricle noted the applications for exempt gaming permits for the Des Moines Valley Chapter of MN Deer Hunters and the Windom Chamber of Commerce.

Motion by Ray seconded by Powers to approve the exempt gaming permits for the Des Moines Valley Chapter of MN Deer Hunters Association for a raffle on March 2, 2013 and for the Windom Area Chamber of Commerce for bingo on February 28, March 14, March 28, April 11 and April 25, 2013. Motion carried 5 – 0.

Maricle noted the application for a solicitation permit for Insulation USA, LLC for Rhett Moon.

Jones noted this firm has already been soliciting in Windom. Maricle and Nasby noted that the firm has previously had other permits approved for this company and this is adding another person.

Fossing asked about the City's term of the solicitation permit. Nasby said they are valid for one year.

Motion by Jones seconded by Fossing to approve a solicitation permit for Insulation USA, LLC for Rhett Moon. Motion carried 5 – 0.

8. Proclamation for Years of Service:

Maricle said there is a recognition certificate for years of service to the community for Loie Grandprey. Powers read the resolution.

Council member Powers introduced the Resolution No. 2013-03, entitled "A RESOLUTION EXPRESSING SINCERE APPRECIATION TO LOIE GRANDPREY FOR FAITHFUL SERVICE TO THE CITY OF WINDOM" and moved its adoption. The resolution was seconded by Ray and on roll call vote: Aye: Ray, Fossing, Jones, Cooley and Powers. Nay: None. Absent: None. Resolution passed 5 – 0.

Maricle and the Council members thanked Grandprey for his 32 years of service to the City while on the Planning and Zoning Commission. Powers noted that Grandprey will be missed at the Planning and Zoning meetings. Maricle presented Grandprey with a certificate of recognition.

9. Economic Development Authority Annual Report:

Aaron Backman, EDA Executive Director, said that the Windom EDA is presenting its annual report as required by statute. The EDA Board had reviewed and discussed the report at their January 14, 2013 meeting and recommended approval by the City Council.

Backman reviewed the five goals for 2013 which are as follows:

- Collaboration with existing businesses
- Recruit manufacturing and other businesses
- Research and contact retail prospects for the community
- Align goals/objectives with local organizations to promote the community
- Collaborate with the Windom Chamber & Windom Area Development Association

Highlights from the year included work with GDF Bobcat to redevelop the former Bolin Lumber site, work with Toro, Big Game's redevelopment of the former Lewis Drug building, TED and BDPI grants for the North Windom Industrial Park infrastructure, redesign of the City's website, work with the Remick Foundation on the Welcome to Windom signs and participation with Windom Chamber and Windom Area Development Corporation meetings and activities.

Motion by Jones seconded by Fossing to accept the 2012 EDA Annual Report as presented. Motion carried 5 – 0.

Jones noted that Backman mentioned during the EDA meeting the most frequent question on the Welcome to Windom signs. Backman said the most common question he has gotten is about the location of the sign on east Highway 60. Backman noted this sign is 150 feet of the roadway and this is to accommodate the future expansion of Highway 60 to four lanes, so the sign will not have to be moved when the road widens.

10. Donation of Batting Cage:

Maricle said the donation of the batting cage is from the Windom Area Girls Fastpitch Association is valued at \$2,400 and is for the Windom Recreation Area.

Council member Fossing introduced the Resolution No. 2013-04, entitled "AUTHORIZATION TO ACCEPT A DONATION FROM THE WINDOM AREA GIRLS FASTPITCH ASSOCIATION FOR THE WINDOM PARKS DEPARTMENT" and moved its adoption. The resolution was seconded by Powers and on roll call vote: Aye: Fossing, Jones, Cooley, Powers and Ray. Nay: None. Absent: None. Resolution passed 5 – 0.

11. Confirmation of DNR & Cottonwood Co. Soil and Water Tree Grant:

Bruce Caldwell, Streets & Parks Superintendent, said that this project is for the Island Park area and park on the west side of the river. The trees will be paid for with the grant and planted by the Youth Conservation Corps. The City's responsibility will be watering and maintenance, which is part of our existing programming.

Motion by Jones seconded by Ray to confirm the DNR & Cottonwood County Soil and Water Tree grant for the City of Windom. Motion carried 5 – 0.

12. 2012 Pay Equity Implementation Report:

Nasby said this is a required State report that is done every 3 or 5 years depending on the State's schedule. Compensation information for the pay equity report is from the City and Windom Area Hospital. Nasby said the hospital is included in the report as the City is the owner of the facility. The compensation data, job classification and gender information is inputted into the State's electronic reporting form and then it generates a report showing various ratios. There are four tests and the City is compliant with the tests. The City has Springsted, Inc. do a review of the data and State results report to confirm compliance. Both the State results report and Springsted, Inc. letter are in the Council packet along with the pay equity data.

Jones remarked that the ratios and State results report are confusing. Nasby said there is an instruction booklet provided by the State if he wanted additional information and due to the rules, regulations and understanding of the ratios the City uses Springsted, Inc. to review the report.

Motion by Powers second by Cooley to approve the 2012 Pay Equity Report and submission to the State of Minnesota. Motion carried 5 – 0.

13. Resolution Approving Amendments to the Fees & Charges Schedule:

Nasby said that the 2013 fee schedule had been revised to include changes approved by resolution such as utility rates and recreation fees. The only other change was to the labor and equipment charges within the Electric Department.

Caldwell said that he had two items for the Parks Department related to this item. First, he noted that the charge for shelter rental is \$80. This is a higher rate than some surrounding communities are and we have had some complaints about the cost as well as the prep. He noted the cleaning and prep is done on Fridays and the rentals are generally the weekend, but sometimes they are used Friday night and since there is no "on call" or weekend staffing there can be instances where the shelters are not as clean as expected on the Saturday or Sunday rental. He is suggesting reducing the shelter rental fee to \$60.

Powers asked Caldwell to go over the weekend staffing again. Caldwell said that Parks staff does not have weekend shifts or work other than Riverfest. This was done to eliminate overtime costs and to accommodate employee schedules. Powers said if there were issues that arose on Friday nights then there could be a mess in the shelters or parks. Caldwell said that he tries to do a drive through on the weekends when he is in town and there is a person that can be called in for emergencies by going through the County dispatch.

Cooley asked if there were no weekend shifts. Caldwell said that with his crew being on call during the winter for snow plowing and difficulty in staffing he schedules the weeks as Monday – Friday in the summer.

Preliminary

Jones clarified that there is no "on-call" in the summer. Caldwell said that is correct, but if dispatch is called for an emergency they have a list of Streets & Parks Dept employees that can be called according to the seniority list.

Motion by Powers seconded by Cooley to set the fee for park shelter rental at \$60 per day. Motion carried 5 – 0.

Caldwell said his second item is the second day rental fee for picnic tables. The current fee is \$15 for the first day and then \$5\day thereafter and the non-profit rate is a flat \$5\day. Use history shows very few multi-day rentals and having a different fee for the additional days causes problems with the on-line reservation system. Caldwell is proposing a flat \$10\day fee for picnic tables regardless of the number of days rented and that the non-profit rate remain at a flat \$5\day.

Jones asked if all the tables were aluminum. Caldwell replied that all the rental tables are, but there are wooden tables in the parks that can be used in the park only. The park tables are first come, first serve with no reservations.

Powers asked if any of the rentals were damaged or lost. Caldwell said that two disappeared out of town a few years ago. The tables originally cost about \$800 each.

Cooley asked about the condition of the rental table. Caldwell said that they were about 10 years old, but still very good and maintenance is done as needed.

Motion by Jones seconded by Fossing to set the picnic table rental rates at \$10\day and the non-profit rate at \$5\day. Motion carried 5 – 0.

Council member Fossing introduced the Resolution No. 2013-05, entitled "RESOLUTION APPROVING AMENDMENTS TO THE FEES AND CHARGES SCHEDULE" and moved its adoption. The resolution was seconded by Cooley and on roll call vote: Aye: Cooley, Powers, Ray, Fossing and Jones. Nay: None. Absent: None. Resolution passed 5 – 0.

14. Discussion on Funding Long Range CIP Projects:

Nasby reviewed the funding options memorandum in the Council packet covering debt financing, debt capacity, local sales taxes, grants, state bonding and dedicated fees.

Maricle suggested listing the primary priority items that would be covered by the funding options. His list would include the Arena, Fire Hall, Pool, EDA Revolving Fund and Equipment Fund. Council concurred that these were the items they were interested in as well. Maricle asked if anyone wanted to start with what they see as priorities.

Powers said that equipment is important to continue to perform the necessary services for the citizens and the focus on funding should consider needs versus wants.

Preliminary

Jones said that one way to look at the project would be to match possible funding sources with the projects. An equipment fund could be done with a dedicated fee. Existing funds could be re-focused to other needs if there were efficiencies gained. For example, if the Arena operations were less costly than money currently being provided to that facility via the tax levy could be used elsewhere such as funding the fire hall. He suggested that a one percent local sales tax could be looked at for the Arena and to set up an EDA Revolving Loan Fund (RLF). The sales tax makes sense for these two projects as they are designed to bring people to town, which will generate more retail activity and the EDA RLF could be used to assist local businesses. He said that the fire hall is important to him as well and other funding resources such as the USDA loan or co-pays by the townships in the fire district can off-set the cost. In looking at the impact to the City, an Arena would generate more of an economic impact.

Cooley said that a fire hall is a priority to him. Relating to an Arena, he attended an event in Redwood Falls and liked their facility of a community center, arena and school on one site. Nasby said that site locations would be a future step for a Building Committee and the process the City used to do site selection and building plans for the fire hall could be followed for an Arena project.

Fossing asked if any more information was available on the pool lining option. Al Baloun, Recreation Director, said he has not completed the research yet.

Jones said that he would like to see a private-public partnership with a hotel for the pool project and asked the EDA Director to look into this possibility.

Fossing said that both the fire hall and Arena need to be addressed sooner rather than later as the need is apparent.

Jones said that he agrees with Fossing and would support pursuing both projects concurrently.

Nasby said staff is requesting Council to provide their priorities and direction on funding options the Council wants staff to work on. If a new Arena project is to be moved ahead there is much leg work and planning that needs to be done and there will be a need for the commitment of resources to get this accomplished.

Fossing noted that with a local option sales tax a portion of those funds would be coming from visitors and not all from the local residents.

Maricle said that Worthington, Fairmont and Mankato have local sales taxes and if one were to be included for Windom there should not be a competitive disadvantage.

Maricle suggested setting up a Building or Project Committee to do planning, funding research and public outreach. The committee could be comprised of many user groups and interested parties. He would come up with a proposal for the Council to consider.

Preliminary

Jones suggested starting a fire protection fee of \$2-3\month like is done in Luverne to start a collection of funds for the fire hall and\or fire equipment.

Powers asked how the Jackson fire hall was funded. Nasby said he had done that research for Fossing and both recalled that it was about 50% fire department fund-raising and 50% debt financed.

Nasby asked for direction on pursuing a one percent local sales tax as there may be options to get this approved, but a decision is needed as the legislature is currently in session.

Maricle said that he would support starting now as it could take two years to get the legislation needed.

Jones asked if the legislation request would be for "public facilities" as the Council had not yet determined if the funds would be for a fire hall or Arena. Nasby said it is possible to do that, but a well-defined plan would be needed before anything was taken to the voters.

Jones said he would like to have money for the EDA RLF too. Nasby said that language authorizing that use would need to be separated from the generic "public facilities" language.

Fossing agreed that EDA funds are needed. Cooley agreed as well as concurrence from Powers and Ray.

Jones said that it will be important to keep the citizens informed of what is happening, the proposed uses of the funds and impact to the community.

Motion by Jones seconded by Ray to pursue enabling legislation for one-percent local option sales and excise tax for the City of Windom for public facilities with an option to capitalize an EDA revolving loan fund. Motion carried 5 - 0.

15. New Business:

Cooley said that he had a complaint about traffic exiting the Hy Vee parking lot by driving directly onto Highway 60/71. Maricle asked staff to look into this with MN DOT and the Building Official.

Powers asked about the well levels. Nasby said that item was discussed today with the Water\Wastewater Superintendent and Windom's well levels have been holding steady. When PM Windom did their pump test last month the City only pumped out of two wells, where usually this is rotated among several wells. The static well level did drop about 4 feet in those two wells but recovered in about a week, which is typical. He noted the Water\Wastewater Superintendent has been tracking the well levels and is cognizant of the problems that could occur if the well levels drop.

16. Old Business:

Maricle said that he had some additional appointments. He is requesting approval for the following:

Charter Commission (terms expiring April 2016)

Laura Alvstad
Donna Gravely
David Farber
Sonya Johnson
Nestor Palm
Jeanette Schuur
Bruce Toninato
Diane Vellema

Charter Commission (terms expiring April 2014)

Josh Sammons
Joel LaCanne

Planning Commission

Krissy Fossing (Ward II, Precinct II)

Library Board

Barb Henning to replace Jan Johnson

Motion by Ray seconded by Fossing to approve the appointments as presented. Motion carried 5 – 0.

Nasby said that all of the Charter Commission appointments will be on a resolution for the next City Council meeting as that is the process needed to convey the names to the District Court for approval.

Maricle said that he had previously discussed appointing a City Engineer for projects where the anticipated fees were under \$25,000.

Jones noted that \$25,000 is a large sum and asked if those projects would be going to the City Administrator to review. Nasby replied that on projects that size the Boards\Commissions would be involved with oversight as well. Nasby added that the \$25,000 threshold is the level where State law requires competitive quotes.

Motion by Jones seconded by Fossing to appoint Wenck Associates as the City Engineer for 2013 with a project fee limit of \$25,000. Motion carried 5 – 0.

Maricle said the last item was related to refuse collection.

Preliminary

Nasby said that during the city-wide clean up last year quotes were obtained and the Council inquired about the last time quotes were received for the City's garbage pick-up. Powers thought it had been about three years.

Fossing asked if the City had used multiple vendors. Nasby said that currently there are two firms that provide service in the community and the staff was planning on returning to a Spring clean-up.

Motion by Powers seconded by Jones to direct staff to solicit quotes for the City's Spring clean-up event and for collection services at City facilities. Motion carried 5 – 0.

17. Regular Bills:

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

18. Council Concerns:

Jones noted possible LGA cuts and asked Nasby to review. Nasby said that the preliminary LGA numbers are now available from the Department of Revenue based on current law. If current law holds and no additional funds are provided to the LGA fund then Windom would lose \$46,460 which is \$10 per capita. The State's fiscal year starts on July 1 so if there is a cut it will impact our 2013 budget. No final decisions have been made and the legislature is a long way from a budget, so this is a "heads up" of what could occur.

Ray asked that drivers be attentive and look out for other drivers. A car had abruptly turned in front of another car out of the opposite lane on the square to park at a business.

19. Adjourn:

Maricle adjourned the meeting by unanimous consent. Meeting adjourned at 9:30 p.m.

Corey Maricle, Mayor

Attest: _____
Steve Nasby, City Administrator

ECONOMIC DEVELOPMENT AUTHORITY OF WINDOM
MINUTES
JANUARY 14, 2013

1. Call to Order: The meeting was called to order by President Erickson at 12:03 p.m.

2. Roll Call & Guest Introductions:

EDAWN Commissioners: Juhl Erickson, Sally Larson, Trevor Slette, Kelsey Fossing, and Dominic Jones.

Also Present: EDA Staff – Aaron Backman, EDA Executive Director, and Mary Hensen, Admin. Asst.; City Administrator Steve Nasby, Mayor Corey Maricle, WADC Liaison Justin Espenson, and Rahn Larson.

3. Welcome New EDA Commissioner – Dominic Jones: President Erickson welcomed Councilmember Dominic Jones as the new Commissioner on the EDA Board.

4. Oath of Office: Director Backman administered the Oath of Office to Dominic Jones.

5. Election of Officers:

A. President – 1-Year Term:

Motion 1: By Commissioner Larson, seconded by Commissioner Erickson, to elect Trevor Slette as President. Motion 2: By Commissioner Jones, seconded by Commissioner Larson, for nominations to cease and directing that a unanimous ballot be cast for Trevor Slette as EDA President. Motions 1 & 2 carried 4-0 (Abstention: Commissioner Slette).

B. Vice President – 1-Year Term:

Motion 1: By Commissioner Slette, seconded by Commissioner Larson, to elect Juhl Erickson as Vice President. Motion 2: By Commissioner Jones, seconded by Commissioner Slette, for nominations to cease and directing that a unanimous ballot be cast for Juhl Erickson as EDA Vice President. Motions 1 & 2 carried 4-0 (Abstention: Commissioner Erickson).

C. Secretary-Treasurer – 1-Year Term:

Motion 1: By Commissioner Fossing, seconded by Commissioner Slette, to elect Sally Larson as Secretary-Treasurer. Motion 2: By Commissioner Jones, seconded by Commissioner Slette, for nominations to cease and directing that a unanimous ballot be cast for Sally Larson as EDA Secretary-Treasurer. Motions 1 & 2 carried 4-0 (Abstention: Commissioner Larson).

The gavel was passed to the new EDA President Trevor Slette.

6. Approval of Minutes:

Motion by Commissioner Erickson, seconded by Commissioner Larson, to approve the Minutes of the EDA Meeting held on December 10, 2012. Motion carried 5-0.

7. North Windom Industrial Park

A. Infrastructure Project Status and B. MnDOT Update: Director Backman advised that he has had various discussions with Kent Purrier of MnDOT and Dennis Johnson of Wenck Associates regarding the TED grant and the NWIP Project. MnDOT has approved the design plans and is finalizing approvals concerning the signage for the project. They are moving

ahead with the TED Grant Agreement and it is anticipated the agreement should be completed the first part of February. Tentative plans are to combine specs for both the street projects and the NWIP infrastructure and go out for bids in February with the bids to be awarded the first week in March. The EDA is hopeful that the infrastructure project will be completed by the end of the summer. Director Backman advised that a Windom native, Jed Falgren of Mankato, has been selected as the Assistant District Engineer for District 7 Maintenance Operations for MnDOT.

8. Entrance Signs:

A. Project Status: All three "Welcome to Windom" entrance signs were installed on December 4, 2012. Shortly before Christmas, the lighting of the signs was completed. The lighting for the two signs on Highway 60 is solar-powered. The sign north of the LaCanne Funeral Home is connected to the City's electrical service. The landscaping around the signs will be completed in the spring. An ad was placed in the January 9, 2013, issue of the Citizen acknowledging the donations by local businesses, organizations and individuals towards the required match for the \$30,000 Remick Foundation grant. An additional grant of \$5,000 was received from the Remick Foundation for directional and "points of interest" signs. Director Backman has begun the research and discussions with other entities concerning these signs.

9. SCDP Project

A. Project Modification: On April 9, 2012, the EDA Board approved an SCDP loan of \$12,077.00 for Windom SCDP Project No. 109. The Borrower entered into a Mortgage for this loan. Since that time, the costs for the project have increased to \$15,479.00. Western Community Action has prepared a proposed Mortgage Modification Agreement to reflect this increase. The increased amount is less than the maximum amount per project and less than the average project costs for SCDP projects in Windom. After review of the proposed modification, the following action was taken.

Motion by Commissioner Jones, seconded by Commissioner Fossing, approving the increase in the SCDP Loan for Windom SCDP Project No. 109 to the total amount of \$15,479.00, approving the modification of the mortgage to reflect this increase, and authorizing the execution of the Mortgage Modification Agreement by the Mayor. Motion carried 5-0.

10. EDA 2012 Annual Report: Pursuant to state statutes, the EDA is required to submit an annual report of its activities for the preceding year. The EDA Board received a copy of the proposed 2012 Annual Report. Director Backman reviewed the report with the Board.

Motion by Commissioner Erickson, seconded by Commissioner Fossing, approving the 2012 EDA Annual Report and authorizing the EDA Executive Director to present this report to the City Council. Motion carried 5-0.

11. 2013 Goals – Preliminary Discussion: The Board received a copy of the proposed 2013 Strategic Goals for the EDA. There was a discussion concerning the goals and proposed action steps. Adoption of the goals was tabled until the February, 2013, EDA Meeting to allow additional time for the Commissioners to e-mail any comments they may have concerning the goals to Director Backman. Commissioner Jones reported to the Board that the City Council would be considering options for funding of capital improvement projects at the Council Meeting scheduled for January 15, 2013. He further related that one of the options being considered is a local sales tax. Commissioner Jones and City Administrator Nasby advised that such a tax would need to be approved by the City Council, voted on by the citizens of Windom, and authorized by the Minnesota Legislature. There was a discussion concerning whether the Board would like to submit

a request to the City Council to consider including a percentage of the sales tax revenue to provide funding for an EDA revolving loan fund.

12. Unfinished Business: None.

13. New Business

A. Business Meetings, Conferences & Events Report: Director Backman reported that he is scheduled to attend the EDAM Winter Conference January 24 and 25, 2013.

B. Remick Grant Application: Background: In early 2010, the City of Windom wrote and secured a \$100,000 Minnesota Intelligent Rural Community (MIRC) grant from the Blandin Foundation to enhance broadband utilization and access in the City of Windom. An additional program initiated during the MIRC grant program and in effect today provides low-cost computers to people who do not have access to technology or the Internet. PCs for People, a non-profit organization based in St. Paul, refurbishes computers donated by businesses, organizations, and individuals and provides these computers to eligible individuals. The City of Windom/EDA has partnered with PCs for People to provide low-cost, refurbished computers to people in the Windom area.

Director Backman advised that the EDA has been in contact with representatives from school districts in Comfrey, Westbrook, and Springfield who are potentially interested in participating in the PCs for People program. The program would not be directly assisting the schools, but would assist eligible students and individuals in the communities by providing affordable computers for their home use. The EDA has an opportunity to file an application for a Remick Foundation grant to assist with the expansion of the PCs for People program into areas surrounding Windom. The EDA is proposing a budget of \$9,400 for this program of which \$4,400 would be requested as a grant from the Remick Foundation and \$5,000 would consist of revenue from contributions from the computer recipients. (The suggested contribution is \$25 per computer.)

Motion by Commissioner Erickson, seconded by Commissioner Jones, to authorize the EDA Executive Director and staff to submit an application to the Remick Foundation for a grant of \$4,400 to expand the PCs for People program to include individuals in areas served by the following school districts: Comfrey, Mountain Lake, Red Rock Central, Springfield, and Westbrook-Walnut Grove. Motion carried 5-0.

14. Miscellaneous Information

A. Monthly Budget Recap: The Board received a copy of the monthly budget report for December, 2012.

B. River Bluff Townhomes – Monthly Financial Report: The Board received copies of the financial reports provided by Van Binsbergen & Associates for the period ending November 30, 2012.

C. 2013 Schedule of Regular EDA Meetings: The Board received a schedule of the regular EDA Meetings for 2013.

15. Adjourn: By consensus, President Slette adjourned the meeting at 1:20 p.m.

Sally Larson, EDA Secretary-Treasurer

Attest:

Aaron A. Backman, EDA Executive Director

Community Center Commission Minutes
Monday January 14, 2013

1. Call to Order: The meeting was called to order by President Wayne Maras at 5:35 p.m.

2. Roll Call: President: Wayne Maras
CC Director: Brad Bussa
Commission Members: Linda Stuckenbroker
Kelly Woizeschke-Absent
Hilary Mathis
Tom Cowan
Commission Liaisons: Brian Cooley-Absent
Bruce Caldwell-Absent
Jo Ann Ray-Absent
EDA Director: Aaron Backman – Absent
Public:

3. Swearing in of Re-Appointed Commission Member and Election of New Officers:

Linda Stuckenbroker was sworn in to the Commission.

Election of Officers-Motion by Linda Stuckenbroker, seconded by Tom Cowan to keep Wayne Maras as President. Motion carried 4-0. Motion by Wayne Maras, seconded by Hilary Mathis to elect Linda Stuckenbroker as Vice President. Motion carried 4-0. Motion by Linda Stuckenbroker, seconded by Tom Cowan to keep Hilary Mathis as Secretary. Motion carried 4-0.

President – Wayne Maras
Vice-President – Linda Stuckenbroker
Secretary – Hilary Mathis

4. Approval of Minutes:

Motion by Linda Stuckenbroker, seconded by Tom Cowan to approve the August 27, 2012 Community Center Commission Minutes. Motion carried 4-0

5. Additions to the agenda:

Nothing to Report

6. President's Report:

Policy Review at next meeting in February.

7. Director's Report:

a. 2012 Wrap up

- b. 2013 Capitol Item Review- \$ 6,500 Carpet Cleaner, \$10,000 Equipment Replacement, \$9,300 Rental Items for Weddings, maybe check with an interior decorator for wedding ideas
- c. 2013 Capitol Purchase Ideas-Discussed wedding items/contact people, table skirting, and napkins
- d. Winter Policy is in effect

9. Resource Management:

Schedule of Events: Bookings still coming in

Income & Expense: Comparison from 2005 to 2012 Treasurers cash balance-we are in the black

10. Miscellaneous:

11. Open Forum:

12. Next Meeting:

Monday February 25, 2013 @ 5:30 pm

Adjourn:

Motion by Tom Cowan, seconded by Linda Stuckenbroker, to adjourn the meeting at 6:37 pm. Motion carried 4-0.

Wayne Maras, WCC President

Hilary Mathis, WCC Secretary

Attest: _____
Brad Bussa, WCC Director

UTILITY COMMISSION MINUTES
City Hall, Council Chamber
January 30, 2013

Call Meeting to Order: The Utility Commission meeting was called to order at 10:00 a.m. on January 30, 2013 in the City Hall Council Chamber.

Members Present: Utility Commission Chairperson: Mike Schwalbach

Members Present: Tom Riordan

Member Absent: Glen Francis

City Council Liaison: Dominic Jones, Present

Staff Present: Steve Nasby, City Administrator; Marv Grunig, Electric Utility Manager; and Mike Haugen, Water / Wastewater Superintendent

Others Present: Jason Sprague (S.E.H. Inc.), Ryan Baum (Utility Services), Aaron Backman (EDA Director), Steve Willard, Street Department Foreman; Dennis Johnson (Wenck Associates), Mike Reimers (Wenck Associates); Kelly Yahnke (Bolton & Menk, In.), and Gary Meyer (Bolton & Menk)

APPROVE MINUTES

Motion by Riordan, seconded by Schwalbach, to approve the December 19, 2012, Utility Commission minutes as presented. Motion carried 2-0 (Francis absent).

RRRWS WATER PURCHASE AGREEMENT

Haugen said that the City and Red Rock Rural Water System (RRRWS) have had a relationship since the 1990s and an agreement was started about 1997, but nothing had been formally executed. Since that time the two parties have been working together on projects and the City has been selling RRRWS water. The proposed agreement is a formalization of the water purchase agreement. Haugen reviewed some of the highlights of the agreement, which included the water purchase, acquisition of a RRRWS water line along N. Highway 71, acquisition of a RRRWS water line along 6th Avenue to the UHF tower site and the construction and purchase of a new meter station at the UHF tower site.

Schwalbach asked about the meter station and if that cost should be borne by RRRWS as the equipment is needed only because of the water purchase. When the project was done for POET and City of Bingham Lake they paid for the meter\booster station through the rates charged.

Jones said that the cost of the south water line was lowered as an off-set. The meter station will insure accurate readings for both parties and that the current unmetered arrangement is workable, but there is no firm accountability on when valves are opened\closed.

Nasby asked Dennis Johnson about the estimated costs for the new North Windom Industrial Park (NWIP) project water line, which is a 12 inch line. Johnson said the estimate is \$64/foot.

Nasby noted that the cost of the north RRRWS line was negotiated to be \$60/foot and the south line at \$30/foot, with the City paying \$30,000 for the new meter station. If the \$64/foot figure is applied to the south line the cost would have been \$79,200 versus the \$70,000 in the agreement for both the south line and meter station.

Riordan and Schwalbach agreed that it is preferable and cleaner to have the right cost in the water line acquisition for the south line and to bill RRRWS back for the meter station cost. This would be consistent with the POET and Bingham Lake agreement.

Jones said that he is open to that change, but wants to make sure the meter station cost is comparable to the \$30,000 in the current agreement so RRRWS does not have to incur additional cost. Haugen said he will get some quotes and that RRRWS could still be the one to build the meter station if the quotes come in high. Jones added that he wanted a SCADA system so he can monitor the meter station, but Haugen did not think this was needed. Jones said that RRRWS may ask to include a SCADA system, at their expense.

Nasby reviewed the balance of the proposed agreement related to the rate structure, duration of the contract, termination language, water restrictions, additional water requests and a mock bill to illustrate how the charges and credits would work for billing. Nasby said there were minor changes in paragraph 3 stating that the rates start in July 2013 but not to have a June 2014 end date. Also, there is additional language in paragraph 11 that needs to be added about water restrictions to commercial users in Windom also applying to RRRWS.

Jones said he was aware of the revisions outlined by Nasby and was in agreement with the changes.

Haugen said the agreement is designed to expire at the end of 2017, which is when the POET agreement expires. Then both parties can re-visit this RRRWS agreement as well.

Schwalbach noted that it may be good to have some additional time after the POET agreement expires for the City and RRRWS to work out any new agreements or renewals. He suggested extending the termination date on the proposed agreement to December 31, 2018. Jones said that was acceptable to him.

Schwalbach suggested that the information relating to the credits also be clarified to note that the credits for the purchase of the waterlines are over a 10-year period. Along with that, there should be language in the "Whereas" section that notes the intent of the parties is to renew the agreement upon termination of the proposed agreement. Nasby and Jones were in agreement to add this language.

Nasby would get the City Attorney to make the changes and bring it back to the Commission next month for approval.

WATER/WASTE WATER ITEMS – WATER TOWER

Bolton & Menk Discussion on Water Tower – Kelly Yahnke and Gary Meyer from Bolton & Menk were present to discuss water tower rehabilitation efforts.

Kelly Yahnke provided an inspection report explaining items discussed previously with repainting the water tower. The report contains the prior recommendation to repaint the tower plus exploring other available options such as only doing interior painting and maintenance.

Gary Meyer said that by completing the interior cleaning, painting and maintenance, the tower could go another 5 years without major work.

Riordan asked if delaying the exterior work would damage the tower. Meyer said the paint will deteriorate so it will not look good, but there will not be damage to the metal.

Discussion by the Commission on whether or not to accept the proposal in the Bolton & Menk report to do the interior work or to solicit quotes. Yanke said that the plans and specifications for getting quotes would be \$5,000 and if an inspection is needed on the work that would be about \$2,500.

Riordan noted that those costs were already in the price of the proposal. Jones agreed, but the only one with the proposal worked for Bolton & Menk and is also the inspector.

Schwalbach asked if anyone from the other firms represented regarding the tower project had any comment. Ryan Baum from Utilities Services said that their company's intent was to help the City extend the life of the tower and the costs. It was unfortunate that this interior option had not been included in the original project and it is difficult to compare products when the project keeps changing.

Consensus of the Commission was to have Haugen use the information in the report to solicit other quotes and report back at a future meeting.

WASTEWATER PLANT PROJECT – CHANGE ORDER

Yanke said that there is a change order outlining the items that were funded from the contingency fund and not all the money was used. Also, the trash pump is being done outside of the contract with RL Carr.

Jones noted that the change order is for a decrease of cost by \$16,086.

Motion by Riordan, seconded by Schwalbach, to approve the change order from RL Carr on the Wastewater Plant project, thus reducing the cost by \$16,086. Motion carried 2-0 (Francis absent).

2013 STREET PROJECT PLAN REVIEW

Dennis Johnson and Mike Reimers, Wenck Associates, reviewed the plans and specifications for the proposed 2013 Street Project, which included the water, sewer, storm sewer and street designs. Johnson said there is a base project and three alternates, which does include some work

for the School District that is being bid out as part of the City's project but paid for by the School District. Several items were noted for minor modifications by the Commission and Wenck Associates will make the revisions.

Johnson said that the schedule is to present the plans to the City Council on February 5th and then go to bid. Bids will be opened on March 7th and then go to the Council for consideration on March 19. Nasby said a special Utility Commission meeting will be needed between March 7 – 19 so they can make a recommendation on the bids and scope of work.

Haugen suggested adding a couple blocks of water main west of Buckwheat Avenue due to some water main breaks in this area. Jones asked about how that was going to be paid for as the 2013 Street project included assessments to property owners for water infrastructure. Nasby noted that the preliminary assessment hearing, feasibility study and notifications had already been done and that if any work were added to the project for Buckwheat Avenue the property owners would have to sign a voluntary petition or the City will have to pay for the work. Jones and the Commission agreed that it would not be fair for the City to pay for all of the costs on the Buckwheat Avenue water main as the other property owners in the proposed street project must pay a portion of the costs. Haugen will consider whether or not he wants to proceed and if he can get voluntary assessments from the impacted Buckwheat Avenue owners.

NWIP PLAN REVIEW

TED/BDPI project for North West Industrial Park – Aaron Backman, EDA Director provided an update on the project regarding the funding from the State and an overview of the project. He also noted that MN DOT has given approval on the highway improvement plans.

Johnson provided a map displaying the projected routes for the water mains, sewer lines, streets and drainage for the project. Johnson also reported that MN DOT did increase their funding for the projects on the bypass lanes as the City is being required to remove the existing roadway and replace pavement.

Discussion on the location of the water lines related to the RRRWS line and any impacts to the easements. Jones noted that some of the utility lines are in the RRRWS easement.

Jones suggested that the valves on the water line be moved to the point the City and RRRWS connected and that valves should be on both sides of that connection. Reimers agreed with that suggestion and would move the valves.

Backman said that the new infrastructure will enable the development of about 40% of the NWIP. Nasby noted that the plans show Commerce Boulevard as stopping at Trotter Court and he thought Commerce was going to be built to access the third lot north on the west side of Commerce. Backman agreed that was the plan and Reimers will add about 150 feet to the build plan for Commerce Drive.

Schwalbach noted that the storm water retention pond needs to allow for maintenance and the planned placement is very close to the property line. Reimers said they will review this placement and discuss space needed for equipment if maintenance is needed.

OTHER WATER/WASTEWATER ITEMS

Diesel fuel leak at Main Lift – Haugen reported that when the old generator was removed there was discovery of some diesel fuel leaking from the old storage tank. The leak had been reported to MPCA and quotes were obtained for the clean-up work. The bids were reviewed by the State as they will reimburse the cost of the clean-up. The low bidder, Millsap Construction, has a cost of \$5,193.

Motion by Riordan second by Schwalbach to accept the low bid from Millsap Construction and proceed with the work. Motion carried 2 – 0.

Staffing Update – Haugen noted that the sewer jetting contract is expiring and he would like to bring on a staff person to fill the position that had been vacated. Jetting could be done in-house and his department has deferred maintenance. He also noted that there may be another position that becomes open later this year due to a retirement. Since it takes time to get someone hired and trained he would like to move ahead with hiring. Schwalbach asked if Haugen has been documenting and tracking what the work is for the staff and what maintenance is not being completed. Haugen said he had not made a list. Schwalbach suggested bringing this up for future discussion.

Jones asked about the Commission's role in recommending staffing either to the Personnel Committee and/or City Council. Discussion regarding the roles of these groups in relation to the Utility Commission and information is needed to coordinate, but not necessarily needing Personnel's approval to recommend a hire to the City Council.

ELECTRIC ITEMS

NESHAP RICE Regulations – Grunig said that the regulations were published on January 14, 2013 and the new rules are being interpreted. He will know more after the APPA conference on February 11. May 3, 2013 is the deadline for compliance so Windom will need to move quickly once the particulars of the regulations are clarified. He will be asking the Commission for a decision on February 27.

Conservation Improvement Program – Grunig reviewed the 2012 Summary that showed about \$109,000 spent for the program with a savings of nearly 500,000 kWh.

Appliance Rebates and Other Rebate Programs – Grunig said that the electric utility will again do rebates on clothes washers, dish washers, dehumidifiers and room air conditioners. In 2013 he is adding LED lighting as this is very energy efficient. Grunig noted that he is considering not offering the HVAC Bonus Buck program as the number of units has decreased and a lot of units had been replaced the last two years and there were changes made to the program by the Federal government that may make the energy savings counted less of a cost-benefit. Jones and Schwalbach both thought that there are still many people that would take advantage of the program and suggested keeping it active. Riordan noted that 15 units were done in 2012 so he would like to see 1-2 more years with the program.

REGULAR BILLS

None.

OLD BUSINESS

Nasby said that the issue with license premium payments that was raised by the union for the water and wastewater workers may be resolved.

NEW BUISNESS

Nasby said that there were changes in federal law regarding the ability to charge a processing or convenience fee to people that want to pay with credit cards. As such, he asked if the Utility Commission was interested in accepting utility payments via credit cards. Schwalbach and Riordan agreed that this would provide the customers with another option and not add a cost to the utility. Nasby said the staff would do some research and report back to the Commission

ADJOURN

Schwalbach adjourned the meeting at 2:33 p.m.

Mike Schwalbach, Chairperson

Attest: _____
Steve Nasby, City Administrator

**STREET COMMITTEE
MINUTES JANUARY 30, 2013**

- Call to Order: The meeting was called to order at 4:15 P.M. in the Council Chambers
- Members Attending: Committee Members Attending - Brad Powers & JoAnn Ray
- City Staff Present: Street Superintendent Bruce Caldwell, City Administrator Steve Nasby & Steve Willard Street/Parks Department Foreman
- Public: Wenck Engineering Representatives Dennis Johnson & one associate

1. 2013 Street Project – Review Plans & Specification with Wenck Engineering:
The committee reviewed all the items in the project. They only had a couple minor changes that will be taken care of prior to the council packets. They had concerns about the costs for the added sidewalk on 6th Avenue. The property owners stated at the public hearing they opposed that construction due to the high cost for this addition. They also didn't want the added personal liability problems in case of an accident, snow removal costs and the long term maintenance expense. The Windom School Superintendent Wayne Warmstadt stated at the public hearing they would take care of the snow removal on this sidewalk.
Plans & Specifications Draft will be presented to the City Council during their February 5, 2013 meeting. If the Council approves the plans bids will be called for and the opening will be held on March 7, 2013. The Street Committee and Utility Commission will review the bids then make their recommendations to the City Council for approval at their March 19, 2013 meeting.
Recommendation from Street Committee is to approve the plans and specification for the 2013 project following changes and they also stated they would not approve the addition of a new sidewalk on 6th Avenue.

2. North Windom Industrial Park Improvements Discussion with Wenck Engineering
The committee reviewed the Plans and Specifications for the new Streets and the new traffic lanes on north highway 71 entrance to the business park. Johnson stated that the city will get a TED Grant from the state for the work on the highway 71 turning lanes.

3. Safe Routes to School Review 2013 Sidewalk Plan the sidewalk will be placed on the Windom School's private property except where they need to access the street road surfaces with handicap ramps. Those ramps would be built within road right-of-ways. Streets that will be affected for the ramps are 17th Street & 9th Avenues. The sidewalks will parallel the street on 17th Street and will be 3300 feet long and on 9th Avenue the sidewalk will run 800 feet. The width of the sidewalks will be six feet. On 17th Street there will be 3 ramps and 4 ramps on 9th Avenue. There are several other ramps that will access the exits around the school but they are not within our right-of-way.
Recommendation is to approve the usage of the road right-of-ways for the installation of handicap sidewalk ramps for the Safe Routes to School Project on 17th Street & 9th Avenue as long as there isn't any maintenance or costs to the City of Windom.

4. Meeting adjourned at 5:45 _____ p.m.



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement
 444 Cedar Street, Suite 222
 St. Paul, MN 55101
 651-201-7507 • TTY 651-282-6555 • Fax 651-297-5259



H 84707
 CK 25717
 \$ 2,200.00

RENEWAL OF LIQUOR, WINE, CLUB OR 3.2% LICENSES

No license will be approved or released until the \$20 Retailer ID Card fee is received by MN Liquor Control • (3.2% Licenses exempt)

Licensee: Please verify your license information contained below. Make corrections if necessary and sign. City Clerk/County Auditor should submit this signed renewal with completed license and licensee liquor liability for the new license period. **City Clerk/County Auditor are also required by M.S. 340A.404 S. 3 to report any license cancellation.**

License Code ONSS License Period Ending 12/31/2012 ID# 5049
 City/County where license approved. Window
 Licensee Name Window Country Club Inc.
 Trade Name Window Country Club
 Licensed Location address 2825 Country Club Rd/PO Box 74
 City, State, Zip Code Window, MN 56101
 Business Phone 507/831-3489

LICENSE FEES: Off Sale \$ 0.00 On Sale \$ 2000.00 Sunday \$ 200.00

By signing this renewal application, applicant certifies that there has been no change in ownership on the above named licensee. For changes in ownership, the licensee named above, or for new licensees, full applications should be used. See back of this application for further information needed to complete this renewal.

Applicant's signature on this renewal confirms the following: Failure to report any of the following will result in fines.

1. Licensee confirms it has no interest whatsoever, directly or indirectly in any other liquor establishments in Minnesota. If so, give details on back of this application.
2. Licensee confirms that it has never had a liquor license rejected by any city/township/county in the state of Minnesota. If ever rejected, please give details on the back of this renewal, then sign below.
3. Licensee confirms that for the past five years it has not had a liquor license revoked for any liquor law violation (state or local). If a revocation has occurred, please give details on the back of this renewal, then sign below.
4. Licensee confirms that during the past five years it or its employees have not been cited for any civil or criminal liquor law violations. If violations have occurred, please give details on back of this renewal, then sign below.
5. Licensee confirms that during the past license year, a summons has not been issued under the Liquor Liability Law (Dram Shop) MS 340A.802. If yes, attach a copy of the summons, then sign below.
6. Licensee confirms that Workers Compensation insurance will be kept in effect during the license period.

Licensee has attached a liquor liability insurance certificate that corresponds with the license period in city/county where license is issued. \$100,000 in cash or securities or \$100,000 surety bond may be submitted in lieu of liquor liability. (3.2% liquor licenses are exempt if sales are less than \$25,000 at on sale, or \$50,000 at off sale).

Licensee Signature C. Thomas Cowan DOB 12-15-44 SS# 473-50-0105 Date 1-20-13

(Signature certifies all above information to be correct and license has been approved by city/county.)

City Clerk/County Auditor Signature _____ Date _____

(Signature certifies that renewal of a liquor, wine or club license has been approved by the city/county as stated above.)

County Attorney Signature _____ Date _____

County Board issued licenses only (Signature certifies licensee is eligible for license).

Police/Sheriff Signature Sgt. Kevin [Signature] Date 2-1-13

(Signature certifies licensee or associates have not been cited during the past five years for any state/local liquor law violations (criminal/civil). Report violations on back, then sign here.)

Jan-Dec
12-31-13

10337
Paid
1/22/13
CK 0249441
\$ 20.00
#84702

APPLICATION FOR MUNICIPAL LICENSES
CITY OF WINDOM
444 9th Street PO Box 38
Windom, MN 56101

STATE OF MINNESOTA
COUNTY OF COTTONWOOD
CITY OF WINDOM

TO: DG Retail, LLC DBA Dollar General Store #10337
2480 Hwy 60 E
Windom, MN 56101

This application is appropriate for item or items checked below, for the term of one year from January 1, 2013 to December 31, 2013.

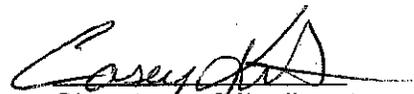
- 1 Cigarette License \$20.00
- Game of Skill \$50.00 First Game
\$15.00 Each Additional Game
- Theatre \$25.00

Total 20.00

MN Tax ID # 8204133
Federal Tax ID # 30-4577242

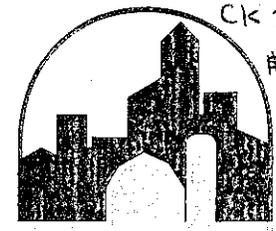
Dated this 14th Day of December, 2012.

Vendor #310257 ✓
Invoice #201310337TOBCITY16 ✓
Batch #3495 ✓ \$ 20.00 ✓


Signature of Applicant

Please return check to:
Keith Wade X:5709

Paid 1/30/13
#84707
CK 25717
#20.00



WINDOM

APPLICATION FOR MUNICIPAL LICENSES
CITY OF WINDOM
WINDOM, MN

STATE OF MINNESOTA
COUNTY OF COTTONWOOD
CITY OF WINDOM

TO: Windom Country Club
2825 Country Club Dr
PO Box 74
Windom, MN 56101

This application is appropriate for item or items checked below, for the term of one year from January 1, 2013 to December 31, 2013.

- Cigarette License \$20.00
- Game of Skill \$50.00 for first game and \$15.00 for each additional game
- Theatre \$25.00

Total \$20.00

MN Tax ID # 41-0673616
Federal Tax ID # 8287739

Dated this 5th Day of November, 2012.

All applications must be received by November 23, 2012.

CT Thomas Cowan

Signature of Applicant



First Name

Jackson

Middle name

c

Last Name

Ferguson

Date of Birth

11/10/1990

Driver's License Number

LA227336D

State of Issue

Idaho

Solicitor's Address

2201 Burr Oak Rd
Milford, Iowa 51351
United States
[Map It](#)

Phone

(215)900-6255

Email

theicferguson@gmail.com

Name of Business/Organization

Insulation USA, LLC

Address of Business/Organization

2201 Burr Oak
Milford, Idaho 51351
United States
[Map It](#)

Business/Organization Phone

(712)330-8480

Purpose of Solicitation

Sell insulation

Initial Investigation Fee - \$20.00
Annual License Fee - \$40.00

January 31, 2013
Date

applied on-line
Applicant's Signature

I have on 1/31/13, ~~to~~ collected from applicant \$ 60.00 as prescribed in
Section 6.40 of the City Code.

[Signature]
City Clerk

Referred to the Police Chief on January 31, 2013
Recommendation: Approved Disapproved . If disapproved,
give reason: _____

2-1-13
Date

Sgt. Kevin Patterson
Police Chief

Approved by the City Council on _____, 19____.

PAYDEN

Middle name

ALAN

Last Name

HATHAWAY

Date of Birth

09/14/1990

Driver's License Number

PA112376E

State of Issue

Minnesota

Solicitor's Address

2201 BURR OAK RD
MILFORD, Iowa 51351
United States
[Map It](#)

505 Laurel
Restaurg Exho
83400

Phone

(208)709-5912

Email

payden_hathaway@hotmail.com

Name of Business/Organization

INSULATION USA

Address of Business/Organization

2201 BURR OAK RD
MILFORD, Iowa 51351
United States
[Map It](#)

Business/Organization Phone

(888)669-7310

Purpose of Solicitation

TO INFORM PEOPLE ABOUT THEIR INADEQUATE INSULATION LEVELS AND TO BRING THEM UP TO CODE.

If door to door solicitation, indicate area to be solicited

Residential District

Acknowledgement

Initial Investigation Fee - \$20.00
Annual License Fee - \$40.00

Feb 1, 2013

Date

Applied on-line

Applicant's Signature

I have on 2/1/2013 ~~19~~ collected from applicant \$ 60.00 as prescribed in Section 6.40 of the City Code.

[Signature]
City Clerk

Referred to the Police Chief on 2/1/2013

Recommendation: Approved Disapproved If disapproved, give reason:

2-1-13

Date

[Signature]
Police Chief

Approved by the City Council on _____, 19____.

Kace

Middle name

Jay

Last Name

Farley

Date of Birth

04/10/1988

Driver's License Number

PA111119H

State of Issue

Idaho

Solicitor's Address

~~2201 Burr Oak RD
Milford, Iowa 51351
United States
Map It~~

505 Laurel
Rexburg Idaho 83420

Phone

(208)201-9360

Email

kifarley24@gmail.com

Name of Business/Organization

Insulation USA

Address of Business/Organization

2201 Burr Oak RD
Milford, Iowa 51351
United States
Map It

Business/Organization Phone

(888)669-7310

Purpose of Solicitation

The purpose would be to knock residents' homes to inform them about their insulation levels and bring them up to code.

If door to door solicitation, indicate area to be solicited

Residential District

Initial Investigation Fee - \$20.00
Annual License Fee - \$40.00

1/29/2013
Date

applied on line
Applicant's Signature

I have on 1/29/13, ~~19~~ collected from applicant \$60.00 as prescribed in Section 6.40 of the City Code.

[Signature]
City Clerk

Referred to the Police Chief on 1/29/13.

Recommendation: Approved Disapproved . If disapproved, give reason:

2-1-13
Date

Sgt. Kevin Puffer
Police Chief

Approved by the City Council on _____, 19____.

Date/Time received: 1-11-2013 12:50 p.m.

Agenda Request Form

(This form can be used only once a month by the same individual(s). It is not a venue to bypass policies and procedures of city commissions and committees.)

Name: Jay Grandprey Telephone No: 831-2290

Address: 740 12th Street

Date of Council Meeting: Thursday, February 5th (Agenda item must be turned into the city office by Friday noon preceding the Tuesday meeting.)

Subject: Open Burning Permit - Window
Golf Course - Tree limbs

Have you brought this to the attention of the appropriate department head? Yes - Fire Chief
Committee? No

Hand-outs, audio-visual materials (These must be simple and set up directly before you speak and taken down directly afterward): N/A

This format gives citizens an opportunity to express concerns to the council without expectation of discussion or action. No more than two (2) people should speak on the same topic at one meeting. Remarks should not exceed five (5) minutes per person. They should be directed to the council as a whole and not to any individual member or department head.


Signature

AIR POLLUTION

§ 90.40 UNAUTHORIZED, UNLAWFUL BURNING.

(A) It is unlawful for any person to burn or permit burning of any grass, weeds, leaves, rubbish or other substance upon premises owned or occupied by him or her, except as otherwise provided by this code.

(Prior Code, § 10.42)

(B) (1) *Burning permitted.* Pursuant to the provisions of M.S. § 116.082, as amended from time to time, the open burning of dried leaves between September 15 and December 1 is hereby allowed in the city, subject to the limits and conditions specified in this division (B).

(2) *Limits and conditions.* The burning of leaves will only be permitted under the following limits and conditions:

- (a) The open burning of leaves will only be permitted between September 15 and December 1;
- (b) The Police Department must be notified by the property owner prior to each burning;
- (c) Burning shall be limited only to the areas of the city zoned residential;
- (d) A fire shall not be less than five feet from any property line and not less than 25 feet from any building, lumber pile, wood yard, haystack or other comparable hazard;
- (e) A responsible person shall be in constant attendance until the fire is completely

extinguished;

(f) Burning will only be allowed during daylight hours;

(g) The burning of leaves is prohibited on city streets, alleys, sidewalks, boulevards or any public parking areas;

(h) No burning shall take place during an air pollution alert, high fire danger alert, warning or other emergency declared by the city, the State Pollution Control Agency (MPCA) or the State Department of Natural Resources (DNR); and

(i) The Fire Chief, or other local fire authority designee, will have the authority to discontinue a burn when:

1. A fire hazard exists or develops during the course of the burn;

2. Any of the conditions of the permit are violated during the course of the burn;

and

3. It is determined that the smoke emissions are offensive to occupants of the surrounding property.

(3) *Permits.*

(a) Upon determination that all necessary precautions have been taken to protect life and property, the Fire Chief, City Administrator or other authorized agent may issue a leaf-burning permit.

(b) The cost of obtaining a permit to burn dried leaves shall be at a rate as approved from time to time by the City Council. The fee will be paid by the applicant upon receipt of permit.

(c) Beginning on the date of issuance, the permit shall be valid until December 1 of the year it was issued.

(4) *Copy to state agencies.* A copy of this division (B), or any amendment thereof, shall be submitted to the MPCA and the DNR.

(5) *Penalty.* Any person violating the provisions of this division (B) shall be guilty of a misdemeanor.

(6) *Application.* The provisions of this division (B) shall only apply to the burning of leaves. It is unlawful for any person to burn any materials prohibited under the city ordinances or state statute.

(7) *Effective date.* This division (B) becomes effective on the date of its publication or upon the publication of a summary of the ordinance as provided by M.S. § 412.191, Subd. 4, as it may be

amended from time to time, which meets the requirements of M.S. § 331A.01, Subd. 10, as it may be amended from time to time.

(Ord. 16, 2nd Series, eff. 9-20-1984; Ord. 132, 2nd Series, passed 2-3-2009) Penalty, see § 90.99

§ 90.41 RULES ADOPTED BY REFERENCE.

(A) The Air Pollution Control Rules, 1976, APC 1 through 32, 6 MCAR 4.0033, 6 MCAR 4.0039 and 6 MCAR 4.0041, updated through 1983, promulgated by the State Pollution Control Agency, are hereby adopted by reference as though set forth verbatim herein. One copy of the rules shall be marked "CITY OF WINDOM - OFFICIAL COPY" and kept on file in the office of the City Administrator and open to inspection and use by the public.

(B) It is unlawful to violate a provision of this section or of the Air Pollution Control Rules hereby adopted by reference.

(Prior Code, § 10.42) (Ord. 16, 2nd Series, eff. 9-20-1984) Penalty, see § 90.99

116.082 OPEN BURNING OF LEAVES; LOCAL ORDINANCES.

Subject to sections 88.16, 88.17 and 88.22, but notwithstanding any law or rule to the contrary, a town or home rule charter or statutory city located outside the metropolitan area as defined in section 473.121, subdivision 2, by adoption of an ordinance, may permit the open burning of dried leaves within the boundaries of the town or city. The ordinance shall limit leaf burning to the period between September 15 and December 1 and shall set forth limits and conditions on leaf burning to minimize air pollution and fire danger and any other hazards or nuisance conditions. No open burning of leaves shall take place during an air pollution alert, warning or emergency declared by the agency. Any town or city adopting an ordinance pursuant to this section shall submit a copy of the ordinance to the agency and the Department of Natural Resources.

History: 1982 c 569 s 37

88.16 STARTING AND REPORTING FIRES.

Subdivision 1. **Written permission required.** Except as provided in subdivision 2, and section 88.17, it shall be unlawful to start or have any open fire without the written permission of the commissioner, a forest officer, or an authorized fire warden.

Subd. 2. **Exceptions.** No permit is required for the following fires:

(a) A fire started when the ground is snow-covered.

(b) A campfire.

(c) A fire contained in a charcoal grill, camp stove, or other device designed for the purpose of cooking or heating.

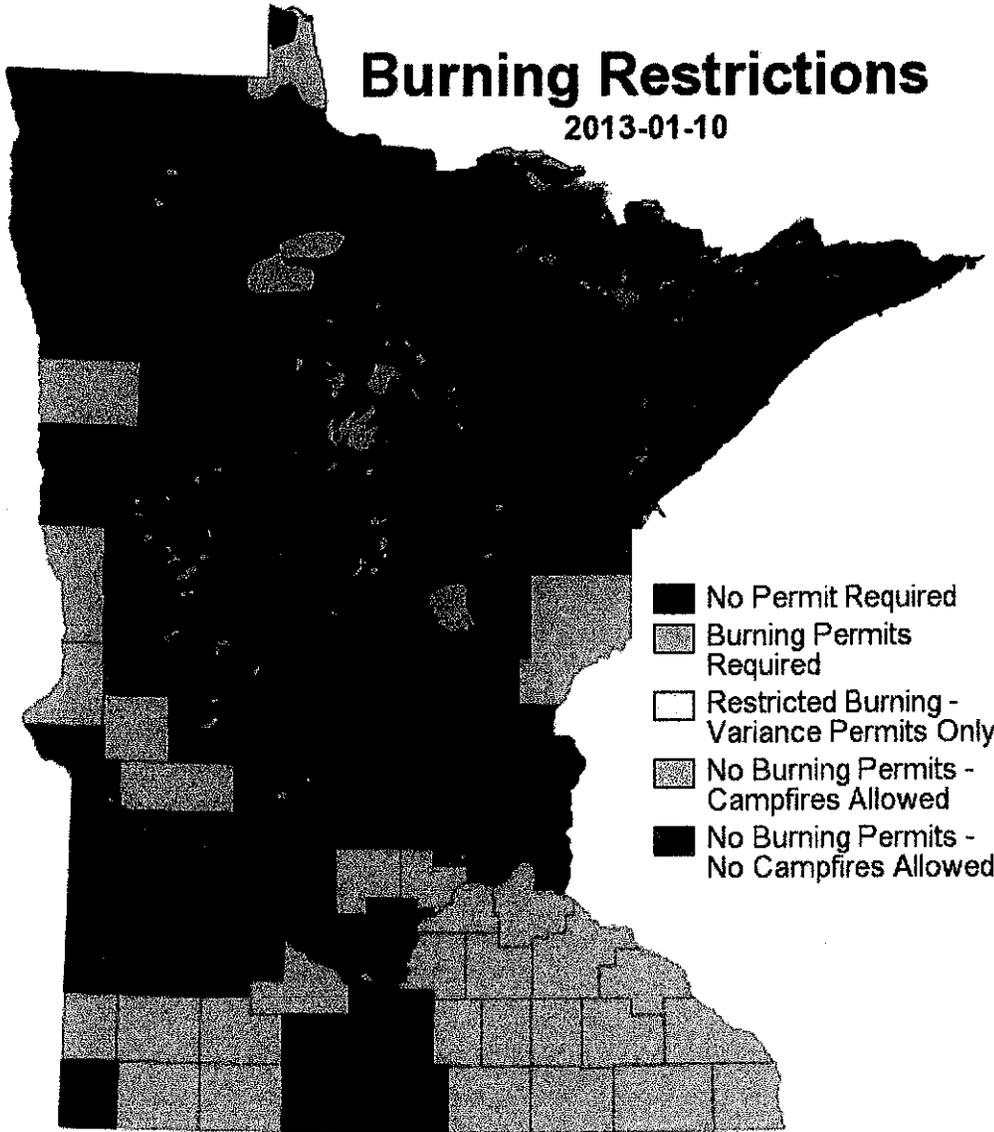
(d) A fire to burn dried vegetative materials and other materials allowed by Minnesota statutes or official state rules and regulations in a burner of a design which has been approved by the commissioner and with which there is no combustible material within five feet of the base of the burner and is in use only between the hours of 6:00 p.m. and 8:00 a.m. of the following day, when the ground is not snow-covered.

Subd. 3. **Report of fire; penalty.** The occupant of any property upon which any unauthorized fire is burning, whether the fire was started by the occupant or otherwise, shall promptly report the fire to the nearest forestry office, fire department, or other proper authority. Failure to make this report shall be a misdemeanor and the occupant of the premises shall be deemed prima facie guilty of negligence if the unreported fire spreads from the property or causes damage, loss, or injury to another person, that person's property, or the state.

History: (4031-22) 1925 c 407 s 22; 1967 c 146 s 12; 1969 c 410 s 1; 1978 c 735 s 3; 1986 c 444; 1993 c 328 s 24

Burning Restrictions

2013-01-10



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88.17 PERMISSION TO START FIRES; PROSECUTION FOR UNLAWFULLY STARTING FIRES.

Subdivision 1. **Permission required.** (a) Permission to start a fire to burn vegetative materials and other materials allowed by Minnesota Statutes or official state rules and regulations may be given by the commissioner or the commissioner's agent. This permission shall be in the form of:

(1) a written permit issued by a forest officer, fire warden, or other person authorized by the commissioner;

(2) an electronic permit issued by the commissioner, an agent authorized by the commissioner, or an Internet site authorized by the commissioner; or

(3) a general permit adopted by the county board of commissioners according to paragraph (c).

(b) Written and electronic burning permits shall set the time and conditions by which the fire may be started and burned. The permit shall also specifically list the materials that may be burned. The permittee must have the permit on their person and shall produce the permit for inspection when requested to do so by a forest officer, conservation officer, or other peace officer. The permittee shall remain with the fire at all times and before leaving the site shall completely extinguish the fire. A person shall not start or cause a fire to be started on any land that is not owned or under their legal control without the written permission of the owner, lessee, or an agent of the owner or lessee of the land. Violating or exceeding the permit conditions shall constitute a misdemeanor and shall be cause for the permit to be revoked.

(c) A general burning permit may be adopted by the county board of commissioners in counties that are determined by the commissioner either to not be wildfire areas as defined in section 88.01, subdivision 6, or to otherwise have low potential for damage to life and property from wildfire. The commissioner shall consider the history of and potential for wildfire; the distribution of trees, brush, grasslands, and other vegetative material; and the distribution of property subject to damage from escaped fires. Upon a determination by the commissioner and adoption by a vote of the county board, permission for open burning is extended to all residents in the county without the need for individual written or electronic permits under this subdivision, provided burning conforms to all other provisions of this chapter, including those related to responsibility to control and extinguish fires, no burning of prohibited materials, and liability for damages caused by violations of this chapter.

(d) Upon adoption of a general burning permit, a county must establish specific regulations by ordinance, to include at a minimum the time when and conditions under which fires may be started and burned. No ordinance may be less restrictive than state law.

(e) At any time when the commissioner or the county board determines that a general burning permit is no longer in the public interest, the general permit may be canceled by the commissioner or the county board.

Subd. 2. [Repealed, 1993 c 328 s 32]

Subd. 3. **Special permits.** The following special permits are required at all times, including when the ground is snow-covered:

(a) **Fire training.** A permit to start a fire for the instruction and training of firefighters, including liquid fuels training, may be given by the commissioner or agent of the commissioner. Except for owners or operators conducting fire training in specialized industrial settings pursuant

to applicable federal, state, or local standards, owners or operators conducting open burning for the purpose of instruction and training of firefighters with regard to structures must follow the techniques described in a document entitled: Structural Burn Training Procedures for the Minnesota Technical College System.

(b) **Permanent tree and brush open burning sites.** A permit for the operation of a permanent tree and brush burning site may be given by the commissioner or agent of the commissioner. Applicants for a permanent open burning site permit shall submit a complete application on a form provided by the commissioner. Existing permanent tree and brush open burning sites must submit for a permit within 90 days of the passage of this statute for a burning permit. New site applications must be submitted at least 90 days before the date of the proposed operation of the permanent open burning site. The application must be submitted to the commissioner and must contain:

(1) the name, address, and telephone number of all owners of the site proposed for use as the permanent open burning site;

(2) if the operator for the proposed permanent open burning site is different from the owner, the name, address, and telephone number of the operator;

(3) a general description of the materials to be burned, including the source and estimated quantity, dimensions of the site and burn pile areas, hours and dates of operation, and provisions for smoke management; and

(4) a topographic or similarly detailed map of the site and surrounding area within a one-mile circumference showing all structures that might be affected by the operation of the site.

Only trees, tree trimmings, or brush that cannot be disposed of by an alternative method such as chipping, composting, or other method shall be permitted to be burned at a permanent open burning site. A permanent tree and brush open burning site must be located and operated so as not to create a nuisance or endanger water quality. The commissioner shall revoke the permit or order actions to mitigate threats to public health, safety, and the environment in the event that permit conditions are violated.

Subd. 4. **Account created.** There is created in the state treasury a burning permit account within the natural resources fund where all fees collected under this section shall be deposited.

Subd. 5. **Permit fees.** (a) The annual fees for an electronic burning permit are:

(1) \$5 for a noncommercial burning permit; and

(2) for commercial enterprises that obtain multiple permits, \$5 per permit for each burning site, up to a maximum of \$50 per individual business enterprise per year.

(b) Except for the issuing fee under paragraph (c), money received from permits issued under this section shall be deposited in the state treasury and credited to the burning permit account and, except for the electronic licensing system commission established by the commissioner under section 84.027, subdivision 15, is annually appropriated to the commissioner of natural resources for the costs of operating the burning permit system.

(c) Of the fee amount collected under paragraph (a), \$1 shall be retained by the permit agent as a commission for issuing electronic permits.

(d) Fire wardens who issue written permits may charge a fee of up to \$1 for each permit issued, to be retained by the fire warden as a commission for issuing the permit. This paragraph

does not limit a local government unit from charging an administrative fee for issuing open burning permits within its jurisdiction.

History: (4031-23) 1925 c 407 s 23; 1967 c 146 s 13; 1969 c 410 s 2; 1978 c 735 s 4; 1986 c 444; 1987 c 271 s 1; 1993 c 328 s 25,26; 1Sp2005 c 1 art 2 s 66-68; 2006 c 281 art 1 s 18; 2010 c 361 art 4 s 40,41

88.171 OPEN BURNING PROHIBITIONS.

Subdivision 1. **Continual.** Open burning prohibitions specified in this section are in effect at all times of the year.

Subd. 2. **Prohibited materials; exceptions.** No person shall conduct, cause, or permit open burning of rubber, plastics, chemically treated materials, or other materials which produce excessive or noxious smoke including, but not limited to, tires, railroad ties, chemically treated lumber, composite shingles, tar paper, insulation, composition board, sheetrock, wiring, paint, or paint filters. The commissioner may allow burning of prohibited materials when the commissioner of health or the local board of health has made a determination that the burning is necessary to abate a public health nuisance. Except as specifically authorized by the commissioner of the Pollution Control Agency as an emergency response to an oil spill, no person shall conduct, cause, or permit open burning of oil.

Subd. 3. **Hazardous wastes.** No person shall conduct, cause, or permit open burning of hazardous waste as defined in section 116.06, subdivision 11, and applicable commissioner's rules.

Subd. 4. **Industrial solid waste.** (a) No person shall conduct, cause, or permit open burning of solid waste generated from an industrial or manufacturing process or from a service or commercial structure.

(b) The commissioner may allow open burning of raw untreated wood if the commissioner determines that reuse, recycling, or land disposal is not a feasible or prudent alternative.

Subd. 5. **Demolition debris.** No person shall conduct, cause, or permit open burning of burnable building material generated from demolition of commercial or institutional structures. A farm building is not a commercial structure.

Subd. 6. **Salvage operations.** No person shall conduct, cause, or permit salvage operations by open burning.

Subd. 7. **Motor vehicles.** No person shall conduct, cause, or permit the processing of motor vehicles by open burning.

Subd. 8. **Garbage.** (a) No person shall conduct, cause, or permit open burning of discarded material resulting from the handling, processing, storage, preparation, serving, or consumption of food, unless specifically allowed under section 17.135.

(b) A county may allow a resident to conduct open burning of material described in paragraph (a) that is generated from the resident's household if the county board by resolution determines that regularly scheduled pickup of the material is not reasonably available to the resident.

Subd. 9. **Burning ban.** No person shall conduct, cause, or permit open burning during a burning ban put into effect by a local authority, county, or a state department or agency.

Subd. 10. **Smoldering fires.** Fires must not be allowed to smolder with no flame present, except when conducted for the purpose of managing forests, prairies, or wildlife habitats.

History: 1993 c 328 s 27; 1995 c 240 art 2 s 1; 1996 c 295 s 1,2

88.22 WILDFIRE PREVENTION; PROHIBITIONS, BANNING; PENALTIES.

Subdivision 1. **Imposition of restrictions.** (a) **Road closure.** When the commissioner of natural resources shall determine that conditions conducive to wildfire hazards exist in the wildfire areas of the state and that the presence of persons in the wildfire areas tends to aggravate wildfire hazards, render forest trails impassable by driving thereon during wet seasons and hampers the effective enforcement of state timber trespass and game laws, the commissioner may by written order, close any road or trail leading into any land used for any conservation purposes, to all modes of travel except that considered essential such as residents traveling to and from their homes or in other cases to be determined by the authorized forest officers assigned to guard the area.

(b) **Burning ban.** The commissioner may also, upon such determination, by written order, suspend the issuance of permits for open fires, revoke or suspend the operation of a permit previously issued and, to the extent the commissioner deems necessary, prohibit the building of all or some kinds of open fires in all or any part of a wildfire area regardless of whether a permit is otherwise required; and the commissioner also may, by written order, prohibit smoking except at places of habitation or automobiles or other enclosed vehicles properly equipped with an efficient ash tray.

Subd. 2. **Dumping ban.** The commissioner may close any public or private dumping area, by posting such area as closed to dumping, whenever the commissioner deems it necessary for the prevention of wildfires. Thereafter no person shall deposit refuse of any kind within or adjacent to such closed area, or along the road leading thereto.

The commissioner shall establish such minimum standards governing public and private dumping areas as the commissioner deems necessary for the prevention of wildfires.

Subd. 3. **Penalty.** Any violations of this section is a misdemeanor.

History: (4031-34a) 1937 c 114 s 1; 1957 c 201 s 1; 1959 c 37 s 1; 1969 c 1129 art 10 s 2; 1978 c 735 s 5; 1986 c 444; 1993 c 328 s 30



City of Windom Staff Report

To: Windom City Council
From: Aaron Backman, EDA Executive Director
Council Meeting Date: February 5, 2013

Item Title/Subject: **RECOMMEND CITY COUNCIL APPROVAL OF THE TRANSPORTATION ECONOMIC DEVELOPMENT (TED) PROGRAM GRANT AND THE COOPERATIVE CONSTRUCTION AGREEMENT WITH MnDOT FOR THE NORTH WINDOM INDUSTRIAL PARK (NWIP) IMPROVEMENT PROJECT**

Background:

As you are aware, the State of Minnesota announced on May 18, 2012, that the City of Windom was awarded approximately \$1.1 million in TED/BDPI grants for development of the infrastructure necessary for the North Windom Industrial Park (NWIP). On July 17, 2012, the Windom City Council adopted a resolution accepting the BDPI grant for \$549,540 and approving the contract agreement with the Minnesota Department of Employment and Economic Development.

The EDA has now received the proposed Cooperative Construction Agreement between the Minnesota Department of Transportation and the City of Windom for the Transportation Economic Development (TED) portion of the funding for the Highway 71 portion of the NWIP Infrastructure Project. The TED grant is comprised of TED Bond funding in the maximum amount of \$544,960 and MnDOT District 7 funding in the maximum amount of \$270,680 for a total maximum grant of \$815,640. This grant covers the State's share of the project's construction, design engineering and construction engineering costs for the industrial park entrance, turn lane and acceleration lane construction and other associated construction upon, along and adjacent to Trunk Highway No. 71.

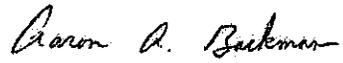
Several points for consideration by the City Council members pertaining to the contract: 1) The grant agreement is the standard "Cooperative Construction Agreement" that MnDOT has used in other TED projects. 2) The TED Bond funding requires a thirty percent (30%) match which would be provided by the EDA through previously approved financing sources. The District 7 financing does not require a local match. 3) The Agreement provides a time period for concurrence by the State in the bid award for the project. 4) Grant funds would be paid to the City in two payments: 50% upon award of the construction contract and 50% upon completion of 50% of the contract construction. The Cooperative Construction Agreement has been reviewed by the City Attorney.

Requested Action:

Adopt a resolution accepting the "TED" Grant and authorizing the Mayor and City Administrator to execute the Cooperative Construction Agreement between the Minnesota

Department of Transportation and the City of Windom and any amendments to said agreement.

Respectfully submitted,

A handwritten signature in cursive script that reads "Aaron A. Backman".

Aaron A. Backman, EDA Executive Director

AAB:mah

Attachment

RESOLUTION #2013-

INTRODUCED:

SECONDED:

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

**RESOLUTION ACCEPTING "TED" GRANT AND AUTHORIZING EXECUTION
OF THE COOPERATIVE CONSTRUCTION AGREEMENT WITH THE
MINNESOTA DEPARTMENT OF TRANSPORTATION**

WHEREAS, the City of Windom has received notification of the awarding of a grant through the Chapter 388 Transportation Economic Development ("TED") Program to assist in the construction of highway improvements in conjunction with the North Windom Industrial Park Infrastructure Project; and

WHEREAS, this grant will be administered through the State of Minnesota, Department of Transportation ("Mn/DOT"), and is comprised of the "TED" grant in the maximum amount of \$544,960.00 which requires a cash match of thirty percent (30%) and additional funding from the Minnesota Department of Transportation District 7 (one hundred percent funding without a match) in the maximum amount of \$270,680.00 for a total grant amount not to exceed \$815,640.00; and

WHEREAS, the Economic Development Authority of Windom has in place sources for the required local match; and

WHEREAS, the Board of Commissioners of the Economic Development Authority has reviewed the proposed Cooperative Construction Agreement and recommends that the Windom City Council accept the TED grant and approve this Agreement and authorize its execution.

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

1. The City of Windom hereby accepts the grant and proposed funding through the Chapter 388 Transportation Economic Development ("TED") Program as set forth above.
2. The City of Windom (the "City") approves and enters into the Cooperative Construction Agreement with the State of Minnesota, Department of Transportation, identified as Mn/DOT Agreement No. 02832, for the following purposes: To provide for payment by the State to the City of the State's share of the costs (including design and construction engineering costs) of the industrial park entrance, turn lane and acceleration lane construction and other associated construction to be performed upon, along and adjacent to Trunk Highway No. 71 at C.S.A.H. 15 (Country Club Drive)/410th Street (North Windom Industrial Park) within the corporate City limits under State Project No. 1706-26.

3. The City of Windom certifies that it has the legal authority to enter into, execute, and deliver this Agreement and to use the TED Grant for the purposes described in the Cooperative Construction Agreement.
4. The City of Windom certifies that it will comply with applicable laws and regulations and requirements as contained in the Cooperative Construction Agreement and any amendments.
5. The thirty percent (30%) match for the TED Grant will be provided by the Economic Development Authority of Windom through approved financing sources.
6. The Mayor and City Administrator are hereby authorized to execute the Cooperative Construction Agreement and any amendments to the Agreement on behalf of the City of Windom.

Adopted by the Council this 5th day of February, 2013.

Corey J. Maricle, Mayor

Attest: _____
Steven Nasby, City Administrator

CERTIFICATION

STATE OF MINNESOTA :
COUNTY OF COTTONWOOD:

I certify that the above Resolution is an accurate copy of the Resolution adopted by the City Council of the City of Windom, Minnesota, at an authorized meeting held on the 5th day of February, 2013, as shown by the minutes of the meeting in my possession.

Steven Nasby, City Administrator

Subscribed and sworn to before me this _____ day of February, 2013.

Notary Public

My Commission Expires: _____

**STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION
And
CITY OF WINDOM
COOPERATIVE CONSTRUCTION
AGREEMENT**

State Project Number (S.P.): 1706-26
Trunk Highway Number (T.H.): 71=004

**TED Bond Funding
(Maximum Amount)
\$544,960.00**

**District 7 Funding
(Maximum Amount)
\$270,680.00**

This Agreement is between the State of Minnesota, acting through its Commissioner of Transportation ("State") and City of Windom acting through its City Council ("City").

Recitals

1. The City will perform industrial park entrance, turn lane and acceleration lane construction and other associated construction upon, along and adjacent to Trunk Highway No. 71 at C.S.A.H. 15 (Country Club Drive)/410 Street (North Windom Industrial Park) according to City-prepared plans, specifications and special provisions designated by the City and by the State as State Project No. 1706-26 (T.H. 71=004)("Project"); and
2. The City has applied for funding thru the Chapter 388 Transportation Economic Development ("TED") Program allowing State Trunk Highway Bond funds to be used for the State's share of the Project's construction costs based on MnDOT's Cost Participation Policy. The maximum amount of "TED" funds to be made available for the State's share of the Project's construction, design engineering and construction engineering costs will be capped at \$544,960.00; and
3. The City requests the State participate in the costs of the industrial park entrance, turn lane and acceleration lane construction and the State is willing to participate in the costs of said construction and associated design and construction engineering in an amount not to exceed \$815,640.00 and
4. Minnesota Statutes § 161.20, subdivision 2 authorizes the Commissioner of Transportation to make arrangements with and cooperate with any governmental authority for the purposes of constructing, maintaining and improving the trunk highway system.

Agreement

1. Term of Agreement; Survival of Terms; Plans; Incorporation of Exhibits

- 1.1. *Effective date.* This Agreement will be effective on the date the State obtains all signatures required by Minnesota Statutes § 16C.05, subdivision 2.
- 1.2. *Expiration date.* This Agreement will expire when all obligations have been satisfactorily fulfilled.
- 1.3. *Survival of terms.* All clauses which impose obligations continuing in their nature and which must survive in order to give effect to their meaning will survive the expiration or termination of this Agreement, including, without limitation, the following clauses: 2.4. State Ownership of Improvements; 9. Liability; Worker Compensation Claims; Insurance; 11. State Audits; 12. Government Data Practices; 13. Governing Law; Jurisdiction; Venue; and 15. Force Majeure.

- 1.4. **Plans, Specifications, Special Provisions.** State-approved City plans, specifications and special provisions designated by the City and by the State as State Project No. 1706-26 (T.H. 71=004) are on file in the office of the City's Engineer and incorporated into this Agreement by reference. ("Project Plans")
- 1.5. **Exhibits.** Preliminary Schedule "I" is attached and incorporated into this Agreement.

2. Right-of-Way Use

- 2.1. **Limited Right to Occupy.** The State grants to the City (and its contractors and consultants) the right to occupy trunk highway right-of-way as necessary to perform the work described in the Project Plans. This right is limited to the purpose of constructing the project, and administering such construction, and may be revoked by the State at any time, with or without cause. Cause for revoking this right of occupancy includes, but is not limited to, breaching the terms of this or any other agreement (relevant to this project) with the State, failing to provide adequate traffic control or other safety measures, failing to perform the construction properly and in a timely manner, and failing to observe applicable environmental laws or terms of applicable permits. The State will have no liability to the City (or its contractors or consultants) for revoking this right of occupancy.
- 2.2. **State Access; Suspension of Work; Remedial Measures.** The State's District Engineer or assigned representative retains the right to enter and inspect the trunk highway right-of-way (including the construction being performed on such right-of-way) at any time and without notice to the City or its contractor. If the State determines (in its sole discretion) that the construction is not being performed in a proper or timely manner, or that environmental laws (or the terms of permits) are not being complied with, or that traffic control or other necessary safety measures are not being properly implemented, then the State may direct the City (and its contractor) to take such remedial measures as the State deems necessary. The State may require the City (and its contractors and consultants) to suspend their operations until suitable remedial action plans are approved and implemented. The State will have no liability to the City (or its contractors or consultants) for exercising its rights under this provision.
- 2.3. **Traffic Control; Worker Safety.** While the City (and its contractors and consultants) are occupying the State right-of-way, they must comply with the approved traffic control plan, and with applicable provisions of the Work Zone Field Handbook (<http://www.dot.state.mn.us/trafficeng/workzone/index.html>). All City, contractor, and consultant personnel occupying the State's right-of-way must be provided with required reflective clothing and hats.
- 2.4. **State Ownership of Improvements.** The State will retain ownership of its trunk highway right-of-way, including any improvements made to such right-of-way under this Agreement, unless otherwise noted. The warranties and guarantees made by the City's contractor with respect to such improvements (if any) will flow to the State. The City will assist the State, as necessary, to enforce such warranties and guarantees, and to obtain recovery from the City's consultants, and contractor (including its sureties) for non-performance of contract work, for design errors and omissions, and for defects in materials and workmanship. Upon request of the State, the City will undertake such actions as are reasonably necessary to transfer or assign contract rights to the State and to permit subrogation by the State with respect to claims against the City's consultants and contractors.

3. Contract Award and Construction

- 3.1. **Bids and Award.** The City will receive bids and award a construction contract to the lowest responsible bidder (or best value proposer), subject to concurrence by the State in that award, according to the Project Plans. The contract construction will be performed according to the Project Plans.
- 3.2. **Bid Documents furnished by the City.** The City will, within 7 days of opening bids for the construction contract, submit to the State's District Engineer a copy of the low bid and an abstract of all bids together with the City's request for concurrence by the State in the award of the construction contract. The City will not award the construction contract until the State advises the City in writing of its concurrence.

- 3.3. *Rejection of Bids.*** The City may reject and the State may require the City to reject any or all bids for the construction contract. The party rejecting or requiring the rejection of bids must provide the other party written notice of that rejection or requirement for rejection no later than 30 days after opening bids. Upon the rejection of all bids, a party may request, in writing, that the bidding process be repeated. Upon the other party's written approval of such request, the City will repeat the bidding process in a reasonable period of time, without cost or expense to the State.
- 3.4. *Contract Terms.*** The City's contract with its construction contractor(s) must include the following terms:
- A. A clause making the State of Minnesota, acting through its Commissioner of Transportation, an intended third-party beneficiary of the contract with respect to the portion of work performed on the State's right-of-way; and
 - B. A clause requiring the State to be named as an additional insured on any insurance coverage which the contractor is required to provide; and
 - C. A clause stating that any warranties provided by the contractor, for the work performed on the trunk highway, will flow to, and be enforceable by, the State as the owner of such improvements.
- 3.5. *Direction, Supervision and Inspection of Construction***
- A. The contract construction will be under the direction of the City and under the supervision of a registered professional engineer; however, the State participation construction covered under this Agreement will be open to inspection by the State District Engineer's authorized representatives. The City will give the District Engineer at Mankato five days notice of its intention to start the contract construction.
 - B. Responsibility for the control of materials for the contract construction will be on the City and its contractor and will be carried out according to Specifications No. 1601 through and including No. 1609 in the State's current "Standard Specifications for Construction".
- 3.6. *Completion of Construction.*** The City will cause the contract construction to be started and completed according to the time schedule in the construction contract special provisions. The completion date for the contract construction may be extended, by an exchange of letters between the appropriate City official and the State District Engineer's authorized representative, for unavoidable delays encountered in the performance of the contract construction.
- 3.7. *Plan Changes.*** All changes in the Project Plans and all addenda, change orders and supplemental agreements entered into by the City and its contractor for contract construction must be approved in writing by the State District Engineer's authorized representative.
- 3.8. *Compliance with Laws, Ordinances, Regulations.*** The City will comply and cause its contractor to comply with all Federal, State and Local laws, and all applicable ordinances and regulations. With respect only to that portion of work performed on the State's trunk highway right-of-way, the City will not require the contractor to follow local ordinances or to obtain local permits.
- 3.9. *Construction Documents Furnished by the City.*** The City will keep records and accounts that enable it to provide the State, when requested, with the following:
- A. Copies of the City contractor's invoice(s) covering all contract construction.
 - B. Copies of the endorsed and canceled City warrant(s) or check(s) paying for final contract construction, or computer documentation of the warrant(s) issued, certified by an appropriate City official that final construction contract payment has been made.
 - C. Copies of all construction contract change orders and supplemental agreements.
 - D. A certification form, provided by the State, signed by the City's Engineer in charge of the contract construction attesting to the following:
 - i. Satisfactory performance and completion of all contract construction according to the Project Plans.

ii. Acceptance and approval of all materials furnished for the contract construction relative to compliance of those materials to the State's current "Standard Specifications for Construction".

iii. Full payment by the City to its contractor for all contract construction.

E. Copies, certified by the City's Engineer, of material sampling reports and of material testing results for the materials furnished for the contract construction.

F. A copy of the "as built" plan sent to the District Engineer.

4. Right-of-Way; Easements; Permits

4.1. The City will, without cost or expense to the State, obtain all rights-of-way, easements, construction permits and any other permits and sanctions that may be required in connection with the local and trunk highway portions of the contract construction. Before payment by the State, the City will furnish the State with certified copies of the documents for rights-of-way and easements, construction permits and other permits and sanctions required for State participation construction covered under this Agreement.

4.2. The City will convey to the State by quit claim deed, all newly acquired rights needed for the continuing operation and maintenance of the Trunk Highway, if any, upon completion of the Project, at no cost or expense to the State.

4.3. The City will comply with Minnesota Statutes § 216D.04, subdivision 1(a), for identification, notification, design meetings and depiction of utilities affected by the contract construction.

5. Basis of State Cost

5.1. **SCHEDULE "I"**. The Preliminary SCHEDULE "I" includes all anticipated State participation construction items and the design and construction engineering cost shares covered under this Agreement.

5.2. **State Participation Construction**. The State will participate in all of the industrial park entrance, turn lane and acceleration lane construction as shown in the Project Plans and as indicated below. The construction includes, but is not limited to, those construction items tabulated on Sheets No. 2 and No. 3 of the Preliminary SCHEDULE "I". The construction includes the State's proportionate share of item costs for mobilization and traffic control.

A. **Design and Construction Engineering Costs**. The State will pay a design engineering charge equal to 12 percent and a construction engineering charge equal to 8 percent, respectively, of the total State participation construction covered under this Agreement.

B. **TED Funded Participation**. 70 Percent will be the State's rate of cost participation in all of the State participation construction and the design and construction engineering cost shares to be funded with State TED funds up to a maximum amount of \$544,960.00.

C. **District 7 Funded Participation**. After applying the maximum amount of TED funds under 5.2.B above, the State will participate in the remaining State participation construction and engineering at a rate of 100 Percent with State District 7 funds, up to a maximum amount of \$270,680.00.

6. State Cost and Payment by the State

6.1. **State Cost**. \$815,640.00 is the State's estimated share of the costs of the contract construction and the design (12 percent) and construction (8 percent) engineering cost shares as shown in the Preliminary SCHEDULE "I". The Preliminary SCHEDULE "I" was prepared using estimated quantities and unit prices, and may include any credits or lump sum costs. Upon review of the construction contract bid documents described in Article 3.2., the State will decide whether to concur in the City's award of the construction contract and, if so, prepare a Revised SCHEDULE "I" based on construction contract unit prices, which will replace and supersede the Preliminary SCHEDULE "I" as part of this agreement; however, the State's maximum obligation under this Agreement will not exceed \$815,640.00.

- 6.2. Conditions of Payment.** The State will pay the City the full and complete lump sum amount in 2 equal payments, according to the Payment Schedule in paragraph D below and as shown in the Revised SCHEDULE "I", after the following conditions have been met:
- A. Encumbrance by the State of the State's total estimated construction cost share and the design (12 percent) and construction (8 percent) engineering cost shares as shown in the Revised SCHEDULE "I".
 - B. Approval by the State's Land Management Director at St. Paul of certified documentation, submitted by the City, for all right-of-way and easement acquisitions required for the contract construction.
 - C. Execution of this Agreement and transmittal to the City, including a letter advising of the State's concurrence in the award of the construction contract.
 - D. The State's receipt of a written request from the City for the payment of funds according to the following Payment Schedule. The request will include certification by the City that all necessary parties have executed the construction contract.

Payment Schedule

1st Payment = 50 Percent of State's total cost share as shown on the Revised SCHEDULED "I" upon award of the construction contract.

2nd Payment = Remainder of State's total cost share upon completion of 50 Percent of the contract construction.

6.3. Limitations of State Payment; No State Payment to Contractor

The State's participation in the contract construction is limited to the lump sum amount shown in Article 6.1, and the State's participation will not change except by a mutually agreed written amendment to this Agreement. The State's payment obligation extends only to the City. The City's contractor is not intended to be and will not be deemed to be a third party beneficiary of this Agreement. The City's contractor will have no right to receive payment from the State. The State will have no responsibility for claims asserted against the City by the City's contractor.

7. Authorized Representatives

Each party's Authorized Representative is responsible for administering this Agreement and is authorized to give and receive any notice or demand required or permitted by this Agreement.

7.1. The State's Authorized Representative will be:

Name/Title: Maryanne Kelly-Sonnek, Municipal Agreements Engineer (or successor)
 Address: 395 John Ireland Boulevard, Mailstop 682, St. Paul, MN 55155
 Telephone: (651) 366-4634
 Fax: (651) 366-4769
 E-Mail: maryanne.kellysonnek@state.mn.us

7.2. The City's Authorized Representative will be:

Name/Title: Aaron Backman, Executive Director, Windom EDA (or successor)
 Address: 444 9th Street, P.O. Box 38, Windom, MN 56101-0038
 Telephone: (507) 831-6125
 Fax: (507) 831-6142
 E-Mail: abackman@windom-mn.com

8. Assignment; Amendments; Waiver; Contract Complete

- 8.1. Assignment.** Neither party may assign or transfer any rights or obligations under this Agreement without the prior consent of the other party and a written assignment agreement, executed and approved by the same parties who executed and approved this Agreement, or their successors in office.

- 8.2. **Amendments.** Any amendment to this Agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original Agreement, or their successors in office.
- 8.3. **Waiver.** If a party fails to enforce any provision of this Agreement, that failure does not waive the provision or the party's right to subsequently enforce it.
- 8.4. **Contract Complete.** This Agreement contains all prior negotiations and agreements between the State and the City. No other understanding regarding this Agreement, whether written or oral, may be used to bind either party.

9. Liability; Worker Compensation Claims; Insurance

- 9.1. Each party is responsible for its own acts, omissions and the results thereof to the extent authorized by law and will not be responsible for the acts and omissions of others and the results thereof. Minnesota Statutes § 3.736 and other applicable law govern liability of the State. Minnesota Statutes Chapter 466 and other applicable law govern liability of the City. Notwithstanding the foregoing, the City will indemnify, hold harmless, and defend (to the extent permitted by the Minnesota Attorney General) the State against any claims, causes of actions, damages, costs (including reasonable attorneys fees), and expenses arising in connection with the project covered by this Agreement, regardless of whether such claims are asserted by the City's contractor(s) or consultant(s) or by a third party because of an act or omission by the City or its contractor(s) or consultant(s).
- 9.2. Each party is responsible for its own employees for any claims arising under the Workers Compensation Act.
- 9.3. The City may require its contractor to carry insurance to cover claims for damages asserted against the City's contractor.

10. Nondiscrimination

Provisions of Minnesota Statutes § 181.59 and of any applicable law relating to civil rights and discrimination are considered part of this Agreement.

11. State Audits

Under Minnesota Statutes § 16C.05, subdivision 5, the City's books, records, documents, and accounting procedures and practices relevant to this Agreement are subject to examination by the State and the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this Agreement.

12. Government Data Practices

The City and State must comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as it applies to all data provided by the State under this Agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the City under this Agreement. The civil remedies of Minnesota Statutes §13.08 apply to the release of the data referred to in this clause by either the City or the State.

13. Governing Law; Jurisdiction; Venue

Minnesota law governs the validity, interpretation and enforcement of this Agreement. Venue for all legal proceedings arising out of this Agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey City, Minnesota.

14. Termination; Suspension

- 14.1. **By Mutual Agreement.** This Agreement may be terminated by mutual agreement of the parties or by the State for insufficient funding as described below.
- 14.2. **Termination for Insufficient Funding.** The State may immediately terminate this Agreement if it does not obtain funding from the Minnesota Legislature, or other funding source; or if funding cannot be continued at

a level sufficient to allow for the payment of the services covered here. Termination must be by written or fax notice to the City. The State is not obligated to pay for any services that are provided after notice and effective date of termination. However, the City will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed to the extent that funds are available. The State will not be assessed any penalty if this Agreement is terminated because of the decision of the Minnesota Legislature, or other funding source, not to appropriate funds.

14.3. *Suspension.* In the event of a total or partial government shutdown, the State may suspend this Agreement and all work, activities, performance and payments authorized through this Agreement. Any work performed during a period of suspension will be considered unauthorized work and will be undertaken at the risk of non-payment.

15. Force Majeure

Neither party will be responsible to the other for a failure to perform under this Agreement (or a delay in performance), if such failure or delay is due to a force majeure event. A force majeure event is an event beyond a party's reasonable control, including but not limited to, unusually severe weather, fire, floods, other acts of God, labor disputes, acts of war or terrorism, or public health emergencies.

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STATE ENCUMBRANCE VERIFICATION
Individual certifies that funds have been encumbered as required by Minnesota Statutes § 16A.15 and 16C.05.

Signed: _____

Date: _____

SWIFT Purchase Order: _____

CITY OF WINDOM

The undersigned certify that they have lawfully executed this contract on behalf of the Governmental Unit as required by applicable charter provisions, resolutions or ordinances.

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

DEPARTMENT OF TRANSPORTATION

Recommended for Approval:

By: _____
(District Engineer)

Date: _____

Approved:

By: _____
(State Design Engineer)

Date: _____

COMMISSIONER OF ADMINISTRATION

By: _____
(With delegated authority)

Date: _____

INCLUDE COPY OF RESOLUTION APPROVING THE AGREEMENT AND AUTHORIZING ITS EXECUTION.

PRELIMINARY SCHEDULE "I"

Agreement No. 02832

City of Windom

S.P. 1706-26 (T.H. 71-4)

Preliminary: January 28, 2013

State Funds

Industrial park entrance, turn lane and acceleration lane construction performed under

City contract with

located on Trunk Highway No. 71 at C.S.A.H. 15 (Country Club Drive)/410th Street (North Windom Industrial Park)

COST PARTICIPATION AND FUNDING

Construction Costs From Sheet No. 3	740,544.00
Design Engineering (12% of Construction Costs)	88,865.28
Construction Engineering (8% of Construction Costs)	59,243.52
Total Construction, Design Engineering, & Construction Engineering Costs (Estimated)	\$888,652.80
State TED Funded Amount (70% of Const. & Eng. up to \$544,960.00)	(\$44,960.00)
State District 7 Funded Amount (100% of Remainder after applying TED Funds up to \$270,680.00)	(270,680.00)
Local Funded Amount (Remainder after applying TED and District 7 Funds)	(73,012.80)

(D) STATE COSTS AND PAYMENT SCHEDULE

State Costs (TED Funds Capped at \$544,960.00)	\$544,960.00
State Costs (District 7 Funds Capped at \$270,680.00)	270,680.00
Total State Cost (Capped at \$815,640.00)	\$815,640.00
1st Payment = 50% of Total State Cost (After Award of Construction Contract)	\$407,820.00
2nd Payment = Remainder of Total State Cost (After Construction Contract is 50% Complete)	\$407,820.00

(1) Amount of advance payment as described in Article 6.2 of the Agreement (Estimated amounts)

RESOLUTION #2013-

INTRODUCED:

SECONDED:

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

**RESOLUTION APPROVING PLANS AND SPECIFICATIONS
AND ORDERING ADVERTISEMENT FOR BIDS FOR THE
"NORTH WINDOM INDUSTRIAL PARK INFRASTRUCTURE
& TH 71 TURN LANES PROJECTS"**

WHEREAS, City Engineer Wenck and Associates has prepared plans and specifications for the proposed "North Windom Industrial Park Infrastructure & TH 71 Turn Lanes Projects" and has presented such plans and specifications to the Council for approval; and

WHEREAS, the Board of Commissioners of the Economic Development Authority of Windom has reviewed the proposed plans and specifications and recommends approval of the same by the City Council.

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

1. Such plans and specifications, which are made a part hereof by reference as if fully set forth herein, are hereby approved and shall be filed in the office of the City Clerk/Administrator.
2. The City Clerk/Administrator shall prepare an advertisement for bids for the making of such improvements, pursuant to the approved plans and specifications, and cause such advertisement to be published in the official paper.
3. Bids will be received and accepted by the City Clerk/Administrator until 2:00 p.m. on March 7, 2013. At said time, the bids will be publicly opened by the City Clerk/Administrator and City Engineer in the City Hall Council Chambers. Bids will then be tabulated and will thereafter be considered by the City Council. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the Council on the issue of responsibility. The bid for such improvements will be awarded on or before March 19, 2013, at the City Council Meeting scheduled for 7:30 p.m.

Adopted by the Council this 5th day of February, 2013.

Corey J. Maricle, Mayor

Attest: _____
Steven Nasby, City Administrator

RESOLUTION #2013-

INTRODUCED:

SECONDED:

VOTED: Aye:
 Nay:
 Absent:

RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR THE "2013 STREET IMPROVEMENT PROJECT"

WHEREAS, pursuant to a resolution adopted by the City Council on November 20, 2013, City Engineer Wenck and Associates has prepared plans and specifications for the proposed "2013 Street Improvement Project" and has presented such plans and specifications to the Council for approval.

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

1. Such plans and specifications, which are made a part hereof by reference as if fully set forth herein, are hereby approved and shall be filed in the office of the City Clerk/Administrator.
2. The City Clerk/Administrator shall prepare an advertisement for bids for the making of such improvements, pursuant to the approved plans and specifications, and cause such advertisement to be published in the official paper.
3. Bids will be received and accepted by the City Clerk/Administrator until 2:00 p.m. on March 7, 2013. At said time, the bids will be publicly opened by the City Clerk/Administrator and City Engineer in the City Hall Council Chambers. Bids will then be tabulated and will thereafter be considered by the City Council. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the Council on the issue of responsibility. The bid for such improvements will be awarded on or before March 19, 2013, at the City Council Meeting scheduled for 7:30 p.m.

Adopted by the Council this 5th day of February, 2013.

Corey J. Maricle, Mayor

Attest: _____
Steven Nasby, City Administrator

RESOLUTION #2013-

INTRODUCED:

SECONDED:

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

AUTHORIZATION TO ACCEPT A DONATION FROM CORALEE KRUEGER FOR THE WINDOM CITY COUNCIL

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

WHEREAS, Coralee Krueger is a supporter of the City of Windom and the Windom City Council; and

WHEREAS, the City of Windom has recently received a donation of a picture frame from Coralee Krueger. The value of the frame is \$37.44; and

WHEREAS, the donor requests that the frame be used in the City Council Chambers to display the photos of former Council Members.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WINDOM, MINNESOTA, that the City Council hereby accepts the donation of a picture frame valued at \$37.44 given by Coralee Krueger.

Adopted by the Council this 5th day of February, 2013.

Corey J. Maricle, Mayor

Attest: _____
Steven Nasby, City Administrator

RESOLUTION #2013-

INTRODUCED:

SECONDED:

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

AUTHORIZATION TO ACCEPT DONATIONS FROM THE STEARNS COMPANY AND MONSANTO FOR THE WINDOM FIRE DEPARTMENT

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

WHEREAS, the Stearns Company and Monsanto are supporters of the City of Windom; and

WHEREAS, the City of Windom has received a donation from the Stearns Company of an Ice Water Rescue Suit with a retail value of \$850.00 and four personal flotation devices with a retail value of \$200.00 for the Windom Fire Department; and

WHEREAS, the City of Windom has also received a donation from Monsanto in the amount of \$2,500.00 for the Windom Fire Department; and

WHEREAS, the donation from Monsanto requires that the funds be used by the Windom Fire Department to support the activities of the Department.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WINDOM, MINNESOTA, that the City Council accepts the donation of equipment from Stearns Company valued at \$1,050.00 and the donation of \$2,500.00 offered by Monsanto for use by the Windom Fire Department upon the terms set forth herein.

Adopted by the Council this 5th day of February, 2013.

Corey J. Maricle, Mayor

Attest: _____
Steven Nasby, City Administrator

RESOLUTION #2013-

INTRODUCED:

SECONDED:

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

CITY OF WINDOM

RESOLUTION APPROVING THE TERMINATION OF A MUNICIPAL SEWER EASEMENT

WHEREAS, in 1968, the City of Windom obtained an easement to construct and maintain a sewer line under and through a portion of the following-described real estate:

Lots 8 and 9 in Block 1; Lots 8, 9, 16, and 17 in Block 2; Lots 8, 9, 16 and 17 in Block 3; and Lots 7 and 8 in Block 4; all in Vold Addition to the City of Windom, Cottonwood County, Minnesota; and

WHEREAS, the aforementioned sewer easement was recorded at the Cottonwood County, Minnesota, Recorder's office on July 22, 1977, in File 160 on Card 1946; and

WHEREAS, the City of Windom has never utilized the aforementioned easement for sewer purposes; and

WHEREAS, the City of Windom does not intend to use the aforementioned sewer easement in the future for sewer purposes, and therefore the aforementioned sewer easement can be terminated.

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

That the "Easement for Municipal Sewer", which is dated November 21, 1968, and which was recorded at the Cottonwood County, Minnesota, Recorder's office on July 22, 1977, in File 160 on Card 1946, is hereby terminated in its entirety effective as of February 6, 2013.

Adopted by the Council this 5th day of February, 2013.

Corey J. Maricle, Mayor

Attest: _____
Steven Nasby, City Administrator

**STREET COMMITTEE
MINUTES DECEMBER 21, 2012**

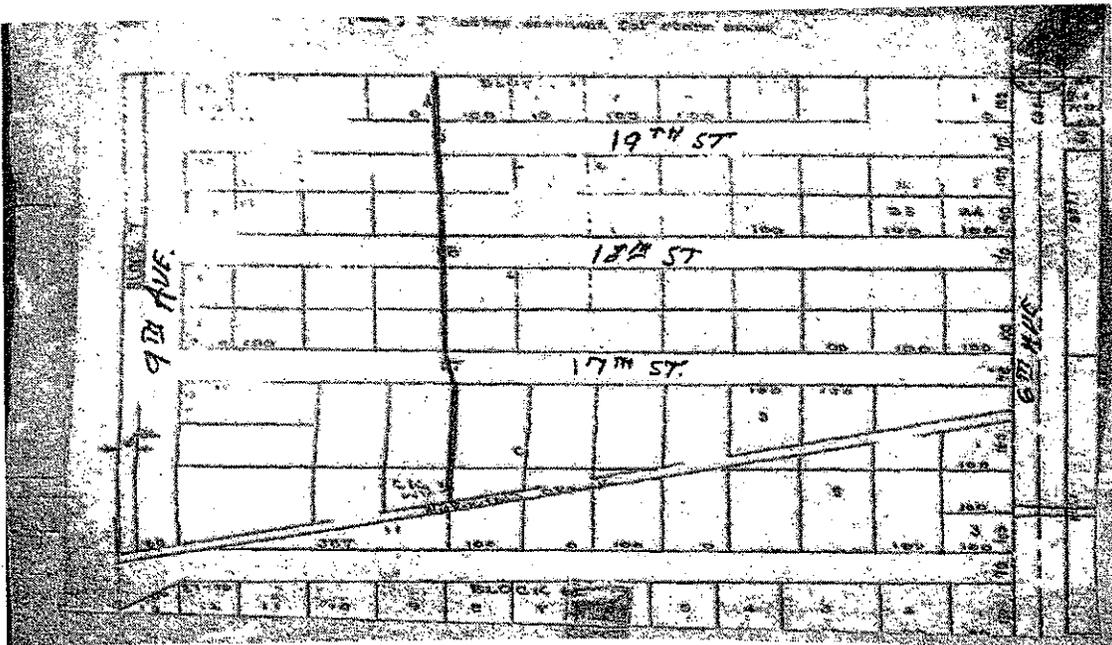
Call to Order: The meeting was called to order at 4:30 P.M. at the Street Shop

Members Attending: Committee Members Attending - Brad Powers, JoAnn Ray absent

City Staff Present: Street Superintendent Bruce Caldwell

Public: None

1. Request Discussion on Possible Vacation of Storm Sewer Easement 18th Street: this easement is 44 years old and has never been utilized by the City and the City Attorney Ron Schremel said it could be abandoned as a matter of law. This was brought to the cities attention due to the sales of a property on the north side of 18th Street where it currently runs through. Note photo below;



Recommendation from Powers is to vacate the unused storm water easement from 19th Street south to Perkins Creek.

2. Discussion on Property for Sale by River Road: Property owners are thinking of selling the property and they have offered it to the city. Currently the city storm sewer mains off River Road and 18th Avenue flow into this property. Power's stated we should do more research on the property to see if it still qualifies for the agricultural programs which it is currently enrolled in then report back to the committee and Nasby accordingly.

Continued Page 2

RESOLUTION #2013-

INTRODUCED:

SECONDED:

VOTED: Aye:

Nay:

Absent:

CITY OF WINDOM

RESOLUTION APPROVING SPECIFICS OF A PROPOSAL TO IMPOSE A LOCAL SALES TAX AND AN EXCISE TAX IN THE CITY OF WINDOM

WHEREAS, the City of Windom has several proposed projects and improvements which cannot be adequately funded with existing resources; and

WHEREAS, the City of Windom desires to submit a proposal to the Minnesota Legislature to allow the City of Windom to propose a local option sales tax of up to one percent and an excise tax of \$20.00 per motor vehicle purchased at retail. The proceeds of the sales and excise taxes would be used to pay for the projects and improvements; and

WHEREAS, Minnesota Statutes Section 297A.99 provides, in part, that a political subdivision may impose a local sales tax if permitted by special law and if approved by the voters of said political subdivision, and that before a governing body requests legislative approval of a special law for local sales tax, it shall adopt a resolution indicating approval of the tax and indicating, at a minimum, the proposed tax rate, how the revenues will be used, the total revenue that will be raised before the tax expires, and the estimated length of time the tax will be in effect.

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

1. The City Council hereby approves a local sales tax up to one percent and an excise tax in the amount of \$20.00 per vehicle purchased at retail if approved by the voters of said political subdivision.
2. The tax revenues will be used to pay the costs of public facilities and the option for the capitalization of a Revolving Loan Fund for the Windom Economic Development Authority.
3. The total revenue that will be raised before the sales and excise taxes expire is estimated to be \$4 Million. The sales tax and excise tax will be in effect until the costs of the projects referenced above are paid or fifteen years after imposition of the taxes, whichever is earlier.

Adopted this 5th day of February, 2013.

Corey J. Maricle, Mayor

ATTEST:

Steven Nasby, City Administrator

The Ins and Outs of City Sales Tax

By Susan Naughton

Even in tight economic times, cities must tackle expensive projects such as updating the sewer system or making park and trail improvements. One option cities can explore for funding such necessary capital improvements is a sales and use tax.

Historically, city sales and use taxes have been rare. Before 1990, there were only three—in Minneapolis, Duluth, and Rochester. But due in part to decreasing state funding, cities are increasingly looking to local taxes as a way to fund capital improvements. As of January 2012, 27 cities were imposing a sales and use tax.

Four-step process. A city must follow four steps to impose a new sales and use tax as authorized by *Minnesota Statutes*, section 297A.99:

- **Step 1.** The city council must pass a resolution indicating its approval of the tax and stating (at a minimum) the:
 - Proposed tax rate.
 - Intended uses for the revenue.
 - Total amount of revenue to be raised.
 - Estimated length of time the tax will be in effect.
- **Step 2.** The city must submit the proposed tax to the voters as a referendum at a general election held at least 90 days after the resolution was passed. State law was adopted in 2011 to clarify that cities must first hold the referendum on the proposed tax before coming to the Legislature to seek its approval. State law was also adopted in 2011 that prohibits cities from advertising or spending funds to promote passage of the referendum.
- **Step 3.** The city must request—and the Legislature must approve—a special law authorizing the proposed tax.
- **Step 4.** The city must adopt an ordinance imposing the local tax and must notify the commissioner of the Department of Revenue at least 90 days before the first day of the calendar quarter on which the tax is to be imposed.

Typical capital improvements. Proceeds of a city sales and use tax must be dedicated exclusively to payment of a specific capital improvement designated at least 90 days before the referendum.

Generally, successful city sales and use taxes have funded capital improvements with regional significance, like those for:

- Convention or civic centers.
- Public safety.
- Transportation.
- Sewer and water.
- Parks and recreation.

The city of Hutchinson, for example, imposed a half-cent tax beginning in January 2012 to help pay for a new water plant and an expanded wastewater treatment plant.

Use tax requirement. A complementary use tax is required in all jurisdictions where a local sales tax has been imposed. This tax is imposed on the consumption or “use” of taxable items where no city sales tax was paid. The tax is imposed mainly on purchases by resident buyers from sellers located outside the taxing jurisdiction.

The use tax is intended to remove the disadvantage to local businesses from competition with businesses located outside the local taxing area that are not required to collect the local tax.

Exemptions. A city sales and use tax generally applies to the same tax base as the state sales and use tax. A taxable service is subject to the city tax if more than one-half of the service, based on the cost, is performed within the city.

There are three types of exempt sales:

- Purchases shipped outside the city for use in a trade or business outside the city.
- Purchases temporarily stored in the city before being shipped by common carrier for use outside the city.
- Purchases subject to the direct pay provisions for interstate motor vehicles.

Public notice. A city with a sales and use tax that maintains an official website

must display a link on its homepage to a notice about the local use tax. The notice must explain that residents and businesses in the city may owe a local use tax on purchases of goods and services made outside the city.

The notice must provide resources, including a link to any relevant Department of Revenue web page, to allow people to get information and forms to pay the tax. In addition, a city that provides and bills for utility services must include a similar notice at least once a year in a utility billing statement.

Collection. State law requires the commissioner of Revenue to collect local sales and use taxes, and provides that local taxes may be collected with the state sales and use tax. Local taxes are subject to the same penalties, interest, and mechanisms for enforcement as the state sales and use tax.

Zip codes are used to determine whether a delivery sale is subject to a local tax. The lowest combined tax rate applies if a zip code area includes more than one local tax rate. The state deducts its proportionate share of administrative costs from the collected tax revenue, and pays the tax proceeds to the city on at least a quarterly basis.

Susan Naughton is a research attorney with the League of Minnesota Cities. Phone: (651) 281-1232. Email: snaughto@lmc.org.

Local Sales and Use Taxes

164

Sales Tax
Fact Sheet

Local sales tax

The Minnesota Department of Revenue currently administers the local taxes shown in the chart on page 3. Local sales tax applies to retail sales made and taxable services provided within the local taxing area. The tax applies to the same items that are taxed by the Minnesota sales and use tax law.

To figure the tax, combine the state tax rate and the local rate(s). Apply the combined rate to the taxable sales price and round to the nearest full cent. Rate charts are available on our web site or upon request.

Report local taxes when you electronically file your Minnesota sales and use tax. The figures are reported separately from state taxes.

Who is required to collect

All retailers who are registered to collect Minnesota sales tax and are doing business in an area with a local tax must be registered with the Minnesota Department of Revenue to collect that local tax. This includes sellers from outside the locality who:

- have an office, distribution, sales, sample, or warehouse location, or other place of business in the local area either directly or by a subsidiary;
- have a representative, agent, salesperson, canvasser, or solicitor in the local area, on either a permanent or temporary basis, who operates under the authority of the retailer or its subsidiary for any purpose, such as repairing, selling, installing, or soliciting orders for the retailer's goods or services, or leasing tangible personal property in the local area;
- ship or deliver tangible personal property to the local area; or
- perform taxable services in the local area.

Local tax applies to sales made or services performed within city limits or county boundaries only. Zip codes help to determine the taxing area, but don't always correspond exactly with city or county limits, so part of a zip code may be outside the city or county. (See the section *Zip codes* on pages 4 and 5.)

Local use tax

Local use tax applies when you buy items or services for use, storage, distribution or consumption in the local area without paying local sales tax to the seller. Use tax is similar to the sales tax and the rates are identical. It is based on your cost of taxable purchases. Common examples of when use tax is due are when:

- You buy items outside the local area and the seller doesn't charge local sales tax, and you use or store the item in the local area.
- You buy a taxable item from an out-of-state seller who does not charge local sales tax.

See Fact Sheets 146, Use Tax for Businesses, and 156, Use Tax for Individuals, for more information about use tax.

Credit for local tax paid. If you pay local sales tax in Minnesota to one locality but use the items in another area that imposes a local sales and use tax, you are allowed credit for the local sales tax already paid.

Several ways to register

You may register for local taxes on the internet using *e-Services*. Access your sales and use tax account. You can add local tax lines from the "Registration" menu on the left side. Click on "Sales Locations" from the Registration menu. Click on the blue link for the location number you want to edit. Select "Click Here to Edit Local Information" and add any local sales or use tax for this location. The local tax line will be updated overnight.

You may register for local taxes when filing your sales tax return on the internet in *e-Services*. At the "Tax Inputs" screen, click the "Add a Record" link. Use the tax type drop-down box and select the local tax you wish to add. Enter the taxable sales amount in the local tax line you added. The local tax line will appear on future returns.

If you file by phone, you must register for local tax before you file your return. Call 651-282-5225 or 1-800-657-3605; e-mail us at salesuse.tax@state.mn.us to register. Be sure to include your Minnesota ID number if you send us an e-mail.

When to charge local tax

As a general rule, charge local sales tax on all sales made in a local taxing area that are subject to Minnesota state sales tax.

- Charge local sales tax to customers from outside the city or county who *pick up* items in the local area for *business or personal use*, even if the items are taken out of the local area.
- Charge local sales tax to customers from outside the local area if you perform taxable services in the local area. For example, charge local tax if you perform a car wash or deliver dry cleaned items in an area with a local tax.

Exemptions

Do **not** charge local sales tax on sales of taxable items when:

- your customer gives you a fully completed Certificate of Exemption, Form ST3, for state sales tax;
- you ship or deliver the items to your customer outside the local area; or
- you sell *direct-to-home* satellite (DBS) services (not cable). These services are subject to state sales tax, but *not* local sales tax. This is a federal preemption from the Telecommunications Act of 1996.

Federal government agencies are exempt from state and local sales and use taxes.

Minnesota state agencies have Direct Pay authorization when buying *tangible items*, which means that they do not pay sales tax to the seller—they pay use tax directly to the state. However, the Direct Pay authorization does not apply to purchases of services, meals, lodging, admissions or purchases of motor vehicles, so state agencies must pay state and local sales taxes to the seller on these purchases.

Local governments do not pay local sales or use tax. Local governments including cities, towns, counties, instrumentalities, political subdivisions, commissions, special districts and governmental boards are not required to pay general local sales taxes. No exemption certificate is necessary. However, *state* sales tax and *special local* taxes generally apply.

See Fact Sheet 142, Sales to Governments, for more information.

Vehicle leases

Long-term leases: If you enter into a long term lease for a vehicle that is principally based or garaged in an area with local sales tax, local sales tax applies. The local tax applies even if the leasing company is located outside the city or county. If the lease is for a vehicle that requires an up-front payment of state sales tax, local tax is also due up-front, if the vehicle is principally garaged in the local area.

Short-term rentals: Vehicles leased or rented under agreements for less than 29 days are subject to local tax if the lease agreement is entered into in the local taxing area, even if the lessee intends to use the vehicle outside the city or county.

Vehicle sales

Local sales tax does not apply to *sales* of motor vehicles. However, beginning July 1, 2008, a \$20 transit improvement vehicle excise tax applies to sales of motor vehicles when the sale occurs in Anoka, Dakota, Hennepin, Ramsey, or Washington County. This excise tax must be collected by any person in the business of selling new or used motor vehicles at retail and must be submitted to the Minnesota Department of Revenue on your Minnesota sales and use tax return.

An excise tax of \$20 applies to sales of vehicles made by dealers located within Baxter, Brainerd, Clearwater, Hutchinson, Mankato, New Ulm, Owatonna, Rochester and Worthington. For more information on this \$20 excise tax, contact the city offices directly, since they administer these taxes themselves.

Motor vehicle means any self-propelled vehicle required to be licensed for road use and any vehicle propelled or drawn by a self-propelled vehicle required to be licensed for road use. It includes, but is not limited to, cars, vans, pickups, trucks, truck-tractors, tractors, trailers, motor homes, and motor cycles.

Local Sales and Use Taxes (and special local taxes)

City/County	Type of Tax	Begin Date	Rate
Albert Lea	Sales Tax and Use Tax	4/1/06	0.50%
Austin	Sales Tax and Use Tax	4/1/07	0.50%
Baxter	Sales Tax and Use Tax	10/1/06	0.50%
Bemidji	Sales Tax and Use Tax	1/1/06	0.50%
Brainerd	Sales Tax and Use Tax	4/1/07	0.50%
Clearwater	Sales Tax and Use Tax	10/1/08	0.50%
Cook County	Sales Tax and Use Tax	4/1/10 (1)	1.00%
Detroit Lakes	Food and Beverage Tax*	4/1/11	1.00%
Duluth	Sales Tax and Use Tax	1/1/70 (2)	1.00%
Fergus Falls	Sales Tax and Use Tax	1/1/12	0.50%
Giants Ridge Recreation Area (city of Biwabik)	Admissions and Recreation Tax*	7/1/11	2.00%
	Food and Beverage Tax*	7/1/11	1.00%
	Lodging Tax*	7/1/11	2.00%
Hennepin County	Sales Tax and Use Tax	1/1/07	0.15%
Hermantown	Sales Tax	4/1/97	0.50%
	Use Tax	1/1/00	0.50%
Hutchinson	Sales Tax and Use Tax	1/1/12	0.50%
Lanesboro	Sales Tax and Use Tax	1/1/12	0.50%
Mankato	Sales Tax	4/1/92	0.50%
	Use Tax	1/1/00	0.50%
	Food and Beverage Tax*	4/1/09	0.50%
	Entertainment Tax*	4/1/09	0.50%
Minneapolis	Sales Tax and Use Tax	2/1/87	0.50%
	Downtown Liquor Tax*	2/1/87	3.00%
	Lodging Tax*	4/1/02 (3)	2.625%
	Downtown Restaurant Tax*	2/1/87	3.00%
	Entertainment Tax*	10/1/69	3.00%
New Ulm	Sales Tax and Use Tax	4/1/01	0.50%
North Mankato	Sales Tax and Use Tax	10/1/08	0.50%
Owatonna	Sales Tax and Use Tax	4/1/07 – 6/30/11	0.50%
Proctor	Sales Tax and Use Tax	4/1/00	0.50%
Rochester	Sales Tax and Use Tax	1/1/93	0.50%
	Lodging Tax*	9/1/71	4.00%
St. Cloud Area (4)	Sales and Use Tax	1/1/03	0.50%
St. Cloud	Liquor Tax*	2/1/87	1.00%
	Food Tax*	2/1/87	1.00%
St. Paul	Sales Tax	9/1/93	0.50%
	Use Tax	1/1/00	0.50%
	Lodging Tax 50+ rooms*	4/1/04	6.00%
	Lodging Tax less than 50 rooms*	4/1/04	3.00%
Transit Improvement (5)	Sales Tax and Use Tax	7/1/08	0.25%
Two Harbors	Sales Tax and Use Tax	4/1/99	0.50%
Willmar	Sales Tax and Use Tax	1/1/06 – 12/31/12	0.50%
Worthington	Sales Tax and Use Tax	4/1/09	0.50%

(1) Cook County 1.0% sales and use taxes originally began 1994 and 2001 respectively, and ended 3/31/08. The taxes resumed 4/1/10.

(2) Duluth sales and use tax originally began 1/1/70. MN Department of Revenue began administration 1/1/06.

(3) Minneapolis lodging tax rate prior to 7/1/09 was 3.0%.

(4) St. Cloud, Sartell, Sauk Rapids, and St. Augusta were original participants in this tax. Beginning 1/1/06, St. Joseph and Waite Park also became participating cities.

(5) Transit Improvement Area includes Anoka, Dakota, Hennepin, Ramsey, and Washington Counties.

* For more information about the special local taxes, see Sales Tax Fact Sheets 164M, Minneapolis Special Local Taxes and 164S, Special Local Taxes: Detroit Lakes, Giants Ridge Recreation Area, Mankato, Rochester, St. Cloud and St. Paul.

Special local taxes

The Minnesota Department of Revenue also administers special local taxes that are imposed in Detroit Lakes, Giants Ridge Recreation Area (city of Biwabik), Mankato, Minneapolis, Rochester, St. Cloud, and St. Paul.

The city of Detroit Lakes imposes a 1 percent Food and Beverage tax. Giants Ridge Recreation Area imposes a 2 percent Admissions and Recreation tax; a 1 percent Food and Beverage tax; and a 2 percent Lodging tax. The city of Mankato imposes a 0.5 percent Food and Beverage tax; and 0.5 percent Entertainment tax. St. Cloud imposes a 1 percent tax on liquor and food sold at restaurants and "places of refreshment" located within the city limits.

Minneapolis, Rochester and St. Paul impose various lodging taxes administered by the Department of Revenue. Minneapolis imposes a city wide 3 percent entertainment tax. Special 3 percent restaurant and 3 percent liquor taxes apply in the Minneapolis downtown taxing district.

See sales tax fact sheets 164M, Minneapolis Special Taxes and 164S, Special Local Taxes, for more information about special local taxes administered by the Department of Revenue.

Lodging taxes

Many Minnesota cities, towns and areas impose a *lodging tax*. Except for the ones listed on page 3, these taxes are *not* administered by the Minnesota Department of Revenue. All questions should be directed to the city or town imposing the tax.

Examples of when to charge local tax

In the examples below, Minnesota state tax always applies. Local tax applies as indicated.

1. A Minneapolis company sells items to a St. Paul company. The Minneapolis company delivers the items to St. Paul in their own truck. The Minneapolis company is required to collect the St. Paul and the Transit Improvement taxes (not Minneapolis or Hennepin County taxes).

2. A St. Paul company picks up items from a Minneapolis supplier for use in St. Paul. Since the St. Paul company takes possession of the items in Minneapolis, the Minneapolis supplier must collect the Minneapolis, Hennepin County and Transit Improvement taxes.

3. A contractor buys and picks up materials in a city with a local tax for use in an area without a local tax. Since the materials are picked up in the city with a local tax, that city's local sales tax applies. If the materials are delivered by the seller to the construction site, no local tax is due.

4. A North Dakota contractor buys materials in North Dakota and pays the North Dakota tax. The materials are brought into Minnesota to be used at a construction site in Bemidji. Bemidji local use tax is due. (Also, since the North Dakota tax rate is lower than Minnesota's rate, the difference is also due as Minnesota state use tax.)

5. A person sells at a craft show located in a city with a local tax and the customers take possession of the items in that city. Since the sales are being made in a city with a local tax, the seller must collect the local tax. This is true even if the seller is from outside the city.

6. A photographer takes pictures at a site where there is no local tax. The customer picks up the photos at the photographer's studio in a city with a local tax. Local tax is due because the customer takes possession of the photos in a city with a local tax. If the photographer mails the photos to an area with no local tax, no local tax is due.

ZIP codes

The **sales tax rate calculator** (available on our website) provides the state and local general sales and use tax rates that apply to sales made to specific locations in Minnesota. Just enter the 9-digit zip code for the location of the sale, select the period when the sale was made, enter the total amount of the sale (optional) and click the "Submit" button.

The **general** zip code area of each local tax is listed on the next page. Unfortunately, zip codes do not correspond exactly with city/county limits. To be sure you are getting the correct results for the specific address you are looking up, use the sales tax rate calculator on our web site, and *be sure to use the full 9-digit zip code*. If you don't know the 9-digit zip code, click on the "Zip code lookup" link on the calculator. This brings up the United States Postal Service zip code lookup function. Enter the address for the sale and it will give you the correct 9-digit zip code to use on the sales tax rate calculator.

A detailed breakdown of zip code areas that cross city/county boundaries is available on our web site for *Albert Lea, Austin, Baxter, Bemidji, Brainerd, Clearwater, Fergus Falls, Hennepin County, Hermantown, Hutchinson, Minneapolis, New Ulm, Owatonna, Proctor, Sartell, Sauk Rapids, St. Augusta, St. Cloud, St. Paul, Transit Improvement, Two Harbors and Worthington*. However, because city boundaries change and new streets are added over time, those listings may not be complete.

(Zip code guides are not available for all areas.)

General zip code area of each local tax:

Albert Lea: 56007

Austin: 55912

Baxter: 56425

Bemidji: 56601, 56619

Brainerd: 56401

Clearwater: 55320

Cook County: 55604-55606, 55612, 55613, 55615. Cities in Cook County are Grand Marais, Grand Portage, Lutsen, Schroeder, Tofte, and Hovland

Detroit Lakes: 56501, 56502

Duluth: 55802-55808, 55810-55812, 55814-55816

Fergus Falls: 56537

Giants Ridge Recreation Area (city of Biwabik): 55708

Hennepin County: 55111, 55305, 55311, 55316, 55323, 55327, 55328, 55331, 55340, 55341, 55343-55348, 55356, 55357, 55359, 55361, 55364, 55369, 55373-55375, 55384, 55387, 55388, 55391-55393, 55401-55431, 55435-55447, 55450, 55454, 55455, 55458-55460, 55467, 55470, 55472-55474, 55478-55480, 55483, 55484, 55486-55488, 55569-55571, 55574, 55576-55579, 55592, 55593, 55595-55599

Cities in Hennepin County are Bloomington, Brooklyn Center, Brooklyn Park, Champlin, Chanhassen*, Corcoran, Crystal, Dayton*, Deephaven, Eden Prairie, Edina, Excelsior, Fort Snelling, Golden Valley, Greenfield, Greenwood, Hamel, Hanover*, Hassan Township, Hopkins, Independence, Long Lake, Loretto, Maple Grove, Maple Plain, Medicine Lake, Medina, Minneapolis, Minnetonka, Minnetonka Beach, Minnetrista, Mound, New Hope, Orono, Osseo, Plymouth, Richfield, Robbinsdale, Rockford*, Rogers*, Shorewood, Spring Park, St. Anthony, St. Bonifacius*, St. Louis Park, Tonka Bay, Waconia*, Watertown*, Wayzata, Woodland and Young America*

* Part of zip code for this city is outside Hennepin County

Hermantown: 55810, 55811 (both zip codes are used by Hermantown & Duluth), 55701

Hutchinson: 55350

Lanesboro: 55949

Mankato: 56001-56003, 56006

Minneapolis: 55401-55419, 55421, 55423, 55430, 55440, 55450, 55454, 55455, 55458-55460, 55467, 55470, 55472-55474, 55478-55480, 55483-55488

New Ulm: 56021, 56073

North Mankato: 56003

Owatonna: 55060

Proctor: 55810 (used by Proctor, Duluth & Hermantown)

Rochester: 55901-55906, 55960, 55976

St. Cloud: 56301-56304

St. Cloud Area (St. Cloud, Sartell, Sauk Rapids, St. Augusta, St. Joseph, Waite Park): 55320, 55353, 55382, 56301-56304, 56372, 56374, 56377, 56379, 56387, 56388, 56393, 56395-56399

St. Paul: 55101-55109, 55113, 55114, 55116-55119, 55130, 55133, 55145, 55146, 55155, 55164-55166, 55168-55172, 55175, 55199

Transit Improvement: The transit tax area is Anoka, Dakota, Hennepin, Ramsey and Washington counties. See our website for cities and zip codes in the transit tax area.

Two Harbors: 55616

Willmar: 56201

Worthington: 56187

Note: City taxes do not apply at the *Minneapolis-St. Paul International Airport*, the *Hubert H. Humphrey Airport Terminal* or the *Minnesota State Fairgrounds* because they are not within the city limits of Minneapolis or St. Paul. However, Hennepin County and Transit Improvement taxes apply at the *Minneapolis-St. Paul International Airport* and the *Hubert H. Humphrey Airport Terminal*. The Transit Improvement tax applies at the *Minnesota State Fairgrounds*.

References:

M. S. 297A.63, Use Taxes Imposed; Rates

M. S. 297A.95, Coordination of state and local sales tax rates

M. S. 297A.98, Local governments exempt from local sales taxes

M. S. 297A.99, Local sales taxes

Other fact sheets you may need:

Sales to Government, #142

Minneapolis Special Local Taxes, #164M

Special Local Taxes, #164S

CHANGE ORDER

<u>Change Order No. 1</u>	<u>Airport</u> Windom Municipal	TKDA Project No. <u>15104.001</u>	AIP. <u>3-27-0113-09-12</u> SAP. <u>A1701-34</u>
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<u>Sponsor</u> City of Windom	<u>Sponsor's Address</u> 444 9 th Street, PO Box 38 Windom, MN 56101	<u>Date Prepared</u> 01/22/2013	<u>Amount of Contract</u> \$430,987.25 (original) \$437,312.25 (revised)
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<u>Contractor</u> Empire Building Construction	<u>Contractor's Address</u> 1709 North Industrial Ave Sioux Falls, SD 57104	<u>Completion Dates</u> <table><tr><td><u>Contract</u></td><td><u>Revised</u></td></tr><tr><td>120 Days</td><td>120 Days</td></tr></table>		<u>Contract</u>	<u>Revised</u>	120 Days	120 Days
<u>Contract</u>	<u>Revised</u>						
120 Days	120 Days						

CHANGES ORDERED

Water Service to Hangar

The price to bring water service to the new building is \$6,325.00 based on the following items of work:

- Boring 300 lineal feet
- Meter pit outside new building.
- Hook up to rural water
- Run service inside new building
- Shutoff inside meter pit with drain down device. (hydrant)

The costs for this change order are not eligible for federal funding.

Total Cost of Change Order No. 1 \$6,325.00

The foregoing is in accordance with your contract dated August 22, 2012 and the aforementioned change, and the work affected thereby is subject to all contract stipulations and covenants.

APPROVED:
CITY OF WINDOM

By _____
Title: _____ Date _____

ACCEPTED:
Empire Building Construction
Contractor

By [Signature] 1-29-13
Title: Accountant Date _____

TKDA
ENGINEERS-ARCHITECTS-PLANNERS

By [Signature] 1/23/13
Project Manager Date _____

CHANGE ORDER

Change Order No. 2 Airport TKDA AIP. 3-27-0113-09-12
Windom Municipal Project No. 15104.001 SAP. A1701-34

Sponsor Sponsor's Address Date Prepared Amount of Contract
City of Windom 444 9th Street, PO Box 38 01/22/2013 \$430,987.25 (original)
Windom, MN 56101 \$437,312.25 (C.O. #1)
 \$441,812.25 (revised)

Contractor Contractor's Address Completion Dates
Empire Building 1709 North Industrial Ave Contract Revised
Construction Sioux Falls, SD 57104 120 Days 120 Days

CHANGES ORDERED

Additional Wall Insulation

Increase the wall insulation from the required R-13 (per code) to an R-30 at an additional cost of \$4,500. The additional costs for this upgrade are not eligible for federal funding.

Total Cost of Change Order No. 2 \$4,500.00

The foregoing is in accordance with your contract dated August 22, 2012 and the aforementioned change, and the work affected thereby is subject to all contract stipulations and covenants.

APPROVED:
CITY OF WINDOM

By _____
Title: _____ Date _____

ACCEPTED:
Empire Building Construction
Contractor

By [Signature]
Title: Accountant Date 1-29-13

TKDA
ENGINEERS-ARCHITECTS-PLANNERS

By [Signature] 1/23/13
Project Manager Date

MEMORANDUM



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

TO: City Council
FROM: Personnel Committee
DATE: January 30, 2013
RE: Salary Adjustment for Finance Director\Controllor

Chelsie Carlson, City's Finance Director\Controllor, started her duties with the City on May 29, 2012 making her 6 month anniversary date November 29, 2012. An evaluation on her performance was completed by the City Administrator.

The review indicates that Chelsie has done an excellent job picking up the processes of the City's financial system and learning the skills for governmental accounting. She took the initiative to organize and destroy unneeded City records, updating the City's record retention schedule, revised and streamlined the check processing system for weekly disbursements and has taken the lead on the installation of a new financial management system (software). Additionally, her knowledge as a CPA has been utilized to more closely track some City accounts and functions with the City's auditor thus reducing the year-end adjustments.

The City Administrator notes that she has exceeded the expectations of a new\probationary employee and has had positive feedback from the Department Heads as to Chelsie's work. As such a recommendation has been made to make a salary adjustment.

The Personnel Committee is recommending that Chelsie Carlson, Finance Director\Controllor be moved from her current Grade 21, Step 6 salary position up to Grade 21, Step 7 retro-actively effective upon her November 29, 2012 probationary passage date. Then moved to Grade 21, Step 8 on May 29, 2013 which is her one-year anniversary.

RESOLUTION #2013-

Introduced:

Seconded:

Voted: Aye:

Nay:

Absent:

**A RESOLUTION SELECTING CERTAIN FREEHOLDERS IN THE CITY OF
WINDOM FOR PRESENTATION TO THE DISTRICT JUDGE FOR
APPOINTMENT TO A CHARTER COMMISSION**

WHEREAS, on April 1, 2010, the following persons' Charter Commission Terms expired:

Alice Huebert
Chuck Severson
Jean Trotter

Joseph LaCanne
Grant Johnson
Mishelle Even

WHEREAS, on April 1, 2012, the following persons' Charter Commission Terms expired:

Laura Alvstad
David Farber
Nestor Palm
Bruce Toninato

Donna Gravley
Sonya Johnson
Jeanette Schuur
Dianne Vellema

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

1. The following freeholders are hereby selected by the Mayor and confirmed by the City Council for presentation to the District Judge for appointment to the Charter Commission for the City of Windom to fill a four-year term which shall expire April 1, 2014:

Alice Huebert
Chuck Severson
Josh Sammons

Joseph LaCanne
Tim Hiley
Joel Lacanne

2. The following freeholders are hereby selected by the Mayor and confirmed by the City Council for presentation to the District Judge for appointment to the Charter Commission for the City of Windom to fill a four-year term which shall expire April 1, 2016:

Laura Alvstad
David Farber
Nestor Palm
Bruce Toninato

Donna Gravley
Sonya Johnson
Jeanette Schuur
Dianne Vellema

Adopted this 5th day of February, 2013.

Corey J. Maricle, Mayor

Attest:

Steven Nasby, City Administrator

ELECTRONIC DISBURSEMENTS

Date	Vendor	Amount	Description
1/3/2013	Fulda Credit Union	\$ (3,360.00)	EDA Loan Payment
1/7/2013	Cardmember Services	\$ (2,785.00)	Credit Card Payment
1/7/2013	MN Department of Revenue	\$ (38,111.00)	Sales Tax
1/10/2013	Citistreet MN	\$ (14,100.00)	Lenning Sick Payout
1/10/2013	MII FSA	\$ (584.57)	Flex Spending
1/11/2013	Citistreet MN	\$ (5,275.00)	Deferred Compensation
1/11/2013	MN Department of Revenue	\$ (3,208.86)	State Tax Withholding
1/11/2013	Payroll	(75,687.58)	Net Pay
1/11/2013	PERA	\$ (17,217.57)	PERA Payment
1/11/2013	USA Tax Payment	\$ (24,510.80)	Federal Payroll Tax
1/15/2013	Liquor Credit Card Fees	\$ (1,852.85)	Credit Card Fees
		\$ (186,693.23)	

ELECTRONIC DISBURSEMENTS

Date	Vendor	Amount	Description
1/17/2013	MII FSA	\$ (984.40)	Flex Spending
1/17/2013	MII VEBA	\$ (9,951.35)	VEBA Payment
1/17/2013	USA Tax Payment	\$ (744.75)	Excise Tax
1/22/2013	BCBS Insurance	\$ (42,474.00)	Insurance Premium
1/24/2013	MII FSA	\$ (323.85)	Flex Spending
1/25/2013	Payroll	(70,791.77)	Net Pay
1/28/2013	Citistreet MN	\$ (53,975.00)	Deferred Compensation
1/28/2013	MN Department of Revenue	\$ (4,910.21)	State Tax Withholding
1/28/2013	PERA	\$ (16,157.48)	PERA Payment
1/28/2013	USA Tax Payment	\$ (33,266.06)	Federal Payroll Tax
1/31/2013	MII FSA	\$ (2,189.52)	Flex Spending
1/31/2013	Liquor Credit Card Fees	\$ (42.02)	Credit Card Fees
		\$ (235,810.41)	

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
MAYOR & COUNCIL	BEIM CONSULTING	WEBSITE MAINTENANCE	620.00
MAYOR & COUNCIL	CONVENT. & VISTOR BU	LODGING TAX	6,436.60
	Total for Department 101		7,056.60*
CITY OFFICE	INDOFF, INC	SUPPLIES	39.09
CITY OFFICE	ELECTRIC FUND	UTILITY/TELECOM BILLING	363.11
	Total for Department 103		402.20*
P & Z / BUILDING OFF	ELECTRIC FUND	UTILITY/TELECOM BILLING	50.85
P & Z / BUILDING OFF	MN DEPT OF LABOR & I	QUARTERLY SURCHARGE	657.76
	Total for Department 106		708.61*
CITY HALL	CULLIGAN	SERVICE	14.50
CITY HALL	ELECTRIC FUND	UTILITY/TELECOM BILLING	522.78
CITY HALL	LAMPERTS YARDS, INC.	REPAIR	82.03
	Total for Department 115		619.31*
POLICE	ELECTRIC FUND	UTILITY/TELECOM BILLING	68.73
	Total for Department 120		68.73*
FIRE DEPARTMENT	ELECTRIC FUND	UTILITY/TELECOM BILLING	28.29
FIRE DEPARTMENT	MN STATE FIRE CHEF A	MEMBERSHIP DUES	222.00
FIRE DEPARTMENT	MUNICIPAL EMERGENCY	EQUIPMENT	751.75
FIRE DEPARTMENT	CENTURY LINK	TELEPHONE	58.87
FIRE DEPARTMENT	ASSOC OF MN EMERGENC	ANNUAL DUES	100.00
	Total for Department 125		1,160.91*
EMERGENCY MANAGEMENT	ELECTRIC FUND	UTILITY/TELECOM BILLING	19.24
	Total for Department 130		19.24*
STREET	COTTONWOOD COUNTY LA	GARBAGE	5.00
STREET	DICKS WELDING INC	MAINTENANCE	86.90
STREET	ELECTRIC FUND	UTILITY/TELECOM BILLING	3,593.82
STREET	CENTURY LINK	TELEPHONE	58.87
	Total for Department 140		3,744.59*
PARKS	BEIM CONSULTING	ANNUAL EVENT LICENSE	60.64
PARKS	ELECTRIC FUND	UTILITY/TELECOM BILLING	49.39
	Total for Department 165		110.03*
	Total for Fund 01		13,890.22*
	BOND TRUST SERVICE C	SERIES 2005A GEN OBLIG B	20,000.00
	Total for Department		20,000.00*
EQUIPMENT/F.A.	BOND TRUST SERVICE C	2012 A PRINCIPLE & INTER	560.45
EQUIPMENT/F.A.	BOND TRUST SERVICE C	SERIES 2005A GEN OBLIG B	1,725.00
EQUIPMENT/F.A.	NORTHLAND TRUST SERV	ADMIN FEE	425.00
	Total for Department 170		2,710.45*
	Total for Fund 02		22,710.45*

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
LIBRARY	ELECTRIC FUND	UTILITY/TELECOM BILLING	249.14
LIBRARY	GALE	BOOKS	79.46
LIBRARY	JOAN HUNTER	EXPENSE	44.07
		Total for Department 171	372.67*
		Total for Fund 03	372.67*
	RON'S ELECTRIC INC	2012 CIP SALT/SAND SHED	836.79
		Total for Department	836.79*
		Total for Fund 04	836.79*
	BOND TRUST SERVICE C 2011 B PRINCIPLE & INTER		105,000.00
		Total for Department	105,000.00*
2003 IMPROVEMENT BON	BOND TRUST SERVICE C 2011 B PRINCIPLE & INTER		4,623.75
		Total for Department 169	4,623.75*
		Total for Fund 05	109,623.75*
	BOND TRUST SERVICE C SERIES 2005A GEN OBLIG B		30,000.00
		Total for Department	30,000.00*
4TH AVE PROJECT	BOND TRUST SERVICE C 2012 A PRINCIPLE & INTER		1,876.30
4TH AVE PROJECT	BOND TRUST SERVICE C SERIES 2005A GEN OBLIG B		6,180.00
		Total for Department 168	8,056.30*
		Total for Fund 06	38,056.30*
	BOND TRUST SERVICE C SERIES 2007B GEN OB BOND		55,000.00
		Total for Department	55,000.00*
2007 IMPROVEMENT PRO	BOND TRUST SERVICE C 2007 B ADMIN FEE		900.00
2007 IMPROVEMENT PRO	BOND TRUST SERVICE C 2012 A PRINCIPLE & INTER		5,977.08
2007 IMPROVEMENT PRO	BOND TRUST SERVICE C SERIES 2007B GEN OB BOND		15,536.25
		Total for Department 164	22,413.33*
		Total for Fund 07	77,413.33*
	NORTHLAND TRUST SERV PRINCIPLE & INTEREST PAY		83,000.00
		Total for Department	83,000.00*
2006A REFUNDING BOND	NORTHLAND TRUST SERV PRINCIPLE & INTEREST PAY		8,777.50
		Total for Department 157	8,777.50*
		Total for Fund 08	91,777.50*
	BOND TRUST SERVICE C 2009 A '09 STREET PROJEC		85,000.00
		Total for Department	85,000.00*

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
2009 STREET IMP PROJ	BOND TRUST SERVICE C 2009 A	'09 STREET PROJEC	24,435.00
2009 STREET IMP PROJ	BOND TRUST SERVICE C 2009 A	ADMIN FEE	450.00
	Total for Department 158		24,885.00*
	Total for Fund 09		109,885.00*
	TKDA ENGINEERS	SERVICE	6,086.15
	Total for Department		6,086.15*
	Total for Fund 11		6,086.15*
AMBULANCE	ELECTRIC FUND	UTILITY/TELECOM BILLING	25.05
AMBULANCE	EXPERT T BILLING	SERVICE	1,608.75
AMBULANCE	CENTURY LINK	TELEPHONE	58.87
	Total for Department 176		1,692.67*
	Total for Fund 13		1,692.67*
MULTI-PURPOSE BUILDI	BEIM CONSULTING	ANNUAL EVENT LICENSE	60.64
MULTI-PURPOSE BUILDI	ELECTRIC FUND	UTILITY/TELECOM BILLING	1,154.30
MULTI-PURPOSE BUILDI	MN DEPT OF PUBLIC SA	RETAILER'S BUYERS CARD	20.00
	Total for Department 177		1,234.94*
	Total for Fund 14		1,234.94*
LIQUOR	BEVERAGE WHOLESALERS	MERCHANDISE	10,207.05
LIQUOR	COCA-COLA BOTTLING C	MERCHANDISE	170.00
LIQUOR	ELECTRIC FUND	UTILITY/TELECOM BILLING	872.35
LIQUOR	WIRTZ BEVERAGE MN WI	MERCHANDISE	6,059.89
LIQUOR	HAGEN DISTRIBUTING	MERCHANDISE	4,822.45
LIQUOR	INDIAN ISLAND WINERY	MERCHANDISE	559.20
LIQUOR	MN MUNICIPAL BEVERAG	REGISTRATION	330.00
LIQUOR	SOUTHERN WINE & SPIR	MERCHANDISE	1,149.39
	Total for Department 180		24,170.33*
	Total for Fund 60		24,170.33*
	BOND TRUST SERVICE C SERIES 2005A	GEN OBLIG B	35,600.00
	BOND TRUST SERVICE C SERIES 2007B	GEN OB BOND	13,000.00
	NORTHLAND TRUST SERV	PRINCIPLE & INTEREST PAY	32,000.00
	Total for Department		80,600.00*
WATER	BOND TRUST SERVICE C 2011 A	PRINCIPLE AND INT	5,516.25
WATER	BOND TRUST SERVICE C 2012 A	PRINCIPLE & INTER	2,982.12
WATER	BOND TRUST SERVICE C SERIES 2005A	GEN OBLIG B	5,402.40
WATER	BOND TRUST SERVICE C SERIES 2007B	GEN OB BOND	3,454.75
WATER	ELECTRIC FUND	UTILITY/TELECOM BILLING	4,206.29
WATER	HP SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	158.33
WATER	MN DEPT OF HEALTH	WA SUR CHARGE	3,214.00
WATER	MN VALLEY TESTING	TESTING	56.25

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
WATER	NORTHLAND TRUST SERV	PRINCIPLE & INTEREST PAY	2,708.75
WATER	CENTURY LINK	TELEPHONE	58.87
WATER	PETERSON SMITH GRAVE	REPAIR	270.00
WATER	PRO-CUT LAWN & HYDRO	MAINTENANCE	1,000.00
	Total for Department 181		29,028.01*
	Total for Fund 61		109,628.01*
	ELECTRIC FUND	REF-UTIL PP-H.OHRTMAN TO	125.00
	J. H. LARSON	PARTS & SUPPLIES	123.99
	RESCO	PARTS & INVENTORY	432.84
	BEN KRUSE	REFUND-UTILITY PREPAYMEN	300.00
	AL MEIER	REFUND-UTILITY PREPAYMEN	300.00
	ANGEL RODRIGUEZ/MART	REFUND-UTILITY PREPAYMEN	300.00
	COLIN BENNETT	REFUND - UTILITY PREPAYM	300.00
	BH LI	REFUND-UTILITY PREPAYMEN	300.00
	RENE SALDANA	REFUND-UTILITY PREPAYMEN	300.00
	ROBERT LANGLAND	REFUND-UTILITY PREPAYMEN	300.00
	Total for Department		2,781.83*
ELECTRIC	ELECTRIC FUND	UTILITY/TELECOM BILLING	385.92
ELECTRIC	MARV GRUNIG	EXPENSE	79.10
ELECTRIC	HP SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	158.33
ELECTRIC	CENTURY LINK	TELEPHONE	55.40
ELECTRIC	OFFICEMAX - HSEC BUS	FREIGHT	117.00
ELECTRIC	RESCO	SUPPLIES	234.95
	Total for Department 182		1,030.70*
	Total for Fund 62		3,812.53*
	BOND TRUST SERVICE C	SERIES 2005A GEN OBLIG B	14,400.00
	BOND TRUST SERVICE C	SERIES 2007B GEN OB BOND	12,000.00
	Total for Department		26,400.00*
SEWER	BOND TRUST SERVICE C	2011 A PRINCIPLE AND INT	34,107.50
SEWER	BOND TRUST SERVICE C	2012 A PRINCIPLE & INTER	2,246.05
SEWER	BOND TRUST SERVICE C	SERIES 2005A GEN OBLIG B	3,117.60
SEWER	BOND TRUST SERVICE C	SERIES 2007B GEN OB BOND	3,189.00
SEWER	COTTONWOOD COUNTY LA	GARBAGE	10.00
SEWER	ELECTRIC FUND	UTILITY/TELECOM BILLING	14,485.32
SEWER	HP SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	158.35
SEWER	MN RURAL WATER ASSOC	REGISTRATION	195.00
SEWER	MN VALLEY TESTING	TESTING	444.40
SEWER	CENTURY LINK	TELEPHONE	260.60
	Total for Department 183		58,213.82*
	Total for Fund 63		84,613.82*
ARENA	BEIM CONSULTING	ANNUAL EVENT LICENSE	60.65
ARENA	ELECTRIC FUND	UTILITY/TELECOM BILLING	8,199.44

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
ARENA	GDF ENTERPRISES, INC	PARTS	211.48
ARENA	HEARTLAND PAPER COMP	SUPPLIES	304.37
ARENA	SHOPKO	SUPPLIES	13.88
ARENA	CONNEY SAFETY	MAINTENANCE	258.38
	Total for Department 184		9,048.20*
	Total for Fund 64		9,048.20*
ECONOMIC DEVELOPMENT	EHLERS & ASSOC., INC	SERVICE	2,022.50
ECONOMIC DEVELOPMENT	ELECTRIC FUND	UTILITY/TELECOM BILLING	70.09
ECONOMIC DEVELOPMENT	GODFATHER'S PIZZA	BOARD MEETING	30.17
	Total for Department 187		2,122.76*
	Total for Fund 67		2,122.76*
	NATIONAL CABLE TV CO	EQUIPMENT	6,054.16
	Total for Department		6,054.16*
TELECOMMUNICATIONS	BTN - BIG TEN NETWOR	SUBSCRIBER	3,281.09
TELECOMMUNICATIONS	ELECTRIC FUND	UTILITY/TELECOM BILLING	1,872.76
TELECOMMUNICATIONS	ELECTRIC SCIENTIFIC	MAINTENANCE INSPECTION	374.06
TELECOMMUNICATIONS	FOX SPORTS	SUBSCRIBER	14,076.00
TELECOMMUNICATIONS	FOX TELEVISION STATI	SUBSCRIBER	4,330.06
TELECOMMUNICATIONS	GOLDEN WEST TECH & I	SERVICE	208.20
TELECOMMUNICATIONS	HP SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	474.99
TELECOMMUNICATIONS	HUBBARD BROADCASTING	SUBSCRIBER	827.40
TELECOMMUNICATIONS	INTERSTATE ALL BATTE	MAINTENANCE	27.90
TELECOMMUNICATIONS	KDOM RADIO	ADVERTISING	195.00
TELECOMMUNICATIONS	LIFETIME	SUBSCRIBER	1,530.00
TELECOMMUNICATIONS	LIFETIME MOVIE NETWO	SUBSCRIBER	42.75
TELECOMMUNICATIONS	NATIONAL CABLE TV CO	EQUIPMENT	1,220.90
TELECOMMUNICATIONS	NATIONAL CABLE TV CO	SUBSCRIBER	59,727.08
TELECOMMUNICATIONS	CENTURY LINK	LEXIS BILLING SERVICE	184.80
TELECOMMUNICATIONS	ONVOY VOICE SERVICES	SS7 SERVICE	1,262.80
TELECOMMUNICATIONS	ONVOY VOICE SERVICES	SWITCHING SERVICE	2,943.34
TELECOMMUNICATIONS	JEREMY ROLFES	EXPENSE	50.94
TELECOMMUNICATIONS	MANKATO NETWORKS LLC	SERVICE	6,400.00
TELECOMMUNICATIONS	HURRICANE ELBCTRIC L	TRANSIT SERVICE	1,000.00
TELECOMMUNICATIONS	POWER & TEL	EQUIPMENT	125.10
	Total for Department 199		100,155.17*
	Total for Fund 69		106,209.33*
	COLLECTION SERVICES	#CDDM013726	930.23
	Total for Department		930.23*
	Total for Fund 70		930.23*
	Grand Total		814,114.98*

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
MAYOR & COUNCIL	CITIZEN PUBLISHING C	ADVERTISING	345.30
MAYOR & COUNCIL	HY-VEE FOOD STORE	MERCHANDISE	77.97
MAYOR & COUNCIL	LEAGUE OF MN. CITIES	REGISTRATION	299.00
	Total for Department 101		722.27*
CITY OFFICE	CITIZEN PUBLISHING C	ADVERTISING	138.50
CITY OFFICE	CITIZEN PUBLISHING C	SUBSCRIPTION	72.00
CITY OFFICE	INDOFF, INC	SUPPLIES	53.81
CITY OFFICE	HY-VEE FOOD STORE	MERCHANDISE	31.97
	Total for Department 103		296.28*
CITY HALL	AMERIGAS PROPANE L.P	RENTAL	23.46
CITY HALL	HOMETOWN SANITATION	GARBAGE SERVICE	85.04
	Total for Department 115		108.50*
POLICE	INDOFF, INC	SUPPLIES	310.13
POLICE	DONNA MARCY	EXPENSE	18.10
POLICE	H.E.A.T. TACTICAL TE	ANNUAL DUES	1,995.00
POLICE	LANGUAGE LINE SERVIC	PHONE INTERPRETATIOIN	9.12
POLICE	ALPHA WIRELESS - MAN	EQUIPMENT	22.52
POLICE	ALPHA WIRELESS - MAN	MAINTENANCE	278.86
POLICE	MN CHIEF OF POLICE A	DUES	230.00
POLICE	KEVIN L. PATTERSON	EXPENSE	18.10
POLICE	STREICHER'S	EQUIPMENT	167.24
POLICE	FLEET SERVICES DIVIS	LEASE CAR	1,979.35
POLICE	WINDOM TOWING CO	SERVICE	90.84
	Total for Department 120		5,119.26*
STREET	CITIZEN PUBLISHING C	ADVERTISING	204.75
STREET	CRYTEEL TRUCK EQUIP	EQUIPMENT	151.76
STREET	ERICKSON OIL CO	GAS	2,031.01
STREET	HOMETOWN SANITATION	GARBAGE SERVICE	130.85
STREET	MN ENERGY RESOURCES	HEATING	1,106.52
STREET	SHARE CORP.	MAINTENANCE	162.88
STREET	SOUTH CENTRAL COLLEG	TRAINING	220.00
	Total for Department 140		4,007.77*
PARKS	ERICKSON OIL CO	GAS	65.87
	Total for Department 165		65.87*
	Total for Fund 01		10,319.95*
LIBRARY	CENTER POINT LARGE P	BOOKS	43.74
LIBRARY	INGRAM	BOOKS	1,063.75
LIBRARY	MICROMARKETING	BOOKS & AUDIO	43.99
LIBRARY	PARENTS MAGAZINE	SUBSCRIPTION	7.99
LIBRARY	PLUM CREEK LIBRARY	ANNUAL DELIVERY	1,100.00
LIBRARY	PLUM CREEK LIBRARY	ANNUAL E-BOOKS	1,815.85
LIBRARY	PLUM CREEK LIBRARY	ANNUAL E-MAIL	48.00
LIBRARY	PLUM CREEK LIBRARY	ANNUAL INCENTIVES	101.25
LIBRARY	PLUM CREEK LIBRARY	ANNUAL LICENSE	2,200.00

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
LIBRARY	PLUM CREEK LIBRARY	ANNUAL UPGRADE	2,000.00
LIBRARY	PLUM CREEK LIBRARY	SUMMER READING	10.00
LIBRARY	SMITHSONIAN	SUBSCRIPTION	34.00
LIBRARY	STAR TRIBUNE	SUBSCRIPTION	68.25
LIBRARY	FAMILY FUN MAGAZINE	SUBSCRIPTION	19.95
	Total for Department 171		8,556.77*
	Total for Fund 03		8,556.77*
AMBULANCE	TIM HACKER	EXPENSE	14.25
AMBULANCE	JOHN MEYER	EXPENSE	13.25
AMBULANCE	ROBIN SHAW	EXPENSE	14.10
AMBULANCE	SANFORD USD MEDICAL	SERVICE	25.78
AMBULANCE	WINDOM AREA HOSPITAL	SERVICE-12-8-12 M HOLMEN	188.44
	Total for Department 176		255.82*
	Total for Fund 13		255.82*
MULTI-PURPOSE BUILDI	CITIZEN PUBLISHING C	ADVERTISING	35.00
MULTI-PURPOSE BUILDI	HY-VEE FOOD STORE	MERCHANDISE	20.81
MULTI-PURPOSE BUILDI	LOOPY'S	SUPPLIES	11.62
MULTI-PURPOSE BUILDI	TOWN 'N COUNTRY	REPAIR	75.00
	Total for Department 177		142.43*
	Total for Fund 14		142.43*
LIQUOR	BEVERAGE WHOLESALERS	MERCHANDISE	3,048.25
LIQUOR	CITIZEN PUBLISHING C	ADVERTISING	155.10
LIQUOR	WIRTZ BEVERAGE MN WI	MERCHANDISE	1,365.46
LIQUOR	HAGEN DISTRIBUTING	MERCHANDISE	3,962.50
LIQUOR	HOMETOWN SANITATION	GARBAGE SERVICE	48.06
LIQUOR	JOHNSON BROS.	MERCHANDISE	5,631.40
LIQUOR	MN DEPT OF PUBLIC SA	BUYERS CARD	20.00
LIQUOR	PHILLIPS WINE & SPIR	CREDIT - MERCHANDISE	-11.72
LIQUOR	PHILLIPS WINE & SPIR	MERCHANDISE	2,796.05
LIQUOR	BANK MIDWEST	NSF CHECKS-RIVER BEND LI	72.35
	Total for Department 180		17,087.45*
	Total for Fund 60		17,087.45*
WATER	GCC READY MIX	SUPPLIES	96.70
WATER	GOPHER STATE ONE CAL	LOCATES	6.19
WATER	HP SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	166.67
WATER	LUCAN COMMUNITY TV I	SERVICE	30.00
WATER	WESTRUM LEAK DETECTI	SERVICE	762.50
	Total for Department 181		1,062.06*
	Total for Fund 61		1,062.06*
ELECTRIC FUND	REF-UTIL PP TO UTIL	BILL	178.70

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
	MN DEPT OF COMMERCE	UNCLAIMED PROPERTY	16,318.57
	RESCO	PARTS	943.63
	ALEJANDRA LOPEZ	REFUND-UTILITY PREPAYMEN	300.00
	MIRANDA ULVESTAD	REFUND-UTILITY PREPAYMEN	300.00
	SHARON CREE	REF-BAL OF PREPAY TO UTI	121.30
	JERRY BAUER	REFUND-CREDIT BALANCE	42.58
	NORTHERN STAR BANK	REFUND-WATER/SEWER CHARG	433.90
	Total for Department		18,638.68*
ELECTRIC	ALTERNATIVE TECHNOLO	SUPPLIES	90.00
ELECTRIC	CANNON TECHNOLOGIES	ANNUAL SUPPORT	4,440.23
ELECTRIC	CENTRAL MINNESOTA MU	MONTHLY ASSESSMENT	3,287.00
ELECTRIC	CENTRAL MINNESOTA MU	POWER COST	201,911.50
ELECTRIC	COTTONWOOD COUNTY LA	GARBAGE	6.75
ELECTRIC	BRICKSON OIL CO	GAS	204.95
ELECTRIC	GOPHER STATE ONE CAL	LOCATES	6.19
ELECTRIC	HOMETOWN SANITATION	GARBAGE SERVICE	71.09
ELECTRIC	HP SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	166.67
ELECTRIC	ALPHA WIRELESS - MAN	EQUIPMENT	395.80
ELECTRIC	MN DEPT OF COMMERCE	UNCLAIMED PROPERTY	.01
ELECTRIC	MN MUNICIPAL UTILITI	MEMBERSHIP DUES	10,290.00
ELECTRIC	MN DEPT OF PUBLIC SA	ANNUAL FEE	25.00
ELECTRIC	WERNER ELECTRIC	MAINTENANCE	110.66
ELECTRIC	DEPARTMENT OF ENERGY	POWER COST	89,786.64
ELECTRIC	FEDERAL SIGNAL CORP	MAINTENANCE	316.03
	Total for Department 182		311,108.52*
	Total for Fund 62		329,747.20*
SEWER	INDOFF, INC	SUPPLIES	9.50
SEWER	ERICKSON OIL CO	GAS	58.83
SEWER	GOPHER STATE ONE CAL	LOCATES	6.19
SEWER	HOMETOWN SANITATION	GARBAGE SERVICE	85.04
SEWER	HP SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	166.65
SEWER	MN VALLEY TESTING	TESTING	271.00
SEWER	MN ENERGY RESOURCES	HEATING	896.51
SEWER	WINDOM TOWING CO	REPAIR	20.00
	Total for Department 183		1,513.72*
	Total for Fund 63		1,513.72*
ARENA	CITIZEN PUBLISHING C	ADVERTISING	511.88
ARENA	HOMETOWN SANITATION	GARBAGE SERVICE	130.88
	Total for Department 184		642.76*
	Total for Fund 64		642.76*
ECONOMIC DEVELOPMENT	AARON BACKMAN	EXPENSE	21.47
ECONOMIC DEVELOPMENT	CITIZEN PUBLISHING C	ADVERTISING	339.50
ECONOMIC DEVELOPMENT	INDOFF, INC	SUPPLIES	6.29

CITY OF WINDOM
 FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
ECONOMIC DEVELOPMENT	EHLERS & ASSOC., INC	REGISTRATION	265.00
ECONOMIC DEVELOPMENT	HY-VEE FOOD STORE	MERCHANDISE	63.62
ECONOMIC DEVELOPMENT	LUCAN COMMUNITY TV I	SERVICE	76.72
	Total for Department 187		772.60*
	Total for Fund 67		772.60*
ELECTRIC FUND		MONTHLY TRANSFERS-JAN	892.91
MN DEPT OF COMMERCE		UNCLAIMED PROPERTY	7,067.63
MODERN ENTERPRISE SO		EQUIPMENT	2,221.36
	Total for Department		10,181.90*
TELECOMMUNICATIONS	BBC WORLDWIDE AMERIC	SUBSCRIBER	62.69
TELECOMMUNICATIONS	DISCOVERY DIGITAL NE	SUBSCRIBER	109.93
TELECOMMUNICATIONS	DISH NETWORK	SERVICE	3,400.00
TELECOMMUNICATIONS	DISPLAY SYSTEMS INTE	SERVICE	163.88
TELECOMMUNICATIONS	E-911	SERVICE	43.95
TELECOMMUNICATIONS	GOPHER STATE ONE CAL	LOCATES	6.18
TELECOMMUNICATIONS	HOMETOWN SANITATION	GARBAGE SERVICE	73.92
TELECOMMUNICATIONS	HP SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	500.01
TELECOMMUNICATIONS	HUB TELEVISION NETWO	SUBSCRIBER	28.46
TELECOMMUNICATIONS	HY-VEE FOOD STORE	MERCHANDISE	33.03
TELECOMMUNICATIONS	INTERSTATE ALL BATTE	MAINTENANCE	109.95
TELECOMMUNICATIONS	KARE GANNETT CO., IN	SUBSCRIBER	2,068.50
TELECOMMUNICATIONS	MN DEPT OF COMMERCE	UNCLAIMED PROPERTY	57.74
TELECOMMUNICATIONS	NATIONAL CABLE TV CO	SMBS EQUIPMENT	280.91
TELECOMMUNICATIONS	NEW STAR SALES & SER	COPIER MAINTENANCE	35.00
TELECOMMUNICATIONS	NEUSTAR, INC.	MAINTENANCE	10.75
TELECOMMUNICATIONS	OWN	SUBSCRIBER	59.70
TELECOMMUNICATIONS	SDN COMMUNICATIONS	SERVICE	2,839.78
TELECOMMUNICATIONS	TOWER DISTRIBUTION C	SUBSCRIBER	489.93
TELECOMMUNICATIONS	COGENT COMMUNICATION	SERVICE	1,750.00
	Total for Department 199		12,124.31*
TELECOMMUNICATIONS	BEAU DAVIS	REFUND-TELECOM CONNECTIO	15.00
	Total for Department 299		15.00*
	Total for Fund 69		22,321.21*
AFLAC		INSURANCE	476.06
MN BENEFIT ASSOCIATI		INSURANCE	243.67
	Total for Department		719.73*
	Total for Fund 70		719.73*
	Grand Total		393,141.70*

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CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
MAYOR & COUNCIL	LEAGUE OF MN CITIES	WORKERS COMPENSATION	58.73
	Total for Department 101		58.73*
CITY OFFICE	LEAGUE OF MN. CITIES	LEAGUE WORKSHOP	40.00
CITY OFFICE	LEAGUE OF MN CITIES	WORKERS COMPENSATION	768.18
CITY OFFICE	NCPERS MINNESOTA	INSURANCE #844600	80.00
CITY OFFICE	MATT PARROTT/STOREY	SUPPLIES W-2	30.26
CITY OFFICE	DENNIS L. RICK LTD	AUDIT SERVICE	750.00
CITY OFFICE	SECR REV FUND/CITY O	POSTAGE	5.95
	Total for Department 103		1,674.39*
P & Z / BUILDING OFF	CENTURY BUSINESS PRO	MAINTENANCE CONTRACT	17.21
P & Z / BUILDING OFF	LEAGUE OF MN CITIES	WORKERS COMPENSATION	192.04
P & Z / BUILDING OFF	NCPERS MINNESOTA	INSURANCE #844600	24.00
	Total for Department 106		233.25*
CITY HALL	EAGLE APPLIANCE RECY	RECYCLING	80.00
CITY HALL	MN ENERGY RESOURCES	SERVICE	1,530.77
	Total for Department 115		1,610.77*
POLICE	LEAGUE OF MN. CITIES	LMC WORKSHOP	20.00
POLICE	LEAGUE OF MN CITIES	WORKERS COMPENSATION	10,072.41
POLICE	Verizon Wireless	SERVICE FOR LAP TOPS	78.06
POLICE	NCPERS MINNESOTA	INSURANCE #844600	144.00
POLICE	SECR REV FUND/CITY O	POSTAGE	116.60
POLICE	STREICHER'S	EQUIPMENT	407.19
	Total for Department 120		10,838.26*
FIRE DEPARTMENT	LEAGUE OF MN CITIES	WORKERS COMPENSATION	1,280.29
FIRE DEPARTMENT	Verizon Wireless	SERVICE FOR LAP TOPS	87.05
FIRE DEPARTMENT	RIVERSIDE LAUNDRY	LAUNDRY	21.38
	Total for Department 125		1,388.72*
ANIMALS	LEAGUE OF MN CITIES	WORKERS COMPENSATION	128.03
	Total for Department 135		128.03*
STREET	CLARKE	CHEMICALS	9,913.11
STREET	LEAGUE OF MN CITIES	WORKERS COMPENSATION	10,288.17
STREET	NCPERS MINNESOTA	INSURANCE #844600	80.00
STREET	NORTHLAND CHEMICAL C	SUPPLIES	107.73
STREET	ETTERMAN ENTERPRISES	EQUIPMENT	212.93
STREET	AAA STRIPING SERVICE	STRIPING	562.80
	Total for Department 140		21,164.74*
PARKS	LEAGUE OF MN CITIES	WORKERS COMPENSATION	2,370.17
PARKS	NCPERS MINNESOTA	INSURANCE #844600	16.00
	Total for Department 165		2,386.17*
	Total for Fund 01		39,483.06*
EQUIPMENT/F.A.	DENNIS L. RICK LTD	AUDIT SERVICE	1,250.00

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
		Total for Department 170	1,250.00*
		Total for Fund 02	1,250.00*
LIBRARY	AUDIO GO	AUDIO	112.26
LIBRARY	CITIZEN PUBLISHING C	SUBSCRIPTION	45.00
LIBRARY	GALE	BOOKS	280.38
LIBRARY	KIPLINGER'S	SUBSCRIPTION	23.95
LIBRARY	LEAGUE OF MN CITIES	WORKERS COMPENSATION	384.09
LIBRARY	MN ENERGY RESOURCES	HEATING	1,083.16
LIBRARY	READERS SERVICE	SUBSCRIPTION	19.46
LIBRARY	COOK'S ILLUSTRATED	SUBSCRIPTION	28.95
		Total for Department 171	1,977.25*
		Total for Fund 03	1,977.25*
	DELL MARKETING L.P.	COMPUTER REPLACEMENT	1,884.56
	JOHN DEERE CREDIT	LOAN PAY OFF	22,263.51
	WILLIAMSON'S WELDING	SHOP TOOLS	4,692.88
		Total for Department	28,840.95*
EQUIPMENT/F.A.	JOHN DEERE CREDIT	LOAN PAY OFF	203.62
		Total for Department 170	203.62*
		Total for Fund 04	29,044.57*
AIRPORT	LEAGUE OF MN CITIES	WORKERS COMPENSATION	213.21
		Total for Department 174	213.21*
		Total for Fund 11	213.21*
POOL	LEAGUE OF MN CITIES	WORKERS COMPENSATION	1,261.37
		Total for Department 175	1,261.37*
		Total for Fund 12	1,261.37*
AMBULANCE	LEAGUE OF MN CITIES	WORKERS COMPENSATION	4,950.35
AMBULANCE	Verizon Wireless	SERVICE FOR LAP TOPS	78.06
		Total for Department 176	5,028.41*
		Total for Fund 13	5,028.41*
MULTI-PURPOSE BUILDI	LEAGUE OF MN CITIES	WORKERS COMPENSATION	1,186.68
MULTI-PURPOSE BUILDI	NCPERS MINNESOTA	INSURANCE #844600	48.00
MULTI-PURPOSE BUILDI	MN ENERGY RESOURCES	HEATING	1,855.56
		Total for Department 177	3,090.24*
		Total for Fund 14	3,090.24*
TIF 1-12 PM WINDOM	PM WINDOM	2012 TAXES-TIF	40,403.59

CITY OF WINDOM
 FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
		Total for Department 197	40,403.59*
		Total for Fund 42	40,403.59*
LIQUOR	ENVIROMASTER, INC.	CLEANING	39.54
LIQUOR	BEVERAGE WHOLESALERS	MERCHANDISE	6,305.65
LIQUOR	WIRTZ BEVERAGE MN WI	MERCHANDISE	3,743.48
LIQUOR	HAGEN DISTRIBUTING	MERCHANDISE	6,057.90
LIQUOR	AH HERMEL COMPANY	MERCHANDISE	638.36
LIQUOR	JOHNSON BROS.	MERCHANDISE	7,492.70
LIQUOR	LEAGUE OF MN CITIES	WORKERS COMPENSATION	2,317.82
LIQUOR	PAUSTIS & SONS	MERCHANDISE	987.26
LIQUOR	MN ENERGY RESOURCES	HEATING	185.95
LIQUOR	PEICHEL LAWN IRRIGAT	ANNUAL SERVICE	125.00
LIQUOR	PHILLIPS WINE & SPIR	MERCHANDISE	2,362.24
LIQUOR	DENNIS L. RICK LTD	AUDIT SERVICE	1,000.00
LIQUOR	SOUTHERN WINE & SPIR	MERCHANDISE	1,289.93
LIQUOR	PREMIER MAP COMPANY	ADVERTISING	289.50
		Total for Department 180	32,835.33*
		Total for Fund 60	32,835.33*
WATER	AMERICAN PAYMENT CEN	RENT POSTAL BOX	24.26
WATER	CONTINENTAL RESEACH	SUPPLIES	54.33
WATER	MN DEPT OF NAT RES-	ANNAUL REPORT	140.00
WATER	MN DEPT OF NAT RES-	ANNUAL REPORT	3,039.00
WATER	HAWKINS, INC	CHEMICALS	2,681.44
WATER	HP SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	137.50
WATER	LEAGUE OF MN CITIES	WORKERS COMPENSATION	3,735.58
WATER	NCPERS MINNESOTA	INSURANCE #844600	40.00
WATER	DENNIS L. RICK LTD	AUDIT SERVICE	1,000.00
WATER	SECR REV FUND/CITY O	POSTAGE	8.10
WATER	SVOBODA EXCAVATING,	REPAIR	1,020.00
		Total for Department 181	11,880.21*
		Total for Fund 61	11,880.21*
	TELECOM FUND	REFUND-TRANS CREDIT-TIM	97.34
	WERNER ELECTRIC	SUPPLIES	1,386.91
	APRIL PETERSON JURGE	REFUND-UTILITY PREPAYMEN	300.00
	CTINTHIA BEEGLE	REFUND-UTILITY PREPAYMEN	300.00
	LORI KNUDSON	REFUND-UTILITY PREPAYMEN	125.00
	MATT PETERSON	REFUND-UTILITY PREPAYMEN	125.00
	NIKKI EIDEM/MIKE SCH	REFUND-UTILITY PREPAYMEN	300.00
	PAULA KEPLER	REFUND-UTILITY PREPAYMEN	125.00
	MIKE RODE	REFUND-UTILITY PREPAYMEN	300.00
		Total for Department	3,059.25*
ELECTRIC	AMERICAN PAYMENT CEN	RENT POSTAL BOX	24.26
ELECTRIC	GEMPLER'S	REAPIR	33.67

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
ELECTRIC	HP SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	137.50
ELECTRIC	LEAGUE OF MN CITIES	WORKERS COMPENSATION	8,660.40
ELECTRIC	NCPERS MINNESOTA	INSURANCE #844600	96.00
ELECTRIC	MN ENERGY RESOURCES	HEATING	713.69
ELECTRIC	DENNIS L. RICK LTD	AUDIT SERVICE	1,000.00
ELECTRIC	ROLLS ROYCE ENERGY S	REPAIR	9,457.73
ELECTRIC	SECR REV FUND/CITY O	POSTAGE	14.55
ELECTRIC	BRAD BUSSA	CLEANING	184.60
ELECTRIC	BANK MIDWEST	NSF CHECK	98.10
	Total for Department 182		20,420.50*
	Total for Fund 62		23,479.75*
SEWER	AMERICAN PAYMENT CEN	RENT POSTAL BOX	24.26
SEWER	CONTINENTAL RESEACH	SUPPLIES	54.34
SEWER	HP SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	137.50
SEWER	LEAGUE OF MN CITIES	WORKERS COMPENSATION	5,090.15
SEWER	MN VALLEY TESTING	TESTING	1,017.00
SEWER	NCPERS MINNESOTA	INSURANCE #844600	56.00
SEWER	MN ENERGY RESOURCES	HEATING	797.87
SEWER	DENNIS L. RICK LTD	AUDIT SERVICE	1,000.00
	Total for Department 183		8,177.12*
	Total for Fund 63		8,177.12*
ARENA	FERRELLGAS	SERVICE	230.85
ARENA	LEAGUE OF MN CITIES	WORKERS COMPENSATION	1,594.58
ARENA	NCPERS MINNESOTA	INSURANCE #844600	32.00
ARENA	MN ENERGY RESOURCES	HEATING	1,734.98
	Total for Department 184		3,592.41*
	Total for Fund 64		3,592.41*
	TONY'S BACKHOE & GRA EDA 2012 SIGN PROJECT EX		1,498.00
	Total for Department		1,498.00*
ECONOMIC DEVELOPMENT	AARON BACKMAN	EXPENSE	190.40
ECONOMIC DEVELOPMENT	CENTURY BUSINESS PRO	MAINTENANCE CONTRACT	34.42
ECONOMIC DEVELOPMENT	LEAGUE OF MN CITIES	WORKERS COMPENSATION	192.04
ECONOMIC DEVELOPMENT	NCPERS MINNESOTA	INSURANCE #844600	24.00
	Total for Department 187		440.86*
	Total for Fund 67		1,938.86*
TELECOMMUNICATIONS	AMERICAN PAYMENT CEN	RENT POSTAL BOX	24.24
TELECOMMUNICATIONS	BTN - BIG TEN NETWOR	SUBSCRIBER	193.01
TELECOMMUNICATIONS	BLUEHIGHWAYS	SUBSCRIBER	229.50
TELECOMMUNICATIONS	FOX SPORTS	SUBSCRIBER	1,512.48
TELECOMMUNICATIONS	HP SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	412.50
TELECOMMUNICATIONS	LEAGUE OF MN CITIES	WORKERS COMPENSATION	7,909.71

CITY OF WINDOM
 FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
TELECOMMUNICATIONS	NCPERS MINNESOTA	INSURANCE #844600	96.00
TELECOMMUNICATIONS	CENTURY LINK	TELEPHONE	100.29
TELECOMMUNICATIONS	MN ENERGY RESOURCES	HEATING	69.45
TELECOMMUNICATIONS	DENNIS L. RICK LTD	AUDIT SERVICE	1,000.00
TELECOMMUNICATIONS	SECR REV FUND/CITY O	POSTAGE	14.10
TELECOMMUNICATIONS	WINDOM EDUCATION & C	RENTAL CONTRACT	400.00
TELECOMMUNICATIONS	BANK MIDWEST	NSF - AUTO PAY	56.54
	Total for Department 199		12,017.82*
	Total for Fund 69		12,017.82*
	LAW ENFORCMENT LABOR	UNION DUES	270.00
	LOCAL UNION #949	UNION DUES	1,589.70
	NCPERS MINNESOTA	INSURANCE #844600	32.00
	Total for Department		1,891.70*
	Total for Fund 70		1,891.70*
	Grand Total		217,564.90*

State of Minnesota
 Department of Transportation
 Office of Aeronautics
 Airport Development Section

STATEMENT OF CONSTRUCTION WORK PERFORMED

State Project Number: 1701-34
 Municipality: WINDOM

Project Description: Construct Hangar, Fuel Farm EA 09-12

Agreement: 02655
 Region: S FAA Proj Number: 3-27-0113-09-12
 FY: 2013 Estimate Number: 2

Construction Costs Through: December 28, 2012

Item Number	Construction Item	Unit of Measure	Funding Rate FAA-ST-MUN	Unit Price	Quantity	Amount	Previously Completed Quantity	Completed This Report Quantity	Completed to Date Quantity	Completed to Date Amount
1	S Central Electric 112912	dollars	090 000 010	1.00		0.00	16.030	0.000	16.030	16.03
2	S Central Electric 111312	dollars	090 000 010	1.00		0.00	2,778.750	0.000	2,778.750	2,778.75
3	Kniekrehm Electric 2355	dollars	090 000 010	1.00		0.00	1,169.560	0.000	1,169.560	1,169.56
4	JH Larson S100236457 001	dollars	090 000 010	1.00		0.00	526.440	0.000	526.440	526.44
5	**** EMPIRE CONSTRUCTION ****		*** **			0.00		0.000		0.00
6	MOBILIZATION	LS	090 000 010	12,000.00	1.000	12,000.00		0.300	0.300	3,600.00
7	ELECTRICAL UTILITY ENCASEMENT	LF	090 000 010	12.00	330.000	3,960.00		0.000		0.00
8	REMOVE BITUMINOUS PAVEMENT	SY	090 000 010	7.31	205.000	1,498.55		205.000	205.000	1,498.55
9	REMOVE SUBDRAIN	LF	090 000 010	5.35	100.000	535.00		100.000	100.000	535.00
10	REMOVE CONCRETE PAD	LS	090 000 010	400.00	1.000	400.00		1.000	1.000	400.00
11	REMOVE AIRCRAFT ANCHOR	EACH	090 000 010	150.00	9.000	1,350.00		0.000		0.00
12	COMMON EXCAVATION	CY	090 000 010	16.00	50.000	800.00		50.000	50.000	800.00
13	SUBGRADE EXCAVATION	CY	090 000 010	10.70	100.000	1,070.00		0.000		0.00
14	GRANULAR MATERIAL (CV)	CY	090 000 010	24.00	175.000	4,200.00		84.000	84.000	2,016.00
15	WATER	MGAL	090 000 010	100.00	25.000	2,500.00		0.000		0.00
16	TOPSOIL PLACEMENT	SY	090 000 010	4.50	712.000	3,204.00		712.000	712.000	3,204.00
17	6" AGGREGATE BASE	SY	090 000 010	17.80	550.000	9,790.00		0.000		0.00
18	WEARING COURSE MIXTURE	TON	090 000 010	84.07	70.000	5,884.90		0.000		0.00
19	BINDER COURSE MIXTURE	TON	090 000 010	75.36	70.000	5,275.20		0.000		0.00
20	BITUMINOUS MATERIAL FOR MIXTURE	TON	090 000 010	131.23	10.000	1,312.30		0.000		0.00
21	BITUMINOUS TACK COAT	GAL	090 000 010	5.66	55.000	311.30		0.000		0.00
22	AIRCRAFT ANCHOR IN BITUMINOUS	EACH	090 000 010	150.00	9.000	1,350.00		0.000		0.00
23	PAVEMENT MARKING	LS	090 000 010	1,000.00	1.000	1,000.00		0.000		0.00
24	MARKING OBLITERATION	LS	090 000 010	1,000.00	1.000	1,000.00		0.000		0.00
25	SODDING	SY	090 000 010		750.000	0.00		0.000		0.00
26	WATER	MGAL	090 000 010	100.00	45.000	4,500.00		0.000		0.00
27	SILT FENCE, HEAVY DUTY	LF	090 000 010	3.00	400.000	1,200.00		400.000	400.000	1,200.00

State of Minnesota
 Department of Transportation
 Office of Aeronautics
 Airport Development Section

STATEMENT OF CONSTRUCTION WORK PERFORMED

State Project Number: 1701-34

Municipality: WINDOM

Project Description: Construct Hangar, Fuel Farm EA 09-12

Agreement: 02655

Region: S FAA Proj Number: 3-27-0113-09-12

FY: 2013 Estimate Number: 2

Construction Costs Through: December 28, 2012

Item Number	Construction Item	Unit Measure	Funding Rate FAA-ST-MUN	Unit Price	Quantity	Amount	Previously Completed Quantity	Completed This Report Quantity	Completed to Date Quantity	Completed to Date Amount
28	HANGAR ELECTRICAL CONSTRUCTION	LS	090 000 010	40,000.00	1.000	40,000.00	0.000	0.000	0.000	0.00
29	HANGAR MECHANICAL CONSTRUCTION	LS	090 000 010	25,500.00	1.000	25,500.00	0.000	0.000	0.000	0.00
30	PREFABRICATED METAL HANGAR BUI	LS	090 000 010	236,159.00	1.000	236,159.00	0.600	0.600	0.600	141,695.40
31	LIGHTING UPGRADE	LS	090 000 010	5,000.00	1.000	5,000.00	0.000	0.000	0.000	0.00
32	IN-FLOOR HEATING UPGRADE	LS	090 000 010	11,300.00	1.000	11,300.00	0.000	0.000	0.000	0.00
33	BI-FOLD DOOR INSULATION	LS	090 000 010	1,200.00	1.000	1,200.00	0.000	0.000	0.000	0.00
34	LINER PANEL - FULL HEIGHT AND	LS	090 000 010	11,500.00	1.000	11,500.00	0.000	0.000	0.000	0.00
35	EPOXY FLOORING AND VAPOR BARRI	LS	090 000 010	3,074.00	1.000	3,074.00	29,013.000	29,013.000	0.000	0.00
36	OVERHEAD DOOR	LS	090 000 010	3,074.00	1.000	3,074.00	0.000	0.000	0.000	0.00
						Contract Totals:			396,874.25	159,439.73

Construction Prorates:	TOTAL	FEDERAL	STATE	LOCAL	%
Previously Completed:	4,490.78	4,041.00	0.00	449.78	
Completed This Report:	154,948.95	139,454.00	0.00	15,494.95	
Completed to Date:	159,439.73	143,495.00	0.00	15,944.73	
Retainage Computation for Payment to					
Total Completed to Date:	159,439.73	143,495.00	0.00	15,944.73	
Less Lump Sum Retainage:	7,747.45	0.00	0.00	7,747.45	
Sub Total Payment:	151,692.28	143,495.00	0.00	8,197.28	
Less Previous Payments:	4,490.78	4,041.00	0.00	449.78	
Contractors Payment This Estimate:	147,201.50	139,454.00	0.00	7,747.50	

State of Minnesota
Department of Transportation
Office of Aeronautics
Airport Development Section

Construction Report and Cost Estimate

State Project Number: 1701-34

Municipality: WINDOM

Project Description: Construct Hangar, Fuel Farm EA 09-12

Contractor's Name:

Agreement: 02655

Region: S FAA Proj Number: 3-27-0113-09-12

FY: 2013 Estimate Number: 2

Construction Costs Through: December 28, 2012

CERTIFICATION OF WORK PERFORMED

I have examined the materials furnished and work performed by the Contractor on the above project. To the best of my knowledge the quantities are correct and in accordance with the plans and specifications. I recommend this estimate for payment. If a Statement of Engineering Services is attached, I certify the engineering costs shown are correct.

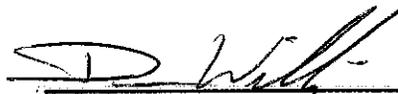
Dated: 1/23/13 Title: Project Engineer



Engineer's Signature

This is to certify that the quantities as shown herein are a fair estimate for the period covered by this Report.

Dated: 1/29/13 Title: Accountant



CERTIFICATION BY AN OFFICIAL OF WINDOM

I hereby certify this report (and the attached Statement of Engineering Services) was approved for payment by the Municipal Council at the regular (special) meeting held on the _____ Day of _____.

Title: _____

WINDOM

Approval

January 14, 2013