I. CALL TO ORDER

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES
1. March 26, 2018 Regular Meeting
2. March 29, 2018 Special Meeting

IV. PUBLIC HEARING
A. Nicollet County Campus Rezoning Request

V. VISITORS
A. Scheduling of Visitor Comments on Agenda Items
B. General Visitor Comments

VI. APPROVAL OF CONSENT AGENDA ITEMS

VII. UNFINISHED BUSINESS
A. 2018 Hospital Project Funding

VIII. NEW BUSINESS
A. Nicollet County Campus Rezoning Request
B. Revolving Loan Request: The Pulse
C. Construction Standards Modifications
D. Police Vehicle Purchases

IX. REPORTS
A. MAYOR
   1. "Arbor Day" Proclamation
   2. Others
B. CITY ADMINISTRATOR
   1. Tornado Commemoration Event
   2. Board of Equalization Meeting – April 17th
   3. Solace Project Meeting With Senator Smith
   4. City/County Meeting Schedule – April 25th
   5. Joint Hospital Commission/City Council Meetings – April 19th
   6. Others

X. ADJOURNMENT
CALL TO ORDER

Mayor Zieman will call the meeting to order and lead the Pledge of Allegiance.

APPROVAL OF AGENDA

A motion to approve the agenda, as posted in accordance with the Open Meetings Law, will be entertained. A MOTION is in order.

APPROVAL OF MINUTES

Copies of the minutes of the March 26, 2018 regular Council meeting and the March 29, 2018 special City Council meeting are attached for approval. MOTIONS are in order.

PUBLIC HEARING

A. REZONING REQUEST SUBMITTED BY NICOLLET COUNTY

A public hearing has been scheduled at this time regarding a request from the Nicollet County Board of Commissioners to rezone certain property from (RP-1) Residential/Professional Office to (CBD) Central Business District. Notice of the hearing has been duly published in the Saint Peter Herald and posted on the City's website. It is appropriate at this time to receive public comment on the proposed rezoning of certain properties. Action to consider the issue is scheduled under NEW BUSINESS.

VISITORS

A. Scheduling of Visitor Comments On Agenda Items

Members of the audience wishing to address the Council with regard to an agenda item later in the meeting should be noted at this time.

B. General Visitor Comments

Members of the audience wishing to address the Council concerning items not on the agenda may do so at this time.

APPROVAL OF CONSENT AGENDA ITEMS

The consent agenda, including approval of the schedules of disbursements for March 8, 2018 through March 21, 2018 is attached. Please see the attached staff reports and RESOLUTION.
VII. UNFINISHED BUSINESS

A. ADOPTION OF RESOLUTIONS RELATED TO 2018 HOSPITAL EXPANSION PROJECT FINANCING

The Council accepted the USDA’s conditions for the proposed financing for the 2018 Hospital Expansion Project as part of a special meeting held on March 29, 2018. Nine additional actions need to be taken by the City Council related to that loan. Please see the attached staff report and RESOLUTIONS.

VIII. NEW BUSINESS

A. ADOPTION OF AN ORDINANCE PROVIDING FOR REZONING OF CERTAIN PROPERTIES AS PETITIONED BY NICOLLET COUNTY

Following the public hearing and posting of the proposed City Code changes as required by State law, it is appropriate for the Council to consider the petition submitted by Nicollet County for rezoning of certain properties owned by the County located along South Front Street and the recently vacated portion of the Myrtle Street right-of-way lying easterly of South Front Street. Please see the attached staff report and ORDINANCE.

B. ADOPTION OF A RESOLUTION APPROVING MODIFICATION TO TERMS OF A REVOLVING LOAN PREVIOUSLY PROVIDED TO RACHEL MORE, DBA THE PULSE FITNESS STUDIO

The Economic Development Authority recommends approval of a request submitted by Rachel More, d.b.a. the Pulse Fitness Studio for modification to the terms of a previously provided revolving loan to extend the balloon payment due date to February 1, 2020. Please see the attached staff report and RESOLUTION.

C. ADOPTION OF A RESOLUTION APPROVING MODIFICATION TO CERTAIN CONSTRUCTION STANDARDS AND ADOPTION OF NEW STANDARDS RELATED TO PLANTINGS

The City Council has previously adopted several standards for construction of public improvements in the community. These are reviewed on a regular basis to ensure compliance with State and Federal standards and updated based on changes in construction methods and materials. New standards are also occasionally put in place. Staff recommends changes to several existing standards and the creation of new standards related to plantings in public improvement areas. Please see the attached staff report and RESOLUTION.
D. ADOPTION OF A RESOLUTION APPROVING PURCHASE OF POLICE VEHICLES FUNDED BY 2016 AND 2017 EQUIPMENT CERTIFICATES AND GENERAL FUND

Staff recommends replacement of two Police squad cars by purchase of two 2018 Dodge Charger Special Edition vehicles from Lager's, Inc. Funding for the purchases will be from the funds remaining in the 2016 and 2017 equipment certificates (as outlined in the proposed resolution), the 2018 Police Department budget and General Fund reserves. The proposed resolution also provides funding for transfer of equipment from to the new vehicles and installation of the Police graphics package on both new vehicles. Please see the attached staff report and RESOLUTION.

IX. REPORTS

A. MAYOR

1. REPORT ON "ARBOR DAY" PROCLAMATION

Mayor Zieman will proclaim April 27th as "Arbor Day" in the community.

2. OTHERS

Any reports by the Mayor will be provided at this time.

B. CITY ADMINISTRATOR

1. REPORT ON TORNADO COMMEMORATION EVENT

A report will be provided on the 20th anniversary tornado commemoration event held on March 29th.

2. REPORT ON BOARD OF EQUALIZATION MEETING

A report will be provided at this time on the April 17th Board of Equalization meeting which will begin at 6:00 p.m. in the Governors' Room of the Community Center.

3. REPORT ON SOLACE PROJECT MEETING

A report will be provided at this time on the recent meeting with Senator Tina Smith regarding the Solace Project.

4. REPORT ON CITY/COUNTY MEETING

The next City/County meeting is scheduled for April 25, 2017. A report will be provided at this time.
5. REPORT ON JOINT HOSPITAL COMMISSION/CITY COUNCIL MEETINGS

A report will be provided at this time on the series of meetings scheduled for April 19th with the Hospital Commission and the City Council to discuss bids received for the 2018 Hospital Expansion Project. The two groups will meet in a Joint Committee of the Whole meeting beginning at 5:30 p.m. followed by a special Hospital Commission meeting at 6:15 p.m. and a special City Council meeting at 6:30 p.m.

6. OTHERS

Any further reports by the City Administrator will be provided at this time.

X. ADJOURNMENT
Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Saint Peter was conducted in the Governors' Room of the Community Center on March 26, 2018.

A quorum present, Mayor Zieman called the meeting to order at 7:00 p.m. The following members were present: Councilmembers Brand, Pfeifer, Carlin, Kvamme, Johnson, and Mayor Zieman. Absent was Councilmember Grams. The following officials were present: City Administrator Prafke, Assistant City Attorney Grean, and City Engineer Domras.

Approval of Agenda – Mayor Zieman reported that the action listed under "Unfinished Business" was being removed from the agenda until a future meeting. A motion was made by Pfeifer, seconded by Brand, to approve the agenda as modified. With all in favor, the motion carried.

Approval of Minutes – A motion was made by Johnson, seconded by Carlin, to approve the minutes of the March 12, 2018 regular City Council meeting. With all in favor, the motion carried and the minutes were approved. A complete copy of the minutes of the March 12, 2018 regular City Council meeting is contained in the City Administrator’s book entitled Council Proceedings 19.

Consent Agenda – In motion by Pfeifer, seconded by Carlin, Resolution No. 2018-40 entitled "Resolution Approving Consent Agenda" was introduced. Upon roll call, with all in favor, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2018-40 is contained in the City Administrator’s book entitled Council Resolutions 22.

2008B Hospital Revenue Bonds Refinancing – City Administrator Prafke recommended Council action related to the Economic Development Authority’s (EDA) action to refinance the 2008B Hospital Revenue Bonds. Prafke noted the action would save between $250,000-$300,000 on the bond cost and more importantly, result in removal of certain covenants from the initial issuance that required 125% of the year’s bond payment to be held in reserves. Prafke stated that covenant would be very restrictive when combined with the multi-million dollar construction debt issuance for the Hospital expansion. Councilmember Kvamme indicated his belief that the financing mechanism, which was the same used for the Community Center, "seems logical, reasonable and straightforward".

In motion by Johnson, seconded by Brand, Resolution No. 2018-41 entitled "Resolution Authorizing The Execution And Delivery Of A Lease With Option To Purchase Agreement, A Lease Agreement, A Memorandum Of Lease And Certificate Of Pricing Committee Related To EDA Refinancing Of 2008B Hospital Revenue Bonds" was introduced. Upon roll call, with all in favor, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2018-41 is contained in the City Administrator’s book entitled Council Resolutions 22.

2018 Equipment Certificate Purchase – Public Works Director Moulton requested authorization to purchase a 2018 2500 Ram truck (on the State bid contract) from Lager’s of Saint Peter in the amount of $27,767.91 and a box for the truck from Crysteel of Lake Crystal in
the amount of $7,562.06. Moulton indicated the purchase would include trade-in of a 2006 truck and would be funded by the 2018 Equipment Certificate. Moulton noted staff had also looked at a state bid program Ford truck, but recommended the slightly higher priced ($309) truck from Lager's which would lower the City's costs for any repairs or warranty work needed on the vehicle.

Councilmember Johnson questioned why in Minnesota a 4x4 wasn't being recommended compared to the 4x2. Moulton noted the truck is not used for plowing which negated the need for a 4x4 vehicle.

In motion by Carlin, seconded by Pfeifer, Resolution No. 2018-42 entitled "Resolution Authorizing 2018 Equipment Certificate Purchase Of 2018 Ram 2500 Tradesmen Regular Cab 4 x 2 And Utility Box" was introduced. Upon roll call, with all in favor, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2018-42 is contained in the City Administrator's book entitled Council Resolutions 22.

Reports

Mayor's Report – Mayor Zieman reminded the public of the Vietnam Veteran’s Day ceremony at the American Legion on March 29th beginning at 6:30 p.m.

Tornado Commemoration Event – City Administrator Prafke reminded everyone of the 20th anniversary tornado commemoration event that would be held on March 29th at 5:15 p.m. in the High School auditorium. Prafke noted the event was a time to celebrate the progress made in the community since the tornado and to thank all those who came to Saint Peter's assistance.

Joint City Council/School Board Committee of the Whole Meeting – City Administrator Prafke reported the City Council would meet as a Joint Committee of the Whole with the School District #508 Board on April 9th at 5:30 p.m. to discuss Community Spirit Park maintenance and amenities and other items. Prafke also noted the regular City Council meeting that evening would still begin at 7:00 p.m.

Special Meeting Notice – City Administrator Prafke reminded Councilmembers of the special City Council meeting scheduled for 8:00 p.m. on March 29th (after the tornado event) to consider acceptance of the USDA conditions letter for financing of the 2018 Hospital Expansion Project. Prafke noted the special meeting was necessary because interest rates for USDA loans would go up on April 1st.

Councilmember Brand reported on his attendance at Legislative Action Day at the Capitol with the Coalition of Greater Minnesota Cities and indicated discussion included a consensus that this year there would be less spending on large projects. Brand also noted a bill was being proposed to increase Local Government Aid by $30 million which, if passed, would only restore LGA to the 2002 level.

There being no further business, a motion was made by Pfeifer, seconded by Brand, to adjourn. With all in favor, the motion carried and the meeting adjourned at 7:20 p.m.

Charles Zieman
Mayor
ATTEST:

Todd Prafke
City Administrator
Pursuant to due call and notice thereof, a special meeting of the City Council of the City of Saint Peter was conducted in the Governors' Room of the Community Center on March 29, 2018.

A quorum present, Mayor Zieman called the meeting to order at 8:00 p.m. The following members were present: Councilmembers Grams, Brand, Pfeifer, Johnson, and Mayor Zieman. Absent were Councilmembers Carlin and Kvamme. The following official was present: City Administrator Prafke.

**USDA Conditions Letter Acceptance** – City Administrator Prafke presented a draft resolution accepting the conditions outlined by the United States Department of Agriculture (USDA) for a loan to the City (Hospital) for construction of the 2018 Hospital Expansion Project. Prafke noted that formal acceptance of the terms of conditions was recommended by both himself and the Hospital Commission and that failure to act before April would result in an increased interest rate for the loan package. Prafke noted the loan would be for the construction project and for refinancing of the current General Obligation (G.O.) debt on the hospital which would remove the local tax payer obligation related to the G.O. debt.

Hospital CEO Rohrich also addressed the Council to explain that the loan, with the refinancing, would be in the total amount of $45,876,000, at 3.5% interest for 35 years. Rohrich noted that some of the conditions of the loan included a $137,945 monthly payment (which had been included in the project feasibility study); creation of a debt reserve account that would require the Hospital to put 10% of the monthly loan payment into the account for the next ten years; maintaining at least a 1.25 debt service coverage ratio and at least 60 days of unrestricted cash on hand both of which the Hospital currently far exceeds; and maintaining fidelity bonds on certain employees of the Hospital.

Prafke noted that passing the resolution did not actually issue the debt, but rather established the resources for the debt and the debt, when the loan was finally closed, would result in a long-term mortgage for the project at the end of construction.

Mayor Zieman asked when the $5,000,000 planned to be issued through a commercial lender would take place. Rohrich indicated the debt placement was being coordinated by David Drown Associates and local lenders had already been contacted about participating in the bidding process on the loan.

Rohrich also noted the City Council would have 120 days to change their mind about the loan, but adoption of the resolution would lock in the interest rate and reserve the total amount of the loan for the City's project.
In motion by Pfeifer, seconded by Brand, Resolution No. 2018-43 entitled “Resolution Accepting Conditions Of United States Department Of Agriculture (USDA) Financing For 2018 Hospital Expansion Project” was introduced. Upon roll call, with all in favor, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2018-43 is contained in the City Administrator’s book entitled Council Resolutions 22.

There being no further business, a motion was made by Pfeifer, seconded by Grams, to adjourn. With all in favor, the motion carried and the meeting adjourned at 8:11 p.m.

Charles Zieman
Mayor

ATTEST:

Todd Prafke
City Administrator
Public hearings conducted at City Council meetings will include an opportunity for the general public and interested parties to hear and see all information and to ask questions, provide additional information, express support or opposition, and/or suggest modifications to the proposal.

The Mayor will conduct the public hearing. He/she will explain the procedure to be followed before the hearing begins. The public will be allowed to participate and must follow the rules of conduct. Hearings are formal proceedings and will be conducted as such. While everyone will be given an opportunity to participate, comments should be germane to the topic at hand and concise. If many people share the same viewpoint, the City Council encourages the appointment of a spokesperson to avoid repetitive testimony.

The public hearing will be conducted in the following manner:

1. **Staff Presentation** - City staff, or consultants employed by the City, will identify the issue of the hearing, explain any pertinent laws or regulations associated with the issue; and the steps being taken by the City.

2. **Applicant's Presentation** - In this portion of the hearing, the applicant (if applicable) has the opportunity to present his or her case. However, no statement either for or against the proposal should be accepted at this point.

3. **Public Comment** – Once staff and the applicant have completed their background information, the public will be allowed to speak.

All speakers in the public comment portion of the hearing will be limited to five (5) minutes. The Mayor may allow extended time at his/her discretion. All speakers will be encouraged to present factual evidence for public consideration and to refrain from broad statements without any basis of fact. Speakers may provide written materials to the Council. The Council will listen to testimony, but will refrain from engaging in discussion with the speakers.

After all evidence and testimony has been received and everyone has been given an opportunity to be heard, the public hearing will be closed by the Mayor. Action on the hearing issue may or may not be scheduled for later in the meeting. If action is to be taken, the City Council will discuss the issue in open session. During the Council discussion portion of the meeting, citizens will no longer be allowed to participate.
TO: Todd Prafke  
City Administrator  

FROM: Pete Moulton  
Public Works Director  
Tim Mayo  
Maintenance Superintendent  

DATE: 3/22/2018  

RE: Snow Removal Equipment Replacement Cutting Edges  

ACTION/RECOMMENDATION  

Approve the purchase of replacement cutting edges from H & L Mesabi Inc. of Hibbing, Minnesota in the amount of $9,223.04.  

BACKGROUND  

In preparing of snow plowing equipment for the Streets Department and the cost of steel going up, the replacement of cutting edges for inventory would be beneficial to purchase now versus in the fall. Quotes were solicited from three vendors.  

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Quote</th>
</tr>
</thead>
<tbody>
<tr>
<td>H &amp; L Mesabi, Inc.</td>
<td>$ 9,223.04</td>
</tr>
<tr>
<td>KRIS Engineering, Inc.</td>
<td>$ 9,321.76</td>
</tr>
<tr>
<td>Towmaster</td>
<td>$10,878.00</td>
</tr>
</tbody>
</table>

Staff recommends accepting the lowest cost quote from H & L Mesabi, Inc.. The City has purchased their products in the past and we have found the items to be of good quality for the price. Funding for this purchase is allocated in the Streets budget.  

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

PM/TM/amg
TO: Todd Prafke  
City Administrator

FROM: Cindy Moulton  
Administrative Secretary

RE: License Applications

DATE: 04/05/18

ACTION/RECOMMENDATION

Provide approval for several renewal license applications.

BACKGROUND

The St. Peter Chamber of Commerce has applied for a Temporary On Sale Beer License application in order to sell 3.2 beer at the annual 4th of July celebration. The event will take place at Minnesota Square Park on July 4, 2018.

The City has received several renewal applications for Tree Workers licenses. The licensing period will be May 1, 2018 – April 30, 2019.

Please place these items on the April 9, 2018 City Council consent agenda.
Memorandum

TO: Honorable Mayor Zieman
Members of the City Council

FROM: Todd Prafke
City Administrator

RE: Appointment of Sally Rheame-Vogel as Finance Director

DATE: 4/6/2018

ACTION/RECOMMENDATION

Appointment of Sally Rheame-Vogel as Finance Director at a starting salary of $84,000 with a $2,000 increase upon successful completion of probation.

BACKGROUND

Mayor and members have been a part of the recruitment and hire process for this positon since it was vacated by Paula O’Connell at the end of February.

As a part of the process we interviewed three candidates. Each candidate was also provided information about the City operations and given an opportunity to meet with Department Heads and Finance Staff, as well as interview with me. As a part of the City Code, it is my responsibility to recommend an appointment.

My recommendation to appoint Ms. Rheame-Vogel is based on a number of factors, some of which are:

- Ability to manage the finances of multiple entities, like our enterprise and general funds
- My perception of her commitment to the Community and the City organization
- My view of her ability to work with our management team
- Expertise in cost accounting, inventory management and cash management which I believe can translate well from her experience in the private sector to the public sector
- Demonstrated strong leadership skills
- Excellent technical accounting skills
- Excellent references and background check.

Our challenge will be her transition from the private sector to the public sector, but I believe her past work has clearly demonstrated that she is a fast and eager learner.

While any of the candidates you met with have the ability to meet the requirements of the position, I believe Ms. Rheame-Vogel stood apart through her questions and her enthusiasm to meet some of the important challenges that we will face. I believe she is of quality character and a “roll up her sleeves” worker; both of which are important to the City organization.

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

TP/bal
Memorandum

TO:         Todd Prafke  
            City Administrator

FROM:       Sandi Owen  
            Transit Operations Manager

RE:         Part-time Transit Support Specialist Appointment

DATE:       April 3, 2018

ACTION/RECOMMENDATION

Approve the hiring of two part-time Transit Support Specialists.

BACKGROUND

Transit is in need of two additional Part-Time Transit Support Specialists to complete the schedule for this position. Two candidates were interviewed and both are recommended for appointment as follows:

<table>
<thead>
<tr>
<th>NAME</th>
<th>WAGE RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Susan Prax</td>
<td>$15.38/hour</td>
</tr>
<tr>
<td>Patrick Jaeger</td>
<td>$16.50/hour</td>
</tr>
</tbody>
</table>

Mr. Jaeger, a current Bus Driver, is recommended to start at a higher wage due to his experience as a Driver.

Please include these appointments on the consent agenda for the regular City Council meeting of April 9, 2018.

If you have any further questions or need any additional information please contact me.
Memorandum

TO: Todd Prafke  
City Administrator

DATE: 03/26/2018

FROM: Pete Moulton  
Director of Public Works

RE: 2018 Seasonal Employees – Public Works

ACTION/RECOMMENDATION

Approve the appointment of seasonal employees for the Public Works Department.

BACKGROUND

Public Works staffing levels are supplemented each year by the appointment of seasonal employees to assist with summer workloads. Interviews have been concluded and it is recommend the seasonal appointment of the individuals shown below for positions in the Public Works Department.

<table>
<thead>
<tr>
<th>Name</th>
<th>Section</th>
<th>Wage</th>
<th>Start Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bob Lutz</td>
<td>Parks</td>
<td>$11.00</td>
<td>5/1/18</td>
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<tr>
<td>Frank Dorzinsky</td>
<td>Parks</td>
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<td>5/1/18</td>
</tr>
<tr>
<td>Elizabeth Enz</td>
<td>Parks</td>
<td>$10.25</td>
<td>5/1/18</td>
</tr>
<tr>
<td>Noah Becker</td>
<td>Parks</td>
<td>$10.25</td>
<td>5/1/18</td>
</tr>
<tr>
<td>Jack Albrecht</td>
<td>Parks</td>
<td>$10.50</td>
<td>5/1/18</td>
</tr>
<tr>
<td>Roger Skattum</td>
<td>Parks</td>
<td>$10.25</td>
<td>5/1/18</td>
</tr>
<tr>
<td>Cody Paul</td>
<td>Parks</td>
<td>$10.50</td>
<td>5/1/18</td>
</tr>
<tr>
<td>Alan Erickson</td>
<td>Streets</td>
<td>$10.25</td>
<td>5/1/18</td>
</tr>
<tr>
<td>Jordan Hermel</td>
<td>Streets</td>
<td>$10.25</td>
<td>5/1/18</td>
</tr>
<tr>
<td>Neal Hanson</td>
<td>Streets</td>
<td>$10.50</td>
<td>5/1/18</td>
</tr>
<tr>
<td>Kate Schilling</td>
<td>Stormwater</td>
<td>$10.50</td>
<td>5/1/18</td>
</tr>
<tr>
<td>Kinsale Morrow</td>
<td>Stormwater</td>
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<td>5/1/18</td>
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<tr>
<td>Steve Scholl</td>
<td>Stormwater</td>
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<td>Jim Siewert</td>
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<td>Tom Tepley</td>
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<td>Robert Wendelschafer</td>
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<td>5/1/18</td>
</tr>
<tr>
<td>Tyrell Galetka</td>
<td>Stormwater</td>
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<td>5/1/18</td>
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<tr>
<td>Ken Krenik</td>
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<td>5/1/18</td>
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<tr>
<td>Keith Bense</td>
<td>Wastewater/Water</td>
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<td>5/1/18</td>
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<td>Louis Schilman</td>
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<tr>
<td>James Vickery</td>
<td>Wastewater</td>
<td>$11.00</td>
<td>5/1/18</td>
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The wages indicated are based on the Council approved seasonal position wage levels.

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

PM/ amg
TO: Honorable Mayor Zieman  
Members of the City Council

FROM: Todd Prafke  
City Administrator

RE: Surplus Property Declaration

ACTION/RECOMMENDATION

Declare the drop box previously used at City Hall as surplus and authorize disposal of the equipment as provided for in the City Code.

BACKGROUND

In 2017 the glass at the front of City Hall was replaced and the drop box that had been inserted into the glass panels was removed. Customers now use only the drop box located next to the flag pole.

No other City uses were identified for the drop box and at this time I am recommending the equipment be declared as surplus property and staff be authorized to dispose of the box as outlined by the City Code. Any proceeds generated by the sale or scrapping of the box will be returned to the General Fund.

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

TP/bal
<table>
<thead>
<tr>
<th>VENDOR SORT KEY</th>
<th>DESCRIPTION</th>
<th>FUND</th>
<th>DEPARTMENT</th>
<th>AMOUNT</th>
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<tbody>
<tr>
<td>ALL AMERICA PRESSURE WASHER MFG., INC.</td>
<td>pressure washer repair</td>
<td>STORMWATER FUND</td>
<td>COLLECTIONS/LIFT STATION</td>
<td>200.00</td>
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<td></td>
<td></td>
<td></td>
<td>TOTAL:</td>
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<tr>
<td>BATTERIES PLUS</td>
<td>flashlight batteries</td>
<td>GENERAL FUND</td>
<td>FIRE</td>
<td>106.20</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>TOTAL:</td>
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</tr>
<tr>
<td>BGMN, INC</td>
<td>oil conditioner</td>
<td>GENERAL FUND</td>
<td>STREETS</td>
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</tr>
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<td></td>
<td>oil conditioner</td>
<td>GENERAL FUND</td>
<td>PARKS</td>
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<tr>
<td></td>
<td>oil conditioner</td>
<td>WATER</td>
<td>DISTRIBUTION AND STORAGE</td>
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<tr>
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<td>WASTE WATER FUND</td>
<td>SOURCE/TREATMENT</td>
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<tr>
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<td>ENVIRON SERVICES F</td>
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<tr>
<td>BOBCAT OF MANKATO</td>
<td>bobcat repair</td>
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**GREAT NORTHERN ENVIRONMENTAL LLC**

**TOTAL:** 11,245.16

**JAMES GRUHOT**

**TOTAL:** 23.00

**GUSTAVUS ADOLPHUS COLLEGE-DINING**

**TOTAL:** 154.08

**CHARLES HAWKES**

**TOTAL:** 15.00
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TOTAL: 15.00

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TOTAL: 180.70

TOTAL: 174.97

TOTAL: 253.50

TOTAL: 98.61

TOTAL: 85.83

TOTAL: 14.40

TOTAL: 227.86

TOTAL: 59.33

TOTAL: 490.00

TOTAL: 85.00

TOTAL: 85.00

TOTAL: 48.75

TOTAL: 4.72

TOTAL: 265.19

TOTAL: 54.00

TOTAL: 339.90

TOTAL: 132.36

TOTAL: 39.00

TOTAL: 3.77

TOTAL: 340.00

TOTAL: 13.57

TOTAL: 58.38

TOTAL: 255.49

TOTAL: 20.00
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| VON ESSEN TOWING |

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TOTAL PAGES: 8
CITY OF SAINT PETER, MINNESOTA

RESOLUTION NO. 2018 -

STATE OF MINNESOTA)
COUNTY OF NICOLLET)
CITY OF SAINT PETER)

RESOLUTION APPROVING CONSENT AGENDA

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAINT PETER, NICOLLET)
COUNTY, MINNESOTA, THAT:

1. The following budgeted purchases in excess of $7,500 are hereby approved:

<table>
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<th>VENDOR</th>
<th>ITEM</th>
<th>PRICE</th>
<th>FUNDING</th>
</tr>
</thead>
<tbody>
<tr>
<td>H &amp; L Mesabi Inc.</td>
<td>Cutting Edges</td>
<td>$9,223.04</td>
<td>General</td>
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2. The following renewal licenses are hereby approved contingent upon payment of the licensing fee and compliance with City Code regulations:

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<th>Temporary 3.2 On Sale Beer</th>
<th>St. Peter Chamber of Commerce</th>
<th>MN Square</th>
<th>7/4/18</th>
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<tr>
<td>Tree Workers License</td>
<td>L &amp; E Tree Service</td>
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<td>L &amp; E Tree Service</td>
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<td>5/1/18 – 4/30/19</td>
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<tr>
<td>Perfection Landscaping &amp; Patio</td>
<td>Quality Tree Service</td>
<td>5/1/18 – 4/30/19</td>
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<tr>
<td>Quality Tree Service</td>
<td>Tooltime's Handyman</td>
<td>5/1/18 – 4/30/19</td>
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</table>

3. The following regular employee appointments are hereby approved at the wage/salary indicated:

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<thead>
<tr>
<th>NAME</th>
<th>POSITION</th>
<th>WAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sally Rheaume-Vogel</td>
<td>Director of Finance/Treasurer</td>
<td>$84,000/year</td>
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<tr>
<td>Susan Prax</td>
<td>PT Transit Support Specialist</td>
<td>$15.38/hour</td>
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<tr>
<td>Patrick Jaeger</td>
<td>PT Transit Support Specialist</td>
<td>$16.50/hour</td>
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</table>

4. The following seasonal employee appointments are hereby approved at the wages shown:

<table>
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<tr>
<th>NAME</th>
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<th>WAGE /HR</th>
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</thead>
<tbody>
<tr>
<td>Bob Lutz</td>
<td>Parks Laborer</td>
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<tr>
<td>Frank Dorzinsky</td>
<td>Parks Laborer</td>
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</tr>
<tr>
<td>Elizabeth Enz</td>
<td>Parks Laborer</td>
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</tr>
<tr>
<td>Noah Becker</td>
<td>Parks Laborer</td>
<td>$10.25</td>
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<tr>
<td>Jordan Hermel</td>
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</tr>
<tr>
<td>Jack Albrecht</td>
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</tr>
<tr>
<td>Roger Skattum</td>
<td>Parks Laborer</td>
<td>$10.25</td>
</tr>
<tr>
<td>Cody Paul</td>
<td>Parks Laborer</td>
<td>$10.50</td>
</tr>
</tbody>
</table>
5. The drop box previously used for receipt of utility payments, and for which the City no longer has a need, is hereby declared as surplus property and staff is authorized to dispose of the equipment as provided for in the City Code.

6. The schedule of disbursements for March 22, 2018 through April 4, 2018, are hereby approved.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota this 9th day of April, 2018.

______________________________
Charles Zieman
Mayor

ATTEST:

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

DATE: 4/5/2018  

FROM: Todd Prafke  
City Administrator  

RE: Unites States Department of Agriculture (USDA) Letter of Conditions  

ACTION/RECOMMENDATION  

Approve the attached series of resolutions providing authority for the Mayor and City Administrator to sign documents related to loans and conditions provided by USDA  

BACKGROUND  

Members know much of the history of the Hospital expansion project and have discussed a number times the process for financing of the project through USDA. The Council has previously approved the Letter of Conditions and the attached resolutions represent the next step in the process.  

The resolutions are divided into four sets of two resolutions; one set for each loan. The reason for 4 sets (four loans) is that USDA has guidelines related to no one loan being more than $10 million. You will note each of the loans is a slightly different amount, with each being less than that $10 million.  

The ninth resolution is one that was drafted by your Bond Counsel and provides direction to your staff related to the terms of the final loan documents which have the final word on the conditions of the loans. The ninth resolution provides clarity on those items that need to be addressed that are not contemplated in the general forms that are the first four sets of resolutions. Another way to think about this is that the first four sets of resolutions have terms that are not planned to be in place at closing and USDA does not provide opportunity for changes in their pre-established forms and the ninth resolution sets our positon for the final closing documents which have the terms we have planned for. Again, it is important to note that these loans will not close for about thirty-six (36) months. It is also important to note your Bond Counsel will be drafting the closing documents.  

This action or step, coupled with any actions you take related to acceptance of bids, puts you on a track to completion of the financing and building of the project. There is no one action that is the trigger within the entire process we have envisioned.
To be clear, you will not have USDA funds until the end of the project construction. The USDA is not a funder of construction. They are more like a mortgage holder. Using the example of building a house; we would still need to have construction financing which would be done much like you see most of our other debt issuances, but for a length of term of about 36 months.

As you know there are many actions that need to take place and our goal is to put them in front of the Council in a logical order so the project can move forward.

**FISCAL IMPACT:**

This funding includes the refinancing of the current General Obligation (G.O.) debt that the Hospital carries with a balance of about $10,000,000. The long term financing is promised at a 3.5% interest rate. Interest on the other funding sources and “construction” will be set as it is issued.

<table>
<thead>
<tr>
<th>Project Funding Source</th>
<th>Funding Amount</th>
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<tbody>
<tr>
<td>Community Facilities Direct Loan</td>
<td>$33,320,000</td>
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<tr>
<td>Commercial Lender</td>
<td>$ 5,000,000</td>
</tr>
<tr>
<td>River’s Edge Hospital &amp; Clinic</td>
<td>$ 7,556,000</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>$45,876,000</strong></td>
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</table>

**ALTERNATIVE AND VARIATIONS:**

Do not act. Staff will wait for your direction. Since you have now locked in the allocation of funds and the interest rate, this action could wait, but action now helps us be on target to be in the ground as spring approaches.

Negative vote. Staff will assume you no longer wish to pursue USDA financing. If that is the case, we will need to go back through a number of studies and analyses to determine if the project should or could move forward under an alternative financing method. If you no longer wish to pursue the project, it will take me a bit of time to figure out how to untangle the actions you have undertaken. Please note that you have already taken actions that commit certain amounts of financial resources for work that has already been completed.

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.
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAINT PETER AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS IN THE PRINCIPAL AMOUNT OF $9,900,000.00 FOR THE PURPOSE PROVIDING A PORTION OF THE COST OF ACQUIRING AND CONSTRUCTING A HOSPITAL EXPANSION, PROVIDING FOR THE COLLECTION, HANDLING, AND DISPOSITION OF REVENUES THEREFROM, AND AUTHORIZING MAKINGS OF PROMISSORY NOTES, SECURITY INSTRUMENTS, AND PLEDGES OF REVENUES TO EVIDENCE AND SECURE THE PAYMENT OF SAID INDEBTEDNESS AND FOR RELATED PURPOSES

WHEREAS, the City of Saint Peter, (hereinafter referred to as the "Organization"), was organized under Minnesota Statutes Chapter 412 and 447 for the purpose of providing a local unit of government to establish and operate a hospital (hereinafter referred to as the "Facility") to serve the members of the said Organization; and

WHEREAS, a meeting of the members of the said Organization was held on the 29th day of March 2018 pursuant to proper notice thereof to consider plans for the acquisition, construction and methods of financing the Facility, and as shown by the minutes of said meeting, of the seven (7) members of record of the Organization there were present and voting five (5), and by a recorded vote, the Facility and its financing were authorized; and

WHEREAS, the proposed Facility is to be constructed and in accordance with plans and specifications prepared by Johnson Johnson Crabtree Architects PC and in order to finance the Facility, the City Council (hereinafter referred to as the "Board") is authorized and empowered, in their discretion, for and in the name of the Organization, to make application to the United States of America, through the United States Department of Agriculture, (hereinafter referred to as the "Government"), for financial assistance; to cause the execution and delivery of an installment promissory note or notes or other evidence of indebtedness (hereinafter referred to as the "Note"), and appropriate security instruments to secure any loan or loans made or insured by the Government; to comply with any requirements, terms or conditions prescribed by the Government or by Government regulations; and to execute contracts or enter into agreements and, without limitation, to take any and all other action as may be necessary, incidental or appropriate to finance, acquire, construct, complete, or equip the Facility and on behalf of the Organization.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA, THAT:

Section 1. (Determination of Board). That it is necessary to defray a portion of the costs of financing the Facility by obtaining a loan made or insured by the Government in accordance with applicable provisions of the Consolidated Farm and Rural Development Act, it being determined that the Organization is unable to obtain sufficient credit elsewhere to finance the Facility, taking into consideration prevailing and cooperative rates and terms currently available;

Section 2. (Terms of Loan). That the Organization borrow $9,900,000.00 and issue as evidence thereof Note in the form prescribed by the Government for the full principal amount of the loan. The note shall be signed by the President, attested by the Secretary and if necessary, have the corporate seal of the Organization affixed thereto, and shall bear interest from its date, which shall be the date of delivery, at a rate not to exceed 3.5000 percent per annum; the
principal and interest shall be paid over a period of 35 years in accordance with the payment schedule set forth in the Note, until the principal and interest are fully paid except the final payment of the entire indebtedness, if not sooner paid, shall be due and payable 35 years from the date of the Note. Each payment shall be applied first to the payment of the accrued interest and second to the payment of the principal. Prepayments of any installment may be made in any amount at any time at the option of the Organization.

Section 3. (Assignment and Pledge of Revenue). The indebtedness hereby authorized to be incurred, together with the interest thereon, shall be payable from the gross income and revenue to be derived from the operation of the Facility, a sufficient portion of which, to pay the principal and interest as and when the same shall become due, is hereby assigned, and pledge and shall be set aside for that purpose and this assignment and pledge shall extend to and include any assessments that may be levied pursuant to Section 5 (d) hereof.

Section 4. (Protection and Disposition of Funds). The Chief Financial Officer (CFO) of the Organization shall be the custodian of all funds of the Organization. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.

The CFO is hereby directed to establish the following accounts into which the current funds of the Organization, Note proceeds, the revenues from the Facility and any other income shall be deposited, which accounts shall be continually maintained, except as otherwise provided so long as the indebtedness hereby authorized remains unpaid.

(a) Construction Account. The proceeds of the Note, hereby authorized not disbursed contemporaneously with loan closing for incurred Facility costs, and at least the amount of $7,556,000.00 to be contributed by the Organization from the collection of initial connection fees, membership fees or contributions shall be deposited in an account designated as the Construction Account, which shall be established as required by the Government. Withdrawals from the construction account shall be made only on checks signed by the CFO of the Organization as authorized by the Board from time to time, and with prior concurrence of the Government. At the option of the Government, the construction account may be established as a "supervised bank account". Amounts in the supervised bank account exceeding $100,000 shall be secured by the depository bank in advance in accordance with 31 C.F.R. part 22. Withdrawals from a supervised bank account shall be made only on checks signed by the CFO of the Organization and countersigned by an authorized official of the Government. The Organization's share of any insurance or liquidated damages and other monies paid by defaulting contractors or their sureties will be deposited in the Construction Account to assure completion of the Facility. When all construction costs have been paid in full, any balance remaining in the Construction Account may be applied on the loan or sued for other authorized purposes that have been approved by the Government and the Construction Account shall be closed.

(b) General Account. As soon as the Facility becomes revenue producing, all funds received shall be set aside in an account to be designated as the General Account. Disbursements and transfers from this account shall be made for: debt service, operations and maintenance, and transfers to an account designated as the Reserve Account. Monies deposited in the General Account shall be used only in the manner and order as follows:

(1) Organizations making monthly Government debt service payments shall use the General Account for making such payments plus operating and maintenance expenses. Any remaining funds will be transferred from this account to the Reserve Account in accordance with (d) below.
(2) Borrowers making other than monthly Government debt service payments shall first use the General Account to pay operating and maintenance expenses. Then other transfers from this account will be made in the following order: (i) To an account designated as the Debt Service Account will be made in accordance with (c) below, (ii) Transfers to the Reserve Account will be made in accordance with (d) below.

(c) Debt Service Account. Organizations making other than monthly debt service payments, shall transfer subject to income availability from the General Account to the Debt Service Account, a sum not to increase the next installment on the note.

(d) Reserve Account. From the remaining funds in the General Account, after transfers and payments required in (b) (1) or (b) (2) and (c), there shall be set aside into the Reserve Account the sum of $4,098.60 each month until there is accumulated in that account the sum of $491,832.00 after which deposits may be suspended, except to replace withdrawals. When necessary, disbursements maybe use for payments due on the Note if sufficient funds are not available in the General or Debt Service Account. With the prior written approval of the Government, funds may be withdrawn for:

(1) Paying the cost of repairing or replacing any damage to the Facility which may have been caused by catastrophe, or

(2) Making extensions or improvements to the Facility.

Whenever disbursements are made from the Reserve Account, monthly deposits shall then be resumed until there is again accumulated the amount of $491,832.00, at which time deposits may be discontinued. Whenever there shall accumulate in the General Account, amounts in excess of those required in subsections (b) (1) and (2), (c), and (d), such excess will be used by the Organization to make prepayments on the loan or retained in the General Account. The accounts required in subsections (b) (1) and (2), (c) and (d) may be stablished and maintained as bookkeeping accounts or as separate bank accounts at the election of the Organization, unless otherwise directed by the Government.

Section 5. (Other Covenants and Agreements of the Organization). The Organization covenants and agrees that so long as the indebtedness hereby authorized remains unpaid:

(a) It will indemnify the Government for any payments made or losses suffered by the Government.

(b) It will comply with applicable state laws and regulations and continually operate and maintain the Facility in good condition.

(c) It will impose and collect such rates and charges that gross revenues will be sufficient at all times to provide for the payment of the operation and maintenance thereof and the installment payments on the Note and the maintenance of the various accounts herein created. All service rendered by or us of the Facility shall be subject to the full rates prescribed in the rules and regulations of the Organization.

(d) If, for any reason, gross revenues are insufficient, it will cause to be levied and collected such assessments as may be necessary to operate and maintain the Facility in good condition and meet installment payments on the Note as the same become due.

(e) It will (i) establish and maintain such books and records relating to the operation of the Facility and its financial affairs, (ii) will provide for the annual audit thereof in such manner as may be required by the Government, (iii) will provide the Government without its request a copy of each such audit, and (iv) will make and forward to the Government such additional information and reports as it may from time to time required.
(f) It will provide the Government, at all reasonable times, access to the Facility and all of its books and records so that the Government may ascertain that the Organization is complying with the provisions hereof and with the provisions of other instruments incident to the making or insuring of the loan.

(g) It will maintain at least such insurance and fidelity bond or employee dishonesty coverage as may be required by the Government.

(h) It will not borrow any money from any source or enter into any contract or agreement or incur any other liabilities in connection with making extensions or improvements to the Facility, exclusive of normal maintenance, without obtaining the prior written consent of the Government.

(i) It will not cause or permit any voluntary dissolution of the Organization or merge or consolidate with another organization, without obtaining the prior written consent of the Government. It will not dispose of, or transfer title to the Facility or any part thereof, including lands and interest in lands by sale, security instrument, lease or other encumbrance, without obtaining the prior written consent of the Government. Revenue, in excess of the amount required to maintain the accounts described by Section 4 herein, will not be distributed or transferred to any other organization or legal entity.

(j) It will not modify or amend its organizational documents, including any articles of incorporation or bylaws without the written consent of the Government.

(k) It will provide adequate service to all persons within the service area who can feasibly and legally be served and will obtain Government's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Organization or public body.

(l) All present and future contract rights, accounts receivable, and general intangibles arising in connection with the Facility are pledge as security for the loan.

(m) It will comply with the measures identified in the Government's environmental impact analysis for this Facility for the purpose of avoiding or reducing the adverse environmental impacts of the Facility's construction or operation.

Section 6. (Security Instruments). In order to secure the payment of the principal and interest of the Note, the President and Secretary of the Organization are hereby authorized and directed to execute and deliver good and sufficient lien instruments, where necessary, encumbering the properties and assets, both real and personal, constituting said Facility, as completed, or as the same may be thereafter extended, including an assignment and pledge of revenues and such other instruments as may be prescribed by the Government.

Section 7. (Refinancing). If at any time it shall appear to the Government that the Organization is able to refinance the amount of the indebtedness then outstanding, in whole or in part, by obtaining a loan for such purposes from responsible cooperative or private credit sources, at reasonable rates and terms for loans for similar purposes and periods of time the Organization will, upon request of the Government, apply for, and accept, such loan in sufficient amount to repay the Government and will take all such actions as may be required in connection with such loan.

Section 8. ("Equal Employment Opportunity under Construction Contracts and Nondiscrimination"). The President and the Secretary be and they are authorized and directed to execute for and on behalf of the Organization, Form RD 400-1, "Equal Opportunity Agreement", and Form RD 400-4 "Assurance Agreement".
Section 9. (Authorization of Officials). In the case of a grant in the sum not to exceed $0.00, the Organization hereby accepts the grant under the terms offered by the Government and that the ___ and ___ of the Organization are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant and the Organization hereby reserves to operate the Facility under the terms offered in said grant agreements.

Section 10. (Cross Default). Default under the provisions of this agreement or any instrument incident to the making or issuing of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Organization, and default under such instrument may be construed by the Government to constitute default hereunder.

Section 11. (Resolution of Contract). The provisions hereof and the provisions of all instruments incident to the making or insuring of the loan, unless otherwise specifically provided by the terms of such instruments, shall constitute a contract between the Organization and the Government or assignee so long as the note hereby authorized remains unpaid.

Section 12. (Effective Date). This resolution shall take effect and be in force from and after the 29th day of March 2018, being the date of its enactment.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 9th day of April, 2018.

______________________________
Charles Zieman
Mayor

ATTEST:

______________________________
Todd Praffke
City Administrator
RESOLUTION NO. 2018 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAINT PETER AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS HOSPITAL EXPANSION FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE

WHEREAS, it is necessary for the City of Saint Peter (hereinafter called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of $9,900,000.00 pursuant to the provisions of Minnesota Statutes Chapters 447 and 475; and

WHEREAS, the Association intends to obtain assistance from the Rural Housing Service, Rural Business – Cooperative Service, Rural Utilities Service, or their successor Agencies with the United States Department of Agriculture (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA, THAT in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.

2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).

3. To provide for, execute, and comply with Form RD 400-A, “Assurance Agreement” and Form RD 400-1, “Equal Opportunity Agreement,”, including an “Equal Opportunity Clause” which clause is to be incorporated into, or attached as a rider, to each construction contract and subcontracting involving in excess of $10,000.

4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal permissible source.

5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the
entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of the default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.

6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so without the prior written consent of the Government.

7. Not to defease the bonds, or to borrow money, enter into any contract or agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.

8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.

9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.

10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments of the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by the Government. No free service or use of the facility will be permitted.

11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.

12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request and to forward to the Government such additional information and reports as it may from time to time to require.

13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.

14. That if the Government requires that a reserve account be established and maintained, disbursements from that account may be used when necessary for payments due on the
bond if sufficient funds are not otherwise available. With the prior written approval of the Government, funds may be withdrawn for:

(a) Paying the cost of repairing or replacing any damage to the facility caused by catastrophe.

(b) Repairing or replacing short-lived assets.

(c) Making extensions or improvements to the facility.

Any time funds are disbursed from the reserve account, additional deposits will be required until the reserve account has reached the required funded level.

15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain the Government's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.

16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facilities construction or operation.

17. To accept a grant in an amount not to exceed $0 under the terms offered by the Government; that the ___ and ___ of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereby and the provisions of all instruments incident to the making or the insuring of the loan, unless specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 9th day of April, 2018.

Charles Zieman
Mayor

ATTEST:

Todd Prafke
City Administrator
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAINT PETER AUTHORIZING
AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS IN THE PRINCIPAL
AMOUNT OF $9,800,000.00 FOR THE PURPOSE PROVIDING A PORTION OF THE COST
OF ACQUIRING AND CONSTRUCTING A HOSPITAL EXPANSION, PROVIDING FOR THE
COLLECTION, HANDLING, AND DISPOSITION OF REVENUES THEREFROM, AND
AUTHORIZING MAKINGS OF PROMISSORY NOTES, SECURITY INSTRUMENTS, AND
PLEDGES OF REVENUES TO EVIDENCE AND SECURE THE PAYMENT OF SAID
INDEBTEDNESS AND FOR RELATED PURPOSES

WHEREAS, the City of Saint Peter, (hereinafter referred to as the “Organization”), was
organized under Minnesota Statutes Chapter 412 and 447 for the purpose of providing a local
unit of government to establish and operate a hospital (hereinafter referred to as the “Facility”)
to serve the members of the said Organization; and

WHEREAS, a meeting of the members of the said Organization was held on the 29th day of
March 2018 pursuant to proper notice thereof to consider plans for the acquisition, construction
and methods of financing the Facility, and as shown by the minutes of said meeting, of the
seven (7) members of record of the Organization there were present and voting five (5), and by
a recorded vote, the Facility and its financing were authorized; and

WHEREAS, the proposed Facility is to be constructed and in accordance with plans and
specifications prepared by Johnson Johnson Crabtree Architects PC and in order to finance the
Facility, the City Council (hereinafter referred to as the “Board”) is authorized and empowered,
in their discretion, for and in the name of the Organization, to make application to the United
States of America, through the United States Department of Agriculture, (hereinafter referred to
as the “Government”), for financial assistance; to cause the execution and delivery of an
installment promissory note or notes or other evidence of indebtedness (hereinafter referred to
as the “Note”), and appropriate security instruments to secure any loan or loans made or
insured by the Government; to comply with any requirements, terms or conditions prescribed by
the Government or by Government regulations; and to execute contracts or enter into
agreements and, without limitation, to take any and all other action as may be necessary,
incidental or appropriate to finance, acquire, construct, complete, or equip the Facility and on
behalf of the Organization.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAINT
PETER, NICOLLET COUNTY, MINNESOTA, THAT:

Section 1. (Determination of Board). That it is necessary to defray a portion of the costs of
financing the Facility by obtaining a loan made or insured by the Government in accordance
with applicable provisions of the Consolidated Farm and Rural Development Act, it being
determined that the Organization is unable to obtain sufficient credit elsewhere to finance the
Facility, taking into consideration prevailing and cooperative rates and terms currently available;

Section 2. (Terms of Loan). That the Organization borrow $9,800,000.00 and issue as
evidence thereof Note in the form prescribed by the Government for the full principal amount of
the loan. The note shall be signed by the President, attested by the Secretary and if necessary,
have the corporate seal of the Organization affixed thereto, and shall bear interest from its date, which shall be the date of delivery, at a rate not to exceed 3.5000 percent per annum; the principal and interest shall be paid over a period of 35 years in accordance with the payment schedule set forth in the Note, until the principal and interest are fully paid except the final payment of the entire indebtedness, if not sooner paid, shall be due and payable 35 years from the date of the Note. Each payment shall be applied first to the payment of the accrued interest and second to the payment of the principal. Prepayments of any installment may be made in any amount at any time at the option of the Organization.

Section 3. (Assignment and Pledge of Revenue). The indebtedness hereby authorized to be incurred, together with the interest thereon, shall be payable from the gross income and revenue to be derived from the operation of the Facility, a sufficient portion of which, to pay the principal and interest as and when the same shall become due, is hereby assigned, and pledge and shall be set aside for that purpose and this assignment and pledge shall extend to and include any assessments that may be levied pursuant to Section 5 (d) hereof.

Section 4. (Protection and Disposition of Funds). The Chief Financial Officer (CFO) of the Organization shall be the custodian of all funds of the Organization. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.

The CFO is hereby directed to establish the following accounts into which the current funds of the Organization, Note proceeds, the revenues from the Facility and any other income shall be deposited, which accounts shall be continually maintained, except as otherwise provided so long as the indebtedness hereby authorized remains unpaid.

(a) Construction Account. The proceeds of the Note, hereby authorized not disbursed contemporaneously with loan closing for incurred Facility costs, and at least the amount of $7,556,000.00 to be contributed by the Organization from the collection of initial connection fees, membership fees or contributions shall be deposited in an account designated as the Construction Account, which shall be established as required by the Government. Withdrawals from the construction account shall be made only on checks signed by the CFO of the Organization as authorized by the Board from time to tie, and with prior concurrence of the Government. At the option of the Government, the construction account may be established as a "supervised bank account". Amounts in the supervised bank account exceeding $100,000 shall be secured by the depository bank in advance in accordance with 31 C.F.R. part 22. Withdrawals from a supervised bank account shall be made only on checks signed by the CFO of the Organization and countersigned by an authorized official of the Government. The Organization's share of any insurance or liquidated damages and other monies paid by defaulting contractors or their sureties will be deposited in the Construction Account to assure completion of the Facility. When all construction costs have been paid in full, any balance remaining in the Construction Account may be applied on the loan or sued for other authorized purposes that have been approved by the Government and the Construction Account shall be closed.

(b) General Account. As soon as the Facility becomes revenue producing, all funds received shall be set aside in an account to be designated as the General Account. Disbursements and transfers from this account shall be made for: debt service, operations and maintenance, and transfers to an account designated as the Reserve Account. Monies deposited in the General Account shall be used only in the manner and order as follows:

(1) Organizations making monthly Government debt service payments shall use the General Account for making such payments plus operating and maintenance expenses.
Any remaining funds will be transferred from this account to the Reserve Account in accordance with (d) below.

(2) Borrowers making other than monthly Government debt service payments shall first use the General Account to pay operating and maintenance expenses. Then other transfers from this account will be made in the following order; (i) To an account designated as the Debt Service Account will be made in accordance with (c) below, (ii) Transfers to the Reserve Account will be made in accordance with (d) below.

(c) Debt Service Account. Organizations making other than monthly debt service payments, shall transfer subject to income availability from the General Account to the Debt Service Account, a sum not to increase the next installment on the note.

(d) Reserve Account. From the remaining funds in the General Account, after transfers and payments required in (b) (1) or (b) (2) and (c), there shall be set aside into the Reserve Account the sum of $4,057.20 each month until there is accumulated in that account the sum of $486,864.00 after which deposits may be suspended, except to replace withdrawals. When necessary, disbursements may be use for payments due on the Note if sufficient funds are not available in the General or Debt Service Account. With the prior written approval of the Government, funds may be withdrawn for:

(1) Paying the cost of repairing or replacing any damage to the Facility which may have been caused by catastrophe, or

(2) Making extensions or improvements to the Facility.

Whenever disbursements are made from the Reserve Account, monthly deposits shall then be resumed until there is again accumulated the amount of $486,864.00, at which time deposits may be discontinued. Whenever there shall accumulate in the General Account, amounts in excess of those required in subsections (b) (1) and (2), (c), and (d), such excess will be used by the Organization to make prepayments on the loan or retained in the General Account. The accounts required in subsections (b) (1) and (2), (c) and (d) may be established and maintained as bookkeeping accounts or as separate bank accounts at the election of the Organization, unless otherwise directed by the Government.

Section 5. (Other Covenants and Agreements of the Organization). The Organization covenants and agrees that so long as the indebtedness hereby authorized remains unpaid:

(a) It will indemnify the Government for any payments made or losses suffered by the Government.

(b) It will comply with applicable state laws and regulations and continually operate and maintain the Facility in good condition.

(c) It will impose and collect such rates and charges that gross revenues will be sufficient at all times to provide for the payment of the operation and maintenance thereof and the installment payments on the Note and the maintenance of the various accounts herein created. All service rendered by or us of the Facility shall be subject to the full rates prescribed in the rules and regulations of the Organization.

(d) If, for any reason, gross revenues are insufficient, it will cause to be levied and collected such assessments as may be necessary to operate and maintain the Facility in good condition and meet installment payments on the Note as the same become due.
(e) It will (i) establish and maintain such books and records relating to the operation of the Facility and its financial affairs, (ii) will provide for the annual audit thereof in such manner as may be required by the Government, (iii) will provide the Government without its request a copy of each such audit, and (iv) will make and forward to the Government such additional information and reports as it may from time to time required.

(f) It will provide the Government, at all reasonable times, access to the Facility and all its books and records so that the Government may ascertain that the Organization is complying with the provisions hereof and with the provisions of other instruments incident to the making or insuring of the loan.

(g) It will maintain at least such insurance and fidelity bond or employee dishonesty coverage as may be required by the Government.

(h) It will not borrow any money from any source or enter into any contract or agreement or incur any other liabilities in connection with making extensions or improvements to the Facility, exclusive of normal maintenance, without obtaining the prior written consent of the Government.

(i) It will not cause or permit any voluntary dissolution of the Organization or merge or consolidate with an other organization, without obtaining the prior written consent of the Government. It will not dispose of, or transfer title to the Facility or any part thereof, including lands and interest in lands by sale, security instrument, lease or other encumbrance, without obtaining the prior written consent of the Government. Revenue, in excess of the amount required to maintain the accounts described by Section 4 herein, will not be distributed or transferred to any other organization or legal entity.

(j) It will not modify or amend its organizational documents, including any articles of incorporation or bylaws without the written consent of the Government.

(k) It will provide adequate service to all persons within the service area who can feasibly and legally be served and will obtain Government's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Organization or public body.

(l) All present and future contract rights, accounts receivable, and general intangibles arising in connection with the Facility are pledge as security for the loan.

(m) It will comply with the measures identified in the Government's environmental impact analysis for this Facility for the purpose of avoiding or reducing the adverse environmental impacts of the Facility's construction or operation.

Section 6. (Security Instruments). In order to secure the payment of the principal and interest of the Note, the President and Secretary of the Organization are hereby authorized and directed to execute and deliver good and sufficient lien instruments, where necessary, encumbering the properties and assets, both real and personal, constituting said Facility, as completed, or as the same may be thereafter extended, including an assignment and pledge of revenues and such other instruments as may be prescribed by the Government.

Section 7. (Refinancing). If at any time it shall appear to the Government that the Organization is able to refinance the amount of the indebtedness then outstanding, in whole or in part, by obtaining a loan for such purposes from responsible cooperative or private credit sources, at reasonable rates and terms for loans for similar purposes and periods of time the Organization will, upon request of the Government, apply for, and accept, such loan in sufficient amount to
repay the Government and will take all such actions as may be required in connection with such loan.

Section 8. ("Equal Employment Opportunity under Construction Contracts and Nondiscrimination"). The President and the Secretary be and they are authorized and directed to execute for and on behalf of the Organization, Form RD 400-1, "Equal Opportunity Agreement", and Form RD 400-4 "Assurance Agreement".

Section 9. (Authorization of Officials). In the case of a grant in the sum not to exceed $0.00, the Organization hereby accepts the grant under the terms offered by the Government and that the __ and __ of the Organization are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant and the Organization hereby reserves to operate the Facility under the terms offered in said grant agreements.

Section 10. (Cross Default). Default under the provisions of this agreement or any instrument incident to the making or issuing of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Organization, and default under such instrument may be construed by the Government to constitute default hereunder.

Section 11. (Resolution of Contract). The provisions hereof and the provisions of all instruments incident to the making or insuring of the loan, unless otherwise specifically provided by the terms of such instruments, shall constitute a contract between the Organization and the Government or assignee so long as the note hereby authorized remains unpaid.

Section 12. (Effective Date). This resolution shall take effect and be in force from and after the 29th day of March 2018, being the date of its enactment.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 9th day of April, 2018.

Charles Zieman
Mayor

ATTEST:

Todd Prafke
City Administrator
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAINT PETER AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS HOSPITAL EXPANSION FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE

WHEREAS, it is necessary for the City of Saint Peter (hereinafter called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of $9,800,000.00 pursuant to the provisions of Minnesota Statutes Chapters 447 and 475; and

WHEREAS, the Association intends to obtain assistance from the Rural Housing Service, Rural Business – Cooperative Service, Rural Utilities Service, or their successor Agencies with the United States Department of Agriculture (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA, THAT in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.

2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).

3. To provide for, execute, and comply with Form RD 400-A, "Assurance Agreement" and Form RD 400-1, "Equal Opportunity Agreement,", including an "Equal Opportunity Clause" which clause is to be incorporated into, or attached as a rider, to each construction contract and subcontracting involving in excess of $10,000.

4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal permissible source.

5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the
entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of the default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.

6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so without the prior written consent of the Government.

7. Not to defease the bonds, or to borrow money, enter into any contract or agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.

8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.

9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.

10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments of the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by the Government. No free service or use of the facility will be permitted.

11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.

12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request and to forward to the Government such additional information and reports as it may from time to time to require.

13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.

14. That if the Government requires that a reserve account be established and maintained, disbursements from that account may be used when necessary for payments due on the
bond if sufficient funds are not otherwise available. With the prior written approval of the Government, funds may be withdrawn for:

(a) Paying the cost of repairing or replacing any damage to the facility caused by catastrophe.

(b) Repairing or replacing short-lived assets.

(c) Making extensions or improvements to the facility.

Any time funds are disbursed from the reserve account, additional deposits will be required until the reserve account has reached the required funded level.

15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain the Government’s concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.

16. To comply with the measures identified in the Government’s environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facilities construction or operation.

17. To accept a grant in an amount not to exceed $0 under the terms offered by the Government; that the ___-___ and ___-___ of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereby and the provisions of all instruments incident to the making or the insuring of the loan, unless specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 9th day of April, 2018.

____________________________________
Charles Zieman
Mayor

ATTEST:

____________________________________
Todd Prafke
City Administrator
WHEREAS, the City of Saint Peter, (hereinafter referred to as the “Organization”), was organized under Minnesota Statutes Chapter 412 and 447 for the purpose of providing a local unit of government to establish and operate a hospital (hereinafter referred to as the “Facility”) to serve the members of the said Organization; and

WHEREAS, a meeting of the members of the said Organization was held on the 29th day of March 2018 pursuant to proper notice thereof to consider plans for the acquisition, construction and methods of financing the Facility, and as shown by the minutes of said meeting, of the seven (7) members of record of the Organization there were present and voting five (5), and by a recorded vote, the Facility and its financing were authorized; and

WHEREAS, the proposed Facility is to be constructed and in accordance with plans and specifications prepared by Johnson Johnson Crabtree Architects PC and in order to finance the Facility, the City Council (hereinafter referred to as the “Board”) is authorized and empowered, in their discretion, for and in the name of the Organization, to make application to the United States of America, through the United States Department of Agriculture, (hereinafter referred to as the “Government”), for financial assistance; to cause the execution and delivery of an installment promissory note or notes or other evidence of indebtedness (hereinafter referred to as the “Note”), and appropriate security instruments to secure any loan or loans made or insured by the Government; to comply with any requirements, terms or conditions prescribed by the Government or by Government regulations; and to execute contracts or enter into agreements and, without limitation, to take any and all other action as may be necessary, incidental or appropriate to finance, acquire, construct, complete, or equip the Facility and on behalf of the Organization.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA, THAT:

Section 1. (Determination of Board). That it is necessary to defray a portion of the costs of financing the Facility by obtaining a loan made or insured by the Government in accordance with applicable provisions of the Consolidated Farm and Rural Development Act, it being determined that the Organization is unable to obtain sufficient credit elsewhere to finance the Facility, taking into consideration prevailing and cooperative rates and terms currently available;

Section 2. (Terms of Loan). That the Organization borrow $9,700,000.00 and issue as evidence thereof Note in the form prescribed by the Government for the full principal amount of the loan. The note shall be signed by the President, attested by the Secretary and if necessary,
have the corporate seal of the Organization affixed thereto, and shall bear interest from its date, which shall be the date of delivery, at a rate not to exceed 3.5000 percent per annum; the principal and interest shall be paid over a period of 35 years in accordance with the payment schedule set forth in the Note, until the principal and interest are fully paid except the final payment of the entire indebtedness, if not sooner paid, shall be due and payable 35 years from the date of the Note. Each payment shall be applied first to the payment of the accrued interest and second to the payment of the principal. Prepayments of any installment may be made in any amount at any time at the option of the Organization.

Section 3. (Assignment and Pledge of Revenue). The indebtedness hereby authorized to be incurred, together with the interest thereon, shall be payable from the gross income and revenue to be derived from the operation of the Facility, a sufficient portion of which, to pay the principal and interest as and when the same shall become due, is hereby assigned, and pledge and shall be set aside for that purpose and this assignment and pledge shall extend to and include any assessments that may be levied pursuant to Section 5 (d) hereof.

Section 4. (Protection and Disposition of Funds). The Chief Financial Officer (CFO) of the Organization shall be the custodian of all funds of the Organization. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.

The CFO is hereby directed to establish the following accounts into which the current funds of the Organization, Note proceeds, the revenues from the Facility and any other income shall be deposited, which accounts shall be continually maintained, except as otherwise provided so long as the indebtedness hereby authorized remains unpaid.

(a) Construction Account. The proceeds of the Note, hereby authorized not disbursed contemporaneously with loan closing for incurred Facility costs, and at least the amount of $7,556,000.00 to be contributed by the Organization from the collection of initial connection fees, membership fees or contributions shall be deposited in an account designated as the Construction Account, which shall be established as required by the Government. Withdrawals from the construction account shall be made only on checks signed by the CFO of the Organization as authorized by the Board from time to time, and with prior concurrence of the Government. At the option of the Government, the construction account may be established as a "supervised bank account". Amounts in the supervised bank account exceeding $100,000 shall be secured by the depository bank in advance in accordance with 31 C.F.R. part 22. Withdrawals from a supervised bank account shall be made only on checks signed by the CFO of the Organization and countersigned by an authorized official of the Government. The Organization’s share of any insurance or liquidated damages and other monies paid by defaulting contractors or their sureties will be deposited in the Construction Account to assure completion of the Facility. When all construction costs have been paid in full, any balance remaining in the Construction Account may be applied on the loan or sued for other authorized purposes that have been approved by the Government and the Construction Account shall be closed.

(b) General Account. As soon as the Facility becomes revenue producing, all funds received shall be set aside in an account to be designated as the General Account. Disbursements and transfers from this account shall be made for: debt service, operations and maintenance, and transfers to an account designated as the Reserve Account. Monies deposited in the General Account shall be used only in the manner and order as follows:

(1) Organizations making monthly Government debt service payments shall use the General Account for making such payments plus operating and maintenance expenses.
Any remaining funds will be transferred from this account to the Reserve Account in accordance with (d) below.

(2) Borrowers making other than monthly Government debt service payments shall first use the General Account to pay operating and maintenance expenses. Then other transfers from this account will be made in the following order; (i) To an account designated as the Debt Service Account will be made in accordance with (c) below, (ii) Transfers to the Reserve Account will be made in accordance with (d) below.

(c) Debt Service Account. Organizations making other than monthly debt service payments, shall transfer subject to income availability from the General Account to the Debt Service Account, a sum not to increase the next installment on the note.

(d) Reserve Account. From the remaining funds in the General Account, after transfers and payments required in (b) (1) or (b) (2) and (c), there shall be set aside into the Reserve Account the sum of $4,015.80 each month until there is accumulated in that account the sum of $481,896.00 after which deposits may be suspended, except to replace withdrawals. When necessary, disbursements maybe use for payments due on the Note if sufficient funds are not available in the General or Debt Service Account. With the prior written approval of the Government, funds may be withdrawn for:

(1) Paying the cost of repairing or replacing any damage to the Facility which may have been caused by catastrophe, or

(2) Making extensions or improvements to the Facility.

Whenever disbursements are made from the Reserve Account, monthly deposits shall then be resumed until there is again accumulated the amount of $481,896.00, at which time deposits may be discontinued. Whenever there shall accumulate in the General Account, amounts in excess of those required in subsections (b) (1) and (2), (c), and (d), such excess will be used by the Organization to make prepayments on the loan or retained in the General Account. The accounts required in subsections (b) (1) and (2), (c) and (d) may be established and maintained as bookkeeping accounts or as separate bank accounts at the election of the Organization, unless otherwise directed by the Government.

Section 5. (Other Covenants and Agreements of the Organization). The Organization covenants and agrees that so long as the indebtedness hereby authorized remains unpaid:

(a) It will indemnify the Government for any payments made or losses suffered by the Government.

(b) It will comply with applicable state laws and regulations and continually operate and maintain the Facility in good condition.

(c) It will impose and collect such rates and charges that gross revenues will be sufficient at all times to provide for the payment of the operation and maintenance thereof and the installment payments on the Note and the maintenance of the various accounts herein created. All service rendered by or us of the Facility shall be subject to the full rates prescribed in the rules and regulations of the Organization.

(d) If, for any reason, gross revenues are insufficient, it will cause to be levied and collected such assessments as may be necessary to operate and maintain the Facility in good condition and meet installment payments on the Note as the same become due.
(e) It will (i) establish and maintain such books and records relating to the operation of the Facility and its financial affairs, (ii) will provide for the annual audit thereof in such manner as may be required by the Government, (iii) will provide the Government without its request a copy of each such audit, and (iv) will make and forward to the Government such additional information and reports as it may from time to time required.

(f) It will provide the Government, at all reasonable times, access to the Facility and all its books and records so that the Government may ascertain that the Organization is complying with the provisions hereof and with the provisions of other instruments incident to the making or insuring of the loan.

(g) It will maintain at least such insurance and fidelity bond or employee dishonesty coverage as may be required by the Government.

(h) It will not borrow any money from any source or enter into any contract or agreement or incur any other liabilities in connection with making extensions or improvements to the Facility, exclusive of normal maintenance, without obtaining the prior written consent of the Government.

(i) It will not cause or permit any voluntary dissolution of the Organization or merge or consolidate with an other organization, without obtaining the prior written consent of the Government. It will not dispose of, or transfer title to the Facility or any part thereof, including lands and interest in lands by sale, security instrument, lease or other encumbrance, without obtaining the prior written consent of the Government. Revenue, in excess of the amount required to maintain the accounts described by Section 4 herein, will not be distributed or transferred to any other organization or legal entity.

(j) It will not modify or amend its organizational documents, including any articles of incorporation or bylaws without the written consent of the Government.

(k) It will provide adequate service to all persons within the service area who can feasibly and legally be served and will obtain Government’s concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Organization or public body.

(l) All present and future contract rights, accounts receivable, and general intangibles arising in connection with the Facility are pledge as security for the loan.

(m) It will comply with the measures identified in the Government’s environmental impact analysis for this Facility for the purpose of avoiding or reducing the adverse environmental impacts of the Facility’s construction or operation.

Section 6. (Security Instruments). In order to secure the payment of the principal and interest of the Note, the President and Secretary of the Organization are hereby authorized and directed to execute and deliver good and sufficient lien instruments, where necessary, encumbering the properties and assets, both real and personal, constituting said Facility, as completed, or as the same may be thereafter extended, including an assignment and pledge of revenues and such other instruments as may be prescribed by the Government.

Section 7. (Refinancing). If at any time it shall appear to the Government that the Organization is able to refinance the amount of the indebtedness then outstanding, in whole or in part, by obtaining a loan for such purposes from responsible cooperative or private credit sources, at reasonable rates and terms for loans for similar purposes and periods of time the Organization will, upon request of the Government, apply for, and accept, such loan in sufficient amount to
repara the Government and will take all such actions as may be required in connection with such loan.

Section 8. ("Equal Employment Opportunity under Construction Contracts and Nondiscrimination"). The President and the Secretary be and they are authorized and directed to execute for and on behalf of the Organization, Form RD 400-1, "Equal Opportunity Agreement", and Form RD 400-4 "Assurance Agreement".

Section 9. (Authorization of Officials). In the case of a grant in the sum not to exceed $0.00, the Organization hereby accepts the grant under the terms offered by the Government and that the _-_ and _-_ of the Organization are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant and the Organization hereby reserves to operate the Facility under the terms offered in said grant agreements.

Section 10. (Cross Default). Default under the provisions of this agreement or any instrument incident to the making or issuing of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Organization, and default under such instrument may be construed by the Government to constitute default hereunder.

Section 11. (Resolution of Contract). The provisions hereof and the provisions of all instruments incident to the making or insuring of the loan, unless otherwise specifically provided by the terms of such instruments, shall constitute a contract between the Organization and the Government or assignee so long as the note hereby authorized remains unpaid.

Section 12. (Effective Date). This resolution shall take effect and be in force from and after the 29th day of March 2018, being the date of its enactment.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 9th day of April, 2018.

Charles Zieman
Mayor

ATTEST:

Todd Prafke
City Administrator
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAINT PETER AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS HOSPITAL EXPANSION FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE WHEREAS, it is necessary for the City of Saint Peter (hereinafter called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of $9,700,000.00 pursuant to the provisions of Minnesota Statutes Chapters 447 and 475; and WHEREAS, the Association intends to obtain assistance from the Rural Housing Service, Rural Business – Cooperative Service, Rural Utilities Service, or their successor Agencies with the United States Department of Agriculture (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA, THAT in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.

2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).

3. To provide for, execute, and comply with Form RD 400-A, “Assurance Agreement” and Form RD 400-1, “Equal Opportunity Agreement,”, including an “Equal Opportunity Clause” which clause is to be incorporated into, or attached as a rider, to each construction contract and subcontracting involving in excess of $10,000.

4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal permissible source.

5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the
entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of the default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.

6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so without the prior written consent of the Government.

7. Not to defease the bonds, or to borrow money, enter into any contract or agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.

8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.

9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.

10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments of the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by the Government. No free service or use of the facility will be permitted.

11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.

12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request and to forward to the Government such additional information and reports as it may from time to time to require.

13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.

14. That if the Government requires that a reserve account be established and maintained, disbursements from that account may be used when necessary for payments due on the
bond if sufficient funds are not otherwise available. With the prior written approval of the Government, funds may be withdrawn for:

(a) Paying the cost of repairing or replacing any damage to the facility caused by catastrophe.

(b) Repairing or replacing short-lived assets.

(c) Making extensions or improvements to the facility.

Any time funds are disbursed from the reserve account, additional deposits will be required until the reserve account has reached the required funded level.

15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain the Government’s concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.

16. To comply with the measures identified in the Government’s environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facilities construction or operation.

17. To accept a grant in an amount not to exceed $0 under the terms offered by the Government; that the ___ and ___ of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereby and the provisions of all instruments incident to the making or the insuring of the loan, unless specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 9th day of April, 2018.

______________________________
Charles Zieman
Mayor

ATTEST:

______________________________
Todd Prafke
City Administrator
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAINT PETER AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS IN THE PRINCIPAL AMOUNT OF $3,920,000.00 FOR THE PURPOSE PROVIDING A PORTION OF THE COST OF ACQUIRING AND CONSTRUCTING A HOSPITAL EXPANSION, PROVIDING FOR THE COLLECTION, HANDLING, AND DISPOSITION OF REVENUES THEREFROM, AND AUTHORIZING MAKINGS OF PROMISSORY NOTES, SECURITY INSTRUMENTS, AND PLEDGES OF REVENUES TO EVIDENCE AND SECURE THE PAYMENT OF SAID INDEBTEDNESS AND FOR RELATED PURPOSES

WHEREAS, the City of Saint Peter, (hereinafter referred to as the “Organization”), was organized under Minnesota Statutes Chapter 412 and 447 for the purpose of providing a local unit of government to establish and operate a hospital (hereinafter referred to as the “Facility”) to serve the members of the said Organization; and

WHEREAS, a meeting of the members of the said Organization was held on the 29th day of March 2018 pursuant to proper notice thereof to consider plans for the acquisition, construction and methods of financing the Facility, and as shown by the minutes of said meeting, of the seven (7) members of record of the Organization there were present and voting five (5), and by a recorded vote, the Facility and its financing were authorized; and

WHEREAS, the proposed Facility is to be constructed and in accordance with plans and specifications prepared by Johnson Johnson Crabtree Architects PC and in order to finance the Facility, the City Council (hereinafter referred to as the “Board”) is authorized and empowered, in their discretion, for and in the name of the Organization, to make application to the United States of America, through the United States Department of Agriculture, (hereinafter referred to as the “Government”), for financial assistance; to cause the execution and delivery of an installment promissory note or notes or other evidence of indebtedness (hereinafter referred to as the “Note”), and appropriate security instruments to secure any loan or loans made or insured by the Government; to comply with any requirements, terms or conditions prescribed by the Government or by Government regulations; and to execute contracts or enter into agreements and, without limitation, to take any and all other action as may be necessary, incidental or appropriate to finance, acquire, construct, complete, or equip the Facility and on behalf of the Organization.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA, THAT:

Section 1. (Determination of Board). That it is necessary to defray a portion of the costs of financing the Facility by obtaining a loan made or insured by the Government in accordance with applicable provisions of the Consolidated Farm and Rural Development Act, it being determined that the Organization is unable to obtain sufficient credit elsewhere to finance the Facility, taking into consideration prevailing and cooperative rates and terms currently available;

Section 2. (Terms of Loan). That the Organization borrow $3,920,000.00 and issue as evidence thereof Note in the form prescribed by the Government for the full principal amount of the loan. The note shall be signed by the President, attested by the Secretary and if necessary,
have the corporate seal of the Organization affixed thereto, and shall bear interest from its date, which shall be the date of delivery, at a rate not to exceed 3.5000 percent per annum; the principal and interest shall be paid over a period of 35 years in accordance with the payment schedule set forth in the Note, until the principal and interest are fully paid except the final payment of the entire indebtedness, if not sooner paid, shall be due and payable 35 years from the date of the Note. Each payment shall be applied first to the payment of the accrued interest and second to the payment of the principal. Prepayments of any installment may be made in any amount at any time at the option of the Organization.

Section 3. (Assignment and Pledge of Revenue). The indebtedness hereby authorized to be incurred, together with the interest thereon, shall be payable from the gross income and revenue to be derived from the operation of the Facility, a sufficient portion of which, to pay the principal and interest as and when the same shall become due, is hereby assigned, and pledge and shall be set aside for that purpose and this assignment and pledge shall extend to and include any assessments that may be levied pursuant to Section 5 (d) hereof.

Section 4. (Protection and Disposition of Funds). The Chief Financial Officer (CFO) of the Organization shall be the custodian of all funds of the Organization. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.

The CFO is hereby directed to establish the following accounts into which the current funds of the Organization, Note proceeds, the revenues from the Facility and any other income shall be deposited, which accounts shall be continually maintained, except as otherwise provided so long as the indebtedness hereby authorized remains unpaid.

(a) Construction Account. The proceeds of the Note, hereby authorized not disbursed contemporaneously with loan closing for incurred Facility costs, and at least the amount of $7,556,000.00 to be contributed by the Organization from the collection of initial connection fees, membership fees or contributions shall be deposited in an account designated as the Construction Account, which shall be established as required by the Government. Withdrawals from the construction account shall be made only on checks signed by the CFO of the Organization as authorized by the Board from time to tie, and with prior concurrence of the Government. At the option of the Government, the construction account may be established as a “supervised bank account”. Amounts in the supervised bank account exceeding $100,000 shall be secured by the depository bank in advance in accordance with 31 C.F.R. part 22. Withdrawals from a supervised bank account shall be made only on checks signed by the CFO of the Organization and countersigned by an authorized official of the Government. The Organization’s share of any insurance or liquidated damages and other monies paid by defaulting contractors or their sureties will be deposited in the Construction Account to assure completion of the Facility. When all construction costs have been paid in full, any balance remaining in the Construction Account may be applied on the loan or sued for other authorized purposes that have been approved by the Government and the Construction Account shall be closed.

(b) General Account. As soon as the Facility becomes revenue producing, all funds received shall be set aside in an account to be designated as the General Account. Disbursements and transfers from this account shall be made for: debt service, operations and maintenance, and transfers to an account designated as the Reserve Account. Monies deposited in the General Account shall be used only in the manner and order as follows:

(1) Organizations making monthly Government debt service payments shall use the General Account for making such payments plus operating and maintenance expenses.
Any remaining funds will be transferred from this account to the Reserve Account in accordance with (d) below.

(2) Borrowers making other than monthly Government debt service payments shall first use the General Account to pay operating and maintenance expenses. Then other transfers from this account will be made in the following order; (i) To an account designated as the Debt Service Account will be made in accordance with (c) below, (ii) Transfers to the Reserve Account will be made in accordance with (d) below.

(c) Debt Service Account. Organizations making other than monthly debt service payments, shall transfer subject to income availability from the General Account to the Debt Service Account, a sum not to increase the next installment on the note.

(d) Reserve Account. From the remaining funds in the General Account, after transfers and payments required in (b) (1) or (b) (2) and (c), there shall be set aside into the Reserve Account the sum of $1,622.88 each month until there is accumulated in that account the sum of $194,746.00 after which deposits may be suspended, except to replace withdrawals. When necessary, disbursements maybe use for payments due on the Note if sufficient funds are not available in the General or Debt Service Account. With the prior written approval of the Government, funds may be withdrawn for:

(1) Paying the cost of repairing or replacing any damage to the Facility which may have been caused by catastrophe, or

(2) Making extensions or improvements to the Facility.

Whenever disbursements are made from the Reserve Account, monthly deposits shall then be resumed until there is again accumulated the amount of $194,746.00, at which time deposits may be discontinued. Whenever there shall accumulate in the General Account, amounts in excess of those required in subsections (b) (1) and (2), (c), and (d), such excess will be used by the Organization to make prepayments on the loan or retained in the General Account. The accounts required in subsections (b) (1) and (2), (c) and (d) may be established and maintained as bookkeeping accounts or as separate bank accounts at the election of the Organization, unless otherwise directed by the Government.

Section 5. (Other Covenants and Agreements of the Organization). The Organization covenants and agrees that so long as the indebtedness hereby authorized remains unpaid:

(a) It will indemnify the Government for any payments made or losses suffered by the Government.

(b) It will comply with applicable state laws and regulations and continually operate and maintain the Facility in good condition.

(c) It will impose and collect such rates and charges that gross revenues will be sufficient at all times to provide for the payment of the operation and maintenance thereof and the installment payments on the Note and the maintenance of the various accounts herein created. All service rendered by or use of the Facility shall be subject to the full rates prescribed in the rules and regulations of the Organization.

(d) If, for any reason, gross revenues are insufficient, it will cause to be levied and collected such assessments as may be necessary to operate and maintain the Facility in good condition and meet installment payments on the Note as the same become due.
(e) It will (i) establish and maintain such books and records relating to the operation of the Facility and its financial affairs, (ii) will provide for the annual audit thereof in such manner as may be required by the Government, (iii) will provide the Government without its request a copy of each such audit, and (iv) will make and forward to the Government such additional information and reports as it may from time to time required.

(f) It will provide the Government, at all reasonable times, access to the Facility and all its books and records so that the Government may ascertain that the Organization is complying with the provisions hereof and with the provisions of other instruments incident to the making or insuring of the loan.

(g) It will make and forward to the Government such additional information and reports as it may from time to time required.

(h) It will maintain at least such insurance and fidelity bond or employee dishonesty coverage as may be required by the Government.

(i) It will not borrow any money from any source or enter into any contract or agreement or incur any other liabilities in connection with making extensions or improvements to the Facility, exclusive of normal maintenance, without obtaining the prior written consent of the Government.

(j) It will not cause or permit any voluntary dissolution of the Organization or merge or consolidate with an other organization, without obtaining the prior written consent of the Government. It will not dispose of, or transfer title to the Facility or any part thereof, including lands and interest in lands by sale, security instrument, lease or other encumbrance, without obtaining the prior written consent of the Government. Revenue, in excess of the amount required to maintain the accounts described by Section 4 herein, will not be distributed or transferred to any other organization or legal entity.

(k) It will maintain at least such insurance and fidelity bond or employee dishonesty coverage as may be required by the Government.

(l) It will not modify or amend its organizational documents, including any articles of incorporation or bylaws without the written consent of the Government.

(m) It will provide adequate service to all persons within the service area who can feasibly and legally be served and will obtain Government’s concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Organization or public body.

(n) All present and future contract rights, accounts receivable, and general intangibles arising in connection with the Facility are pledge as security for the loan.

(m) It will comply with the measures identified in the Government’s environmental impact analysis for this Facility for the purpose of avoiding or reducing the adverse environmental impacts of the Facility’s construction or operation.

Section 6. (Security Instruments). In order to secure the payment of the principal and interest of the Note, the President and Secretary of the Organization are hereby authorized and directed to execute and deliver good and sufficient lien instruments, where necessary, encumbering the properties and assets, both real and personal, constituting said Facility, as completed, or as the same may be thereafter extended, including an assignment and pledge of revenues and such other instruments as may be prescribed by the Government.

Section 7. (Refinancing). If at any time it shall appear to the Government that the Organization is able to refinance the amount of the indebtedness then outstanding, in whole or in part, by obtaining a loan for such purposes from responsible cooperative or private credit sources, at reasonable rates and terms for loans for similar purposes and periods of time the Organization will, upon request of the Government, apply for, and accept, such loan in sufficient amount to
repay the Government and will take all such actions as may be required in connection with such loan.

Section 8. ("Equal Employment Opportunity under Construction Contracts and Nondiscrimination"). The President and the Secretary be and they are authorized and directed to execute for and on behalf of the Organization, Form RD 400-1, "Equal Opportunity Agreement", and Form RD 400-4 "Assurance Agreement".

Section 9. (Authorization of Officials). In the case of a grant in the sum not to exceed $0.00, the Organization hereby accepts the grant under the terms offered by the Government and that the ___-___ and ___-___ of the Organization are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant and the Organization hereby reserves to operate the Facility under the terms offered in said grant agreements.

Section 10. (Cross Default). Default under the provisions of this agreement or any instrument incident to the making or issuing of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Organization, and default under such instrument may be construed by the Government to constitute default hereunder.

Section 11. (Resolution of Contract). The provisions hereof and the provisions of all instruments incident to the making or insuring of the loan, unless otherwise specifically provided by the terms of such instruments, shall constitute a contract between the Organization and the Government or assignee so long as the note hereby authorized remains unpaid.

Section 12. (Effective Date). This resolution shall take effect and be in force from and after the 29th day of March 2018, being the date of its enactment.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 9th day of April, 2018.

______________________________
Charles Zieman
Mayor

ATTEST:

______________________________
Todd Prafke
City Administrator
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAINT PETER AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS HOSPITAL EXPANSION FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE

WHEREAS, it is necessary for the City of Saint Peter (hereinafter called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of $3,920,000.00 pursuant to the provisions of Minnesota Statutes Chapters 447 and 475; and

WHEREAS, the Association intends to obtain assistance from the Rural Housing Service, Rural Business – Cooperative Service, Rural Utilities Service, or their successor Agencies with the United States Department of Agriculture (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA, THAT in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.

2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).

3. To provide for, execute, and comply with Form RD 400-A, “Assurance Agreement” and Form RD 400-1, “Equal Opportunity Agreement,”, including an “Equal Opportunity Clause” which clause is to be incorporated into, or attached as a rider, to each construction contract and subcontracting involving in excess of $10,000.

4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal permissible source.

5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the
entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of the default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.

6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so without the prior written consent of the Government.

7. Not to defease the bonds, or to borrow money, enter into any contract or agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.

8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.

9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.

10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments of the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by the Government. No free service or use of the facility will be permitted.

11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.

12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request and to forward to the Government such additional information and reports as it may from time to time to require.

13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.

14. That if the Government requires that a reserve account be established and maintained, disbursements from that account may be used when necessary for payments due on the
bond if sufficient funds are not otherwise available. With the prior written approval of the Government, funds may be withdrawn for:

(a) Paying the cost of repairing or replacing any damage to the facility caused by catastrophe.

(b) Repairing or replacing short-lived assets.

(c) Making extensions or improvements to the facility.

Any time funds are disbursed from the reserve account, additional deposits will be required until the reserve account has reached the required funded level.

15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain the Government's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.

16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facilities construction or operation.

17. To accept a grant in an amount not to exceed $0 under the terms offered by the Government; that the ___-___ and ___-___ of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereby and the provisions of all instruments incident to the making or the insuring of the loan, unless specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 9th day of April, 2018.

________________________________________________________________________
Charles Zieman
Mayor

ATTEST:

________________________________________________________________________
Todd Prafke
City Administrator
WHEREAS, the City of Saint Peter, Minnesota (the "Issuer") is, by the Constitution and the laws of the State of Minnesota, including Minnesota Statutes, Sections 447.45 to 447.50, as amended, and Chapter 475 (collectively, the "Act"), authorized to issue and sell its temporary bonds to finance the acquisition and betterment of hospital, nursing home, and related medical facilities; and

WHEREAS, the Board of Commissioners of River's Edge Hospital and Clinic (the "System"), an enterprise operation of the Issuer, has requested that the Issuer issue and sell its Healthcare Bond Anticipation Notes (River's Edge Hospital Project), Series 2018 (the "Notes"), in anticipation of a long-term federal loan to (i) finance the construction and renovation of the System's Hospital located at 1900 North Sunrise Drive in Saint Peter, Minnesota, including (a) a 33,500 square foot addition to house the new emergency department, pharmacy, and 25 patient rooms, and (b) the renovation of approximately 40,000 square feet to expand the surgical department and construct a new kitchen and dining area (collectively, the "Project"); (ii) pay capitalized interest on the Notes until maturity; and (iii) pay the costs of issuance of the Notes; and

WHEREAS, it is anticipated that the United States of America, the United States Department of Agriculture (hereinafter, the "Government") administered by Rural Development ("RD"), will enter into a prior commitment with the Issuer to purchase four Healthcare Facilities Bonds (the "Bonds") of the Issuer to provide definitive financing for the Project provided the Issuer issues the Notes to provide interim financing for the Project; and

WHEREAS, by four separate Loan Resolutions (Form RD 1942-47) and four separate Loan Resolution Security Agreements (Form RD 1942-9) (collectively, the "Loan Resolutions"), adopted this date, the Issuer has resolved to prepare resolutions for the issuance of the Bonds (the "Permanent Resolution"), which draft Permanent Resolution will be submitted to the Office of the General Counsel (the "OGC") of the Government for review and approval pursuant to Closing Instructions (Guide 1 Letter); and

WHEREAS, the Issuer desires that the Permanent Resolution clarify certain provisions contained in the Loan Resolutions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA, (the "issuer") THAT:

1. The City Administrator, staff of the Issuer, the City Attorney, and the City's bond counsel, Briggs and Morgan, Professional Association, are hereby directed to prepare a draft of the Permanent Resolution pursuant to the Loan Resolutions for submission to the OGC that includes, but is not limited to, the following:
a. Clarification that Sections 5(d) of the Forms RD 1942-9, regarding an agreement to levy and collect taxes in the event gross revenues of the System are insufficient to pay for the operation and maintenance of the Hospital and to pay debt service on the Bonds, is not applicable to the Bonds;

b. Clarification that Sections 5(h) of the Forms RD 1942-9 and paragraphs 7 of the Forms RD 1942-47, requiring prior written consent of the Government to additional borrowing for the Hospital facility, does not apply to the anticipated $5,000,000 parity note (the “Parity Note”) anticipated to be issued to a commercial bank in conjunction with the issuance of the Notes or apply to borrowings for the purchase of equipment; and

c. Clarification that paragraphs 6 of the Forms RD 1942-47, which prohibit encumbering the financed property without the Government's prior written consent, does not apply to the mortgage anticipated to be granted with respect to the Parity Note.

2. The City Council's adoption of the Permanent Resolution at the appropriate time shall constitute ratification that the Permanent Resolution satisfies the intent of this resolution.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 9th day of April, 2018.

_______________________________
Charles Zieman
Mayor

ATTEST:

_______________________________
Todd Prafke
City Administrator
Memorandum

TO: Todd Prafke  
City Administrator

FROM: Russ Wille  
Community Development Director

DATE: 04/05/18

RE: Rezoning Petition – Nicollet County

ACTION/RECOMMENDATION

Approve the rezoning of the vacated Myrtle Street right-of-way and two adjoining parcels from (RP-1) Residential Professional Office to (CBD) Central Business District as petitioned by Nicollet County Board of Commissioners.

BACKGROUND

Nicollet County had undertaken what is, in this instance, a three-step process to allow for the construction of an off-street parking facility on South Front Street to the east of the Courthouse campus.

On March 12, 2018 the City Council approved a petition submitted by Nicollet County for vacation of the Myrtle Street right-of-way lying east of South Front Street.

The County has undertaken the second step in the process and has paid the appropriate fee and submitted a petition to rezone certain properties from (RP-1) Residential/Professional Office to (CBD) Central Business District. The properties in question would include the vacated Myrtle Street right-of-way as well as the properties at 601 South Front St. and 106 East Myrtle Street (see map).

Subject to approval of the rezoning, Nicollet County would be expected to take the third step in the process by seeking a Conditional Use Permit to establish the off-street parking facility.

The Planning Commission considered the petitioned rezoning at their April 5, 2018 meeting.

Review by Public Works Director Moulton and City Engineer Domras suggested that the rezoning would not adversely impact the provision of utility services and that utility capacities are sufficient to serve any redevelopment of the properties under the regulations of the CBD zoning designation.

The Planning Commission was informed that the traffic circulation, access and egress could easily accommodate the provision of off-street parking in the area. Given that off-street parking would be considered via an application for a Conditional Use Permit, the City would be able to dictate certain conditions of approval.
Following their discussion and dialogue, the Planning Commission has recommended the City Council provide for the rezoning as petitioned by the Nicollet County Board of Commissioners. As such an ordinance providing for the rezoning has been prepared for City Council consideration.

**FISCAL IMPACT:**

Nicollet County has paid the established fee for consideration of the rezoning. If the ordinance is adopted, it would need to be published in the Saint Peter Herald at which time it would become effective. No other fiscal impact of approval is anticipated.

**ALTERNATIVES/VARIATIONS:**

Do not act: If final action is not taken by May 8, 2018, the rezoning would be approved by default as provided for in State law.

Denial: The County Board will be notified of the denial.

Modification of the Resolution: This is not an option of the City Council in this particular instance.

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

RJW
This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. The City of Saint Peter is not responsible for any inaccuracies it contains.
ORDINANCE NO. ___, THIRD SERIES

AN ORDINANCE AMENDING SAINT PETER CITY CODE CHAPTER 24, “LAND USE REGULATIONS AND ZONING” AND SECTION 24-6 “OFFICIAL MAP” TO REZONE CERTAIN PROPERTY AS (CBD) CENTRAL BUSINESS DISTRICT AND ADOPTING BY REFERENCE SAINT PETER CITY CODE CHAPTER 1 SECTION 1-6, WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS

WHEREAS, the owner of the properties at 106 East Myrtle Street and 601 South Front Street, and the vacated Myrtle Street right-of-way lying east of the South Front Street right-of-way has submitted a petition and the appropriate fee for consideration of rezoning of property; and

WHEREAS, the subject properties are currently zoned (RP-1) Residential/Professional Services; and

WHEREAS, the owner has requested that the subject property be rezoned as (CBD) Central Business District; and

WHEREAS, the Planning and Zoning Commission considered the petitioned rezoning at their April 5, 2018 meeting and have submitted the matter for City Council consideration with the recommendation to approve the petitioned rezoning; and

WHEREAS, following published, posted and mailed notice as provided by Statute, a public hearing has been held by the City Council to receive citizen input regarding the petitioned rezoning; and

WHEREAS, the City Council has found that the 2016 Comprehensive Plan is silent regarding future land uses within the existing municipal boundaries; and

WHEREAS, the City Council has determined that the proposed rezoning is not contrary to the goals and policies contained within the 2016 Comprehensive Plan; and

WHEREAS, the City Council has determined that the municipal and private utilities systems are sufficient to handle anticipated demand generated from future development of the site in question; and

WHEREAS, the City Council has determined that the existing vehicular and pedestrian circulation within the vicinity would not be adversely impacted by the petitioned rezoning.

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

Section 1. Section 1. City Code Chapter 24, Section 24-6 is hereby amended by rezoning the following tract of land as (CBD) Central Business District.

The vacated Myrtle Street right-of-way lying easterly of the east line of the South Front Street right-of-way

AND
The East 89.64 feet of the West 155.00 feet of the North Half of the North Half of Block 220 ½ in the Town (now City) of St. Peter, according to the Amended Plat on file and of record in the office of the Nicollet County Recorder, Nicollet County, Minnesota.(106 East Myrtle Street)

AND

The West 65.36 feet of the West 155.00 feet of the North Half of the North Half of Block 220 ½ in the Town (now City) of St. Peter, according to the Amended Plat on file and of record in the office of the Nicollet County Recorder, Nicollet County, Minnesota.(601 South Front Street)

Section 2. The Zoning Administrator is hereby directed to amend the zoning map of the City to reflect the change in zoning as indicated in Section 1, within thirty (30) days after official publication of this Ordinance.

Section 3. All provisions of Chapter 1 of the Saint Peter City Code are made a part hereof and applicable to this Ordinance.

Section 4. All provisions of Chapter 1, Section 1-6 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 9th day of April, 2018.

ATTEST:

______________________________  ______________________________
Todd Prafke               Charles Zieman
City Administrator        Mayor

The foregoing Ordinance was adopted by the following votes:

Ayes:
Nayes:
Absent:

Published in the Saint Peter Herald on ____________, 2018.
TO: Todd Prafke  
City Administrator

FROM: Russ Wille  
Community Development Director

RE: Rachel More (dba The Pulse Fitness Studio) –  
Balloon Payment Extension Request

ACTION/RECOMMENDATION

Adopt the attached resolution providing for a twenty-four (24) month extension of the balloon payment date for the revolving loan previously made to Rachel More.

BACKGROUND

In 2007, a $24,900 revolving loan was provided to Rachel More to partially finance the start-up costs of The Pulse Fitness Studio. In 2012, after five years of monthly payments, the principle value of the loan had been reduced to $13,214.61.

At that time, the $13,214.61 was combined with new loan dollars as Ms. More undertook an expansion of the fitness studio. The balance of the new loan was $20,564.61 and was payable via a balloon payment due after five years.

The balloon payment was due in February, 2018. In advance of the February meeting of the Economic Development Authority (EDA), Ms. More suggested that she would be unable to honor the balloon payment date and requested an extension.

Consideration of the requested balloon extension was then delayed a month while the year-end financial reports were being prepared by Ms. More’s accountant.

Upon receipt of the company financials, a subcommittee of the EDA reviewed the income statement, profit and loss statement and the personal financials of the More household. The subcommittee reported that The Pulse Fitness Studio remains profitable and that profits are regularly reinvested in the company.

Ms. More has made every monthly installment payment on her loan as per the terms of the applicable promissory note. She has suggested that honoring the balloon payment as due would stress the cash flow of the operations and that she intends to continue to reinvest in new fitness equipment on a regular cycle.

Correspondence has been received by the primary project lender indicating they are unable to extend additional credit to Ms. More to successfully retire the note via balloon payment.
Following their discussion and dialogue, the EDA recommended that the City Council grant the twenty-four (24) month extension requested by Ms. More.

**FISCAL IMPACT:**

Ms. More will continue to make regular monthly payments until February, 2020 when the note will once again be due and payable via balloon payment. All other terms and collateral of the loan shall remain unchanged.

**ALTERNATIVES/VARIATIONS:**

Do not act: Ms. More will be asked to continue to make regular monthly payments until such time as the City Council moves on her request.

Negative Votes: Ms. More will be notified that her request was denied. Notice of default will be processed.

Modification of the Resolution: This is always an option of the Council.

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

RJW
CITY OF SAINT PETER, MINNESOTA

RESOLUTION NO. 2018 -

STATE OF MINNESOTA)
COUNTY OF NICOLLET)
CITY OF SAINT PETER)

RESOLUTION MODIFYING THE TERMS OF THE REVOLVING LOAN PREVIOUSLY PROVIDED TO RACHEL MORE D.B.A. THE PULSE FITNESS STUDIO

WHEREAS, the Economic Development Authority (EDA) administers the City's Revolving Loan Fund and was granted power to administer the loan program and to make recommendations to the City Council for disbursement of new loans; and

WHEREAS, guidelines have been established which govern and determine the criteria of the revolving loan program; and

WHEREAS, in 2007 the City provided a $24,900 loan to Rachel More to partially finance the start-up of The Pulse Fitness Studio; and

WHEREAS, in 2012, the $13,214.61 balance of the 2007 note was refinanced and combined with a new loan to create a new principle balance of $20,564.61; and

WHEREAS, the 2012 loan was to be paid in full on February 1, 2018 via a scheduled balloon payment; and

WHEREAS, the balance of the 2012 loan is currently $7,992.20; and

WHEREAS, without exception, the borrower has provided monthly payments as per the terms of the applicable promissory note; and

WHEREAS, a subcommittee of the Economic Development Authority has reviewed the financials of The Pulse Fitness Studio as well as Ms. More's personal financial report as required by policy; and

WHEREAS, unable to honor the scheduled balloon payment, the borrower has asked that the balloon payment be extended by twenty-four months; and

WHEREAS, correspondence has been received from Nicollet County Bank indicating that they are unable to extend additional credit to Ms. More to retire the EDA debt; and

WHEREAS, the Economic Development Authority considered the matter at their March 22, 2018 meeting and have recommended that the City Council grant the twenty-four (24) month extension as requested by Rachel More.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA, THAT: the balloon payment date of the revolving loan previously awarded to Rachel More (d.b.a. The Pulse Fitness Studio) shall be extended to February 1, 2020 while all other terms, conditions and collateral of the loan shall remain unchanged.
Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 9th day of April, 2018.

ATTEST:

___________________________
Charles Zieman
Mayor

___________________________
Todd Prafke
City Administrator
Memorandum

TO: Todd Prafke  
   City Administrator

FROM: Pete Moulton  
      Public Works Director

                     Jeff Knutson  
      Water Resources Superintendent

RE: Construction Standard Detail Plate Updates for 2018

ACTION/RECOMMENDATION

Authorize the new Standard Detail Plate #9004 and #9005 and language revisions to current Standard Detail plates #1001, #1002, #3018, #3019, #6001, #7017 and #7017B.

BACKGROUND

The City has adopted construction standard details that are used for construction of public infrastructure. Periodically changes and upgrades are needed in our standard details to ensure compliance with State and Federal laws and regulations and to help improve the City's system. Occasionally, a new standard is recommended and the proposed resolution includes adoption of new standard Plate #9004 for "boulevard tree planting" and standard Plate #9005 "coniferous tree planting".

The proposed changes are shown below.

<table>
<thead>
<tr>
<th>Standard Detail Numbers</th>
<th>Modification</th>
</tr>
</thead>
<tbody>
<tr>
<td>1001, 1002, 3018, 6001, 7017, 7017B</td>
<td>Revised note for clarification to contractor.</td>
</tr>
<tr>
<td>9004 – Boulevard Tree Planting</td>
<td>New</td>
</tr>
<tr>
<td>9005 – Coniferous Tree Planting</td>
<td>New</td>
</tr>
</tbody>
</table>

FISCAL IMPACT:

There is no immediate impact to these changes; however, in some instances, changes in the standards could increase or decrease costs of a project.

ALTERNATIVES AND VARIATIONS

Do no act. Staff will wait for further direction.

Negative votes. No further action will be taken without additional Council direction and the existing standards will continue to be followed.

Modification of the resolution. This is always an option of the City Council.
Please feel free to contact us should you have any questions or concerns about this agenda item.

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"SLOPE TO DRAIN
4:1 DESIRABLE

2:1 MIN

3" TYPE WEARING COURSE (SPWEB230B) (2360)
4" AGGREGATE BASE, CL. 5 (2211) (100% CRUSHED LIMESTONE)
OR CL. 5 (B) OR CL. 5 (C) RECYCLED (INCIDENTAL TO TRAIL)
SUBGRADE PREPARATION (2112) (INCIDENTAL)

1 DITCH IF REQUIRED FOR DRAINAGE
2 SLOPE TOWARDS INSIDE OF CURVE

BITUMINOUS TRAIL DETAIL
NOT TO SCALE
SAINT PETER STANDARD
PLATE 1001

BITUMINOUS TRAIL DETAIL

STANDARD DETAIL
PLATE NO:
1001

APPROVED: ADOPTED BY CITY COUNCIL ON JANUARY 12, 2004
REVISED: REVISION ADOPTED BY CITY COUNCIL ON FEBRUARY 27, 2017

SAINT PETER UTILITY STANDARD DETAIL
BITUMINOUS TYPICAL SECTION

APPROVED: ADOPTED BY CITY COUNCIL ON JANUARY 12, 2004

REVISED: REVISION ADOPTED BY CITY COUNCIL ON AUGUST 8, 2011

REMARKS:

SAINT PETER UTILITY STANDARD DETAIL
15" DEPTH RIPRAP

SECTION B-B

CULVERT END DIMENSIONS

<table>
<thead>
<tr>
<th>DIAMETER</th>
<th>E</th>
<th>L</th>
<th>RIP RAP</th>
<th>CL</th>
</tr>
</thead>
<tbody>
<tr>
<td>12&quot;</td>
<td>24&quot;</td>
<td>8&quot;</td>
<td>8 CY</td>
<td>III</td>
</tr>
<tr>
<td>18&quot;</td>
<td>36&quot;</td>
<td>10&quot;</td>
<td>10 CY</td>
<td>III</td>
</tr>
<tr>
<td>24&quot;</td>
<td>48&quot;</td>
<td>12&quot;</td>
<td>15 CY</td>
<td>III</td>
</tr>
<tr>
<td>30&quot;</td>
<td>60&quot;</td>
<td>14&quot;</td>
<td>15 CY</td>
<td>III</td>
</tr>
<tr>
<td>48&quot;</td>
<td>84&quot;</td>
<td>20&quot;</td>
<td>30 CY</td>
<td>IV</td>
</tr>
</tbody>
</table>

* PER MN/DOT STANDARD PLATE 3133C

NOTE:
ARTICULATED CONCRETE BLOCK IS THE CITY STANDARD FOR USE AT CULVERTS. SEE STANDARD DETAIL 3020. RIP RAP IS ONLY ALLOWED WHEN APPROVED BY THE CITY.

SECTION A-A

RCP CULVERT END RIPRAP DETAIL
NOT TO SCALE
SAINT PETER STANDARD PLATE 3018

GEOTEXTILE FABRIC, PER SPEC. 3601. THE FABRIC SHOULD COVER THE AREA OF THE RIPRAP AND EXTEND UNDER THE CULVERT APRON THREE FEET.

SAINT PETER UTILITY STANDARD DETAIL
APPROXIMATE WATER LEVEL

RIVER BED

GEOTEXTILE FILTER FABRIC, TYPE IV

TOP OF BANK

NOTE:
ARTICULATED CONCRETE BLOCK IS THE CITY STANDARD FOR USE AT CULVERTS. SEE STANDARD DETAIL 3020. RIP RAP IS ONLY ALLOWED WHEN APPROVED BY THE CITY.

ARTICULATED CONCRETE BLOCK AT OUTFALL

GEOTEXTILE FILTER FABRIC, TYPE IV

24" RIPRAP CL. V

TOP OF BANK

TOP OF BANK

GEOTEXTILE FILTER FABRIC, TYPE IV

24" RIPRAP CL. V

STANDARD DETAIL
PLATE NO: 3019

PROTECTION AT RIVER OUTFALL
NOT TO SCALE
SAINT PETER STANDARD
PLATE 3019

PROTECTION AT RIVER OUTFALLS

APPROVED: ADOPTED BY CITY COUNCIL ON JANUARY 12, 2004

REVISED:

REMARKS:

SAINT PETER UTILITY STANDARD DETAIL
NOTE: GATE VALVE, BONNET, BOLTS AND ALL OTHER BOLTS ON VALVE MUST BE 304 S.S. EPOXY COATED INSIDE AND OUT W/6-8 MIL THICKNESS

1. GATE VALVES PLACED WHERE THE WATERMAIN COVER IS MORE THAN 7' WILL REQUIRE AN OPERATING NUT EXTENSION ROD TO MAINTAIN 6' BETWEEN THE OPERATING NUT AND THE FINISHED SURFACE. EXTENSION ROD TO BE MADE OF STEEL AND CENTERED IN VALVE BOX. (INCIDENTAL)

2. NOTE: SEE GATE VALVE ADAPTOR DETAIL

3. NO WATERMAIN BENDS OR SLEEVES ALLOWED

NOTE: ALL FITTINGS, VALVES, HYDRANTS, AND RETAINING RODS SHALL BE PROTECTED AGAINST CORROSION BY FURNISHING AND INSTALLING 6 OZ. SACRIFICIAL ZINC ANODE CAPS MEETING THE REQUIREMENTS OF ASTM B418-88, TYPE II. CONTRACTORS SHALL INSTALL A MINIMUM OF 2 CAPS PER MECHANICAL JOINT GLAND INSTALLED.

HYDRANT INSTALLATION
NOT TO SCALE
SAINT PETER STANDARD
PLATE 6001

HYDRANT INSTALLATION

APPROVED: ADOPTED BY CITY COUNCIL ON JANUARY 12, 2004

REVISED: REVISION ADOPTED BY CITY COUNCIL ON MARCH 10, 2008

REMARKS:
PEDESTRIAN CURB RAMP WITH TRUNCATED DOMES AREA

APPROVED: ADOPTED BY CITY COUNCIL ON JANUARY 12, 2004

REVISED: REVISION ADOPTED BY CITY COUNCIL ON FEBRUARY 27, 2017

REMARKS: FOR USE ON LOCAL, MSA, CSAH, OR FEDERAL PROJECTS

SAINT PETER UTILITY STANDARD DETAIL

STANDARD DETAIL PLATE NO: 7017

SCHOOL OF

SAINT PETER

MINNESOTA

WHERE HISTORY AND PROGRESS MEET

79
NOTES:

1. Pedestrian ramp not required unless ramp on opposite side of road is constructed or reconstructed.

2. Newly constructed or reconstructed pedestrian ramps shall meet requirements of Standard Details 7017 and 7017A.

3. 6' white striping required at cross walk of collector road. Striping not required on local (non-collector) streets.

4. Zebra crosswalk striping required at all cross walks adjacent to schools regardless of collector or local classification. See zebra crosswalk markings table and notes.

### ZEBRA CROSSWALK MARKINGS

<table>
<thead>
<tr>
<th>Width of Road (Face to Face)</th>
<th>Width of Painted Area (W)</th>
<th>Width of Space (S)</th>
<th>Length of Painted Area (L)</th>
<th>Number of Painted Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>36 Feet</td>
<td>2.5 Feet</td>
<td>3.5 Feet</td>
<td>6.0 Feet</td>
<td>5 Each</td>
</tr>
<tr>
<td>40 Feet</td>
<td>2.5 Feet</td>
<td>2.5 Feet</td>
<td>6.0 Feet</td>
<td>7 Each</td>
</tr>
<tr>
<td>44 Feet</td>
<td>2.5 Feet</td>
<td>3.0 Feet</td>
<td>6.0 Feet</td>
<td>7 Each</td>
</tr>
</tbody>
</table>

- Painted areas to be centered on centerline and lane lines.
- A minimum of 1.5 feet clear distance shall be left adjacent to the curb. If the last painted area falls into this distance, it must be omitted.
- The blocks shall be located to avoid the wheel path of vehicles.

### PEDESTRIAN RAMP & CROSSWALK

Not to scale

Saint Peter Standard
Plate 7017B

### INTERSECTION PEDESTRIAN RAMP AND CROSSWALK REQUIREMENTS

Approved: Adopted by City Council on April 14, 2014

Revised:

Remarks: For use on local, MSA, CSAH, or federal projects

Saint Peter Utility Standard Detail

City of Saint Peter
 Nicollet County, Minnesota
 Where History Meets Progress

80
1. PROVIDE AND INSTALL PLANT MATERIALS THAT MEET SPECIFICATIONS AND ARE OF THE SIZE TYPE AND SPECIES GIVEN IN PLANT SCHEDULE OR SHOWN ON THE PLANS.

2. REMOVE DEAD OR DAMAGED BRANCHES. RETAIN THE NATURAL FORM OF THE TREE.

3. SCARIFY BOTTOM OF PLANTING HOLE.

4. PLACE SOIL TO FORM SAUCER TO HOLD WATER.

5. REMOVE TOP 1/3 OF BURLAP AND WIRE FROM ROOTBALL.

6. DIG PLANT HOLE 1'-0" MINIMUM LARGER THAN BALL, ALL SIDES.

7. BACKFILL WITH PLANTING SOIL.

BOULEVARD TREE PLANTING

NOT TO SCALE

(REFER TO ANSI A300 PART 6/BMP)

SAINT PETER STANDARD

PLATE 9004

SAINT PETER UTILITY STANDARD DETAIL
NOTES:
1. PROVIDE AND INSTALL HEALTHY PLANT MATERIALS THAT MEET ALL SPECIFICATIONS AND ARE OF THE SIZE, TYPE AND SPECIES NAMED ON THE PLANT SCHEDULE AND SHOWN ON THE PLANS.
2. DIG PLANT HOLE 1'-0" MINIMUM LARGER ON ALL SIDES THAN ROOT BALL.
3. PRIOR TO PLACING TREE, SCARIFY BOTTOM AND SIDES OF THE PLANTING HOLE.
4. WATER THOROUGHLY AND ADD BACK FILL AS NEEDED AFTER MOISTURE IS ABSORBED.
5. BUILD SOIL DIKE AROUND PERIPHERY OF TREE TO HOLD WATER.
6. AFTER SETTLEMENT, MULCH WITH MINIMUM 4" LAYER SHREDDED BARK, WOOD CHIPS OR AS OTHERWISE SPECIFIED. DO NOT PLACE MULCH OVER THE ROOT COLLAR.
7. REMOVE DEAD OR DAMAGED BRANCHES RETAINING THE NATURAL FORM OF THE TREE.

BAG & BALL PLANTING NOTE:
1. REMOVE WRAPPING AND ALL TIES OR STRAPS. IF ROOT BALL IS WRAPPED IN BURLAP REMOVE TOP 1/3 OF BURLAP & WIRE FROM ROOT BALL. SYNTHETIC WRAP MUST BE REMOVED AND PROPERLY DISPOSED.
2. LOOSEN ROOTS TO ENSURE THEY ARE NOT GIRDLING THE ROOT BALL.
3. SALVAGE AND REUSE ALL SOIL THAT CAME WITH THE ROOT BALL.
4. WATER THE ROOT BALL PRIOR TO PLACING IT IN THE HOLE.
5. IF TREE IS CONTAINER GROWN, SALVAGE ALL SOIL AND MIX WITH SUPPLEMENTED SOIL FOR BACK FILL.

CONIFEROUS TREE PLANTING

(REFER TO ANSI A300 PART 6/BMP)
SAINT PETER STANDARD
PLATE 9005

SAINT PETER UTILITY STANDARD DETAIL
CITY OF SAINT PETER, MINNESOTA

RESOLUTION NO. 2018 –

STATE OF MINNESOTA)
COUNTY OF NICOLLET)
CITY OF SAINT PETER)

RESOLUTION APPROVING CONSTRUCTION STANDARD DETAILS #1001, #1002, #3018, #3019, #6001, #7017, #7017B, #9004 AND #9005 UPDATES

WHEREAS, the City has adopted construction standards for construction of public improvements throughout the community; and

WHEREAS, revised language is necessary for Plates #1001, #1002, #3018, #3019, #6001, #7017 and #7017B; and

WHEREAS, additional City Standard Detail plates #9004 and #9005 were created to accommodate contractors for plantings.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA, THAT:

1. City Standard plates #1001, #1002, #3018, #3019, #6001, #7017, and #7017B hereby approved as modified.

2. New standard detail plates #9004 and #9005 are hereby approved.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 9th day of April, 2018.

Charles Zieman
Mayor

ATTEST:

Todd Prafke
City Administrator
TO: Todd Prafke  
City Administrator

FROM: Matt Peters
Chief of Police

RE: Police Vehicle Purchases

DATE: 04/05/18

ACTION/RECOMMENDATION

Authorize purchase of two Dodge Charger Special Service vehicles in accordance with the City’s purchasing policy.

BACKGROUND

Considering the amount of use police vehicles receive (in hours as well as mileage), our goal is simply to do our best to keep our patrol fleet in the best operating order possible.

Through 20 years of long standing experience we have learned that it is the most cost effective to operate a squad car to approximately 75,000 miles. After 75,000 miles squad cars no longer are viable; as the expense of major repairs exceeds the value of the vehicle.

The fleet price for a 2018 model year Dodge Charger is approximately $24,308.00.

The vehicles we propose to purchase this year will replace a 2014 Dodge with 90,308+ miles, and a 2015 Dodge Charger with 80,346+miles.

The price quoted from Lagers, Inc., $24,308 per vehicle plus additional taxes and license fees is comparable with other State fleet contract vehicles.

FISCAL IMPACT:

Funding for the purchases $6,000 per vehicle for the transfer/installation of equipment from one vehicle to another, as well as the design graphics for the vehicle will be as follows:

| 2016 Equipment Certificate | $23,192.40 |
| 2017 Equipment Certificate | $ 2,835.00 |
| 2018 General Fund          | $28,588.60 |
| TOTAL                      | $54,616.00 |

Utilization of the 2016 and 2017 equipment certificates will close out those funds and no further action would be needed by the City Council.
This is part of the plan that was approved as part of the 2018 Budget process in December.

The squad cars that will be taken out of service will be evaluated with the rest of our non-emergency use fleet (think Meter Reader and staff cars) and the lowest value cars will be declared surplus. That declaration will come back to the City Council on a future consent agenda.

ALTERNATIVES/VARIATIONS:
Do not act: Staff will wait for further direction.
Negative vote: Staff will attempt to keep the current fleet in operational condition. (This option could cause a delay in service to the community; however primarily it is not cost effective.)
Modification of the Resolution: This is always an option of the Council.

Please feel free to contact me should you have any questions or concerns about this agenda item.
RESOLUTION NO. 2018 –

RESOLUTION APPROVING PURCHASE OF POLICE SQUAD CARS FUNDED BY 2016 AND 2017 EQUIPMENT CERTIFICATES AND 2018 GENERAL FUND BUDGET

WHEREAS, the City Council has established a budget and provided funding for purchases to be financed by equipment certificates which have previously been issued; and

WHEREAS, the City is in need of two new police patrol vehicles; and

WHEREAS, the vehicles are available from Lager’s Inc. of Saint Peter in amounts comparable to the State bid price; and

WHEREAS, staff recommends the purchase of two 2018 Dodge Charger Special Service vehicles from Lager’s Inc.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA, THAT:

1. Staff is authorized to proceed with purchase of two Dodge Charger Special Service vehicles from Lager’s Inc., in the amount of $48,616.

3. Staff is further authorized to proceed with the purchase of services to transfer/install equipment removed from existing Dodge Chargers into the new 2018 vehicles and installation of graphic design, radio, computer and other accessories on the new 2018 Dodge Chargers; such expenses in a not to exceed amount of $6,000 per vehicle.

3. Funding for the purchase of the cars shall be as follows:

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016 Equipment Certificate</td>
<td>$23,192.40</td>
</tr>
<tr>
<td>2017 Equipment Certificate</td>
<td>$2,835.00</td>
</tr>
<tr>
<td>2018 General Fund</td>
<td>$28,588.60</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$54,616.00</strong></td>
</tr>
</tbody>
</table>

Any remaining funds will come from General Fund reserves and the sale of the surplus vehicles.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 9th day of April, 2018.

Charles Zieman
Mayor

ATTEST:

Todd Prafke
City Administrator
PROCLAMATION
“ARBOR DAY AND ARBOR MONTH”

WHEREAS, Minnesota’s forest treasures were a significant attraction to early settlers because of their usefulness and the beautiful environment they protected; and

WHEREAS, trees are an increasingly vital resource in Minnesota today, enriching our lives by purifying air and water, helping conserve soil and energy, serving as recreational settings, providing habitat for wildlife of all kinds, and making our cities more livable; and

WHEREAS, Arbor Day was founded on April 10, 1872 by J. Sterling Morton at Nebraska City, Nebraska; and

WHEREAS, in 1876 Minnesota became the fourth state to adopt Arbor Day; and

WHEREAS, the citizens of Saint Peter have proudly participated in the celebration of Arbor Day and Arbor Month for many years.

NOW, THEREFORE, I, Charles Zieman, Mayor the City of Saint Peter, Minnesota, do hereby proclaim April 27, 2018 as “ARBOR DAY” and May, 2018 as “ARBOR MONTH” in the City and encourage citizens to participate in tree planting activities at their homes and businesses as the City plants trees in Community Spirit Park during the month of May. In witness whereof, I have hereunto set my hand and caused the seal of the City of Saint Peter to be affixed this 9th day of April, 2018.

Charles Zieman
Mayor

ATTEST:

Todd Prafske
City Administrator