CITY OF SAINT PETER, MINNESOTA
AGENDA AND NOTICE OF MEETING
City Council Goal Session, Tuesday, January 22, 2019
Governors' Room, Community Center – 3:00 p.m.

I. WELCOME
II. BREAK CALLER
III. GOALS AND RULES FOR THE DAY
IV. GOAL SESSION REPORT FROM OCTOBER 2018

V. DEEP DIVE DISCUSSIONS
A. List of Vital Things - G
B. Big 5 Updates - W
C. Legitimacy in Governance - G
D. Green Steps Program - G
E. North Third Street Divide and Conquer Alternative Ideas - W
F. Advisory Boards and Commissions – How to Get People Involved - G
G. Organizational Health - G
H. Cooperative Efforts - G
I. Budget Process - G
J. Organizational Structure - W

VI. QUICK HIT DISCUSSIONS
A. Levy Categorical Fix - W
B. Sculpture Garden - W
C. Community Spirit Park Settle Up - W
D. Fire Hall and Options - W
E. Weed Ordinance/Boulevard Use Discussion - W
F. Food Waste Composting Plan Update - W
G. Assessment process (North Third/Stormwater) - G
H. 2019 Sidewalk Project Review - W
I. Website Update - W
J. Wastewater Ponds Update - W
K. Billboard Removal - W
L. Vacation Rental Ordinance Warmup - W
M. Others
N. Takeaways and Priorities

VII. ADJOURNMENT

Office of the City Administrator
Todd Prafke
I. WELCOME

II. BREAK CALLER

Need one of these so that ....well you know. So I don't just keep going. 😊

III. GOALS AND RULES FOR THE DAY

Typically the Council will take a few moments to review the brainstorming rules. We might also delve into "Hurling Day" [https://www.youtube.com/watch?v=C0yxELdaUY](https://www.youtube.com/watch?v=C0yxELdaUY) and its inner deeper secret meaning 😊 and generally visit about how your time will be spent together.

IV. GOAL SESSION REPORT OF OCTOBER, 2018

We will take a few minutes to review the discussion at the October, 2018 goal session.

VII. DEEP DIVE DISCUSSIONS

A. LIST OF VITAL THINGS

A review of this ongoing list. This is a great time to talk about our common understanding, impacts and if modifications are wanted.

B. BIG FIVE UPDATES

I know this says "update" but maybe more of a recap. Making sure direction is correct and that process is understood not to mention a review of the priorities and funding sources.

C. LEGITIMACY IN GOVERNANCE

A review of this theory of governance. Does this make sense for us? Do we follow the core principle? If we believe this, does it change what we do or how we do things?

D. GREEN STEPS PROGRAM

A review of this State accreditation effort to promote "greening" with cities and other local units of government. As you know we have talked in the past about where we might rate, which is pretty high based on your past body of work, but do we care to belong and if so maybe a more concentrated effort to get the process moving here locally?
E. NORTHERN THIRD STREET DIVIDE AND CONQUER ALTERNATIVE IDEAS

By divide and conquer I mean, if the Council wants to see a project go it seems that choices must be made in scope, paying for it and the like. My goal for this discussion is to look at some of the challenges that we face and work towards setting a strategic path so that either some improvements can be made or we drop it.

F. ADVISORY BOARDS AND COMMISSIONS – HOW TO GET PEOPLE INVOLVED

This is an item that was asked for by the Council and from my chair goes back to a similar question you have looked at many times over the past three decades which is... How do we get people to participate? I am sure open to new ideas and right now we are not doing too poorly based on historical data. Where do you want to go?

G. ORGANIZATIONAL HEALTH

Your regular review of, in my best Brooklyn accent... How yas doin? How wes doin? Are we going to have to go to the mattresses yous guys? (all references to The Godfather movies). This is that time when we discuss our relationships, our ability to work within a group consensus model, where we talk about how we treat each other and also about pure organizational structure issues that lie outside of the Council/Staff, Council/Council relationship.

H. COOPERATIVE EFFORTS

A review of the White Sheets where I hope you focus on who, what and how to enhance our relationships that benefit the community either through realizing cost efficiencies or enhancement to services.

I. BUDGET PROCESS

This really meant to be a check in on the process we use and the documentation we provide for your budget discussions. This should include General Fund and Utility Fund budgets. My goal is to have a better understanding of what you need/want to make the decisions that are needed. We may also talk about two year cycles, check ins, and what we need to ensure the public can see and understand what we are doing, what the plan is and how it may impact them.

J. ORGANIZATIONAL STRUCTURE

1. IT
2. Electric
VIII. QUICK HIT DISCUSSIONS

A. LEVY CATEGORICAL FIX

This is pointing out an error that I made in the levy resolution and getting you ready to take action to fix it. It does not change your overall levy or tax rate or what people pay in taxes.

B. SCULPTURE GARDEN

An update of an idea stimulated by the Arts Center and others in the Levee Park area and making sure you are okay with some of the details to be worked out with Parks Board.

C. COMMUNITY SPIRIT PARK SETTLE-UP

An update on this project and where we are financially now that we are very near the end of the settling up on the initial construction costs. If you want, we can talk maintenance agreement, amenities (other capital improvement) and other issues too.

D. FIRE HALL AND OPTIONS

An update on this project and a reminder of the process and funding issues.

E. WEED ORDINANCE/BOULEVARD USE DISCUSSION

This one we didn’t really get to last time and the question follows the "chicken, bees, wild flower or tomatoes? Oh my!?!" There is some food for thought on this in your packet for this issue requested by Council.

F. FOOD WASTE COMPOSTING PLAN UPDATE

An update and a timeline check in on this effort.

G. ASSESSMENT PROCESS (NORTH THIRD/STORMWATER)

A review of the rules, processes and impacts of the process for paying for this work when it happens.

H. 2019 SIDEWALK PROJECT REVIEW

A review of the staff recommendation on the "where" of this budgeted effort.
I.  WEBSITE UPDATE

A short update on the timeline and cost for this. We haven't done a overhaul in more than 10 years. It is time and the Council has discussed some changes. My goal is to talk about the process and timeline and get some off the cuff thought from you about things you would like to see incorporated either from your experience or what you hear from others who use the current site.

J.  WASTEWATER PONDS UPDATE

A quick check in on our current realtor and opportunities. Also discussion on your second option that a few of you have discussed over the past two or three months.

K.  BILLBOARD REMOVAL

A blast from the past update on this issue that will impact your scenic byway.

L.  VACATION RENTAL ORDINANCE WARMUP

A warm up for your action on January 28th. It has been a long time since this was set for action but I wanted to help make sure you were reminded of the plan.

M.  OTHERS

An opportunity for new things to be added by you. After all it is your meeting!

N.  TAKE AWAY AND PRIORITIES

An effort to make sure we leave with the same ideas about priorities for work to be completed and so I can write the report for your Council meeting and make sure we are going in the direction you have collectively set.

IX.  ADJOURN

Office of the City Administrator
Todd Praefke
TO: Honorable Mayor Zieman  
Members of the City Council  

FROM: Todd Prafke  
City Administrator  

RE: Goal Session Report and Takeaways  

ACTION/RECOMMENDATION  

None needed. For your information and review.  

BACKGROUND  

The goal of this memo is to provide a basic outline of the principal discussion points and priorities as the Council provided direction as a part of its' Goal Session on October 29, 2018.  

In writing this memo it is not my objective to provide a complete or full review of the discussion held by the Council, but rather it is to list, with some explanatory information, the priorities for efforts and big thoughts of the meeting. The listing is done based on topics within the body of the meeting. These are not in prioritized order.  

How is your community changing: Discussion on changes in demographics. Efforts to encourage cultural literacy and the possibility to have a joint City/School meeting with a presentation from the State Demographer.  

Levee Park Sculpture Garden: Presentation and discussion on this issue with attendance from Ann Fee, Johnathan Granlund and Matt Byers. Discussion on the project, location, needs and opportunities. The Council asked that this move on to the Parks and Recreation Advisory Board to work on the details.  

Annexation Leap Frog: Discussion on other pros, cons, and needs related to annexation and the impacts for property owners and others including land use and provision of services. Staff was directed to have more meetings with property owners in the leap areas and talk about the process and implications for them.  

Cooperative Efforts: The white sheets were discussed and a few changes were made in various areas.  

Electric Cars and Impact on City: This was discussed related to the agreement the City Administrator entered into with Zep Energy agreeing to assist with placement of "public" charging stations. There was a little discussion on other land uses and planning impact on but Council asked to keep it that bigger picture discussion on the list for a future discussion.
Food Waste: Council discussed this in tandem with the Environmental Service Budget. The budgeted expenditures we received by the Members and Staff was further directed to review income streams of funds for the projects that are anticipated including Emerald Ash Borer. Staff was directed to pursue a two-pronged attack on food waste including some small incentive programs for back yard composters and putting in place some type of drop off system.

Big 5: The Big Five projects were reviewed with major focus on the Pavilion and Fire Hall. Priorities were discussed but not changed.

Pavilion Update: Eric Oleson was present to solicit input from Members related to the second phase bids, colors, and materials. Funding process and timelines were also reviewed and affirmed.

Election Impact on Council: Members decided that should a seat come open, a special workshop would be scheduled on November 13th to develop the process for appointment of new membership.

Board/Commission Assignments and Participation: This item was moved to a future workshop once membership needs are determined.

Sidewalk Plan: Was reviewed with Members including the discussion of priorities and funding sources and the impact on priorities.

Solar Program: Was reviewed related to the Electric Fund budget, number of subscriptions and a general reminder of the goals of the Council and project.

HPC/Community Development: Was not discussed.

Census Complete Count Committee: Discussion on mission and work. Determination that this Committee should still be part of the efforts.

Water and Sewer Line Insurance: Discussion on ways to handle repairs, reviews, cost savings, impact on customers and a few ideas about the things that should and should not be covered. Staff was directed to research projections and work towards a plan that provides coverage. Trend lines, anticipated cost, and things to cover and things that should not be covered were also discussed.

SMMPA Generation Contract: An update on the contract, timeline, and potential impacts based on various possible decisions of the SMMPA Board and others.

Hallett's Pond Swimming Plan: This is an issue related to allowing swimming at Hallett's Pond. Staff was directed to allow for swimming while not encouraging swimming in this area. The process for change will include an Ordinance Modification and new signage. Again the Council believes that swimming will happen, but should not be encouraged. Discussion focused on managing risk of all parties.

MRVT Fare Update: An update was given related to the MRVT Board's decision to change fares after a number of years with no changes and what changes were needed.
Weed Ordinance: Staff was directed to work on a couple of changes focusing on the deflation of cultivation which would allow for a broader definition allowing for slight expansion of use of front and backyards for wild flowers, urban gardening and other enhancements.

Hospital Update: Hospital CEO George Rohrich was on hand to talk about the Hospital project, purchases, and what issues the Council can expect to see before it in the near future.

Department Head Hire Process: A review and discussion of the process for filling open positions should the need occur. The 2014 plan was affirmed.

Organizational Health: A review of the organizational activities of the Council, Staff and our internal organization.

Others: The Council discussed a few other items some of which had information in the packet. They reviewed hire processes and seem a bit more sold on the process currently in place. They discussed partnerships, a short update on MRVT and organizational structures, electric vehicle charging stations, as well as a short review of the tax and demographic information that was provided in the packet.

Wrap Up: The Council discussed location, next meeting date, food was fine and outside facilitations is not needed. The next Goal Session will be on January 22, 2019.

Please feel free to contact me if you have any questions or concerns about this report.

TP/bal
RULES FOR THE DAY

- Brainstorm rules apply
  - No idea is a bad one
  - Room for all to talk and share
  - Not votes only working toward consensus
COUNCIL’S LISTS OF ITEMS OF VITAL IMPORTANCE

- Community that treats all people like neighbors
- Proactive housing solutions
- Availability of quality health care
- Thriving business community
- Action on the changes in our demographics
- Aesthetically distinctive
- Improved Sustainability
- Available early childhood care and educational opportunities and exceptional schools
Big 5

- The Big 5 are:
  - Pavilion
  - Fire Hall
  - City Hall
  - Additional Park Facilities
  - Cooperative indoor recreation facilities
- Others?
- Think about Funding
LEGITIMACY in Governance

Legitimacy is the lawful gain or acceptance of power to rule or govern.

It is the right to govern or right to rule.

Legitimacy is acquired by a person when he has the backing of some laws or legal base, as a person acquiring a position in an office has legitimacy due to his position, due to the chair he/she is sitting upon which bestows such powers as he/she can give and take orders.

In a Democracy, the elected representatives have the legitimacy to rule due to support and the vote of the public given to them.

Examples of legitimacy.

Teachers in classroom

A teacher has legitimacy in class and in school he can ask a child to read and write or bring his homework on time and can punish him on non-obedience.

Parents at home.

A parent has legitimacy in his house-he can ask his son to fetch newspaper and grocery from the market (but a teacher cannot).

Legitimacy can be derive from:

Charismatic legitimacy—due to persons ability to influence others

Traditional legitimacy—from lineage or from the order in the family or society.

Legal-Rational legitimacy—due to law/statutes.
GREEN STEP

- Hmmmmmm
- Lots of places are doing it
- We are doing lots of it
- Do you want to participate
- Probably need a bit of help
The GreenStep 29 best practices

- Make planning and tracking easier: download this spreadsheet that lists all unique actions—approximately 176—for all 29 best practices.
- Cities that implement a minimum number of best practices organized into these five topical areas will be recognized as Step Two and Step Three GreenStep Cities. See What are Step Two and Three Recognition Minimums?
- Cities should claim credit for best practices already implemented. Adding best practices over time will garner additional recognition.
- For each best practice, and depending on city category (A, B or C), a city needs to complete one or more actions from a list associated with the best practice. See What category is my city in?

Buildings and Lighting

1. **Efficient Existing Public Buildings:** Benchmark energy and water usage, identify savings opportunities in consultation with state programs, utilities and others to implement cost-effective energy and sustainability improvements.
2. **Efficient Existing Private Buildings:** Provide incentives for energy, water and sustainability improvements in existing buildings/building sites.
3. **New Green Buildings:** Construct new buildings to meet or qualify under a green building framework.
4. **Efficient Outdoor Lighting and Signals:** Improve the efficiency and quality of street lighting, traffic signals and outdoor public lighting.
5. **Building Redevelopment:** Create economic and regulatory incentives for redevelopment and repurposing of existing buildings.

Environmental Management

16. **Sustainable Purchasing:** Adopt environmentally preferable purchasing policies and practices to improve health and environmental outcomes.
17. **Urban Forests & Soils:** Add city tree and plant cover that conserves topsoil and increases community health, wealth, quality of life.
18. **Stormwater Management:** Minimize the volume of and pollutants in rainwater runoff by maximizing green infrastructure.
19. **Parks and Trails:** Increase active lifestyles and property values by enhancing the city's green infrastructure.
20. **Surface Water:** Improve local water bodies to sustain their long-term ecological function and community benefits.
21. **Efficient Water and Wastewater Systems:** Assess and improve city drinking water and wastewater systems and related facilities.
22. **Septic Systems:** Implement an environmentally sound management program for decentralized wastewater treatment systems.
23. **Solid Waste Prevention and Reduction:** Increase waste prevention, reuse and recycling, moving to a more cyclical, biological approach to materials management.
24. **Local Air Quality:** Prevent generation of local air...
COOPERATIVE EFFORTS (White Sheet)

SCHOOL DISTRICT
- Activity connection Senior Citizens, recreation, transit
- Facilities long term planning
  - Athletic Other Facilities, Drama, performance, arts
- Budgets
  - Levy
  - Pay
  - Others
- Athletic Association Congress goals
- Early Childhood 95% coverage might be a goal
- The Third Floor (Keep City involved)
- City/School strategy with GAC
- Child Care
- Long Range Community Planning
- Studies (Housing, Demo Others)

NICOLLET COUNTY
- Compost funds
- Library
- 1/4 - 1/4 good zone
- Criminal Justice Committee
- Law enforcement share dispatch
- Emergency Planning
- Gardner Road/County Rd. 5 Roundabout
- Stormwater

GUSTAVUS ADOLPHUS COLLEGE
- Parking
- Performance space
- Recreational facilities
- Off-campus behavior
- Hispanic inclusion/Sister City
- Child Care
- Transit use
- Employees live in City
- Solar and Wind

REGIONAL TREATMENT CENTER/STATE OF MN DEPT OF HEALTH
- Water distribution
- Future program/land/facilities
  - Parks
- Arts Association

REALTORS
- BFF
- Promotion of opportunities for young families
- Others

COMMUNITY ORGANIZATIONS
- St. Peter Arts Center
- Nicollet County Historical Society

CHAMBER OF COMMERCE
- Promotion of Community
- Community events
- Communication efforts
- Operation of Tourism and Visitors

GREATER MANKATO GROWTH
- REDA industrial Development
- ICLV InterCity Leadership Visit
- MSA issues
- Promote Housing as an issue

BANKS

Modified 10/30/2017
TO: Todd Prafke  
City Administrator  

FROM: Sally Vogel  
Director of Finance  

RE: Revised 2019 Final Levy Resolution  

DATE: 01/16/19  

ACTION/RECOMMENDATION  

None needed. For your information and discussion.  

BACKGROUND  

Two errors were made in the total levy amount $2,988,590 in the Resolution 2018 – 181 approved on December 10, 2018 was correct. There were two errors in the action part of the resolution that need to be corrected before the County will certify the levy.  

Item #2 needs to be corrected to $283,640 and an additional item, #12 Sidewalks, needs to be added in the amount of $50,000.  

2) for the purpose of defraying the cost of operating the Saint Peter Public Library for the year commencing January 1, 2019, a tax of $ 283,640 be levied on all of the taxable property in the City of Saint Peter for the year 2019. This one was simply a cut and paste error on our part  

12) for the purpose of sidewalk improvement for the year commencing January 1, 2019, a tax of $50,000 be levied on all taxable property in the City of Saint Peter for the year 2019. We have use this in the past for this planned activity and was left of the final resolution.  

The overall total levy of $2,988,590 will not change, however, the categorized numbers need to be corrected. There is no fiscal impact and no change to the overall tax levy or rate in making this correction.  

Please feel free to contact me with any questions or concerns on this agenda item.  

SV/
PAUL GRANLUND LEGACY PARK

THE OPPORTUNITY

- Levee Park (101 S. Front Street, 1.3 acres) is in need of renovation. Rather than replace the park's relatively unused playground equipment, the City of Saint Peter seeks a solution that involves public art and better showcases the park's riverside location.
- Several regional artists who studied with longtime St. Peter sculptor Paul Granlund have large sculpture sitting in storage, no longer on display.

THE VISION

- The Arts Center of Saint Peter and the City of Saint Peter envision a free public sculpture park that includes selected works from the Granlund collection, alongside work by regional artists who studied with or were strongly influenced by Granlund.
- The Paul Granlund Legacy Park would include signage explaining Granlund's work ethic; his choice to live and work in St. Peter; and (in the other artists' words) how he influenced the careers of the artists whose work would share the space.

THE GENESIS

- "I don't know art, but I know I like Paul Granlund's work." That's what we heard from members of the St. Peter Area Veteran's Memorial Committee, when the Arts Center partnered with the group to help select a sculptor to create a custom piece for the space.
- Indeed, the people of St. Peter are sculpture-savvy thanks to the influence of Granlund, who was sculptor-in-residence at his alma mater Gustavus Adolphus College from 1971 until his retirement in 1996. More than 30 of his pieces are on campus. Presently only one piece is off campus in the community, at the entry to the Arts Center of Saint Peter (Mobius Strip).
- When the City approached the Arts Center about Levee Park, the solution seemed obvious — rather than importing sculpture from artists unknown to the region, why not invite artists with ties to the city, and to Granlund? Why not showcase that legacy by bringing their work together in a public art space unique to St. Peter?

THE TEAM

- St. Peter City Administrator Todd Prafke, St. Peter Community Development Director Russ Wille, Arts Center Executive Director Ann Rosenquist Fee, and Jonathan Granlund are currently developing the concept and recruiting sculptors and professionals to participate.
• To date, those who have indicated ready-and-willingness to help make this happen:
  • Juana Arias, Arts Center Clay Studio Manager, St. Peter
  • Gregory Granlund, Architect, AIA, Lien and Peterson Architects Inc, Eau Claire, WI
  • Greg Hennes, founder, Hennes Art Company, Minneapolis (the firm hired by the Granlund family as exclusive distributor of remaining sculptures in the collection)
  • David Hyduke, sculptor, Kasota
  • Nicholas Legeros, sculptor, Minneapolis
  • Greg Mueller, sculptor, Duluth
  • Max Musicant, Principal, The Musicant Group, Minneapolis (a firm that has “pioneered a holistic and organic approach to the creation of place that integrates design, events, and management systems all through the lens of the user experience”)

THE TIMELINE

• The City Council will discuss the concept at its October 29, 2018 City Council Goal Session.
• If Council members are supportive, the City and the Arts Center will develop a detailed plan and budget to propose to the November 19, 2018 Parks and Recreation Advisory Board meeting, and the December 10, 2018 City Council meeting.
• Upon approval, target completion and dedication date would be August 2020.

THE FUNDING

• Funding for this project will be come from private and foundation gifts to the City of Saint Peter.
• The City of Saint Peter will contribute significant in-kind labor and materials.
• The Arts Center will ultimately receive a modest stipend from the project budget.
Saint Peter, Minnesota
Minnesota Design Team
Spring 1999
July 30, 2018

City of Saint Peter
Todd Prafke, City Administrator
Sally Vogel, Director of Finance
227 South Front Street
Saint Peter, MN 56082

RE: Capital Project Financing

Dear Todd & Sally:

The purpose of this letter is to update project information to assist in goal setting discussions for future City facilities. The projects and cost assumptions used in this analysis include the following: 1) a park pavilion project at an estimated cost of $1.39 million ($200,000 to be funded with legacy funds); and 2) a fire station at an estimated cost of $8 million; and 3) A discussion on when borrowing capacity may be available to fund a city hall project, parks projects and fieldhouse improvements.

Park Pavilion:
Based on discussions with Bond Counsel, I would recommend the issuance of General Obligation Tax Abatement Bonds for funding a portion of the park pavilion project planned for Minnesota Square Park. Tax abatement bonds can have a maximum term of 20-years (principal payments) and would provide the City with the most cost effective financing alternative to fund that portion of the project costs that are not funded by the legacy grant.

A public hearing is required for the issuance of tax abatement bonds and as a part of this process, the public hearing notice and tax abatement resolution must list parcel I.D.#'s from parcels that benefit from the proposed project. Additionally, the parcels listed must pay sufficient city tax to cover the principal payments on the proposed tax abatement bonds. The issuance of tax abatement bonds does not impact the listed parcels any differently than other like properties within the community other than the City would not be able to abate the taxes on those parcels for other purposes, or create a TIF District that would include those parcels during the term of the obligation.

Based on 2018 levies and tax rates, the tax impacts for the issuance of $1,190,000 in G.O. Tax Abatement Bonds with a 20-year term and an interest rate of 3.5% would include the following:
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<th>Projected City Tax:</th>
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**Fire Station:**
Under Minnesota Statute 475.521 a community may issue Capital Improvement Plan (CIP) bonds for acquisition or betterment of public lands, buildings or other improvements for the purpose of a city hall, town hall, library, public safety facility, and public works facility. The bonds must be approved by an affirmative vote of three-fifths of the members of a five-member governing body. Prior to issuing bonds under this Statute, the City must publish a notice of its intention to issue the bonds and hold a public hearing to receive public comment. The notice must be published in the official newspaper of the municipality at least 14 but not more than 28 days before the date of the hearing. If a petition requesting a vote on the issuance of bonds is signed by voters equal to five percent of the votes cast in the municipality in the last general election, and is filed with the clerk within 30 days after the public hearing, the City must then hold a referendum to authorize the issuance of bonds (referred to as reverse referendum).

As a part of this process the City must also adopt a 5-year capital improvement plan related to the use of Capital Improvement Plan Bonds. The plan answers statutory questions regarding the proposed project and may be amended in the future to add other projects for which the City may issue CIP Bonds. The capital improvement plan would be drafted by your municipal advisor as a part of the process for issuing bonds.

Capital Improvement Plan Bonds are subject to the net debt limit and have an additional debt capacity limit of 0.16 percent of the taxable market value of property in the municipality for annual principal and interest payments which would limit the City to approximately $762,000 per year in annual debt service payments on this type of debt.

Staff has also researched the implementation of a local sales tax to assist in funding a new fire station. The process for implementing a sales tax requires both local voter approval and legislative approval for implementation. Bond Counsel has indicated that several communities received sales tax approval for similar local projects in recent legislative sessions. The MN Department of Revenue has estimated that a sales tax would produce about $260,000 in annual revenue if enacted in the City of Saint Peter.

A significant exercise of capital project planning is evaluating opportunities to initiate new projects when past projects are being paid off. As the community center debt which is property tax supported will be retired in 2020, it is anticipated that a portion of that levy will be available for a fire station project. If we look at a funding scenario for an $8 million project financed over 30-
years at approximately 4.75%, the property tax increase over projected rates for that project would be analyzed as follows:

\[
\begin{align*}
$505,675 & \quad \text{Estimated Annual Debt Service} \\
($260,000) & \quad \text{LESS sales tax revenue} \\
($80,000) & \quad \text{LESS former Community Center Levy} \\
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\$185,675 – Additional levy required for debt service

The impact of the added $185,675 in property tax levy would have the following projected impact:

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<td>$10,294.31</td>
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</table>

**City Hall, Parks & Fieldhouse - Mitigation of Tax Impact:**

In reviewing existing debt of the City, the most likely opportunity for offset of debt service payments will occur in 2020 when tax increment debt is retired. The City may have the opportunity to shut down portions of housing TIF Districts and benefit from the underlying tax base which would assist in supporting new debt service payments. Depending on how the Traverse Green Subdivision progresses, it also may be determined that it is appropriate to continue to keep the old housing districts active so that they can assist with the Traverse Green project debt service fund if needed ($150,000/year).

TIF District 1-10 (Nicollet Meadows) is required by Statute to decertify at the end of 2027. That district presently captures $223,539 in local tax capacity which would generate about $111,000 in local tax at current tax rates. With the exception of reimbursement obligations on Central Square and the SWMHP project in Nicollet Meadows, much of this tax base would be available prior to 2027 once interfund loan obligations are repaid. It is anticipated that interfund loan payments could be retired in 2025 if revenues are not required for other projects.

TIF District 1-15 (Washington Terrace) is required by Statute to decertify at the end of 2031. This district presently captures $124,914 in local tax capacity which would generate about $62,500 in City property tax at pay 2018 tax rates. This district is making debt service payments on project related debt that will be paid off on February 1, 2020. After that time, revenues could be used to assist with the Traverse Green Project or the TIF district could be decertified making that tax base/levy available for other purposes. When the tax base in Nicollet Meadows and
Washington Terrace becomes available, it will support debt service payments of approximately $173,500/year which equates to $2,750,000 in debt financed over 30-years at 4.75%.

Thank you for your time and consideration of this material. Please feel free to contact me if you would like to discuss this information in additional detail.

Sincerely,

Shannon Sweeney, Associate
David Drown Associates, Inc.
### Funding Sources

<table>
<thead>
<tr>
<th>Source</th>
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<tr>
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<td>Building Permit/Reserves 2018</td>
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<td>General Fund Reserves ($405,000) 2016</td>
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<td>Parkland Dedication (12%)</td>
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<td>*MSA - City Roundabout</td>
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### Expenses

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<td><strong>Ditch-361-Pipe/Installation</strong></td>
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**Alternate Bids**

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<td>BP2 - #2.1 Softball SE Drainage</td>
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<td>BP2 - #8 Asphalt and Concrete Trails</td>
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<td>BP2- #12 Irrigation N of Soccer</td>
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<td>BP2 - #13 Irrigation NW of E Parking Lot</td>
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<td><strong>TOTAL EXPENSES</strong></td>
<td>$2,025,566.59</td>
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### Approved Change Order Requests

| PCO #1 ISG Proposal Request #1 Site Revision   | ($4,702.00) |
| PCO #6 Add Sanitary Structure at Meridian     | $508.75 |
| PCO #8 ISG Proposal Request #4 Watermain      | $3,230.00 |
| PCO #15 Furnish 1 New Hydrant                 | $3,147.38 |
| PCO #21 Gate Valve at Meridian                | $2,230.00 |
| **PCO #30 ISG Proposal Request #9**           | $20,158.06 |
| PCO #31 Changed perforated HDPE               | ($717.50)  |
| PCO #32 Add Course Aggregate filter           | $16,775.31 |
| PCO #36 Baseball ballfield Raised bases 2 & 3 | $322.12  |
| PCO #50 Ball field mow strip modification     | $1,149.33 |
| PCO #54 Additional fill to balance site grading | $11,200.72 |
| PCO #101 Additional aggregate for wet trails  | $2,038.02 |
| Credit for School District's portion of City's fill used | ($14,934.29) |
| **TOTAL ADDITIONAL EXPENSES**                 | $40,405.90 |

**Funding Sources Total** | $2,342,051.70 |
**Total Expenses**        | $2,025,566.59 |
**Total Additional Change Order Expenses** | $40,405.90 |
**Funds Remaining/ Needed** | $276,079.21 |
What’s New in 2018

Sales Tax requirements for remote sellers
On June 21, 2018, the U.S. Supreme Court ruled in South Dakota v. Wayfair that physical presence is not required for sellers to be responsible for sales tax collection. Now all Minnesota sellers – regardless of their location – must collect state and local sales taxes based on the location of their customer.

Local Sales Taxes
January 1, 2019:
- Dodge County will have a 0.5% Transit Sales and Use Tax
- Goodhue County will have a 0.5% Transit Sales and Use Tax and $20 per vehicle Excise Tax
- Sherburne County will have a 0.5% Transit Sales and Use Tax

September 30, 2018: Worthington will end its 0.5% Sales and Use Tax

April 1, 2018: Kandiyohi County has a 0.5% Transit Sales and Use Tax and $20 per vehicle Excise Tax

January 1, 2018:
- East Grand Forks has a 1% Sales and Use Tax
- Fergus Falls has a 0.5% Sales and Use Tax
- GKWMLL Sanitary District has a 1% Sales and Use Tax (Garrison, Kathio, West Mille Lacs)
- Mower County has a 0.5% Transit Sales and Use Tax
- Morrison County has a 0.5% Transit Sales and Use Tax
- Nicollet County has a 0.5% Transit Sales and Use Tax
- Polk County has a 0.25% Transit Sales and Use Tax
- Stearns County has a 0.25% Transit Sales and Use Tax
- Walker has a 1.5% Sales and Use Tax

Local Sales and Use Taxes
You must collect local sales tax based on where your customer receives the taxable product or service. Local taxes apply to the same items and services as the state general rate sales tax ("state sales tax").

The Minnesota Department of Revenue administers the local taxes shown on pages 5-7. Other local sales taxes may also apply in some areas.

Note: If you use a freight, delivery, or postal service to send goods to areas that have local sales taxes, you must now collect those taxes. This may require you to register, collect, and remit additional local taxes.

When to charge local tax
Generally, you must charge local sales tax on all sales made in a local taxing area that are subject to Minnesota state sales tax. Charge local sales tax to customers when:
- They pick up items in the local area, even if the items are taken out of the local area.
- You perform taxable services in the local area.
• You ship taxable items into a local area.

**How to figure the tax rate**
To figure the tax rate, add the state and local sales tax rates. Apply the combined rate to the taxable sales price; round to the nearest full cent. For more information, see Tax Rate Lookup Tools on page 2.

**How to report local taxes**
Report local taxes when you file your Minnesota Sales and Use Tax return. Local tax amounts are reported separately from the state sales tax.

**How to register to collect local sales taxes**
You can register from your Sales and Use Tax account in e-Services. You can:
- Easily add one or more local taxes while filing your Sales and Use Tax return.
- Quickly add all Local Tax and Other Taxes at one time.

For more information, see our e-Services — “What’s New” web page.

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**Tax Rate Lookup Tools**
To help determine the tax rate you can:
- **Use our online Sales Tax Rate Calculator.** Enter a street address or nine-digit ZIP code. Best for use when you have one or two addresses at a time.
- **Download our Sales Tax Rate Spreadsheet** to use at your desk. Enter the nine-digit ZIP code. Best for use when you have multiple nine-digit ZIP Codes to look up at one time.
- **Download our Sales Tax Rates and Boundaries Table** to program rates into your point of sale system.

**Note:** These tools do not calculate special local taxes (lodging, entertainment, liquor, admissions, and restaurant taxes). For more information, see Special Local Taxes on page 3.

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**Exemptions**
Do not charge local sales tax on sales of taxable items when:
- Your customer gives you a completed Form ST3, *Certificate of Exemption.*
- You ship or deliver the items to a customer not located in a local tax area.
- You sell direct-to-home satellite (DBS) services (not cable). These services are subject to state sales tax, but not local sales tax.

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

**Minnesota state agencies**
Minnesota state agencies use a Direct Pay authorization to buy items. They do not pay sales tax to the seller—they pay use tax directly to the state.

**Local governments**
Local governments are not required to pay general local sales taxes. An exemption certificate is not necessary. However, local governments may need to pay special local taxes. For more information, see the Government — Local Governments Industry Guide.

**Vehicle leases**

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

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

**Sourcing motor vehicle leases**
For vehicle leases or rentals, the source of the transaction for sales tax purposes depends on whether the customer pays all at once or over time:

- Single payment – sourced to the location where the customer receives the property being leased.
- Multiple payments – sourced to the primary location of the property, which may not be the same location as the business. The primary location is the address the customer provides for the property and does not change by occasional use at different locations.

**Note:** These rules do not affect how sales tax applies to lump-sum or accelerated basis leases, or to the acquisition of property for lease.

**Vehicle excise tax**
A $20 vehicle excise tax applies to sales of motor vehicles in the counties listed in the table below. Any person in the business of selling new or used motor vehicles at retail must submitted this tax to the Minnesota Department of Revenue on your Sales and Use Tax return. For more information, see the Motor Vehicle Industry Guide.

<table>
<thead>
<tr>
<th>County</th>
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<tr>
<td>Beltrami</td>
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<tr>
<td>Carlton, St. Louis</td>
<td>4/1/2015</td>
</tr>
<tr>
<td>Carver</td>
<td>10/1/2017</td>
</tr>
<tr>
<td>Dakota</td>
<td>10/1/2017</td>
</tr>
<tr>
<td>Goodhue</td>
<td>1/1/2019</td>
</tr>
<tr>
<td>Hennepin</td>
<td>10/1/2017</td>
</tr>
<tr>
<td>Kandiyohi</td>
<td>4/1/2018</td>
</tr>
<tr>
<td>Otter Tail</td>
<td>1/1/2016</td>
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<td>Ramsey</td>
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<tr>
<td>Scott</td>
<td>10/1/2015</td>
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<tr>
<td>Transit Improvement Area</td>
<td>7/1/2008 – 9/30/2017</td>
</tr>
<tr>
<td>Washington</td>
<td>10/1/2017</td>
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</tbody>
</table>

**Note:** The following cities also have a $20 vehicle excise tax on sales of motor vehicles made by dealers: Baxter, Brainerd, Clearwater, Hutchinson, Mankato, New Ulm, Rochester, and Worthington (ends 9/30/2018). The Minnesota Department of Revenue does not administer these taxes. For more information, contact the cities directly.
Special Local Taxes

The Minnesota Department of Revenue administers special local taxes imposed in Detroit Lakes, Giants Ridge Recreation Area, Mankato, Minneapolis, Proctor, Rochester, St. Cloud, and St. Paul.

For more information, see:
- Local Tax Rate Guide
- Fact Sheet 164M, *Minneapolis Special Taxes*
- Fact Sheet 164S, *Special Local Taxes*

Lodging taxes

The Department of Revenue only administers the lodging taxes listed in the chart on pages 6-8. Many Minnesota cities, towns, and areas impose a lodging tax that the Department of Revenue does not administer. For more information on those lodging taxes, contact the city directly.

Local use tax

Local use tax applies when you buy items or services for use, storage, distribution, or consumption in the local area without paying local sales tax to the seller. Use tax is similar to sales tax and the rates are identical. Use tax is based on your cost of taxable purchases. Common examples of when use tax is due include:
- You buy items outside the local area and the seller does not charge local sales tax, and you use or store the item in the local area.
- You buy a taxable item from an out-of-state seller who does not charge local sales tax.

For more information, see Fact Sheets 146, *Use Tax for Businesses*, and 156, *Use Tax for Individuals*.

Credit for local tax paid

If you pay local sales tax in Minnesota to one locality but use the items in another area with a local tax, you are allowed credit for the local sales tax you already paid. However, local tax paid at the time of purchase is not refundable when the item is then used in another local tax jurisdiction.

Examples

In these examples, the Minnesota general rate sales tax always applies and local tax applies as indicated.
- A Duluth company sells and delivers items to a Hermantown business. The Duluth company is required to collect the Hermantown and the St. Louis County Transit Sales Tax.
- A contractor buys and picks up materials in a city with a local tax. The contractor uses the materials in a project located in an area without a local tax. Because the materials were picked up in an area with a local tax, the local tax is due.
- A North Dakota contractor buys materials in North Dakota and pays that states sales tax. The materials are brought into Minnesota and used at a construction site in Bemidji. The contractor owes both:
  - Bemidji Local Use tax on the cost of the materials
  - Use tax on the difference between the two states’ tax rates (because North Dakota’s state rate is lower than Minnesota’s). Report the difference as variable rate use tax on your sales tax return.
- A person sells crafts in a city with a local tax. The seller must collect local tax whenever a customer takes possession of an item in a local tax jurisdiction at the time of sale.
- A photographer takes pictures at a site where there is no local tax. The customer picks up the photos in a city with a local tax. Local tax is due because the customer takes possession of the photos in a city with a local tax. If the photographer mails the photos to an area with a local tax, they must charge that local tax.
Legal References
Minnesota Statutes 297A.63, Use Taxes Imposed; Rates
Minnesota Statutes 297A.95, Coordination of state and local sales tax rates
Minnesota Statutes 297A.98, Local governments exempt from local sales taxes
Minnesota Statutes 297A.99, Local sales taxes

Other Fact Sheets
142, Sales to Government
146, Use Tax for Businesses
156, Use Tax for Individuals
164M, Minneapolis Special Local Taxes
164S, Special Local Taxes

Industry Guides
Government – Local Governments
Motor Vehicle
## Local Sales and Use Taxes (including Special Local Taxes)

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<th>Begin Date</th>
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<td></td>
<td></td>
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<td>0.50%</td>
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<td>0.50%</td>
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<tr>
<td>City/County</td>
<td>Type of Tax</td>
<td>Begin Date</td>
<td>Rate</td>
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</tr>
<tr>
<td>Lake County</td>
<td>Transit Sales and Use Tax</td>
<td>4/1/17</td>
<td>0.50%</td>
</tr>
<tr>
<td>Lanesboro</td>
<td>Sales and Use Tax</td>
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<td>0.50%</td>
</tr>
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<td>Transit Sales and Use Tax</td>
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<td>Sales Tax</td>
<td>4/1/92</td>
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</tr>
<tr>
<td></td>
<td>Food and Beverage Tax*</td>
<td>4/1/09</td>
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<td>Entertainment Tax*</td>
<td>4/1/09</td>
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<tr>
<td>Marshall</td>
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</tr>
<tr>
<td></td>
<td>Food and Beverage Tax*</td>
<td>7/1/13</td>
<td>1.50%</td>
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<tr>
<td>Medford</td>
<td>Sales and Use Tax</td>
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</tr>
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<td>Mille Lacs County</td>
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<td>1/1/17</td>
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<tr>
<td>Minneapolis</td>
<td>Sales and Use Tax</td>
<td>2/1/87</td>
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</tr>
<tr>
<td></td>
<td>Downtown Liquor Tax*</td>
<td>2/1/87</td>
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</tr>
<tr>
<td></td>
<td>Lodging Tax*</td>
<td>10/1/17 (3)</td>
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</tr>
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<td></td>
<td>Lodging Tax*</td>
<td>4/1/02 – 9/30/17</td>
<td>2.625%</td>
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<td>Downtown Restaurant Tax*</td>
<td>2/1/87</td>
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<td>Entertainment Tax*</td>
<td>10/1/69</td>
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<td>Morrison County</td>
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</tr>
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<td>Mower County</td>
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<td>1/1/18</td>
<td>0.50%</td>
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<tr>
<td>New London</td>
<td>Sales and Use Tax</td>
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</tr>
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<td>New Ulm</td>
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<td>North Mankato</td>
<td>Sales and Use Tax</td>
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<td>Transit Sales and Use Tax</td>
<td>1/1/14 – 6/30/17</td>
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</tr>
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<td>Otter Tail County</td>
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<td>1/1/16</td>
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<td>Owatonna</td>
<td>Sales and Use Tax</td>
<td>4/1/07 – 6/30/11</td>
<td>0.50%</td>
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<td>Pine County</td>
<td>Transit Sales and Use Tax</td>
<td>1/1/17</td>
<td>0.50%</td>
</tr>
<tr>
<td>Polk County</td>
<td>Transit Sales and Use Tax</td>
<td>1/1/18</td>
<td>0.25%</td>
</tr>
<tr>
<td>Proctor</td>
<td>Sales and Use Tax (8)</td>
<td>10/1/17</td>
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<td></td>
<td>Sales and Use Tax</td>
<td>4/1/00 – 9/30/17</td>
<td>0.50%</td>
</tr>
<tr>
<td></td>
<td>Food and Beverage Tax*</td>
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<td>1.00%</td>
</tr>
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<td>Ramsey County</td>
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<td>Rice County</td>
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<td>Rochester</td>
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<td>1/1/16</td>
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<td>Sales and Use Tax</td>
<td>1/1/93 – 12/31/15</td>
<td>0.50%</td>
</tr>
<tr>
<td></td>
<td>Lodging Tax*</td>
<td>9/1/71 (5)</td>
<td>7.00%</td>
</tr>
<tr>
<td>St. Cloud</td>
<td>Liquor Tax*</td>
<td>2/1/87</td>
<td>1.00%</td>
</tr>
<tr>
<td></td>
<td>Food Tax*</td>
<td>2/1/87</td>
<td>1.00%</td>
</tr>
<tr>
<td>St. Cloud Area (4)</td>
<td>Sales and Use Tax</td>
<td>1/1/03</td>
<td>0.50%</td>
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<td>St. Louis County</td>
<td>Transit Sales and Use Tax</td>
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<td>0.50%</td>
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<td>St. Paul</td>
<td>Sales Tax</td>
<td>9/1/93</td>
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<tr>
<td></td>
<td>Use Tax</td>
<td>1/1/00</td>
<td>0.50%</td>
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<tr>
<td></td>
<td>Lodging Tax 50+ rooms*</td>
<td>4/1/04</td>
<td>6.00%</td>
</tr>
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<td></td>
<td>Lodging Tax less than 50 rooms*</td>
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<tr>
<td>Scott County</td>
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<td>Sherburne County</td>
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<tr>
<td>City/County</td>
<td>Type of Tax</td>
<td>Begin Date</td>
<td>Rate</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>------------------------------</td>
<td>------------</td>
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<tr>
<td>Spicer</td>
<td>Sales and Use Tax</td>
<td>10/1/17</td>
<td>0.50%</td>
</tr>
<tr>
<td>Stearns County</td>
<td>Transit Sales and Use Tax</td>
<td>1/1/18</td>
<td>0.25%</td>
</tr>
<tr>
<td>Steele County</td>
<td>Transit Sales and Use Tax</td>
<td>4/1/15</td>
<td>0.50%</td>
</tr>
<tr>
<td>Todd County</td>
<td>Transit Sales and Use Tax</td>
<td>1/1/15</td>
<td>0.50%</td>
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<tr>
<td>Transit Improvement Area (includes the counties of Anoka, Dakota, Hennepin, Ramsey, and Washington)</td>
<td>Sales and Use Tax</td>
<td>7/1/08 - 9/30/17</td>
<td>0.25%</td>
</tr>
<tr>
<td>Two Harbors</td>
<td>Sales and Use Tax</td>
<td>4/1/99</td>
<td>0.50%</td>
</tr>
<tr>
<td>Wabasha County</td>
<td>Transit Sales and Use Tax</td>
<td>4/1/16</td>
<td>0.50%</td>
</tr>
<tr>
<td>Wadena County</td>
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<td>4/1/14</td>
<td>0.50%</td>
</tr>
<tr>
<td>Walker</td>
<td>Sales and Use Tax</td>
<td>1/1/18</td>
<td>1.50%</td>
</tr>
<tr>
<td>Washington County</td>
<td>Transit Sales and Use Tax</td>
<td>10/1/17</td>
<td>0.25%</td>
</tr>
<tr>
<td>Willmar</td>
<td>Sales and Use Tax</td>
<td>1/1/06 - 12/31/12</td>
<td>0.50%</td>
</tr>
<tr>
<td>Winona County</td>
<td>Transit Sales and Use Tax</td>
<td>1/1/17</td>
<td>0.50%</td>
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<tr>
<td>Worthington</td>
<td>Sales and Use Tax</td>
<td>4/1/09 - 9/30/18</td>
<td>0.50%</td>
</tr>
<tr>
<td>Wright County</td>
<td>Transit Sales and Use Tax</td>
<td>10/1/17</td>
<td>0.50%</td>
</tr>
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</table>

(1) Cook County Sales and Use Tax resumed 4/1/10.
(2) Hermantown Sales and Use Tax increased to 1% (from 0.5%) effective 4/1/13.
(3) Minneapolis Lodging Tax decreased to 2.125% (from 2.625%) effective 10/1/17.
(4) St. Cloud Area Tax includes the cities of St. Augusta, St. Cloud, St. Joseph, Sartell, Sauk Rapids, and Waite Park.
(5) Rochester Lodging Tax increased to 7% (from 4%) effective 1/1/14.
(6) Rochester Sales and Use Tax increased to 0.75% (from 0.5%) effective 1/1/16.
(7) Olmsted County Transit Sales and Use Tax increased to 0.5% (from 0.25%) effective 7/1/17.
(8) Proctor Sales and Use Tax increased to 1.0% (from 0.5%) effective 10/1/17.

* For more information about special local taxes, see:
  - Fact Sheet 164M, Minneapolis Special Local Taxes
  - Fact Sheet 164S, Special Local Taxes
Special Local Taxes
Detroit Lakes, Giants Ridge Recreational Area, Mankato, Marshall, Proctor, Rochester, St. Cloud, St. Paul

Sales Tax Fact Sheet 164S

What's new in 2018
We clarified when sellers are required to collect local sales taxes. See Fact Sheet 164, Local Sales and Use Taxes. This is a supplement to Fact Sheet 164, Local Sales and Use Taxes. It describes the special local taxes that are imposed in Detroit Lakes, Giants Ridge Recreation Area (city of Biwabik), Mankato, Marshall, Proctor, Rochester, St. Cloud and St. Paul. See Fact Sheet 164M for information on special local taxes imposed in Minneapolis.

These taxes are administered by the Minnesota Department of Revenue. Since individual city ordinances and resolutions do vary, the tax base for special local taxes may differ from the general state and local taxes.

Detroit Lakes Food and Beverage Tax (apply city wide)
Beginning April 1, 2011, the city of Detroit Lakes imposes a 1 percent food and beverage tax. This tax is in addition to the 6.875 percent state sales tax and 2.5 percent gross receipts tax on liquor.

Food and Beverage tax. The 1 percent food and beverage tax applies to sales of food and beverages by a restaurant or place of refreshment located within the city of Detroit Lakes, whether the food or beverages are for consumption on or off the premises. All sales of food that are subject to the Minnesota general sales tax are subject to the new 1 percent tax. All sales of beverages, including on-sale liquor and fermented malt beverages, that are subject to the Minnesota general sales tax are also subject to the new 1 percent tax. Off-sale liquor sales are not subject to the 1 percent tax.

“Restaurant or place of refreshment” means a building, structure, enclosure, or any part of a building, structure, or enclosure used as, maintained as, advertised as, or held out to be an operation that prepares, serves, or otherwise provides food or beverages, or both, for human consumption. This definition includes but is not limited to: fast food restaurants, sit down restaurants, pick-up or carry-out restaurants, delivery restaurants, drive in restaurants, drive-thru restaurants, cafes, tea rooms, delis, bars, saloons, clubs, pubs, coffee houses, dance clubs, teen centers, concession stands, sidewalk vendors, and any combination thereof.

Giants Ridge Recreation Area (apply city wide)
Beginning July 1, 2011, the Giants Ridge Recreation area (city of Biwabik) imposes a 2 percent Admissions and Recreation tax, a 1 percent Food and Beverage tax and a 2 percent Lodging tax. This is in addition to the 6.875 percent state sales tax and 2.5 percent gross receipts tax on liquor.

Admissions and Recreation Tax. The 2 percent Admissions and Recreation tax applies to all admissions to entertainment and recreational facilities and the rental of all recreation equipment located within the Giants Ridge Recreation area, except the purchase of season tickets or passes, which are exempt from this tax.

“Admissions to entertainment and recreational facilities” means the privilege of admission to places of amusement, recreational areas, or athletic events, and the making available of amusement devices, tanning facilities, reducing salons, steam baths, Turkish baths, health clubs, and spas or athletic facilities. This includes but is not limited to: amusement parks, athletic fields, campgrounds, bowling alleys, fairgrounds, golf courses, hunting preserves, ice skating rinks, motion picture theaters, musical concerts, parks, swimming pools, ski areas, and trails.

This fact sheet is intended to help you become more familiar with Minnesota tax laws and your rights and responsibilities under the laws. Nothing in this fact sheet supersedes, alters, or otherwise changes any provisions of the tax law, administrative rules, court decisions, or revenue notices. Alternative formats available upon request.
Food and Beverage Tax. The 1 percent Food and Beverage tax applies to sales of food and beverages by a restaurant or place of refreshment located within the Giants Ridge Recreation area, whether the food or beverages are for consumption on or off the premises. All sales of food that are subject to the 6.875 percent Minnesota general sales tax are subject to the new 1 percent tax. All sales of beverages, including on-sale liquor and fermented malt beverages, that are subject to the 6.875 percent Minnesota sales tax are also subject to the new 1 percent tax. Off-sale liquor sales are not subject to the 1 percent tax.

“Restaurant or place of refreshment” means a building, structure, enclosure, or any part of a building, structure, or enclosure used as, maintained as, advertised as, or held out to be an operation that prepares, serves, or otherwise provides food or beverages, or both, for human consumption. This definition includes but is not limited to: fast food restaurants, sit down restaurants, carry-out restaurants, delivery restaurants, drive in restaurants, drive-thru restaurants, cafes, tea rooms, delis, bars, saloons, clubs, pubs, coffee houses, dance clubs, teen centers, concession stands, sidewalk vendors, and any combination thereof.

Lodging Tax. The 2 percent Lodging tax applies to all sales of lodging and related services within the Giants Ridge Recreation area.

“Lodging” means the rental of a room or rooms for a period of less than 30 days or for a period of 30 days or more if there is no enforceable written agreement that requires the guest to give notice of their intent to terminate.

“Lodging related services” means services provided by a hotel, motel, rooming house, tourist court, or resort; that are provided within a guest room, associated with the use of the lodging facility and billed by the lodging facility to the lodging guest. This definition includes but is not limited to: pay per view in-room movies and video games, room service, purchases from in-room minibars, and other items related to using the room for lodging.

Mankato Food and Beverage and Entertainment Taxes (apply city wide)

Beginning April 1, 2009, the city of Mankato imposes a 0.5 percent food and beverage tax; and 0.5 percent entertainment tax. These taxes are in addition to the 6.875 percent state sales tax, 2.5 percent gross receipts tax on liquor, and the 0.5 percent Mankato sales and use tax.

Food and Beverage tax. The 0.5 percent food and beverage tax applies to all sales of food and beverages by a restaurant or place of refreshment that are located within the city of Mankato.

“Restaurant” is defined as a business that sells unpackaged food to the customer in a ready-to-consume state, in individual servings, where the customer consumes these foods in the building, picks up the food from the building to consume elsewhere, or the food is delivered by the customer by employees of the restaurant and establishments. This definition includes but is not limited to: fast food restaurants, sit down restaurants, carry-out restaurants, delivery restaurants, drive in restaurants, cafes, tea rooms, delis, and any combination thereof. “Restaurant” may also be referred to as an eating establishment.

“Place of refreshment” is defined as any premise or location where alcoholic beverages, non-alcoholic beverages, or food items are sold at retail for consumption at or near the premise or location. This definition includes but is not limited to: bars, saloons, clubs, pubs, coffee houses, dance clubs, teen centers, concession stands, sidewalk vendors, and any combination thereof.

Entertainment tax. The 0.5 percent entertainment tax applies to sales of admissions to entertainment events located within the city of Mankato.

“Entertainment event” means any event for which persons pay money in order to be admitted to the premises and to be entertained, including but not limited to, theatres, concerts and sporting events.

For purposes of this section admissions paid to the following types of events or for the following types of entertainment are not subject to the Mankato entertainment tax: health, athletic, or fitness club memberships; miniature golf facilities; skate board parks; ice or roller skating facilities; swimming pools; amusement parks; carnivals; fairs; games of skill; cover charges at night clubs or dance halls; coin operated amusement devices, such as foosball, pool tables, pinball, cranes, batting cages and the like; tennis, racquetball or handball court fees; golf club memberships or greens fees and driving ranges.
Marshall Food and Beverage Tax (apply city wide)

Beginning July 1, 2013, the city of Marshall will have a 1.5 percent Food and Beverage tax. This tax is in addition to the 6.875 percent state sales tax and 2.5 percent gross receipts tax on liquor.

Food and Beverage tax. The 1.5 percent Food and Beverage tax applies to sales of food and beverages by a restaurant or place of refreshment located within the city of Marshall, whether the food or beverages are for consumption on or off the premises. All sales of food that are subject to the Minnesota general sales tax are subject to the new 1.5 percent tax. All sales of beverages, including on-sale liquor and fermented malt beverages, that are subject to the Minnesota General sales tax are also subject to the new 1.5 percent tax. Off-sale liquor sales are not subject to the 1.5 percent tax.

“Restaurant or place of refreshment” means a building, structure, enclosure, or any part of a building, structure, or enclosure used as, maintained as, advertised as, or held out to be an operation that prepares, serves, or otherwise provides food or beverages, or both, for human consumption. This definition includes but is not limited to: fast food restaurants, sit-down restaurants, drive-thru restaurants, cafes, tea rooms, delis, bars, saloons, clubs, pubs, coffee houses, dance clubs, teen centers, concession stands, sidewalk vendors, and any combination thereof.

Proctor Food and Beverage Tax (apply city wide)

Beginning April 1, 2015, the city of Proctor will have a 1 percent Food and Beverage tax. This tax is in addition to the 6.875 percent state sales tax, the 0.5 percent Proctor general local tax, the 0.5 percent St. Louis County Transit tax (effective 4/1/15) and the 2.5 percent gross receipts tax on liquor.

Food and Beverage tax. The 1 percent Food and Beverage tax applies to sales of food and beverages by a restaurant or place of refreshment located within the city of Proctor, whether the food or beverages are for consumption on or off the premises. All sales of food that are subject to the Minnesota general sales tax are subject to the new 1 percent tax. All sales of beverages, including on-sale liquor and fermented malt beverages, that are subject to the Minnesota General sales tax are also subject to the new 1 percent tax. Off-sale liquor sales are not subject to the 1 percent tax.

“Restaurant or place of refreshment” means a building, structure, enclosure, or any part of a building, structure, or enclosure used as, maintained as, advertised as, or held out to be an operation that prepares, serves, or otherwise provides food or beverages, or both, for human consumption. This definition includes but is not limited to: fast food restaurants, sit-down restaurants, drive-thru restaurants, delivery restaurants, drive-in restaurants, drive-thru restaurants, cafes, tea rooms, delis, bars, saloons, clubs, pubs, coffee houses, dance clubs, teen centers, concession stands, sidewalk vendors, and any combination thereof.

St. Cloud Liquor and Food Taxes (apply city wide)

St. Cloud imposes a 1 percent tax on liquor and food sold at restaurants and places of refreshment within the city limits. St. Cloud taxes are in addition to the 6.875 percent state sales tax, 2.5 percent liquor gross receipts tax, and the 0.5 percent St. Cloud Area sales and use tax.

Liquor tax. St. Cloud liquor tax applies to retail on-sales of alcoholic beverages, including wine and 3.2 beer, sold at licensed on-sale liquor establishments in St. Cloud such as bars, hotels, motels, restaurants, and clubs.

When an establishment has an intoxicating liquor, club, or wine license, the St. Cloud liquor tax applies to all on-sales of alcoholic beverages. The tax does not apply to off-sales of alcoholic beverages. If the establishment has a 3.2 percent malt liquor or a set-up license, the liquor tax does not apply.

Food tax. St. Cloud food tax applies to food and beverages (not subject to liquor tax) sold by restaurants, coffee shops, snack bars, or any other place of refreshment in St. Cloud. A place of refreshment means any building, structure, vehicle, sidewalk cart, or any part thereof, used, maintained, or advertised as a place where food or drinks are made, sold or served at retail. The food tax does not apply to food purchased in general merchandise stores, grocery stores, gas stations, confectioneries, drugstores, or other places not providing meals, lunches, lodging, or fountain, bar, booth, or table service.
Lodging Taxes – Rochester and St. Paul Tax (apply city wide)

The cities of Rochester and St. Paul impose lodging taxes as described below. Charges for lodging rentals are not subject to state or local sales tax, or special lodging taxes imposed by cities if the rental period is 30 days or longer and there is an enforceable written rental agreement requiring either the renter or owner to give notice before terminating the agreement.

State and local sales taxes and lodging taxes do not apply to charges for uses other than lodging, such as leasing a hotel room for a business meeting.

Examples:
1. A guest registers at a hotel and stays for five weeks. Although the guest stayed longer than 30 days, state and local sales tax and lodging tax apply because there was no enforceable written rental agreement.
2. A hotel rents suites under monthly enforceable written rental agreements that require a 30-day notice to terminate. State and local sales tax and lodging tax do not apply.
3. An apartment is rented on a weekly basis. State and local sales tax and lodging tax apply since the rental period is less than 30 days.
4. A company rents a room in a hotel on a monthly basis for occasional use by its employees. The enforceable written agreement requires a 10-day notice to terminate. Rental of the room is not subject to state or local sales tax or lodging tax.

Rochester lodging tax is 7 percent starting Jan. 1, 2014. Before that date, the rate was 4 percent. It applies to lodging accommodations at all hotels, motels, rooming houses, tourist courts, trailer camps, or similar establishments within the Rochester city limits.

Rochester lodging tax applies to lodging accommodations and taxable lodging related services. Taxable lodging related services include pay per view in-room movies and video games, room service, purchases from in-room minibars and other services provided within a guest room. Request Revenue Notice 05-11, Local Lodging, Restaurant and Liquor taxes, for more information.

Rochester lodging tax is in addition to the 6.875 percent state sales tax, the 0.5 percent Rochester sales tax, and the 0.25 percent Olmsted County transit sales and use tax (which all apply to lodging).

St. Paul lodging tax is 6 percent for establishments with 50 or more rooms available for lodging. The lodging tax rate is 3 percent for establishments with less than 50 rooms. The tax applies to lodging accommodations and taxable lodging related services within St. Paul city limits at a hotel, rooming house, tourist court, motel, or similar establishment.

Taxable lodging related services are services provided within a guest room, including pay per view in-room movies and video games, room service, purchases from in-room minibars and other services. For more information, see Revenue Notice 05-11, Local Lodging, Restaurant and Liquor taxes.

Lodging tax is in addition to the 6.875 percent state sales tax, the 0.5 percent St. Paul sales tax and the 0.25 percent Transit Improvement sales tax which also apply to lodging.

Note: The Transit Improvement Tax will end on Sept. 30, 2017. Starting Oct. 1, 2017, St. Paul lodging and related services will be subject to the 0.5% Ramsey County Transit Sales tax.

Legal References
Detroit Lakes: Minnesota Laws 2010, chapter 389, article 5
Giants Ridge Recreation Area: Minnesota Laws 2010, chapter 389, article 5, section 7
Mankato: Minnesota Laws 2008, chapter 366, article 7
Marshall: Minnesota Laws 2010, chapter 389, article 5
Proctor: Minnesota Laws 2014, chapter 308, article 3, section 34
Rochester: Minnesota Laws 1983, chapter 342, article 19
St. Cloud: Minnesota Laws 1986, chapter 379

Revenue Notices
05-11: Sales and Use Tax – Local Lodging, Restaurant and Liquor Taxes

Other Fact Sheets
164, Local Sales and Use Taxes
164M, Minneapolis Special Local Taxes
ARTICLE III. - WEEDS AND GRASS

Sec. 54-49. - Private property.

It is unlawful for any owner, occupant or agent of any lot or parcel of land in the populated portion of the City to allow any weeds or grass, not a cultivated crop, growing upon such lot or parcel of land to attain a height greater than six inches, or to allow such weeds or grass to go to seed.

(Code 1989, § 10.88(subd. 1); Ord. No. 197(2nd Ser.), § 1, 2, 5-29-1990; Ord. No. 212(2nd Ser.), § 1, 5-28-1991)

Sec. 54-50. - Duty of property owners to cut grass and weeds.

It is unlawful for any property abutting on any street, boulevard, alley, or public easement (hereinafter City-owned right-of-way) to allow any weeds or grass from the line of such property nearest to such City-owned right-of-way to the center of such City-owned right-of-way to attain a height greater than six inches.

(Code 1989, § 10.88(subd. 1.A); Ord. No. 197(2nd Ser.), § 1, 2, 5-29-1990)

Sec. 54-51. - Failure to comply with height limitation.

If any owner, occupant or agent fails to comply with this height limitation and after notice given by the Mayor, has not within seven days of such notice complied, the City shall cause such weeds or grass to be cut and the expenses thus incurred shall be a lien upon such real estate. The City Clerk-Administrator shall certify to the County Auditor, a statement of the amount of the cost incurred by the City. Such amount together with interest shall be entered as a special assessment against such lot or parcel of land and be collected in the same manner as real estate taxes.

(Code 1989, § 10.88(subd. 2); Ord. No. 212(2nd Ser.), § 1, 5-28-1991)

Sec. 54-52. - Natural Nature Areas exempted from article provisions.

Public property designated as a "Natural Nature Area" by resolution of the Council shall be exempt from the requirements of this article.

(Code 1989, § 10.88(subd. 3); Ord. No. 212(2nd Ser.), § 1, 5-28-1991)
Food Waste Composting is coming to Saint Peter

Two great options are coming to Saint Peter Residents to encourage Food Waste “Green” Composting.

1. Starting on XXXXX the City will offer Drop off Site Food Waste Composting to residential customers at two locations.
2. Starting on XXXX the City will offer a $xx rebate on the purchase of XXXXXXX Backyard Composter from a local retailer.

There is no additional charge on your utility bill and you may be able to reduce the size of your Curbbie and save some money too.

DROP OFF SITE USERS

Drop off Site users will have two locations to drop off their approved food waste in special containers.

One site will be located at our current yard waste compost facility just off Swift Street near the National Guard Armory. Look for the specially signed container.

The second site will be located in the overflow parking area of XXXXXXXXX. Look for the specially signed container.

All residential customers are eligible to participate by doing the following things:

- Send an email to XXXXX saying you want to sign up for Food Waste Composting
- You will receive a confirmation email back giving you a code that allows you to open the Food Waste Compost Dumpster. Remember that code. We are asking for sign up and using the code so that we can communicate with you about future changes in the system, challenges we face, amount of use. Our hope is to get a group of great users that can then help spread the word about the environmental and financial benefits of Food Waste Composting.
- You can take your allowed food waste to either site anytime day or night and use your code to open the dumpster and drop it in. No plastic bags are allowed. Local retailers sell compostable plastic bags if it is easier to use those.
- When done, lock it back up and that’s it.

Our goals are to reduce waste that goes to the landfill, see the use of these materials go to better environmental purposes and hopefully, in the future, save a few dollars on overall disposal costs. That’s not even mentioning making the world a better place for gosh sakes.

The list of acceptable products for food waste composting is shown below
FOOD WASTE

Baked Goods (Pastas, Bread, Cereal) Nuts, Shells, Grounds, Filters, Tea Bags Fruits, Vegetables, Peeling, Pits, Dairy Products (Yogurt, Cheese), and Meats (Bones, Fish)

Unacceptable materials are:

GLASS, PLASTICS
METALS, PAINT
ROCKS/CLAY
HOUSEHOLD APPLIANCES
TREATED WOOD

Metals, Aluminum Cans, Rocks, and Treated Wood (Painted Wood Fences, etc.) Household Appliances/Furnaces, Paints/Oil/Chemicals, Food Packaging (Unless BPI-Certified), and Microwave Popcorn Bags Cartons (Wax-Lined), Frozen Food Boxes, and Take-Out Containers

**NO PLASTIC BAGS OR BATHROOM GARBAGE**

The “green” material will be taken to XXXX and used for XXXXXXXXXXXXXX

BACK YARD USERS

Check out the selection of Backyard Composer Bins at our XX local retailers or build your own. Go to our website to get some links for tips on how to do this in your back yard and start. We will give you a rebate in the form of a $XXX credit on your utility bill when you buy one from a local retailer. Just drop
off the receipt at our Finance Department, share your name, address, email, phone number and we will get that credit on your next bill.

You can build your own bin. While we don’t currently offer a rebate for this there are lots of places to get plans and you can get started on our own. We would love to know if you are doing this so we can add your email to our list of folks that we will send tips, hacks and other information to. Send an email to XXXX and we will add you to our list.

We want your email so we can send out tips, tricks (life hacks), and will ask you to help us by answering a few surveys, share your experiences or maybe even share some of your tips and tricks too.

The approved backyard compost bins for rebates are:

PICTURES HERE

Remember that yard waste or “Brown Composting” has not changed and is still at the site located just off Swift Street. Brown and Green material are kept separate in our system but that might change in the future too.

For More info on food waste or “Green Composting” here are a few sites:

https://www.epa.gov/recycle/composting-home#home
http://homecompostingmadeeasy.com/foodscraps.html
https://www.glad.com/teachable-trash/how-to-compost-in-3-steps/
I. What are special assessments?

Special assessments are a charge imposed on properties for a particular improvement that benefits the owners of those selected properties. The authority to use special assessments originates in the state constitution which allows the state legislature to give cities and other governmental units the authority “to levy and collect assessments for local improvements upon property benefited thereby.” The legislature confers that authority to cities in Minnesota Statutes Chapter 429. Court decisions and attorney general opinions interpreting the statute add complexity to the issue.

A charter city may choose to use either Chapter 429 or provisions of the charter to assess for local improvements but even so state law requires that charter cities follow state law in certain steps of the proceedings, as discussed subsequently.

To ensure full protection for property owners, state law and courts applying that law insist on strict compliance with complex procedural requirements. Because these requirements have legal implications, city councils should have the city attorney guide assessment proceedings.

Special assessments have three distinct characteristics:

- They are a levy a city uses to finance, or partially finance, a particular public improvement program.
- The city levies the charge only against those particular parcels of property that receive some special benefit from the program.
- The amount of the charge bears a direct relationship to the value of the benefits the property receives.
A. What do special assessments pay for?

Special assessments have a number of important uses:

- The most typical use is to pay for infrastructure in undeveloped areas of a city, particularly when the city is converting new tracts of land to urban or residential use. Special assessments frequently pay for opening and surfacing streets; installing utility lines and constructing curbs, gutters, and sidewalks.
- Special assessments may partially underwrite the cost of major maintenance programs. Cities often finance large scale repairs and maintenance operations on streets, sidewalks, sewers, and similar facilities in part with special assessments.
- Another use of special assessments is the redevelopment of existing neighborhoods. Cities use special assessments when areas age and the infrastructure needs updating.

B. The special benefit test

Special assessments reflect the influence of a specific local improvement on the value of selected property. No matter what method the city uses to establish the amount of the assessment, the real measure of benefit is the increase in the market value of the land because of the improvement.

Under the special benefit test, special assessments are presumptively valid if:

- The land receives a special benefit from the improvement.
- The assessment does not exceed the special benefit measured by the increase in market value due to the improvement.
- The assessment is uniform as applied to the same class of property, in the assessed area.

Because special assessments are appealable to district court, it is important that the city considers the benefit to the property as a result of the specific improvement. Councils can and sometimes do this by retaining a qualified, licensed appraiser. At the hearings on the assessments, the council may choose to have the appraiser present a written or oral report on the increase in market value as a result of the improvement.

A special assessment that exceeds the special benefit is a taking of property without fair compensation and violates both the Fourteenth Amendment of the United States Constitution and the Minnesota Constitution. Property assessed must enjoy a corresponding benefit from the local improvement. This is a different concept than property tax valuation. The Minnesota Constitution states:
“The Legislature may authorize municipal corporations to levy and collect assessments for local improvements upon property benefited thereby without regard to cash valuation.” As the courts have made clear, the special benefit is the increase in market value of the land as a result of the improvement.

If a city’s assessment is challenged in district court, the assessment roll constitutes prima facie (or initial) proof that an assessment does not exceed the special benefit. The party contesting the assessment must introduce evidence sufficient to overcome that presumption. If the evidence as to the special benefit is conflicting it is the responsibility of the district court to determine whether the assessment exceeds the market value increase and, if so, by what amount.

For this reason, the city’s assessment method should at least approximate market-value analysis. A formula that does not consider an analysis of the increase in market value of each parcel may be invalid. For instance, a method that bases assessment amounts on the average costs of street improvement projects from previous years and doesn’t take into consideration the cost of the currently proposed project has been found arbitrary and invalid on its face.

Courts often uphold special assessments based on evidence from a city’s qualified and licensed appraiser that the assessment did not exceed the increase in market value as a result of the improvement.

However, in many published and unpublished opinions, the appellate courts have routinely upheld decisions that went against the city because the district court found a lack of adequate evidence of a market value increase equal to or exceeding the amount of the special assessment.
Especially with regard to street improvements, it can be difficult to demonstrate that there is an increase in market value as a result of the resurfacing or reconstruction, though not impossible, depending on the circumstances.

When a court disallows a portion of an assessment because it was in excess of the benefit to the specific property, the city may not try to recoup the disallowed amount through another method—such as by imposing a charge for a utility line on only that property and not on the other properties involved in the assessment. When the cost of an improvement exceeds the benefit, the difference must not be borne by a particular property, but instead by the city as a whole.

The Minnesota Supreme Court has held that connection charges, based on a different state law, are not assessments and may be imposed on top of prior assessments. One unpublished Court of Appeals decision, however, held that the cost of the connection charges should be included with the amount of special assessments in determining the special benefit to the property.

Applicability of the special benefit test to a given assessment relies on whether it arises out of regulation of conduct. The Minnesota Court of Appeals has held that the special benefit test does not apply to unpaid special charges collected in the form of special assessments when defraying the cost of providing “police power” services such as removal of public nuisances. However, the Minnesota Supreme Court has held a right-of-way assessment largely collected to address “standard wear and tear on the streets, caused largely by Minnesota weather and use by the general public” with services such as snow plowing and ice control, is not a regulation of landowner conduct. An assessment such as this, the Court held, that is “annually recurring, imposed nearly city wide, benefiting largely the general public traveling the rights-of-way, with diverse services largely provided on an ‘as needed’ basis,” is charged under the taxing power and is subject to the special benefit test.

C. Practical points to consider

The following three strategies help avoid the problem of proceeding on estimates that do not equal actual revenue.

1. Coordinating procedures

Chapter 429 allows coordinating the timelines of the special assessment and competitive bidding processes in a way that may protect the city from successful appeals and ensuing budget shortfalls. The city may determine the assessment amount and prepare the assessment roll before work on the local improvement even begins.
The competitive bidding threshold for all cities, regardless of size, is $100,000. Thus, special assessment projects must be bid if the estimated cost exceeds $100,000. If needed, the city may advertise for bids and allow sufficient time after the bid closing date to permit the city to prepare the assessment roll based on the lowest responsible bid the city receives and to hold the assessment hearing (the second hearing) based on that low bid. The city then proceeds with the actual work of the project after certification of the assessment roll and the 30-day appeal period is over.

Using this “coordinated procedure” means the city knows both important numbers up front -- how much money will be available through special assessments and the cost of the local improvement. Because the time for appeals is over before the contract is issued, the city will not need to cover potential budget shortfalls that may occur if a property owner successfully challenges a special assessment or the lowest bid comes in higher than expected. This Guide and the forms attached track this coordinated procedural format.

For larger projects in particular, city councils should seriously consider having provisions in the specifications that give the city more time to accept or reject bids. Either the city can make the improvement contract conditional on the absence of objections filed within 30 days after the assessment hearing, or the city may specify (in the bid documents, or specifications) that the improvement work will not begin until 90 days after the city receives bids. Under both strategies, the council would not enter into a binding contract, nor would any improvement work start until after the improvement and assessment hearings and the time for appeals elapses.

2. Specially assessing less of the cost

The city can also avoid appeals by paying a substantial portion of the cost of all improvements out of general funds. The larger the portion of cost the city assumes, the less the chances that any individual assessment would exceed the benefit from the improvement as measured by the increase in market value.

Indeed, the council can proceed with the proposed assessment based on estimates -- and plan to use monies from a reserve fund from general taxes and other uncommitted sources of revenue making up any difference between the assessments and the project cost.

3. Waivers

The council might obtain, under certain circumstances, waivers of rights to appeal before entering into the contract and ordering the improvement. Any waiver of rights is effective only for the amount of assessment agreed on by the city and property owners or developers.
An effective waiver of rights of appeal is essentially a contract and may contain additional conditions providing for the increases in assessments that will not be subject to appeal; consult the city attorney for specific advice on effective waivers.

D. Pros and cons of special assessments

Following is a summary of the advantages and disadvantages of special assessment financing. The council can avoid many of the disadvantages with adequate plans and a long-range capital improvement program.

Advantages of special assessment financing include:

- Special assessments are generally a dependable source of revenue.
- Special assessments are a means of raising money outside city debt and general property taxes. (Special assessment bonds do not count toward statutory debt limitations).
- Special assessments provide a means of levying charges for public services against property otherwise exempt from taxation.
- Special assessments lower the cost to the community of bringing undeveloped land into urban use.
- Charging the property owner for the benefit received prevents or minimizes the possibility that a property owner will reap a financial profit from the improvement at the expense of the general taxpayer.

Disadvantages of special assessment financing include:

- The difficulty and expense in establishing the special benefit to the property.
- The difficulties in special assessment administration. The administrative procedures require careful execution in order to avoid litigation.
- Cities have at times used special assessments to pay for premature public improvements. Because the city generally bears some of the cost of every public improvement, land speculators sometimes urge councils to do unjustifiable special assessment programs.
- The availability of special assessment financing often tempts city officials to underwrite the cost of governmental programs that should be an obligation of the entire city.
- Unless special assessments conform to a city’s long-term financial and capital improvement plans, they can subject a city to two serious financial dangers. First, if a city frequently undertakes special assessment bond issues backed by the full faith and credit of a city in an unplanned manner, city credit might be overextended. This leads to higher interest charges on all city and school district borrowing and increases the possibility of default.
Second, placing too heavy a burden on individual property owners (with special assessments and regular property taxes) runs the risk of increasing tax delinquencies and potentially jeopardizes a city’s credit and borrowing position.

- From the council’s point of view, the public’s reaction to a proposed special assessment might be the most important determinative factor. While taxpayer resistance is usually minimal, this is not true in every instance. Special assessment programs receive much greater public support if the council adequately informs people of its intentions to make the improvement, the benefit the improvements will provide, and the necessary financial demands.

E. Special assessment policies

Some cities have attempted to minimize the controversy over special assessment financing by adopting a special assessment policy (not an ordinance). Whatever the policy provides it must adhere to the rule that the amount of a special assessment cannot exceed the special benefit to the property as measured by increase in market value due to the improvement.

With frequent turnover on the council a policy may increase consistency in the use of financing improvements with special assessments. Justifying council decisions in a particular case may also be easier with a policy in place. An updated and current special assessment policy may also facilitate the development of a long-range capital program for public improvements.

A policy should reflect basic procedural decisions on financing local improvements -- decisions that the council must think through carefully, taking into account past practice, equity, revenue productivity, political acceptability, and the rest of the city’s revenue system. Practically speaking, many city special assessment policies provide procedures for city-specific issues, such as assessing oddly shaped lots, corner lots, lots with septic systems and what method of assessment the city uses. (E.g. including but not limited to the area method of assessment, unit method or a per lot assessment). Cities may wish to work with citizens, appraisers, an attorney and city engineers to develop a special assessment policy that fits the unique needs of their city.

F. Programs cities may finance with special assessments

Generally, cities use special assessments to at least partially finance a variety of public improvements. Cities may also use special assessments to collect certain unpaid service charges, discussed in the next section.
1. **Local improvements**

Cities are statutorily authorized to finance the following public improvements at least partially through special assessments:

- **Streets, sidewalks, alleys, curbs and gutters**: Acquiring, opening, and widening streets and alleys; constructing, reconstructing, and maintaining sidewalks, streets, gutters, curbs, and vehicle parking strips. (These projects may include charges for beautification, storm sewers, or other street drainage systems, and installation of connections from utilities to curb lines).

- **Storm and sanitary sewer systems**: Acquisition, development, construction, reconstruction, extension, and maintenance of storm and sanitary sewer systems including outlets, treatment plants, pumps, lift stations, and storm water holding areas and ponds.

- **Steam heating mains**: Construction, reconstruction, extension, and maintenance.

- **Street lighting systems**: Installation, replacement, extension, and maintenance.

- **Waterworks systems**: Construction, reconstruction, extension, and maintenance. (This includes all appurtenances of a waterworks system, even the treatment plant). Special assessments may also pay for the infrastructure necessary to maintain water, sewer, and storm sewer systems; and for the payment of any obligations issued to pay the costs of the waterworks facilities and systems or to refund bonds issued for those purposes.

- **Parks, playgrounds, and recreational facilities**: To acquire, improve and equip parks, open space areas, playgrounds, and recreational facilities within or without the corporate limits.

- **Street trees**: Planting, trimming, care, and removal.

- **Abating nuisances**: Includes, but not limited to, draining and filling swamps, marshes, and ponds on public or private property.

- **Dikes and other flood control works**: Construction, reconstruction, extension, and maintenance.

- **Retaining and area walls, including highway noise barriers**: Construction, reconstruction, extension, and maintenance.
RELEVANT LINKS:

- Pedestrian skyway systems: Construction, reconstruction, maintenance, and promotion of bridges, overpasses, hallways, plazas, elevators, and escalators on public or private property. A petition for a pedestrian skyway system must meet unique statutory requirements.

- Underground pedestrian concourses: Construction, reconstruction, maintenance, and promotion of tunnels, arcades, plazas, elevators, and escalators.

- Malls: Acquisition, construction, improvement, alteration, extension, operation, maintenance, and promotion of public malls, plazas or courtyards.

- District heating systems: Construction, reconstruction, extension, and maintenance of district heating systems.

- Fire protection systems: Construction in existing buildings upon petition of owners. A petition for a fire protection system, on public or private property, must meet unique statutory requirements.

- Highway sound barriers: Acquisition, construction, reconstruction, improvement, alteration, extension, and maintenance of highway sound barriers.

- Gas and electric distribution facilities: Improvement, construction, reconstruction, extension, and maintenance of gas and electric distribution facilities owned by a municipal gas or electric utility.

- Markers relating to 911 services: Purchase, installation, and maintenance of signs, posts, and other address markers related to the operation of enhanced 911 services.

- Internet access: Improvements, construction, extension, and maintenance of facilities for Internet access, and other communication purposes, if the council finds that the facilities:
  - Are necessary to make Internet access (or other communications services) available that are not and will not be available through other providers or the private market in the reasonably foreseeable future.
  - Provide services that will not compete with service provided by private entities.

- On-site water contaminant systems: Installation of publicly or privately owned pipes, wells, and other devices and equipment in or outside a building for the primary purpose of eliminating water contamination caused by lead or other toxic or health threatening substances in the water. A petition for an on-site water contaminant system must meet unique statutory requirements.
• **Burying overhead utility lines within the public right-of-way:** Cities can only finance the burying of overhead utility lines with special assessments in response to a petition from all the abutting landowners. In addition, burying the lines in the public right of way must exceed the utility's design and construction standards, or those set by law, tariff, or franchise. In that situation all or a portion of the costs associated with burying the lines, or altering a new or existing distribution system, can be specially assessed as agreed to with an electric utility, telecommunications carrier, or cable system.

• **Parking facilities:** Acquisition and construction.

• **Energy improvement programs:** Cities may finance cost-effective energy improvements to certain (currently only multifamily) residential dwellings, or commercial or industrial buildings, through revenue bonds funded by special assessments. Among other requirements of such a program is a petition by all owners of the qualifying real property requesting collections of repayments as special assessments as with other unpaid charges assessable under chapter 429.

Chapter 429 defines a number of projects as local improvements that may benefit the entire city, such as a sewage disposal plant, interceptor sewer or water treatment plant. The constitutional provision authorizing special assessments for local improvements may allow these kinds of projects as long as they confer a special benefit on assessed property that the improvements do not confer upon the city as a whole.

### 2. Assessing unpaid special service charges

Cities may, through an ordinance, require that property owners perform certain property-related special services — or the ordinance can allow that the city performs the special services and sends a bill to property owner for the work. If the property owner fails to pay, the city may assess for all or any part of the unpaid charges as a special assessment against the property benefitted. When assessing unpaid service charges, cities must follow some, but not all, of the special assessment notice, hearing and calculation procedures in Chapter 429.

The law specifically lists the special services that cities can specially assess if not paid by the property owner or occupant. Statutory cities cannot add the following to this list, but charter cities may be able to add to it by charter amendment:

- Snow, ice and rubbish removal from sidewalks.
- Weed elimination from streets and private property.
- Removal or elimination of public health or safety hazards from private property, excluding any hazardous or substandard buildings.
• Installation and repair of water service lines, and sprinkling and dust treatments.
• Trimming and care of trees, and removal of unsound trees.
• Treatment and removal of insect-infested or diseased trees on private property and the repair of sidewalks and alleys.
• Operation of a street lighting system.
• Operation and maintenance of a fire protection or a pedestrian skyway system.
• Inspections related to a municipal housing maintenance code violation.
• Recovery of payments to rehabilitate and/or maintain safe and habitable housing conditions over the useful life of a house or land - including payment of utility bills and other services, even if provided by a third party in rental situations.
• Painting the exterior of a structure to remedy a municipal code violation.
• The recovery of delinquent vacant building registration fees under a municipal program designed to identify and register vacant buildings.
• Garbage collection and disposal.

Again, a city cannot exercise this authority until passing an authorizing ordinance providing that such matters are the responsibility of the property owner. (The ordinance cannot require that property owners perform street sprinkling or other dust treatment, alley repair, tree trimming, care, and removal or the operation of a street lighting system.)

Unpaid charges collected as special assessments are subject to the same notice, hearing, and appeal requirements as any other special assessments. They are not, however, subject to the special benefit test.

Cities may issue bonds or other debt instruments to finance the cost of special services in the same manner as for local improvements, with three modifications:

• These obligations may not run for more than two years.
• The amount of debt a city issues at any one time may not exceed the estimated cost of the work it will do during the next six months.
• The council must set up a separate fund for each of the different services financed through this procedure.

II. Synopsis of procedures

The following discussion is a guide, but not legal advice, as to the proper fulfillment of special assessment procedures. The council should consult an attorney familiar with the individual project to make sure the city follows all legal procedures.
MEMORANDUM

Date: December 30, 2018
To: Jeff Knutson
Water Utilities Superintendent
From: Jeffrey A. Domras, PE
Subject: Design, Bidding and Construction Services for Proposed 2019 Sidewalk Improvements

As part of the City's comprehensive plan to provide walkways for safe pedestrian travel, the City is proposing to continue construction of sidewalk in priority district number 8 during the summer of 2019. The location of the proposed walkway improvements are shown in green below.

![Map of Proposed Sidewalk Improvements]

The proposed walkways are in well-established neighborhoods with trees, fences, and landscape features located within the proposed walk corridor. The plan is to construct the new sidewalk in public right-of-way so easements are not necessary.

The City will solicit quotes from a Contractor to install the concrete walk and pedestrian ramps. To reduce construction costs, Public Works Staff will assist with preparing the sites for the new sidewalk. Preparation includes removing the existing curb & gutter and bituminous pavement to allow for pedestrian ramp installation, then backfilling the walkway with topsoil and hydro-seeding.
once walkway is constructed. City crews will also provide erosion control and bituminous patching, like the 2017/2018 Vets Field Sidewalk project.

Public Works Staff has prepared a cost estimate of $46,600 for a contractor to excavate, supply aggregate base and install the concrete walk and ped ramps. The cost estimate does not include work performed by the City as noted above. Work performed by the City is estimated to save between $15,000 and $20,000. Although the City will complete this work, it will still be necessary to show on the plans.

It is anticipated the following professional services will be necessary:

**Design**
- Topographical Survey of Two Sites Including Property Lines/One Call ....$3,300
- Preliminary and Final Design .................................................................$4,000
- Bidding Quantities...................................................................................... $500
- Prepare Project Specifications and Include on Plan ....................................$2,000

Subtotal $9,800

**Construction**
- Pre-Construction Meeting........................................................................ $ 500
- Construction Staking & Admin (N. 5th St. and Madison St.).........................$ 3,000

Subtotal $3,500

The above work will be performed at our normal hourly rates. This estimate is based on City Staff soliciting quotes for the work, tabulating bids, performing construction observation duties and arranging contractor payment. Construction material testing and coordination has not been included but if requested, a local testing company can be contacted to perform at an additional cost.
### 2019 Sidewalk Master Plan Priorities

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8* $85,790.89 2018
$46,578.50 2019
TRAIL & SIDEWALK MAP
UPDATED JULY 2015

LEGEND
1. GAULT PARK
2. RAMSEY PARK
3. WYER SCHOOL
4. WARREN PARK
5. MCGILL PARK
6. NORTH INTERMEDIATE SCHOOL
7. HALLETT'S POND PARK
8. VETERANS MEMORIAL PARK
9. JOHNSON PARK
10. LEVEE PARK
11. NORTH INTERMEDIATE SCHOOL
12. RIVERSIDE PARK
13. MN SQUARE PARK
14. JEFFERSON WEST PARK
15. JEFFERSON PARK
16. SOUTH EARLY LEARNING CENTER
17. STONES PARK

EXISTING CITY COLLECTOR
PROPOSED CITY COLLECTOR
EXISTING SIDEWALK
PROPOSED SIDEWALK
PROPOSED UPDATED SIDEWALK
PROPOSED TRAIL
EXISTING TRAIL
GREENWAY
STORMWATER BASIN
500' RADIUS SURROUNDING SCHOOLS/PARKS

CITY OF
Saint
Motor
REQUEST FOR PROPOSALS

For

City of Saint Peter Website Redesign
www.saintpetermn.gov

CITY OF SAINT PETER
227 S Front Street
Saint Peter, MN 56082
507-934-0664

Release Date: Monday, June 11, 2018
Proposal must be Received By: Monday, June 25, 2018
REQUEST FOR PROPOSAL

The City of Saint Peter will accept proposals for City Website Redesign until 5:00 p.m. on Monday, June 25, 2018.

All Proposals shall be clearly identified as Website Proposal for the City of Saint Peter. Copies of your Proposal should be forwarded to Susan Brunz at the following address:

City of Saint Peter
Susan Brunz
227 S Front Street
Saint Peter, Minnesota 56082-2513
susanb@saintpetermn.gov

Proposals will be evaluated by Susan Brunz and discussed with members of the City Website Committee.

The City reserves the right to reject any or all proposals, to modify the existing proposal, request follow-up information from considered vendors and to select the proposal and vendor that best meets the needs of the City, our residents, businesses and visitors.

Evaluation criteria will include, but is not limited to: quality of work proposed, style of the sample designs, meeting the proposal evaluation criteria below, past experiences, expertise and references of the vendor, and upfront and ongoing costs.

Inquiries and clarifications regarding the RFP should be directed to: Susan Brunz at (507) 934-0664 ext. 734 or susanb@saintpetermn.gov

PROPOSAL EVALUATION CRITERIA

The City of Saint Peter is seeking to update our website, saintpetermn.gov. Our newly designed website should deliver information in a professional and competent manner, while being visually appealing, providing intuitive navigation, and easy to use. The site must be easy to maintain, accessible to all visitors and adjust to the size of the visitor’s browser.

The new website must:

1. Provide consistency of design that is professional, attractive, and easy to use. Each section of the site should have a unified look and feel that reinforces Saint Peter’s values and image. Yet each section should also be able to retain some degree of individuality that reflects the service, department or audience being served.

2. Website must be quick to load with a balance of text and graphics. Navigation must be intuitive with information grouped and presented in a logical manner. Home page link should always be visible. The site should include a flexible design template that can easily accommodate the addition of new functionality at a later date. Visitors should be able to easily contact and interact with the City.

3. Deliver large amounts of constantly changing information in the form of text, photos, maps, audio, video, and links; including video hosting to allow the playback and live streaming of certain televised meetings (e.g., City Council Regular Meetings) and events.

4. Inform residents and visitors about upcoming events via news, calendars, and projects, through attractive and engaging features. Ability to activate a banner at the top all pages (or other prominent location) to alert visitors to breaking news or emergency situations. Calendar option
should allow for multiple calendars and the ability to schedule recurring events. Must be able to schedule recurring events that happen on a specific day of each month such as the second and fourth Monday; last Thursday, etc.

5. Transfer all existing pages and content from our current website to the new website in a usable format.

6. Provide all features and functionality that exist on the current website. Traverse Green Map Function, Parks Database, Transit Survey, Automatic Hot Sheet Archives and more.

7. Compatible with existing City software programs such as Activenet and Municode – allowing access to these sites by opening to a new site if desired. Ability to link to Paymentus for the payment of permit fees and utility bills.

8. Be easy to update on a daily basis. Allow for drag and drop of text and graphics.

9. Ability to archive revisions of pages and to return to a prior revision of a page easily.

10. Fully responsive website that is able to handle all available screen sizes, including smart phones and tablets. Ability to zoom in on maps. Only one set of code will need to be maintained.

11. Work well with all major web browsers.

12. Maintain a history of public notices, agendas, packets, minutes and recordings for multiple boards and commissions. Allow archiving by date to an archive page for Hot Sheets, Council Packets, and Council Minutes.

13. Ability to fill-in forms and submit online, such as employment applications, building permits, utility billing contract for service.


15. The site should provide a rapid search capability of the entire site, generating results of high relevance to visitors. Search should only be within our site (no advertisements)

16. Content Management System (CMS) or platform should be geared to non-technical users and provide integration or sharing to social media such as Facebook and Twitter, Allow for cross posting information to Website news area, Facebook and Twitter when desired.

17. User security: Allow for various levels of user security, including page level permissions. The City of Saint Peter website administrator needs to be able to create users and maintain individual user rights. Users will have the ability to update the site content anytime and anywhere.

18. Subscription feature for emailing newsletters, Hot Sheet, Library, Senior, etc., and other publications by request. Allow users to sign up to be on various mailing lists targeted at different interests.

19. Provide a secure site that meets emerging industry standards on privacy and accessibility, to include American Disabilities Act (ADA) guidelines. (WCAG 2.0). Adhere to current web design best practices


21. Provide website analytics, by incorporating Google Analytics Code on all pages or other analytics solution.
22. Comply with the State of Minnesota Records Retention Guidelines.

23. Work with City staff to thoroughly test the site prior to going live.

24. Provide training for City staff on the site tools and any associated software.

Ownership:
Upon completion of the project, the City of Saint Peter will own all rights to the electronic files comprising any and all deliverables. The City of Saint Peter will be considered the author of the content for the purposes of copyright and own all materials.

Hosting:
Identify provider and cost for hosting services

Proposal Options:

A. On-line employment application services
B. Provide for searching within .pdf documents. (searchable .pdfs).
C. Any recommendations we may not have thought of in this proposal but would be of benefit to the City, our residents, businesses and visitors.

PROPOSAL SUBMISSION REQUIREMENTS

1. Summary of your Website Development approach and scope of work.
2. Estimated project timeline including schedule of implementation, testing, and go live date.
3. Provide three recent projects completed and references you feel best represent the work you have proposed to us.
4. Provide two to three sample site designs using Saint Peter data.
5. Cost and payment terms.
6. Include cost for migration of existing documents as a separate line item.
7. Identify any annual maintenance costs and what this fee includes.
8. Provide estimated cost to update the overall site design in four to five years, if not included in the annual maintenance.
9. The successful vendor must provide staff training on the site tools and thoroughly test the site prior to going live. Identify any other costs if not already included.
PROPOSAL SUMMARY

1) Scope of work meets criteria 1 through 24:
   Yes □
   No □
   If no, please explain:

2) Project timeline:

3) Recent Projects and References:

4) Sample Designs:

5) Cost and payment terms:

6) Cost for migration of existing website data: (if not included in #5)

7) Cost to maintain the site and/or annual maintenance fees:

8) Website redesign cost in four to five years (if not included in #5):

9) Procedure for staff training and cost (if not included in #5)

10) Hosting (if not included in #5):

11) Proposal Options:
TO: Honorable Mayor Zieman  
Members of the City Council  
DATE: 11/6/2018

FROM: Todd Prafke  
City Administrator  

RE: Wastewater Treatment Pond Land Sale Listing Agreement

ACTION/RECOMMENDATION

Approve the attached resolution directing the City Administrator to enter into a one year listing agreement with Whitetail Properties Real Estate for the sale of the former Wastewater Treatment ponds.

BACKGROUND

Members may recall previous discussion regarding sale of the former wastewater treatment ponds which are on 267 acres located in Le Sueur County. An image of the area is attached for your reference.

This area has been subject to a listing agreement with a local commercial real-estate firm for a little over a year. The most recent extension ended a couple of months ago. We have had no serious lookers. In an effort to look towards a more specialized marketing group, I contacted Whitetail Properties. Whitetail specializes in the sale of recreation properties and has sold property of this type all across Minnesota and in other upper Midwest states.

A copy of the listing agreement is included for your review. The most significant points are:

- Commission of 7% if sold in the price range in what I would call the top tier threshold above $400,000. If sold under the $400,000 threshold, the commission would be 5%. While I am not excited about the commission amounts, it is not unusual for a specialty property of this type and frankly it didn't get done at the lower percentage.
- This document has been changed based on the Council suggestion to exclude the State of Minnesota.
- Initial asking price is set at $540,000. This price point is based on other more recent area sales.
- One year listing agreement.

Whitetail Properties has other properties listed in our area and the local representative is familiar with our area, has seen and toured this location and has a more robust plan for marketing. To see an example of some of what they do from a marketing perspective you can certainly take a look at their website behind this link: https://www.whitetailproperties.com.
FISCAL IMPACT:

Any sale revenue has been targeted to go towards improvements that are ongoing at Community Spirit Park. However, there is no resolution directing that action. The plan had been that the Council would take action to direct the funding as described at the time of any sale.

It is important to note that any sale would need additional action by the City Council.

ALTERNATIVES/VARIATIONS:
Do not act. Staff will wait for additional direction and the property will remain unlisted. Members did discuss other options relative to nature areas, groups to work with and other opportunities. Negative vote. Staff will wait for further direction. Modification of the resolution. This is always an option of the City Council.

Please feel free to contact me if you have any questions or concerns about this agenda item.

TP/bal
November 21, 2018

RE: Another Destination Site in Saint Peter

Waste Water Ponds

Sale Price: ($500.00 an acre) $540,000.00 (267 acres)

City owned and controlled Wildlife Sanctuary Area

Wildlife Sanctuary Area Proposals:

- Use clean fill to raise berm in middle about 8 feet
- Plant oak trees on berm for windbreak and acorns for squirrels and turkeys
- Plant trees along roadway for wildlife food
  (crab apple, apple, elder berries and other berry trees and shrubs)
- Floating islands in ponds for water fowl nesting
- Hay bunkers for deer feed in winter
- Drop feeders for shelled corn for ground
- Feeders and drop feeders for fowl seeds from combines
- Provide dump sites for corn cobs and apples
- Provide drop site for carrion for eagles and crows
- Walking paths for nature lovers and conservation people
- Set up an Advisory Committee for conservation and nature lovers (members from FFA / SPHS Ag. Classes, Boy / Girl Scouts, bird watchers, Pheasants Forever, Ducks Unlimited, Deer Hunters Association, Swan Lakes Sports Club, etc.)

The Advisory Committee

The Advisory Committee would likely take on some projects in areas and provide some of the amenities to make this another St. Peter destination.

Future projects could include wood-duck boxes, bluebird houses, benches, etc.

(JP 11/21/18)
Sec. 42-158. - Signs and appurtenances.

It is a misdemeanor for any person to place or maintain a sign or other appurtenance in the traveled or untraveled portion of any street. In a district zoned for commercial or industrial enterprises special permission allowing an applicant to erect and maintain signs overhanging the street may be granted upon such terms and conditions as may be set forth in the zoning or construction provisions of this Code.

(Code 1989, § 7.10(subd. 4))
Sec. 38-3. - Prohibited signs.

The following signs are prohibited within all zoning districts within the City:

1) **Obsolete signs.** Signs that advertise an activity, business, product or service no longer conducted or offered for sale on the premises upon which the sign is located. Obsolete signage of historic significance may be permitted or restored within the Heritage Preservation District upon review and approval of the Heritage Preservation Commission.

2) **Banners, balloons, posters, etc.** Signs which contain or consist of banners, balloons, posters, pennants, ribbons, streamers, spinners or other similarly moving devices, except as specifically provided for in section 38-4.

3) **Flashing signs.** Any illuminated sign having artificial light or color which is not maintained as a constant intensity or color when such sign is in use.

4) **Hazardous signs.** A sign, by reason of its location, lighting, size, color or intensity, which creates a hazard to the safe, efficient movement of vehicular or pedestrian traffic. No private sign shall contain words which might be construed as traffic controls, such as "stop," "caution," "warning," etc., unless such sign is intended to regulate or direct traffic within a specific premises.

(Ord. No. 394(2nd Ser.), § 1(11.24), 11-26-2007)
TO: Todd Prafke  
City Administrator  

FROM: Russ Wille  
Community Development Director  

RE: Bed and Breakfast – Proposed Regulations  

ACTION/RECOMMENDATION  

None needed. For Council discussion only.  

BACKGROUND  

The Planning and Zoning Commission has recommended an amendment to the zoning code as it regulates Vacation Rental by Owner (bed and breakfast) operations. It has been a while since the Council has discussed the matter. This would be proposed to be the final review of the proposed amendment before the Council is asked to act at the January 28, 2019 meeting.  

The Saint Peter Zoning Ordinance defines a Bed and Breakfast within Section 24-15, General Description of Commercial Use Types:  

(36) Visitor Habitation: Establishments primarily engaged in the provision of lodging services on less than weekly basis with incidental food, drink and other sales and services intended for the convenience of guests. The following are visitor habitation use types:  

a. Bed and Breakfast: An owner-occupied dwelling designed and utilized as a single-family residence, managed by the property’s owner, and having bedroom accommodations and dining provisions, served in the owner’s private dining room or kitchen for those accommodated as paying guests.  

b. Campground: Campground facilities providing camping or parking areas and incidental services for travelers in recreational vehicles or tents. Typical uses include recreational vehicle parks.  

c. Hotel/Motel: Lodging services involving the provision of room or board. Typical uses include hotels, motels and transient boarding houses.
There have been at least three (3) Vacation Rental by Owner operations in Saint Peter that are being advertised via Airbnb, an internet based reservation system for bed & breakfast establishments. It appears that not one of the three is being operated within an owner-occupied structure as required by the zoning ordinance.

As the Council discussed the matter at previous workshops, the council members expressed a desire to allow such non-homesteaded Vacation Rental by Owner operations subject to certain conditions and regulations.

Based upon the City Council comments from the workshop, I prepared an outline of proposed regulations differentiating between owner-occupied (homesteaded) and non-homesteaded operations. The rules would allow an owner-occupied Vacation Rental by Owner operations as a permitted use within any residentially zoned district. Non-homesteaded Vacation Rental by Owner operations would be allowed as a Conditional Use Permit within the residentially zoned districts.

A Conditional Use Permit would require a public hearing and mailed notice of the hearing to all property owners within 350 feet. The proposed use would be reviewed based upon the seventeen standards contained in the zoning code. The use could be permitted subject to certain conditions or it could be approved unconditionally. The conditions imposed would need to be implemented to avoid or eliminate conflicts between the Vacation Rental by Owner operation and neighboring uses of land.

In rare instances, where no conditions could be imposed to negate a land use conflict, the Conditional Use Permit could be denied. A permit could also be revoked and penalties assessed if the Vacation Rental by Owner fails to conform to the conditions imposed by the permit.

At the time of their previous review, the City Council suggested that the outlined regulations were appropriate. I was directed to assemble the current Vacation Rental by Owner operators to discuss the draft rules and explain the Conditional Use Permit process.

I met with all three of the current operators last April at the Community Center.

The three operators suggested that the business has not been as robust as anticipated. Each suggested that they are not certain that they will remain in the Vacation Rental by Owner business. It is likely that one or all will be listed with a realtor for sale, likely as a private residence.

A copy of the proposed ordinance amendment is included in this agenda packet for your review.

The Planning Commission held a public hearing regarding the proposed ordinance amendment following published and posted notice of the hearing as required by statute. No mailed notice of the hearing was required given that the proposed amendment would be applied throughout the entire community and does not pertain to a single, individual parcel of land.

Becky Sievert who operates the Hauser House Bed and Breakfast appeared at the hearing to address the Commission. She indicated that she is not aware of any disruption to the neighborhood related to her operation. She noted that she and her husband have made investments and improvements to the residential structure to make it attractive to their guests.
After the public hearing, discussion and consideration of the proposed amendment, the Planning Commission recommended that the City Council adopt the proposed zoning code amendment as presented.

The goal for this meeting is to get the Council “warmed up”. They have already directed change and we have provided notice of the proposed change as required by State Statute. This Ordinance change will be on the next regular Council meeting agenda for action. It has just been a while since this was discussed and City Administrator Prafke wanted you to be “warmed up”.

Please feel free to contact me should you have any questions or concerns on this agenda item.

RJW
ORDINANCE NO. ____, THIRD SERIES

AN ORDINANCE AMENDING SAINT PETER CITY CODE, CHAPTER 24 “LAND USE REGULATIONS AND ZONING” BY THE ADDITION OF REGULATIONS ESTABLISHING VACATION RENTAL BY OWNER OPERATIONS AND ADOPTING BY REFERENCE SAINT PETER CITY CODE CHAPTER 1 SECTION 1-6, WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS

WHEREAS, the Saint Peter Planning and Zoning Commission has proposed an amendment to the Saint Peter City Code, Chapter 24, Land Use Regulations and Zoning regulating the establishment of “Vacation Rental by Owner” (VRBO) operations; and

WHEREAS, the Planning and Zoning Commission has proposed multiple amendments to the Code, regulating both owner-occupied and non-homesteaded Vacation Rental by Owner operations; and

WHEREAS, the Commission has recommended it would be appropriate and prudent to allow for the establishment of an owner-occupied Vacation Rental by Owner operation within the residential zoning districts and the Central Business District as a permitted use of land; and

WHEREAS, the Commission has also recommended it would be appropriate and prudent to allow the establishment of a non-homesteaded Vacation Rental by Owner operations within the residential zoning districts and Central Business District as a potential Conditional Use; and

WHEREAS, following public notice as required by State Statute, a public hearing was held by the Planning and Zoning Commission on July 5, 2018 for the purpose of soliciting citizen input regarding the subject amendment to the Saint Peter City Code; and

WHEREAS, the Planning and Zoning Commission finds that the requested amendments to the Saint Peter City Code are not contrary to the provisions of the comprehensive plan for the development of the City of Saint Peter and recommend the City Council adopt the ordinance amendment as petitioned.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA DOES HEREBY ORDAIN:

Section 1. The following changes to City Code Chapter 24, “Land Use Regulations And Zoning: are hereby adopted:

Section 25-15:

(36) Visitor Habitation: Establishments primarily engaged in the provision of lodging services on a less than thirty (30) day basis with incidental food, drink and other sales and services intended for the convenience of guests. The following are visitor habitation use types:

a. Vacation Rental by Owner: A dwelling designed and utilized as a single-family residence, managed by the property’s owner, and having bedroom accommodations for paying guests.

b. Vacation Rental by Owner (Homestead): An owner occupied dwelling designed and utilized as a single-family residence, managed by the property’s owner and having bedroom accommodations for paying guests.
c. Campground: Campground facilities providing camping or parking areas and incidental services for travelers in recreational vehicles or tents. Typical uses include recreational vehicle parks.

d. Hotel Motel: Lodging services involving the provision of room or board. Typical uses include hotels, motels or transient boardinghouses.

Section 24-39.

(3) Visitor Habitation: Vacation Rental by Owner (Homestead)

Section 24-40.

(3) Visitor Habitation: Vacation Rental by Owner

Section 24-74

(3) Visitor Habitation: Vacation Rental by Owner (Homestead)

Section 24-75 (3).

b. Visitor Habitation: Vacation Rental by Owner

Section 24-99.

(3) Visitor Habitation: Vacation Rental by Owner (Homestead)

Section 24-100 (2)

f. Visitor Habitation: Vacation Rental by Owner

Section 24-159 (3)

e. Visitor Habitation: Vacation Rental by Owner (Homestead)

Section 24-160 (3)

f. Visitor Habitation: Vacation Rental by Owner

Section 2.

All provisions of Chapter 1 of the Saint Peter City Code are made a part hereof and applicable to this Ordinance.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota this 28th day of January, 2019.

ATTEST:  

______________________________  ________________________________

Todd Prafke  Charles Zieman

City Administrator  Mayor

The foregoing Ordinance was adopted by the following votes:
Ayes:
Nays:
Absent
Published in the Saint Peter Herald on _________________, 2019.
After the Campaign Is Over: Aim for Exceptional

The 2018 midterm election cycle was one of the most divisive, polarizing and competitive election cycles in recent U.S. history. And Election Day came on the heels of an extraordinarily contentious battle over filling a Supreme Court seat — a clash that left some wondering if democracy had reached a new low.

The November ballot in California included 11 statewide ballot initiatives, with proponents and opponents of those measures contributing over $368 million to win. In addition to voting on ballot measures, California voters elected Assembly and Senate members, a new governor, lieutenant governor, treasurer, controller and superintendent of public instruction, among others. Golden State voters also re-elected Sen. Dianne Feinstein (D-Calif.) for a sixth term and sent 53 returning and newly elected members to the U.S. House of Representatives, where Democrats captured the majority.

Election Day also saw significant action at the local level, where hundreds of Californians ran for local government offices, including city council, mayor, sheriff and more. Besides electing local leaders, California voters weighed in on 386 local tax and bond measures and approved over 300 to support local public services and facilities for police, fire, housing, parks, transportation and schools.

Campaigns and Sharp Contrasts

Campaigns and elections, at their core, often accentuate what divides us. They are designed to set a given candidate or issue apart from another. In a campaign, candidates strive to present their positions on policy issues or problems as sharply contrasting with those of their opponents. It's all part of the effort to persuade voters and win their votes.

At the municipal level, this can take on a highly personal tone, as local officials regularly find themselves campaigning against an opponent who is also their neighbor or fellow council member. He or she may shop at the same grocery store as you, may attend the same place of worship and visit the same commercial establishments and local farmers markets. Your children may even attend the same school. In other words, your opponent is often no stranger.

Moving From Campaigning to Collaborating

However, after the campaign is over, the final ballots have been counted (which may take several weeks) and the oaths of office taken, your constituents — those who voted for you and those who may not have — expect their officials to faithfully and impartially perform and discharge the duties of their office according to the law and the best of their ability, as the oath of office requires. These duties include collaborating with council colleagues (and sometimes former opponents) and others in City Hall to:

• Protect the public’s safety;
• Improve the quality of life by effectively delivering essential community services;
• Grow the local economy;
  • Create jobs;
  • Be a responsible steward of public resources; and more.

Campaigns may highlight our differences; however, after every election, thousands of elected city officials make the transition beyond divisive campaign rhetoric to effective governance and carry out the duties that voters expect them to fulfill. This transition is a hallmark of a functioning democracy. And presumably that is why, according to a 2018 Pew Research report, two-thirds (67 percent) of Americans surveyed had a favorable opinion of their local government, compared with only one-third (35 percent) who viewed the federal government favorably.

When writing this column, I thought about my time serving as director of the Department of Metropolitan Development for Indianapolis and later as deputy mayor under former Mayor Bart Peterson. In a partisan election system, Peterson was the first Democratic mayor elected since 1967 and would share governing with a 29-member city-county council led by a Republican majority.

Peterson wasted no time transitioning from candidate to mayor of the nation’s then-12th largest city. He turned his attention to carrying out his campaign promises, which included improving the delivery of services to all neighborhoods. This soon became the focus of my role in the administration. Like Peterson, I quickly realized there were no Republican or Democratic potholes, just dangerous potholes that constituents expected the city to repair.

Immediately after the election, the mayor began visiting diverse neighborhoods throughout the city to meet with residents, some of whom had voted for him and others who had not, to understand their priorities and what they needed from their local government. While not every neighborhood leader agreed with his priorities, they were included in the decisionmaking process regardless of how they had voted. Peterson was also inclusive in his outreach and collaboration with all city-county council members — four who were elected at large and 25 who were elected in districts; some were Republicans and others were Democrats.

Although local government races in California are nonpartisan, it can still be challenging to put aside the competitive mindset after the election is over and work together as a cohesive team to do what’s best for the community.

The Qualities of Exceptional Councils

As we move beyond the 2018 midterm election cycle, I believe the public will continue to look favorably on local government and a functioning local democracy if newly elected and re-elected mayors and council members embrace the following attributes of exceptional councils.

Exceptional councils develop a sense of team — a partnership with the city manager to govern and manage the city. The mayor, council members and city manager see themselves as a team in a joint endeavor as they undertake a series of tasks to achieve their common purpose. The individual team members work in a coordinated and collaborative manner with a high degree of respect, trust and openness. The team values diversity in styles and perspectives, and it thinks and acts strategically as it examines issues and situations and decides on a course of action serving the city’s mission and goals.

Exceptional councils have clear roles and responsibilities that are understood and adhered to. Exceptional councils understand their role is to serve as policymakers — to represent the
community’s values, beliefs and priorities while serving in its best interest. They carry out a variety of responsibilities, including:

• Developing and adopting a vision for the city;
• Focusing and aligning plans, policies, agreements and budgets to advance this vision; and
• Holding themselves and the city manager accountable for results.

Exceptional councils understand that the city manager is responsible for the city’s day-to-day operations and for undertaking and accomplishing the council’s policy objectives. The exceptional council recognizes the subject matter expertise of staff and uses that knowledge and experience to guide and inform decision making.

Exceptional councils honor the relationship with staff and each other. Such councils understand that a good working relationship with staff is vital for the city to be run successfully. Exceptional councils treat each other and staff with dignity and respect. They act with civility and a high level of professional decorum. Council members build trust by not playing the “gotcha game” and strive to take a “no secrets, no surprises” approach as the operating norm. Finally, they respect the diversity of styles and perspectives among their colleagues and staff and are open to new ideas.

Exceptional councils routinely conduct effective meetings. Open and public meetings are central to democratic decision making. Exceptional councils master the art of effective meetings. They:

• Develop and adhere to meeting protocols and processes;
• Spend time planning and organizing the agenda with the aim of having a focused meeting;
• Allocate the council’s time and energy appropriately, focused on its role and responsibilities and on meeting short- and long-term priorities; and
• Honor the public’s participation and engagement.

Such meetings generally start on time and are held during reasonable hours.

Exceptional councils use public meetings not only for their intended purpose, information sharing and decision making, but also as an opportunity to demonstrate respect and civility for each other, staff and the public. The council members review the necessary materials and prepare ahead of the meeting. They stay focused on the city’s goals and objectives and remain mindful of their role and responsibilities.

Exceptional councils hold themselves and the city accountable. They operate openly and ethically and work to engage residents in myriad decisions affecting the community’s prosperity and well-being. Toward that end, exceptional councils consistently provide short- and long-term strategic direction and goals as well as budget, program and policy oversight.

Exceptional councils hold themselves accountable for their conduct, behavior and effectiveness. They establish clear priorities and goals and hold the city manager accountable for results. And finally, they embrace accountability as a process and tool to calibrate ongoing efforts to address and meet policy and program objectives.

Exceptional councils have members who practice continual personal learning and professional development. Governance is not intuitive. In addition, the policy and economic environments impacting cities are ever changing. Exceptional councils continually find ways to build their
knowledge and skills, enhance their understanding of key issues, increase their awareness of best practices and sharpen their leadership and governance skills.

This material is drawn from resources provided by the Institute for Local Government. For more information on effective governance, visit www.ca-ilg.org/effective-governance.

**Focusing on What Unites Us**

Leading in a post-election environment can be challenging, but our democracy depends on it. As the League’s executive director, I am inspired every day by the efforts of city managers, council members, mayors and city staff to bridge what divides us and to focus instead on the ties that unite us as individuals and communities.
About us

In 1997, a group of rural Minnesota advocates came together to create a rural policy “think tank” that would provide policy makers, rural advocates and concerned citizens with an objective, unbiased and politically unspun examination of today’s rural issues.

✓ Based in Greater Minnesota, serving Greater Minnesota.
✓ A non-partisan, non-profit policy research organization.
✓ Dedicated to providing Minnesota’s policy makers with an unbiased evaluation of issues from a rural perspective.
Many issues unite rural and urban regions

- Poverty.
- Poverty is recognizable across the state.
Many issues unite rural and urban regions

An aging population.
Every part of the state is expected to gain senior population and lose workforce-age population.
Some regions are aging faster than others.
Many issues unite rural and urban regions

- **Child care.**
- A metro and rural problem, but for different reasons.
  - Metro: shortage of affordable child care.
  - Rural: shortage of any child care.
Other issues separates us

- **Age.**
- Residents of Greater Minnesota tend to be older.
- Different ages often have different perspectives on issues.
Other issues separates us

- **Income.**
- Rural counties tend to lag behind metro counties in income.
- Affects resources, tax base, basic needs, etc.
- Western and southern counties can be especially affected by the volatile ag industry.
Other issues separates us

- **Culture & ideology.**
- There are significant ideological differences throughout the state.
What really separates us?

- Distance and low population density.

Hennepin County, 607 sq. mi. Pop. 1.23 million

U.S. Census, 2016 estimates

© Center for Rural Policy & Development 2019
What really separates us?

- Distance and low population density.
- They often make problems more difficult, more expensive.
- They make Greater MN’s issues less visible and as a result, harder to understand.
What we work to communicate

- Understanding the landscape.
- Each community is shaped by its average age, mix of races, mix of industries, heritage, attitude.
- Their problems have causes and solutions that are different from what they would be in the Twin Cities.
- Each community has its own set of needs and needs its own plan.

Percentage of workforce in farming, 2014.

© Center for Rural Policy & Development 2019
Building bridges

First...

- We talk with rural experts, the people dealing with issues every day.
- We gather information through original research, state and federal data, and interviews.
- We think hard about the best way to present the information.

Then...

- We talk with legislators, state officials and other policymakers about these issues, what makes us different and the same.
- We try to have real conversations.
- We do not present solutions. We present information to help policymakers develop solutions.
This year’s research

Released research:

- Finding work or finding workers: Part 1, job vacancies
- It’s an addiction crisis: The opioid crisis is more than just opioids
- The workforce housing shortage: Getting to the heart of the issue
- A snapshot of enrollment trends in rural Minnesota

Upcoming research:

- The high cost of health care insurance for individual buyers
- Finding work or finding workers: Parts 2, 3 & 4
- The intersection of mental health and local government
- School funding: Looking at the differences among urban, suburban & rural districts.
- Cost of living in Greater MN

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Building bridges

- We work to cut through the noise and dispel us vs. them thinking.
- Because, when you get right down to it...
Building bridges

- Are we really all that different?

Minneapolis, MN

Garrison, MN
Thank You!

www.ruralmn.org
TAKE AWAYS AND PRIORITIES

Is your Cup of Rocks Full?

Your meeting structure

- What is your favorite meeting?
  - Why?

- More concerns about meetings and length
  - Talk about less
  - Talk less
  - Don’t ask Don’t tell 😊
  - More written materials (Blue Sheet, No meeting workshop)
  - Other ideas