

Council Meeting
Tuesday, April 1, 2014
City Council Chambers
7:30 p.m.
AGENDA



Call to Order

Pledge of Allegiance

1. Approval of Minutes
 - Council Minutes–March 18, 2014
2. Consent Agenda
 - Minutes
 - Community Center Commission – March 24, 2014
 - Street Committee – March 25, 2014
 - Telecom Commission – March 27, 2014
 - Liquor License
 - Margaritas'Ville Mexican Bar & Grill
3. Department Heads
4. Proclamation National Library Week
5. SCDP Closeout Report
6. Street Committee Recommendation
 - No Parking Zone on 10th Street
7. Hiring Recommendations
 - Street Department
8. Resolution Setting Public Hearing for Vacation of 16th Avenue
9. Nuisance Correspondence
10. Spring Clean Up Dates
11. New Business
12. Old Business
13. Regular Bills
14. Council Concerns
15. Adjourn



**Regular Council Meeting
Windom City Hall, Council Chamber
March 18, 2014
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 Present:

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

Council Absent:

None

City Staff Present:

Steve Nasby, City Administrator; Bruce Caldwell,
Streets & Parks Superintendent; Jim Kartes, Building
Official; Aaron Backman, EDA Executive Director;
Al Baloun, Recreation Director and Terry Glidden,
Telecom

3. Pledge of Allegiance

4. Approval of Minutes:

Motion by Powers second by Cooley to approve the City Council minutes from March 4, 2014. Motion carried 4 – 0 (Fossing absent)

5. Consent Agenda:

Maricle noted the minutes from the following Boards and Commissions.

- Economic Development Authority – March 10, 2014
- Library Board – March 11, 2014
- Planning Commission - March 11, 2014
- Park & Recreation Commission – March 12, 2014

Motion by Jones second by Cooley to approve the receipt of minutes from Boards and Commissions as amended. Motion carried 4 – 0 (Fossing absent).

Fossing arrives 7:32 p.m.

Maricle said there applications for a liquor license and cigarette license from the Windom Country Club.

Motion by Ray second by Powers to approve the liquor license and cigarette license applications for the Windom Country Club. Motion carried 5 – 0.

6. Department Heads:

Bruce Caldwell, Streets & Parks Superintendent, noted that there was a request for a temporary street closure on 17th Street between 15th Avenue and 17th Avenue on April 9, 2014 for a school event. The closure would be approximately 10:00 – 11:30 a.m. The Police Chief is supportive of the closure and will be posting some no parking notices.

Motion by Ray second by Fossing to approve the temporary closure of 17th Street on April 9, 2014. Motion carried 5 – 0.

Caldwell said the job for the compost attendant is still available and encouraged any interested parties to contact him. The compost site is open on Tuesdays and Saturdays. He is planning on a mid-April opening if the weather is cooperative.

Last Caldwell noted that several of the telecom and electric department pedestals located in alleys or parking lots have been damaged. He encouraged the public to be aware of these items and he is working with those departments on methods to better mark them.

7. Proclamation for Years of Service – Joan Hunter:

Council member Fossing introduced the Resolution No. 2014-11, entitled “A RESOLUTION EXPRESSING SINCERE APPRECIATION TO JOAN HUNTER FOR HONORABLE AND DEVOTED PUBLIC SERVICE TO THE CITY OF WINDOM, MINNESOTA” 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 Hunter for her 38 years of service.

Hunter said she enjoyed her time at the Library and thanked the Council for its support of the Library. She wished new Library Director Dawn Aamot well.

8. Planning Commission Recommendation – Variance Request for 900 Verona Avenue:

Jim Kartes, Building Official, reviewed the application for a variance request at 900 Verona Avenue. The applicant is asking for a 14 foot variance to construct a new garage. The property is on a corner so the set back is an issue for the property. There were no objections from the neighbors and the Planning & Zoning Commission is recommending approval.

Jones asked if there would be any visibility issues created with the variance. Kartes said that in this case the property is situated in such a way that this new building will line up very well with the existing properties and no visibility issues are created.

Motion by Powers second by Ray to approve the variance request for 900 Verona Avenue as presented and recommended by the Planning & Zoning Commission. Motion carried 5 – 0.

9. Resolution – Pool and Summer Recreation Fees:

Al Baloun, Recreation Director, said that the Park & Recreation Commission had spent much time reviewing the proposed fee schedule and is recommending some increases in both the pool and recreation programs.

Jones asked Baloun for the justification the Commission used to increase the fees. Baloun replied that the expense information for these activities was presented showing increased costs, some costs for processing and sales taxes are included, potential increase in staffing costs due to rising minimum wage and that a survey of other communities showed that the proposed rates are similar to ones being charged.

Fossing asked about the sales tax on pool admission. Baloun said that the proposed fee includes the applicable sales tax and that is not in addition to the fee.

Jones asked about the on-line processing fee charged by the processing company. Baloun said that 3% fee the City incurs from the third party processor is part of the fee as well and not tacked on as an extra. Jones asked if someone pays in cash or a check at City Hall is the 3% fee discounted. Baloun said it is not. Nasby added that there is processing by staff such as writing a receipt and recording the payment.

Jones asked about the price for a Pool punch card being less expensive than paying for admissions individually and if the discount is for a bulk purchase. Baloun said there is a price break for buying a pass. Jones asked if there is a discount then if multiple kids are registered for recreation programming. Baloun said that the recreation fees are set up as per participant. There previously was a discount for families registering three or more kids, but that was ended a number of years ago. Baloun added that there is a scholarship program so low income families can get some assistance and children are not turned away from the program if they cannot pay.

Jones said that he had another question on the City paying the entry fee for the Windom Pirates baseball tournament. This is a select team, meaning not everyone can participate, but the City recreation program pays the \$150 – 160 fee. Baloun said the fee had been paid for the participation as a show of support for having a Windom team in the Windom Baseball Association sponsored tournament. Jones felt that if not all the kids could be on that team the fee should be borne by those participants and the \$150 – 160 fee money deducted from the cost of recreation programming for baseball.

Jones asked if the Parks Department gets any of the recreation fee income as they are the ones that do all the field maintenance. Caldwell replied that the Parks Department does not get any reimbursement and the Parks Department budget pays for the field maintenance.

Preliminary

Jones said he does not favor any fee increases and thinks there can be better coordination with the Parks & Recreation Commission, Recreation staff, Windom Baseball Association and the School. This partnership would result in a better and more efficient program. Maybe something more along the lines of the girls softball association. Jones said he realizes that the recreation programs and pool do not pay for themselves and the fees cover about half of the expenses. He added that baseball association and pony league coaches and parents volunteer a lot of their time.

Maricle said that if the \$150-160 baseball entry fee were not paid for that tournament participation maybe the baseball fees could go down and this could be looked at by the Parks & Recreation Commission.

Fossing said that he wants as many options for kids as possible and that these programs need to be affordable. He asked if there could be a family maximum level established covering all activities.

Caldwell said that he knows this is a short window to get everything going as the seasons will be coming up soon. He noted that the Parks & Recreation Commission had a hard time finding a meeting time and did discuss these fees at length. He also noted that if the cost for the maintenance were included the participation fees would be much higher.

Jones said that the parents, coaches, City staff, baseball association and school should all meet and figure out how to work together for the betterment of the program.

Fossing suggested that having joint meetings between these parties is a good way to start the discussion and setting direction. The format can be similar to the joint governments meetings.

Cooley said he does not have an in-depth understanding of all the programs, but there needs to be exploration of the needs and activities for various age groups and type of activity.

Fossing asked how many weeks programs like t-ball or coach-pitch are operated. Baloun said the program is 6-7 weeks long and with the scheduled times the cost is about \$1.50 per kid per day.

Cooley asked how many hours a week the volunteer coaches in the baseball association or pony league provide. Maricle and Jones replied that the hours vary by the coach but it would be likely 10 – 15 hours a week and maybe longer if there is a tournament.

Jones asked about the fee for sand volleyball and what is provided for that cost. Baloun said that the courts are dug once a week and if the weather is dry the courts are watered. Staff also puts down the ropes and does the season scheduling, tournament schedule and other recordkeeping. Jones asked if that work were approximately 4 – 5 hours a week. Baloun said that is close depending on the watering.

Council member Ray introduced the Resolution No. 2014-12, entitled “RESOLUTION ESTABLISHING RATES, CHARGES AND FEES FOR SWIMMING POOL USEAGE AND RECREATION PROGRAMS” and moved its adoption. The resolution was seconded by Cooley and on roll call vote: Aye: Fossing, Cooley, Powers and Ray. Nay: Jones. Absent: None. Abstain: None. Resolution passed 4 – 1.

10. EDA Resolution Authorizing Grant Application and Local Match:

Aaron Backman, EDA Executive Director, said that there are two actions being requested relating to the Phase II project for the North Windom Industrial Park (NWIP). The State Auditor’s Office requires these inter-fund loan agreements for TIF districts and are designed to cover any reimbursements of pre-TIF receipt costs or other funds fronted to the TIF district. The NWIP Phase II project includes some additional street construction, water, sewer and other infrastructure extensions and soil balancing. The proposal is to obtain a federal EDA grant for \$352,000 to cover half the cost and for the local match to be provided by the TIF district. These inter-fund loan agreements will provide back-up funding for the project as TIF receipts are received. The second resolution is essentially the same back-up funding, but includes language that the City could reimburse these costs thorough bonds if that option were needed. Backman noted that there had not been a federal EDA grant to Region 8 in Southwest Minnesota since 2001 so this would be a significant accomplishment if it were received.

Jones asked how many other projects are competing for this grant. Backman replied that there is only one other in SW Minnesota but many, many more nationwide.

Cooley asked what the distance of Commerce Boulevard will be from the north property line. Backman said the extension is from station 1700 to station 2350 so 650 feet will be added, but this is still approximately 300 feet short of the north line. Backman added that the new segment of the street will help improve access to the lots on the north end of the park and allow for possible access to the east and subdivision opportunities. Cooley said that he agrees with the proposed plan.

Council member Jones introduced the Resolution No. 2014-13, entitled “RESOLUTION AUTHORIZING ADDITIONAL INTERFUND LOANS FROM CITYEDA FUNDS FOR ADVANCE OF CERTAIN COSTS IN CONNECTION WITH TAX INCREMENT FINANCING DISTRICT 1-17” and moved its adoption. The resolution was seconded by Fossing and on roll call vote: Aye: Fossing, Jones, Cooley and Powers. Nay: None. Absent: None. Abstain: Ray. Resolution passed 4 – 0 - 1.

Council member Powers introduced the Resolution No. 2014-14, entitled “RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF WINDOM TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF BONDS TO BE ISSUED BY THE CITY” and moved its adoption. The resolution

Preliminary

was seconded by Cooley and on roll call vote: Aye: Powers, Fossing, Jones and Cooley. Nay: None. Absent: None. Abstain: Ray. Resolution passed 4 – 0 - 1.

11. Mayor Appointments:

Maricle recommended re-appointing Kathy Ratzlaff, Mike Fisher and Peggy Pfeffer to the Hospital Board.

Motion by Powers second by Fossing to approve the Mayor's appointment to the Airport Commission. Motion carried 5 – 0.

12. Regular Bills:

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

13. New Business:

Jones said that he had received a letter from the Finding Windom group and asked that an item be placed on the next Council agenda.

14. Old Business:

None.

15. Council Concerns:

None.

16. Adjourn:

Maricle adjourned the meeting by unanimous consent at 8:38 p.m.

Corey J. Maricle, Mayor

Attest: _____
Steve Nasby, City Administrator

Community Center Commission Minutes
Monday March 24, 2014

1. Call to Order: The meeting was called to order by President Wayne Maras at 5:30 p.m.

2. Roll Call:

President:	Wayne Maras
CC Director:	Brad Bussa
Commission Members:	Linda Stuckenbroker Kelly Woizeschke Mitch Voehl-Absent Lenny Thiner
Commission Liaisons:	Brian Cooley Bruce Caldwell-Absent Jo Ann Ray-Absent
EDA Director:	Aaron Backman
Public:	

3. Approval of Minutes:

Motion by Kelly Woizeschke, seconded by Lenny Thiner to approve the February 24, 2014 Community Center Commission Minutes. Motion carried 4-0

4. Additions to the agenda:

Nothing to Report

5. Correspondence:

Staples Oil- good Report

6. President's Report:

Nothing to Report

7. Director's Report:

- a. Social Gathering-WCC Director Bussa spoke on Social Gathering/Booking Event and told of set up and turnout. WCC Commission agreed to try again in the future with Customer /Community Appreciation/Open House and invite all Community members with a special invite to previous entities, groups, or people that have utilized the WCC. Liaison Aaron Backman brought up that he was working with the Chamber Office to bring back the Career Fair. It would be working with young people to encourage them and show them that there are possibilities to stay or return to the community and build local business economy and area growth.

- b. Rate Review-WCC Commission looked over building rates and at this time to leave as is.
- c. Caterers and D.J'S-WCC Director Bussa handed out handouts that have been compiled over the years that are given to groups and wedding parties.

8. Resource Management:

Schedule of Events: Reviewed new bookings in the last month

Income & Expense: Commission looked over Income and Expense

9. Miscellaneous:

Kelly Woizeschke stated if WCC Director Bussa could contact Telecom on the roll ups on television to do some kind of promotion on those channels that are seen in Jackson, Lakefield and outlining areas

10. Open Forum:

Nothing to Report

11. Next Meeting:

Monday April 28, 2014 @ 5:30 pm

Adjourn:

Motion by Linda Stuckenbroker, seconded by Kelly Wuizeschke, to adjourn the meeting at 6:35pm. Motion carried 4-0.

Wayne Maras, WCC President

Linda Stuckenbroker, WCC Secretary

Attest: _____
Brad Bussa, WCC Director

**STREET COMMITTEE
MINUTES MARCH 25, 2014**

Call to Order: The meeting was called to order at 4:00 P.M. in City Hall

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

City Staff Present: Street Superintendent Bruce Caldwell & City Administrator Steve Nasby

Public: Wenck Engineering Representative Tony Halverson

1. 2013 Street Project Update on Warranty Items: The committee was informed that some areas on 20th Street, 9th Avenue, 16th Street including a few driveways are showing some scaling. Mr. Halverson issued a punch list stating areas that need repair which included re-seeding boulevards, add dirt to low areas, black top concerns on the bridge on 6th avenue & a couple areas of broken curbs and sidewalks. Also they need to repair the retaining wall that was taken out on the west end of River Avenue during the construction.
The committee stated they want to have answers and a time line on repairs within the next month. Mr. Halverson stated that Wenck has contacted the contractor and they will meet and discuss how to resolve the problems and report back.
2. 4th Avenue Concrete Repair: starting at 10th Street going south on 4th Avenue we are seeing several spots where the concrete is braking up. Mr. Halverson stated he talked to a Mn/Dot engineer concerning how to repair those areas correctly. Caldwell said he contacted the contractor that built the street back in 2005, as of this meeting no cost estimates have been received from them.
3. North Industrial Park Seal Coat Proposal Caldwell submitted a bid to do a seal coat using a new product that doesn't have any rock as a wear course. The committee members stated beings the street is only one year old we should use the standard emulation/red rock chip seal on them. Caldwell will contact our engineering company to get costs. Nasby stated could be some funding available from EDA so not to use the street department's line items for this seal coat area.
4. 2014 City Street Seal Coat/Crack Repair Project Update Caldwell stated several of the streets that are listed for the seal coat project this year are in poor condition due to their age and the harsh winter. Several of the streets now have so many broken busted up and cracked areas on them that it's making it difficult to determine if we should even do another seal on them. According to the life span of bituminous we should be doing asphalt overlays on most of them. Caldwell said he asked the engineers to check out the streets on the seal coat list in order to help him make a decision on what direction we need to seal. The committee requested this information be discussed at our next meeting prior to moving forward.
5. Proposed New No Parking Area 10th Street & 6th Avenue on the south curb along 10th Street at the end of 6th Avenue, we have received several calls concerning poor visibility and problems with enough room for turning vehicles going onto 10th Street due to parking at this location. Police Chief Scott Peterson agreed that No Parking should be added on the south curb line from the east side of the driveway located at 651 River Road then running east to the entrance to the public parking lot just west of Witt Park.
The committee unanimously agreed on this additional No Parking area.

6. Request Petition for Vacation of Street; the committee reviewed the request to vacate the unimproved 16th Avenue from River Road to 17th Street. Caldwell stated he has discussed this request with some of the other city supervisors. Most of them didn't feel this would be in the best interest to the city overall. There is several underground utilities in this area currently. Also this could be a future link from River Road to 17th Street and also to the school property just to the north of 17th Street if there would be future development in that area. Caldwell stated that he has had considerable problems with standing water at the 17th Street & 16th Avenue intersection. The only way to rid of that water is to construct a new storm water main and catch basins going down this plotted street to River Road. They also said it would cost more to new create a utility easement or just leave it as is.

In the discussion the committee reviewed a google map which it appears the property owner at 1610 River Road is using the plotted unimproved 16th Avenue as their driveway and it didn't appear they had a driveway approach off River Road. Nothing was stated to correct this situation at this time.

The Street Committee unanimously agreed to deny the request for vacation of 16th Avenue

7. Cottonwood County Historical Society 812 4th Avenue Request they asked if they could hang a banner on our street light pole at 8th Street & 4th Avenue. The banner would have their name on it in order to help people see their building. Caldwell handed out photos showing their sign on the front of their building. The sign is lightly colored and blends into the cement block wall making it difficult to read. The committee stated if they painted their sign with a brighter color it would be much easier to read without difficulty. Also they have a large museum sign on the south side of their building that is easily readable and perhaps they could place another one on the northeast corner of their build which would be visible for at least a half of a block to the north. The committee had concerns if they granted this request other business would request the same which the committee as not in favor of granting the request.

The Street Committee unanimously agreed to deny this request

8. Meeting adjourned at 5:15 p.m.

Telecommunications Commission Meeting

Mar. 27th, 2014

11:30 A.M.

I. Call to Order :

Forrest called the meeting to Order @ 11:34 p.m.

II. Roll Call:

Commissioners Present: Virgil Meier, Forrest Fosheim, Dominic Jones, Brian Cooley, Jeremy Lund

Commissioners Absent:

City Staff: Dan Olsen, Londa Fosheim, Steve Nasby, Chelsea Carlson

III. Commissioner Swearin In:

Chairman Forrest swore in Jeremy Lund at the beginning of the meeting.

IV. Viacom Negotiation Update:

Not much new to report, negotiation still ongoing. If the NCTC and Viacom don't come to an agreement, then Viacom could either shut those channels down or call for an extension of the contract. Windomnet will not shut off the channels, it will be Viacom who shuts them off at their end. Contract ends on Mar. 31st at 12 midnight. There would be over 1.4 million customers affected by this, not only Windomnet customers.

Dominic made the motion to give Dan the ok to sign contract with the contingency to update the commissioners with what the contract entails

2nd Virgil, All in Favor

V. City Wide Internal Network:

Dan stated the he needs a recommendation from the commissioners on how to go about doing the City wide internal network. They will have to be a decision on how to do it, who will run it and who will make the decisions about it.

An IT Audit will be the first thing that has to be done. Forrest will look into it and bring information to next Telecom meeting.

Dan stated that there are security risks that need to be taken care of as well as the backup of all data. The network will have to be able to control who has access to what, how much access is giving to who, and who will control the whole network.

Dan stated the technology is there, that it just needs to be used to save the extra steps/time that is being wasted the way things are now.

Dan stated most of the infrastructure is already in place for the City Wide Internal Network to work. Dan stated that there will be some money needed to upgrade and finish the project.

VI. Internet Backbone Reconfiguration:

Dan stated that Windomnet will need more bandwidth in the near future. Dan has some quotes for 10 gig from here to the 511 building.

Dan stated people are using more bandwidth.

Dan stated that he has some interested parties in renting 8 to 10 racks in the NOC.

VII. Manager's Report:

Windomnet will need more space to continue to grow. Windomnet will need to expand to allow room for more rack space, work space, office space, and break room.

7 or 8 Companies are interested in rack space in the near future.

Dan stated that the City of Windom has been in the cable business for 30 yrs. now and that the Telecom has been in business for 10 yrs.

Dan has been in contact with a company to put together some brochures for Windomnet celebrating the years in service.

Dan updated the commissioners that the digital headend upgrades are still moving along.

Dan updated the commissioners on a few other projects coming in the near future for Windomnet.

Dan stated the Windomnet may have to upgrade their MetaSwitch sooner than expected

Dan updated the Commissioners on the EOI in the CAF Project.

Dan talked about his recent trip to the MTA convention in Minneapolis.

VIII. Adjourn:

Meeting was adjourned at 1:20 pm by Virgil



**Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division (AGED)
444 Cedar Street, Suite 222, St. Paul, MN 55101-5133
Telephone 651-201-7507 Fax 651-297-5259 TTY 651-282-6555**

Certification of an On Sale Liquor License, 3.2% Liquor license, or Sunday Liquor License

Cities and Counties: You are required by law to complete and sign this form to certify the issuance of the following liquor license types:
 1) City issued on sale intoxicating and Sunday liquor licenses
 2) City and County issued 3.2% on and off sale malt liquor licenses

Name of City or County Issuing Liquor License Windom License Period From: _____ To: 12/31/14

Circle One: New License License Transfer _____ Suspension Revocation Cancel _____
 (former licensee name) (Give dates)

License type: (circle all that apply) On Sale Intoxicating Sunday Liquor 3.2% On sale 3.2% Off Sale

Fee(s): On Sale License fee: \$ _____ Sunday License fee: \$ _____ 3.2% On Sale fee: \$ _____ 3.2% Off Sale fee: \$ _____

Licensee Name: Les Potros Mexican Restaurant & Cantina Social Security # 450-91-2939
 (corporation, partnership, LLC, or Individual)

Business Trade Name Maripositas' Ville Mexican bar & Grill Business Address 821 4th Ave City Windom
 (Maria G. Hidalgo) DOB 09-18-80

Zip Code 56001 County WAT Business Phone (507) 832-8199 Home Phone 507-304-3700

Home Address 404 4th Ave N. City St. James, MN Licensee's MN Tax ID # 3137048
 (To Apply call 651-296-6181)

Licensee's Federal Tax ID # 46-3122259
 (To apply call IRS 800-829-4933)

If above named licensee is a corporation, partnership, or LLC, complete the following for each partner/officer:

<u>Maria Guadalupe Hidalgo</u>	DOB _____	Social Security # _____	Home Address <u>404 4th Ave N.</u>
Partner/Officer Name (First Middle Last)	DOB	Social Security #	Home Address
<u>Gustavo Hidalgo</u>	DOB _____	Social Security # _____	Home Address <u>St. James, MN</u>
Partner/Officer Name (First Middle Last)	DOB	Social Security #	Home Address
Partner/Officer Name (First Middle Last)	DOB	Social Security #	Home Address <u>56081</u>

Intoxicating liquor licensees must attach a certificate of Liquor Liability Insurance to this form. The insurance certificate must contain all of the following:

- 1) Show the exact licensee name (corporation, partnership, LLC, etc) and business address as shown on the license.
- 2) Cover completely the license period set by the local city or county licensing authority as shown on the license.

Circle One: (Yes No) During the past year has a summons been issued to the licensee under the Civil Liquor Liability Law?

Workers Compensation Insurance is also required by all licensees: Please complete the following:

Workers Compensation Insurance Company Name: Owners Ins Co Policy # 08719210
Nesbit Agencies, Inc.

I Certify that this license(s) has been approved in an official meeting by the governing body of the city or county.

City Clerk or County Auditor Signature _____ Date _____
 (title)

On Sale Intoxicating liquor licensees must also purchase a \$20 Retailer Buyers Card. To obtain the application for the Buyers Card, please call 651-201-7504, or visit our website at www.dps.state.mn.us.



WINDOM POLICE DEPARTMENT

PO BOX 38, 444 NINTH STREET

WINDOM, MN 56101

Scott Peterson, Chief

PHONE: (507)831-6134 / FAX: (507)831-1957



March 25, 2014

Dear Mayor and City Council Members:

Officer Todd Hyatt has announced that he has accepted a position with the Hibbing Police Department. He has served our community for approximately 14 years. We will miss Todd.

The Windom Civil Service Commission recommends establishing a hiring list to fill this position. On behalf of the Commission Members, I ask that this request be approved by the Windom City Council. Thank your for your consideration.

Sincerely,

Scott Peterson, Chief of Police



March 27, 2014

Memo: On Line Registration-Windom Baseball Association

To: Windom City Council
CC: Steve Nasby, City Administrator
Windom Parks and Recreation Commission
From: Al Baloun, Recreation Director

This past week, Rahn Larson representing the Windom Baseball Association, approached me about using the City of Windom's On Line Registration program to register for the Island Park Morning Baseball League. This has also been discussed with Steve Nasby and Chelsie Carlson. I am asking for council's approval to allow the Windom Baseball Association to do this as a pilot program for this year. Our On Line registration for recreation programs began on April 1, 2014. This pilot program would be tried on this year's registration to see how it works with our new on line registration program. The Windom Baseball Association is the only organization to approach us about utilizing our on line registration program this year. This pilot program may open the door for other organizations such as girl's fast pitch softball and Girl Scout swim team to utilize our on line registration program in the future.

Details of Rahn's request are outlined in the attached e-mail.

If you have any questions, feel free to contact me at 507-822-0514 or e-mail winarena@windomnet.com .

Attachment : E Mail Rahn Larson



Baseball sign-ups

From: "Rahn Larson" <rahn1@windomnews.com>
To: "Al Baloun" <winarena@windomnet.com>

03/27/14 14:52

I have discussed this matter with Steve Nasby, Al Baloun and Chelsie Carlson.

The Windom Baseball Association would like to run its sign-ups for the Island Park Morning Baseball League, on the Windom Park and Recreation website. This would help us to have a more smooth and efficient sign-up process.

Our league is set up exactly the same way as it operated last year--for kids in grades 3, 4 and 5. It is expected to run from 9 to 11 a.m. Mondays, Wednesdays and Fridays. It will start on the first Monday, Wednesday or Friday after the last day of school.

Here are some things to keep in mind:

- We would do this on a trial basis this year.
- No fees would be collected by the City of Windom. We would have a place on the sign-up location that would direct people to mail their checks to P.O. box 362, which is assigned to the Windom Baseball Association.
- We would set up a May 1 deadline, which matches the sign-up deadline for Windom Park and Rec.
- It is an excellent opportunity for the City of Windom, Windom Baseball Association and the Windom Park and Recreation Department to work together.

If you have questions, call Rahn Larson of the Windom Baseball Association at 507-831-3455.

Sincerely,
Rahn Larson

RESOLUTION #2014-

INTRODUCED:

SECONDED:

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

2014 NATIONAL LIBRARY WEEK PROCLAMATION

WHEREAS, libraries help lives change in their communities, campuses and schools; and

WHEREAS, librarians work to meet the changing needs of their communities, including providing resources for everyone and bringing services outside of library walls; and

WHEREAS, libraries and librarians bring together community members to enrich and shape the community and address local issues; and

WHEREAS, librarians are trained, tech-savvy professionals, providing technology training and access to downloadable content like e-books; and

WHEREAS, libraries offer programs to meet community needs, providing residents with resume writing classes, 24/7 homework help and financial planning services to teens applying for student loans to older adults planning their retirement; and

WHEREAS, libraries continuously grow and evolve in how they provide for the needs of every member of their communities; and

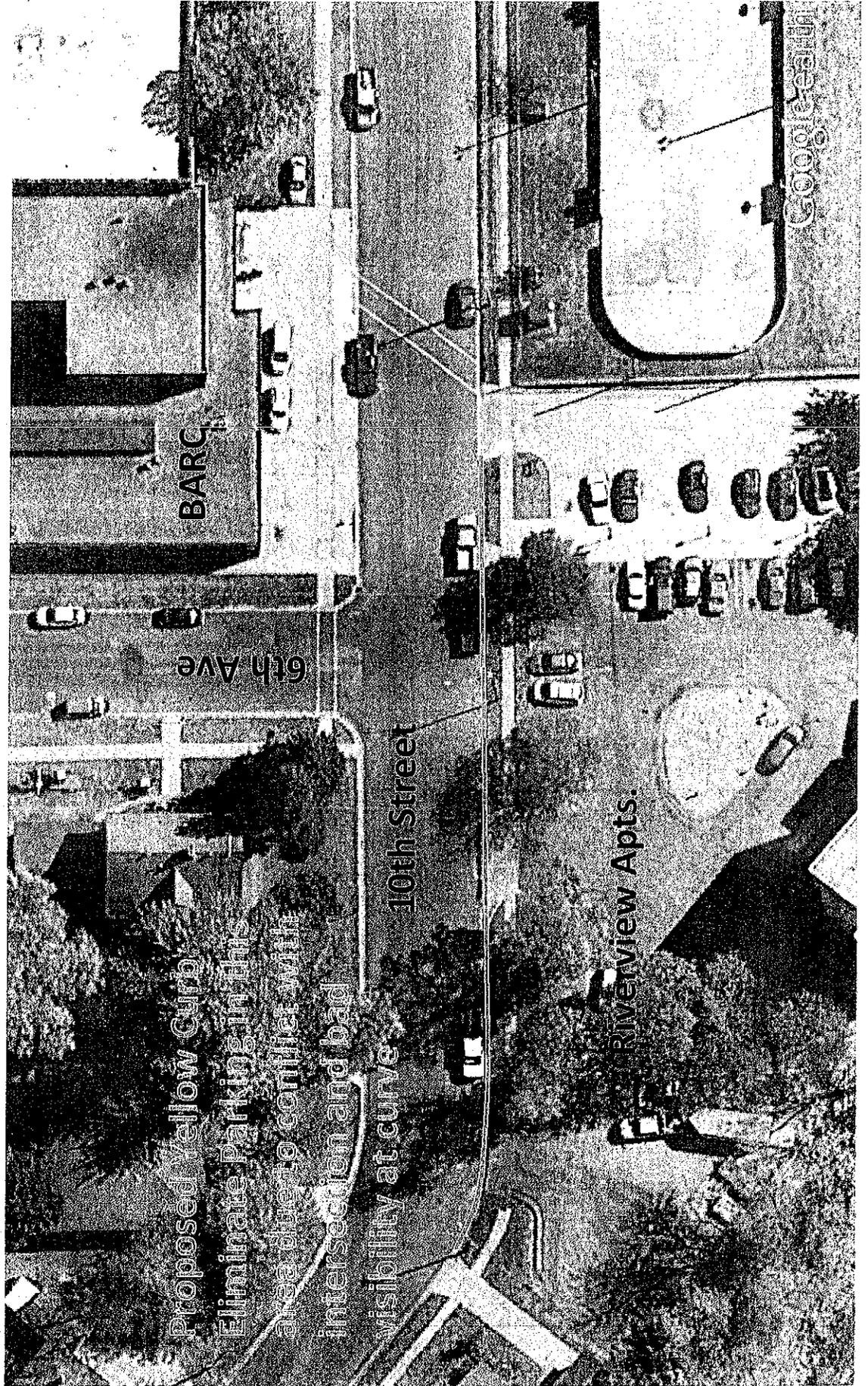
WHEREAS, libraries, librarians, library workers and supporters across America are celebrating National Library Week.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WINDOM, MINNESOTA, that the week of April 13-19, 2014, is proclaimed National Library Week. All residents are encouraged to visit the library this week to take advantage of the wonderful library resources available @ your library and thank your librarians and library workers for making information accessible to all who walk through the library's doors. Lives change @ your library.

Adopted by the Council this 1st day of April, 2014.

Corey J. Maricle, Mayor

Attest: _____
Steve Nasby, City Administrator



Proposed yellow curb
Eliminate Parking in this
area blue to conflict with
intersection and bad
visibility at curve

10th Street

Riverview Apts.

BARC

6th Ave

Google Earth

Memo

To: City Council
Re: Street & Park Department Seasonal Staffing Hire
& New Independent Compost Site Manager Hire
Date: 3/26/14
From: Bruce Caldwell Street/Parks Dept. Superintendent

Following reviewing the application for the Street/Parks Department seasonal staffing my recommendations is to hire;

Nicholas Riordan; hourly rate \$9.50

(This would be his third year of employment with us)

Note; Riordan is currently enrolled in college and he can start on or around May 12, 2014.

Independent Compost Site Manager Hire;

Wayne A. Erickson hourly rate \$9.00

Days he would be managing the compost site;

Tuesday's Tuesday's 3:00-7:00 p.m. &

Saturday's 10:00 a.m.-2:00 p.m.

Starting Date Tuesday April 15, 2014 ending in October 2014

Appendix B: Forms for completing a vacation by city council resolution

PETITION FOR VACATION OF (A PORTION OF) 16th Avenue STREET IN THE CITY OF Windom, County of Cottonwood, Minnesota.¹

TO: The City Council of Windom, Minnesota

The undersigned, a majority of the property owners as set forth opposite their respective names, abutting on _____ street,² respectfully petition the city council to vacation the aforesaid (portion of) _____ street.³

Print Name	Signature	Address or Description of Property
Mary E. Meyer	<i>Mary E. Meyer</i>	1610 River Road
Fred Meyer	<i>Fred W Meyer</i>	1610 River Road
Devera Warner	<i>Devera Warner</i>	
Greg Warner	<i>Greg Warner</i>	1595 17th St.
Robb	<i>Robb</i>	1574 River Rd
Kevin Welles	<i>Kevin Welles</i>	1590 River Rd
Kristi E. Hagan	<i>Kristi E. Hagan</i>	1805 17th St.
Muriel Gosh	<i>Muriel Gosh</i>	1630 River Rd.
Jackie Weinberg	<i>Jackie Weinberg</i>	1590 River Rd.

¹ The abutting landowners' petition is not required to commence a vacation. The City Council may commence a vacation procedure on its own initiative. However, a vacation commenced without a valid petition must be passed by a 4/5 favorable resolution of City Council. When a petition needing multiple sheets of paper is used, each sheet should bear the full heading at the top, so that all signers and the city have a clear understanding of the nature of the petition being signed.

² Please see "Procedure for Vacation of Streets" memo Section II-A-1 for a discussion of the legal requirements relating to abutting landowners signatures.

³ The description of the street to be vacated should be complete enough to prevent any possible uncertainty or ambiguity. In some cases, particularly where only a portion of a public street or grounds will be vacated, a legal description may be necessary.

RESOLUTION # 2014-

INTRODUCED:

SECONDED:

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

**A RESOLUTION SETTING A PUBLIC HEARING ON VACATION OF THE STREET
RIGHT-OF-WAY KNOWN AS 16TH AVENUE**

WHEREAS, a petition signed by the majority of property owners abutting 16th Avenue has been received by the City Administrator on the 27th day of March, 2014; and

WHEREAS, the City Administrator has reviewed and examined the signatures on said petition and determined that such signatures constitute a majority of the landowners abutting upon the street to be vacated; and

WHEREAS, pursuant to Minnesota Statute §412.851, the petition requested that the City Council vacate the street right-of-way known as 16th Avenue between River Road and 17th Street and described as follows:

DESCRIPTION

Sixteenth Avenue street right-of-way runs between four lots within the Kalash Addition. Sixteenth Avenue is platted on the northwest side of Lots 8 & 9 in Block 2 and the southeast side of Lots 1 & 19 in Block 3 of Kalash Addition to the City of Windom, Cottonwood County, Minnesota.

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

1. The Council will consider the vacation of such street.
2. A public hearing shall be held on such proposed vacation on the 6th day of May, 2014, before the City Council in the City Hall at approximately 7:30 p.m. and the City Administrator shall give published, posted and mailed notice as required by law.

Adopted this 1st day of April, 2014.

Corey J. Maricle, Mayor

Attest: _____
Steven Nasby, City Administrator

To the City of Windom,

This letter is in regards to the City of Windom's adopted public nuisance ordinances and *enforcement* of these ordinances, along with the City of Windom's strategies and goals adopted in December of 2012. Finding Windom, a group of community members who desire to create a thriving and unique downtown and community-wide experience and who wish to promote an ideal quality of life for its residents, are pursuing a response from the City of Windom concerning the changes to the ordinances that we, as a non-profit organization, encouraged in 2013 to Public Nuisance. As optimistic and energetic community members, we would like to know from our city officials how these changes to ordinances, strategies and goals have potentially improved the quality of life in our wonderful community.

Since the adoption of the new public nuisance ordinances, Finding Windom has met with the Planning and Zoning Commission two times and also assisted the Building and Zoning Official by properly filing the "New Complaint and Status Sheet" to identify and report numerous probable hazards to safety and health in our community, but we have yet to see *solid* results from our efforts. Also, a follow up from our efforts, along with work done by the Building Official, have not yet been added to a city council agenda, nor has it been discussed at a formal city council meeting. We are hoping to find answers, as our frustration with the process or lack thereof continues after our hard work and dedication to seeking a resolution to the ongoing problem of nuisance abatement.

To further illustrate the importance of this subject, the following is quoted from the Management Information Service (MIS) report (see attached) on Nuisance Abatement. This MIS Report was made available to former Windom Planning and Zoning Commission members a number of years ago, and Finding Windom finds this report to be very useful.

"Nuisance abatement is one of local government's most visible activities. Responding to citizen complaints and enforcing local codes bring local government staff into contact with citizens where they live and work. The quality of nuisance abatement strongly influences citizen perceptions of local government. Furthermore, there is a close connection between nuisance abatement and crime control. "

In 2012, Finding Windom assisted the City Council, with the help of a professional firm at the cost of \$6,000, in adopting strategies and goals for the City of Windom. The first strategy adopted was community pride, in which goal one states, "a progressive reputation and community pride"; moreover, it also states to "support the goals of Finding Windom group." The lack of communication and collaboration from the City has been frustrating for our organization. Finding Windom, as well as genuine concerns from community members, asks to

be taken seriously, and we assume our city government would also like to be taken seriously by the public it serves (refer to quote from MIS report). We desire a positive, constructive partnership with our city officials to see our community prosper in our ever changing world.

Finding Windom values our downtown and community wide assets. We value the power of the internet and our "wired" city, we value the spirit of cooperation and the strength of working together, and we value the power of pride. We value Windom's businesses, services, residents, tourists and limitless potential to progress and grow. Do you? The members of Finding Windom are disappointed by the lack of progress the city has made since the adoption of these ordinances and goals. Maybe we are mistaken and there has been more action in the City office than we are aware of? If so, Finding Windom also values communication.

Please note, as a group of concerned community members, we not only wish to be informed of the City's actions and solutions to this ongoing nuisance abatement problem, but would also like to assist the City in finding solutions as well. The same Management Information Service Report mentioned above additionally gives examples of numerous small communities that have adopted successful *detailed* ordinances and *victorious* enforcements. Also included in this report are examples of ordinances that allow community members to actively help city officials correct violations with little to no monetary investments, but these communities triumphantly see improvements in quality of life, which Finding Windom sees as a mutual goal for all of us in this great city we call home.

We trust you are interested in hearing more about our ideas to resolve these abatement issues and interested in a positive, constructive partnership with Finding Windom. We trust in you, elected officials and employees of tax payers, to help us maintain, improve and dignify the quality of life our delightful community has to offer to all those who enter.

Finding Windom together with respect and optimism,

Finding Windom

Finding Windom, Inc.

findingwindom@hotmail.com

cc: Jim Kartes, Building and Zoning Official
Steve Nasby, City Administrator
Corey Maricle, Mayor
Brad Powers, City Council
Dominic Jones, City Council
Kelsey Fossing, City Council
JoAnn Ray, City Council
Brian Cooley, City Council

Gary Hunter, Planning Commission
Kevin Rose, Planning Commission
Ben Derickson, Planning Commission
Krissy Fossing, Planning Commission
Greg Pfeffer, Planning Commission
Lorri Cole, Planning Commission
Ron Schramel, City Attorney
Rahn Larson, Citizen Publishing

Management Information Systems MIS REPORT

Partial Report



NUISANCE ABATEMENT

Nuisance abatement is one of local government's most visible activities. Responding to citizen complaints and enforcing local codes bring local government staff into contact with citizens where they live and work. The quality of nuisance abatement strongly influences citizen perceptions of local government. Furthermore, there is a close connection between nuisance abatement and crime control. Code enforcement is a major focus of community oriented policing.

This report examines the legal context of nuisance abatement and discusses the three stages of the process: defining community standards, enforcing standards, and remediating nuisances. Case examples illustrate successful approaches to each phase of nuisance abatement, and case studies give the reader more details on implementation.

The appendix contains examples of procedures, forms, and letters used in controlling nuisances.

Nuisance Abatement

This report was compiled by Christine Ulrich, senior editor for management information publications at ICMA. The section "Legal Guidelines for Nuisance Abatement" was written by Michael P. Moss, associate counsel for policy and programs with the International Municipal Lawyers Association (IMLA) in Washington, D.C.

Several kinds of nuisances are addressed in this report: nuisances in public places (litter, graffiti, noise, panhandling); property offenses (weeds, abandoned vehicles, neglected housing); animal-related problems (barking dogs, loose pets, wildlife intrusions); and business-related nuisances (sexually oriented businesses, industrial smells and noise). In each case, conversations with local governments make clear that the best course of action is to win the cooperation of citizens, through education and incentives, in preventing and remedying these nuisance situations. Case studies also emphasize citizen participation as a key to reduction of nuisances and nuisance complaints.

NUISANCE ABATEMENT AND CRIME

"Lawn and paint ordinances may sound like trivial stuff. But there is growing consensus among law enforcement experts and city planners that details matter, that crime is deterred as much by cleanliness and public order as it is by adding police patrols and putting bars on windows. . . . Communities that clearly articulate and enforce a standard of public behavior and order can discourage criminal activity."¹

With these words the *Washington Post* last year summarized the trend in urban communities of New Jersey to protect their quality of life by devoting substantial resources to code enforcement. For example, Prospect Park, a middle-class town of 5,000 people, employs a full-time code enforcement officer.

Nuisance abatement is perhaps the main activity of most community-oriented policing programs and a vital element in neighborhood revitalization. According to Steven Carter, city manager of Champaign, Illinois, it is often the best weapon for local governments to use in combating gangs and drug dealers. For instance, it may be more effective to use code enforcement to convince owners of

buildings that generate frequent police calls to monitor their premises than to wait for lengthy criminal investigations and prosecution to achieve the same effect.

LEGAL GUIDELINES FOR NUISANCE ABATEMENT

This section is designed to provide local government officials with a general guide to the legal issues to consider and the procedures to follow when abating public nuisances.

What is a Nuisance?

A nuisance is an activity that interferes with an owner's reasonable use and enjoyment of his property or interferes with public rights, such as free passage along streams and highways and enjoyment of public parks and places of recreation. In addition, some activities and structures are prohibited as statutory nuisances.

Nuisances are commonly classified as public, private, and mixed. A public nuisance affects all people coming in contact with the nuisance. With a public nuisance the damage inflicted upon individuals may be unequal.

The interference with an individual's private use and enjoyment of land constitutes a private nuisance. A private nuisance includes any wrongful act that destroys or deteriorates the property of an individual or of a few persons or interferes with their lawful use or enjoyment of the property, or any act that hinders them in the enjoyment of a common or public right and causes a special injury different from that sustained by the public at large. The distinction, however, between a public and a private nuisance does not depend solely on the number of people who are affected. When the same act constitutes a private nuisance as well as a public nuisance, it is considered a mixed nuisance.

2 Management Information Service

Nuisances can be further categorized as at law ("per se") and in fact ("per accidens"). A nuisance at law is an act, occupation, or structure that is a nuisance at all times and under all circumstances, regardless of location or surroundings. With a nuisance at law injury of some form is certain.

A nuisance in fact is an act, occupation, or structure that may become a nuisance by reason of its location or surroundings or the manner in which it is performed or operated. Some examples of what courts have determined to be nuisances in fact are inoperative vehicles and debris, a car wash, a haven for rodents, a parking lot, an animal shelter, and a coal-burning engine. With a nuisance in fact, injury is uncertain or contingent on circumstances until it actually occurs. Whether a nuisance in fact exists is a question that must be resolved in court. A local government seeking to abate a nuisance in fact must prove the particular circumstances that create the nuisance and demonstrate the injury it produces.

The "broken window"

The connection between things like well-kept lawns and crime is best expressed by what is known among sociologists as the "broken window" hypothesis, which says that one broken window invites other, because it creates an environment where no one cares.

A real-life test of the hypothesis occurred in New York City in the late 1980s when the Transit Authority decided to condone deterioration and clutter on the subway system. Sprinkling graffiti problems instead of focusing on violent crime, the transit authority went after the most common and seemingly innocuous offenses. First, they made graffiti busters—the riders who pass over graffiti with a spray—crimes in that they were setting a standard of lawless behavior and spilled over on the entire system.

The management focused on graffiti, which had also been a crime, advertisements that subway cars were placed. Without rules of supervision, from that point on no subway car was allowed to leave the yard with graffiti on it.

The turning point came when we were half way through the movie program and some graffiti artists broke into a subway car. I called George Kelling, a Northeastern University criminologist who acted as a consultant to the project. He immediately called the city cops for the clean up. At that point we knew we had won.

Today, New York's subway system is almost entirely graffiti free, after being hit by a slow-motion wave of graffiti since the clean-up campaign began. Robberies in the system are down 75 percent and felonies are down 66 percent.

Source: Excerpted from video in Gladwell, Malcolm, *The Tipping Point* (New York: Random House, 2002), pp. 105-106.

Abatement of Nuisance by Ordinance

Nuisance abatement is "[t]he removal, stoppage, prostration, or destruction of that which causes a nuisance, whether by breaking or pulling it down, or otherwise removing, destroying, or effacing it."² A jurisdiction has authority pursuant to its police power to abate nuisances by adopting reasonable ordinances making it a crime to maintain a public nuisance; however, a jurisdiction has no authority under its police power to regulate a private nuisance. In situations where it is questionable whether something is a nuisance, the local government's decision is conclusive unless its judgment and the use of its discretion is shown to be clearly erroneous.

An ordinance may not make a thing a nuisance unless it is in fact a nuisance. The thing or act complained of must come within the legal notion of a nuisance; when it does not, no authority to remove or abate it is derived from an ordinance declaring it a nuisance. In addition, a nuisance ordinance may not declare illegal anything that was legal when initiated. Thus, if "under the guise of eliminating a nuisance, a municipality attempts to halt an otherwise legal activity, it must demonstrate the existence of a nuisance [at law] or a nuisance in fact."³

An ordinance may not make a thing a nuisance unless it is in fact a nuisance.

An ordinance should always follow any legal steps required by charter or statute. In certain instances, a state statute may govern a local government's powers to abate a nuisance. For example, a Pennsylvania township was held to have exceeded its abatement powers when it failed to ascertain whether the accumulation of abandoned vehicles and various types of scrap metal actually constituted a nuisance before enacting an ordinance to abate this condition.⁴

A nuisance abatement ordinance should clearly set forth the standards, procedures, or criteria to be used in determining whether to take an abatement action in order to avoid allegations that the action is arbitrary or capricious. Moreover, a locality must follow the procedures set forth. Failure to do so may constitute sufficient grounds for setting aside an abatement action or may expose the locality to liability for damages.

Notice and Hearing Prior to Abatement (What Process Is Due?)

The requirements of due process apply when a local government exercises its police power to abate nuisances and no emergency exists. Thus, an ordinance governing nuisance abatement should contain provisions providing for notice to the property owner where an alleged violation has occurred. Notice should also be provided to those holding liens on

MANAGING NUISANCE ABATEMENT

Nuisance abatement covers a variety of local government responsibilities: developing common standards through the drafting of ordinances; enforcing nuisance ordinances; and remedying situations in which the offender is unknown or unavailable. The previous section outlined some considerations to keep in mind when drafting nuisance ordinances; a diskette containing several sample ordinances enacted by local governments is available from American Legal Publishing (see Additional Resources).

Developing Common Standards

It is important to keep in mind that the values of each community are unique, and that standards developed by one community may not be enforceable in another. For an example of citizen participation in the development of standards for animal control, see the case study on Montgomery County, Maryland, in *Establishing Effective Citizens' Advisory Committees* (MIS Report, February 1996). After a dog attack incident, the local government appointed a citizens' advisory committee to review the existing animal control ordinance and suggest improvements. The following case study from San Leandro, California, describes one community's attempt to attune its legislation regarding nuisances on private property to the preferences of the community.

★ **Developing a neighborhood preservation ordinance—San Leandro, California.** When San Leandro, California (68,000), found in the mid-1980s that a growing number of residents no longer voluntarily met generally accepted standards for property maintenance, the city council embarked on a "community standards" approach to maintenance of residential properties.⁶ As described by Mike Oliver, assistant city manager at the time, the process worked as follows:

- City staff compiled a list of concerns not addressed through traditional zoning, health, or safety ordinances. In compiling the list, they sought input from community representatives on what was acceptable and unacceptable in various residential neighborhoods.
- With input from the various city departments involved and frequent review by city council, the city declared the offending items public nuisances and established an administrative mechanism whereby the city would complete abatement work and the property owner would pay the costs.
- The city solicited homeowners' associations, neighborhood representatives, and interested residents for comments on each element of the nuisance abatement plan. A slide presentation showed what the city proposed to do. A neighborhood preservation ordinance was drafted

Once the new ordinance had been adopted, staff moved cautiously on enforcement and kept the city council and the public fully informed of progress and problems. Staff felt that it was important that the community see the city as compassionate and helpful. As a result, they chose enforcement personnel carefully and built into the enforcement process as much personal contact as possible: telephone calls and site visits took the place of anonymous letters and other bureaucratic procedures. Flexibility in implementation was emphasized. An administrative hearing board gave property owners the opportunity to tell their side of the story and the city the chance to stress the importance of their cooperation.

San Leandro was successful in bringing residential properties into compliance. Of the more than 200 abatements carried out within the first 18 months after adoption of the ordinance, only one was appealed to the city council. The ordinance was subsequently extended to industrial and commercial areas. At this point, several years after adoption of the ordinance, it is well accepted and used by citizens to keep their neighborhoods in order. Groups that originally opposed the neighborhood preservation ordinance, such as realtors, now understand its value, fully support it, and frequently call the city for abatement of problems they notice.

Enforcing Nuisance Ordinances

Nuisance code enforcement presents a variety of problems for local governments: When enforcement is the responsibility of several local government departments, confusion can result. Complaining citizens may be bounced from one department to another, and problems may go untended. In many communities, particularly small towns, enforcement may be a secondary responsibility for staff with other, more pressing assignments. Some types of nuisances tend to recur—local government staff have to return to the same address time after time to investigate a barking dog complaint, or mow weeds, or remove raccoons from the attic.

Perhaps the most efficient strategy for enforcement is enlisting the cooperation of citizens to prevent nuisances, through education and swift action on complaints. The following case studies illustrate these strategies.

Training police officers and citizens—Fort Worth, Texas. At the request of the police department, the code enforcement division of Fort Worth, Texas (448,000), created a manual to educate police officers about their areas of responsibility in code enforcement versus the code enforcement division's areas of responsibility. The training helped improve communication between the two departments and reduced "bureaucratic bounce," according to Gail Baxter, supervisor of the code enforcement division.

successful that the manual was subsequently adapted for use in citizen training classes and during presentations to neighborhood associations. The manual contains information, in layman's terms, about everything from alcohol consumption to zoning and explains the city's procedures for dealing with each kind of nuisance. (The Fort Worth manual is available as an ICMA Clearinghouse Report—see Additional Resources.)

Proactive code enforcement—Newton, Iowa. In small communities like Newton, Iowa (15,000), nuisance code enforcement is often reactive, prompted primarily by citizen complaints. To evaluate the effectiveness of a proactive code enforcement program, in 1995 the Newton city council approved a 60-day pilot project. A temporary code enforcement officer was hired to work 20 hours a week to identify nuisance violations and respond to individual complaints.

With the cooperation of the local media, the town generated considerable community interest in the pilot project. Many violations were corrected by citizens themselves before any official steps had to be taken. For the more serious violations observed by the enforcement officer during the pilot project, the rate of compliance was 92 percent. The officer kept track of the time spent on identifying and reporting violations and visiting citizens to explain enforcement procedures—on average, 83 minutes per violation. The total cost of the 60-day project was \$1,642, including personnel and vehicle use.

Based on the results of the pilot project, the city manager recommended and the council approved the continuation of the proactive nuisance code enforcement program with the use of volunteers. The manager's recommendations for the program were as follows:

- Establish a four-person volunteer program to highlight nuisance code enforcement twice a year, in April and September. Volunteers are to work in two-person teams and to be trained in nuisance observation and correction. Teams are responsible for identifying nuisances and issuing warning notices. If voluntary compliance is not forthcoming, police personnel cite the offender for an infraction of the municipal code. The estimated cost for this volunteer effort is \$405 per year.
- Use public service announcements extensively during April and September to encourage and highlight community involvement and participation.
- During the remainder of the year, handle nuisances through individual city departments as in the past.

Newton has established a hot-line at the police department to receive citizen complaints about nuisances. The form shown on page 6 is used to tran-

scribe complaints and send them to the proper department.

Remediating Nuisances

Remediation calls on the ingenuity of the local government and its ability to work cooperatively with citizens. New technologies—especially complaint management systems—facilitate local government response to complaints. The remainder of this report considers remedies to specific nuisance problems and provides case examples.

NUISANCES ON PUBLIC PROPERTY

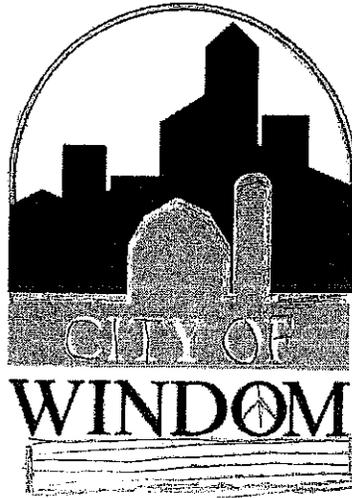
Litter and Graffiti

Anti-litter and anti-graffiti ordinances are easy to enact but hard to enforce. Most strategies for remediation rely heavily on the use of volunteers. However, some communities have been more creative. For example, Silver City, New Mexico, charges vendors a one-cent-per-bottle disposal fee and uses the revenues generated to pay teenagers to pick up discarded bottles during the summer. Fairfax, California, contracts with local Boy Scouts to remove graffiti from the walls of local businesses. The city donates \$1,000 to the Scouts and in return they paint over graffiti within three days of a report. Participating businesses must keep paint on hand that matches their building exterior.

Taking an aggressive posture, the town of Apple Valley, California, pursued a court case against parents of juveniles videotaped displaying the results of their vandalism. The town sought damages to cover the costs of repairing or replacing vandalized signs and painting over graffiti and eventually won, after releasing the names of the offenders' parents to the press. The incidence of graffiti in Apple Valley has dropped by about 75 percent since the suit.

Colorado Springs, Colorado, has invited a local nonprofit organization that works with at-risk youth to design and execute large murals in areas normally defaced by graffiti. With the help of a professional artist, youth have completed two large murals along city bike paths.

Trying another prevention strategy, the city of Phoenix, Arizona, passed an anti-graffiti ordinance in 1995 that requires businesses to restrict access to graffiti vandal tools, such as spray paint containers and non-water-soluble indelible markers with tips that are half-an-inch wide or wider. Businesses can comply by keeping spray paint and markers locked in glass cases or cabinets or by displaying them behind counters. Violators are subject to a fine of \$500. Phoenix also maintains a 24-hour Graffiti Hotline in English and Spanish and offers rewards of up to \$250 to citizens who provide information that leads to the arrest of a graffiti vandal.



City of Windom, Minnesota

**Strategies and Goals – April 2012
Capital Improvement Plan – November 2012**

Adopted by City Council – December 20, 2012

PERSPECTIVE

The goals and strategies is a compilation of thoughts, input, and discussion from four distinct sources: 1) city staff internal survey; 2) two community meetings (July 6 and July 11); 3) feedback obtained from the Finding Windom group via their social media contacts; and 4) four City Council work sessions (July 13, July 27, August 29 and October 5) which included the Mayor, City Council, members of City staff and Mari Harries (Finding Windom) and members of the public. Additional work was completed by the City Council to discuss and refine each strategy, which was completed February 21, 2012 (see Appendix A). In May 2012 the City Council will be reviewing, prioritizing and assembling a new capital planning program (see Appendix B)

At the July 13 City Council meeting the various planning components were outlined and presented. On July 27, the first draft of a document was presented and thoroughly discussed. On August 29, the City Council reviewed the second draft. At the October 5 meeting, the City Council moved to the development and implementation phases of the process that started with the citizen inputs. Further delving into the strategies and goals and putting the language into more specific, concrete and understandable actions is the primary future objective of the City Council.

NOTABLE COMMENTS

Thoughts and reflections on the process:

For a long time now, the City has not had a strategic plan that brings our community together. This is an opportune time to get everyone on the same page. We are a resilient and strong community; this process will help us prepare a road map for our future.

Windom City Council

We want this process to develop a shared vision with specific action statements that we can follow and implement. We need a plan that moves our community forward.

Steve Nasby, Windom City Administrator

We have so much to be proud of in Windom. I came home to invest in the future of my community; we need to remove the myth that you have to leave Windom to be successful.

Mari Harries, Finding Windom Group

TERMS AND DEFINITIONS

The following terms used for this planning process are defined as follows:

- Vision:** An outcome; a result and an ideal to strive for over a period of time. A destination and long-term community quality and value that requires a resolve and commitment to realize and then to maintain.
- Strategy:** An essential public policy priority which defines the vision and organizes the goals. Typically a five to ten year timeframe; strategies will not change often, if at all.
- Goal:** A significant measurable and desired activity, project or purpose that requires resources. The time commitment in pursuit of goals will vary – they can be succinct and short – but also longer term, even up to five years.
- Actions:** Individual steps and activities that are priorities of the city which are necessary to implement a goal, reach a strategy and strive for your vision. Specific action steps are continuously evolving and changing as they are identified and completed.

COMMUNITY VISION

The City of Windom is recognized for its rich history and proud community. One of the key determinants of securing a successful long term future is the city's ability to adapt and respond to ever changing societal, economic and fiscal challenges. The 2011-2012 planning process is mindful of how these conditions evolve and change in time. Coupled with lingering recessionary impacts and an unpredictable future, both flexibility and creativity are strong considerations in the planning framework.

The Council identified the following seven elements as a foundation for the City's future vision.

- **Deep sense of pride and community self-esteem**
- **Connected, engaged, and invested citizens**
- **Competent, professional and progressive workplace culture**
- **Promote and cultivate local business retention and development**
- **Promote, invest in and discover the future community leaders**
- **Commitment to a collaborative future for our community**
- **Market and brand the traditional values of our community**

WINDOM PRIORITIES (STRATEGIES)

These five strategies will guide city officials in pursuit of the vision. A commitment to each – over time – will ensure that the City Council matches its financial resources with the community’s highest priorities.

- I. Community Pride** **A positive image and reputation developed by a progressive and active community.**
- II. Community Vitality** **Create a diversified jobs base and a thriving, revitalized commercial corridor and downtown square.**
- III. Organizational Culture** **Provide high quality public services.**
- IV. Public Facilities** **Maintain and upgrade public infrastructure and City facilities pursuant to a defined and prioritized plan.**
- V. Natural Resources** **Utilize and market the value and beauty of our land and geography.**

There are 10 goals and a variety of actions that define the vision and strategies. They incorporate all of the topics and themes from the input to date and the discussions on July 27, August 29 and October 5, 2011. The City Council reviewed and explored these goal statements and their respective actions in more detail from November 1, 2011 to February 21, 2012 (See Appendix A)

STRATEGY	Number of GOALS	Number of ACTIONS
Community Pride	2	7
Community Vitality	2	10
Organizational Culture	2	10
Public Facilities	2	2
Natural Resources	2	6



Strategy I

Community Pride: A positive image and reputation developed by a progressive and active community

Characteristics and descriptions that define this strategy include:

- Market what we already have
- Capture the value of telecom assets
- County Seat
- Safe community
- Variety of activities available
- Numerous recreational activities
- Educate and inform the public
- Involve and invest in our youth
- Civic groups
- Reputation
- Debunk the “Leave Windom” myth
- First impressions
- Community appearance
- Vacant building needs
- Painting and upkeep
- Trash and junk image
- Clean up and enhance the appearance of the TH 60/71 corridor
- An attractive community
- Erect welcoming and directional signs
- Provide tools and resources for the community
- Annual Community Pride Day, “Spruce-Up” Week, contests (civic groups), highlight improved properties (newspaper spot), “Adopt a House” Event – for painting and yard maintenance.
- Encourage commercial property owners to refresh their building facades
- Create marketing brochures
- Community clean-ups of trash in public areas
- Volunteer to adopt a park or boulevard
- Participation in exterior enhancements (e.g. painting program) by engaging residents of all ages to participate.

Goals

1. A progressive reputation and community pride

Actions:

- a. Support the goals of the Finding Windom Group
- b. Align the goals of different community groups
- c. Market amenities such as recreation programming, the Community Center, Arena, Pool, Parks, Library and Windom Recreation Area with local partners

2. A positive image

Actions:

- a. Clean up public and private property
- b. Target the Windom public facilities and grounds as welcoming points
- c. Develop a highway corridor and streetscape plan
- d. Update City code and ordinances and consider staffing needs to administer



Strategy II

Community Vitality: Create a diversified jobs base and a thriving, revitalized downtown square

Characteristics and descriptions that define this strategy include:

- Create a new business climate
- Use broadband network as a resource
- Highway access
- Location between Minneapolis and Sioux Falls
- Agriculture assets
- High quality, cost-effective utility services
- Prepare a list of downtown business owners
- Land and open spaces
- Revitalize town square
- More family businesses
- Motel needs
- More restaurants
- Small steps matter a lot
- Partner with WADC, WACC Foundations and Businesses

Goals

1. Attract and prioritize a diversified jobs base

Actions:

- a. Seek out and find new businesses
- b. Retain and grow existing businesses
- c. Focus on jobs that reflect our agriculture influence and emphasis
- d. Maximize the value of the City's infrastructure assets (technology and transportation)
- e. Network with and support the EDA, DEED and other state/regional organizations
- f. Partner with the WADC in an economic development strategy for retail
- g. Work with MN DOT on completion of TH 60 into 4 lanes

2. A thriving, revitalized downtown square and commercial corridor

Actions:

- a. Communicate with building owners to understand the reasons for vacancies and motives of the absentee landowners
- b. Develop strategies to encourage new business in the downtown area
- c. Utilize vacant store fronts building space for signage and information purposes



Strategy III

Organizational Culture: Provide high quality public services

Characteristics and descriptions that define this strategy include:

- Deliver cost-effective and efficient utility services
- Maintain quality city staff
- Internal communication
- Find ways to retain quality people, utilize employees' suggestions and abilities, and improve morale
- Public Safety services
- Parks and Parks programming
- Location of state and federal offices
- Outreach to business community
- Low cost utility services
- Certifications and training
- Student liaison to Council meetings
- Review customer service rental surveys
- Expand interactions with school district
- Improved interaction with county, school district & community groups
- Youth representative as liaison on the City Council
- Enhance and improve the website
- Look at new ways of doing business
- Cultural change underway – transitioning from old to new
- Other Facilities - Cemeteries
- Quality water services and system
- Team building and customer service training
- Hold regular meetings with other officials
- Schedule presentations to community groups

Goals

1. Deliver high quality public services

Actions:

- a. Explore ways to provide more efficient and cost-effective utility services
- b. Streamline and prioritize the services provided to the residents
- c. Provide a friendly, well-kept, and clean atmosphere for all customers, visitors, and guests at city facilities
- d. Create a plan for continuing education for staff
- e. Enhance team work among departments and build collaboration within the workplace
- f. Improve employee morale, and explore networking and appreciation/recognition events for employees
- g. Include staff input in the policy development process
- h. Evaluate current utility billing for conversion to e-payments through the City's website

2. Build strong relationships and collaborative partnerships with other governmental offices, schools, the business community, and community groups

Actions:

- a. Encourage student participation in local government and offer local government civic classes
 - b. Expand knowledge of city government within community groups
-

PUBLIC NUISANCE COMPLAINTS - STATUS SHEET

New Enforcement Ordinance: Effective 8-28-13.

PROPERTY ADDRESS	NO. & DATES OF COMPLAINTS	NATURE OF COMPLAINTS	INSPECTION DATE	LETTER SENT	ANTICIPATED COMPLIANCE DATE	NOTES
728 Third Avenue	9/11/2013 Rec'd 9/13/2013	(Outside Area of Property) Junk, Tires & Sinks in Open Trailers, etc. & No. of Campers, Trailers, Boat, etc.	10/16/2013			Inspection made after Fall Cleanup - Junk listed was taken care of & no. of campers, trailers & boat not a violation of ordinance.
15 Ninth Street	9/23/2013	Misc. Junk	10/21/2013	10/22/2013	11/6/2013	Inspection made after Fall Cleanup. 11/6/2013 - Reinspection: Nuisance cleaned up.
803 Redding Avenue	9/23/2013	Garbage	10/21/2013			Inspection made after Fall Cleanup - No violation found at that time.
1066 Prospect Avenue	9/23/2013	Bags, Misc. Junk, Trees growing up everywhere, etc.	10/16/2013	10/18/2013	11/4/2013	Inspection made after Fall Cleanup. No cleanup by property owner by deadline. Follow-up letter sent 11/7/2013. No response. Appt. made with sanitation company for cleanup on 11/25/2013.
2072 Great Bend Boulevard	10/21/2013	Misc. Junk, TV, Bags, etc.	10/21/2013	10/22/2013	11/6/2013	11/6/2013 - Reinspection: Nuisance cleaned up.
797 Des Moines Drive	10/23/2013	Computer Monitor & TV	10/23/2013	10/24/2013	11/8/2013	11/6/2013 - Reinspection: Nuisance cleaned up.
1552 Fourth Avenue	10/23/2013 Rec'd 10/29/2013	TV & Plastic Pails	10/30/2013	10/31/2013	11/15/2013	11/4/2013 - Reinspection: Nuisance cleaned up.

PUBLIC NUISANCE COMPLAINTS - STATUS SHEET - PAGE TWO

PROPERTY ADDRESS	NO. & DATES OF COMPLAINTS	NATURE OF COMPLAINTS (<u>Outside Area of Property</u>)	INSPECTION DATE	LETTER SENT	ANTICIPATED COMPLIANCE DATE	NOTES
1225 Fourth Avenue	10/23/2013 Rec'd 10/29/2013	Bags of Garbage	10/30/2013			Landlord aware of problem. 11/4/2013 - Reinspection: Nuisance cleaned up.
504 11th Street	10/23/2013 Rec'd 10/29/2013	TV	10/30/2013	10/30/2013	11/14/2013	Envelope returned to City - Property owner moved. New owner of property cleaned up nuisance.
1364 Fifth Avenue	10/23/2013 Rec'd 10/29/2013	TV	10/30/2013	10/30/2013	11/14/2013	11/14/2013 - Reinspection: Nuisance cleaned up.
1535 Third Avenue	11/5/2013	Trash, Misc. Junk	11/5/2013	11/6/2013	11/25/2013	Extension granted until 12/9/2013. 12/9/2013 - Reinspection: Visible nuisance cleaned up - Not able to verify full compliance due to snow cover.
500 19th Street	11/7/2013	Brush & Branches	3/25/2014	3/26/2014	4/10/2014	11/2013 - Initial inspection - snow covered. Reinspection: After snow melted in spring.
1536 3rd Avenue	11/7/2013	Brush & Branches				11/2013 - Initial inspection - snow covered. Reinspection: Will be conducted after snow melts in spring.
660 Collins Avenue	11/13/2013	Garbage Bags, Misc. Junk	11/14/2013	11/15/2013	12/9/2013	2 Members of Finding Windom Committee assisted property owner with cleanup. 12/9/2013 - Reinspection: Nuisance cleaned up.

PUBLIC NUISANCE COMPLAINTS - STATUS SHEET - PAGE THREE

PROPERTY ADDRESS	NO. & DATES OF COMPLAINTS	NATURE OF COMPLAINTS	INSPECTION DATE	LETTER SENT	ANTICIPATED COMPLIANCE DATE	NOTES
		(Outside Area of Property)				
1121 Miller Avenue	11/17/2013	Misc. Junk, Trailer full of Junk, etc.	11/19/2013	11/21/2013	12/9/2013	Property owner began cleanup. Extension granted due to snow cover. Property will be reinspected in spring.
1148 Miller Avenue	11/17/2013 11/27/2013	Misc. Junk, Building Materials, Barrels, etc.	11/19/2013	11/20/2013	12/9/2013	Property owner began cleanup. Extension granted due to snow cover. Property will be reinspected in spring.
1245 Fifth Avenue	11/18/2013	Furniture, misc.	11/19/2013	11/20/2013	12/9/2013	11/21/2013 - Reinspection: Nuisance cleaned up.
757 River Road	11/20/2013	Junk	11/25/2013	11/25/2013	12/10/2013	12/9/2013 - Reinspection: Visible nuisance cleaned up - Not able to verify full compliance due to snow cover.
1435 Sixth Avenue	11/25/2013	Trailer with Trash, Trash on Back Porch, etc.				11/2013 - Initial inspection - snow covered. Reinspection: Will be conducted after snow melts in spring.
1116 Fourth Avenue	11/25/2013	Trash, TV, Tires, etc.	3/24/2014	3/25/2014	4/9/2014	11/2013 - Initial inspection - snow covered. Reinspection: After snow melted in spring.
1236 Third Avenue	12/3/2013	Junk, Furniture, Open Garage with Junk & Furniture, etc.	3/20/2014	3/21/2014	4/7/2014	12/2013 - Initial inspection - snow covered. At that time, new owner did not have title to the property. Reinspection: After snow melted in spring.

It is a violation of Windom City Ordinance to store or let any of the following items sit for extended periods of time (more than a few days) on your yards or outdoor areas of your property:

Appliances: Stoves, refrigerators, freezers, microwaves, washers, dryers, dishwashers, water heaters, water softeners, dehumidifiers, etc. **Furniture and Household Furnishings:** Wood, cloth, vinyl or leather chairs or couches, tables, desks, beds, dressers, mattresses, bedding, lamps, rugs, décor, indoor recreational equipment, cabinets, shelving, small kitchen appliances, flooring (such as carpeting, vinyl, tile), etc. **Electronics:** TVs, radios, VCRs, DVD or CD players, computers, monitors, keyboards, speakers, handheld devices, phones, etc.

Motor Vehicles: Cars, pickups, and any motorized vehicle authorized for road use that is not currently licensed and/or is not in operable condition (does not run). This includes vehicles with flat tires. **Motor Vehicle Parts:** Tires for any vehicle, batteries, motor vehicle bodies, parts and accessories.

Garbage: Garbage or trash (loose or in plastic bags, barrels or other containers), cardboard, packing materials, beverage cans, plastic bags and bottles, etc. **Decaying Food and Animal Waste:** Decaying food, accumulations of animal waste, etc.

Construction and Home Improvement Debris and Materials: Lumber, scrap wood, plywood, sheetrock, windows, doors, siding, shingles, tar paper, concrete blocks, pipe, plumbing fixtures (stools, sinks, vanities, or bath tubs), excess fencing, etc.

Damaged and Junk Items: Any items which have been damaged or are junk items including metal or plastic items, machinery, etc.

Miscellaneous: Musical instruments, coolers, children's car seats and strollers, paper items (books, magazines, newspapers), scrap metal, rags, and **any items not intended for outdoor use, etc.**

Yard Waste: Piles of brush and bags of leaves or grass clippings, etc.

Trailers, pickups, vehicles, boxes, barrels, etc. containing trash and junk items.

It is also a violation to dump cooking grease or oil, motor vehicle fluids (gas, oil, antifreeze, etc.), paints, varnishes, waxes, solvents, or any other hazardous substances on any property.

The foregoing is NOT A COMPLETE LIST, but provides examples of items which cannot be stored in outdoor areas. If you have questions, please contact the Building & Zoning Office at 831-6125.

New Ordinance adopted 8-20-13 (effective 8-28-13) provides a new "nuisance abatement" procedure:

- (1) Receipt of a signed written Complaint Form by the Building & Zoning Department.
- (2) The Building & Zoning Official inspects the property.
- (3) If a nuisance exists, a letter is sent to the property owner setting forth the nature of the violation, required action to remedy the code violation, and the time the owner has to either abate the nuisance or request a hearing before the Windom Nuisance Board.
- (4) If the owner fails to either abate the nuisance or request a hearing within the time specified in the notice, the City, in its sole discretion, may (or may not) abate the nuisance.
- (5) If the owner requests a hearing within the time specified in the notice, the Building & Zoning Department shall notify the owner of the date and place of the hearing before the Nuisance Board.
- (6) The owner may appear at the hearing and/or present a written statement in time for consideration at the hearing.
- (7) If the Nuisance Board determines that a nuisance exists, the Board shall inform the owner in writing of the amount of time the owner has to abate the nuisance.
- (8) If the owner fails to abate the nuisance within said time, the City may abate the Nuisance.
- (9) The City shall have the right to recover all costs, including administrative costs, to abate a nuisance. As soon as the work has been completed and the costs determined, the City shall send an invoice for the costs to the owner which shall be due and payable immediately.
- (10) If the owner fails to pay the costs of the abatement and/or the administrative costs, then after notice and hearing as provided by Minnesota Statutes, the costs can be assessed against the property as special assessments.

Any violation of Chapter 90 which is not corrected, as set forth in the chapter, shall be considered a misdemeanor.

Flyer Insert w/ Utility Bills. Next insert April 2014

New addition to
Nuisance ordinance
Aug 2013

ORDINANCE NO. 143, 2ND SERIES

AN ORDINANCE OF THE CITY OF WINDOM, MINNESOTA, AMENDING CITY CODE
TITLE III: ADMINISTRATION
CHAPTER 33: CITY ORGANIZATIONS BY ADDING SECTION 33.12 NUISANCE BOARD
AND
REPEALING AND REPLACING CITY CODE TITLE IX: GENERAL REGULATIONS,
CHAPTER 90: NUISANCES; HEALTH AND SAFETY
SECTION 90.07 ABATEMENT PROCEDURE

THE CITY COUNCIL OF THE CITY OF WINDOM, MINNESOTA, DOES ORDAIN: TO ADD
SECTION 33.12 AND REPEAL AND REPLACE SECTION 90.07 AS FOLLOWS:

§ SECTION 33.12 NUISANCE BOARD

(A) *Establishment and Composition:* A Nuisance Board which shall be comprised of 3 members, all of whom shall be residents of the City and shall serve staggered 3-year terms, is hereby established. The members of the initial Nuisance Board shall serve 1-, 2-, and 3-year terms respectively. All appointments for a full term or to fill a vacancy for an unexpired term shall be made by the Mayor with the approval of the council and a member may be removed in the same manner for misconduct or neglect. No more than one council member shall be a member of the Board. Members shall receive no compensation for their services, but may be reimbursed for actual and necessary travel expenses incurred in the discharge of Board duties and activities.

(B) *Officers and Proceedings:* The Board shall elect one of its members as chairperson. The Building and Zoning Administrator's Office shall keep an accurate record of its proceedings. Meetings will be held at the call of the Building and Zoning Administrator after an owner of real estate in the City requests a hearing to determine if a Nuisance [as defined by Section 90.07 (A)] exists on the owner's real estate.

(C) *Duties:* The Nuisance Board shall conduct a hearing, as soon as practicable, whenever an owner of real estate wants to contest that a Nuisance exists on his/her real estate. The Board shall consider both written and oral testimony at the hearing. Following the close of the hearing, the Board shall mail its decision to the owner within 10 business days following the hearing.

If the Nuisance Board determines that a Nuisance exists, the Board shall inform the owner by written notice of what is required to abate the Nuisance and the amount of time the owner has to abate the Nuisance. The notice shall also inform the owner that if the Nuisance is not abated within the time specified, the City has the right to abate the Nuisance and recover all costs, including administrative costs, to abate the Nuisance in the manner provided in Section 90.07 (D).

§ SECTION 90.07 ABATEMENT PROCEDURE

(A) *Definition of Nuisance:* As used throughout this Section 90.07, "Nuisance" shall be defined as public nuisances affecting health as codified in Sections 90.02 (A), (B), (C), (D), (E), (F), (G), (J) and (K); public nuisances affecting morals and decencies as codified in Section 90.03; public nuisances affecting peace and safety as codified in Section 90.04; state defined nuisances as codified in Section 90.05; and inoperable, unlicensed or junk vehicles as codified in Section 90.55.

(B) *Report of Nuisance:* Whenever the Building and Zoning Department receives a signed written Complaint form which alleges that a Nuisance exists, an official from the Building and Zoning Department shall conduct an inspection of the real estate where the Nuisance is alleged to exist.

If the official determines that a Nuisance exists, the official shall notify the owner of the real estate in writing that a Nuisance exists and order that the Nuisance be abated. The notice shall also specify the time the owner has to either abate the Nuisance or request a hearing before the Windom Nuisance Board.

(C) *Property Owner's Response:* If the owner of the real estate where the Nuisance exists fails to either abate the Nuisance or request a hearing within the time specified in the notice, the City of Windom at City's sole and exclusive discretion may or may not abate the Nuisance. The City shall have the right to recover all costs, including administrative costs, to abate the Nuisance in the manner provided in Section 90.07 (D).

If the owner requests a hearing, the request must be in writing and made within the time specified in the notice received from the Building and Zoning Department.

Upon receipt of a timely written request for a hearing, the Building and Zoning Department shall notify the owner in writing of the time, date, and place of the hearing. The owner may appear in person at the hearing and/or present a written statement in time for consideration at the hearing.

If the Nuisance Board determines that a Nuisance exists, the Board shall inform the owner in writing of the amount of time the owner has to abate the Nuisance. If the owner fails to abate the Nuisance within said time, the City may abate the Nuisance. The City shall have the right to recover all costs, including administrative costs, to abate the Nuisance in the manner provided in Section 90.07 (D).

(D) *Recovery of Costs:*

(1) *Personal Liability:* The owner of the real estate where a Nuisance has been abated by the City shall be personally liable for all costs the City incurred to abate the Nuisance, including administrative costs. As soon as the work has been completed and the costs determined, the City shall prepare an invoice for the costs and mail it to the owner. Thereupon the amount shall immediately be due and payable at the Office of the City Clerk.

(2) *Assessment:* If the owner of the real estate fails to pay the costs of the abatement and/or the administrative costs, then after notice and hearing as provided by Minnesota Statute Section 429.061, the City Administrator shall, on or before December 31 next following abatement of the Nuisance, list the total unpaid charges to abate the Nuisance, including

administrative costs, against each separate lot or parcel to which the charges are attributable. The special assessments levied under this ordinance shall be payable in installment(s) as the City Council may determine.

(E) *Immediate Abatement*: Nothing in this Section 90.07 shall prevent the City, without notice or other process, from immediately abating any condition that poses an imminent and serious hazard to human life or safety.

If the City abates a Nuisance that posed an imminent and serious hazard to human life or safety, the City shall have the right to recover all costs, including administrative costs, to abate the Nuisance in the manner provided in Section 90.07 (D).

(F) *Notice*: For the purpose of giving written or mailed notice under this Section 90.07, the Notice shall be mailed by first class United States Mail to the owner of the real estate where the Nuisance is alleged to exist. "Owner" shall be those individual(s) shown to be such in the records of the County Auditor/Treasurer of Cottonwood County, Minnesota; but other appropriate records may also be used for this purpose.

The Notice shall be mailed to the address of the owner as it appears in the records located in the County Auditor/Treasurer's Office of Cottonwood County, Minnesota, unless the City is reasonably aware of a different address for the owner, in which case the Notice shall be sent to the known address of the owner.

If the address of the owner is not on file in the Auditor/Treasurer's Office of Cottonwood County, Minnesota, and is unknown, service on said owner may be accomplished by posting a copy of the notice on the premises.

(G) *Violation a Misdemeanor*: Any violation of Chapter 90 which is not corrected, as set forth herein, shall be considered a misdemeanor.

All other provisions of Chapters 33 & 90 shall remain unchanged.

EFFECTIVE DATE OF ORDINANCE. This ordinance becomes effective from and after its passage and publication.

Adopted by the City Council of the City of Windom, Minnesota, this 20th day of August, 2013.

Corey J. Maricle, Mayor

Attest: _____
Steve Nasby, City Administrator

1st Reading: August 6, 2013
2nd Reading: August 20, 2013
Adoption: August 20, 2013
Published: August 28, 2013

CHAPTER 90: NUISANCES; HEALTH AND SAFETY

Section

General Provisions

- 90.01 Definition
- 90.02 Public nuisances affecting health
- 90.03 Public nuisances affecting morals and decency
- 90.04 Public nuisances affecting peace and safety
- 90.05 State defined nuisances
- 90.06 Prohibited acts
- 90.07 Abatement procedure

Excessive Noise

- 90.20 General prohibition
- 90.21 Horns, audible signaling devices and the like
- 90.22 Mufflers for motor vehicles
- 90.23 Radios, tape and disc players
- 90.24 Buildings
- 90.25 Pile drivers, hammers and the like
- 90.26 Parties and gatherings
- 90.27 Animals, birds and the like

Air Pollution

- 90.40 Unauthorized, unlawful burning
- 90.41 Rules adopted by reference

Other Nuisances

- 90.55 Inoperable, unlicensed, junk vehicles
- 90.56 Open pits, basements and other excavations
- 90.57 Open stairways and balconies
- 90.58 Radio and television interference
- 90.59 Assault

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- 90.60 Window peeping
- 90.61 Ambulance service interference

- 90.99 Penalty

GENERAL PROVISIONS**§ 90.01 DEFINITION.**

For the purpose of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

PUBLIC NUISANCE. Any thing, act, occupation, condition, use or property which:

- (1) Unreasonably annoys, injures or endangers the health, safety, comfort or repose of the public;
- (2) In any way renders the public insecure in life or obstructs the free use of property;
- (3) Greatly offends the public morals or is indecent;
- (4) Is offensive to the senses; or
- (5) Unlawfully and substantially interferes with, obstructs or tends to obstruct or render dangerous for passage any sidewalk, street, alley, highway, navigable body of water or other public way. (Prior Code, § 13.01) (Ord. 118, 2nd Series, eff. 3-19-2002; Ord. 130, 2nd Series, passed 4-1-2008)

§ 90.02 PUBLIC NUISANCES AFFECTING HEALTH.

The following acts, commissions, places, conditions and things are hereby specifically declared to be public health nuisances, but shall not be construed to exclude other health nuisances coming within the definition of § 90.01:

- (A) All decayed, harmfully adulterated or unwholesome food or drink sold or offered for sale to the public;

(B) Unlawful acts relating to animals:

(1) *Dangerous animals.*

(a) *Attack by an animal.* It shall be unlawful for any person's animal to inflict or attempt to inflict bodily injury to any person or other animal whether or not the owner is present. This division (B)(1) shall not apply to an attack by a dog under the control of an on-duty law enforcement officer or to an attack upon an uninvited intruder who has entered the owner's home with criminal intent.

(b) *Destruction of dangerous animal.* The Animal Control Officer shall have the authority to order the destruction of dangerous animals in accordance with the terms established by this chapter.

(c) *Definitions.* For the purpose of this division (B)(1), the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DANGEROUS ANIMAL. An animal which has:

- a. Caused bodily injury or disfigurement to any person on public or private property;
- b. Engaged in any attack on any person under circumstances which would indicate danger to personal safety;
- c. Exhibited unusually aggressive behavior, such as an attack on another animal;
- d. Bitten one or more persons on two or more occasions; or
- e. Been found to be potentially dangerous and/or the owner has personal knowledge of the same, the animal aggressively bites, attacks or endangers the safety of humans or domestic animals.

POTENTIALLY DANGEROUS ANIMAL. An animal which has:

- a. Bitten a human or a domestic animal on public or private property;
- b. When unprovoked, chased or approached a person upon the streets, sidewalks or any public property in an apparent attitude of attack; or
- c. Has engaged in unprovoked attacks causing injury or otherwise threatening the safety of humans or domestic animals.

PROPER ENCLOSURE. Securely confined indoors or in a securely locked pen or structure suitable to prevent the animal from escaping and to provide protection for the animal from the elements. A ***PROPER ENCLOSURE*** does not include a porch, patio or any part of a house, garage or other structure that would allow the animal to exit of its own volition, or any house or structure in which

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windows are open or in which door or window screens are the only barriers which prevent the animal from exiting. The *ENCLOSURE* shall not allow the egress of the animal in any manner without human assistance. A pen or kennel shall meet the following minimum specifications:

- a. Have a minimum overall floor size of 32 square feet;
- b. Sidewalls shall have a minimum height of five feet and be constructed of 11-gauge or heavier wire. Openings in the wire shall not exceed two inches, and support posts shall be 11-inch or larger steel pipe buried in the ground 18 inches or more. When a concrete floor is not provided, the sidewalls shall be buried a minimum of 18 inches in the ground;
- c. A cover over the entire pen or kennel shall be provided. The cover shall be constructed of the same gauge wire or heavier as the sidewalls and shall also have no openings in the wire greater than two inches; and
- d. An entrance/exit gate shall be provided and be constructed of the same material as the sidewalls and shall also have no openings in the wire greater than two inches. The gate shall be equipped with a device capable of being locked and shall be locked at all times when the animal is in the pen or kennel.

UNPROVOKED. The condition in which the animal is not purposely excited, stimulated, agitated or disturbed.

(d) *Designation as potentially dangerous animal.* The Animal Control Officer shall designate any animal as a potentially dangerous animal upon receiving evidence that the potentially dangerous animal has, when unprovoked, then bitten, attacked or threatened the safety of a person or a domestic animal as stated in division (B)(1)(c) above. When an animal is declared potentially dangerous, the Animal Control Officer shall cause one owner of the potentially dangerous animal to be notified in writing that the animal is potentially dangerous.

(e) *Evidence justifying designation.* The Animal Control Officer shall have the authority to designate any animal as a dangerous animal upon receiving evidence of the following:

1. The animal has, when unprovoked, bitten, attacked or threatened the safety of a person or domestic animal as stated in division (B)(1)(c) above; and/or
2. The animal has been declared potentially dangerous and the animal has then bitten, attacked or threatened the safety of a person or domestic animal as stated in division (B)(1)(c) above.

(f) *Authority to order destruction.* The Animal Control Officer, upon finding that an animal is dangerous hereunder, is authorized to order, as part of the disposition of the case, that the animal be destroyed based on a written order containing one or more of the following findings of fact:

1. The animal is dangerous as demonstrated by a vicious attack, an unprovoked attack, an attack without warning or multiple attacks; or

2. The owner of the animal has demonstrated an inability or unwillingness to control the animal in order to prevent injury to persons or other animals.

(g) *Procedure.* The Animal Control Officer, after having determined that an animal is dangerous, may proceed in the following manner: the Animal Control Officer shall cause one owner of the animal to be notified in writing or in person that the animal is dangerous and may order the animal seized or make orders as deemed proper. This owner shall be notified as to dates, times, places and parties bitten, and shall be given 14 days to appeal this order by requesting a hearing before the City Council for a review of this determination.

1. If no appeal is filed, the Animal Control Officer shall obtain an order or warrant authorizing the seizure and the destruction of the animal from a court of competent jurisdiction, unless the animal is already in custody or the owner consents to the seizure and destruction of the animal.

2. If an owner requests a hearing for determination as to the dangerous nature of the animal, the hearing shall be held before the City Council, which shall set a date for hearing not more than three weeks after demand for the hearing. The records of the Animal Control or City Administrator's office shall be admissible for consideration by the Animal Control Officer without further foundation. After considering all evidence pertaining to the temperament of the animal, the City Council shall make an order as it deems proper. The City Council may order that the Animal Control Officer take the animal into custody for destruction, if the animal is not currently in custody. If the animal is ordered into custody for destruction, the owner shall immediately make the animal available to the Animal Control Officer. If the owner does not immediately make the animal available, the Animal Control Officer shall obtain an order or warrant authorizing the seizure and the destruction of the animal from a court of competent jurisdiction.

3. No person shall harbor an animal after it has been found to be dangerous and ordered into custody for destruction.

(h) *Stopping an attack.* If any police officer or Animal Control Officer is witness to an attack by an animal upon a person or another animal, the officer may take whatever means the officer deems appropriate to bring the attack to an end and prevent further injury to the victim.

(i) *Notification of new address.* The owner of an animal which has been identified as dangerous or potentially dangerous shall notify the Animal Control Officer in writing if the animal is to be relocated from its current address or given or sold to another person. The notification shall be given in writing at least 14 days prior to the relocation or transfer of ownership. The notification shall include the current owner's name and address, the relocation address and the name of the new owner, if any.

(2) *Dangerous animal requirements.*

(a) *Requirements.* If the City Council does not order the destruction of an animal that has been declared dangerous, the City Council may, as an alternative, order any or all of the following:

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1. The owner provide and maintain a proper enclosure for the dangerous animal as specified in division (B)(1)(c) above;

2. Post the front and the rear of the premises with clearly visible warning signs, including a warning symbol to inform children, that there is a dangerous animal on the property as specified in M.S. § 347.51, as may be amended from time to time;

3. Provide and show proof annually of public liability insurance in the minimum amount of \$300,000;

4. If the animal is a dog and is outside the proper enclosure, the dog must be muzzled and restrained by a substantial chain or leash (not to exceed six feet in length) and under the physical restraint of a person 16 years of age or older. The muzzle must be of a design as to prevent the dog from biting any person or animal, but will not cause injury to the dog or interfere with its vision or respiration;

5. If the animal is a dog, it must have an easily identifiable, standardized tag identifying the dog as dangerous affixed to its collar at all times as specified in M.S. § 347.51, as it may be amended from time to time, and shall have a microchip implant as provided by M.S. § 347.51, as it may be amended from time to time;

6. All animals deemed dangerous by the Animal Control Officer shall be registered with the county in which the city is located within 14 days after the date the animal was so deemed and provide satisfactory proof thereof to the Animal Control Officer; and

7. If the animal is a dog, the dog must be licensed and up to date on rabies vaccination. If the animal is a cat or ferret, it must be up to date with rabies vaccination.

(b) *Seizure.* As authorized by M.S. § 347.54, as it may be amended from time to time, the Animal Control Officer shall immediately seize any dangerous animal if the owner does not meet each of the above requirements within 14 days after the date notice is sent to the owner that the animal is dangerous. Seizure may be appealed to district court by serving a summons and petition upon the city and filing it with the district court.

(c) *Reclaiming animals.* A dangerous animal seized under division (B)(2)(b) above may be reclaimed by the owner of the animal upon payment of impounding and boarding fees and presenting proof to Animal Control that each of the requirements under division (B)(2)(b) above is fulfilled. An animal not reclaimed under this division (B)(2)(c) within 14 days may be disposed of as provided under division (B)(1)(f) above, and the owner is liable to the city for costs incurred in confining and impounding the animal.

(d) *Subsequent offenses.* If an owner of an animal has subsequently violated the provisions under division (B)(1) above with the same animal, the animal must be seized by Animal Control. The owner may request a hearing as defined in division (B)(1)(f) above. If the owner is found to have violated the provisions for which the animal was seized, the Animal Control Officer shall order the animal

destroyed in a proper and humane manner and the owner shall pay the costs of confining the animal. If the person is found not to have violated the provisions for which the animal was seized, the owner may reclaim the animal under the provisions of division (B)(2)(c) above. If the animal is not yet reclaimed by the owner within 14 days after the date the owner is notified that the animal may be reclaimed, the animal may be disposed of as provided under division (B)(1)(f) above and the owner is liable to the Animal Control for the costs incurred in confining, impounding and disposing of the animal.

(3) *Habitual barking and noise.* It shall be unlawful for any person to keep or harbor a dog which habitually barks or cries. Habitual barking shall be defined as barking for repeated intervals of at least five minutes with less than one minute of interruption. The barking must also be audible off of the owner's or caretaker's premises. A barking dog shall not constitute a violation of this division (B)(3) if, at the time that the dog is barking or making any other noise, a person is trespassing or threatening to trespass upon the private property upon which the dog is situated or when the dog is teased or provoked. An owner shall be advised in writing or verbally by a city enforcement official that a complaint has been filed charging a violation of this division (B)(3) and ordering that the violation be abated immediately. If the animal continues to disturb the peace and quiet of the city beyond the five days provided in the notice or if there is a reoccurrence of the noise complained of at any time within six months of the date of notice, a citation shall be issued charging the owner of the animal with a violation of this division (B). No person shall be convicted under the provision, except upon the evidence of two or more persons, each of a different household or upon the evidence of an enforcement official from the city. If the owner of the animal cannot be located, the enforcement official shall have the right to remove the animal at his or her discretion.

(4) *Mistreatment.* It is unlawful for any person to maltreat, abuse or neglect, in a cruel or inhumane manner, any animal.

(5) *Strays.* It is unlawful for any person to harbor or keep any stray animal. Animals known to be strays shall be immediately reported to the Police Department.

(6) *Poisoning.* It is unlawful for any person, not acting under instructions from the owner or the city, to willfully or maliciously administer or cause to be administered poison of any sort whatsoever to any animal, with the intent to injure or destroy the animal, or to willfully or maliciously place any poison or poisoned food where the same is accessible to any animal.

(7) *Fowl.* It is unlawful for any person to keep domestic fowl, such as ducks, geese, turkeys or chickens, or predators, such as skunks, fox or raccoon, or any animals classified as exotic, wild or dangerous, except by special permission of the city, and then only in accordance with all city, state and federal regulations.

(8) *Defecation.* It is unlawful for the owner, caretaker or attendant of any animal to allow it to defecate on public or private property other than his or her own, or to permit any accumulation thereof on his or her own property. If the animal does defecate on public or private property other than his or her own, it shall not be a violation of this provision if the owner, caretaker or attendant shall immediately and thoroughly clean the fecal material from the property, and properly dispose thereof.

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(9) *Abandonment.* It is unlawful for any person to abandon an animal owned by him or her.

(10) *False information.* It is unlawful for any person to give any false information or statement concerning the owner, keeper or attendant of any animal, or concerning any animal brought into the animal shelter or impounded therein.

(11) *Keeping animals.* It is unlawful for any person to keep any animal, not in transit, in any part of the city not zoned for agricultural purposes, except for domestic pets (dogs, cats, parakeets and the like).

(12) *Hives.* It is unlawful for any person to keep or allow to be kept any hive or other facility for the housing of honey bees.

(C) Carcasses of animals, birds, fish and fowl not buried or otherwise disposed of in a sanitary manner within 24 hours after death;

(D) Accumulations of decayed animal or vegetable matter, unwholesome food, manure, trash, rubbish, debris, rotting lumber, bedding, packing material, cardboard, plastic bags and containers, bottles, cans, scrap metal or any material in which flies, mosquitoes, disease-carrying insects, rats or other vermin may breed;

(E) All stagnant water in which mosquitoes, flies or other insects can multiply;

(F) The escape of smoke, soot, cinders, noxious acids, fumes, gases, fly ash or industrial dust within the city limits in quantities as to endanger the health of persons of ordinary sensibilities or to threaten or cause substantial injury to property;

(G) The pollution of any public well or cistern, stream, lake, canal or body of water by sewage, creamery or industrial waste or other substances;

(H) All noxious weeds, including all weeds defined by the State Commissioner of Agriculture to be injurious to public health, roads, crops, livestock and other property including obviously neglected lawns and/or yards, as determined by the city.

(1) It is the primary responsibility of any owner, occupant or agent of any lot or parcel of land to maintain any weeds or grass growing thereon at a height of not more than six inches; to remove all public health or safety hazards therefrom; to install or repair water service lines thereon; to treat or remove insect-infested or diseased trees thereon; and, when deciduous trees have seasonally lost their leaves, to clean up and remove the leaves from the premises.

(2) It is unlawful for any owner, occupant or agent of any lot or parcel of land to allow any weeds or grass growing upon any lot or parcel of land to grow to a greater height than six inches or to allow the weeds or grass to go to seed.

(3) It is unlawful for any owner, occupant or agent of any lot or parcel of land to fail to promptly remove leaves from the premises after deciduous trees have lost their leaves.

(4) It is unlawful for any owner, occupant or agent of any lot or parcel of land to fail to remove all public health or safety hazards thereon, to fail to install or repair water service lines thereon or to fail to treat or remove insect-infested or diseased trees thereon.

(5) If any owner, occupant or agent fails to comply with this division (H)(5), and after notice given by the city, has not within 48 hours of the notice complied, the city shall, after obtaining an administrative search and seizure warrant or obtaining the permission of the owner, occupant or agent, cause the weeds or grass to be cut, or leaves to be cleaned up and removed, or public health or safety hazards removed, or water service lines repaired, or diseased or insect-infested trees treated or removed, and the expense thus incurred, including administrative costs, shall be the personal liability of the owner of the premises. A bill, indicating the cost, shall be sent to the owner, occupant or agent. If the total amount is not paid in accordance with the terms indicated on the bill, the amount of the costs and expenses incurred plus accrued interest on the unpaid balance shall be certified to the County Auditor and shall be entered as a special assessment against the lot or parcel of land and be collected in the same manner as real estate taxes and special assessments.

(I) Tree diseases.

(1) *Trees constituting nuisance declared.* The following are public nuisances whenever they may be found within the city:

(a) Any living or standing elm tree or part thereof infected to any degree with the Dutch Elm disease fungus *Ceratocystis Ulmi* (Buisman) Moreau or which harbors any of the elm bark beetles *Scolytus Multistriatus* (Eichh.) or *Hylurgopinus Rufipes* (Marsh);

(b) Any dead elm tree or part thereof, including branches, stumps, firewood or other elm material from which the bark has not been removed and burned or sprayed with an effective elm bark beetle insecticide;

(c) Any living or standing oak tree or part thereof infected to any degree with the Oak Wilt fungus *Ceratocystis fagacearum*;

(d) Any dead oak tree or part thereof which in the opinion of the designated officer constitutes a hazard, including, but not limited to, logs, branches, stumps, roots, firewood or other oak material which has not been stripped of its bark and burned or sprayed with an effective fungicide; and/or

(e) Any other shade tree with an epidemic disease.

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(2) *Abatement of nuisance.* It is unlawful for any person to permit any public nuisance as defined in division (I)(1) above to remain on any premises the person owns or controls within the city. The City Council may, by resolution, order the nuisance abated. Before action is taken on that resolution, the City Council shall publish notice of its intention to meet to consider taking action to abate the nuisance. This notice shall be mailed to the affected property owner and published once no less than one week prior to the meeting. The notice shall state the time and place of the meeting, the street affected, action proposed, the estimated cost of the abatement, and the proposed basis of assessment, if any, of costs. At the hearing or adjournment thereof, the City Council shall hear any property owner with reference to the scope and desirability of the proposed project. The City Council shall thereafter adopt a resolution confirming the original resolution with modifications as it considers desirable and provide for the doing of the work by day labor or by contract.

(3) *Record of costs.* The City Administrator shall keep a record of the costs of abatement done under this section for all work done for which assessments are to be made, stating and certifying the description of the land, lots, parcels involved and the amount chargeable to each.

(4) *Unpaid charges.* On or before September 1 of each year, the City Administrator shall list the total unpaid charges for each abatement against each separate lot or parcel to which they are attributable under this section. The City Council may then spread the charges or any portion thereof against the property involved as a special assessment as authorized by M.S. § 429.101, as it may be amended from time to time, and other pertinent statutes for certification to the County Auditor and collection the following year along with the current taxes.

(J) Any use of property, substances or things within the city emitting or causing any foul, offensive, noisome, nauseous, noxious or disagreeable odors, or stenches extremely repulsive to the physical senses of ordinary persons which annoy, discomfort, injure or inconvenience the health of any appreciable number of persons within the city;

(K) Storage restrictions.

(1) *Firewood.* Firewood shall be stored in a compact and orderly fashion so as not to constitute a hazard to adjacent buildings or property or to endanger the public health. All firewood shall be stored or stacked up off the surface of the ground. Stacks of wood in the open shall not exceed six feet in height and without consent of adjacent property owners shall not be located less than five feet from a boundary line. There shall be no front yard or front lot storage of firewood in the city; provided that, this division (K)(1) shall not prevent businesses that sell firewood from displaying firewood to the public in a manner that is deemed necessary for the business purposes, as long as the storage and display does not violate any other of the provisions of this section.

(2) *Pipe, lumber and the like.* The storage of pipe, lumber, forms, steel, machinery or similar materials shall not be allowed on residential property.

(3) *Solid fuel*. For the purpose of this division (K)(3), **SOLID FUEL** includes, but is not limited to, corn, shelled or unshelled, and wood pellets. Outdoor storage requirements for solid fuel shall be as follows.

(a) The storage container shall be painted and designed to blend in with the structure it serves or be screened from view of neighboring properties.

(b) The container shall be permanently attached to the ground.

(c) The container shall be of sturdy leak-proof construction with a leak-proof lid.

(d) Storage of grain shall not be allowed in Zoning Districts R-1, R-2, R-3, B-1 or B-3 except as provided in this section.

(4) *Junk yards*. For the purpose of this division (K)(4), the words **JUNK YARDS** shall be defined as: land or buildings where waste, discarded or salvaged materials are bought, sold, exchanged, stored, cleaned, packed, disassembled or handled, including, but not limited to, scrap metal, rags, paper, hides, rubber products, glass products, lumber products and products resulting from the wrecking of automobiles or other vehicles. All junk yard storage shall be hidden from view from any public right-of-way and adjacent properties. This shall be accomplished by fencing and/or screening as specified in Ch. 152 of this code of ordinances. This division (K)(4) shall not prevent businesses that sell salvaged material from displaying material to the public in a manner that is deemed necessary for the business purposes, as long as the storage and display does not violate any other of the provisions of this chapter. (Prior Code, § 13.02) (Ord. 118, 2nd Series, eff. 3-19-2002; Ord. 130, 2nd Series, passed 4-1-2008) Penalty, see § 90.99

Cross-reference:

Animals, see Chapter 93

§ 90.03 PUBLIC NUISANCES AFFECTING MORALS AND DECENCY.

The following acts, commissions, places, conditions and things are hereby specifically declared to be public nuisances offending public morals and decency, but the enumeration shall not be construed to exclude other nuisances offending public morals and decency coming within the definition of § 90.01:

(A) All illegal gambling devices; and

(B) Any place or premises where the ordinances or state laws relating to public health, safety, peace, morals or welfare are continuously, repeatedly and intentionally violated.
(Prior Code, § 13.03) (Ord. 118, 2nd Series, eff. 3-19-2002) Penalty, see § 90.99

§ 90.04 PUBLIC NUISANCES AFFECTING PEACE AND SAFETY.

The following acts, omissions, places, conditions and things are hereby declared to be public nuisances affecting peace and safety, but the enumerations shall not be construed to exclude other nuisances affecting public peace and safety coming within the provisions of § 90.01:

(A) All trees, fences, hedges, signs, billboards, vehicles, recreational vehicles, items of personal property or other obstructions which prevent persons driving vehicles on public streets, alleys or highways from obtaining a clear view of traffic when approaching an intersection or pedestrian crosswalk. All limbs of trees which project over a public sidewalk less than eight feet above the surface thereon or 13 feet above the road surface of a public street;

(B) All use or display of fireworks, except as provided by the laws of the state and ordinances of the city;

(C) Reflected glare or light from private exterior lighting exceeding one-half footcandles, as measured on the property line of the property where the lighting is located, when the property abuts any residential parcel and one footcandle when the property abuts any commercial or industrial parcel;

(D) All buildings or structures so old, dilapidated or out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human use;

(E) Any fence that is not constructed in a substantial workmanlike manner and of substantial material reasonably suitable for the purpose for which the fence is proposed to be used; any fence that has been constructed of improper materials for the district in which it is located, such as the use of barbed wire or electric fencing in a residential district or as a boundary fence; any fence that has not been maintained and is in a condition of disrepair or has become a danger to public safety, health or welfare;

(F) All wires over streets, alleys or public grounds which are strung less than 15 feet above the surface of the street or ground;

(G) All hanging signs, awnings and other similar structures over streets and sidewalks so situated as to endanger public safety, or not constructed and maintained as provided by ordinance;

(H) All obstructions of streets, alleys, sidewalks or crosswalks and all excavations in or under the same, except as permitted by ordinance;

(I) All open and unguarded pits, wells, in-ground pools, excavations or unused basements freely accessible from any public street, alley or sidewalk;

(J) Accumulations in the open of discarded or disused items including, but not limited to, machinery, household appliances, household furniture and flooring, any materials not designed for outdoor use, motor vehicle bodies or parts, tires, batteries, unused and/or discarded construction materials; accumulations of any materials in a manner conducive to the harboring of rats, mice, snakes

or vermin; or the rank growth of vegetation among the items so accumulated; or accumulations in a manner creating fire, health or safety hazards;

(K) Any unauthorized or unlawful use of property abutting on a public street, alley or sidewalk or of a public street, alley or sidewalk which causes large crowds of people to gather, obstructing traffic and free use of the streets or sidewalks;

(L) Any abandoned above or underground tank whose capacity is in excess of 1,100 gallons;

(M) All loud or discordant noises or vibrations of any kind;

(N) Radio aerials or television antennas erected or maintained in a dangerous manner;

(O) Obstruction to the free flow of water in a natural waterway or a public street drain, gutter or ditch with trash or other materials;

(P) The placing or throwing on any street, sidewalk or other public property of any glass, tacks, nails, metal scraps, garbage, leaves, tin cans, grass or tree limbs, shreds or rubbish, or to empty any water containing salt or other injurious chemical thereon, which may injure any person or animal or damage any pneumatic tire when passing over the substance. It is a violation of this section to haul any soil or material, not adequately enclosed or covered, thereby permitting the same to fall upon the streets;

(Q) All other conditions or things which are likely to cause injury to the person or property of another; and/or

(R) Fire and explosion danger. It is unlawful for any person to deposit or dispose of any refuse which is in flames, or heated to the point that it could cause danger of fire, or any other material which is flammable or so volatile as to create a danger of fire or explosion. If ashes are to be disposed of as part of the refuse collection system, the ashes must be placed in a separate container and not commingled with any other garbage or refuse to be collected. The ashes must be contained in a way that the refuse collectors are able to distinguish same as ashes and be able to observe that they are safe to be deposited in the refuse collection vehicle.

(Prior Code, § 13.04) (Ord. 118, 2nd Series, eff. 3-19-2002; Ord. 130, 2nd Series, passed 4-1-2008)
Penalty, see § 90.99

§ 90.05 STATE DEFINED NUISANCES.

Any nuisance so defined by M.S. § 561.01, as amended from time to time, supplemented or replaced, or by the common law of the state, is also a nuisance under this chapter.

(Prior Code, § 13.05) (Ord. 118, 2nd Series, eff. 3-19-2002)

§ 90.06 PROHIBITED ACTS.

No owner or occupant of any premises shall permit any nuisance to be or remain in or upon the premises; nor shall he, she or they allow for the storage of firewood or junk vehicles in violation of the terms of this chapter.

(Prior Code, § 13.08) (Ord. 118, 2nd Series, eff. 3-19-2002; Ord. 130, 2nd Series, passed 4-1-2008)
Penalty, see § 90.99

§ 90.07 ABATEMENT PROCEDURE.

(A) *Notice to abate nuisance.* Authorized city personnel shall give written notice to any person maintaining a nuisance, or improperly storing firewood or junked vehicles as set forth in this chapter, to abate the practice forthwith or within a designated time. If the owner or occupant of the premises on which the practice shall be situated shall neglect or refuse to remove or correct the same for the space of 24 hours after the notice is given or within the time specified in the notice, the owner shall, upon conviction, be penalized in accordance with the provisions of this chapter and state statutes, and be liable for the expense of removing the nuisance and the costs of prosecution.

(B) *Violation a misdemeanor.*

(1) Any violation of this chapter which is not corrected, as set forth herein, shall be considered a misdemeanor.

(2) The individual responsible for a violation will be cited; and, upon conviction, the offense shall be punishable pursuant to the laws of the state, including, but not limited to, assessment of fines and recovery of prosecution and abatement costs.

(C) *Assessing cost of abatement.* Whenever any person fails to abate a nuisance, or fails to correct the practice of improper storage of firewood or junked vehicles as set forth in this chapter, after notice by the city to do so, or whenever the nature of a nuisance requires its immediate abatement, the city may abate the nuisance; and the cost thereof shall be assessed as a special assessment against the property on which the nuisance was located and certified as other taxes are certified to the County Auditor.

(Prior Code, § 13.09) (Ord. 118, 2nd Series, passed 3-19-2002; Ord. 130, 2nd Series, passed 4-1-2008)

EXCESSIVE NOISE**§ 90.20 GENERAL PROHIBITION.**

(A) No person shall make or cause to be made, any distinct and loud audible noise that unreasonably annoys, disturbs, injures or endangers the comfort, repose, health, peace, safety or welfare of any person, or precludes their enjoyment or diminishes their property value.

(B) This general prohibition includes, but is not limited to, the specific restrictions of this subchapter.

(Prior Code, § 13.07) (Ord. 118, 2nd Series, eff. 3-19-2002) Penalty, see § 90.99

§ 90.21 HORNS, AUDIBLE SIGNALING DEVICES AND THE LIKE.

No person shall sound any audible signaling device, except as a warning of danger, or as permitted in M.S. § 169.68, as amended from time to time.

(Prior Code, § 13.07) (Ord. 118, 2nd Series, eff. 3-19-2002) Penalty, see § 90.99

§ 90.22 MUFFLERS FOR MOTOR VEHICLES.

Every motor vehicle shall at all times be equipped with a muffler in working order which blends the exhaust noise into the overall vehicle noise and is in constant operation to prevent excessive or unusual noise; and no person shall use a dynamic engine or transmission brake, muffler cutout, bypass or similar device upon a motor vehicle on a street or highway.

(Prior Code, § 13.07) (Ord. 118, 2nd Series, eff. 3-19-2002) Penalty, see § 90.99

§ 90.23 RADIOS, TAPE AND DISC PLAYERS.

No person shall use, operate or play any radio receiving set, tape or disc player, musical instrument, phonograph, loudspeaker, sound amplifier or other device in a manner as to disturb the peace, quiet and repose of a person or persons of ordinary sensibilities, except as allowed by city license or permit for civic and/or charitable activities and events.

(A) The play, use or operation of any radio, tape or disc players, musical instrument, phonograph or other machine or device for the production or reproduction of sound in a manner as to be plainly audible at a distance of one city block from the machine or device or for the purpose of commercial advertising, or attracting the attention of the public to any building structure, shall be prima facie evidence of a violation of this section; and/or

(B) When sound violating this subchapter is produced or reproduced by a machine or device that is located in or on a vehicle, the vehicle's owner(s) is guilty of the violation; provided, however, that, if the vehicle's owner is not present at the time of the violation, the person in charge or control of the vehicle at the time of the violation is guilty of the violation.

(Prior Code, § 13.07) (Ord. 118, 2nd Series, eff. 3-19-2002) Penalty, see § 90.99

§ 90.24 BUILDINGS.

(A) No person shall engage in construction (including excavation), demolition, alteration or repair of any building between the hours of 9:00 p.m. and 6:00 a.m.; except that, individuals or families may work on single-family residences for their own occupancy.

(B) City officials may, in case of emergency, grant permission to repair at any time when they find repair work will not affect the health and safety of the persons in the vicinity.

(Prior Code, § 13.07) (Ord. 118, 2nd Series, eff. 3-19-2002) Penalty, see § 90.99

§ 90.25 PILE DRIVERS, HAMMERS AND THE LIKE.

No person shall use or operate, between the hours of 9:00 p.m. and 6:00 a.m., any pile driver, power shovel, pneumatic hammer, derrick power, electrical hoist or other machine or appliance, the use of which is accompanied by loud or unusual noise.

(Prior Code, § 13.07) (Ord. 118, 2nd Series, eff. 3-19-2002) Penalty, see § 90.99

§ 90.26 PARTIES AND GATHERINGS.

(A) *Prohibition.* No person shall congregate at or participate in any party or gathering from which noise emanates of a sufficient volume so as to disturb the peace, quiet or repose of another person. No person shall knowingly remain at a noisy party or gathering.

(B) *Evidence.* The following is prima facie evidence of violation of this section:

(1) Noise of a volume as to be clearly heard at a distance of one city block from the structure or building in which the party or gathering is occurring, or in the case of an apartment building, in the adjacent hallway or apartment; and

(2) Any complaint from a person that is verified by an officer.

(C) *Duty to disperse.* When an officer determines that a party or gathering is in violation of this section, the officer may order all persons present at the premises where the violation is occurring, other than the owner or tenants of the premises, to disperse immediately. No persons ordered to leave shall remain at or return to the party or gathering.

(D) *Exemption.* The following are exempt from violation of this section:

(1) Activities which are duly authorized, sponsored or licensed by the city so long as the activity is conducted pursuant to the conditions of the license, permit or contract;

(2) Person(s) who have gone to a party for the sole purpose of abating the violation;

(3) Church bells, chimes or carillons;

(4) School bells;

(5) Anti-theft devices; and

(6) Machines or devices for the production of sound on or in authorized emergency vehicles.
(Prior Code, § 13.07) (Ord. 118, 2nd Series, eff. 3-19-2002) Penalty, see § 90.99

§ 90.27 ANIMALS, BIRDS AND THE LIKE.

No person shall keep, or allow to be kept, any animal which is causing long continued noise which disturbs the comfort or repose of any person(s) in the vicinity.

(Prior Code, § 13.07) (Ord. 118, 2nd Series, eff. 3-19-2002) Penalty, see § 90.99

Cross-reference:

Animals, see Chapter 93

AIR POLLUTION

§ 90.40 UNAUTHORIZED, UNLAWFUL BURNING.

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

(Prior Code, § 10.42)

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

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

(a) The open burning of leaves will only be permitted between September 15 and December 1;

(b) The Police Department must be notified by the property owner prior to each burning;

(c) Burning shall be limited only to the areas of the city zoned residential;

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(d) A fire shall not be less than five feet from any property line and not less than 25 feet from any building, lumber pile, wood yard, haystack or other comparable hazard;

(e) A responsible person shall be in constant attendance until the fire is completely extinguished;

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

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

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

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

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

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

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

(3) *Permits.*

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

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

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

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

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

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

(7) *Effective date.* This division (B) becomes effective on the date of its publication or upon the publication of a summary of the ordinance as provided by M.S. § 412.191, Subd. 4, as it may be amended from time to time, which meets the requirements of M.S. § 331A.01, Subd. 10, as it may be amended from time to time.

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

§ 90.41 RULES ADOPTED BY REFERENCE.

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

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

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

OTHER NUISANCES

§ 90.55 INOPERABLE, UNLICENSED, JUNK VEHICLES.

In the interest of promoting public health, safety and welfare, the city does hereby enact this section governing the parking and storing of junk vehicles as follows.

(A) No person shall leave any partially dismantled, non-operating wrecked or junked vehicle on any street or highway within the city.

(B) (1) All vehicles on property within the city limits shall be currently licensed and in running order (operable condition) or properly licensed and stored as a collector vehicle. No person in charge or control of any property within the city, whether as owner, tenant, occupant, lessee or otherwise, shall allow any partially dismantled, non-operating, wrecked, junked or discarded vehicle to remain on the property longer than 96 hours. No person shall leave any vehicle on any property within the city for a longer time than 96 hours.

(2) Except that, this section shall not apply to:

(a) A vehicle in an enclosed building;

(b) A vehicle on the premises of a business enterprise operated in a lawful place and manner when necessary to the operation of the business enterprise; provided that, the vehicle is located on the premises for a period of not longer than one year; or

(c) A vehicle which has been placed by the city in an appropriate storage place or depository maintained in a lawful place and manner.

(C) Vehicles, trailers and truck and/or van boxes are not approved accessory buildings as defined in Ch. 152 of this code of ordinances and shall not be used for storage of items that would typically be stored in an accessory building and also shall not be used for storage of garbage, trash or junk items. (Prior Code, § 13.06) (Ord. 118, 2nd Series, eff. 3-19-2002; Ord. 130, 2nd Series, passed 4-1-2008) Penalty, see § 90.99

§ 90.56 OPEN PITS, BASEMENTS AND OTHER EXCAVATIONS.

(A) It is unlawful for any person owning or in control of real estate to have any pit, basement, well, septic tank, cesspool or other excavation on the premises open and without protection for the public.

(B) If the excavation is open for 72 hours or less, it shall be protected by use of flares or lights at night and a railing or other temporary protection during the day.

(C) If it shall be permanently installed, it shall be protected with a chain link fence at least 48 inches high, night and day.

(Prior Code, § 10.49) Penalty, see § 90.99

§ 90.57 OPEN STAIRWAYS AND BALCONIES.

It is unlawful for the owner of any premises to construct or maintain thereon, or permit the construction or maintenance thereon, of a stairway opening to a public sidewalk without adequately protecting the opening with a gate, fence, bars or other barrier adequately protecting the same. It is unlawful for the owner of any premises to construct or maintain thereon, or permit the construction or maintenance thereon, of a balcony unless it is protected with a solid wall or screened with a firm material with openings no larger than eight inches in diameter, if round, or eight inches by eight inches, if square, and to a height of at least three feet.

(Prior Code, § 10.50) Penalty, see § 90.99

§ 90.58 RADIO AND TELEVISION INTERFERENCE.

It is unlawful for any person to maintain, use or operate any apparatus or device whether electrical, mechanical or of any other type, so as to cause interference with radio or television reception. This

section shall not apply to electro-medical devices; provided that, they are equipped so far as reasonably possible with apparatus tending to reduce the interference.

(Prior Code, § 10.51) Penalty, see § 90.99

§ 90.59 ASSAULT.

(A) It is unlawful for any person to commit an assault by either of the following acts:

- (1) Do an act with intent to cause fear in another of immediate bodily harm or death; or
- (2) Intentionally inflict or intend to inflict bodily harm upon another.

(B) Whoever does either of the foregoing thereby commits an assault.

(Prior Code, § 10.52) Penalty, see § 90.99

§ 90.60 WINDOW PEEPING.

It is unlawful for any person to go upon the private premises of another and, in a surreptitious manner, look, gaze, stare or peep into any window, door or other opening in any building located thereon which is occupied by a person or persons as a place of abode with intent to intrude upon the privacy of a member of the household thereof.

(Prior Code, § 10.53) Penalty, see § 90.99

§ 90.61 AMBULANCE SERVICE INTERFERENCE.

It is unlawful for any person to give, or make or cause to be made a call for ambulance service without probable cause or to neglect to obey any reasonable order of a driver or attendants at an ambulance call or to interfere with the ambulance service's discharge of its duties.

(Prior Code, § 10.54) Penalty, see § 90.99

§ 90.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) Every person violates §§ 90.01 through 90.07, 90.20 through 90.27 and 90.55 when he or she performs an act thereby prohibited or declared unlawful, or fails to act when the failure is thereby prohibited or declared unlawful or fails to act when the failure is prohibited or declared unlawful by a

code adopted by reference by these sections and, upon conviction thereof, shall be punished as for a misdemeanor, except as otherwise stated in specific provisions hereof.

(Prior Code, § 13.99)

(C) Every person violates §§ 90.40, 90.41 and 90.56 through 90.61 when he or she performs an act thereby prohibited or declared unlawful, or fails to act when the failure is thereby prohibited or declared unlawful, or performs an act prohibited or declared unlawful or fails to act when the failure is prohibited or declared unlawful by a code adopted by reference by these sections and, upon conviction thereof, shall be punished as for a misdemeanor, except as otherwise stated in specific provisions hereof.

(Prior Code, § 10.99)

(Ord. 118, 2nd Series. eff. 3-19-2002)

Memo

To: Mayor and City Council

From: Denise Nichols

CC: Steve Nasby

Date: 3/26/2014

Re: Annual Citywide Cleanup Event

The annual Citywide Cleanup Event will be held the first two Saturdays in May (May 3rd and 10th). Ads in the Citizen and KDOM will begin two weeks prior to the event. The ads will provide the usual information and a map indicating area pickup dates.

The County Commissioners have approved the request to reduce tipping fees to one half of the normal rate.

The City was recently notified by Eagle Recycling that they will be unable to provide appliance and electronic recycling services. We have been trying to identify possible vendors that would be able to provide this service during the event.

If we secure a vendor, we will inform the Council and the public of the new vendor. If there is a change in the process, we will provide updated information. However, if we are unsuccessful in securing a vendor for the annual event, we will try and schedule a recycling event later in the summer that would provide this valuable recycling service.



Windom, MN

Expense Approval Report By Fund

Payment Dates 3/14/2014 - 3/26/2014

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Fund: 100 - GENERAL					
MN REVENUE	20140314	03/14/2014	SALES TAX FEB 2014	100-20202	10.23
					<u>10.23</u>
Activity: 41110 - Mayor & Council					
CITIZEN PUBLISHING CO	FEBRUARY2014	03/04/2014	ADVERTISING	100-41110-350	271.80
					Activity 41110 - Mayor & Council Total: 271.80
Activity: 41310 - Administration					
ELAN	20140326	03/26/2014	CREDIT CARD - ITRON REIMB	100-41310-200	-50.75
HY-VEE, INC.	62863MAR	03/17/2014	MERCHANDISE	100-41310-200	25.87
ELAN	20140326	03/26/2014	CREDIT CARD - MRWA - ANDE	100-41310-212	53.36
SELECTACCOUNT	20140317	03/17/2014	PARTICIPANT FEE	100-41310-217	146.16
LEAGUE OF MN CITIES	197714	03/19/2014	REGISTRATION-STEVE NASBY	100-41310-308	325.00
ELAN	20140326	03/26/2014	CREDIT CARD - CRASH PLAN B	100-41310-326	9.99
CITIZEN PUBLISHING CO	FEBRUARY2014	03/04/2014	COMPUTER SUPPORT	100-41310-326	180.00
CHELSIE CARLSON	20140317	03/17/2014	EXPENSE-TECH CONF -MARSH	100-41310-331	73.92
STEVE NASBY	20140321	03/21/2014	EXPENSE-CGMC-TESTIFY FOR	100-41310-331	169.68
					Activity 41310 - Administration Total: 933.23
Activity: 41910 - Building & Zoning					
SOUTHWEST MN CHAPTER O	20140325	03/25/2014	REGISTRATION - JAMES KART	100-41910-308	80.00
					Activity 41910 - Building & Zoning Total: 80.00
Activity: 41940 - City Hall					
MN ENERGY RESOURCES	4069619-7MAR	03/19/2014	HEATING #4069619-7	100-41940-383	1,729.29
HOMETOWN SANITATION SE	72302	03/04/2014	GARBAGE SERVICE	100-41940-384	85.04
JOE HARVEY	JB922	03/21/2014	SNOW - CITY-2-8,2-12,2-15,2-	100-41940-406	120.00
JOE HARVEY	JB923	03/21/2014	SNOW -CITY-2-20,2-21,2-25,2	100-41940-406	120.00
JOE HARVEY	JB929	03/04/2014	SNOW REMOVAL	100-41940-406	100.00
JOE HARVEY	JB937	03/21/2014	SNOW-CITY 3-5-14	100-41940-406	50.00
					Activity 41940 - City Hall Total: 2,204.33
Activity: 42120 - Crime Control					
INDOFF, INC	2418842	03/04/2014	SUPPLIES	100-42120-200	86.95
INDOFF, INC	2422114	03/14/2014	SUPPLIES	100-42120-200	58.79
VERIZON WIRELESS	9721407384	03/17/2014	SERVICE FOR LAP TOPS	100-42120-326	81.40
GALLS, LLC	001628599	03/04/2014	EQUIPMENT	100-42120-404	72.99
UNIFORMS UNLIMITED, INC	195862	03/04/2014	EQUIPMENT	100-42120-404	147.45
DEFRIES COLLISION CENTER	6453	03/14/2014	MAINTENANCE	100-42120-405	324.00
					Activity 42120 - Crime Control Total: 771.58
Activity: 42220 - Fire Fighting					
STREICHER'S	I1070893CR	02/28/2014	CREDIT	100-42220-218	-149.99
STREICHER'S	I1073918	02/18/2014	SUPPLIES	100-42220-218	27.99
STREICHER'S	I1078833	03/21/2014	SUPPLIES	100-42220-218	167.98
VERIZON WIRELESS	9721407384	03/17/2014	SERVICE FOR LAP TOPS	100-42220-321	81.39
MUNICIPAL EMERGENCY SER	00484600_SNV	03/17/2014	MAINTENANCE	100-42220-404	156.32
VERIZON WIRELESS	9721407384	03/17/2014	SERVICE FOR LAP TOPS	100-42220-404	10.02
MSFDA	20140317	03/17/2014	SUBSCRIPTION	100-42220-433	196.00
WINDOM COMMUNITY CENT	20140317	03/17/2014	RENTAL - WINDOM FIREMEN	100-42220-435	30.00
VOL, FIREMEN'S BENEFIT	20140317	03/17/2014	INSURANCE-WINDOM FIRE D	100-42220-480	196.00
HY-VEE, INC.	62863MAR	03/17/2014	MERCHANDISE	100-42220-480	58.71
FIRE RELIEF ASSOC.	20140314	03/14/2014	RETIREMENT -	100-42220-491	2,000.00
					Activity 42220 - Fire Fighting Total: 2,774.42
Activity: 43100 - Streets					
WINDOM AUTO VALU	3406129FEB	03/14/2014	MAINTENANCE #3400540	100-43100-211	138.80
CONTINENTAL RESEACH COR	400637-CRC-1	03/11/2014	SUPPLIES	100-43100-211	39.54

Expense Approval Report

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Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
MN MUNICIPAL UTILITIES ASS	42824	03/11/2014	TESTING	100-43100-217	66.50
KDOM RADIO	KDOM0789140231837	03/11/2014	ADVERTISING - PARKS & STRE	100-43100-217	144.00
MILLS & MILLER, INC	18116	03/25/2014	SUPPLIES	100-43100-224	1,659.45
MILLS & MILLER, INC	18120	03/25/2014	SUPPLIES	100-43100-224	1,639.95
RUNNING'S SUPPLY	71920FEB	03/19/2014	MAINTENANCE	100-43100-224	4.22
RUNNING'S SUPPLY	71920FEB	03/19/2014	MAINTENANCE	100-43100-224	6.20
COTTONWOOD COUNTY LAN	140468	03/14/2014	DISPOSAL	100-43100-225	5.00
COTTONWOOD COUNTY LAN	140469	03/14/2014	DISPOSAL	100-43100-225	5.00
COTTONWOOD COUNTY LAN	140470	03/14/2014	DISPOSAL	100-43100-225	5.00
COTTONWOOD COUNTY LAN	140473	03/14/2014	DISPOSAL	100-43100-225	5.00
COTTONWOOD COUNTY LAN	140475	03/14/2014	DISPOSAL	100-43100-225	5.00
COTTONWOOD COUNTY LAN	140478	03/14/2014	DISPOSAL	100-43100-225	5.00
COTTONWOOD COUNTY LAN	140481	03/14/2014	DISPOSAL	100-43100-225	5.00
COTTONWOOD COUNTY LAN	140483	03/14/2014	DISPOSAL	100-43100-225	5.00
COTTONWOOD COUNTY LAN	140484	03/14/2014	DISPOSAL	100-43100-225	5.00
COTTONWOOD COUNTY LAN	140486	03/14/2014	DISPOSAL	100-43100-225	5.00
CITIZEN PUBLISHING CO	FEBRUARY2014	03/04/2014	ADVERTISING	100-43100-350	339.90
MN ENERGY RESOURCES	4090846-9MAR	03/17/2014	HEATING #4090846-9	100-43100-383	1,655.93
HOMETOWN SANITATION SE	72303	03/04/2014	GARBAGE SERVICE	100-43100-384	84.73
HOMETOWN SANITATION SE	72304	03/04/2014	GARBAGE SERVICE	100-43100-384	46.12
RUNNING'S SUPPLY	71920FEB	03/19/2014	MAINTENANCE	100-43100-402	2.99
MN DEPT OF PUBLIC SAFETY	20140319	03/19/2014	CDL INSPECTION DECALS-CITY	100-43100-404	22.00
WINDOM AUTO VALU	3406129FEB	03/14/2014	MAINTENANCE #3400540	100-43100-404	181.31
RUNNING'S SUPPLY	71920FEB	03/19/2014	MAINTENANCE	100-43100-404	31.46
CRYSTEEL TRUCK EQUIPMENT	LP161427	03/11/2014	EQUIPMENT	100-43100-404	456.00
CRYSTEEL TRUCK EQUIPMENT	LP161440	03/11/2014	EQUIPMENT	100-43100-404	219.08
WINDOM AUTO VALU	3406129FEB	03/14/2014	MAINTENANCE #3400540	100-43100-405	415.98
DICKS WELDING INC	57865	03/17/2014	CREDIT - MAINTENANCE	100-43100-406	-132.01
DICKS WELDING INC	57865A	03/21/2014	MAINTENANCE	100-43100-406	132.01
DICKS WELDING INC	57883	03/14/2014	MAINTENANCE	100-43100-406	72.09
DICKS WELDING INC	58062	03/14/2014	MAINTENANCE	100-43100-406	39.90
DICKS WELDING INC	58155	03/14/2014	MAINTENANCE	100-43100-406	136.64
				Activity 43100 - Streets Total:	7,452.79
Activity: 45202 - Park Areas					
WINDOM AUTO VALU	3406129FEB	03/14/2014	MAINTENANCE #3400540	100-45202-405	119.96
RUNNING'S SUPPLY	71920FEB	03/19/2014	MAINTENANCE	100-45202-405	32.32
MN REVENUE	20140314	03/14/2014	SALES TAX FEB 2014	100-45202-460	49.92
				Activity 45202 - Park Areas Total:	202.20
				Fund 100 - GENERAL Total:	14,700.58
Fund: 211 - LIBRARY					
Activity: 45501 - Library					
CITIZEN PUBLISHING CO	FEBRUARY2014	03/04/2014	ADVERTISING	211-45501-350	266.10
MN ENERGY RESOURCES	4081276-OMAR	03/19/2014	HEATING #4081276-0	211-45501-383	1,334.71
JOE HARVEY	JB921	03/24/2014	BOILER INSPECTION 2-28-14	211-45501-406	160.00
JOE HARVEY	JB922	03/21/2014	SNOW- LIB 2-8,2-12,2-15,2-17	211-45501-406	120.00
JOE HARVEY	JB923	03/21/2014	SNOW-LIBRARY-2-20,2-21,2-2	211-45501-406	120.00
JOE HARVEY	JB929	03/04/2014	SNOW REMOVAL	211-45501-406	100.00
JOE HARVEY	JB937	03/21/2014	SNOW- LIB 3-5-14	211-45501-406	50.00
ARTHRITIS TODAY	20140303	03/04/2014	SUBSCRIPTION	211-45501-433	12.95
SIMPLE & DELICIOUS	20140304	03/04/2014	SUBSCRIPTION	211-45501-433	26.98
COUNTRY SAMPLER	20140325	03/25/2014	SUBSCRIPTION	211-45501-433	18.00
CENTER POINT LARGE PRINT	1157826	03/19/2014	BOOKS	211-45501-435	44.34
READERS SERVICE	139REGP	03/19/2014	SUBSCRIPTION #539165688	211-45501-435	22.26
INGRAM	2004243FEB	03/12/2014	BOOKS #2004243	211-45501-435	1,355.24
GALE	51602458	03/25/2014	BOOKS	211-45501-435	46.48
GALE	51603634	03/25/2014	BOOKS	211-45501-435	93.70
GALE	51613782	03/25/2014	BOOKS	211-45501-435	79.46
MICROMARKETING	517302	03/19/2014	BOOKS	211-45501-435	362.32
GALE	51758734	03/25/2014	CREDIT - BOOKS	211-45501-435	-135.14

Expense Approval Report

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Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
MICROMARKETING	518056	03/19/2014	BOOKS	211-45501-435	73.99
MICROMARKETING	518900	03/25/2014	BOOKS	211-45501-435	84.98
DISNEY MOVIE CLUB	A8993549-00001	03/19/2014	MOVIES	211-45501-435	28.90
				Activity 45501 - Library Total:	4,265.27
				Fund 211 - LIBRARY Total:	4,265.27

Fund: 225 - AIRPORT

Activity: 45127 - Airport

SOUTHWEST MN BROADBAN	WIND-001-0018MAR	03/21/2014	TELEPHONE	225-45127-321	27.24
HANSON PLUMBING	2372	03/26/2014	FROZEN DRAIN	225-45127-409	446.72
				Activity 45127 - Airport Total:	473.96

Activity: 49950 - Capital Outlay

TKDA ENGINEERS	002014000477	03/17/2014	2013 JET-A-FUEL CLOSE OUT	225-49950-500	1,800.00
				Activity 49950 - Capital Outlay Total:	1,800.00
				Fund 225 - AIRPORT Total:	2,273.96

Fund: 230 - POOL

Activity: 45124 - Pool

MN REVENUE	20140314	03/14/2014	SALES TAX FEB 2014	230-45124-460	132.95
				Activity 45124 - Pool Total:	132.95
				Fund 230 - POOL Total:	132.95

Fund: 235 - AMBULANCE

Activity: 42153 - Ambulance

CARQUEST AUTO PARTS STOR	20140312	03/12/2014	MAINTENANCE #091380	235-42153-217	3.67
ELAN	20140326	03/26/2014	CREDIT CARD - CLOTHING EQ	235-42153-217	649.98
EMSRB	3512	03/14/2014	MNSTAR FORMS - WINDOM A	235-42153-217	89.70
PRAXAIR DISTRIBUTION INC	48733453	03/12/2014	SUPPLIES	235-42153-217	439.20
ELAN	20140326	03/26/2014	CREDIT CARD - CLOTHING EQ	235-42153-218	169.99
WINDOM AREA HOSPITAL	FEB2014	03/14/2014	NURSING	235-42153-312	1,514.41
VERIZON WIRELESS	9721407384	03/17/2014	SERVICE FOR LAP TOPS	235-42153-321	81.39
ALPHA WIRELESS - MANKATO	194720	03/21/2014	RADIO	235-42153-323	631.72
TIM HACKER	20140326	03/26/2014	EXPENSE-MILEAGE EMS BOAR	235-42153-331	22.60
TIM HACKER	20140317	03/17/2014	EXPENSE	235-42153-334	68.11
DONNA MARCY	20140317	03/17/2014	EXPENSE	235-42153-334	17.48
JOHN MEYER	20140317	03/17/2014	EXPENSE	235-42153-334	14.43
KDOM RADIO	KDOM0281140231828	03/11/2014	ADVERTISING - AMBULANCE S	235-42153-340	258.00
WINDOM AUTO VALU	3406129FEB	03/14/2014	MAINTENANCE #3400540	235-42153-405	10.49
				Activity 42153 - Ambulance Total:	3,971.17
				Fund 235 - AMBULANCE Total:	3,971.17

Fund: 250 - EDA GENERAL

Activity: 46520 - EDA

INDOFF, INC	2422104	03/11/2014	SUPPLIES	250-46520-200	1.58
EHLERS & ASSOC., INC.	348013	03/17/2014	SERVICE	250-46520-301	2,300.00
FINANCE & COMMERCE, INC.	20140325	03/25/2014	REGISTRATION -AARON BACK	250-46520-308	85.00
AARON BACKMAN	20140317	03/17/2014	EXPENSE-CAPITOL TESTIFY RE:	250-46520-331	171.36
AARON BACKMAN	20140317	03/17/2014	EXPENSE-CAPITOL TESTIFY RE:	250-46520-334	6.29
CITIZEN PUBLISHING CO	FEBRUARY2014	03/04/2014	ADVERTISING	250-46520-340	60.00
CITIZEN PUBLISHING CO	FEBRUARY2014	03/04/2014	ADVERTISING	250-46520-350	79.50
CITIZEN PUBLISHING CO	FEBRUARY2014	03/04/2014	COMPUTER SUPPORT	250-46520-404	90.00
				Activity 46520 - EDA Total:	2,793.73
				Fund 250 - EDA GENERAL Total:	2,793.73

Fund: 601 - WATER

Activity: 49400 - Water

HAWKINS, INC	3569768	03/17/2014	05000	601-49400-216	510.00
ELAN	20140326	03/26/2014	CREDIT CARD - PAY PAL	601-49400-217	7.50
MN VALLEY TESTING	690410	03/21/2014	CHEMICALS	601-49400-310	56.25
ELAN	20140326	03/26/2014	CREDIT CARD - MRWA - ANDE	601-49400-334	446.02
KDOM RADIO	KDOM0791140231841	03/11/2014	ADVERTISING- WATER & WAS	601-49400-340	200.00
RON'S ELECTRIC INC	128398	03/17/2014	MAINTENANCE	601-49400-404	1,499.93

Expense Approval Report

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Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
HENRY'S WATERWORKS, INC.	16971	03/11/2014	MAINTENANCE EQUIPMENT	601-49400-404	159.67
USA BLUE BOOK	280024	03/12/2014	MAINTENANCE SUPPLIES	601-49400-404	388.10
HAWKINS, INC	3570014	03/17/2014	MAINTENANCE	601-49400-404	1,137.70
RUNNING'S SUPPLY	71920FEB	03/19/2014	MAINTENANCE	601-49400-404	14.99
A & B BUSINESS	IN63785	03/14/2014	MAINTENANCE	601-49400-404	47.00
RUNNING'S SUPPLY	71920FEB	03/19/2014	MAINTENANCE	601-49400-406	33.30
RUNNING'S SUPPLY	71920FEB	03/19/2014	MAINTENANCE	601-49400-408	155.94
				Activity 49400 - Water Total:	4,656.40
				Fund 601 - WATER Total:	4,656.40

Fund: 602 - SEWER

Activity: 49450 - Sewer

ELAN	20140326	03/26/2014	CREDIT CARD - PAY PAL	602-49450-217	7.50
RUNNING'S SUPPLY	71920FEB	03/19/2014	MAINTENANCE	602-49450-217	16.99
MN VALLEY TESTING	691570	02/25/2014	TESTING	602-49450-310	118.60
MN VALLEY TESTING	691590	02/25/2014	TESTING	602-49450-310	143.60
MN VALLEY TESTING	691706	02/25/2014	TESTING	602-49450-310	223.60
MN VALLEY TESTING	691884	02/25/2014	TESTING	602-49450-310	223.60
MN VALLEY TESTING	692450	03/04/2014	TESTING	602-49450-310	223.60
MN VALLEY TESTING	692497	03/04/2014	TESTING	602-49450-310	143.60
MN VALLEY TESTING	692718	03/11/2014	TESTING	602-49450-310	133.00
MN VALLEY TESTING	692736	03/11/2014	TESTING	602-49450-310	118.60
MN VALLEY TESTING	692972	03/11/2014	TESTING	602-49450-310	118.60
MN ENERGY RESOURCES	4325313-7MAR	03/17/2014	HEATING #4325313-7	602-49450-383	903.70
MN ENERGY RESOURCES	4335469-5MAR	03/19/2014	HEATING #4335469-5	602-49450-383	16.36
HOMETOWN SANITATION SE	72306	03/04/2014	GARBAGE SERVICE	602-49450-384	85.04
RON'S ELECTRIC INC	128398	03/17/2014	MAINTENANCE	602-49450-404	596.67
AUTOMATIC SYSTEMS CO	27119S	03/04/2014	EQUIPMENT	602-49450-404	779.50
USA BLUE BOOK	280024	03/12/2014	MAINTENANCE SUPPLIES	602-49450-404	388.10
RUNNING'S SUPPLY	71920FEB	03/19/2014	MAINTENANCE	602-49450-404	118.69
A & B BUSINESS	IN63785	03/14/2014	MAINTENANCE	602-49450-404	46.99
RUNNING'S SUPPLY	71920FEB	03/19/2014	MAINTENANCE	602-49450-406	15.32
				Activity 49450 - Sewer Total:	4,421.66
				Fund 602 - SEWER Total:	4,421.66

Fund: 604 - ELECTRIC

WERNER ELECTRIC	S7879016.001	02/18/2014	PARTS	604-14200	19.05
MN REVENUE	20140314	03/14/2014	SALES TAX FEB 2014	604-16400	3,771.09
MN REVENUE	20140314	03/14/2014	SALES TAX FEB 2014	604-20202	16,426.00
ALYCIA HACKER	20140321	03/21/2014	REFUND - BAL OF UTIL PREPA	604-22000	129.10
ELECTRIC FUND	20140321	03/21/2014	A.HACKER-FINAL BILLING	604-22000	170.90
AARON BACKMAN	20140321	03/21/2014	REFUND - UTILITY PREPAYME	604-22000	300.00
TRAVIS FOSSING	20140325	03/25/2014	REFUND - UTILITY PREPAYME	604-22000	300.00
					21,116.14

Activity: 49550 - Electric

OFFICEMAX - HSBC BUS SOLU	171229	03/12/2014	SUPPLIES	604-49550-200	341.98
OFFICEMAX - HSBC BUS SOLU	438526	03/19/2014	SUPPLIES	604-49550-200	104.19
RUNNING'S SUPPLY	71920FEB	03/19/2014	MAINTENANCE	604-49550-211	12.28
COLE PAPERS INC.	8951068	02/28/2014	SUPPLIES	604-49550-211	119.68
ELAN	20140326	03/26/2014	CREDIT CARD - PAY PAL	604-49550-217	7.50
WERNER ELECTRIC	S7879016.001	02/18/2014	PARTS	604-49550-241	74.73
CENTRAL MINNESOTA MUNIC	4377	03/12/2014	ENERGY & TRANSMISSION	604-49550-263	127,350.68
CENTRAL MINNESOTA MUNIC	4377	03/12/2014	ENERGY & TRANSMISSION	604-49550-263	104,385.21
DEPARTMENT OF ENERGY	BFPB000800214	03/11/2014	ENERGY	604-49550-263	91,100.92
SKARSHAUG TESTING LAB	186196	03/12/2014	SUPPLIES	604-49550-310	211.11
ALTERNATIVE TECHNOLOGIES	35602	03/11/2014	TEST TAMPLES	604-49550-310	130.00
RUNNING'S SUPPLY	71920FEB	03/19/2014	MAINTENANCE	604-49550-310	74.26
CITIZEN PUBLISHING CO	FEBRUARY2014	03/04/2014	ADVERTISING	604-49550-340	113.30
HOMETOWN SANITATION SE	72307	03/04/2014	GARBAGE SERVICE	604-49550-384	84.75
RUNNING'S SUPPLY	71920FEB	03/19/2014	MAINTENANCE	604-49550-405	0.40
RUNNING'S SUPPLY	71920FEB	03/19/2014	MAINTENANCE	604-49550-406	15.32

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Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
MN DEPT OF COMMERCE	1000027122	03/11/2014	INDIRECT ASSESSMENT #330	604-49550-433	219.50
MN POLLUTION CONTROL AG	1100034392	03/17/2014	ANNUAL AIR EMISSIONS FEE	604-49550-433	25.00
MN DEPT OF LABOR & INDUS	ABR0091489I	03/11/2014	DUES	604-49550-433	40.00
MN DEPT OF COMMERCE	1000027122	03/11/2014	INDIRECT ASSESSMENT #330	604-49550-450	887.06
CENTRAL MINNESOTA MUNIC	4392	03/12/2014	ASSESSMENT	604-49550-450	2,140.00
FRESCO INC.	62183	02/28/2014	CONSERVATION	604-49550-450	2,331.89
MN REVENUE	20140314	03/14/2014	SALES TAX FEB 2014	604-49550-460	29.32
BANK MIDWEST	20140325	03/25/2014	NSF-JANET HERMAN-UTILITIE	604-49550-480	148.64
Activity 49550 - Electric Total:					329,947.72
Fund 604 - ELECTRIC Total:					351,063.86
Fund: 609 - LIQUOR STORE					
JAMES H. ROSENKRANZ	20140226	03/04/2014	FLOORING	609-16200	9,885.95
RON'S ELECTRIC INC	128490	03/17/2014	COLLER LABOR & PARTS	609-16460	1,327.82
DAVE BORSGARD	20140314	03/14/2014	COOLER	609-16460	1,863.56
MN REVENUE	20140314	03/14/2014	SALES TAX FEB 2014	609-20202	9,890.00
					22,967.33

Activity: 49751 - Liquor Store

AH HERMEL COMPANY	419378	03/14/2014	MERCHANDISE	609-49751-217	106.40
ENVIROMASTER, INC	511196	02/28/2014	SERVICE	609-49751-217	40.88
JOHNSON BROS.	1790790	03/04/2014	MERCHANDISE	609-49751-251	2,660.87
JOHNSON BROS.	1790791	03/04/2014	MERCHANDISE	609-49751-251	1,187.10
JOHNSON BROS.	1796147	03/14/2014	MERCHANDISE	609-49751-251	3,055.06
PHILLIPS WINE & SPIRITS	2565639	03/04/2014	MERCHANDISE	609-49751-251	5,999.21
BEVERAGE WHOLESALERS	0492358	03/14/2014	MERCHANDISE	609-49751-252	4,899.36
BEVERAGE WHOLESALERS	0493224	03/17/2014	MERCHANDISE	609-49751-252	8,466.10
BEVERAGE WHOLESALERS	0494068	03/21/2014	01285	609-49751-252	5,153.06
HAGEN BEVERAGE DIST. INC.	261186	03/14/2014	MERCHANDISE	609-49751-252	4,792.45
HAGEN BEVERAGE DIST. INC.	261364	03/17/2014	MERCHANDISE	609-49751-252	98.30
HAGEN BEVERAGE DIST. INC.	261399	03/17/2014	MERCHANDISE	609-49751-252	3,252.30
HAGEN BEVERAGE DIST. INC.	261627	03/21/2014	MERCHANDISE	609-49751-252	9,832.50
HAGEN BEVERAGE DIST. INC.	261663	03/21/2014	MERCHANDISE	609-49751-252	3,179.20
JOHNSON BROS.	1796148	03/14/2014	MERCHANDISE	609-49751-253	1,381.19
JOHNSON BROS.	1796149	03/14/2014	MERCHANDISE	609-49751-253	72.99
PHILLIPS WINE & SPIRITS	2565640	03/04/2014	MERCHANDISE	609-49751-253	1,915.80
JOHNSON BROS.	610091	03/14/2014	CREDIT - MERCHANDISE	609-49751-253	-36.00
PAUSTIS & SONS	8438982-IN	03/14/2014	MERCHANDISE	609-49751-253	1,072.01
PAUSTIS & SONS	8439290-CM-	03/14/2014	MERCHANDISE	609-49751-253	-96.00
COCA-COLA BOTTLING COMP	0466542018	02/28/2014	MERCHANDISE	609-49751-254	179.70
AH HERMEL COMPANY	419378	03/14/2014	MERCHANDISE	609-49751-254	16.60
BEVERAGE WHOLESALERS	0492358	03/14/2014	MERCHANDISE	609-49751-259	16.00
BEVERAGE WHOLESALERS	0493224	03/17/2014	MERCHANDISE	609-49751-259	19.00
BEVERAGE WHOLESALERS	0494068	03/21/2014	01285	609-49751-259	16.00
HAGEN BEVERAGE DIST. INC.	261399	03/17/2014	MERCHANDISE	609-49751-259	101.50
JOHNSON BROS.	1790790	03/04/2014	MERCHANDISE	609-49751-333	29.47
JOHNSON BROS.	1790791	03/04/2014	MERCHANDISE	609-49751-333	41.86
JOHNSON BROS.	1796147	03/14/2014	MERCHANDISE	609-49751-333	59.20
JOHNSON BROS.	1796148	03/14/2014	MERCHANDISE	609-49751-333	30.40
PHILLIPS WINE & SPIRITS	2565639	03/04/2014	MERCHANDISE	609-49751-333	128.51
PHILLIPS WINE & SPIRITS	2565640	03/04/2014	MERCHANDISE	609-49751-333	81.61
AH HERMEL COMPANY	419378	03/14/2014	MERCHANDISE	609-49751-333	3.95
JOHNSON BROS.	610091	03/14/2014	CREDIT - MERCHANDISE	609-49751-333	-1.60
PAUSTIS & SONS	8438982-IN	03/14/2014	MERCHANDISE	609-49751-333	13.75
PAUSTIS & SONS	8439290-CM-	03/14/2014	MERCHANDISE	609-49751-333	-1.25
UNIVERSAL PUBLICATIONS	147487	03/21/2014	ADVERTISING	609-49751-340	175.00
ABC HORSE PRIZE FUND	20140314	03/14/2014	ADVERTISING - RIVER BEND LI	609-49751-340	45.00
CITIZEN PUBLISHING CO	FEBRUARY2014	03/04/2014	ADVERTISING	609-49751-340	313.40
KDOM RADIO	KDOM0229140231762	03/14/2014	ADVERTISING - RIVER BEND LI	609-49751-340	72.00
HOMETOWN SANITATION SE	0000072305	03/14/2014	GARBAGE SERVICE	609-49751-384	144.19
JAMES H. ROSENKRANZ	20140226	03/04/2014	DISPOSAL	609-49751-384	215.00

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Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
GARY KULSETH	20140317	03/17/2014	REIMBURSE-PAID FOR DISPOS	609-49751-384	100.00
DICKS WELDING INC	58144	03/14/2014	MAINTENANCE	609-49751-402	101.79
				Activity 49751 - Liquor Store Total:	58,933.86
				Fund 609 - LIQUOR STORE Total:	81,901.19
Fund: 614 - TELECOM					
NATIONAL CABLE TV COOP	SI-383724	03/17/2014	EQUIPMENT	614-16400	291.96
MN REVENUE	20140314	03/14/2014	SALES TAX FEB 2014	614-20202	6,714.00
					7,005.96
Activity: 49870 - Telecom					
DAN OLSEN	20140317	03/17/2014	EXPENSE-	614-49870-200	42.36
NEW STAR SALES & SERVICE	41832	03/17/2014	COPIER	614-49870-200	37.41
HOMETOWN SANITATION SE	0000072308	03/11/2014	GARBAGE SERVICE	614-49870-211	73.92
ELAN	20140326	03/26/2014	CREDIT CARD - PAY PAL	614-49870-217	7.50
ELAN	20140326	03/26/2014	CREDIT CARD - DREAM HOST	614-49870-217	139.00
NATIONAL CABLE TV COOP	SI-384112	03/17/2014	EQUIPMENT	614-49870-217	206.47
ELAN	20140326	03/26/2014	CREDIT CARD - AMERICAN LO	614-49870-223	409.38
RUNNING'S SUPPLY	71920FEB	03/19/2014	MAINTENANCE	614-49870-227	16.49
NATIONAL CABLE TV COOP	SI-384436	03/17/2014	EQUIPMENT	614-49870-227	7,521.84
ELAN	20140326	03/26/2014	CREDIT CARD - TEST EQUIP -	614-49870-241	1,010.00
MN DEPT OF COMMERCE	1000026765	03/11/2014	Q4 2014 ASSESSMENT #6412	614-49870-304	246.16
INTERSTATE TRS FUND	82580703140	03/26/2014	ASSESSMENT FOR 499-A FILIN	614-49870-304	124.90
ADARA TECHNOLOGIES INC	AP100223CW-17	03/19/2014	HOSTED SERVICES	614-49870-326	10,500.00
WINDOM AREA SCHOOLS	1001	03/17/2014	AFTER PROM COMM-J.ANTES	614-49870-340	50.00
KDOM RADIO	KDOM073140231836	03/11/2014	ADVERTISING - WINDOM NET	614-49870-340	104.25
MN ENERGY RESOURCES	4098343-9MAR	03/17/2014	HEATING #4098343-9	614-49870-383	419.44
BBC WORLDWIDE AMERICA I	068561	03/17/2014	SUBSCRIBER	614-49870-442	80.01
NATIONAL CABLE TV COOP	14011020-02	03/11/2014	BACKBILL	614-49870-442	2,139.06
NATIONAL CABLE TV COOP	14011020-03	03/14/2014	SUBSCRIBER	614-49870-442	29.07
NATIONAL CABLE TV COOP	14021410-01	03/11/2014	BACKBILL	614-49870-442	2,130.26
NATIONAL CABLE TV COOP	14021410-02	03/14/2014	SUBSCRIBER	614-49870-442	29.07
NATIONAL CABLE TV COOP	14030013	03/11/2014	BACKBILL	614-49870-442	4,440.94
NATIONAL CABLE TV COOP	14030025	03/14/2014	SUBSCRIBER	614-49870-442	108.72
DISCOVERY DIGITAL NETWORK	20140311	03/11/2014	SUBSCRIBER WINDOM CABLE	614-49870-442	140.61
HUBBARD BROADCASTING IN	20140311	03/11/2014	SUBSCRIBER	614-49870-442	1,362.52
YOUNG BROADCASTING LLC	20140312	03/12/2014	SUBSCRIBER	614-49870-442	2,988.59
DISH NETWORK	20140326	03/26/2014	SERVICE #8255-2900-1001-18	614-49870-442	3,407.00
DISPLAY SYSTEMS INTERNATI	21164	03/17/2014	SERVICE	614-49870-442	163.88
KARE GANNETT CO., INC	266-1042	03/17/2014	SUBSCRIBER	614-49870-442	2,517.00
TOWER DISTRIBUTION COMP	349723	02/25/2014	SUBSCRIBER	614-49870-442	547.28
TOWER DISTRIBUTION COMP	352478	03/25/2014	SUBSCRIBER	614-49870-442	545.88
OWN LLC	4472757	03/12/2014	SUBSCRIBER	614-49870-442	76.30
HUB TELEVISION NETWORKS	4473242	03/11/2014	SUBSCRIBER	614-49870-442	36.19
SDN COMMUNICATIONS	00000110:000634	03/17/2014	SERVICE	614-49870-447	2,839.79
COGENT COMMUNICATIONS,	20140317	03/17/2014	SERVICE	614-49870-447	1,750.00
ELAN	20140326	03/26/2014	CREDIT CARD - E & M COMM	614-49870-447	640.81
SOUTHWEST/WEST CENTRAL	42480	03/12/2014	SUPPORT	614-49870-447	875.00
GOLDEN WEST TECH & INT SO	140210431	03/17/2014	SERVICE	614-49870-448	284.93
JEREMY ROLFES	20140317	03/17/2014	INTERNET EXPENSE	614-49870-448	50.94
JEFFREY DAHNA	20140317	03/17/2014	INTERNET EXPENSE	614-49870-448	56.67
ZAYO BANDWIDTH	114184-002376DEC	03/26/2014	MONTHLY SERVICE-DEC 2013	614-49870-451	3,293.07
ZAYO BANDWIDTH	114184-002376MAR	03/17/2014	MONTHLY SERVICE #114184-	614-49870-451	3,293.80
ONVOY VOICE SERVICES	140303008508	03/17/2014	SS7 SERVICE	614-49870-451	1,352.48
ONVOY VOICE SERVICES	14030301568	03/17/2014	SWITCHING SERVICE	614-49870-451	2,989.86
CENTURY LINK - LIS ACCTS	L040021021-14057	03/17/2014	SWITCH FEES	614-49870-451	76.34
MN REVENUE	20140314	03/14/2014	SALES TAX FEB 2014	614-49870-460	384.87
NICHOLAS WOLTER	#1	03/17/2014	SERVICE	614-49870-480	990.00
				Activity 49870 - Telecom Total:	60,530.06
				Fund 614 - TELECOM Total:	67,536.02

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Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Fund: 615 - ARENA					
Activity: 49850 - Arena					
SHOPKO	20140312	03/12/2014	SUPPLIES	615-49850-200	59.98
CITIZEN PUBLISHING CO	FEBRUARY2014	03/04/2014	COMPUTER SUPPORT	615-49850-326	202.50
KDOM RADIO	KDOM0113140231830	03/12/2014	ADVERTISING -ARENA	615-49850-350	82.00
HOMETOWN SANITATION SE	72309	03/04/2014	GARBAGE SERVICE	615-49850-384	130.88
WINDOM AUTO VALU	3406129FEB	03/14/2014	MAINTENANCE #3400540	615-49850-404	10.94
WINDOM AUTO VALU	3406129FEB	03/14/2014	MAINTENANCE #3400540	615-49850-405	222.52
MN REVENUE	20140314	03/14/2014	SALES TAX FEB 2014	615-49850-460	14.79
MN REVENUE	20140314	03/14/2014	SALES TAX FEB 2014	615-49850-460	236.00
Activity 49850 - Arena Total:					959.61
Fund 615 - ARENA Total:					959.61
Fund: 617 - M/P CENTER					
MN REVENUE	20140314	03/14/2014	SALES TAX FEB 2014	617-20202	75.29
Activity: 49860 - M/P Center					75.29
WINDOM QUICK PRINT	20140319	03/19/2014	SUPPLIES	617-49860-217	116.50
HY-VEE, INC.	62863MAR	03/17/2014	MERCHANDISE	617-49860-261	7.00
KDOM RADIO	KDOM0563140231831	03/11/2014	ADVERTISING - COMM CENTE	617-49860-340	155.40
NEW CENTURY PRESS	O-179841	03/04/2014	ADVERTISING	617-49860-340	80.00
MN REVENUE	20140314	03/14/2014	SALES TAX FEB 2014	617-49860-460	22.83
MN REVENUE	20140314	03/14/2014	SALES TAX FEB 2014	617-49860-460	352.71
Activity 49860 - M/P Center Total:					734.44
Fund 617 - M/P CENTER Total:					809.73
Fund: 700 - PAYROLL					
Internal Revenue Service-Payr	INV0000232	03/21/2014	Federal Tax Withholding	700-21701	9,818.25
Minnesota Department of Re	INV0000231	03/21/2014	State Withholding	700-21702	4,268.15
Internal Revenue Service-Payr	INV0000233	03/21/2014	Social Security	700-21703	11,646.00
Internal Revenue Service-Payr	INV0000235	03/22/2014	Social Security	700-21703	154.64
MN Pera	INV0000225	03/21/2014	PERA	700-21704	11,930.33
MN Pera	INV0000226	03/21/2014	PERA	700-21704	4,819.48
MN Pera	INV0000227	03/21/2014	PERA	700-21704	508.18
Minnesota State Deferred	INV0000228	03/21/2014	Deferred Compensation	700-21705	5,050.00
Minnesota State Deferred	INV0000229	03/21/2014	Deferred Roth	700-21705	650.00
LOCAL UNION #949	20140321	03/21/2014	UNION DUES	700-21707	1,626.44
LAW ENFORCMENT LABOR SE	2014032114	03/21/2014	UNION DUES	700-21708	302.31
Internal Revenue Service-Payr	INV0000230	03/21/2014	Medicare Withholding	700-21711	3,248.98
Internal Revenue Service-Payr	INV0000234	03/22/2014	Medicare Withholding	700-21711	36.20
SELECTACCOUNT	20140319	03/19/2014	FLEX SPENDING	700-21712	912.44
SELECTACCOUNT	20140326	03/26/2014	FLEX SPENDING	700-21712	955.36
AFLAC	091184	03/17/2014	INSURANCE	700-21715	98.22
AFLAC	091184	03/17/2014	INSURANCE	700-21716	377.84
MN BENEFIT ASSOCIATION	20140317	03/17/2014	INSURANCE	700-21717	159.65
MN BENEFIT ASSOCIATION	20140317	03/17/2014	INSURANCE	700-21719	112.92
MII LIFE	20140317	03/17/2014	VEBA	700-21720	10,581.36
					67,256.75
Fund 700 - PAYROLL Total:					67,256.75
Grand Total:					606,742.88

Report Summary

Fund Summary

Fund	Payment Amount
100 - GENERAL	14,700.58
211 - LIBRARY	4,265.27
225 - AIRPORT	2,273.96
230 - POOL	132.95
235 - AMBULANCE	3,971.17
250 - EDA GENERAL	2,793.73
601 - WATER	4,656.40
602 - SEWER	4,421.66
604 - ELECTRIC	351,063.86
609 - LIQUOR STORE	81,901.19
614 - TELECOM	67,536.02
615 - ARENA	959.61
617 - M/P CENTER	809.73
700 - PAYROLL	67,256.75
Grand Total:	606,742.88

Account Summary

Account Number	Account Name	Payment Amount
100-20202	Sales Tax Payable	10.23
100-41110-350	Printing & Binding	271.80
100-41310-200	Office Supplies	-24.88
100-41310-212	Motor Fuels	53.36
100-41310-217	Other Operating Supplie	146.16
100-41310-308	Training & Registrations	325.00
100-41310-326	Data Processing	189.99
100-41310-331	Travel Expense	243.60
100-41910-308	Training & Registrations	80.00
100-41940-383	Gas Utility	1,729.29
100-41940-384	Refuse Disposal	85.04
100-41940-406	Repairs & Maint - Groun	390.00
100-42120-200	Office Supplies	145.74
100-42120-326	Data Processing	81.40
100-42120-404	Repairs & Maint - M&E	220.44
100-42120-405	Repairs & Maint - Vehicl	324.00
100-42220-218	Uniforms	45.98
100-42220-321	Telephone	81.39
100-42220-404	Repairs & Maint - M&E	166.34
100-42220-433	Dues & Subscriptions	196.00
100-42220-435	Books and Pamphlets	30.00
100-42220-480	Other Miscellaneous	254.71
100-42220-491	Payments to Other Orga	2,000.00
100-43100-211	Cleaning Supplies	178.34
100-43100-217	Other Operating Supplie	210.50
100-43100-224	Street Maint Materials	3,309.82
100-43100-225	Landscaping Materials	50.00
100-43100-350	Printing & Binding	339.90
100-43100-383	Gas Utility	1,655.93
100-43100-384	Refuse Disposal	130.85
100-43100-402	Repairs & Maint - Struct	2.99
100-43100-404	Repairs & Maint - M&E	909.85
100-43100-405	Repairs & Maint - Vehicl	415.98
100-43100-406	Repairs & Maint - Groun	248.63
100-45202-405	Repairs & Maint - Vehicl	152.28
100-45202-460	Miscellaneous Taxes	49.92
211-45501-350	Printing & Binding	266.10
211-45501-383	Gas Utility	1,334.71
211-45501-406	Repairs & Maint - Groun	550.00

Account Summary

Account Number	Account Name	Payment Amount
211-45501-433	Dues & Subscriptions	57.93
211-45501-435	Books and Pamphlets	2,056.53
225-45127-321	Telephone	27.24
225-45127-409	Repairs & Maint - Utilitie	446.72
225-49950-500	Capital Outlay	1,800.00
230-45124-460	Miscellaneous Taxes	132.95
235-42153-217	Other Operating Supplie	1,182.55
235-42153-218	Uniforms	169.99
235-42153-312	Nursing	1,514.41
235-42153-321	Telephone	81.39
235-42153-323	Radio Units	631.72
235-42153-331	Travel Expense	22.60
235-42153-334	Meals/Lodging	100.02
235-42153-340	Advertising	258.00
235-42153-405	Repairs & Maint - Vehicl	10.49
250-46520-200	Office Supplies	1.58
250-46520-301	Auditing & Consulting Se	2,300.00
250-46520-308	Training & Registrations	85.00
250-46520-331	Travel Expense	171.36
250-46520-334	Meals/Lodging	6.29
250-46520-340	Advertising	60.00
250-46520-350	Printing & Binding	79.50
250-46520-404	Repairs & Maint - M&E	90.00
601-49400-216	Chemicals and Chemical	510.00
601-49400-217	Other Operating Supplie	7.50
601-49400-310	Lab Testing	56.25
601-49400-334	Meals/Lodging	446.02
601-49400-340	Advertising	200.00
601-49400-404	Repairs & Maint - M&E	3,247.39
601-49400-406	Repairs & Maint - Groun	33.30
601-49400-408	Repairs & Maint - Distrib	155.94
602-49450-217	Other Operating Supplie	24.49
602-49450-310	Lab Testing	1,446.80
602-49450-383	Gas Utility	920.06
602-49450-384	Refuse Disposal	85.04
602-49450-404	Repairs & Maint - M&E	1,929.95
602-49450-406	Repairs & Maint - Groun	15.32
604-14200	Inventory	19.05
604-16400	Machinery & Equipment	3,771.09
604-20202	Sales Tax Payable	16,426.00
604-22000	Prepayments	900.00
604-49550-200	Office Supplies	446.17
604-49550-211	Cleaning Supplies	131.96
604-49550-217	Other Operating Supplie	7.50
604-49550-241	Small Tools	74.73
604-49550-263	Merchandise for Resale	322,836.81
604-49550-310	Lab Testing	415.37
604-49550-340	Advertising	113.30
604-49550-384	Refuse Disposal	84.75
604-49550-405	Repairs & Maint - Vehicl	0.40
604-49550-406	Repairs & Maint - Groun	15.32
604-49550-433	Dues & Subscriptions	284.50
604-49550-450	Conservation	5,358.95
604-49550-460	Miscellaneous Taxes	29.32
604-49550-480	Other Miscellaneous	148.64
609-16200	Buildings	9,885.95
609-16460	Furniture & Fixtures	3,191.38
609-20202	Sales Tax Payable	9,890.00

Account Summary

Account Number	Account Name	Payment Amount
609-49751-217	Other Operating Supplie	147.28
609-49751-251	Liquor	12,902.24
609-49751-252	Beer	39,673.27
609-49751-253	Wine	4,309.99
609-49751-254	Soft Drinks & Mix	196.30
609-49751-259	Non- Alcoholic	152.50
609-49751-333	Freight and Express	385.90
609-49751-340	Advertising	605.40
609-49751-384	Refuse Disposal	459.19
609-49751-402	Repairs & Maint - Struct	101.79
614-16400	Machinery & Equipment	291.96
614-20202	Sales Tax Payable	6,714.00
614-49870-200	Office Supplies	79.77
614-49870-211	Cleaning Supplies	73.92
614-49870-217	Other Operating Supplie	352.97
614-49870-223	Buidling Repair Supplies	409.38
614-49870-227	Utility System Maint Sup	7,538.33
614-49870-241	Small Tools	1,010.00
614-49870-304	Legal Fees	371.06
614-49870-326	Data Processing	10,500.00
614-49870-340	Advertising	154.25
614-49870-383	Gas Utility	419.44
614-49870-442	Subscriber Fees	20,742.38
614-49870-447	Internet Expense	6,105.60
614-49870-448	On-Call Support	392.54
614-49870-451	Call Completion	11,005.55
614-49870-460	Miscellaneous Taxes	384.87
614-49870-480	Other Miscellaneous	990.00
615-49850-200	Office Supplies	59.98
615-49850-326	Data Processing	202.50
615-49850-350	Printing & Binding	82.00
615-49850-384	Refuse Disposal	130.88
615-49850-404	Repairs & Maint - M&E	10.94
615-49850-405	Repairs & Maint - Vehicl	222.52
615-49850-460	Miscellaneous Taxes	250.79
617-20202	Sales Tax Payable	75.29
617-49860-217	Other Operating Supplie	116.50
617-49860-261	Other Merchandise	7.00
617-49860-340	Advertising	235.40
617-49860-460	Miscellaneous Taxes	375.54
700-21701	Federal Withholding	9,818.25
700-21702	State Withholding	4,268.15
700-21703	FICA Tax Withholding	11,800.64
700-21704	PERA Contributions	17,257.99
700-21705	Retirement	5,700.00
700-21707	Union Dues	1,626.44
700-21708	PD Union Dues	302.31
700-21711	Medicare Tax Withholdi	3,285.18
700-21712	Flex Account	1,867.80
700-21715	Individual Insurance-Afla	98.22
700-21716	Individual Insurance-Afla	377.84
700-21717	Individual Insurance-MB	159.65
700-21719	Individual Insurance-MB	112.92
700-21720	VEBA Contributions	10,581.36
	Grand Total:	606,742.88

Project Account Summary

Project Account Key
None
Construction

Payment Amount
602,971.79
3,771.09
606,742.88

Grand Total:

✓
3/26/14
✗