

Council Meeting
Tuesday, October 15, 2013
City Council Chambers

7:30 p.m.

AGENDA



Call to Order
Pledge of Allegiance

1. Approval of Minutes
 - Council Minutes–October 1 & 8, 2013
2. Consent Agenda
 - Minutes
 - Planning Commission – October 8, 2013
 - Library Board – October 8, 2013
 - Park & Recreation Commission – October 9, 2013
 - License
 - Exempt Gambling Permit
 - Windom Fire Dept. Relief Association
 - Windom Youth Hockey Association
3. Department Heads
4. Planning Commission Recommendation – Variance and Conditional Use Permit – 1845 Red Leaf Court
5. Arena
 - Assignment of Architect Contract
 - Committee Update
6. Joint Resolution for Orderly Annexation – 43108 County Road 26
7. 7th Avenue Improvement Petition
 - Resolution Receiving and Declaring Adequacy of Petition
 - Resolution Ordering Preparation of a Report
8. Resolution Calling for A Public Hearing for the 2013 Street Improvement Project
9. Ambulance Mutual Aid Agreements
10. Disposition of Surplus Equipment
11. Fire Department – Capital Purchase of Rescue/Pumper Truck
12. Hiring Recommendation – River Bend Liquor Store
13. Personnel Committee Recommendations
14. New Business
15. Old Business
16. Regular Bills
17. Council Concerns
18. Adjourn



**Regular Council Meeting
Windom City Hall, Council Chamber
October 1, 2013
7:30 p.m.**

1. Call to Order:

The meeting was called to order by Mayor Corey 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; Scott Peterson, Police
Chief; Chelsie Carlson, Finance Director/Controller
and Terry Glidden, Telecom

3. Pledge of Allegiance

4. Approval of Minutes:

**Motion by Ray second by Fossing to approve the City Council minutes from
September 17, 2013. Motion carried 5 – 0.**

5. Consent Agenda:

Maricle noted the minutes from the following Boards and Commissions.

- Economic Development Authority – September 16, 2013
- Arena Building Committee – September 16, 2013
- Telecommunications Commission – September 24, 2013

**Motion by Fossing second by Jones to approve the receipt of minutes from Boards and
Commissions. Motion carried 5 – 0.**

6. Shoretel Maintenance Support Agreement:

Nasby said this is an update of the existing support agreement for the phone system
hardware and software, not the individual phone units, which serves several departments.
The cost is \$2,220.60.

**Motion by Jones second by Cooley to approve the extension of the Shoretel
maintenance and support agreement as presented. Motion carried 5 – 0.**

7. SW Minnesota\NW Iowa Emergency Response Unit Joint Powers Agreement:

Scott Peterson, Police Chief, said that this agreement between the City and multiple other jurisdictions in SW Minnesota and NW Iowa is a continuation of the program the department is using relating to rapid emergency response (HEAT Team) through use of inter-department resources. He said the City Attorney had reviewed the agreement.

Motion by Powers second by Ray to approve the SW Minnesota\NW Iowa Emergency Response Unit Joint Powers Agreement that includes the City of Windom. Motion carried 5 – 0.

8. Resolution Accepting Fire Department Donation – South Central Electric Coop:

Council member Powers introduced the Resolution No. 2013-63, entitled “AUTHORIZATION TO ACCEPT A CASH DONATION FROM SOUTH CENTRAL ELECTRIC ASSOCIATION FOR THE WINDOM FIRE DEPARTMENT” and moved its adoption. The resolution was seconded by Ray and on roll call vote: Aye: Jones, Cooley, Powers, Ray and Fossing. Nay: None. Absent: None. Abstain: None. Resolution passed 5 – 0.

Maricle and the Council thanked South Central Electric Association for the gift.

9. Recommendation for City Audit Services:

Chelsie Carlson, Finance Director\Controller, said that the Council had directed staff to do a Request for Proposals (RFP) for audit services. The request was to audit the City's financial statements for the fiscal years ending December 31, 2013 and 2014 with the option of auditing its financial statements for each of the three (3) subsequent fiscal years 2015, 2016, and 2017. The City received a total of six responses to our proposal request. City staff along with designated Committee members has reviewed the proposals received. Using a point based rating system the Committee is recommending CliftonLarsonAllen for the engagement.

The recommendation is based on the following considerations:

- Audit firm having staff dedicated to serving public sector clients
- Audit firm serving cities with similar population and offering similar services to Windom
- Other services provided that could be leveraged by the City such as TIF consulting, IT Assessments, and bond issuance consulting
- Ability of the firm to offer education and best practices suggestions for policy and procedures to City staff.

In addition, the pricing provided by the audit firm was also an important factor in reviewing the proposals. The audit firm recommended had the lowest cost proposal which offered an

Preliminary

approximate savings to the City of \$20,000 over the possible 5 years covered by the proposal.

Maricle noted the firms IT expertise and that they do have experience in telecom auditing. Carlson said she checked references and one of the communities has a telecom system.

Powers asked if there were additional charges for travel or per diem. Carlson replied that those travel costs and out of pocket expenses were included in the audit price.

Motion by Cooley seconded by Fossing to engage CliftonLarsonAllen as the City's audit firm for the 2013 and 2014 fiscal years with an option or three additional years. Motion carried 5 – 0.

10. New Business:

None.

11. Old Business:

Maricle noted that the City had received a letter from the Windom Area School District about the sidewalk along 6th Avenue, between 16th and 17th Streets that had been proposed as an alternate in the 2013 Street project, but was not included as the Council had previously voted not to exercise that alternate.

Ray said that the Council voted on March 19, 2013 not to have the sidewalk installed.

Bruce Caldwell, Streets & Parks Superintendent, said that he had visited the site to look at the width of the walkway area on the bridge. He informed the Council that the bridge has a 58-59 inch walkway and that is consistent with the other sections of sidewalk. He noted the placement of the sidewalk would be along the curb so it avoids electrical utilities and as much of the telecom utilities as possible. If the school does the snow removal, as proposed, there is no burden to the Street Department.

Cooley and Ray commented about snow removal and that the City would plow snow onto the sidewalk from the street. Cooley said the he thought the school would have time to clear the sidewalk as the street is plowed early in the mornings.

Powers asked if the bridge crossing would be ADA compliant. Dennis Johnson, Wenck Associates, said that the ADA would require 48 inch width and this is 58-59 inches so that is okay, but the sidewalk would need to be sloped at the correct grade for ADA.

Jones said that the City already has sidewalk along Highway 62 that it takes care of for maintenance and snow removal. He has spoken to the electric department and telecom department and they are okay with the sidewalk regarding impacts to their utilities. This is an opportunity to further partnerships between the City and School District. He also stopped by to talk to the property owners, but not all of them were home. He felt that a lack of

Preliminary

students walking in this location may be low due to the lack of the sidewalk and it is needed for safety reasons as people do walk on the street and this serves as the only connection between the schools and the downtown. Jones suggested that the City ask the contractor for a longer warranty than one year, maybe five years would be possible.

Cooley said the bridge was designed with an elevated walkway and appeared to be done so that a sidewalk could be accommodated. He stated that traffic coming from 17th Street and 6th Avenue creates a busy intersection so this is a safety issue.

Powers asked if the bridge was inspected and if it was going to be replaced. Caldwell said the County inspects the bridge. Nasby added that the bridge was looked at as part of the 2013 Street Project but the condition did not warrant replacement as it was neither physically or functionally obsolete.

Caldwell noted that some additional railing will be needed on the bridge for pedestrian safety, which will add some cost.

Motion by Ray second by Jones to suspend the City Council rules to permit the property owners to address the City Council on this issue. Motion carried 5 – 0.

Monica Amundson and Virginia Cook stated that they wanted to know if the snow removal was going to be done by the school during breaks, holidays and weekends. They also wanted to know if the property owners were going to be responsible for any long-term maintenance for repairs or replacement of the sidewalk. They also questioned the possibilities for liability due to the sidewalk.

Wayne Wormstadt, Windom Area Schools Superintendent, said that the School Board had authorized the removal of snow for this sidewalk and that the school staff has routine building checks and maintenance activities as needed on breaks, holidays and weekends as they have buildings and other sidewalks to maintain throughout the year.

Jones said that the City could consider taking responsibility for structural maintenance. Caldwell said the City does have that responsibility for several areas in town.

Fossing said that the issue of liability is always a factor, but any issues would come down to negligence and then responsibilities would be assigned if there was some negligence that caused a problem. Caldwell said that the City's insurance company handles these types of issues for the City and they look at whatever are the contributing factors. The City has the right-of-way needed for the sidewalk so it is really no different from other areas of town.

Amundson said that the school wants this for connections between their facilities now and what happens if the elementary school moves. Wormstadt replied that there are no plans at this time to move the school and there is a debt on the existing facility until 2021 or 2022, besides the School Board is looking at major capital improvements to Winfair in the near term.

Preliminary

Fossing asked if a walking lane could be added to 6th Avenue. Caldwell replied that is possible and was discussed, but street parking would have to be eliminated.

Cook and Amundson said they would want assurances in writing.

Ray said that the City and School Board actions are public and are in the written records. She sees an arrangement where the City installs the sidewalk at its cost, the City takes on responsibility for structural maintenance\repairs and the school does the snow removal.

Johnson said that the sidewalk could be done through the existing 2013 Street Project contract or thorough a separate quote.

Motion by Powers second by Jones to approve the installation of a sidewalk along 6th Avenue from Winfair Elementary to 17th Street north of the bridge. The City would cover the cost of construction and structural maintenance. The School District would be responsible for snow and ice removal. Motion carried 5 – 0.

12. Regular Bills:

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

13. Contractor Payments:

Maricle said there were two requests. First, a request from Holtmeier Construction for work at the NWIP in the amount of \$302,629.63.

Johnson said that the bituminous paving was completed and most of the work has been completed. They are still working on the final installation of lift station equipment.

Ray said she will be abstaining from discussion and voting on this item.

Motion by Jones second by Powers to approve the contractor payment to Holtmeier Construction for \$302,629.63. Motion carried 4 – 0 – 1 (Ray abstaining).

Maricle said the second request was from Kuechle Underground, Inc. for the 2013 Street project in the amount of \$890,010.99. Johnson said that the project is moving along with backfilling started last week along with driveways. 16th Street, 6th Avenue and 18th Street are open to local traffic. Paving on 9th Avenue was being done today and the plan is to have 5th Street paved in the next day or two. Paving will then be done on Drake. He anticipates that paving on 20th Street will start next week. Contractors are working on driveway approaches and sidewalks. He noted that the seeding will start this week as well.

Jones asked about the project completion date. Johnson said October 9, 2013 would be the contract date, which is 80 working days for substantial completion. Jones asked for the definition of substantial completion. Nasby read the language from the contract.

Preliminary

Powers said that the contractors need to be overseen and encouraged to get the project wrapped up. Johnson said they are doing the field work, but cannot make the contractors show up. Johnson added that he and his staff have been very vocal to the contractors regarding the contract completion dates and expectations.

Motion by Powers second by Ray to approve the contractor payment to Kuechle Underground, Inc. for \$890,010.99. Motion carried 5 – 0.

14. Council Concerns:

Fossing asked about the plan for the 6th Avenue sidewalk. Nasby and Johnson said that price quotes could be gotten and compared to the amount in the contract, which had been an alternate. This would be brought back to the Council for action. Since time is of the essence if the project is to be done this fall, this information could be acted upon at the City Council's October 8th budget workshop.

Maricle reminded the Council about the October 8th budget workshop that starts at 6:00 p.m.

15. Adjourn:

Maricle adjourned the meeting by unanimous consent at 8:50 p.m.

Corey Maricle, Mayor

Attest: _____
Steve Nasby, City Administrator

Special City Council Meeting – 2014 Budget Workshop
Windom City Hall, Council Chamber
October 8, 2013
6:00 p.m.

1. Call to Order:

The meeting was called to order by Mayor Maricle at 6:00 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; Joan Hunter,
Library Director; Jim Kartes, Building Official; Gary
Kulseth, Liquor Store Manager; Brad Bussa,
Community Center Director; Dan Olsen, Telecom
Manager; Aaron Backman, EDA Director; Al Baloun,
Recreation Director; Bruce Caldwell, Streets & Parks
Superintendent; Mike Haugen, Water & Wastewater
Superintendent; Marv Grunig, Electric Utility
Manager; Scott Peterson, Police Chief; Dan Ortman,
Fire Chief; Tim Hacker, Ambulance Director and
Chelsie Carlson, Finance Director\Controllor

3. Discussion of 2014 City Budget:

Maricle said the discussion is for both operational and capital items, but if Council had other related questions those could be asked as well.

Carlson said that she had a few items to share with the Council as the effects were across many of the Departments. First, the wage rates are shown as increasing 1% according to the labor agreements and prior Council action. Second, there was no increase in the health insurance premiums. Third, there is an increase in retirement contributions to PERA and the Police system mandated by the State. Fourth, the City's insurance with the League of Minnesota Cities has some slight increases for property, casualty, liability and workers comp. Last, there were some adjustments to the division of benefits within some departments which were made to reflect the time division of employees funded through more than one account. This adjustment was able to be coordinated now with the new financial management system.

Building and Zoning – Kartes said that he had very little change in his operational budget, but that the State changed the licensing requirements so he would need to go to training

Preliminary

more frequently. His capital request is to replace the 1998 Durango that is used for transportation to building inspections. The vehicle has been having mechanical issues. Council asked about the options for a new vehicle such as a car, pick-up or small SUV. Kartes said that either would work, but he needs to haul things like ladders, code books and measuring wheels so a car would not work very well. Council requested that Kartes get a state contract quote for a basic pick-up and then a topper could be added to secure items.

Library – Hunter said that she has no change in the operational budget than a little more money for new book purchases.

Jones asked about the Cottonwood County funding. Hunter said that they get about \$10,000 - \$11,000 a year and that has stayed the same for a number of years. The formula is determined by the number of Cottonwood County users so the Mt. Lake library gets more funding even though Windom serves more patrons; however many of Windom's patrons are Jackson County residents. Jones suggested sending a letter to both Cottonwood and Jackson counties requesting additional funding for the library.

Hunter said that she had inquired about the ADA accessible door cost as funded in the 2013 capital budget, but the cost appeared to be more than the budget due to the need for electric work. So, she used the funds to purchase additional computers. As such, the 2014 request for computers is not necessary. She is asking for \$2,000 for the repair of a plaster wall that was water damaged and \$2,000 for the ADA door as she has new information about that project and it would be feasible within that cost.

Fossing Arrived 6:45 pm

Liquor Store – Kulseth said that the budget is comparable to last year, but there is a reduction in some of the personnel costs and benefits as there is now only one full-time employee.

Powers asked about the staffing at the store and if it is working. Kulseth said that he has hired part-time employees to cover the staffing needs but there has been turn-over so it has been difficult to get consistency and allow him to flex his schedule and get time off. At present, he takes off Wednesday but cannot be gone other days as there is no one to fill in. Powers suggested that the compensation for the Liquor Store Manager be reviewed. Nasby replied that the one-year anniversary review is coming up and that would be an opportunity for that discussion and it could then be referred to the Personnel Committee.

Kulseth said that his capital items included work or replacement of the coolers, flooring and shelving. Carlson noted that the cash register and computer system was also obsolete and unsupported. The company providing the service has provided a quote to replace the system, which needs to occur quickly. Kulseth said the cooler work is estimated to be \$42,400.

Community Center – Bussa said that the revenue was down in 2013 due to fewer weddings and that also impacts liquor sales. This drop in weddings is not only at our

facility, but is common at other places. Powers asked if it is an issue with price. Bussa and Jones replied that the Community Center is competitive and price is not a factor on the evaluations they receive for events.

For 2014 capital items he has some money requested for updating the meeting rooms, but may not need as much as shown in the Capital Improvement Plan. He has scheduled a minor upgrade to the sound system and drinking fountains. The main capital need is to have funds set aside for major equipment replacement such as the dishwasher, stoves, refrigerators, freezers and steam table.

Jones noted that last year the Council set aside some money to be put into the equipment fund for future needs. Carlson confirmed that those monies were set aside and is available. Jones said that he could see the same scenario could be done with funds for this year as well.

Recreation – Baloun said that his operational budget is the same as 2013. He is requesting \$9,300 for new software for the scheduling of recreation programming and the on-line sales of recreation programming such as swimming lessons and ice skating passes. There is a feature that allows credit card payments as well. He is thinking of taking 50% of the reservations on-line and 50% through walk-in reservations.

Baloun said this MaxSolutions software is used by other communities and is a superior product to the existing reservation system on the City's website. Nasby replied that the current reservations system is used across multiple departments, as such it is not tailored to just recreation programs like the one being proposed.

Jones asked if this system with on-line payments will work with the new financial management system. Carlson said that the City currently uses PayPal and the software being proposed lists this as one of the payment options.

Pool – Baloun said the budget for operations has no large changes from the prior year.

The capital request includes funds to update the 2006 feasibility study. He handed out information related to a product to line the pool as this had been discussed last year. This product is a rubber membrane that would be applied to the concrete surface.

Arena – Baloun said that the revenue in 2014 for horse shows should be the same as 2013 or maybe higher as they may get one or two additional shows. The expense for Special Projects was eliminated for 2014 as this was the one-time cost for the Arena Building Committee feasibility study.

Baloun said that he has deferred a number of items on his capital improvement list as the discussion on the Arena is underway and no decisions have been made as to a new facility or renovation. The two items he has for 2014 include the replacement of the large west facing exterior door for \$10,000 and \$5,000 to replace the carpet in the racquetball area as that carpet is worn and is likely from the 1980s when that area was added.

Jones asked about the compressors and ice system. Baloun said the mandate to change the type of coolant is in 2020 and is a part of the building committee discussions.

Ambulance – Hacker said the Ambulance budget is similar to last year. The fund is in the black. He is asking for capital items including a new ambulance, defibrillators and a power lift for Unit 27. He noted that they are writing a grant for the power lift and the defibrillators. The purchase of the ambulance rig would be from Ambulance reserves and not be from the general fund or tax levy. Hacker asked for the Council's permission to order the new ambulance now since it takes months to build and he wants to put it in service as soon as possible as the current rig is having mechanical issues. He has specifications and a price quote already completed from Arrow Manufacturing.

Motion by Powers second by Jones to approve the Ambulance Department to proceed with the order for a new ambulance as proposed. Motion carried 5 – 0.

EDA – Backman said that the operational budget showed a reduction in TIF income as districts are being de-certified; however, there would be some additional income from the tax abatement districts. The other items in the budget are about the same as last year with the exception of an inclusion of \$24,000 for debt service on existing projects.

He noted the completion of the infrastructure at the North Windom Industrial Park and the Highway 71 turn lanes. He requested that the 2015 Spec Building Project be moved to 2017 and that Phase II of the North Windom Industrial Park be moved up from 2017 to 2014 as 22 acres of the existing park is sold and we need to look towards future needs.

Council Recess – 8:05 pm to 8:10 pm (Ray left the meeting)

Water – Haugen said that the commercial water revenue was budgeted higher in 2014 due to the Red Rock purchases and there is discussion at the Utility Commission about a possible rate increase of 3 – 5%. For expenses the only change to note is the electric costs are up. For capital items the items include a \$250,000 SCADA system replacement that is used to control the operations of the plant, but he hopes to get by another year. The other big project is the re-painting of the East water tower for \$546,000, but that may be put off a year as the paint seems to be stabilized. About \$45,000 in structural repairs were undertaken in 2013 to improve the tower. Other capital items include money for wells, pumps, distribution systems, a vac-all and annual upgrades to water mains, wells, well heads, pumps, meters and hydrants. He is also proposing to replace a pick-up.

Jones asked about the vehicle being replaced and if it were in condition to be used in another department. Hagen said that it is 10 years old, but typically they do try to place it in another department if the vehicle is mechanically sound.

Wastewater – Haugen said the department budget is showing slightly lower revenue due to operation slowdowns at PM Windom. The rate may be increased to account for inflation at 2 – 3%.

He said that capital upgrades include annual projects for general plant improvements, miscellaneous equipment, a mower, interceptor and collection lines and lift stations. Haugen said a potential major project would be a \$750,000 plant expansion if PM Beef increases their operations at some point in the future. Haugen noted that the Vac-all unit in 2014, which would be used by both water and wastewater departments. Both water and wastewater capital projects would be funded from the utility revenues.

Fossing asked about the mower replacement and if that could be combined with another department. Hagen said they mow the water plant site, wastewater plant site and by the towers. Nasby said that the capital expenditure may be better left in the water/waste water budgets as these are enterprise funds and combining with a general fund department could impact the tax levy as it is general fund money.

Jones asked if the jetting service is in the 2014 budget. Haugen said that it is in the 2014 budget as the last year of a three year contract. He wants to take this in-house and add back an employee.

Fire – Ortman said the operational budget is about the same as last year and noteworthy items included some money for re-programming the radios and telephone communications. The Department's priority is still to replace the 1989 rescue truck. This is an old unit and it hauls their equipment and usually most of the fire fighters. The truck is eligible for a FEMA grant, but it is not a high priority for them. FEMA has a priority for pumper trucks and the department needs to replace one next year. So, he will look to apply for FEMA money for the pumper truck. The cost is about \$365,000 per truck and the City would have a 10% match if FEMA funds a truck. His plan is to replace the rescue truck with a combination rescue/pumper truck. He said that he has found a truck that will fit into the fire hall without modification to the doors. Ortman noted that the fire hall addition is also a high priority for the department.

Discussion on funding the rescue/pumper truck with the 2013 bond and then applying to FEMA for the replacement pumper in 2014. Ortman and Nasby said the federal government shutdown is affecting the FEMA grant cycle so timelines for funding are unknown.

Maricle said that he had an idea for another site alternative for the fire hall. There may be a possibility that there is room on the site the City and Hospital recently acquired from the Guardian Inn II Extended Stay. He would follow up with the Hospital regarding their master plans and helicopter pad regulations.

Ortman asked about the process for moving ahead with buying the rescue/pumper truck. Maricle asked Nasby to contact the League of Minnesota Cities regarding the requirements for bidding or other options and to report back to the City Council at the next meeting.

Police – Peterson said that the operational budget has changed due to the decision to add the School Resource Officer. The school is paying 69% of the cost for the replacement

Preliminary

officer with the City paying the balance. He said the line item for data processing is higher due to the cost of leasing new squad cameras as the old ones were unreliable and unsupported.

Peterson said he has the e-ticket printers on the capital list for this year as multi-tasking printers are preferred so tickets and forms could be printed on the scene. The other capital request is for \$27,500 as part of a new records management system that will be shared with the Sheriff's office and possibly the City of Mt. Lake. This new system is needed to update the entire records management system and to provide additional information to officers in the field. He is hopeful the \$27,500 is a maximum price and it could be cheaper.

Jones asked about the total cost for the records management system. Peterson said it is about \$203,000 but the price is coming down due to competition between two vendors.

Fossing asked about life expectancy for this system and when the "go live" date is planned. Peterson replied that he hopes to get 15 years out of it and the live date would be mid-2014

Cooley asked if the County Commissioners are supportive. Peterson said that the Sheriff has indicated that they are supportive and the funding comes from e911 monies.

Streets – Caldwell said that he had small changes in the operational budget, which are an increase in salt purchases, decrease in natural gas and electric and a \$5,000 increase in the seal-coating line item.

On the 2014 capital list he has proposed adding funds for the replacement of the guard rail on 6th Street by the Sogge Home, a hitch for the new reversible V- plow, replacement of the 1989 mechanic's pick-up and a quick coupler with forks for the loader unit.

Fossing asked about the oldest street project bond still being paid off. Nasby replied that the 2003 Street project is the next one to expire and that will be 2017/2018.

Jones asked if the Street Department had a list of streets that needed overlays that was separate from the list that includes complete reconstructions. Caldwell said that he has a completed street condition inventory and that has been shared with the water/wastewater department, but they have yet to include their data/needs.

Parks – Caldwell noted there are no operational changes in the budget. His capital items include lighting for two ball fields at the Windom Recreation Area for \$125,000 and replacement of picnic tables for \$20,000.

Discussion on lighting needed for one field or two, use of the fields for baseball or softball at night and if there were bathroom upgrades included.

Nasby asked about picnic table rentals and if the City wanted to be in the business of renting tables. Caldwell said he would get the rental information and forward it to Council so they would have it for their next budget discussion on capital.

Electric – Grunig said his 2014 operational budget is based on last year and what predictions he has for use by Toro and PM Windom. He cautioned that the numbers are dependent on these two customers, wholesale power costs, the economy and weather conditions. He noted that personnel service costs are higher due to the inclusion of a full year budget for an Electric Superintendent position.

2014 capital plan included \$250,000 for the continuation of the distribution system upgrades, \$10,000 for Arc Flash suits, \$12,000 for replacement of the fork lift and miscellaneous equipment for \$18,000. All of the project would be funded from electric utility revenues.

Grunig handed out a budget summary page showing the revenues and expenses for the operational budget and reviewed it with the Council.

City Hall – Nasby said the 2014 request for operations is down .32%. The capital request is for the boiler (Council already pre-funded this project), an ADA compliant door and Council Chamber presentation equipment.

Administration – Nasby said the operational budget is down .51%. One capital request for \$2,500 for a fixed asset management system that ties into the financial management system.

Elections – Nasby said there is a budget for \$6,800 for elections as 2014 is a general election year. No capital items.

Sanitation – Nasby said this is the account for the city-wide clean-up and it has been the same for several years at \$22,000 and this is paid for by the \$1 fee on utility bills.

Civil Defense\Emergency Management – Nasby said the budget is the same as last year with about \$5,800 with half for a paid-on call person and half for other expenses.

Jones said that he would like to discuss this position. Maricle replied that it can come up at a future Personnel Committee meeting.

Animal Control – Nasby said there is no change from last year and this is budgeted for \$2,700.

Airport – Nasby said that the 2014 operations budget is about the same, but there is a higher figure for aviation gas to be purchased due to price increases but this will be off-set with higher revenue from aviation gas sold. The capital project request is for a runway feasibility study and environmental review related to runway extension. The cost is \$15,000 with 70% funded by the State so \$4,500 would be the local share.

Telecom – Olsen said that Telecom revenue anticipates \$500,000 from SMBS and increasing revenue from co-locations and cross-connects, otherwise the budget is about the same. He noted that re-transmission agreements for programming are coming up so the

Preliminary

cost of cable television programming will be higher, which will necessitate the need to increase cable television prices.

Cooley asked if the customer base decreases when costs go up. Olsen said they do, but Windom has cheaper rates than Worthington and other communities.

Olsen said the 2014 capital request is for \$39,000 for the DC Power Plant (the City Council has pre-funded) and \$208,000 for digital conversion. He is anticipating the cost of the DC power plant to come in less and he is in discussions with other systems and vendors about the digital conversion regarding other options that may be less costly.

Olsen said that a pending project could also present the City with some options for investment or sale of property. At this time this project needs to be developed so it is not ready for additional discussion other than to have a general approval from the Council to move ahead with exploring additional revenue ideas.

Maricle noted a consensus of the Council for the Telecom Manager to continue pursuing revenue sources.

4. New Business:

None.

5. Old Business:

Nasby said the Council had requested a quote for the sidewalk on 6th Avenue from Winfair Elementary to 17th Street. Wenck Associates had obtained one quote in addition to the alternate from the 2013 Street Project. The bid was from BKC Construction for \$30,630. Nasby said this is consistent with the 2013 Street Project alternate given that there is \$500 for curb removal and \$4,800 for ADA requirements that were not in the initial alternate. He noted that the Council could accept this quote or wait until spring.

Motion by Powers second by Jones to accept the quote from BKC Construction on the sidewalk as presented. Motion carried 4 – 0 (Ray absent).

6. Adjourn:

Kruse adjourned the meeting by unanimous consent. Meeting adjourned at 11:10 p.m.

Corey Maricle, Mayor

Attest: _____
Steve Nasby, City Administrator

**CITY OF WINDOM
PLANNING COMMISSION
MINUTES
OCTOBER 8, 2013**

1. Call to Order: The meeting was called to order by Chairman Hunter at 7:00 p.m.

2. Roll Call & Guest Introductions:

Planning Commission : Ben Derickson, Krissy Fossing, Kevin Rose, Gary Hunter, Greg Pfeffer and Marilyn Wahl.

Absent: Lindsey Cartwright, Lorri Cole, Brad Powers (Council Liaison).

Also Present: Planning/Zoning Staff-James Kartes (Zoning Administrator), Denise Nichols (Fin. Asst.).

Public Present: Ken Fast,

3. Approval of Minutes:

Motion by Commissioner Derickson, seconded by Commissioner Wahl, to approve the Planning Commission Minutes for the meeting held on September 10, 2013. Motion carried 5-0.

(Commissioner Fossing arrived after this action was taken.)

4. Public Hearing – 7:05 P.M.: Zoning Application – Setbacks & Conditional Use Permit – Floor Area – 1845 Red Leaf Court - (Applicants/Owners: Kenneth J. Fast & Jean M. Fast): Chairman Hunter opened the public hearing at 7:05 p.m. The Commissioners had received copies of the Application from Kenneth J. Fast and Jean M. Fast, site plan, Beacon aerial, building elevations and plan, and photos of the property showing the stakes outlining the area for the proposed garage addition. Zoning Administrator Kartes gave a brief history of the Applicants' request for a variance and a conditional use permit to allow the construction of a 20' X 26' addition to their attached garage. The property dimensions are 100' frontage X 102' depth for an area of 10,200 square feet. City Code Section 152.053 requires a side yard setback of 10 feet (on each side) and a rear yard setback from the building line to the lot line of 25 feet. The proposed addition would be situated 8 feet from the side property line and 23.5 feet from the rear property line. The Applicants are requesting a variance of 2 feet on the side yard setback and 1.5 feet on the rear yard setback. The total floor area of the proposed addition (520 square feet), the existing 29' X 26' garage (754 square feet), and a 10' X 12' utility shed (120 square feet) would be 1,394 square feet. City Code Section 152.327 provides that for lots under 12,000 square feet, the total floor area of any garage and accessory buildings may not exceed 900 square feet except by conditional use permit. The Applicants are requesting a conditional use permit allowing them to have accessory space of 494 square feet more than that allowed in the City Code. City Code Section 152.327 also provides that the total floor area of any garage(s) and accessory buildings may not exceed the ground coverage of the dwelling, less any attached garage, except by conditional use permit. The combined floor area of the garage, storage shed, and garage addition (1,394 square feet) would exceed the ground coverage of the dwelling (1,248 square feet plus front entrance).

Public comments regarding the proposed variance were received from Ken Fast. Chairman Hunter closed the public hearing at 7:09 p.m. and referred the matter to the Planning Commission for further discussion. After a discussion of the public comments and clarification of the City Code, the following action was taken.

Motion by Commissioner Derickson, seconded by Commissioner Wahl, and carried to recommend to the City Council the approval of the application, submitted by Kenneth J. Fast and Jean M. Fast, for variances of 2 feet on the side yard setback and 1.5 feet on the rear yard setback and for a conditional use permit allowing accessory space which is 494 square feet more than provided in City Code and greater than the ground coverage of the dwelling to allow the construction of a 20' X 26' garage addition on property situated in an R-1 District. The property is located at 1845 Red Leaf Court and is described as: Lot 6, Block 5 of Maplewood Estates Subdivision to the City of Windom, Cottonwood County, Minnesota. (Parcel No. 25-522-0191.)

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

Findings of Fact for Variance:

1. As stated in the narrative herein.
2. The Landowner (Applicant) proposes to use the property in a reasonable manner.
3. The Applicant has established that there are practical difficulties, as defined by state statute, in complying with the ordinance.
4. The unique circumstances of the property were not created by the Landowner.
5. The variance is in harmony with the general purposes and intent of this ordinance.
6. The variance is consistent with the comprehensive plan.
7. The variance will not alter the essential character of the locality.

AND

Findings of Fact for Conditional Use Permit:

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

Motion was declared carried 6-0.

Zoning Administrator Kartes advised that these recommendations will now come before the Windom City Council at its meeting next Tuesday night, October 15, 2013; and the Council will make the final decision concerning this application.

5. Other Business/Reports:
6. Unfinished Business: None
7. Planning Commission Comments, Concerns, Suggestions: None
8. Adjourn: By consensus, Chairman Hunter adjourned the meeting at 7:13 p.m.

Gary Hunter, Chairman

Attest: _____
James Kartes, Zoning Administrator

Windom Library Board Meeting
Windom Library
October 8, 2013
5:05 p.m.

1. Call to order: The meeting was called to order by John Duscher at 5:05 p.m.
2. Roll Call: Members Present: John Duscher, Kathy Hiley,
Beth Fleming, Anita Winkel, Barb Henning and Charles Reid

Members Absent: None

Library Staff Present: Joan Hunter and Dawn Aamot

City Council Member Present: None

3. Agenda and Minutes:
Minutes were corrected to read, "Motion for the Agenda and Minutes were seconded by Anita Winkel".
Motion by Charles Reid and seconded by Barb Henning to approve the Agenda and the Minutes as amended.
4. Financial Report:
Joan reported that a lot of subscriptions are due this time of year.
Motion by Charles Reid and seconded by Barb Henning to approve the Financial Report.
5. Librarians Report:
Joan reported that the Book Sale will take place the week of October 14 and will run for 1 week only. The library will be closed on Sat., Oct 12th to setup for the sale. Individuals from Sentenced to Serve will help carry boxes from the basement. Library Board members were asked to help during the sale if available.
After this meeting, Joan will be meeting with the personnel committee regarding her request for a raise. This evening she will meet with the city council regarding next year's library budget.
A new printer has been installed and technical problems are being worked on. The Friends of the Library paid for the printer and servicing.

Dawn reported that she hosted Barb Henning's class on Sept. 10.

Motion by Anita Winkel and seconded by Beth Fleming to accept the Librarian's Report.
6. Old Business:
Joan attended the Plum Creek System annual meeting. The problems with the Marshall library continue.
7. New Business:
None

8. New Book Suggestions:

The board presented their suggestions.

9. Adjourn:

Motion by Charles Reid seconded by Anita Winkel to adjourn.

Meeting adjourned at 5:20 p.m.

Respectfully submitted,

Kathy Hiley, recording secretary

**PARK AND RECREATION COMMISSION MEETING
MINUTES OCTOBER 9, 2013**

1. Call to Order: The meeting was called to order by Chairman Terry Fredin 5:20 p.m. at City Hall.
2. Roll Call:

Commission Present:	Terry Fredin, Kay Clark & Jeff LaCanne
Commission Absent:	Jason Kloss & Angie Blanshan
City Staff Present:	Recreation Director Al Baloun & Park Superintendent Bruce Caldwell
Council Liaisons:	Brian Cooley & Kelsey Fossing Absent
Public:	Dylan Pigman; Eagle Achievement Project
4. Approve Agenda
Motion by Clark, seconded by LaCanne to approve agenda with changes
Motion Carried Unanimous
5. Approve Minutes from August 21, 2013 Park & Recreation Commission Meeting
Motion by LaCanne, seconded by Clark to approve minutes
Motion Carried Unanimous
6. Dylan Pigman; Eagle Achievement Project – He informed the commission that he will be painting the locker rooms in the Arena this November. He has to spend 10 hours of service on the project and he is working with Al Baloun on this project.
7. Park Superintendent Bruce Caldwell Report
 - a. Additional Discussion on a New Veterans Memorial. The VFW has withdrawn their plans to construct a new memorial in the WRA.
 - b. Request to use Island Park for a the Minnesota Bike Tour on June 19, 2014 – They want to use the park & shelter free of charge. The group is riding throughout the southern half of the state. They plan on using tents & campers that evening. The evening of June 19th will be their final stop for their event before finishing up in Jackson.
Motion by Clark, seconded by LaCanne to approve the usage of Island Park on June 19, 2013 free of charge for their event.
Motion Carried Unanimous
 - c. Fall Maintenance items; during the week of October 15th staff will winterize all park restrooms.
8. Recreation Director's Report- Al Baloun
 - a. Fall Programming- this programming will be done on October 10th. Al expressed his sincere thanks to the parents that volunteered their assistance in the program.
 - b. Youth Racket ball – the program just started for the area youth. Page Kern will be the instructor.
 - c. Ice Season – the main rink will be up and running on Saturday Oct 12th which is one week earlier than projected. This is due to Arena staff working together with no major issues. Baloun thanked his staff for all their hard work getting the ice in so early and working together as a team. The studio ice will be ready in late November if no unforeseen problems occur .
 - d. Advertising Signs on the board around the ice rink – one of the hockey association people asked Baloun if it was possible to sell advertising signs on the north main rink boards. Other community rinks have done this. After some discussion by the commission, Baloun was instructed to talk to the older hockey players and see if they have any concerns about the signs being a distraction when they play at rinks with this type of advertising. If they don't have any concerns about this then Baloun will bring this concept back to the commission for discussion.

- e. The Zamboni was just returned with a nice new paint job by a local body shop. Toro will again be the sponsor of the unit.
 - f. 2014 CIP- Baloun stated in his capital outlay for 2014 his recommendation to the City Council the following improvements to the Arena and Pool.
 - 1. Replace carpet in the racquet ball court area
 - 2. Install a new garage style door on the west end of the area and eliminate the sliding doors that are currently there.
 - 3. Purchase a new registration program
 - 4. Pool – revisit and update the pool feasibility study that was done a few years ago.
9. Open Mike: Clark; she asked Baloun and Fredin for an update on what is currently going on with the Arena Building Committee.
Group Discussion - commission members discussed the problem with some of the commission members not participating in the monthly meetings on a regular basis. The commission feels that if the current members can't make the meetings then we need to find a couple new candidates that are able to participate.
10. Meeting Adjourned at 5:55 p.m.

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:
 - conducts lawful gambling on five or fewer days, and
 - awards less than \$50,000 in prizes during a calendar year.
 If total prize value for the year will be \$1,500 or less, contact the licensing specialist assigned to your county.

Application fee (non refundable)

If application is postmarked or received 30 days or more before the event **\$50**; otherwise **\$100**.

ORGANIZATION INFORMATION

Organization name: Windom Fire Department Relief Association
 Previous gambling permit number: x-34764-13-004

Minnesota tax ID number, if any: _____
 Federal employer ID number (FEIN), if any: 41-6029415

Type of nonprofit organization. Check one.

Fraternal Religious Veterans Other nonprofit organization

Mailing address: P.O Box 189
 City: Windom State: Mn Zip code: 56101 County: Cottonwood

Name of chief executive officer [CEO]: Kevin Gotto
 Daytime phone number: 712-259-2098
 E-mail address: kgotto@partnersadvantage.com

NONPROFIT STATUS

Attach a copy of ONE of the following for proof of nonprofit status.

Nonprofit Articles of Incorporation OR a current Certificate of Good Standing.

Don't have a copy? This certificate must be obtained each year from:
 Secretary of State, Business Services Div., 60 Empire Drive, Suite 100, St. Paul, MN 55103
 Phone: 651-296-2803

IRS income tax exemption [501(c)] letter in your organization's name.

Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS at 877-829-5500.

IRS - Affiliate of national, statewide, or international parent nonprofit organization [charter]

If your organization falls under a parent organization, attach copies of **both** of the following:
 a. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling, and
 b. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted. For raffles, list the site where the drawing will take place.
 Windom Community Center

Address [do not use PO box]: 1750 Cottonwood Lake Dr.
 City or township: Windom Zip code: 56101 County: Cottonwood

Date[s] of activity. For raffles, indicate the date of the drawing.
 April 26, 2014

Check each type of gambling activity that your organization will conduct.

Bingo* Raffle Paddlewheels* Pull-tabs* Tipboards*

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

To find a licensed distributor, go to www.gcb.state.mn.us and click on **Distributors** under the **WHO'S WHO? LIST OF LICENSEES**, or call 651-639-4000.

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT

**CITY APPROVAL
for a gambling premises
located within city limits**

- The application is acknowledged with no waiting period.
- The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days [60 days for a 1st class city].
- The application is denied.

Print city name _____

Signature of city personnel _____

Title _____ Date _____

Local unit of government must sign

**COUNTY APPROVAL
for a gambling premises
located in a township**

- The application is acknowledged with no waiting period.
- The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days.
- The application is denied.

Print county name _____

Signature of county personnel _____

Title _____ Date _____

TOWNSHIP. If required by the county.

On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits.

[A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.166.]

Print township name _____

Signature of township officer _____

Title _____ Date _____

CHIEF EXECUTIVE OFFICER'S SIGNATURE

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

Chief executive officer's signature _____ Date _____

Print name _____

REQUIREMENTS

Complete a separate application for:

- all gambling conducted on two or more consecutive days, or
 - all gambling conducted on one day.
- Only one application is required if one or more raffle drawings are conducted on the same day

Send application with:

- a copy of your proof of nonprofit status; and
- application fee (non refundable). Make check payable to "State of Minnesota."

To: Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

Financial report and recordkeeping required

A financial report form and instructions will be sent with your permit, or use the online fill-in form available at www.gcb.state.mn.us.

Within 30 days of the event date, complete and return the financial report form to the Gambling Control Board.

Questions?

Call the Licensing Section of the Gambling Control Board at 651-639-4000.

This form will be made available in alternative format (i.e. large print, Braille) upon request.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the application. Your organization's name and address will be public information when received by the Board.

All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney

General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:
 - conducts lawful gambling on five or fewer days, and
 - awards less than \$50,000 in prizes during a calendar year.
 If total prize value for the year will be \$1,500 or less, contact the licensing specialist assigned to your county.

Application fee (non refundable)

If application is postmarked or received 30 days or more before the event **\$50**; otherwise **\$100**.

ORGANIZATION INFORMATION

Organization name: Windom Youth Hockey Assoc
 Previous gambling permit number: 00998-004

Minnesota tax ID number, if any: _____ Federal employer ID number (FEIN), if any: _____

Type of nonprofit organization. Check one.

Fraternal Religious Veterans Other nonprofit organization

Mailing address: PO Box 41 City: Windom State: MN Zip code: 56101 County: Cottonwood

Name of chief executive officer [CEO]: Jenny Hedquist Daytime phone number: 507-822-1678 E-mail address: hedquist@mvtvwireless.com

NONPROFIT STATUS

Attach a copy of ONE of the following for proof of nonprofit status.

Nonprofit Articles of Incorporation OR a current Certificate of Good Standing.
 Don't have a copy? This certificate must be obtained each year from:
 Secretary of State, Business Services Div., 60 Empire Drive, Suite 100, St. Paul, MN 55103
 Phone: 651-296-2803

IRS income tax exemption [501(c)] letter in your organization's name.
 Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS at 877-829-5500.

IRS - Affiliate of national, statewide, or international parent nonprofit organization [charter]
 If your organization falls under a parent organization, attach copies of both of the following:
 a. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling, and
 b. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted. For raffles, list the site where the drawing will take place.
 F O E

Address [do not use PO box]: 821 4th Ave City or township: Windom Zip code: 56101 County: Cottonwood

Date[s] of activity. For raffles, indicate the date of the drawing.
 December 17, 2013

Check each type of gambling activity that your organization will conduct.

Bingo* Raffle Paddlewheels* Pull-tabs* Tipboards*

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

To find a licensed distributor, go to www.gcb.state.mn.us and click on **Distributors** under the **WHO'S WHO? LIST OF LICENSEES**, or call 651-639-4000.

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT

**CITY APPROVAL
for a gambling premises
located within city limits**

- The application is acknowledged with no waiting period.
- The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days [60 days for a 1st class city].
- The application is denied.

Print city name _____

Signature of city personnel _____

Title _____ Date _____

Local unit of government must sign

**COUNTY APPROVAL
for a gambling premises
located in a township**

- The application is acknowledged with no waiting period.
- The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days.
- The application is denied.

Print county name _____

Signature of county personnel _____

Title _____ Date _____

TOWNSHIP. If required by the county.

On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits.

[A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.166.]

Print township name _____

Signature of township officer _____

Title _____ Date _____

CHIEF EXECUTIVE OFFICER'S SIGNATURE

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

Chief executive officer's signature Jenny Hedquist Date 10-10-13

Print name Jenny Hedquist

REQUIREMENTS

Complete a separate application for:

- all gambling conducted on two or more consecutive days, or
 - all gambling conducted on one day.
- Only one application is required if one or more raffle drawings are conducted on the same day

Send application with:

- a copy of your proof of nonprofit status, and
- application fee (non refundable). Make check payable to "State of Minnesota."

To: Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

Financial report and recordkeeping required

A financial report form and instructions will be sent with your permit, or use the online fill-in form available at www.gcb.state.mn.us.

Within 30 days of the event date, complete and return the financial report form to the Gambling Control Board.

Questions?

Call the Licensing Section of the Gambling Control Board at 651-639-4000.

This form will be made available in alternative format (i.e. large print, Braille) upon request.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the application. Your organization's name and address will be public information when received by the Board.

All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney

General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.



MEMO

To: Mayor and City Council
From: James Kartes, Zoning Administrator
Date: October 11, 2013
Re: Planning Commission Meeting – October 8, 2013

At its regular meeting on October 8, 2013, the Planning Commission held a public hearing and made the following recommendations concerning the application which came before the meeting:

1. **VARIANCE & CONDITIONAL USE APPLICATION:**

Applicant & Owner: **Kenneth J. & Jean M. Fast**
Address of Property: **1845 Red Leaf Ct, Windom, MN**
Legal Description: **Lot 6, Block 5, of Maplewood Estates Subdivision, in the City of Windom, Cottonwood County, Minnesota.**
Parcel ID#: **25-522-0191**

The Applicant proposes to construct a 20' x 26' addition to their existing attached garage. The dimensions of their property are 100' frontage X 102' in depth for an area of 10,200 square feet. They are requesting variances of 2 feet on the side yard setback and 1.5 feet on the rear yard setback and for a conditional use permit allowing accessory space which is 494 square feet more than provided in City Code and greater than the ground coverage of the dwelling to allow the construction of a 20' X 26' garage addition on property situated in an R-1 District.

THE PLANNING COMMISSION RECOMMENDS TO THE CITY COUNCIL:

Approval of the application, submitted by Kenneth J. & Jean M. Fast, requesting variances of 2 feet on the side yard setback and 1.5 feet on the rear yard setback and for a conditional use permit allowing accessory space which is 494 square feet more than provided in City Code and greater than the ground coverage of the dwelling to allow the construction of a 20' X 26' garage addition on property,

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

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

I will be present at the City Council Meeting on October 15th to address any questions the Council may have at that time.

Prior to that time if there are any questions, please contact the Planning and Zoning Office at 832-8660.

JK:den

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

**CITY OF WINDOM PLANNING COMMISSION
PUBLIC HEARING NOTICE
VARIANCE APPLICATION- SETBACKS &
CONDITIONAL USE PERMIT (TOTAL FLOOR AREA)**

Pursuant to City of Windom, City Code Sections 152.525-152.530, 152.545-152.551, 152.565-152.568, notice is hereby given that the Applicants and Owners, KENNETH J. FAST and JEAN M. FAST, husband and wife, of 1845 Red Leaf Court, Windom, Minnesota, have submitted a zoning application for a variance and conditional use permit for property located in an R-1 District. The Applicants request a variance of the side-yard and rear-yard setbacks to allow the construction of a garage addition which will have side-yard and rear-yard setbacks less than the minimum required by City Code Section 152.053. The Owners are also requesting a conditional use permit because the total floor area of the garage and accessory building would exceed the maximum set forth in City Code Section 152.327. The existing structures, setbacks, lot area, and proposed placement of the addition are shown on the plot plan which is on file in the Building & Zoning Office in City Hall.

A public hearing to consider this application will be held before the Planning Commission in Room 105 at the Windom Community Center, 1750 Cottonwood Lake Drive, Windom, MN 56101 on Tuesday, October 8, 2013, at 7:05 p.m.

Those persons wishing to be heard on this application for consideration of a variance and conditional use permit are requested to be at this meeting. The setbacks and lot coverage are shown on the plot plan and the application which may be reviewed in the Building & Zoning Office at City Hall prior to the Public Hearing.

Legally described as follows: Lot 6, Block 5, Maplewood Estates Subdivision to the City of Windom, Cottonwood County, Minnesota.

Parcel ID #: 25-522-0191

Address of the Property is: 1845 Red Leaf Court, Windom, MN 56101

By Order of the City of Windom
James Kartes, Zoning Administrator

Published: Cottonwood County Citizen (September 25, 2013)

CITY OF WINDOM, MINNESOTA

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

APPLICATION FOR CONSIDERATION OF ZONING/SUBDIVISION REQUEST

Applicant(s): Name(s) Kenneth J. & Jean M. Fast
Address 1845 Redleaf Ct.
City Windom State Mn. Zip 56101 (Phone: 507-831-4869)

Owner(s): (If other than Applicant)
Name(s) Same
Address _____
City _____ State _____ Zip _____ (Phone: _____)

Property Address: 1845 Redleaf Ct. Windom, Mn. 56101

Legal Description of Property: Lot(s) 6 Block(s) 5 Addition Maplewood Est. Subd

Parcel No. _____
(If metes and bounds, attach description.)

Existing Use of Property: Residential Single Unit Present Zoning: R-1
~~FFR2~~

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

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

Additional Accessory Storage 20'x26'
Larger than ordinance Requirement - Requesting Variance
of 2' on side yard set back and a conditional use permit to allow
and 1.5' on rear yard setback construction of garage addition
which is 494 sq. ft. more than maximum of larger floor area

In signing this Application, I/we hereby acknowledge that I/we have been advised concerning the applicable provisions of the Windom Zoning and Subdivision Ordinances, current administrative procedures, and the required filing fee. I/we hereby acknowledge that the information provided in this Application is true and correct to the best of my/our knowledge.

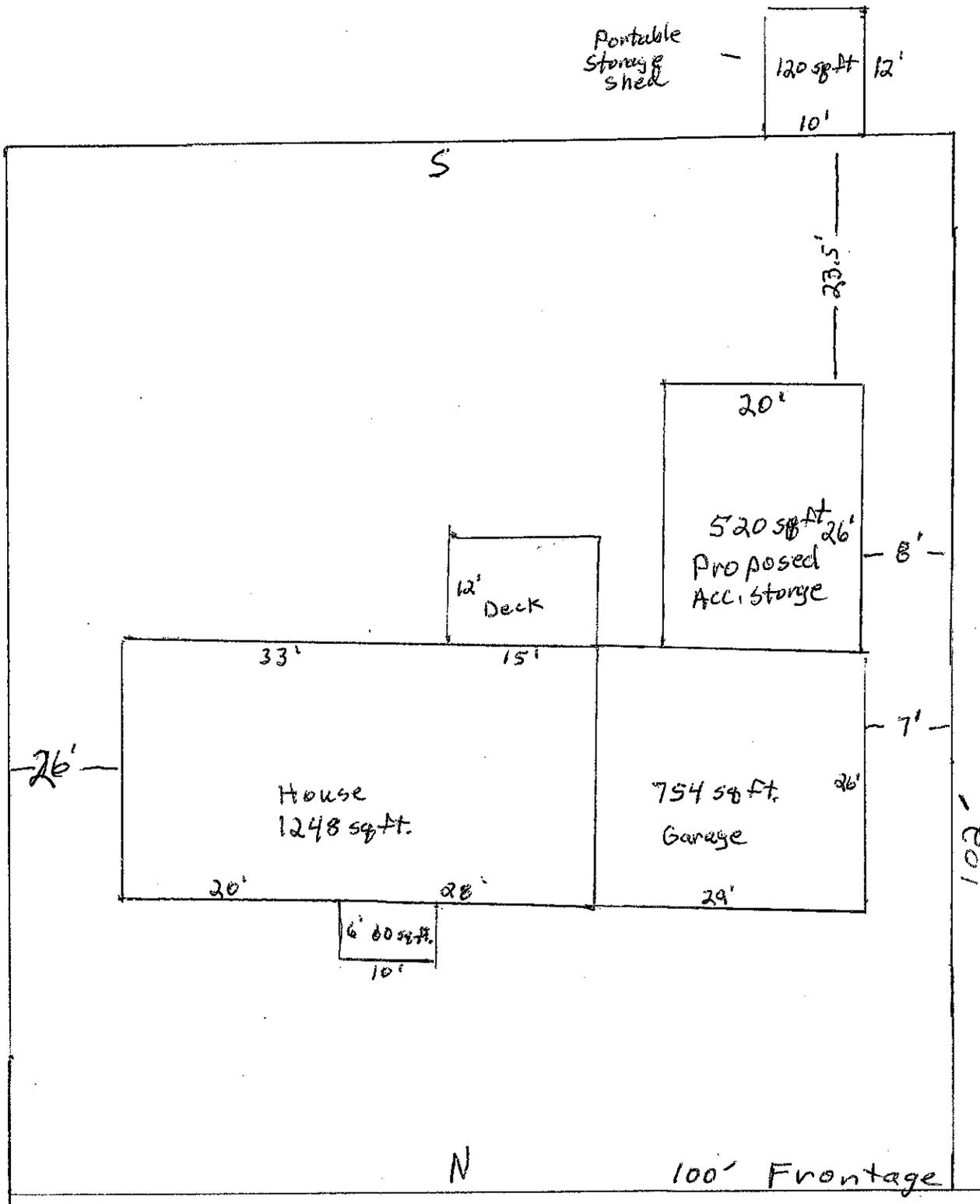
X Kenneth J. Fast X Jean M. Fast
[SIGNATURES OF APPLICANT(S)]

Date: 9/19/13

Fee: \$150.00 Paid: Ck. 10037 Date: 9-20-13 (mhb)

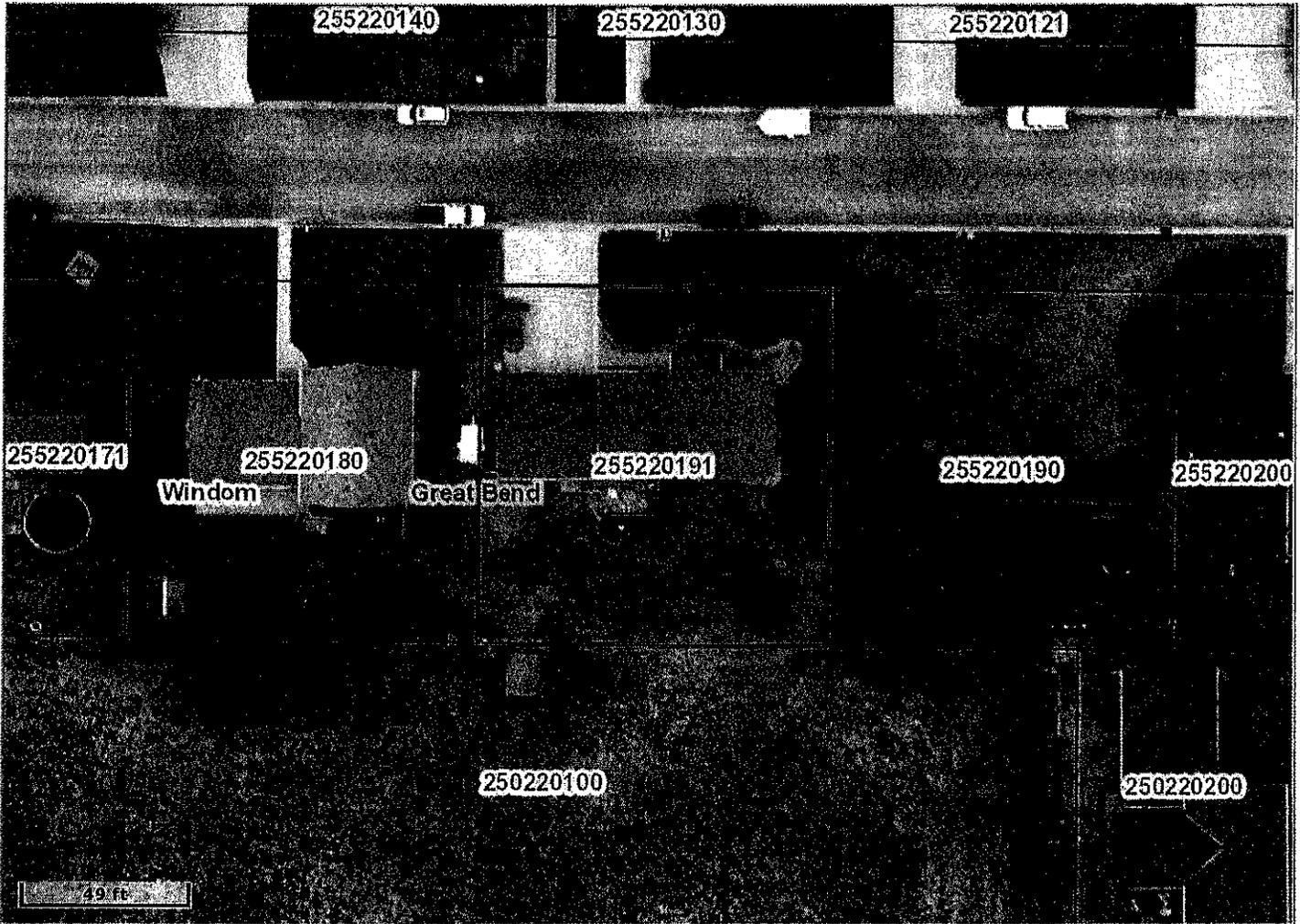
Upon receipt of the Application, all required supporting documents, and the filing fee, this APPLICATION IS ACCEPTED FOR FILING on this 20th day of September, 2013.

WINDOM BUILDING & ZONING OFFICIAL: [Signature]



1845 Redleaf Ct.
 Ken + Jean Past

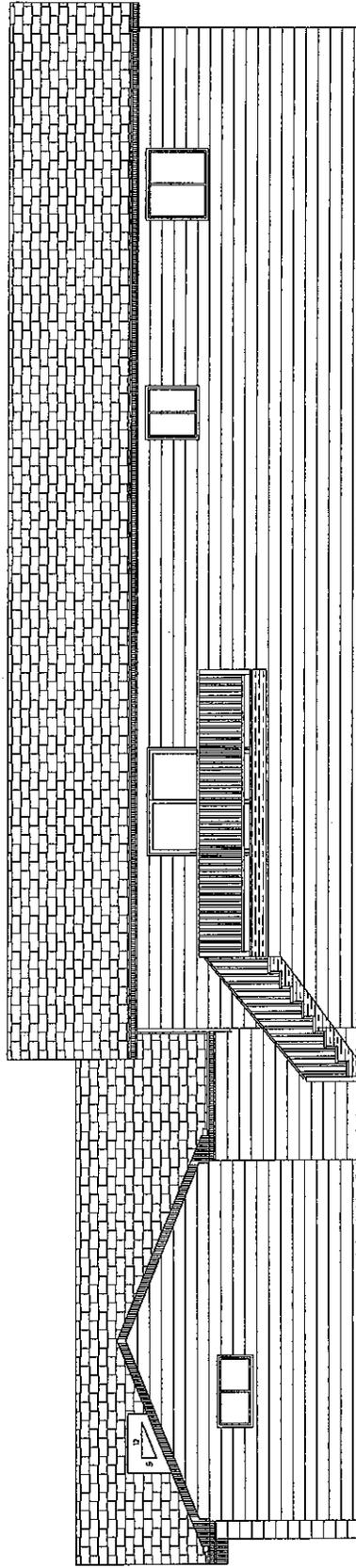
Date Created: 9/19/2013



Parcel ID	255220191	Alternate ID	n/a	Owner Address	FAST/KENNETH J & JEAN M
Sec/Twp/Rng	0-0-0	Class	RESIDENTIAL\ SINGLE UNIT		1845 RED LEAF CT
Property Address	1845 RED LEAF CT 56101	Acreage	n/a		WINDOM MN 56101
District	n/a				
Brief Tax Description	n/a				

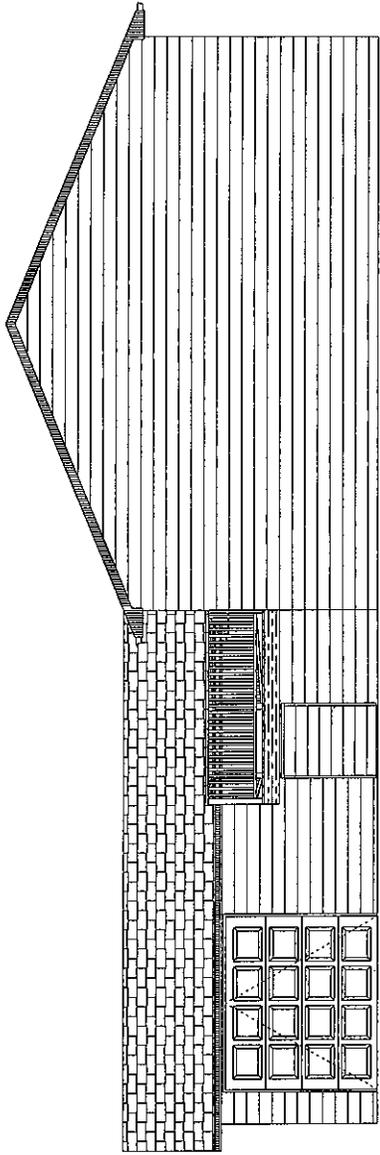
(Note: Not to be used on legal documents)

Last Data Upload: 9/19/2013 2:22:10 AM

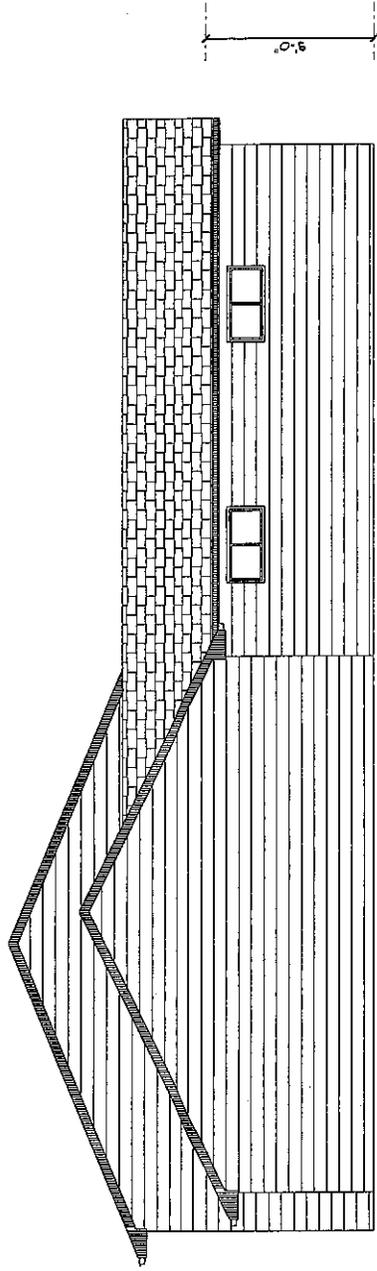


KEN FAST
GARAGE ADDTN
09/19/2013

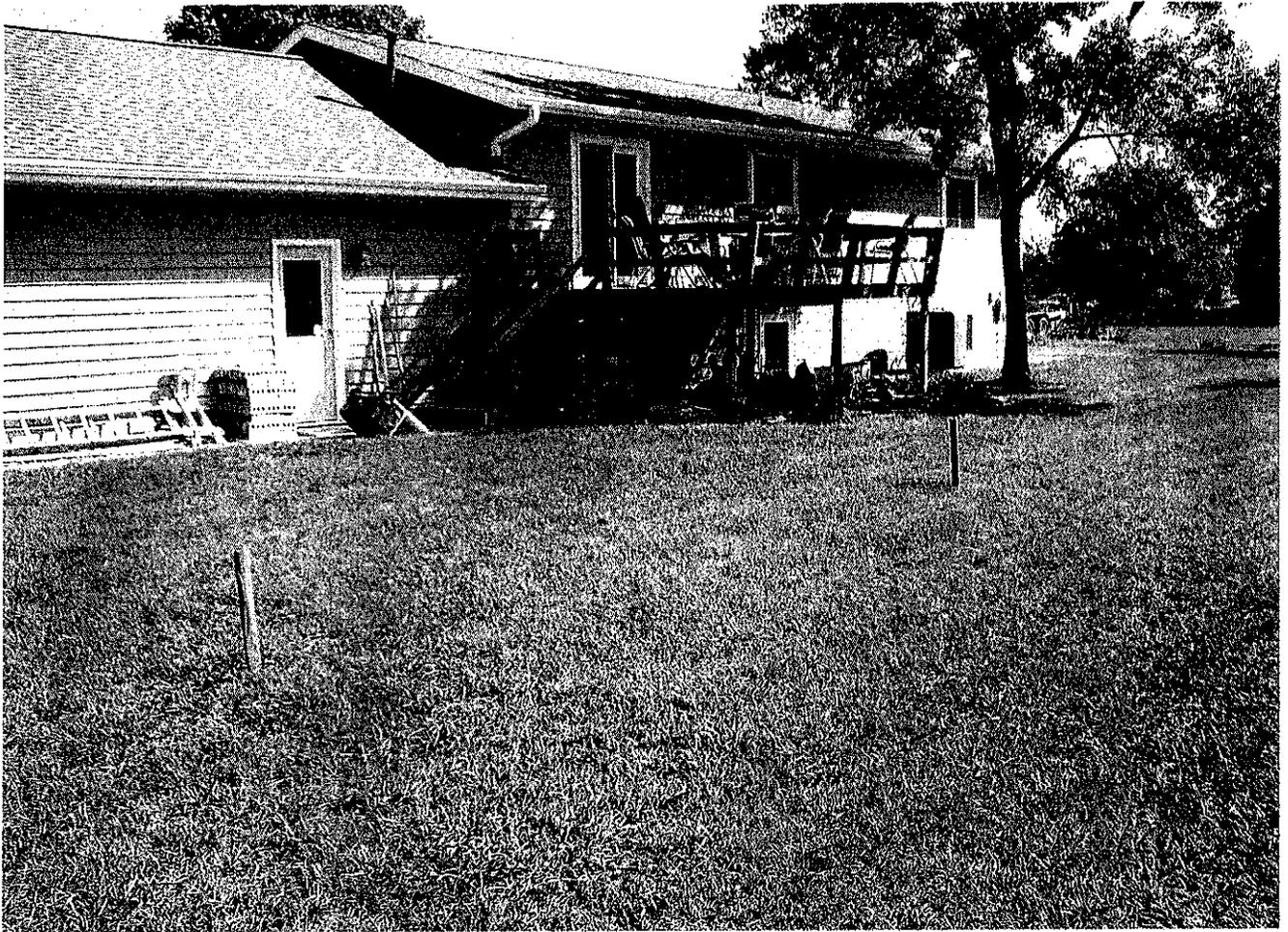
SOUTH ELEVATION
SCALE 1/4" = 1'-0"

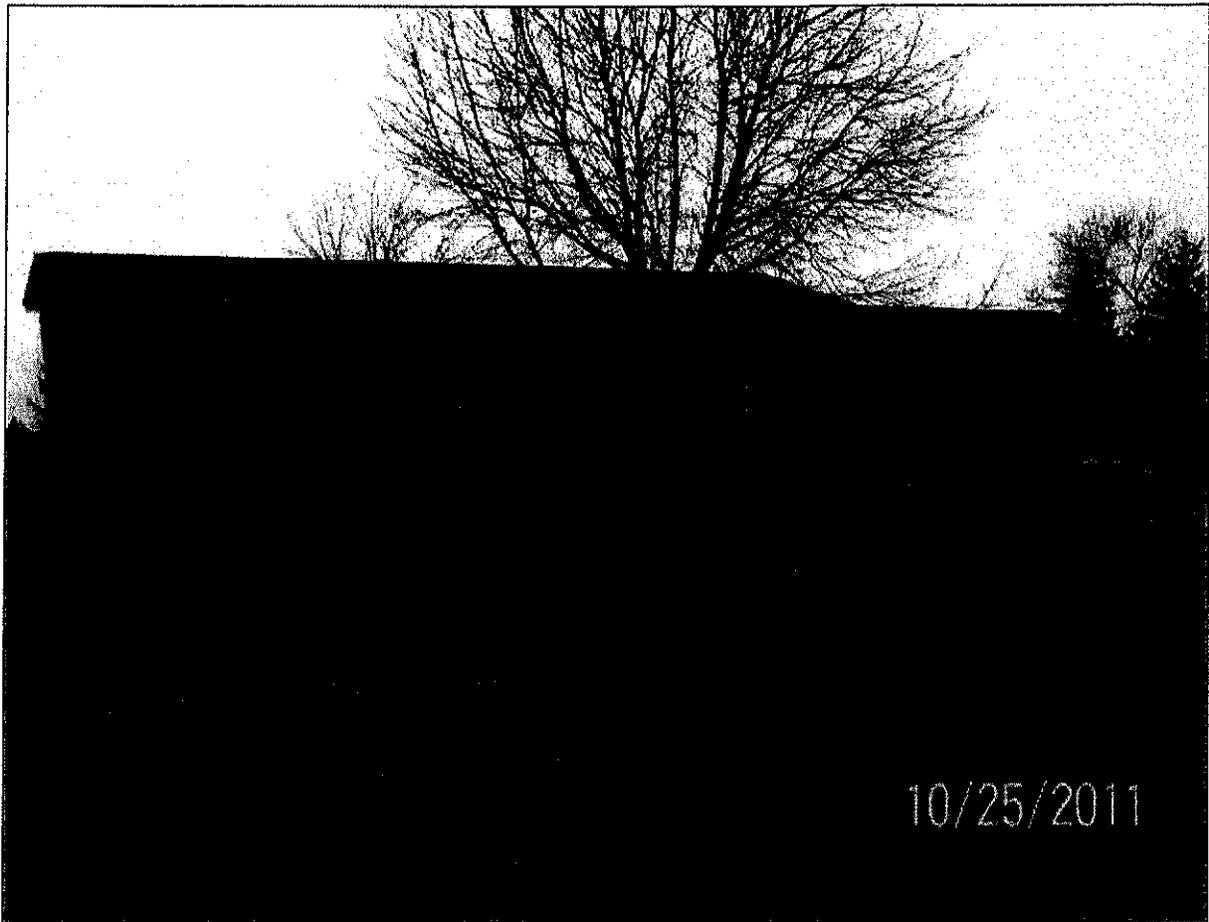


EAST ELEVATION
SCALE: 1/4" = 1'-0"



WEST ELEVATION
SCALE: 1/4" = 1'-0"





Sketches

October 2, 2013

City of Windom
Attn: Steve Nasby, Administrator
City of Windom
444 9th Street
Windom, MN 56101

RE: Notice of Assignment of Contract with Paulsen Architectural Design, Inc.

Dear Steve:

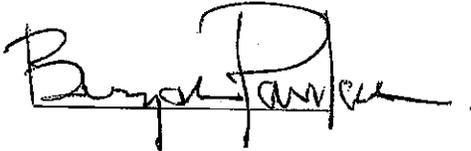
We are excited to inform you that Paulsen Architectural Design, Inc. DBA Paulsen Architects ("Paulsen") is currently in negotiations with and plans to sell its business to I & S Group, Inc. ("I & S"). We anticipate the sale to take effect within the next thirty (30) days, at which time the AIA Document B101 – 2007, dated May 8, 2013, entered into between the City of Windom and Paulsen with respect to the project titled "Windom Multi-Purpose Arena" ("Agreement") will be assigned to I & S.

I, along with my staff members, am very pleased to be joining I & S and we will all work hard as a team to ensure that this transition will be as smooth as possible for you. Please sign below to confirm your consent of the assignment of your contract to I & S as set forth above. If you have any questions or concerns, please feel free to contact us at 507-388-9811.

My very best wishes and I look forward to continuing our work together,

Sincerely,

Bryan Paulsen, President
Paulsen Architects



On behalf of City of Windom, the undersigned hereby acknowledges receipt of this notice and consents to the assignment of the Agreement to I & S, as set forth above.

City of Windom

By: _____
Its: _____

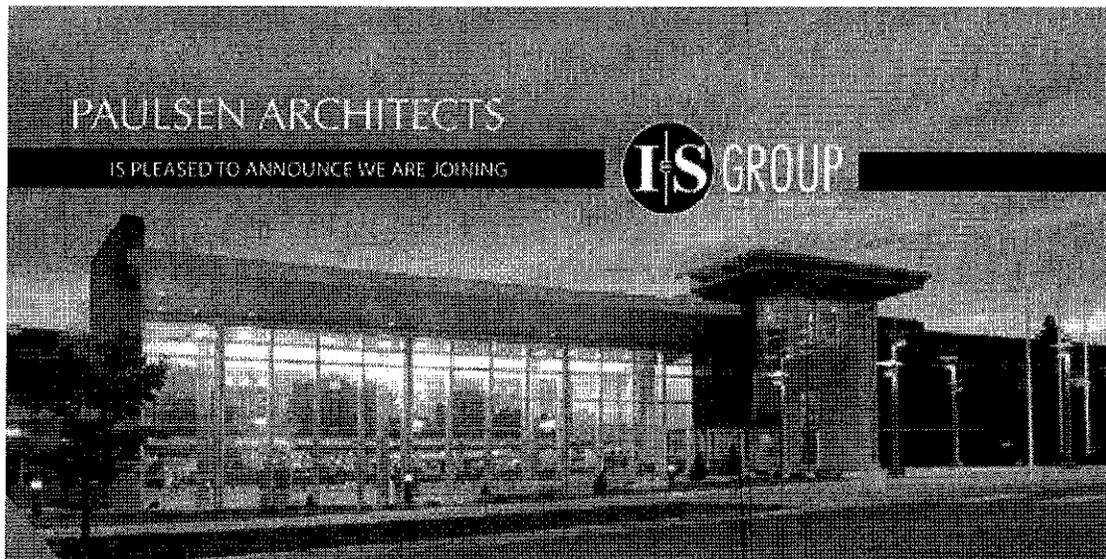
Steve Nasby

From: Bryan Paulsen <bryan@paulsenarchitects.com>
Sent: Thursday, October 10, 2013 4:19 PM
To: Steven Nasby (snasby@windom-mn.com)
Subject: FW: PAULSEN ARCHITECTS HAS JOINED I&S GROUP

Not sure you got this, but here ya go!!

From: Bryan Paulsen [mailto:bryan=paulsenarchitects.com@mail32.at11.rsgsv.net] **On Behalf Of** Bryan Paulsen
Sent: Thursday, October 10, 2013 4:10 PM
To: Bryan Paulsen
Subject: PAULSEN ARCHITECTS HAS JOINED I&S GROUP

[View this email in your browser](#)



PAULSEN ARCHITECTS HAS JOINED I&S GROUP



Bryan Paulsen,
AIA, CID, LEED® AP

I am very pleased to announce that Paulsen Architects is joining I&S Group, a full-service architecture, engineering and planning firm also headquartered in Mankato, MN. Paulsen Architects' operations are immediately being merged into I&S Group and I, along with my staff, will be joining the I&S team.

The acquisition of Paulsen Architects by I&S Group presents exciting opportunities for me and my staff, as we become part of a large, growing, regional firm. The exposure to new markets, design challenges and the opportunity to work with I&S Group's ten in-house disciplines of expertise also allows us to be able to bring an even higher level of service and breadth of experience to our clients.

Over the last eighteen years, since I founded Paulsen Architects, my staff and I have been privileged to work with hundreds of wonderful clients who have put faith in us and embraced our bold design visions for their organizations and buildings. Many of these clients have become good friends and very loyal supporters of Paulsen Architects. In fact, we have truly been humbled and honored to design multiple facilities for many of our clients. For this, and for your continued friendship and support, I want to thank each and every one of our clients. I also want to acknowledge and thank the excellent contractors and consultants we have had the good fortune to work with over these many years. Without your abilities and expert craftsmanship our designs could never have become a reality. And to my professional colleagues and friends, I want to thank you for your mentorship, guidance and friendship through the years - you have helped me grow both professionally and personally, contributing to the success of Paulsen Architects.

As my staff and I join I&S Group and enter this exciting next stage of our careers, I want to assure you that we, along with the rest of the I&S team, remain dedicated to providing bold design solutions for each of our projects and committed to the success of our clients. I look forward to continuing my professional and personal relationship with you as I embark on this journey as the Director of Architecture at I&S Group. And, my sincere thanks to each of you for your continued loyalty, support and friendship.

Bryan

Learn about how we all are
DOING MORE
NEWS RELEASE

www.iandsgroup.com | www.paulsenarchitects.com | info@paulsenarchitects.com

Copyright © 2013 I&S Group, All rights reserved.

We have your email address due to our business relationship.

Our mailing address is:

I&S Group
115 East Hickory Street, Suite 300
Mankato, MN 56001

Add us to your address book

unsubscribe from this list | update subscription preferences

To the City of Windom MN:

My name is Jodi Vollan and I am requesting to be annexed into the City of Windom MN so that I can have access to City water and sewer. My well is running out of water and this option is the least expensive for me as a single mother of two children on a limited income. I need Reliable water and sewer for my family.

I sincerely hope that you would understand and consider my request in a timely manner.

The legal description of the property is as follows:

Property ID: 08-036-0203

Taxpayer: 07300

SECT-36 TWP-105 RANG-36

TRACT IN NE 1/4 NE 1/4 E OF ROAD

(199' FRONT) .35

.35 ACRES

PROPERTY ADDRESS

43108 COUNTY RD 26

WINDOM MN 56101

HOME PHONE (507) 831-9128 / CELL 822-4096

EMAIL: vollanflower@yahoo.com

Thank You

Jodi Vollan



3/18/2013

Jesse Dauer

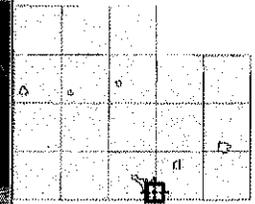


9-30-13
Date

Date Created: 10/8/2013



Overview



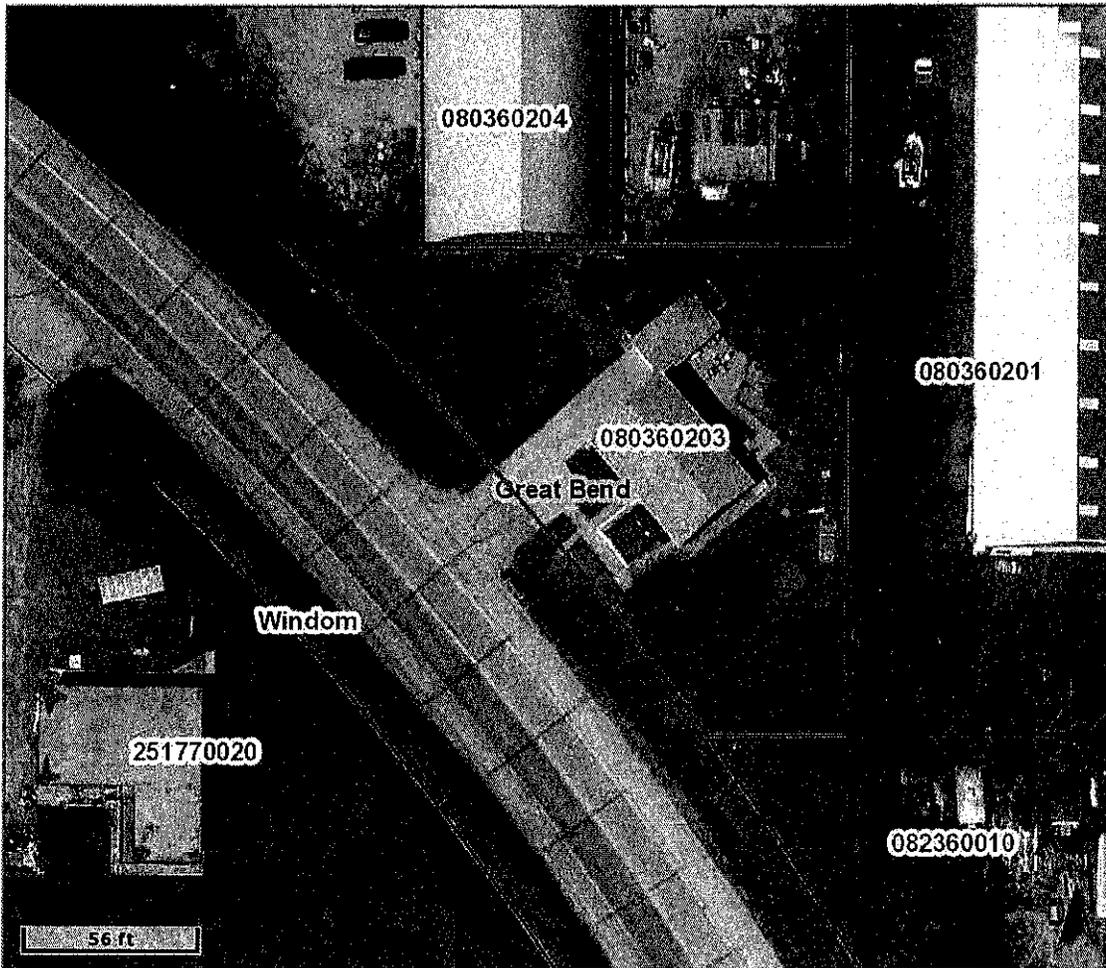
Legend

- Corporate Limits
- Political Townships
- Parcels

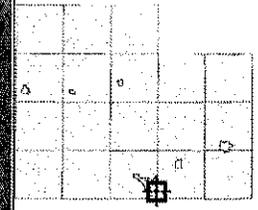
Parcel ID	080360203	Alternate ID	n/a	Owner Address	DAUER/JESSE/& JODI VOLLAN
Sec/Twp/Rng	36-105-36	Class	RESIDENTIAL\ SINGLE UNIT		43108 COUNTY RD 26
Property Address	43108 COUNTY RD 26 56101	Acreage	0.35		WINDOM MN 56101
District	n/a				
Brief Tax Description	TRACT IN NE1/4 NE1/4 E OF ROAD (199' FRONT) .35 (Note: Not to be used on legal documents)				

Last Data Upload: 10/8/2013 2:28:22 AM

Date Created: 10/8/2013



Overview



Legend

- Corporate Limits
- Political Townships
- Parcels

Parcel ID	080360203	Alternate ID	n/a	Owner Address	DAUER/JESSE/& JODI VOLLAN
Sec/Twp/Rng	36-105-36	Class	RESIDENTIAL\ SINGLE UNIT		43108 COUNTY RD 26
Property Address	43108 COUNTY RD 26 56101	Acreage	0.35		WINDOM MN 56101
District	n/a				
Brief Tax Description	TRACT IN NE1/4 NE1/4 E OF ROAD (199' FRONT) .35 (Note: Not to be used on legal documents)				

Last Data Upload: 10/8/2013 2:28:22 AM

**IN THE MATTER OF THE JOINT
RESOLUTION OF THE TOWN OF
GREAT BEND AND THE CITY OF
WINDOM DESIGNATING AN
UNINCORPORATED AREA AS IN
NEED OF ORDERLY ANNEXATION
AND CONFERRING JURISDICTION
OVER SAID AREA TO THE MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS/
MUNICIPAL BOUNDARY ADJUSTMENTS
AGENCY PURSUANT TO M.S 414.0325**

**JOINT RESOLUTION #2013-
FOR ORDERLY ANNEXATION**

INTRODUCED:

SECONDED:

Aye:

Nay:

Absent:

The Township of Great Bend and the City of Windom hereby jointly agree to the following:

1. That the following described area in Great Bend Township is subject to orderly annexation pursuant to Minnesota Statutes 414.0325, and the parties hereto designate this area for orderly annexation, to-wit:

LAND DESCRIPTION: Vollan Property 08-036-0203

Commencing at a point 60 feet South of the Northeast corner of the Northeast Quarter of the Northeast Quarter of Section 36, Township 105, Range 36, thence West parallel with the North section line of said Section 36, 675 feet, thence South parallel with the East section line of Section 36, a distance of 205 feet, this being the point of beginning; thence continuing South and parallel with the East section line of said Section 36 a distance of 148 feet; thence West parallel with the North section line of said Section 36, a distance of 37 feet to the East line of former State Trunk Highway No. 71; thence Northwesterly along the East line of said former State Trunk Highway No 71 a distance of 199 feet, thence East parallel to the North line of said Section 36 a distance of 171 feet to the point of beginning, Cottonwood County, Minnesota.

THE TRACT CONTAINS A TOTAL OF .35 ACRES AND IS SUBJECT TO EXISTING EASEMENTS OF RECORD, IF ANY.

2. That the Town Board of the Township of Great Bend and the City Council of the City of Windom, upon passage and adoption of this resolution and upon the acceptance by the Minnesota Office of Administrative Hearings/Municipal Boundary Adjustments, confer jurisdiction upon the Minnesota Office of Administrative Hearings/Municipal Boundary Adjustments Agency over the various provisions contained in this Agreement.
3. That these certain properties, which abut the City of Windom, are presently urban or suburban in nature or are about to become so. Further, the City of Windom is capable of providing services to this area within a reasonable time, and the annexation is in the best interest of the area proposed for annexation. Therefore, these properties would be immediately annexed to the City of Windom.
4. Upon annexation, the City intends to zone the area as AO.
5. The Town of Great Bend and the City of Windom agree that no alteration of the stated boundaries of this agreement is appropriate. Furthermore, each party agrees that no consideration by Minnesota Office of Administrative Hearings/Municipal Boundary

Adjustments is necessary. Upon receipt of this resolution, passed and adopted by each party, the Minnesota Office of Administrative Hearings/Municipal Boundary Adjustments Agency may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of this joint resolution.

Approved by the Town of Great Bend this 6 day of Oct, 2013.

Town of Great Bend

By: Douglas Krammer
Town Board Chair

By: Roy Esten
Town Board Clerk

Approved by the City of Windom this _____ day of _____, 2013.

City of Windom

By: _____
Corey J. Maricle, Mayor

ATTEST:

Steve Nasby, City Administrator

Vollan Annexation

Parcel #	Taxable Value	Great Bend Township 2013 Tax Amount
08-036-0203	\$ 61,900.00	\$ 42.71
	\$ 61,900.00	\$ 42.71

Great Bend Tax Rate 0.6823

City of Windom Tax Rate 1.46797

Reimbursement Schedule

2014	Year 1 - 90%	\$ 38.44
2015	Year 2 - 70%	\$ 29.90
2016	Year 3 - 50%	\$ 21.36
2017	Year 4 - 30%	\$ 12.81
2018	Year 5 - 10%	\$ 4.27
		\$ 106.78

Vollan fees

Tax Reimbursement	\$ 106.78
Annexation Filing Fee	\$ 50.00
	\$ 156.78

RESOLUTION #2013-

INTRODUCED:

SECONDED:

VOTED: Aye:
 Nay:
 Absent:

RESOLUTION RECEIVING AND DECLARING ADEQUACY OF PETITION FOR THE UNIMPROVED PORTION OF 7TH AVENUE IN THE HOFFMAN-LACANNE SUBDIVISION

WHEREAS, a Petition has been received requesting the installation of infrastructure improvements, specifically street, curb & gutter, storm sewer and other applicable improvements, as necessary, for the unimproved portion of 7th Avenue located in the Hoffmann-LaCanne Subdivision adjacent to Block 1, Lots 2, 3, and 4 and Block 2, Lots 1, 2 and 3; and,

WHEREAS, property owners of at least 35 percent in frontage of the property bordering the proposed improvements have filed the petition with the City of Windom.

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

That the Petition, set forth above, is hereby declared to be legally sufficient and signed by the required percentage of owners of property affected thereby. This declaration is made in conformity of MN Statute §429.035

Adopted by the Council this 15th day of October, 2013.

Corey J. Maricle, Mayor

Attest: _____
Steven Nasby, City Administrator

**Petition for Local Improvements
Windom, Minnesota
September 26, 2013**

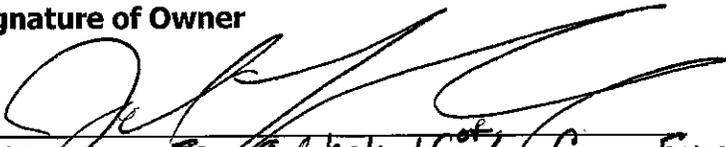
To the City Council of Windom, Minnesota:

We, owners of real property abutting the unimproved portion of 7th Avenue (approximately 330 feet) in the Hoffman-LaCanne Subdivision hereby petition that street, curb & gutter, storm sewer and other applicable improvements, as necessary, be made pursuant to Minnesota Statutes, Chapter 429, and that the City assess the entire cost of the improvements against our property described below and hereby agree to pay the entire cost as apportioned by the City to bring said improvements to the properties herein.

In testimony, whereof,

Signature of Owner

Description of Property & Address


Joel LaCanne - ~~For~~ On behalf of La Canne Funeral

Block 1: Lots 2, 3 and 4
Homes, LLC


Shannon LaCanne - On behalf of La Canne Funeral Homes, LLC

Block 1: Lots 2, 3 and 4

has hereunto set his\her hand, the day and year first above written.


Witness

Examined, checked, and found to be in proper form and to be signed by the required number or percent of owners of property affected by the making of the improvements petitioned for herein.


City Clerk

RESOLUTION #2013-

INTRODUCED:

SECONDED:

VOTED: Aye:
 Nay:
 Absent:

**RESOLUTION ORDERING PREPARATION OF A REPORT CONCERNING
IMPROVEMENTS FOR THE UNIMPROVED PORTION OF 7TH AVENUE IN
THE HOFFMAN-LACANNE SUBDIVISION.**

WHEREAS, a petition has been received requesting the installation of infrastructure improvements, specifically street, curb & gutter, storm sewer and other applicable improvements, as necessary, for the unimproved portion of 7th Avenue located in the Hoffmann-LaCanne Subdivision adjacent to Block 1, Lots 2, 3, and 4 and Block 2, Lots 1, 2 and 3; and,

WHEREAS, it is necessary that a report be prepared concerning the feasibility and estimated costs of these improvements; and

WHEREAS, it will be necessary to assess the benefitted property for all or a portion of the costs of these improvements pursuant to Minnesota Statutes, Chapter 429.

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

1. That the request for the proposed improvements be referred to Wenck Associates, Inc., City Engineer, and they are instructed to prepare and submit a preliminary report to the City Council at the earliest convenient date; that said report shall indicate whether the proposed improvements are necessary, cost-effective, and feasible, and whether said improvements should be made as proposed or in connection with some other improvements; and that said report shall specify the estimated costs of the improvements as recommended.

Adopted this 15th day of October, 2013.

Corey J. Maricle, Mayor

ATTEST: _____
Steven Nasby, City Administrator

RESOLUTION #2013-

INTRODUCED:

SECONDED:

VOTED: Aye:

Nay:

Absent:

RESOLUTION DECLARING THE COSTS TO BE ASSESSED, ORDERING THE CITY ADMINISTRATOR TO PREPARE AN ASSESSMENT ROLL, AND CALLING FOR A PUBLIC HEARING FOR THE "2013 STREET IMPROVEMENT PROJECT"

WHEREAS, costs have been determined for the improvement and said total is the sum of \$3,753,365.03; and

WHEREAS, it is necessary to access the benefited property for all or a portion of the costs of these improvements pursuant to Minnesota Statutes, Chapter 429.

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

1. The costs of such improvement to be specially assessed are hereby declared to be a maximum of \$1,213,161.55.
2. The City Administrator shall calculate the proper amounts to be assessed for such improvement and shall file a copy of such proposed assessments at City Hall for public inspection.
3. Such assessments shall be payable in equal annual installments extending over a period of fifteen (15) years at an interest rate of four and one quarter percent (4.25%) per annum.
4. A public hearing shall be held before the City Council at the City Hall in Windom, Minnesota, on the 19th day of November, 2013, during the regular City Council meeting commencing at 7:30 p.m., to consider and vote upon such proposed assessments. At such time and place, all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessments.
5. The City Administrator is hereby directed to cause a notice of the hearing on the proposed assessments to be published once in the official newspaper at least two weeks prior to the hearing. The notice shall state the total cost of the improvement.
6. The City Administrator shall also cause notice of said hearing to be mailed to the owner(s) of each parcel, described in the assessment roll, not less than two (2) weeks prior to the hearing. The notice mailed to the owner(s) of each parcel shall specify the amount of the proposed assessment for that particular parcel.

Adopted by the Council this 15th day of November, 2013.

Corey J. Maricle, Mayor

Attest:

Steve Nasby, City Administrator

RESOLUTION #2013-

INTRODUCED:

SECONDED:

VOTED: Aye:

 Nay:

 Absent:

RESOLUTION AUTHORIZING APPROVAL OF AMBULANCE SERVICE MUTUAL AID AGREEMENTS

WHEREAS, the Windom Ambulance Service is responsible for emergency medical response and medical transport for Windom's primary service area; and

WHEREAS, the City of Windom recognizes when there is an emergency or a shortage of equipment or personnel to respond to emergency service events the ambulance service may initiate or receive a request for mutual aid assistance; and

WHEREAS, the Windom City Council has determined that it is in the best interest of the City to work cooperatively with area ambulance services providers by authorizing approval of 'Mutual Aid Agreements' with the cities of Lakefield, Heron Lake, Jackson, Westbrook, Mountain Lake, Jeffers and Worthington.

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

1. That the Windom City Council approves the "Windom Ambulance Services Mutual Aid Agreement" between the City of Windom and Mutual Aid Partners including the cities of Lakefield, Heron Lake, Jackson, Westbrook, Mountain Lake, Jeffers and Worthington.
2. The Ambulance Director is hereby authorized and directed to execute said Agreements on behalf of the City of Windom.

Adopted this 15th day of October, 2013.

Corey J. Maricle, Mayor

ATTEST:

Steven Nasby, City Administrator

WINDOM AMBULANCE SERVICE MUTUAL AID AGREEMENT

Purpose

This agreement is made pursuant to Minnesota Statutes 471.59 which authorizes the joint and cooperative exercise of powers common to contracting parties. The intent of this agreement is to make equipment, personnel and other resources available to political subdivisions from other political subdivisions.

Definitions

1. "Party" means a political subdivision.
2. "Requesting Official" means the person designated by a Party who is responsible for requesting Assistance from other Parties.
3. "Requesting Party" means a party that requests assistance from other parties.
4. "Responding Official" means the person designated by a party who is responsible to determine whether and to what extent that party should provide assistance to a Requesting Party.
5. "Responding Party" means a party that provides assistance to a Requesting Party.
6. "Assistance" means emergency medical services personnel and equipment

Procedure

1. **Request for assistance.** Whenever, in the opinion of a Requesting Official, there is a need for assistance from other parties, the Requesting Official may call upon the Responding Official of any other party to furnish assistance.
2. **Response to request.** Upon the request for assistance from a Requesting Party, the Responding Official may authorize and direct his/her party's personnel to provide assistance to the Requesting Party. This decision will be made after considering the needs of the responding party and the availability of resources.
3. **Recall of Assistance.** The Responding Official may at any time recall such assistance when in his or her best judgment or by an order from the governing body of the Responding Party, it is considered to be in the best interests of the Responding Party to do so.
4. **Command of Scene.** The Requesting Party shall be in command of the mutual aid scene. The personnel and equipment of the Responding Party shall be under the direction and control of the Requesting Party until the Responding Official withdraws assistance.

Workers' compensation

Each party shall be responsible for injuries or death of its own personnel. Each party will maintain workers' compensation insurance or self-insurance coverage, covering its own personnel while they are providing assistance pursuant to this agreement. Each party waives the right to sue any other party for any workers' compensation benefits paid to its own employee or volunteer or their dependents, even if the injuries were caused wholly or partially by the negligence of any other party or its officers, employees, or volunteers.

Damage to equipment

Each party shall be responsible for damages to or loss of its own equipment. Each party waives the right to sue any other party for any damages to or loss of its equipment, even if the damages or losses were caused wholly or partially by the negligence of any other party or its officers, employees, or volunteers.

Liability

1. For the purposes of the Minnesota Municipal Tort Liability Act (Minn. Stat. 466), the employees and officers of the Responding Party are deemed to be employees (as defined in Minn. Stat. 466.01, subdivision 6) of the Requesting Party.
2. The Requesting Party agrees to defend and indemnify the Responding Party against any claims brought or actions filed against the Responding Party or any officer, employee, or volunteer of the Responding Party for injury to, death of, or damage to the property of any third person or persons, arising from the performance and provision of assistance in responding to a request for assistance by the Requesting Party pursuant to this agreement.

Under no circumstances, however, shall a party be required to pay on behalf of itself and other parties, any amounts in excess of the limits on liability established in Minnesota Statutes Chapter 466 applicable to any one party. The limits of liability for some or all of the parties may not be added together to determine the maximum amount of liability for any party.

The intent of this subdivision is to impose on each Requesting Party a limited duty to defend and indemnify a Responding Party for claims arising within the Requesting Party's jurisdiction subject to the limits of liability under Minnesota Statutes Chapter 466. The purpose of creating this duty to defend and indemnify is to simplify the defense of claims by eliminating conflicts among defendants, and to permit liability claims against multiple defendants from a single occurrence to be defended by a single attorney.

3. No party to this agreement nor any officer of any Party shall be liable to any other Party or to any other person for failure of any party to furnish assistance to any other party, or for recalling assistance, both as described in this agreement.

Charges for Services

Charges for service will be made directly to the patient and no obligation for payment will be made to the requesting service.

Charges to the Requesting Party

Subd. 1 No charges will be levied by a Responding Party to this agreement for assistance rendered to a Requesting Party under the terms of this agreement unless that assistance continues for a period of more than 48 hours. If assistance provided under this agreement continues for more than 48 hours, the Responding Party will submit to the Requesting Party an itemized bill for the actual cost of any assistance provided after the initial 48 hour period, including salaries, overtime, materials and supplies and other necessary expenses; and the Requesting Party will reimburse the party providing the assistance for that amount.

Subd. 2 Such charges are not contingent upon the availability of federal or state government funds.

Duration

This agreement will be in force for a period of five years from the date of execution. Any party may withdraw from this agreement upon thirty (30) days written notice to the other party or parties to the agreement.

Execution

Each party hereto has read, agreed to and executed this Mutual Aid Agreement on the date indicated.

Date _____

Entity: City of Windom

By _____

Title Ambulance Director

Date _____

Entity _____

By _____

Title _____

Steve Nasby

From: Smith, Chris <CSmith@lmc.org>
Sent: Wednesday, October 09, 2013 4:45 PM
To: Nasby, Steve
Subject: RE: Contracting\Procurement Question - Fire Truck

Steve,

Assuming the truck is in excess of \$100,000, the city does need to seek bids unless there is an exception, e.g., city uses a cooperative purchasing program, city uses "best value" contracting, etc.

The "single source" exception applies to the purchase of used public safety equipment. See Minn. Stat. Section 471.3455 (<https://www.revisor.mn.gov/statutes/?id=471.3455>).

State law makes it a gross misdemeanor to draft specifications to exclude all but one type of supplies or equipment. See Minn. Stat. Section 471.35 (<https://www.revisor.mn.gov/statutes/?id=471.35>).

There is an exception for noncompetitive supplies and equipment. See Minn. Stat. Section 471.36 (<https://www.revisor.mn.gov/statutes/?id=471.36>). Just what would be considered "noncompetitive" supplies or equipment is not clear but I don't think it would be a fire truck.

Has the city used "best value contracting" before? This might be a way for the city to take into account other factors such as the servicing of the equipment. The criteria used to evaluate best value contracting proposals must be included in the RFP. The League's Competitive Bidding memo discusses best value contracting beginning on page 5 (<http://lmc.org/media/document/1/competitivebidding.pdf>).

Chris

Christopher Smith | Risk Management Attorney
Tel: (651) 281-1269 | Fax: (651) 281-1296
csmith@lmc.org | www.lmc.org
League of Minnesota Cities
145 University Ave. West | St. Paul, MN 55103

Connecting & Innovating Since 1913

Stay connected with the League of Minnesota Cities:

 [Web](#)  [Facebook](#)  [Twitter](#)  [Blog](#)



Think Green: Keep it on the screen!

From: Steve Nasby [<mailto:snasby@windom-mn.com>]
Sent: Wednesday, October 09, 2013 4:21 PM



Memo

To: Mayor and City Council Members
From: Gary Kulseth
Date: 10/8/2013
Re: Agenda Item – Liquor Store New Hire Recommendation

I have received a notice of resignation from a current part-time Liquor Store employee.

To fill the position I reviewed the additional applications that were received when the part-time Liquor Store Clerk position was recently advertised. After completing the interviews for the position, my recommendation is to hire Diane Hohbach for the part-time Clerk position.

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: October 11, 2013
RE: Recommendations City Hall Office and Police Department

City Hall Office

The Personnel Committee is recommending moving Leesa Arndt from a Grade 3, Step 11 to Grade 4, Step 10 effective January 1, 2014. The job descriptions for these two grades/positions are similar with the main difference being that Grade 4 has an additional duty listed of "Performs accounting clerical work involved in payroll, accounts receivable, and accounts payable." The Finance Director/Controller reports that she has been assisting with some of these tasks, as needed, and with the new finance system implemented staff is working on cross-training. Some of the new tasks will include the following:

- Review of the monthly bank reconciliation and check register reconciliation
- Track and reconcile CABS Account Receivable
- Process daily deposit of Utility Bill Remittances in finance system
- Track and reconcile SCDP Loan Payments
- Train as a backup to Accounts Payable
- Train as a backup to Utility Billing
- Assist with preparation of monthly sales tax return
- Assist with preparation of audit documentation requests
- Assist with preparation of budget files
- Other accounting assistance as needed

Police Department

Officer Louis Norell recently reached his 2nd anniversary with the Windom Police Department. Chief Peterson and the Personnel Committee are recommending that he be moved to Step 9 on the wage schedule for the Police Department, which is consistent with current practice.