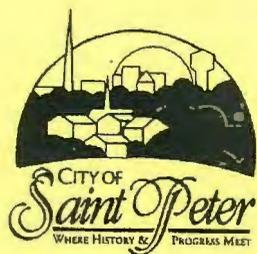


**CITY OF SAINT PETER, MINNESOTA
AGENDA AND NOTICE OF MEETING**

Regular City Council Meeting of Monday, March 23, 2015
Community Center Governors' Room - 7:00 p.m.

- I. CALL TO ORDER**
- II. APPROVAL OF AGENDA**
- III. APPROVAL OF MINUTES**
- IV. VISITORS**
 - A. Scheduling of Visitor Comments on Agenda Items
 - B. General Visitor Comments
- V. APPROVAL OF CONSENT AGENDA ITEMS**
- VI. UNFINISHED BUSINESS**
 - A. Final Acceptance of Broadway Generation Plant Upgrade Project
- VII. NEW BUSINESS**
 - A. Veteran's Memorial Design
 - B. Stormwater Regulation Modifications
 - C. Water Utilities Superintendent Job Description
 - D. Assistant Lead Librarian Job Description
 - E. 2015 Equipment Certificate Purchase: Pool Controllers
 - F. Rain Barrel Program
 - G. Sale of 430 Ritt Street Property
 - H. Hospital Commission Membership
 - I. Human Rights Commission Membership
- VIII. REPORTS**
 - A. MAYOR**
 - 1. "Vietnam Veteran's Day" Proclamation
 - 2. Others
 - B. CITY ADMINISTRATOR**
 - 1. APPA Legislative Rally Report
 - 2. Staff Training Closures
 - 3. Board of Appeal and Equalization Meeting
 - 4. City/County Meeting Schedule
 - 5. Others
- IX. ADJOURNMENT**

Office of the City Administrator
Todd Prafke



I. CALL TO ORDER

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

II. 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.

III. APPROVAL OF MINUTES

A copy of the minutes of the March 9, 2015 regular Council meeting is attached for approval. A MOTION is in order.

IV. 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**

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

V. APPROVAL OF CONSENT AGENDA ITEMS

The consent agenda, including approval of the schedule of disbursements for February 19, 2015 through March 4, 2015 is attached. Please see the attached staff reports and RESOLUTION.

VI. UNFINISHED BUSINESS

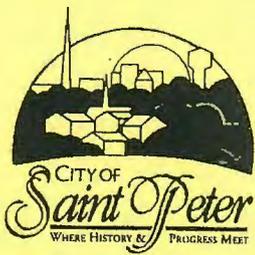
A. **ADOPTION OF A RESOLUTION ACCEPTING BROADWAY GENERATION PLANT UPGRADE PROJECT AND AUTHORIZING FINAL PAYMENT TO CONTRACTOR**

Staff recommends acceptance of the Broadway Generation Plant Upgrade Project as completed. Please see the attached staff report and RESOLUTION.

VII. NEW BUSINESS

A. **ADOPTION OF A RESOLUTION APPROVING DESIGN OF VETERAN'S MEMORIAL**

Staff recommends acceptance of the Parks and Recreation Advisory Board recommendation for approval of the design of the Veteran's



Memorial in Minnesota Square Park. Please see the attached staff report and RESOLUTION.

B. ADOPTION OF A ORDINANCES AND RESOLUTION(S) RELATED TO STORMWATER REGULATIONS

As required by the MPCA, staff is recommending changes to the City's stormwater regulations. The proposed changes include establishing an emergency response plan; modifications to City Code Chapters 30 and 52, and creating a new "illicit discharge" Section in Chapter 52. Due to the length of certain ordinances, staff further recommends adoption of a resolution authorizing summary publication of the lengthy ordinances. Please see the attached staff report, ORDINANCES, and RESOLUTION(S).

C. ADOPTION OF A RESOLUTION MODIFYING THE WATER UTILITIES SUPERINTENDENT POSITION DESCRIPTION

Staff recommends acceptance of minor modifications to the position description for Water Utilities Superintendent. The changes include a title change to Water "Resources" Superintendent. Please see the attached staff report and RESOLUTION.

D. ADOPTION OF A RESOLUTION MODIFYING THE ASSISTANT LEAD LIBRARIAN POSITION DESCRIPTION

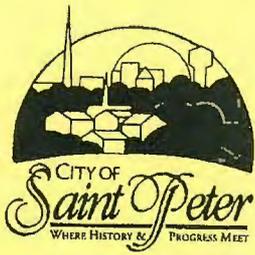
Staff recommends acceptance of minor modifications to the position description for Assistant Lead Librarian. Please see the attached staff report and RESOLUTION.

E. ADOPTION OF A RESOLUTION APPROVING 2015 EQUIPMENT CERTIFICATE PURCHASE OF POOL CONTROLLERS

Staff recommends approval of the purchase of three controllers for the outdoor swimming pool to be funded by the 2015 Equipment Certificate Fund. Please see the attached staff report and RESOLUTION.

F. ADOPTION OF A RESOLUTION EXTENDING THE RAIN BARREL PROGRAM

Staff recommends the rain barrel rebate program be extended into 2015 under the same conditions previously used. Please see the attached staff report and RESOLUTION.



G. ADOPTION OF A RESOLUTION APPROVING SALE OF 430 RITT STREET PROPERTY

The Economic Development Authority recommends sale of the 430 Ritt Street (former Taytronics building) property to Marv Kottke in the amount of \$930,000. Please see the attached staff report and RESOLUTION.

H. ADOPTION OF A RESOLUTION APPROVING MODIFICATIONS TO MEMBERSHIP OF THE HOSPITAL COMMISSION

The City Council has chosen to modify the membership of the Hospital and Nursing Home Commission to include two Councilmembers as voting members and to extend voting privileges to the President of the Medical Staff. Please see the attached staff report and ORDINANCE.

I. ADOPTION OF A RESOLUTION APPROVING MODIFICATIONS TO MEMBERSHIP OF THE HUMAN RIGHTS COMMISSION

The City Council has chosen to modify the membership of the Human Rights Commission so that the City Council acts as the Commission in lieu of citizen members. Please see the attached staff report and ORDINANCE.

VIII. REPORTS

A. MAYOR

1. REPORT ON "VIETNAM VETERANS DAY" PROCLAMATION

Mayor Strand will proclaim March 29th at "Vietnam Veteran's Day" in the City.

2. OTHERS

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

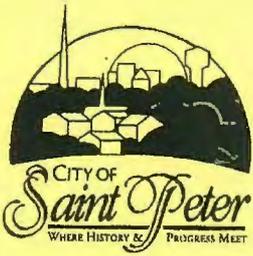
B. CITY ADMINISTRATOR

1. REPORT ON STAFF TRAINING

City offices will be closed until 1:30 p.m. on Tuesday, April 7th for staff training. A report will be provided at this time.

2. REPORT ON BOARD OF APPEALS AND EQUALIZATION MEETING

The annual Board of Appeals and Equalization meeting has been scheduled by the County for Tuesday, April 7th at 6:00 p.m. in the



Nicollet County Government Center. A report will be provided at this time.

3. REPORT ON CITY/COUNTY MEETING SCHEDULE

The next meeting of the City/County committee has been scheduled for Thursday, April 9th at 3:30 p.m. A report will be provided at this time.

4. OTHERS

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

IX. ADJOURNMENT

Office of the City Administrator
Todd Prafke

CITY OF SAINT PETER, MINNESOTA

OFFICIAL PROCEEDINGS

**MINUTES OF THE CITY COUNCIL MEETING
MARCH 9, 2015**

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 9, 2015.

A quorum present, Mayor Strand called the meeting to order at 7:00 p.m. The following members were present: Councilmembers Zieman, Kvamme, Brand, Grams and Mayor Strand. Absent were Councilmembers Parras and Carlin. The following officials were present: City Administrator Prafke, City Attorney Brandt, and City Engineers Domras and Loose.

Approval of Agenda – A motion was made by Kvamme, seconded by Brand, to approve the agenda. With all in favor, the motion carried.

Approval of Minutes – A motion was made by Zieman, seconded by Kvamme, to approve the minutes of the February 23, 2015 regular City Council meeting. With all in favor, the motion carried and the minutes were approved. A complete copy of the minutes of the February 23, 2015 regular City Council meeting is contained in the City Administrator's book entitled Council Proceedings 19.

Public Hearing: Currency Exchange Business – Mayor Strand opened the public hearing on a currency exchange license for La Mexicana Market #1 LLC at 7:03 p.m. City Administrator Prafke reviewed the rules for conduct of a public hearing and provided background information on the request from the Department of Commerce for a public hearing and Council action on the proposed license. Prafke also responded to Councilmember questions regarding currency exchange businesses. Councilmember Brand indicated he had visited the site of the applicant and watched them do wire transfers to foreign countries. There being no further speakers, the hearing was declared closed at 7:07 p.m.

Consent Agenda – In motion by Kvamme, seconded by Zieman, Resolution No. 2015-23 entitled "Resolution Approving Consent Agenda" was introduced. With all in favor, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2015-23 is contained in the City Administrator's book entitled Council Resolutions 20.

Registered Land Survey #68/Easements Correction – City Attorney Brandt recommended approval of two resolutions that would replace Resolution No. 2015-13 (adopted by the City Council February 9, 2015), which contained an incorrect reference and which had been deemed un-recordable by the County Recorder. Brandt recommended Resolution No. 2015-13 be repealed and replaced by one resolution which vacated easements and a second resolution adopting Registered Land Survey #68. In motion by Zieman, seconded by Grams, Resolution No. 2015-24 entitled "Resolution Vacating Easements In Lots 5-9, Block 2, Pine Pointe Subdivision No. 3 And Tract B, Registered Land Survey #65, City Of Saint Peter, Nicollet County, Minnesota", was introduced. Upon roll call, with all in favor, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2015-24 is contained in the City Administrator's book entitled Council Resolutions 20.

In motion by Zieman, seconded by Brand, Resolution No. 2015-25 entitled "Resolution Accepting Registered Land Survey No. 68", was introduced. Upon roll call, with all in favor, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2015-25 is contained in the City Administrator's book entitled Council Resolutions 20.

Fire Relief Association Benefit Increase Request – City Administrator Prafke recommended approval of a request by the Fire Relief Association to increase the annual retirement benefit from \$2,400 to \$2,800. Prafke noted the last increase to the benefit was in 2008 and the fund was sound and well able to support the increase. Mayor Strand expressed his belief that “the request was very reasonable and the Firefighters are due an increase.” In motion by Brand, seconded by Grams, Resolution No. 2015-26 entitled “Resolution Approving Fire Relief Association Retirement Benefit Increase”, was introduced. Upon roll call, with all in favor, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2015-26 is contained in the City Administrator’s book entitled Council Resolutions 20.

Tri-County Mutual Aid Agreement – City Administrator Prafke recommended execution of a renewal mutual aid agreement with the counties of Le Sueur, Blue Earth, and Nicollet and each of the cities within those counties. Prafke noted the previous agreement expired at the end of 2014 and the new agreement outlined how the parties would work together in the event of a mutual aid request, who would be in command of the scene and provided a basis for reimbursement of City costs from FEMA. Prafke stated the agreement would be implemented in the event of a natural disaster or any other instances when a party to the agreement needed assistance from the City including, fire, police, and ambulance services. In motion by Grams, seconded by Kvamme, Resolution No. 2015-27 entitled “Resolution Approving Execution Of Updated Mutual Aid Agreement With Le Sueur, Blue Earth, And Nicollet Counties And Cities Within The Tri-County Area”, was introduced. Upon roll call, with all in favor, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2015-27 is contained in the City Administrator’s book entitled Council Resolutions 20.

City Assistance Request: St. Patrick’s Day Parade – City Administrator Prafke recommended approval of the request from the St. Peter Ambassador’s for City assistance with traffic control and parking restrictions for the St. Patrick’s Day parade. In motion by Kvamme, seconded by Brand, Resolution No. 2015-28 entitled “Resolution Authorizing City Assistance For St. Patrick’s Day Parade”, was introduced. Upon roll call, with all in favor, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2015-28 is contained in the City Administrator’s book entitled Council Resolutions 20.

Currency Exchange Business – City Administrator Prafke recommended the Council consider adoption of a resolution supporting the application of La Mexicana Market #1 LLC for a currency exchange license from the Minnesota Department of Commerce. In motion by Zieman, seconded by Grams, Resolution No. 2015-29 entitled “Resolution Supporting Currency Exchange License Application For La Mexicana Market #1 LLC”, was introduced. Upon roll call, with all in favor, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2015-29 is contained in the City Administrator’s book entitled Council Resolutions 20.

2015 Street Maintenance Plan – Maintenance Superintendent Mayo requested Council approval of the proposed 2015 street maintenance program in the total budgeted amount of \$520,500. Mayo reported the plan included seal coating, sidewalk installation, full depth asphalt patching, sign replacement, striping, curb and handicap access replacement, alley entrance replacement, weed spraying, screening of millings reclaimed from 2014 street projects and working with the Hospital for sealing of the hospital parking lot. Councilmember Brand questioned the sidewalk replacement on North Third and Union. City Administrator Prafke indicated the sidewalk on North Third Street between Ramsey and Union Street had been included at the direction of the Council. In motion by Grams, seconded by Zieman, Resolution No. 2015-30 entitled “Resolution Adopting 2015 Street Maintenance Plan”, was introduced. Upon roll call, with all in favor, the Resolution was declared passed and adopted. A complete

copy of Resolution No. 2015-30 is contained in the City Administrator's book entitled Council Resolutions 20.

Spill Prevention Plan Update – City Administrator Prafke recommended approval of the updated spill prevention plan. Prafke noted the plan is required by the EPA and had been done by licensed engineers DeWild Grant and Reckert as required by the EPA regulations. Prafke also pointed out that the plan outlines City owned facilities that have oil products on site in excess of 1,320 and identifies procedures to be followed in the event of a spill. In motion by Grams, seconded by Brand, Resolution No. 2015-31 entitled “Resolution Adopting Updated Spill Prevention Control And Countermeasures Plan (SPCC)”, was introduced. Upon roll call, with all in favor, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2015-31 is contained in the City Administrator's book entitled Council Resolutions 20.

Reports

“Women’s History Month” Proclamation- Mayor Strand proclaimed March, 2015 as “Women’s History Month” in the community.

Mayor Strand also thanked Councilmember Zieman for serving as Mayor pro tem during his recent absence.

Interim Water Utilities Superintendent Appointment – City Administrator Prafke reported he had temporarily appointed Infrastructure Technician Jeff Knutson as Interim Water Utilities Superintendent under the authority provided to him in the City Code.

Street Sweeping – City Administrator Prafke reported spring street sweeping was beginning and the crew would begin in the downtown area.

Home Based Day Cares – City Administrator Prafke reported the City's program to provide incentives for individuals to establish home based day cares had resulted in one new business opening March 9th and four more expected to open by the end of the month.

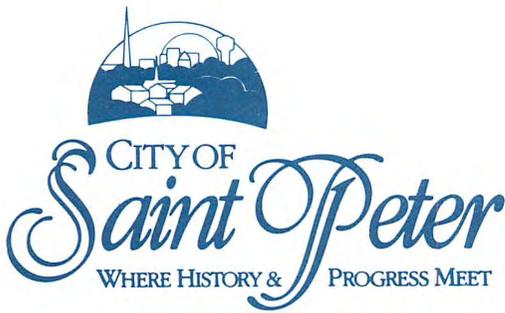
Councilmember Kvamme asked for an update on Councilmembers Carlin and Parras. City Administrator Prafke reported the Councilmembers were attending the American Public Power Association legislative rally in Washington D.C. with Public Works Director Moulton and other representatives from SMMPA.

There being no further business, a motion was made by Grams, seconded by Brand, to adjourn. With all in favor, the motion carried and the meeting adjourned at 7:46 p.m.

Timothy Strand
Mayor

ATTEST:

Todd Prafke
City Administrator



Memorandum

TO: Todd Prafke
City Administrator

DATE: 3/10/2015

FROM: Pete Moulton
Director of Public Works

RE: 2015 Streets Maintenance Program – Sidewalk, Curb & Handicap

ACTION/RECOMMENDATION

Accept quote from O'Malley Construction Inc. in the amount of \$9,950.00 for specified concrete work.

BACKGROUND

The 2015 street maintenance program includes \$23,700 for funding the replacement of damaged curb, gutter and sidewalks along planned areas of street improvements. Staff has identified approximately 400 feet of curb and gutter to be replaced in a few different locations throughout the City. Two locations are on Myrtle Street and Union Street which will be milled off to a 2" depth and replaced with new asphalt.

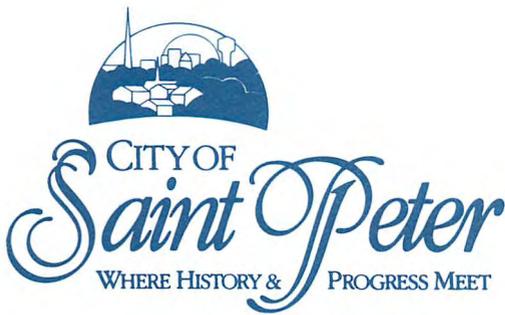
Per City policy, three quotes were received for this work. The quotes are on a cost per foot basis, including tear out and replacement with new curb.

<u>CONTRACTORS</u>	<u>TOTAL QUOTE</u>
O'Malley Construction Inc.	\$21.80 per foot
Nielsen Blacktopping LLC	\$35.00 per foot
Jim Schmidt Construction	\$52.25 per foot

I recommend accepting the low quote from O'Malley Construction for this work. Funding for the concrete work will be from the 2015 street maintenance program.

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

PTM/TM/amg



Memorandum

TO: Todd Prafke
City Administrator

DATE: 03/19/15

FROM: Pete Moulton
Director of Public Works

RE: Alley Entrance Improvements

ACTION/RECOMMENDATION

Accept the quote from Jim Schmidt Concrete and Masonry, LLC. of Mapleton, MN in the amount of \$9,950.00 for the replacement of four alley entrances.

BACKGROUND

The 2015 Streets Maintenance Program includes replacement of alley entrances. Based on the price per square foot of concrete, staff has calculated that based on your budget, four alley entrances can be replaced.

Staff has identified the alley entrances located on Myrtle Street between South Fourth and South Fifth Street plus South Seventh Street and Washington Avenue as the areas for replacement. These areas are scheduled to be under construction with new curb and gutter along with street milling and overlay. The alley entrances identified are in poor shape with heavy loads of sediment leaving the area and depositing solids in the curb and gutter. The contractor will be bringing these alley entrances up to City standards. Work is scheduled to be completed in April or May.

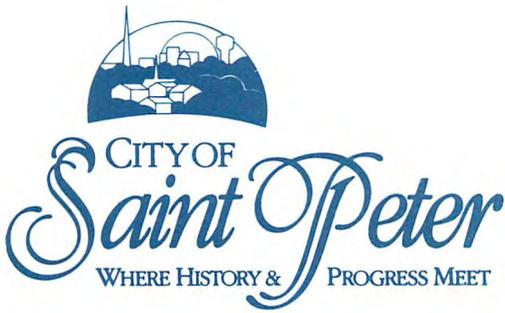
Three quotes were received for this work as follows:

Jim Schmidt Concrete & Masonry	\$6.25 sq. ft.
O'Malley Construction	\$7.17 sq. ft.
Nielsen Blacktopping, Inc	\$7.61 sq. ft.

Funding for the alley entrance replacements will be from the General Fund.

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

PTM/amg



Memorandum

TO: Todd Prafke
City Administrator

DATE: 03/19/15

FROM: Pete Moulton
Director of Public Works

RE: North Third & Union Street Sidewalk Program

ACTION/RECOMMENDATION

Accept the written proposal from Nielsen Blacktopping Inc. of Kasota, MN in the amount of \$17,674.00 for the installation of a new sidewalk on North Third & Union Streets.

BACKGROUND

As identified in the 2015 streets maintenance program, money was included for installation of new sidewalk on North Third Street from Ramsey Street to Union Street. This sidewalk will provide the missing link on North Third Street and provide a safe place for pedestrians to walk. Bolton and Menk Inc. will be designing and setting grade for this project. The contractor will be installing this section of sidewalk to City standards. Work is scheduled to be completed in April or May.

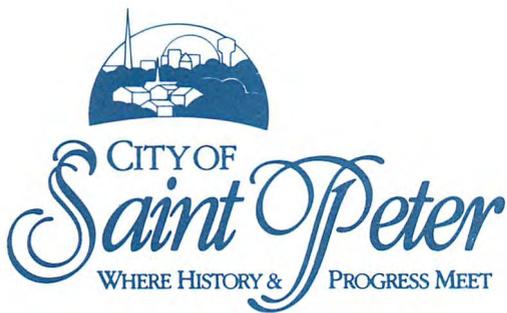
The City received three written proposals for the work as follows:

Nielsen Blacktopping, INC	\$17,674.00
Jim Schmidt Concrete & Masonry	\$17,788.90
O'Malley Construction	No proposal

Staff recommends accepting the proposal from Nielsen Blacktopping, Inc. Funding for the sidewalk will be from the General Fund.

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

PTM/AK/amg



Memorandum

TO: Todd Prafke
City Administrator.

DATE: 03/18/2015

FROM: Cindy Moulton *Cindy*
Administrative Secretary

RE: Temporary/Renewal License Applications

ACTION/RECOMMENDATION

Provide approval of temporary and/or renewal licenses.

BACKGROUND

Suleiman Al-Azzam of Greek Gourmet has submitted a Temporary Soft Drink license application for approval. He would like to sell soda at the Fourth of July Celebration and Rock Bend Folk Festival (9/12/2015 & 9/13/2015) in Minnesota Square Park.

Melchior Tree Service has submitted a Tree Worker License Application in order to trim, prune, remove shrubs or vines in the city of Saint Peter. The license will become effective May 1, 2015 and conclude April 30, 2016.

Barbara Lynn, owner of Sweet Shoppe Express, LLC has submitted an application for a Six Month Peddler License. She would like to peddle packaged ice cream novelties, sno-cones, Italian Ice and candy from her ice cream truck. She would peddle these treats in neighborhoods and festivals.

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

CKM

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
A. H. HERMEL WHOLESALE	vending machines	COMMUNITY CENTER	COMMUNITY CENTER	403.73
			TOTAL:	403.73
PAUL AASEN	election judge	GENERAL FUND	ELECTIONS	150.00
			TOTAL:	150.00
AFFILIATED CREDIT SERVICES	february collections	ELECTRIC FUND	CUSTOMER ACCOUNTS	229.34
			TOTAL:	229.34
ALPHA WIRELESS COMMUNICATIONS CO	monthly ltr radio agreemen	GENERAL FUND	MUNICIPAL BUILDING	59.32
	monthly ltr radio agreemen	GENERAL FUND	PUBLIC WORKS ADMIN	83.04
	monthly ltr radio agreemen	WATER	ADMIN AND GENERAL	56.83
	monthly ltr radio agreemen	WASTE WATER FUND	ADMIN AND GENERAL	51.40
	monthly ltr radio agreemen	ELECTRIC FUND	ADMIN AND GENERAL	51.41
			TOTAL:	302.00
AMAZON	paws walk supplies	RESTRICTED CONTRIB	COMMUNITY SERVICE	158.35
			TOTAL:	158.35
AMERICAN EXPRESS TRAVEL	flight points	GENERAL FUND	NON-DEPARTMENTAL	26.69-
	flight points	WATER	NON-DEPARTMENTAL	109.16-
	flight points	WASTE WATER FUND	NON-DEPARTMENTAL	95.68-
	flight points	ENVIRON SERVICES F	NON-DEPARTMENTAL	51.56-
	flight to dc appa	ELECTRIC FUND	ADMIN AND GENERAL	283.09
			TOTAL:	0.00
AMERICAN PRESSURE INC.	pressure washer parts	GENERAL FUND	STREETS	8.21
	pressure washer parts	GENERAL FUND	PARKS	8.21
	pressure washer parts	WATER	DISTRIBUTION AND STORA	4.10
	pressure washer parts	WASTE WATER FUND	SOURCE/TREATMENT	4.10
	pressure washer parts	ENVIRON SERVICES F	REFUSE DISPOSAL	4.10
	pressure washer parts	ELECTRIC FUND	POWER DISTRIBUTION	8.21
	pressure washer parts	STORMWATER FUND	TREATMENT	4.10
			TOTAL:	41.03
ARROW ACE HARDWARE INC	pressure washer	GENERAL FUND	FIRE	10.99
	batteries, valve balls, co	GENERAL FUND	FIRE	363.84
	polish, caulk, towels, cle	GENERAL FUND	PUBLIC WORKS ADMIN	57.49
	plumbers kit and tubing	GENERAL FUND	STREETS	12.04
	saw	GENERAL FUND	STREETS	7.60
	mailbox repairs	GENERAL FUND	STREETS	137.56
	velcro tape	GENERAL FUND	RECREATION/LEISURE SER	9.99
	thermo, paint, brush	GENERAL FUND	PARKS	61.41
	christmas lights dwntwn, m	GENERAL FUND	PARKS	504.80
	plumbers kit and tubing	GENERAL FUND	PARKS	9.63
	parks - clamps, paint roll	GENERAL FUND	PARKS	128.74
	saw	GENERAL FUND	PARKS	7.60
	jbend	COMMUNITY CENTER	COMMUNITY CENTER	12.99
	cleaning supplies	COMMUNITY CENTER	COMMUNITY CENTER	43.35
	o-ring, oil mineral	COMMUNITY CENTER	COMMUNITY CENTER	21.13
	plug, nipples, connect, ad	WATER	SOURCE OF SUPPLY	91.47
	plumbers kit and tubing	WATER	DISTRIBUTION AND STORA	4.81
	saw	WATER	DISTRIBUTION AND STORA	3.80
	plumbers kit and tubing	WASTE WATER FUND	SOURCE/TREATMENT	4.81
	saw	WASTE WATER FUND	SOURCE/TREATMENT	3.80
	screen	WASTE WATER FUND	SOURCE/TREATMENT	11.99

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	plumbers kit and tubing	ENVIRON SERVICES	F REFUSE DISPOSAL	4.81
	chain saw	ENVIRON SERVICES	F REFUSE DISPOSAL	434.46
	roller, hook rope, brace,	ENVIRON SERVICES	F REFUSE DISPOSAL	104.14
	saw	ENVIRON SERVICES	F REFUSE DISPOSAL	3.80
	bug spray, air filter, bul	ELECTRIC FUND	POWER PRODUCTION	54.93
	plumbers kit and tubing	ELECTRIC FUND	POWER DISTRIBUTION	12.04
	saw	ELECTRIC FUND	POWER DISTRIBUTION	7.60
	weed whip parts	STORMWATER FUND	TREATMENT	61.22
	saw	STORMWATER FUND	TREATMENT	3.78
	sponge mop	TRANSIT	TRANSIT/TRANSPORTATION	5.27
			TOTAL:	2,201.89
BEAR GRAPHICS INC	parks bd books	GENERAL FUND	PARKS	264.15
	library bd books	LIBRARY FUND	LIBRARY	264.14
			TOTAL:	528.29
BGMN, INC	oil and additives	GENERAL FUND	STREETS	89.46
	oil and additives	GENERAL FUND	PARKS	89.46
	oil and additives	WATER	DISTRIBUTION AND STORA	44.73
	oil and additives	WASTE WATER FUND	SOURCE/TREATMENT	44.73
	oil and additives	ENVIRON SERVICES	F REFUSE DISPOSAL	44.73
	oil and additives	ELECTRIC FUND	POWER DISTRIBUTION	89.46
	oil and additives	STORMWATER FUND	TREATMENT	44.73
			TOTAL:	447.30
JANET BOESE	election judge	GENERAL FUND	ELECTIONS	150.00
			TOTAL:	150.00
BOLTON & MENK INC	general engineering	GENERAL FUND	PUBLIC WORKS ADMIN	180.00
	research use of recycled a	GENERAL FUND	STREETS	130.00
	cost est for broadway/gard	GENERAL FUND	STREETS	306.00
	general engineering	GENERAL FUND	STREETS	127.50
	general engineering	GENERAL FUND	STREETS	120.00
	update maps	GENERAL FUND	PARKS	1,670.00
	update maps	GENERAL FUND	PARKS	564.00
	update maps	GENERAL FUND	PARKS	365.00
	general engineering	GENERAL FUND	PARKS	102.00
	jan/feb professional serv	GENERAL FUND	ECONOMIC DEVMT	1,783.00
	dev discuss dodd and old M	GENERAL FUND	ECONOMIC DEVMT	672.00
	dev mtg old MN/st julien	GENERAL FUND	ECONOMIC DEVMT	704.00
	professional services 2/15	PERM IMPROVMENT RE	STREETS	1,854.00
	old mn ave st julien	PERM IMPROVMENT RE	STREETS	390.00
	update water base	WATER	ADMIN AND GENERAL	1,081.00
	general engineering	WATER	ADMIN AND GENERAL	51.00
	update sewer	WASTE WATER FUND	ADMIN AND GENERAL	1,081.00
	general engineering	WASTE WATER FUND	ADMIN AND GENERAL	51.00
	general engineering	ENVIRON SERVICES	F ADMIN AND GENERAL	51.00
	general engineering	ELECTRIC FUND	ADMIN AND GENERAL	127.50
	update storm base	STORMWATER FUND	COLLECTIONS/LIFT STATI	1,786.00
	update street	STORMWATER FUND	COLLECTIONS/LIFT STATI	564.00
	reg storm water meeting	STORMWATER FUND	COLLECTIONS/LIFT STATI	130.00
			TOTAL:	13,890.00
DENNY BOOREN	election judge	GENERAL FUND	ELECTIONS	140.00
			TOTAL:	140.00

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
BOYER TRUCKS	#45 switch	GENERAL FUND	STREETS	105.84
	hose	GENERAL FUND	STREETS	<u>88.50</u>
			TOTAL:	194.34
CARQUEST AUTO PARTS STORES	hose connector	GENERAL FUND	STREETS	3.38
	hydraulic oil	WASTE WATER FUND	COLLECTOR/LIFT STAT	106.68
	loader lamps	WASTE WATER FUND	SOURCE/TREATMENT	<u>70.15</u>
			TOTAL:	180.21
CDW GOVERNMENT, INC.	adobe acrobat 11 pro	GENERAL FUND	MAYOR & COUNCIL	77.96
	adobe acrobat 11 pro	GENERAL FUND	CITY ADMINISTRATION	77.97
	adobe acrobat 11 pro	GENERAL FUND	STREETS	31.19
	adobe acrobat 11 pro	GENERAL FUND	PARKS	31.19
	adobe acrobat 11 pro	WATER	DISTRIBUTION AND STORA	15.59
	adobe acrobat 11 pro	WASTE WATER FUND	SOURCE/TREATMENT	15.59
	adobe acrobat 11 pro	ENVIRON SERVICES F	REFUSE DISPOSAL	15.59
	adobe acrobat 11 pro	ELECTRIC FUND	POWER DISTRIBUTION	31.19
	adobe acrobat 11 pro	STORMWATER FUND	TREATMENT	<u>15.59</u>
			TOTAL:	311.86
	CENTERPOINT ENERGY MINNEGASCO	feb gas service	GENERAL FUND	FIRE
feb gas service		GENERAL FUND	STREETS	464.14
feb gas service		GENERAL FUND	SWIMMING POOL	43.00
feb gas service		GENERAL FUND	PARKS	371.31
feb gas service		LIBRARY FUND	LIBRARY	1,199.04
feb gas service		COMMUNITY CENTER	COMMUNITY CENTER	2,718.92
feb gas service		WATER	PURIFICATION AND TREAT	1,448.08
feb gas service		WATER	PURIFICATION AND TREAT	156.38
feb gas service		WATER	ADMIN AND GENERAL	185.66
feb gas service		WASTE WATER FUND	COLLECTOR/LIFT STAT	15.00
feb gas service		WASTE WATER FUND	SOURCE/TREATMENT	7,529.68
feb gas service		WASTE WATER FUND	ADMIN AND GENERAL	185.66
feb gas service		ENVIRON SERVICES F	ADMIN AND GENERAL	185.66
feb gas service		ELECTRIC FUND	ADMIN AND GENERAL	<u>464.14</u>
			TOTAL:	15,517.12
CHARD TILING & EXCAVATING	est #9 washington ave link	PERM IMPROVMENT RE	STREETS	<u>42,444.88</u>
			TOTAL:	42,444.88
CHEMSEARCH	drum pump	GENERAL FUND	STREETS	6.00
	pro brite	GENERAL FUND	STREETS	49.40
	lube contract	GENERAL FUND	STREETS	141.16
	drum pump	GENERAL FUND	PARKS	6.00
	pro brite	GENERAL FUND	PARKS	49.40
	lube contract	GENERAL FUND	PARKS	112.92
	drum pump	WATER	DISTRIBUTION AND STORA	3.00
	pro brite	WATER	DISTRIBUTION AND STORA	24.70
	lube contract	WATER	DISTRIBUTION AND STORA	56.46
	drum pump	WASTE WATER FUND	SOURCE/TREATMENT	3.00
	pro brite	WASTE WATER FUND	SOURCE/TREATMENT	24.70
	lube contract	WASTE WATER FUND	SOURCE/TREATMENT	56.46
	drum pump	ENVIRON SERVICES F	REFUSE DISPOSAL	3.00
	pro brite	ENVIRON SERVICES F	REFUSE DISPOSAL	24.70
	lube contract	ENVIRON SERVICES F	REFUSE DISPOSAL	56.46
	drum pump	ELECTRIC FUND	POWER DISTRIBUTION	6.00
	pro brite	ELECTRIC FUND	POWER DISTRIBUTION	49.40

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	lube contract	ELECTRIC FUND	POWER DISTRIBUTION	141.16
	drum pump	STORMWATER FUND	TREATMENT	3.00
	pro brite	STORMWATER FUND	TREATMENT	24.70
			TOTAL:	841.62
HELEN L CHRISTIANSON	election judge	GENERAL FUND	ELECTIONS	150.00
			TOTAL:	150.00
CINTAS CORPORATION #754	feb uniform cleaning	ELECTRIC FUND	ADMIN AND GENERAL	471.81
			TOTAL:	471.81
COLE PAPERS INC	trash bags, glass cleaner	GENERAL FUND	STREETS	46.65
	trash bags, glass cleaner	GENERAL FUND	PARKS	46.65
	cleaning supplies	LIBRARY FUND	LIBRARY	380.29
	cleaning supplies	COMMUNITY CENTER	COMMUNITY CENTER	887.37
	trash bags, glass cleaner	WATER	DISTRIBUTION AND STORA	23.32
	trash bags, glass cleaner	WASTE WATER FUND	SOURCE/TREATMENT	23.32
	trash bags, glass cleaner	ENVIRON SERVICES F	REFUSE DISPOSAL	23.32
	trash bags, glass cleaner	ELECTRIC FUND	POWER DISTRIBUTION	46.65
	trash bags, glass cleaner	STORMWATER FUND	TREATMENT	23.33
			TOTAL:	1,500.90
COMPASS MINERALS AMERICA INC	bulk salt	GENERAL FUND	STREETS	2,140.91
			TOTAL:	2,140.91
COURT SPORTS AND MORE	jacket - uniform allowance	GENERAL FUND	FIRE	130.00
			TOTAL:	130.00
JASON DAHL	dinner during mrwa trainin	WASTE WATER FUND	ADMIN AND GENERAL	13.44
			TOTAL:	13.44
DAVIS EQUIPMENT CORPORATION	47" box	GENERAL FUND	PARKS	362.38
			TOTAL:	362.38
DIAMOND VOGEL PAINTS	valve, kit, cable	GENERAL FUND	STREETS	440.50
			TOTAL:	440.50
DIESEL SYSTEMS	#44 KIT	GENERAL FUND	STREETS	21.54
			TOTAL:	21.54
CRAIG DRAGER	election judge	GENERAL FUND	ELECTIONS	45.00
			TOTAL:	45.00
PATRICIA DUENWALD	election judge	GENERAL FUND	ELECTIONS	150.00
			TOTAL:	150.00
ENVENTIS	february fees	GENERAL FUND	CITY ADMINISTRATION	70.14
	february fees	GENERAL FUND	CITY CLERK	13.87
	february fees	GENERAL FUND	FINANCE	109.19
	february fees	GENERAL FUND	MUNICIPAL BUILDING	6.48
	february fees	GENERAL FUND	POLICE	341.01
	february fees	GENERAL FUND	FIRE	151.54
	february fees	GENERAL FUND	BUILDING INSPECTOR	40.71
	february fees	GENERAL FUND	PUBLIC WORKS ADMIN	83.18
	february fees	GENERAL FUND	STREETS	47.18
	february fees	GENERAL FUND	SENIOR COORDINATOR	5.63

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	february fees	GENERAL FUND	RECREATION/LEISURE SER	269.96
	february fees	GENERAL FUND	SWIMMING POOL	31.34
	february fees	GENERAL FUND	PARKS	90.44
	february fees	GENERAL FUND	ECONOMIC DEVMT	26.84
	february fees	LIBRARY FUND	LIBRARY	82.73
	february fees	PUBLIC ACCESS	PUBLIC ACCESS	13.89
	february fees	COMMUNITY CENTER	COMMUNITY CENTER	48.01
	february fees	WATER	ADMIN AND GENERAL	167.35
	february fees	WASTE WATER FUND	ADMIN AND GENERAL	191.69
	february fees	ENVIRON SERVICES F	ADMIN AND GENERAL	29.98
	february fees	ELECTRIC FUND	ADMIN AND GENERAL	138.72
	february fees	TRANSIT	TRANSIT/TRANSPORTATION	48.76
			TOTAL:	2,008.64
FAMILY FRESH MARKET	shoe polish	GENERAL FUND	POLICE	10.78
	cleaner	GENERAL FUND	FIRE	13.80
	monthly staff mtg	GENERAL FUND	STREETS	6.15
	job fair	GENERAL FUND	RECREATION/LEISURE SER	17.93
	monthly staff mtg	GENERAL FUND	PARKS	6.15
	batteries	PUBLIC ACCESS	PUBLIC ACCESS	3.69
	monthly staff mtg	WATER	DISTRIBUTION AND STORA	3.08
	monthly staff mtg	WASTE WATER FUND	SOURCE/TREATMENT	3.08
	monthly staff mtg	ENVIRON SERVICES F	REFUSE DISPOSAL	3.08
	monthly staff mtg	ELECTRIC FUND	POWER DISTRIBUTION	6.15
	monthly staff mtg	STORMWATER FUND	TREATMENT	3.07
			TOTAL:	76.96
FASTENAL COMPANY	concrete patch pd and pw g	GENERAL FUND	MUNICIPAL BUILDING	151.03
	concrete patch pd and pw g	GENERAL FUND	PUBLIC WORKS ADMIN	151.03
	headlights	GENERAL FUND	STREETS	45.93
	ear plugs,	GENERAL FUND	STREETS	120.00
	scotch lock and connectors	GENERAL FUND	STREETS	13.81
	headlights	GENERAL FUND	PARKS	36.74
	ear plugs,	GENERAL FUND	PARKS	96.00
	scotch lock and connectors	GENERAL FUND	PARKS	13.81
	bolts and nuts	GENERAL FUND	PARKS	8.11
	picnic table bolts	GENERAL FUND	PARKS	16.54
	bolts	WATER	PURIFICATION AND TREAT	1.43
	scotch lock and connectors	WATER	DISTRIBUTION AND STORA	6.90
	headlights	WATER	ADMIN AND GENERAL	18.37
	ear plugs,	WATER	ADMIN AND GENERAL	48.00
	bolt bin	WASTE WATER FUND	SOURCE/TREATMENT	83.61
	scotch lock and connectors	WASTE WATER FUND	SOURCE/TREATMENT	6.90
	nipple and adapter	WASTE WATER FUND	SOURCE/TREATMENT	4.71
	headlights	WASTE WATER FUND	ADMIN AND GENERAL	18.37
	ear plugs	WASTE WATER FUND	ADMIN AND GENERAL	48.00
	scotch lock and connectors	ENVIRON SERVICES F	REFUSE DISPOSAL	6.90
	headlights	ENVIRON SERVICES F	ADMIN AND GENERAL	18.37
	ear plugs,	ENVIRON SERVICES F	ADMIN AND GENERAL	48.00
	scotch lock and connectors	ELECTRIC FUND	POWER DISTRIBUTION	13.81
	tie down ratchet tool	ELECTRIC FUND	POWER DISTRIBUTION	22.27
	headlights	ELECTRIC FUND	ADMIN AND GENERAL	45.93
	ear plugs	ELECTRIC FUND	ADMIN AND GENERAL	120.00
	scotch lock and connectors	STORMWATER FUND	TREATMENT	6.91
	zip ties	RESTRICTED CONTRIB	RECREATION/LEISURE SER	7.45
			TOTAL:	1,178.93

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
FIRE PROTECTION SERVICES, INC.	review shop drawings bunke	GENERAL FUND	BUILDING INSPECTOR	206.00
	review shop drawings msop	GENERAL FUND	BUILDING INSPECTOR	<u>431.00</u>
			TOTAL:	637.00
FLEETPRIDE	seals, wipers, orings,	GENERAL FUND	STREETS	231.10
	repair shaft	GENERAL FUND	PARKS	<u>48.82</u>
			TOTAL:	279.92
THE FLOOR TO CEILING STORE	carpet glue	COMMUNITY CENTER	COMMUNITY CENTER	<u>39.95</u>
			TOTAL:	39.95
FORESTRY SUPPLIERS INC	saw blades	ENVIRON SERVICES F	REFUSE DISPOSAL	<u>242.74</u>
			TOTAL:	242.74
FREEDOM VALUE CENTERS, INC.	feb fuel	GENERAL FUND	POLICE	86.11
	feb fuel - water dept	WATER	DISTRIBUTION AND STORA	99.35
	feb fuel	WASTE WATER FUND	COLLECTOR/LIFT STAT	176.90
	feb fuel	STORMWATER FUND	TREATMENT	72.83
	feb fuel	TRANSIT	TRANSIT/TRANSPORTATION	<u>2,354.86</u>
			TOTAL:	2,790.05
GENERATIONS PHOTOGRAPHY & VINYL CREATI	city logo sign	GENERAL FUND	STREETS	25.00
	no parking signs	GENERAL FUND	STREETS	15.00
	no parking signs	ELECTRIC FUND	POWER PRODUCTION	<u>15.00</u>
			TOTAL:	55.00
GENESIS	Feb fuel	GENERAL FUND	FIRE	194.55
	Feb fuel	GENERAL FUND	STREETS	2,192.15
	Feb fuel	GENERAL FUND	PARKS	231.19
	Feb fuel	WASTE WATER FUND	COLLECTOR/LIFT STAT	68.00
	Feb fuel	ENVIRON SERVICES F	REFUSE DISPOSAL	64.22
	Feb fuel	ELECTRIC FUND	POWER DISTRIBUTION	176.98
	Feb fuel	STORMWATER FUND	TREATMENT	<u>58.92</u>
			TOTAL:	2,986.01
GOPHER SPORT	additional net and floor t	GENERAL FUND	RECREATION/LEISURE SER	<u>325.90</u>
			TOTAL:	325.90
GRAYMONT WESTERN LIME INC.	biosolids lime	WASTE WATER FUND	BIOSOLIDS	<u>4,347.00</u>
			TOTAL:	4,347.00
GREAT NORTHERN ENVIRONMENTAL LLC	limeaway	WASTE WATER FUND	SOURCE/TREATMENT	<u>178.70</u>
			TOTAL:	178.70
DONNA J GREEN	election judge	GENERAL FUND	ELECTIONS	<u>150.00</u>
			TOTAL:	150.00
GUSTAVUS ADOLPHUS COLLEGE	annual pymt/fields per GAC	GENERAL FUND	RECREATION/LEISURE SER	<u>11,000.00</u>
			TOTAL:	11,000.00
GUSTAVUS ADOLPHUS COLLEGE P.O.	feb postage	GENERAL FUND	CITY ADMINISTRATION	18.24
	feb postage	GENERAL FUND	CITY CLERK	3.71
	feb postage	GENERAL FUND	ELECTIONS	27.26
	feb postage	GENERAL FUND	FINANCE	140.38
	feb postage	GENERAL FUND	POLICE	40.54
	feb postage	GENERAL FUND	BUILDING INSPECTOR	<u>36.66</u>

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	feb postage	GENERAL FUND	PUBLIC WORKS ADMIN	0.53
	feb postage	GENERAL FUND	STREETS	3.18
	feb postage	GENERAL FUND	RECREATION/LEISURE SER	38.16
	feb postage	GENERAL FUND	SWIMMING POOL	18.02
	feb postage	GENERAL FUND	PARKS	1.80
	feb postage	GENERAL FUND	ECONOMIC DEVMT	19.47
	feb postage	LIBRARY FUND	LIBRARY	12.34
	feb postage	COMMUNITY CENTER	COMMUNITY CENTER	2.12
	feb postage	WATER	ADMIN AND GENERAL	4.24
	feb postage	WATER	CUSTOMER ACCOUNTS	82.47
	feb postage	WASTE WATER FUND	ADMIN AND GENERAL	0.74
	feb postage	WASTE WATER FUND	CUSTOMER ACCOUNTS	82.46
	feb postage	ENVIRON SERVICES F	ADMIN AND GENERAL	0.53
	feb postage	ENVIRON SERVICES F	CUSTOMER ACCOUNTS	82.46
	feb postage	ELECTRIC FUND	ADMIN AND GENERAL	4.84
	feb postage	ELECTRIC FUND	CUSTOMER ACCOUNTS	82.46
	feb postage	STORMWATER FUND	ADMINISTRATION AND GEN	11.66
	feb postage	TRANSIT	TRANSIT/TRANSPORTATION	8.16
			TOTAL:	722.43
GUSTAVUS ADOLPHUS COLLEGE-DINING	stormwater mtg	STORMWATER FUND	ADMINISTRATION AND GEN	76.95
			TOTAL:	76.95
HACH COMPANY	phosphorus	WASTE WATER FUND	SOURCE/TREATMENT	133.27
			TOTAL:	133.27
DIANE HARMS	election judge	GENERAL FUND	ELECTIONS	150.00
			TOTAL:	150.00
MARYANN HARTY	election judge	GENERAL FUND	ELECTIONS	130.00
			TOTAL:	130.00
HAWKINS, INC.	azone and caustic soda	WATER	PURIFICATION AND TREAT	1,498.87
	biosolids polymer	WASTE WATER FUND	BIOSOLIDS	5,060.00
			TOTAL:	6,558.87
HD SUPPLY FACILITIES MAINTENANCE	light fixturs from rm 215	COMMUNITY CENTER	COMMUNITY CENTER	315.50
			TOTAL:	315.50
DIV OF ALAMO SALES CORP	plow shoe	GENERAL FUND	STREETS	811.37
			TOTAL:	811.37
HILLYARD/HUTCHINSON	parts for rider vacuum	COMMUNITY CENTER	COMMUNITY CENTER	653.60
	ridervac parts	COMMUNITY CENTER	COMMUNITY CENTER	185.92
			TOTAL:	839.52
I & S GROUP	feasibility study	GENERAL FUND	CITY ADMINISTRATION	962.50
			TOTAL:	962.50
INTERNATIONAL CODE COUNCIL, INC	gov't member dues pop up	GENERAL FUND	BUILDING INSPECTOR	125.00
			TOTAL:	125.00
RAYMOND JACOBSON	election judge	GENERAL FUND	ELECTIONS	150.00
			TOTAL:	150.00
JAVENS MECHANICAL CONTRACTING CO.	repair for MUA	WASTE WATER FUND	SOURCE/TREATMENT	312.25

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	pump seal	WASTE WATER FUND	SOURCE/TREATMENT	<u>1,442.48</u>
			TOTAL:	1,754.73
JERRY'S ELECTRIC INC	pcb testing	ELECTRIC FUND	POWER DISTRIBUTION	<u>37.50</u>
			TOTAL:	37.50
JOHNSON AGGREGATES	sand coarse washed	GENERAL FUND	STREETS	<u>649.99</u>
			TOTAL:	649.99
KIND VETERINARY CLINIC PA	animal boarding fees	GENERAL FUND	COMMUNITY SERVICE	<u>73.50</u>
			TOTAL:	73.50
JEFF KNUTSON	continuing education - knu	STORMWATER FUND	ADMINISTRATION AND GEN	<u>765.00</u>
			TOTAL:	765.00
GENE KROHNBERG	election judge	GENERAL FUND	ELECTIONS	<u>150.00</u>
			TOTAL:	150.00
KWIK TRIP INC	feb parks fuel	GENERAL FUND	PARKS	<u>203.73</u>
			TOTAL:	203.73
LAGER'S INC	squad repairs for #111	GENERAL FUND	POLICE	215.82
	radiator repair on 412	GENERAL FUND	POLICE	899.30
	squad repairs	GENERAL FUND	POLICE	45.94
	car repair	WATER	CUSTOMER ACCOUNTS	23.74
	car repair	WASTE WATER FUND	CUSTOMER ACCOUNTS	23.74
	car repair	ENVIRON SERVICES F	CUSTOMER ACCOUNTS	23.73
	car repair	ELECTRIC FUND	CUSTOMER ACCOUNTS	<u>23.74</u>
			TOTAL:	1,256.01
LEAGUE OF MN CITIES INSURANCE TRUST	2nd qtr workers comp	GENERAL FUND	MAYOR & COUNCIL	19.09
	2nd qtr workers comp	GENERAL FUND	CITY ADMINISTRATION	149.99
	2nd qtr workers comp	GENERAL FUND	CITY CLERK	65.18
	2nd qtr workers comp	GENERAL FUND	FINANCE	197.18
	2nd qtr workers comp	GENERAL FUND	MUNICIPAL BUILDING	261.25
	2nd qtr workers comp	GENERAL FUND	POLICE	6,906.72
	2nd qtr workers comp	GENERAL FUND	FIRE	4,162.00
	2nd qtr workers comp	GENERAL FUND	FIRE	3,539.28
	2nd qtr workers comp	GENERAL FUND	BUILDING INSPECTOR	153.48
	2nd qtr workers comp	GENERAL FUND	COMMUNITY SERVICE	320.18
	2nd qtr workers comp	GENERAL FUND	PUBLIC WORKS ADMIN	225.63
	2nd qtr workers comp	GENERAL FUND	STREETS	4,841.31
	2nd qtr workers comp	GENERAL FUND	RECREATION/LEISURE SER	1,473.69
	2nd qtr workers comp	GENERAL FUND	SWIMMING POOL	879.04
	2nd qtr workers comp	GENERAL FUND	SKATING RINKS	19.09
	2nd qtr workers comp	GENERAL FUND	PARKS	2,737.35
	2nd qtr workers comp	GENERAL FUND	ECONOMIC DEVMT	94.55
	2nd qtr workers comp	LIBRARY FUND	LIBRARY	327.89
	2nd qtr workers comp	PUBLIC ACCESS	PUBLIC ACCESS	9.73
	2nd qtr workers comp	COMMUNITY CENTER	COMMUNITY CENTER	760.63
	2nd qtr workers comp	WATER	SOURCE OF SUPPLY	186.90
	2nd qtr workers comp	WATER	PURIFICATION AND TREAT	1,063.00
	2nd qtr workers comp	WATER	DISTRIBUTION AND STORA	1,229.15
	2nd qtr workers comp	WATER	ADMIN AND GENERAL	157.34
	2nd qtr workers comp	WATER	CUSTOMER ACCOUNTS	26.07
	2nd qtr workers comp	WASTE WATER FUND	BIOSOLIDS	1,225.66

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT	
	2nd qtr workers comp	WASTE WATER FUND	BIOSOLIDS	369.39	
	2nd qtr workers comp	WASTE WATER FUND	COLLECTOR/LIFT STAT	797.89	
	2nd qtr workers comp	WASTE WATER FUND	SOURCE/TREATMENT	1,984.63	
	2nd qtr workers comp	WASTE WATER FUND	ADMIN AND GENERAL	170.37	
	2nd qtr workers comp	WASTE WATER FUND	CUSTOMER ACCOUNTS	26.07	
	2nd qtr workers comp	ENVIRON SERVICES F	REFUSE DISPOSAL	98.96	
	2nd qtr workers comp	ENVIRON SERVICES F	CUSTOMER ACCOUNTS	12.48	
	2nd qtr workers comp	ELECTRIC FUND	POWER PRODUCTION	94.73	
	2nd qtr workers comp	ELECTRIC FUND	POWER DISTRIBUTION	2,289.94	
	2nd qtr workers comp	ELECTRIC FUND	ADMIN AND GENERAL	477.52	
	2nd qtr workers comp	ELECTRIC FUND	CUSTOMER ACCOUNTS	102.08	
	2nd qtr workers comp	STORMWATER FUND	COLLECTIONS/LIFT STATI	1,085.39	
	2nd qtr workers comp	STORMWATER FUND	TREATMENT	383.52	
	2nd qtr workers comp	STORMWATER FUND	ADMINISTRATION AND GEN	97.12	
	2nd qtr workers comp	STORMWATER FUND	CUSTOMER ACCOUNTS	12.48	
	2nd qtr workers comp	TRANSIT	TRANSIT/TRANSPORTATION	1,797.55	
			TOTAL:	40,831.50	
THOMAS LEONHARDT	election judge	GENERAL FUND	ELECTIONS	150.00	
			TOTAL:	150.00	
LJP ENTERPRISES INC	feb garbage pick up and di	ENVIRON SERVICES F	REFUSE DISPOSAL	19,097.08	
			TOTAL:	19,097.08	
LOCATORS & SUPPLIES, INC.	vests and safety t's	GENERAL FUND	STREETS	40.57	
	vests and safety t's	GENERAL FUND	PARKS	32.45	
	vests and safety t's	WATER	ADMIN AND GENERAL	16.23	
	vests and safety t's	WASTE WATER FUND	ADMIN AND GENERAL	16.23	
	vests and safety t's	ENVIRON SERVICES F	ADMIN AND GENERAL	16.22	
	vests and safety t's	ELECTRIC FUND	ADMIN AND GENERAL	40.57	
			TOTAL:	162.27	
NANCY LUKER	election judge	GENERAL FUND	ELECTIONS	185.00	
			TOTAL:	185.00	
MADDEN, GALANTER, HANSEN, LLP	legal services	GENERAL FUND	CITY ADMINISTRATION	39.81	
			TOTAL:	39.81	
MENARDS	water line credit	GENERAL FUND	FIRE	9.84-	
	knife blades	GENERAL FUND	FIRE	307.24	
			TOTAL:	297.40	
METERING & TECHNOLOGY SOLUTIONS	water meter heads	WATER	NON-DEPARTMENTAL	907.45	
			TOTAL:	907.45	
METRO JANITORIAL SUPPLY INC.	cleaning supplies	COMMUNITY CENTER	COMMUNITY CENTER	348.81	
			TOTAL:	348.81	
WARREN MICHELS	election judge	GENERAL FUND	ELECTIONS	160.00	
			TOTAL:	160.00	
LEONA MILLER	election judge	GENERAL FUND	ELECTIONS	165.00	
			TOTAL:	165.00	
MISC VENDOR	BEYER, MARILYN	election judge	GENERAL FUND	ELECTIONS	150.00
	CARPENTER, EMILY	election judge	GENERAL FUND	ELECTIONS	150.00

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
DZINE	snow wing	GENERAL FUND	STREETS	180.00
FONDIE, JAIDE	election judge	GENERAL FUND	ELECTIONS	150.00
HALL, JOHN	election judge	GENERAL FUND	ELECTIONS	165.00
OAIRE, INC	classes and mileage	GENERAL FUND	FIRE	625.00
OLSEN CHAIN&CABLE	plow replacement cables	GENERAL FUND	STREETS	470.95
ROACH, MEGAN	election judge	GENERAL FUND	ELECTIONS	150.00
SCHOLL, MAUREEN	election judge	GENERAL FUND	ELECTIONS	50.00
SIDNER, ARTHUR	daddy daughter dance pictu	GENERAL FUND	RECREATION/LEISURE SER	130.00
TURNER, ELIZABETH	election judge	GENERAL FUND	ELECTIONS	170.00
WALTER, SHIRLEY	election judge	GENERAL FUND	ELECTIONS	150.00
			TOTAL:	2,540.95
MN DEPT OF COMMERCE	4th qtr indirect assessmen	ELECTRIC FUND	ADMIN AND GENERAL	1,744.84
	4th qtr indirect assessmen	ELECTRIC FUND	ADMIN AND GENERAL	253.12
			TOTAL:	1,997.96
MN DEPT OF LABOR & INDUSTRY	pressure vessel and boiler	WATER	PURIFICATION AND TREAT	30.00
			TOTAL:	30.00
MN POLLUTION CONTROL AGENCY	wwtp permit fee	WASTE WATER FUND	ADMIN AND GENERAL	5,900.00
			TOTAL:	5,900.00
MN WASTE PROCESSING	feb disposal	ENVIRON SERVICES F	REFUSE DISPOSAL	10,080.60
			TOTAL:	10,080.60
PETE MOULTON	mileage 3/2-3/13	GENERAL FUND	PUBLIC WORKS ADMIN	41.40
	appa, taxi/park, luggage	ELECTRIC FUND	ADMIN AND GENERAL	181.15
	mileage 3/2-3/13	ELECTRIC FUND	ADMIN AND GENERAL	102.35
			TOTAL:	324.90
MTI DISTRIBUTING CO	tires	GENERAL FUND	PARKS	576.28
			TOTAL:	576.28
MVTL LABORATORIES INC	wwtf mercury	WASTE WATER FUND	SOURCE/TREATMENT	11.20
	wwtf salty discharge testi	WASTE WATER FUND	SOURCE/TREATMENT	150.00
	wwtf salty discharge	WASTE WATER FUND	SOURCE/TREATMENT	170.00
			TOTAL:	331.20
NAPA AUTO PARTS OF ST PETER	rotor kit	GENERAL FUND	POLICE	242.73
	compressor	GENERAL FUND	FIRE	18.79
	brake clr, bulb, connector	GENERAL FUND	FIRE	23.23
	wiper blades	GENERAL FUND	BUILDING INSPECTOR	9.03
	gear oil	GENERAL FUND	STREETS	11.21
	clamps	GENERAL FUND	STREETS	134.17
	gear oil	GENERAL FUND	PARKS	11.21
	filters	GENERAL FUND	PARKS	56.19
	connectors	WATER	PURIFICATION AND TREAT	54.33
	gear oil	WATER	DISTRIBUTION AND STORA	5.60
	filters, wipers, rotors	WATER	DISTRIBUTION AND STORA	59.34
	tie rods, brake pads, roto	WATER	CUSTOMER ACCOUNTS	67.07
	gear oil	WASTE WATER FUND	SOURCE/TREATMENT	5.60
	tie rods, brake pads, roto	WASTE WATER FUND	CUSTOMER ACCOUNTS	67.07
	gear oil	ENVIRON SERVICES F	REFUSE DISPOSAL	5.60
	tie rods, brake pads, roto	ENVIRON SERVICES F	CUSTOMER ACCOUNTS	67.07
	gear oil	ELECTRIC FUND	POWER DISTRIBUTION	11.21
	drain plug	ELECTRIC FUND	POWER DISTRIBUTION	54.61

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	tie rods, brake pads, roto	ELECTRIC FUND	CUSTOMER ACCOUNTS	67.07
	gear oil	STORMWATER FUND	TREATMENT	5.61
	hanger	TRANSIT	TRANSIT/TRANSPORTATION	8.29
			TOTAL:	985.03
JAMES NEARY	shock absorber	GENERAL FUND	FIRE	45.00
			TOTAL:	45.00
MARGARET NELSEN	election judge	GENERAL FUND	ELECTIONS	150.00
			TOTAL:	150.00
NELSON PRINTING COMPANY	mailing labels	GENERAL FUND	CITY ADMINISTRATION	21.93
	letterhead	GENERAL FUND	CITY ADMINISTRATION	830.98
	mailing labels	GENERAL FUND	CITY CLERK	21.93
	mailing labels	GENERAL FUND	FINANCE	14.62
	mailing labels	GENERAL FUND	POLICE	11.70
	mailing labels	GENERAL FUND	BUILDING INSPECTOR	5.85
	mailing labels	GENERAL FUND	PUBLIC WORKS ADMIN	2.92
	business cards	GENERAL FUND	PUBLIC WORKS ADMIN	49.95
	mailing labels	GENERAL FUND	ECONOMIC DEVMT	1.46
	bus cards wille	GENERAL FUND	ECONOMIC DEVMT	49.95
	mailing labels	WATER	ADMIN AND GENERAL	13.16
	UPS	WATER	ADMIN AND GENERAL	25.69
	UPS	WASTE WATER FUND	SOURCE/TREATMENT	60.02
	mailing labels	WASTE WATER FUND	ADMIN AND GENERAL	13.16
	mailing labels	ELECTRIC FUND	ADMIN AND GENERAL	39.47
	UPS	ELECTRIC FUND	ADMIN AND GENERAL	50.52
			TOTAL:	1,213.31
NICOLLET COUNTY RECORDER/ABSTRACTER	recording fee - easement	GENERAL FUND	CITY ADMINISTRATION	46.00
			TOTAL:	46.00
NICOLLET COUNTY BANK	feb transfers	GENERAL FUND	FINANCE	6.67
	feb transfers	WATER	ADMIN AND GENERAL	1.67
	feb transfers	WATER	CUSTOMER ACCOUNTS	12.78
	feb transfers	WASTE WATER FUND	ADMIN AND GENERAL	1.67
	feb transfers	WASTE WATER FUND	CUSTOMER ACCOUNTS	12.78
	feb transfers	ENVIRON SERVICES F	ADMIN AND GENERAL	1.67
	feb transfers	ENVIRON SERVICES F	CUSTOMER ACCOUNTS	12.78
	feb transfers	ELECTRIC FUND	ADMIN AND GENERAL	1.67
	feb transfers	ELECTRIC FUND	CUSTOMER ACCOUNTS	12.76
			TOTAL:	64.45
NIELSEN BLACKTOPPING, LLC	traverse rd trail	GENERAL FUND	STREETS	750.00
	traverse rd trail	GENERAL FUND	STREETS	750.00
			TOTAL:	1,500.00
NORTH CENTRAL LABORATORIES	jar and bottle opener	WASTE WATER FUND	SOURCE/TREATMENT	16.77
			TOTAL:	16.77
NORTH SHORE ANALYTICAL, INC	influent and effluent filt	WASTE WATER FUND	SOURCE/TREATMENT	410.00
			TOTAL:	410.00
NORTHWESTERN POWER EQUIPMENT CO INC	restrictors- claval repair	WATER	SOURCE OF SUPPLY	108.07
			TOTAL:	108.07

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
NUSS TRUCK & EQUIPMENT	volvo loader wear plate	GENERAL FUND	STREETS	<u>507.91</u>
			TOTAL:	507.91
OFFICEMAX	petes speakers	GENERAL FUND	PUBLIC WORKS ADMIN	<u>19.99</u>
			TOTAL:	19.99
OVERHEAD DOOR COMPANY OF MANKATO INC	garage door repairs	GENERAL FUND	MUNICIPAL BUILDING	<u>725.90</u>
			TOTAL:	725.90
MATTHEW PETERS	hotel chief exec training	GENERAL FUND	POLICE	367.48
	meeting regist. exec train	GENERAL FUND	POLICE	<u>325.00</u>
			TOTAL:	692.48
ASHLEY PRAX	election judge	GENERAL FUND	ELECTIONS	<u>170.00</u>
			TOTAL:	170.00
RONALD D. QUADE	ink for printer	GENERAL FUND	FIRE	74.09
	pw week poster framing	GENERAL FUND	STREETS	22.50
	pw week poster framing	GENERAL FUND	PARKS	18.00
	pw week poster framing	WATER	ADMIN AND GENERAL	9.00
	pw week poster framing	WASTE WATER FUND	ADMIN AND GENERAL	9.00
	pw week poster framing	ENVIRON SERVICES F	ADMIN AND GENERAL	9.00
	pw week poster framing	ELECTRIC FUND	ADMIN AND GENERAL	<u>22.50</u>
			TOTAL:	164.09
QUICK MART ST PETER	feb fuel	GENERAL FUND	POLICE	<u>606.16</u>
			TOTAL:	606.16
RDO EQUIPMENT CO.	trencher, base and bolt	ELECTRIC FUND	POWER DISTRIBUTION	<u>65.09</u>
			TOTAL:	65.09
RITA SCHEFF	election judge	GENERAL FUND	ELECTIONS	<u>140.00</u>
			TOTAL:	140.00
ROCHESTER MIDLAND CORPORATION	air freshners refills	COMMUNITY CENTER	COMMUNITY CENTER	<u>76.01</u>
			TOTAL:	76.01
RYAN ELECTRIC OF ST PETER	service call on police gar	GENERAL FUND	MUNICIPAL BUILDING	75.00
	jeff fields furnace	GENERAL FUND	PARKS	93.75
	millpond receptacles	GENERAL FUND	PARKS	428.04
	jeff fields - 2 new lights	GENERAL FUND	PARKS	296.00
	replace bulbs/ballast work	COMMUNITY CENTER	COMMUNITY CENTER	304.70
	replace lighting in rm 215	COMMUNITY CENTER	COMMUNITY CENTER	465.42
	replace h20 htr, install t	WATER	PURIFICATION AND TREAT	888.70
	disconnect motor	WASTE WATER FUND	SOURCE/TREATMENT	<u>225.00</u>
			TOTAL:	2,776.61
	SAM'S CLUB	popcorn	GENERAL FUND	RECREATION/LEISURE SER
daddy daughter dance suppl		GENERAL FUND	RECREATION/LEISURE SER	133.82
popcorn		COMMUNITY CENTER	COMMUNITY CENTER	<u>11.99</u>
			TOTAL:	157.80
SIMPLEX GRINNELL	fire alarm sprinkler, serv	COMMUNITY CENTER	COMMUNITY CENTER	2,447.14
	sprinkler and alarm test	WASTE WATER FUND	SOURCE/TREATMENT	2,231.61
	sprinkler and fire alarm te	ELECTRIC FUND	POWER PRODUCTION	<u>945.17</u>
			TOTAL:	5,623.92

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
CAROL SOLBERG	election judge	GENERAL FUND	ELECTIONS	<u>145.00</u>
			TOTAL:	145.00
BEVERLY SOMMERS	election judge	GENERAL FUND	ELECTIONS	<u>150.00</u>
			TOTAL:	150.00
SOUTHERN MN MUNICIPAL POWER AGENCY	purchase power 3/15	ELECTRIC FUND	POWER SUPPLY	<u>550,083.21</u>
			TOTAL:	550,083.21
ST PETER HERALD	council publication	GENERAL FUND	MAYOR & COUNCIL	242.79
	currency exch license	GENERAL FUND	CITY ADMINISTRATION	58.60
	meter reader ad	WATER	CUSTOMER ACCOUNTS	39.67
	meter reader ad	WASTE WATER FUND	CUSTOMER ACCOUNTS	39.67
	meter reader ad	ELECTRIC FUND	CUSTOMER ACCOUNTS	<u>39.68</u>
			TOTAL:	420.41
ST PETER LUMBER CO	cab for flags/rep pw dir o	GENERAL FUND	PUBLIC WORKS ADMIN	21.20
	mailbox repair	GENERAL FUND	STREETS	42.38
	mailbox repair	GENERAL FUND	STREETS	34.71
	cab for flags/rep pw dir o	GENERAL FUND	PARKS	156.49
	cab for flags/rep pw dir o	GENERAL FUND	PARKS	38.03
	ball valve and nipple	WATER	SOURCE OF SUPPLY	88.54
	furnace filters	WATER	PURIFICATION AND TREAT	<u>239.76</u>
			TOTAL:	621.11
TOM THORKEKELSON	election judge	GENERAL FUND	ELECTIONS	<u>145.00</u>
			TOTAL:	145.00
MIKE TORKEKELSON	election judge	GENERAL FUND	ELECTIONS	<u>130.00</u>
			TOTAL:	130.00
TOWMASTER, INC.	kit cross and bearing	GENERAL FUND	STREETS	<u>27.36</u>
			TOTAL:	27.36
TRANE	qtrly pymt for serv agreem	COMMUNITY CENTER	COMMUNITY CENTER	<u>1,043.00</u>
			TOTAL:	1,043.00
UNITED SURFACE PREPARATION	sand blaster window	GENERAL FUND	STREETS	16.17
	sand blaster window	GENERAL FUND	PARKS	16.17
	sand blaster window	WATER	DISTRIBUTION AND STORA	8.09
	sand blaster window	WASTE WATER FUND	SOURCE/TREATMENT	8.09
	sand blaster window	ENVIRON SERVICES F	REFUSE DISPOSAL	8.09
	sand blaster window	ELECTRIC FUND	POWER DISTRIBUTION	16.17
	sand blaster window	STORMWATER FUND	TREATMENT	<u>8.08</u>
			TOTAL:	80.86
US BANK	2004a wash terrace	2004 WASH TERR #1	FISCAL AGENT FEES	450.00
	2005A mason street	2005A MASON ST TIF	FISCAL AGENT FEES	425.00
	2004 D electric	ELECTRIC FUND	ADMIN AND GENERAL	450.00
	2006C Electric	ELECTRIC FUND	ADMIN AND GENERAL	<u>450.00</u>
			TOTAL:	1,775.00
PAULA VAN ZEE	election judge	GENERAL FUND	ELECTIONS	<u>170.00</u>
			TOTAL:	170.00
VERIZON WIRELESS	cell phone and data charge	GENERAL FUND	POLICE	340.82

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	building mifi	GENERAL FUND	BUILDING INSPECTOR	70.04
	feb water jet pack	WATER	ADMIN AND GENERAL	<u>35.01</u>
			TOTAL:	445.87
VESSCO, INC	120V solenoid valve	WASTE WATER FUND	SOURCE/TREATMENT	<u>513.45</u>
			TOTAL:	513.45
VOSS LIGHTING	light bulbs	COMMUNITY CENTER	COMMUNITY CENTER	<u>347.70</u>
			TOTAL:	347.70
WESCO DISTRIBUTION INC	#12 metering wire	ELECTRIC FUND	NON-DEPARTMENTAL	1,145.11
	basement	ELECTRIC FUND	NON-DEPARTMENTAL	726.28
	light bulbs	ELECTRIC FUND	NON-DEPARTMENTAL	135.60
	cable grip	ELECTRIC FUND	POWER DISTRIBUTION	<u>297.00</u>
			TOTAL:	2,303.99
WILSON DEVELOPMENT SERVICES, LLC	consultant fees	PERM IMPROVMENT RE	STREETS	<u>914.15</u>
			TOTAL:	914.15
XCEL ENERGY	steel pole 70	ELECTRIC FUND	POWER DISTRIBUTION	<u>500.00</u>
			TOTAL:	500.00

===== FUND TOTALS =====

101	GENERAL FUND	76,200.81
211	LIBRARY FUND	2,266.43
213	PUBLIC ACCESS	27.31
217	COMMUNITY CENTER	11,137.99
392	2004 WASH TERR #15	450.00
395	2005A MASON ST TIF BOND	425.00
401	PERM IMPROVMENT REVOLVING	45,603.03
601	WATER	10,368.19
602	WASTE WATER FUND	35,818.06
603	ENVIRON SERVICES FUND	30,833.77
604	ELECTRIC FUND	563,160.75
606	STORMWATER FUND	5,247.99
610	TRANSIT	4,222.89
820	RESTRICTED CONTRIBUTIONS	165.80

 GRAND TOTAL: 785,928.02

CITY OF SAINT PETER, MINNESOTA

RESOLUTION NO. 2015 –

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:

<u>VENDOR</u>	<u>ITEM</u>	<u>PRICE</u>	<u>FUNDING</u>
O'Malley Construction	Concrete work	\$9,950	General
Jim Schmidt Concrete	Alley entrance replacements	\$9,950	General
Nielsen Blacktopping	Sidewalk North Third/Union	\$17,674	General

2. The following business licenses are approved subject to payment of the licensing fee and compliance with City Code regulations:

<u>Temporary Soft Drink</u> Greek Gourmet	Minnesota Square	7/4/2015 and 9/12-13/2015
<u>Tree Worker</u> Melchior Tree Service		5/1/2015 – 4/30/2016
<u>Six Month Peddler</u> Sweet Shoppe Express, LLC		5/1/2015 – 10/31/2015

3. The schedule of disbursements for March 6, 2015 through March 18, 2015 is hereby approved.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota this 23rd day of March, 2015.

Timothy Strand
Mayor

ATTEST:

Todd Prafke
City Administrator

Negative Votes: Staff will seek additional direction from the Council and will inform the Contractor that final payment will not be made.

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

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

PM/amg

CITY OF SAINT PETER, MINNESOTA

RESOLUTION 2015 -

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

**RESOLUTION ACCEPTING FINAL CONTRACT CLOSEOUT FOR BROADWAY PLANT
EQUIPMENT UPGRADES**

WHEREAS, the City Council authorized specifications and solicited bids for this project designed to meet the United State Environmental Protection Agency (EPA) rules related to emissions; and

WHEREAS, DeWild, Grand and Reckert (DGR) Engineering has designed upgrades to the Broadway Plant Equipment Project according to EPA requirements; and

WHEREAS, Prestige Manufacturing Inc., was awarded the contract and has completed all work to specifications and met all deadlines put forth by the contract; and

WHEREAS, the contract included two change orders in resulting in a deduction to the contract amount; and

WHEREAS, staff recommends final acceptance of the project and final payment to the contractor.

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

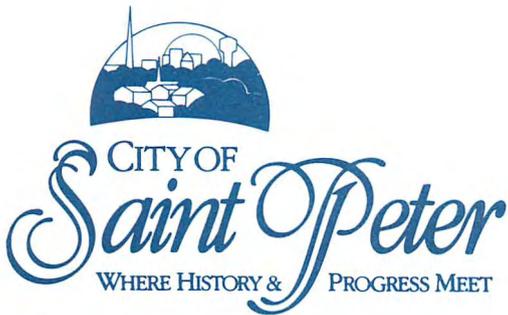
1. The Broadway Plant Equipment Upgrade project is accepted as completed in the final amount of \$241,578.82.
2. Staff is directed to make final payment to the contractor in the amount of \$5,266.32.
3. Funding for the project shall be from Electric Utility Funds.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 24th day of November 2014.

Timothy Strand
Mayor

ATTEST:

Todd Prafke
City Administrator



Memorandum

TO: Honorable Mayor Strand
Members of the City Council

DATE: 3/18/2015

FROM: Todd Prafke
City Administrator

RE: Veteran's Memorial Concept Design Approval

ACTION/RECOMMENDATION

Approve the Veteran's Memorial concept design and direct staff to draft a development agreement for the construction of the memorial and acceptance of process and policies.

BACKGROUND

Councilmembers have participated in many discussions on this issue. At your workshop on March 2nd you reviewed a recommendation from the Park and Recreation Board on their review of the guidelines you provided to them. That memo is attached for your review. In addition, you will find my memo to the Parks Board outlining your desired guidelines.

This memo will not attempt to review all of those issues, rather it is my intent to discuss the process going forward should to you choose to take action on the recommendation. The resolution provides for a two actions:

- Approval of the concept design. This is suggested so that the Veteran's Committee can have some level of assurance that should they move forward, expending resources on completion of the full design, that the resources are being spent in the appropriate direction. Additionally as they finalize their thoughts about operational policies, maintenance, name placement and the like, they are heading in the right direction as well.
- Directing Staff to draft a development agreement. I envision this agreement to be the "final approval" of the process. It will include the final plans and specifications, the process which will be used to identify or provide for the statue, and the approval process for the language to be used and agreement with the polices that will be recommended to the Council. It will outline how ownership will change from the development, fundraising, and construction stages to ownership by the City. Again, I see this document as outlining who, how and when participation will take place to ensure that the Veterans' Committee can move from design fundraising to construction stages and the Council can be sure that the memorial is being completed in a way that is deemed appropriate. This agreement would be acted upon in the near future; likely as soon as final design is completed and can be attached as an addendum to the development agreement. One way to think about this is that it is similar to a purchase agreement in that there is

enough to go on to get everything lined up, but that the details might need a bit of filling in and due diligence is still not fully completed.

The goals of the agreement are to give the Committee what they need to feel comfortable in final design and fundraising, while ensuring the City has what it needs from a process standpoint to ensure the memorial meets your needs and ownership objectives into the future.

FISCAL IMPACT:

Approval of the resolution itself has no cost, but I anticipate staff time and some small amount of legal cost related to the documentation. The Memorial itself will be funded through donations to the Committee. Ownership of the Memorial will have some cost but at this time I am unable to give exact costs as there are too many variables. Cost could include future maintenance if the maintenance fund is limited, insurance and other small items.

ALTERNATIVES AND VARIATIONS

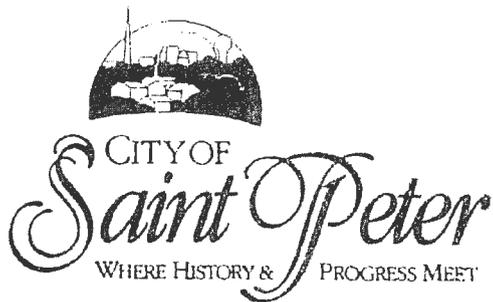
Do not act. Staff will wait for your further direction.

Negative vote. No action will be taken by staff, however more discussion may be valuable to determine what else might be needed to secure approval.

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

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

TP/bal



Memorandum

TO: Todd Prafke
City Administrator

DATE: 2/26/15

FROM: Pete Moulton
Public Works Director

RE: Veteran's Memorial Design

ACTION/RECOMMENDATION

None needed. For your information and discussion.

BACKGROUND

The City Council requested the Veterans Memorial plan, the location of which was previously approved to be in the northeast corner of Minnesota Square Park, be reviewed and vetted by the Parks and Recreation Advisory Board. At the January 20, 2015 Parks Board meeting, members of Saint Peter Area Veterans Memorial Association (SPAVMA) presented their proposal based on the six (6) principles and sixteen (16) criteria previously outlined by the City Council.

Design of the memorial, freedom statue, service and honor walls design, and an inclusion policy for adding names to the walls were presented. The plan attempts to address each principle criteria requested by the City Council and while the design comes close to accomplishing the goals; it does not meet four of the criteria.

The Parks Board recommends approval of the overall plan. This memo outlines the basis for that and explains why a deviation from the criteria should be allowed.

1. **Height restriction of 48 inches:** The Service Walls start at 36" in height at their outside ends, and rise to 72" at the center, and the Honor Wall is 72". In order to meet some of the criteria (of keeping the plan within a relatively small footprint, providing a place where people would feel drawn in to the site, and providing a place where people could "commune"), the Board felt it was necessary to create a quiet, reflective place to honor those who were either killed in action or who are missing in action. The memorial also needed to have a wall large enough to accommodate "names you could touch" year round as opposed to brick pavers. The Service Wall accommodates the names of those who have served from the Indian Wars through current and future wars. The Honor Wall provides a place to honor those who have given their life from the Indian Wars through current and future wars. Each Service Wall will accommodate approximately 900 names

on the "inside" wall facing the statue. An additional 900 names could be accommodated on the outside of each Service Wall.

The Parks Board believes the proposal is appropriate and that this could not be accomplished with 48" walls. The goal is to get close to 2000 names on the Service Walls during the first two years of fund raising. 72" walls will make this possible.

2. **Sidewalk connection to the pavilion:** The criteria requiring the Veterans Memorial Committee to construct a sidewalk to the pavilion is not being proposed with this memorial design for several reasons:

- The Parks Board does not believe it should be the responsibility of the citizens raising funds for a memorial to also pay for park sidewalks beyond the project. The estimated cost for this project will be approximately \$600,000 without paying for any sidewalks or maintenance fund.
- Whenever the park pavilion is renovated, a significant portion of the park will be under construction. At that time sidewalks and utilities throughout the park will most likely be replaced as well. We believe that this project may likely occur prior to the pavilion renovation and any sidewalk serving the pavilion would likely, at least partially, be removed.
- When the park pavilion project is initiated the Council may use funds the SPAVMA has provided for a perpetual fund for the construction of a sidewalk if it deems that is an appropriate use of those funds at that time.

The Parks Board recommends that the sidewalk connections should be a part of the future pavilion project. Since connection at this time may be premature, the money would be better spent if completed at a later date.

3. **No vertical elements within 20 foot setback:** The proposed Memorial sign is a vertical structure that is proposed to be just outside the 20 foot setback and outside the 25 foot sight line triangle. The sign is 30 inches in height and is incorporated within the landscape in the same location where a boulder has been placed within the park.

The Parks Board has reviewed the sign location and height and the submitted drawing meets the intent of the Parks Master plan.

4. **3600 square feet in size:** The square footage of the proposed plan does exceed the 3600 square feet by approximately 200 square feet. By requiring all vertical structures to be set back 20 feet from the back of the sidewalk, the area within the setback adds approximately 2800 square feet that cannot be utilized for the structure and is not considered within the square footage limitation.

The Parks Board has reviewed the design and feels that 3800 square feet is appropriate for the design and location within Minnesota Square Park.

Lighting on the walls is proposed to be LED lighting from light bars recessed under a cap on the wall. This would cast a soft light downward on the names on the Service Wall and the names and faces on the Honor Wall. The flags and the statue would have lighting cast upward. The effect would be subdued and appropriate for a place of honor and reflection.

The Chair of the Parks Board plans to be in attendance at the workshop on Monday evening to provide additional insight about the thoughts of the Board and its' deliberations.

The Parks and Recreation Board has reviewed the request from the SPAVMA and find the submitted and corrected plan to meet the intent of the "principles and criteria" as supplied by the City Council and that the areas of variation are deemed to be acceptable as submitted and discussed.

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

PM/amg

CITY OF SAINT PETER, MINNESOTA
Parks and Recreation Advisory Board

RESOLUTION 2015 - 1

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

**RESOLUTION RECOMMENDING THE SAINT PETER AREA VETERANS MEMORIAL
ASSOCIATION SITE PLANS-BE INCLUDED IN THE MASTER PARKS PLAN**

WHEREAS, the Saint Peter Area Veterans Memorial Association (SPAVMA) has completed a plan and requests approval of the design for a Saint Peter Area Veterans Memorial; and

WHEREAS, a 3,800 sq. ft. Saint Peter Area Veterans Memorial be included in the master parks plan in the northeast corner of Minnesota Square Park; and

WHEREAS, the Saint Peter City Council has set specific criteria for the memorial structure and site; and

WHEREAS, the SPAVMA has achieved compliance with all criteria except where noted below; and

WHEREAS, the SPAVMA will complete fundraising efforts for this memorial and for maintenance of the memorial in future years;

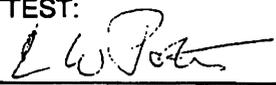
NOW THEREFORE, BE IT RESOLVED BY THE PARKS AND RECREATION BOARD OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA, THAT: The Veteran's Memorial Association plans be included in Parks Master Plan with the following notations:

1. Height of "Service Wall" shall not exceed 6' 0", and
2. Height of "Honor Wall" shall not exceed 6' 0" except for the flag poles or "Art Piece"; and
3. Three flags will be allowed – American, State and POW/MIA; and
4. Sidewalk will connect to both boulevard sidewalks but will not connect to pavilion or other internal park sidewalks at this time; and
5. No vertical elements or structures within the set back of 20' that exceed 30"; and
6. Memorial signage shall have a vertical limit of 30" above existing sidewalk elevation; and
7. Proposed center "Art Piece" may not exceed 12' 0".

Adopted by the Parks and Recreation Advisory Board of the City of Saint Peter, Nicollet County, Minnesota, this 17th day of February, 2014.


Stuart Douglas - Chairperson

ATTEST:



Larry Potts - Recording Secretary

CONSULTANT:

 02-10-15

SAINT PETER AREA
 VETERANS
 MEMORIAL

 ST. PETER,
 MINNESOTA

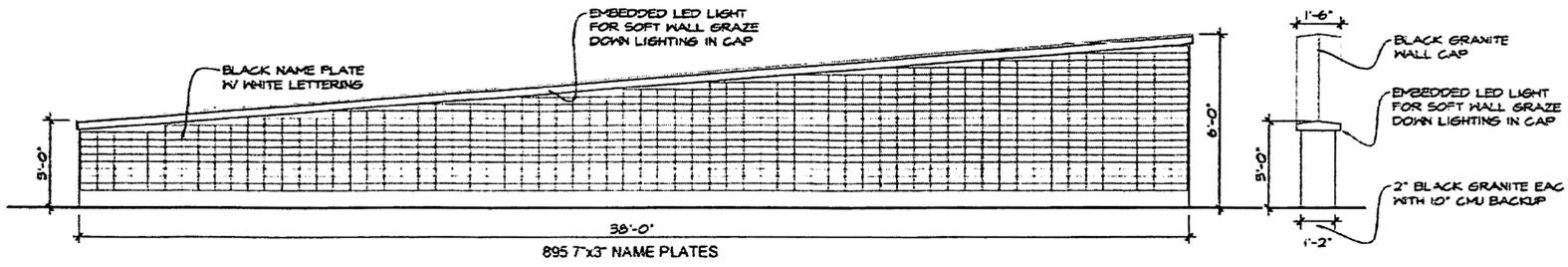
REVISIONS:

MARK	DATE	DESCRIPTION

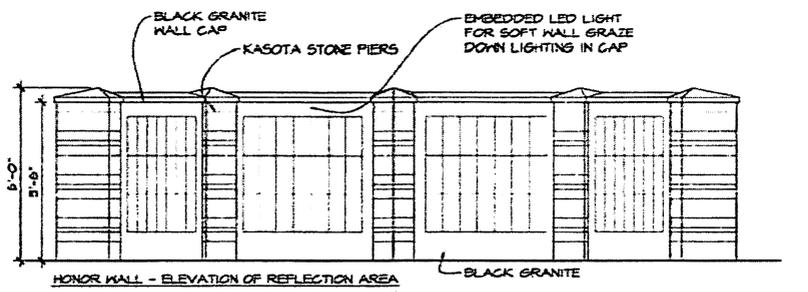
PROJECT #: 12-028SP
 DATE: 02-10-2015
 DRAWN BY: ELO
 CHECKED BY: ELO

SHEET TITLE:
**CONCEPTUAL
 SITE PLAN**

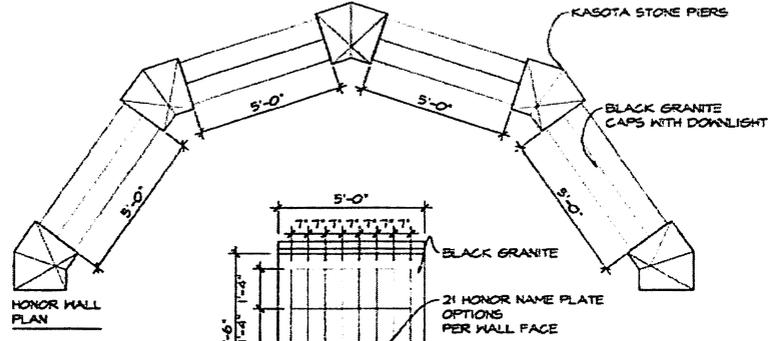
SHEET:
A0.1



SERVICE WALL - ELEVATION FROM FREEDOM PLAZA



HONOR WALL - ELEVATION OF REFLECTION AREA

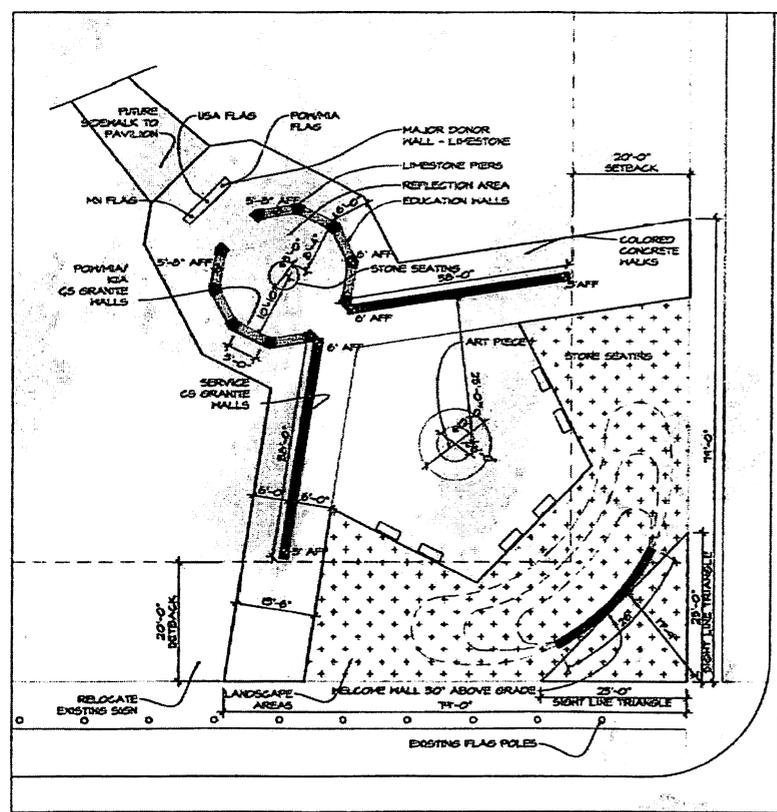


HONOR WALL PLAN

SITE LIGHTING NOTES:
 MEMORIAL WALL LIGHTING TO BE RECESSED LED LIGHTING IN CAP OF WALLS.
 FLAG & SCULPTURE LIGHTING TO BE LED UP LIGHTING AT BASE.

HONOR WALL - 21 PER WALL
 7" X 16" FOR EACH PLAQUE
 168 TOTAL POSSIBLE

SITE NOTES:
 EXISTING TREES NEAR FLAGS TO BE TRIMMED AS REQUIRED FOR CLEARANCE. IF NOT ABLE TO BE TRIMMED, TREES WILL BE REMOVED AND NEW TREES WILL BE PLANTED NOT LESS THAN 2" DIAMETER

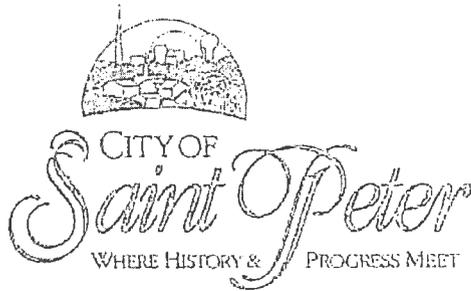


2 SITE PLAN
 A0.1 1" = 20'

4,160 SQUARE FEET

1 CONCEPT WALLS & DETAILS
 A0.1 1/4" = 1'-0"

36



Memorandum

TO: Park and Recreation Board Members

DATE: 9/16/2014

FROM: Todd Prafke
City Administrator

RE: Veteran's Memorial

ACTION/RECOMMENDATION

For your use, as directed by the Council, in review of the Saint Peter Veteran's Memorial submittals. The submittals should include site plan, sketch plan, rules for placement of names and a maintenance plan which includes funding.

BACKGROUND

Parks Board members may know of the many discussions held by the City Council on this issue. The intent of this memo is to provide general direction and a framework for your review of the proposed memorial to be located at the corner of South Minnesota Avenue and West College Avenue in the northeast corner of Minnesota Square Park.

This issue is particularly emotional for many and justifiably so. While we are not discussing Veterans and their valued service, we are discussing something that represents their efforts, commitments, and sacrifice. It can be very hard to separate the two.

Maybe this quote can serve as a bit of inspiration for this overall thought. (This is not a suggestion for use; just a quote that I think gets to the point well.)

"The soldier above all others prays for peace, for it is the soldier who must suffer and bear the deepest wounds and scars of war."

Douglas MacArthur

The Council's established goal, because the location is in a City park, is to give the Parks Board and the Veterans Memorial Committee both imagery and some practical guidance on what the Council wishes to see. The Board should review the application based on the principles and criteria listed below, make suggestions as needed, and provide a recommendation to the Council related to approval of the final design, rules and policies including maintenance.

Principles:

"Freedom and Peace" (used by me) as compared to "Liberty and Freedom" used by the Veterans Memorial Chair in his comments from their visit to the City Council in mid-August. The concept of Freedom and Peace is highly suggested as it represents what we as a people want

to see and have. It is well worded by MacArthur in the quote used above. The Veterans Committee does not want to glorify war; rather they hope to provide recognition to those who served for these two purposes - Freedom and Peace. Additionally, this brings home the overarching thought that any local memorial is about people and not about branches of service, the materials of conflict or the organizations or war.

Subdued (used by both the Veterans Memorial Committee Chair and I at the August Council Workshop) - This means that we should avoid the feel of a roadside attraction. It should be reverent and not a place where we just stop to stretch our legs, let the kids out of the car, or maybe eat a bite. We recognize that war is a critical piece in the service experience of many Veterans. War is a highly emotional topic. Reactions to war range from pride to patriotism to grief to frustration to fear. All of these are deeply personal, acceptable reactions and as such a Veteran's memorial needs to provide opportunity for all to honor in the way that is most meaningful to the visitor.

Human Scale - This is meant to describe that it is not tall or wide or monolithic. One of the predominate things I hear repeatedly about the Vietnam Veterans Memorial's powerful impact is that visitors can touch each and every name. There is something about the sense of touch that is powerful for us. I believe that failing to make each name "touchable" or "traceable" would diminish any monument's ability to be personal and intimate. It is that intimate experience we seek when we look to commune with others in a way that the term "memorial" suggests.

"Simple" - We may not need tremendous imagery, pictures, visual reminders, or structures representing war or people. We each have our own imagery stored away for our own use that will be brought out as we interact with the memorial. We store the picture of our brother, father or sister within us. That image, shown as we want, as we want to see it, and the opportunity to not be told how to see it, should be preserved. If you close your eyes and see them, that is all the image that is needed. Beyond that we should strive to allow for simplicity of location and design so as to not take away from each user's opportunity to see what they want to see. I would also offer that a memorial is not really for those that have gone before us. It is really for us, for each of us who are still here, and we don't really need to be told how we should see things. This memorial is a framework for the experience of communing with others both here and those we still carry within us.

"Focus on individuals" - This means that the highlight should be about our local service men and women rather than the materials or organization of conflict. They have their own places where those very important institutions are recognized. Our goal should be to recognize our friends, family and neighbors who served. They should not be overshadowed by these other things. The memorial should be inward-looking towards the park, in keeping with its emphasis on locals honoring locals and the important use as part of Memorial Day, Fourth of July and Veteran's Day celebrations.

"Accessible" (used by both the Committee and me at various times throughout the discussion) Certainly this memorial should be Americans with Disabilities Act (ADA) compliant, but this thought also goes to it being open all the time, if illuminated only in a way that allows for use, not in a way like a billboard is illuminated. If there is to be a lit focal point, maybe it is the flag or any central art or statue that is put in place. All parts of the memorial can be used by all people, possibly incorporated into the current sidewalk and certainly attached to the current sidewalk so anyone can pass through it. Lastly, this refers to some of the other terms used such as "touchable". This should be a place that is not, figuratively speaking, behind a fence or in a

glass case. It needs to be designed in a way that allows for more than viewing. It must be alive and experiential in nature. You must feel something when you pass through it.

Specific Criteria:

- Located at the corner of South Minnesota Avenue and West College Avenue in the northeast corner of Minnesota Square Park.
- 3600 square feet in size excluding sidewalk.
- Height restriction of 48 inches, excepting flag or art (statue).
- Materials that can last for 100 years so rock, stone, and metal that is resistant to corrosion.
- Only three flags allowed - American, State and POW MIA.
- Lighting to be ground based or illuminating names, but subdued and recessed. Up lighting for flags.
- Only allowing the location name such as Veterans Memorial to have letters that are larger in size/font than the names plates. No larger than 12 inch letters for location signage lettering.
- No materials of war such as guns or tanks or planes.
- Name plates may use branch of service emblems, religious affiliation.
- Sidewalk to pavilion.
- Connectivity to both boulevard sidewalks (no trees cut down for sidewalk) or a single connection sidewalk could be placed in corner
- Maintenance fund provided that provides for ongoing maintenance to be done by City staff.
- Places to sit for contemplation
- No vertical elements within the set back (25 feet)
- Statue (if included) and base <10 ft. and a public competition for its design
- Current flag in Minnesota Square be eliminated and this location to meet that need in the future.

It is the role of the Board to receive the application and information described above. The Board should review the application based on the Principles and Criteria listed, make suggestions as needed and provide a recommendation to the Council related to approval of the final design, rules and policies.

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

TP/bal

CITY OF SAINT PETER, MINNESOTA

RESOLUTION NO. 2015 -

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

**RESOLUTION APPROVING DESIGN OF VETERAN'S MEMORIAL IN MINNESOTA SQUARE
PARK**

WHEREAS, the City Council has authorized construction of a Veteran's Memorial in Minnesota Square Park under certain conditions; and

WHEREAS, the City Council directed the City's Parks and Recreation Advisory Board to work with the Veteran's Committee members to ensure the conditions are met in the proposed design; and

WHEREAS, the Parks Board considered the proposed design as well as the variations from the stated conditions and recommends approval of the design as proposed.

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

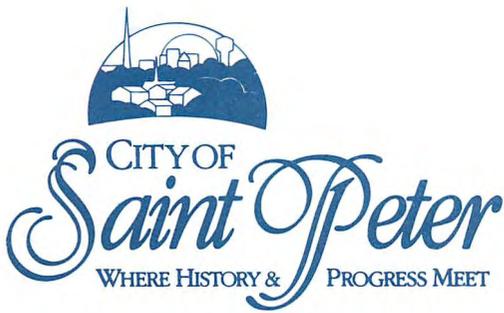
1. The design for the Veteran's Memorial in Minnesota Square Park is hereby approved as submitted and recommended by the Parks and Recreation Advisory Board.
2. Staff is directed to prepare a development agreement for construction of the Memorial; finalization of processes and policies, and transfer of ownership to the City of Saint Peter.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 23rd day of March, 2015.

Timothy Strand
Mayor

ATTEST:

Todd Prafke
City Administrator



Memorandum

TO: Todd Prafke
City Administrator

DATE: 3/12/2015

FROM: Pete Moulton
Director of Public Works

RE: Stormwater Regulations

ACTION/RECOMMENDATION

Adopt revisions to the City's stormwater regulations and approve new illicit discharge regulations in the City Code. Staff also recommends summary publication of some of the new regulations.

BACKGROUND

Under the terms of the City's General NPDES/SDS Permit MNR040000 associated with small Municipal Separate Storm Sewer System (MS4), Saint Peter is required to be in compliance with State permit standards which will necessitate revised current stormwater regulations as well as adoption of illicit discharge regulations.

The State of Minnesota requires the City to have a storm water pollution prevention program to address environmental concerns related to storm water discharge. The program must address the following minimum measures in accordance with Code of Federal Regulations, title 40, section 122.34(b):

- Public education and outreach;
- Public participation/involvement;
- Illicit discharge detection and elimination;
- Construction site runoff control;
- Post-construction runoff control; and
- Pollution prevention/good housekeeping.

During the City's last Minnesota Pollution Control Agency audit, it was identified that the City would need to enhance our regulations and emergency response planning. Listed below are the proposed changes to the regulations contained in Chapter 52 which are required for the new stormwater permit.

- 1) Division 2. Fees: Modifications were necessary in this area for the regulations to be compliant with the permit. Language was added to reflect the Enforcement Response Procedures (ERPs) and civil penalties.

- 2) Division 2. Planning and Development: Identifies the Plan Review process and procedure. References Enforcement Response Procedures (ERPs) and directs construction activities to follow the MPCA stormwater manual.
- 3) Division 3. Management and Standards: Discusses criteria for permanent basins including:
 - a. Volume – net reduction in pre-project conditions.
 - b. Total Suspended Solids (TSS).
 - c. Total Phosphorus (TP)
 - d. Minimum Control Measures MCM) – runoff rates, fats and oils, sediment and volume control.
 - e. Ordinance identifies options acceptable to meet these standards.
 - f. Retention, detention and infiltration standards and where these types of facilities are allowed.
 - g. Defines minimum protection requirements around basins and protection required where impaired water are encountered.
 - h. Defines Regional Pond criteria. Includes fee allocation information and cost associated with construction of facilities.
 - i. Identifies acceptance procedures for “private facilities”. Including allocation of cost for private facilities and identification of ownership and maintenance.
- 4) Illicit Discharge Detection and Elimination Ordinance (IDDE) – new ordinance.
 - a. Identifies prohibited discharges.
 - b. Identifies Enforcement Response Procedures (ERPs) which are adopted by resolution as a working document.
 - i. Violations
 - ii. Matrix for compliance
 - iii. Procedures to correct illicit discharges
- 5) Public Nuisances
 - a. Added to Chapter 30 of City Code
 - i. Addresses grass clippings and other materials not considered to be stormwater materials
 - ii. Staff is requesting approval of formal written Enforcement Response Procedures (ERPs).

There are six different actions associated with this agenda item and staff recommends adoption of the items in the order shown:

- Adoption of an emergency response plan.
- Adoption of an ordinance modifying two sections of City Code Chapter 30 “Offenses and Miscellaneous Provisions”.
- Adoption of an ordinance modifying various sections of City Code Chapter 52 “Utilities”
 - Due to the length of this ordinance, staff recommends adoption of a resolution allowing for summary publication of the title and summary of the ordinance. This action is allowed for under State Statute.
- Adoption of a new City Code section related to “illicit discharge” to be contained in City Code Chapter 52.
- Adoption of associated fees to be included on the municipal fee schedule.

FISCAL IMPACT:

Costs associated with these actions include the cost of publication of the ordinances or summary publication resolution in the St. Peter Herald and the costs to codify the new and modified ordinances into the City Code. Expected cost of \$2,500-\$3,000.

While there will be additional operating expenses related to staff time for enforcement and documentation of the new regulations, the actual cost of adopting the regulations is unknown at this time. No additional personnel are proposed to accomplish the new mandates associated with the permit.

ALTERNATIVES AND VARIATIONS:

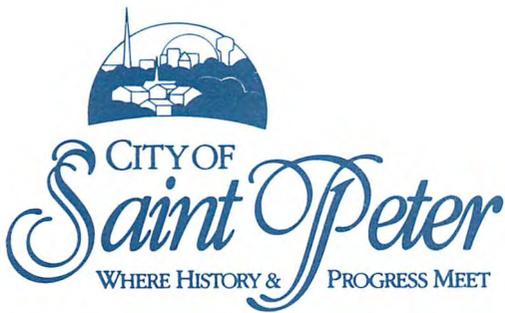
No action: No further action will be taken without additional direction from the Council.

Negative vote: No further action will be taken without additional direction from the Council. Councilmembers should note that failure to make the modifications will mean the City is out of compliance and unable to renew our MPCA permits.

Modification of resolution: This is always an option of the City Council.

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

PM



Memorandum

TO: Todd Prafke
City Administrator

DATE: 3/13/2015

FROM: Pete Moulton
Director of Public Works

RE: Enforcement Response Procedures (ERPs)

ACTION/ RECOMMENDATION

Approve the Enforcement Response Procedures (ERPs) as written.

BACKGROUND

Under the terms of the General NPDES/SDS Permit MNR040000 the City is required to develop and implement procedures for adequate enforcement authority for illicit discharges into its Municipally Separate Storm Sewer System (MS4).

The purpose of these Enforcement Response Procedures (ERPs) is to communicate how the enforcement tools available to the City will be used to achieve compliance. The ERPs also specify criteria by which City personnel can determine the enforcement action most appropriate to use in instances of non-compliance. This plan is a document of the City's procedure to be followed when a construction stormwater requirement, illicit discharge and/or post-construction violation is discovered. This plan is a guide; any of the enforcement responses may be used at the City's discretion.

Some of the key issues of the new ERPs include:

- 1) Description of each type of Enforcement Response with written procedures.
- 2) Civil Penalty – the procedures established are intended to provide the public and the City with an informal, cost effective, and expeditious method for addressing violations. The penalties will be identified in the fee schedule.
- 3) Record Keeping – all non-compliance instances must be tracked. Tracking must include all records and documents related to stormwater ordinance violations at the site and should be stored in an enforcement case file. The City shall keep enforcement files for a minimum of three years after the file is closed consistent with the MS4 General Permit conditions.
- 4) Enforcement Action Matrices – enforcement action matrix for non-compliance with construction requirements, illicit discharge ordinance violations, and non-compliance with post-construction requirements are outlined in three tables. This will guide staff and provide a procedure for them to follow

Staff is asking for approval of the formal written Emergency Response Procedures (ERPs).

FISCAL IMPACT:

No additional expense is anticipated.

ALTERNATIVES AND VARIATIONS:

Do not act: No further action will be taken without additional direction from the Council. A substantial delay may mean the we fall out of compliance for a period of time.

Negative Votes: Additional direction from the Council will be sought. Without action the City will fall out of compliance.

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 on this agenda item.

PTM/amg

CITY OF SAINT PETER

Enforcement Response Procedures

(ERPs) for
MS4 Permit Violations

2015

Under the terms of the General NPDES/SDS Permit MNR040000, the City of Saint Peter is required to develop and implement adequate enforcement authority for illicit discharges into its Municipally Separate Storm Sewer System (MS4). The purpose of these Enforcement Response Procedures is to communicate how the enforcement tools available to the City will be used to achieve compliance. The Enforcement Response Procedures also specify criteria by which City personnel can determine the enforcement action most appropriate to instances of non-compliance. This plan is a document of the City's procedure to be followed when a construction stormwater requirement, illicit discharge and post-construction violation is discovered. This plan is a guide; any of the enforcement responses may be used at the City's discretion. The City may also choose to pursue an enforcement case by skipping intermediate steps.

I. Description of Each Type of Enforcement Response

A. Written Notices

1. Field Compliance Order

- a) Upon visiting the site, a City representative may observe issues on non-compliance. If the non-compliance has not yet resulted in a discharge of pollution, including sediment, the City's representative will issue a written warning, either by email or letter specifying the nature of the violation, the required corrective action and a follow-up inspection date. The Field Compliance Order will note that failure to comply resulting in a discharge of pollution is likely to result in a civil penalty.

2. Notice of Violation (NOV)/Civil Penalty/Permit Revocation

- a) If, upon a site inspection, a City representative observes non-compliance that has resulted in a discharge of pollution, including sediment, the representative will issue:
 - (1) A Notice of Violation for discharges that can be satisfactorily corrected without evidence of property or environmental damage.
 - i) The NOV will specify the nature of the violation, the required corrective action and a follow-up inspection date.
 - ii) The NOV will require the party committing the violation (perpetrator) to submit an explanation of the violation and a plan for the satisfactory correction and prevention of the violation conditions, including specific required actions within five (5) days.
 - iii) If corrective action is not satisfactorily completed by the follow-up inspection date, the City Representative will:
 - Revoke the current building or construction permits where applicable. Revoked permits shall only be reinstated after the permittee has reapplied for the permit, complete with a permit fee and an approved plan for preventing similar pollutant discharges.
 - Issue a Civil Penalty where no building or construction permits exist.

3. Consent Orders

- a) Consent Orders are written agreements that allow the perpetrator to accept responsibility for the discharge and provide the opportunity to voluntarily clean-up and/or correct a pollutant or sediment discharge as a way to reduce the additional damage penalty associated with cleanup costs.
 - (1) Consent Orders will only be issued to perpetrators that can provide documentation verifying that the perpetrator is qualified to handle the required cleanup.
 - (2) The Saint Peter Public Works Department is empowered to enter into consent orders with the perpetrator on behalf of the City of Saint Peter.
 - (3) Where the discharge and cleanup area affects private (third party) properties, Consent Orders must be approved by all parties affected.

- b) A consent order will include specific corrective actions to be taken to correct the illicit or sediment discharge together with specified time periods to finish the corrective actions.

4. Civil Penalty

- a) Civil penalty procedures established herein are intended to provide the public and the City with an informal, cost effective, and expeditious method for addressing violations.
- b) The Public Works Director or designee shall, upon determining that there has been a violation, notify the violator. Said notice shall set forth the nature, date and time of violation, the name of the official issuing the notice, and the amount of the scheduled penalty.

- (1) Civil penalties will depend on the extent of the damages.

- i) The minimum automatic fine shall be as set forth in the City of Saint Peter Municipal Fee Schedule, except that the City may waive all or part of the financial penalty for the first offense if timely and substantial effort has been made to correct the discharge.
- ii) Consent Orders as described herein may be accepted in lieu of damage penalties.
- iii) In addition to civil penalties, the City may recover all damages proximately caused by the violator to the City, which may include:
- reasonable expenses incurred in investigating violations of, and enforcing compliance with City Ordinances regulating the illicit discharge of pollutants or sediment, or any other actual damages caused by the violation.
 - The costs of the City's maintenance of stormwater facilities when the user of such facilities fails to maintain them.

- c) Once such notice is given, the alleged violator may, within five business days of the date of issuance of the notice, pay the amount set forth on the schedule of penalties for the violation, or may request a hearing in writing, as is provided for hereafter. The penalty may be paid in person or by mail, and payment shall be deemed to be an admission of the violation.

- (1) Any person contesting a civil penalty may, within five business days of the date of issuance of the notice, request a hearing by a hearing officer who shall forthwith conduct an informal hearing to determine if a violation has occurred. The hearing officer shall have authority to dismiss the violation or reduce or waive the penalty. If the violation is sustained by the hearing officer, the violator shall pay the penalty imposed.

- (2) A City employee designated in writing by the City Clerk-Administrator shall be the hearing officer. The hearing officer is authorized to hear and determine any controversy relating to civil penalties provided for in this article.

5. Cease and Desist Order

- a) The City's Public Works Department may issue a Cease and Desist Order effectively stopping all work on a site where there is a clear violation, continued violation, or blatant disregard for:
 - (1) City Ordinances regulating the illicit discharge of pollutants or sediment
 - (2) Building or Construction Stormwater permit requirements
 - (3) Previously issued Field Compliance Orders, Notices of Violation, or Civil Penalty associated with the site of the illicit or sediment discharge.
- b) This order requires that the violator must comply with the order and must take appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation; including halting all operations on the site except for authorized cleanup, terminating the discharge and installing appropriate control measures.
- c) If not previously issued, all Cease and Desist Orders shall automatically include a Civil Penalty.

B. Suspension, Revocation or Modification of Permit

1. The City may suspend, revoke or modify any City issued permit authorizing the land development project or any other project of the applicant or other responsible person within the City.
2. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the Written Notice (See Section A) or has otherwise acceptably corrected the violation(s) described therein.

C. Additional Measures

1. Legal Action

- a) The City may bring legal action to enjoin continuing violation. Pursuant to the City's Stormwater Ordinance, Illicit Discharge Ordinance or Construction Stormwater Ordinance; the City may, through the City Attorney, petition the appropriate court(s) for issuance of preliminary or permanent injunctions to restrain or compel activities by a violator.

2. Future Permits

- a) Contractors with outstanding Civil Penalties shall not receive any City permits until all Civil Penalties have been paid.
- b) Contractors that have had two or more Civil Penalties within the previous 12-calendar months shall be required to deposit a cash surety equal to double the surety amount normally required for each permit obtained.
- c) *Contractors that work without required permits or under permits obtained by others in an attempt to avoid the requirements of this section shall be subject to the provisions of this ERP including but not limited to Civil Penalties, Cease and Desist Order, Suspension and/or Revocation of related permits, and Legal Action.*

II. NPDES Permit Referrals

- A. For a known project site involving a construction activity, an industrial or illicit discharge that should also be covered by a State NPDES permit, and the City is aware that no State NPDES permit exists, the City must notify the MPCA about this discharge. The following information must be supplied to the MPCA:
1. Project location
 2. Property owner and contractor information
 3. Nature of the discharge
- B. For a known project site involving a construction activity or an industrial stormwater discharge where the discharge should also be covered by a state NPDES permit, and the known site does not have a state NPDES permit, the City of must notify the MPCA about this discharge. The following information must be supplied to the MPCA:
1. Construction project or industrial facility location;
 2. Name of owner or operator;
 3. Estimated construction project size or type of industrial activity (including SIC code if known); and
 4. Records of communication with the owner or operator regarding filing requirements.
- C. Where the City has used progressive enforcement to achieve compliance with this chapter and in the judgment of the City has not been successful, the City may refer the violation to the MPCA. For the purposes of this provision, "progressive enforcement" shall mean two (2) follow-up inspections and two (2) Written Notices. The following information must be supplied to the MPCA:
1. Construction project or industrial facility location;
 2. Name of owner or operator;
 3. Estimated construction project size or type of industrial activity (including SIC code if known)
 4. Records of communication with the owner or operator regarding the violation, including at least two follow-up inspections, two warning letters or notices of violation, and any response from the owner or operator.

III. Recordkeeping & Tracking

- A. All non-compliance instances must be tracked either electronically or using paper files. This tracking must include all records and documents related to stormwater ordinance violations at the site and should be stored in the enforcement case file.
- B. The minimum required documentation must include the following items:
1. Name of owner/operator;
 2. Location of construction project or industrial facility;

3. Description of violation;
 4. Required schedule for returning to compliance;
 5. Description of enforcement responses used, including escalated responses if repeat violations occur or violations are not resolved in a timely manner;
 6. Accompanying documentation of enforcement response (e.g., notices of noncompliance, notices of violation, etc.);
 7. Any referrals to different departments or agencies; and
 8. Date violation was resolved.
- C. The City shall use the non-compliance records and tracking to identify any chronic violators, and use this information to work toward reducing the rate of noncompliance relapse.
1. This will include tracking violations, applying incentives and/or disincentives, and increasing the inspection frequency of the consistently noncompliant operator's sites.
 2. If the operator fails to take corrective actions, the City must pursue progressive enforcement and, if need be, perform the necessary work and assess against the owner the costs incurred for repairs.
- D. The City shall keep enforcement files for a minimum of three (3) years after the file is closed consistent with the MS4 General Permit conditions. However, file retention time may be longer if required by law. Files retention may be either paper or digital files.

IV. Enforcement Action Matrices

A. Construction Site Stormwater Ordinance Violations

1. See Table 1 for the enforcement action matrix for noncompliance with construction requirements. In general, the severity of the enforcement measure increases moving down the matrix.
2. For parties who fail to obtain a required permit prior to begin of land disturbance work, the initial enforcement action may be more stringent than for a project that has an approved plan but has failed to comply with the approved plan.
 - a) The City has the ability to stop project work for non-permittees. Stopping work generally includes all work on the site except for work to address the noncompliance that caused the order.
 - b) Non-permittees may be required to perform corrective actions as advised by the City and to develop the required erosion control and/or stormwater plan submittals to submit to the City for review and approval.
 - c) Once the corrective actions have been successfully completed and the submitted stormwater plan has been approved by the City, the City will issue the violator a written notice that the situation has been resolved.
 - d) *If the corrective actions or the submitted plan cannot be approved, the City will issue a written notice to the violator describing what was deficient and what step(s) are needed to resolve the situation.*

Table 1. Enforcement Action Matrix for Noncompliance with Construction Requirements.

Type of Violation	Failure to Obtain Permit Prior to Starting Work	Minor Violations (Failure to Install, Maintain or Upgrade Measures on Erosion and Sediment Control Plan)	Minor Violations (Failure to Install, Maintain or Upgrade Measures on Erosion and Sediment Control Plan for a Priority Area)	Major Violation (Failure to Install, Maintain or Upgrade Measures on Erosion and Sediment Control Plan that Resulted in a Sediment Release from the Project Site)	Repeat Violation by a Party (Same Site)	Repeat Violation by a Party (Different Site than initial Noncompliance Site)
52 Enforcement Measures For Use (Increasing Severity Moving Down the Chart)	Cease and Desist Order	Field Compliance Order	Field Compliance Order	NOV	Civil Penalty and/or Consent Order	NOV
		NOV	NOV	Civil Penalty with or without Consent Order	Cease and Desist Order and/or Suspension, Revocation or Modification of Permit	Civil Penalty with or without Consent Order
	Legal Action	Civil Penalty with or without Consent Order	Civil Penalty with or without Consent Order	Cease and Desist Order and/or Suspension, Revocation or Modification of Permit	Legal Action	Cease and Desist Order and/or Suspension, Revocation or Modification of Permit
		Cease and Desist Order and/or Suspension, Revocation or Modification of Permit	Cease and Desist Order and/or Suspension, Revocation or Modification of Permit	Legal Action		Legal Action
		Legal Action	Legal Action			

This plan is a guide; any of the enforcement responses may be used at the City's discretion and the City may choose to escalate an enforcement case by skipping intermediate steps. Penalties (Civil, Recovery of Damages and Costs, Etc.) may be assessed as described in the stormwater ordinance and as allowed by law at the City's discretion.

B. Illicit Discharge Ordinance Violations

1. See Table 2 for the enforcement action matrix for failure to remove illicit discharges.
2. The action matrix was set up to provide varying suggested degrees of response to noncompliance documented by the City.
3. In general, the severity of the enforcement measure increases moving down the matrix.

Table 2. Enforcement Action Matrix for Failure to Remove Illicit Discharges.

Type of Violation	First Violation	Repeat Violation by a Party (Same Site)	Repeat Violation by a Party (Different Site than initial Noncompliance Site)
Enforcement Measures For Use (Increasing Severity Moving Down the Chart)	Field Compliance Order	NOV	NOV
		Civil Penalty with or without Consent Order	
	NOV	Cease and Desist Order and/or Suspension, Revocation or Modification of Permit	Civil Penalty with or without Consent Order
	Civil Penalty with or without Consent Order	Legal Action	Cease and Desist Order and/or Suspension, Revocation or Modification of Permit
	Cease and Desist Order and/or Suspension, Revocation or Modification of Permit		Legal Action
	Legal Action		Legal Action

This plan is a guide; any of the enforcement responses may be used at the City’s discretion and the City may choose to escalate an enforcement case by skipping intermediate steps. Penalties (Civil, Recovery of Damages and Costs, Etc.) may be assessed as described in the stormwater ordinance and as allowed by law at the City’s discretion.

C. Noncompliance with Post-Construction Requirements

1. See Table 3 for the enforcement action matrix for noncompliance with post- construction requirements.
2. The action matrix was set up to provide varying suggested degrees of response to noncompliance documented by the City.
3. In general, the severity of the enforcement measure increases moving down the matrix.

Table 3. Enforcement Action Matrix for Noncompliance with Post-Construction Requirements

Type of Violation	First Failure to Remove Illicit Discharge	Repeat Violation by a Party (Same Site)	Repeat Violation by a Party (Different Site than initial Noncompliance Site)
Enforcement Measures For Use (Increasing Severity Moving Down the Chart)	Field Compliance Order	NOV	NOV
		Compliance Order or Consent Order	
	NOV	Civil Penalty with or without Consent Order	Civil Penalty with or without Consent Order
	Civil Penalty with or without Consent Order	Cease and Desist Order and/or Suspension, Revocation or Modification of Permit	Cease and Desist Order and/or Suspension, Revocation or Modification of Permit
	Cease and Desist Order and/or Suspension, Revocation or Modification of Permit	Legal Action	Legal Action
	Legal Action		

This plan is a guide; any of the enforcement responses may be used at the City's discretion and the City may choose to escalate an enforcement case by skipping intermediate steps. Penalties (Civil, Recovery of Damages and Costs, Etc.) may be assessed as described in the stormwater ordinance and as allowed by law at the City's discretion.

**SAMPLE INSPECTION AND MAINTENANCE AGREEMENT
FOR PRIVATE STORMWATER MANAGEMENT FACILITIES**

The term "STORMWATER MANAGEMENT FACILITIES" may refer to water quality and/or water quantity facilities (i.e. detention basins, retention basins, swales, pipes, oil/water separators, sand filtering devices, etc.) which are located OUTSIDE the public road right-of-way (ROW).

Property Identification ("Property"): _____ City Use: _____

Map: _____ Parcel No. _____ Land Disturbance Permit No. _____
Record Book: _____ Page No. _____

Project Name: _____
Project Address: _____
Owner(s): _____
Owner Address: _____
City: _____ State: _____ Zip Code: _____

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT A.

This Inspection and Maintenance Agreement ("Agreement") is made and entered into this ____ day of _____ of the year, 20__, by and between _____ (hereinafter called the "Owner", whether one or more) and The City of Saint Peter (hereinafter called "City").

WITNESSETH, that

WHEREAS, the City is required by federal and state surface water quality regulations and its National Pollutant Discharge Elimination System (NPDES) permit to prevent surface water quality degradation from development or redevelopment activities within its jurisdiction, and the City has adopted surface water quality regulations as required and such regulations are contained in the Stormwater Management chapter of the City Code; and

WHEREAS, the Owner of the Property identified above has or will construct certain stormwater management facilities on the Property, and has developed a Stormwater Maintenance Plan (Plan), as may be amended from time to time for the maintenance of those facilities. The City has reviewed and approved Plan, and retains a copy at the City Public Works Building. A drawing showing the general area of the facilities covered by the Plan is attached to this Agreement for ease of identification.

NOW, THEREFORE, in consideration of the benefits received by the Owner as a result of the approval by the City of the Plan, the Owner does hereby covenant and agree with the City as follows:

1. The Owner shall provide adequate long term maintenance and continuation of the stormwater control measures described in the Plan, to ensure that all stormwater facilities are and remain in proper working condition. The Owner shall perform inspection and preventive maintenance activities in accordance with the Plan.
2. The Owner shall maintain a copy of the Plan on site, together with a record of inspections and maintenance actions required by the Plan. The Owner shall document the times of inspections, remedial actions taken to repair, modify or reconstruct the system, the state of control measures and notification of any planned change in responsibility for the system. The City may require that the Owner's records be submitted to the City.
3. If it is later determined that the City's NPDES permit clearly directs Owners or the City to manage stormwater treatment systems differently than specified in the Plan, the direction of the NPDES permit shall override the provisions of the Plan.
4. The Owner hereby grants permission to The City, its authorized agents, and employees the right of ingress, egress and access to enter the Property at reasonable times and in a reasonable manner for the purpose of inspecting, operating, installing, constructing, reconstructing, maintaining or repairing the facilities. The Owner hereby grants to the City the right to install and maintain equipment to monitor or test the performance of the stormwater control system for quality and quantity upon reasonable notice to the Owner. Whenever possible, The City shall notify the Land Owner prior to entering the property and shall use its best efforts not to disturb the Land Owner's use and enjoyment of the Property while conducting said inspections.
5. In the event, the City determines that the stormwater facilities are not being maintained in good working order and gives written notice to the Owner to repair, replace, reconstruct or maintain said facilities within a reasonable time (maximum time specified will be 30 days), and the Owner fails to comply with the City's notice within the time specified, Owner authorizes the City or its agents to enter upon the Property to repair, reconstruct, replace or perform maintenance on said facilities at the Owner's expense. It is expressly understood and agreed that the City is under no obligation to maintain or repair said facilities, and in no event shall this Agreement be construed to impose any such obligation on the City.
6. In the event, the City, pursuant to this Agreement, performs work of any nature, or expends any funds in the performance of said work for labor, use equipment, supplies, materials, and the like, the Owner shall reimburse the City upon demand, within forty-five (45) days of receipt of written request for reimbursement for all costs incurred by the City. If the City has not received said payment from the Owner by the end of said forty-five (45) day period,

the City may use any other remedies available by law to collect such balances plus reasonable expenses of collection, court costs, and attorney fees.

7. It is the intent of this Agreement to assure the City of proper maintenance of onsite stormwater facilities by the Owner; provided, however, that this Agreement shall not be deemed to create or affect any additional liability of any party for damage alleged to result from or be caused by stormwater management.
8. The Owner and the Owner's heirs, executors, administrators, assigns, and any other successors in interest, shall indemnify and hold the City and its agents and employees harmless for, and defend against at its own expense, any and all damages, accidents, casualties, occurrence, claims, or attorney's fees which might arise or be asserted, in whole or in part, against the City from the construction, presence, existence, or maintenance of the storm water control facilities subject to the Plan and this Agreement. In the event a claim is asserted against the City, its officers, agents or employees, the City shall notify the Owner, who shall defend at Owner's expense any suite or other claim. If any judgment or claims against the City shall be allowed, the Owner shall pay all costs and expenses in connection therewith. The City will not indemnify, defend or hold harmless in any fashion the Owner from any claims arising from any failure, regardless of any language in any attachment of other document that the Owner may provide.
9. No waiver of any provision of this Agreement shall affect the right of any party thereafter to enforce such provision or to exercise any right or remedy available to it in the event of any other default.
10. The Owner shall record this Agreement with the Register of Deeds of County, this Agreement shall constitute a covenant running with the land, and shall be binding upon the Owner and the Owner's heirs, administrators, executors, assigns, and any other successors in interest.
11. The Owner shall have the facilities inspected in accordance with § 52-623 of the City's stormwater management ordinance and certify to the City that the constructed facilities conform and purport substantially to the approved Plan. If the constructed condition of the facility or its performance varies significantly from the approved Plan, appropriately revised calculations shall be provided to the City and the Plan shall be amended accordingly.
12. The Owner agrees that for any systems to be maintained by a property owner's association, deed restrictions and covenants for the subdivision or other development will include mandatory membership in the property owner's association responsible for providing maintenance of the system, will require the association to maintain the stormwater system, will prohibit termination of this covenant by unilateral action of the association, and provide for

Personally appeared before me, the undersigned Notary Public of the state and county mentioned, _____, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and executed this Agreement (Inspection and Maintenance Agreement for Private Stormwater Management Facilities) on behalf of the City of _____ for the purposes contained herein.

Witness my hand and official seal at office, this _____ day of _____, of the year _____.

Notary Public

My Commission Expires:

CITY OF SAINT PETER, MINNESOTA

RESOLUTION NO. 2015 -

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

**RESOLUTION ESTABLISHING ENFORCEMENT RESPONSE PROCEDURES FOR
MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)**

WHEREAS, under the terms of the City's General NPDES/SDS Permit MNR040000 the City is required to develop and implement Enforcement Response Procedures (ERP) for illicit discharges into the Municipally Separate Storm Sewer System (MS4); and

WHEREAS, the purpose of the ERPs is to communicate the enforcement tools available; and

WHEREAS, ERPs specify the most appropriate action for a non-compliance; and

WHEREAS, the City ERP prohibits "illicit discharge" and stabilization of soils during "post construction" and requires construction activity compliance; and

WHEREAS, written procedures will be required for civil penalty, record keeping and enforcement action materials; and

WHEREAS, staff recommends adoption of the Enforcement Response Procedure.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA, THAT: the Enforcement Response Procedure is hereby adopted. A copy of the document shall be made available for public review in the City Administrator's Office and the Department of Public Works.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 23rd day of March, 2015.

Timothy Strand
Mayor

ATTEST:

Todd Prafke
City Administrator

ORDINANCE NO. ____, THIRD SERIES

AN ORDINANCE AMENDING SAINT PETER CITY CODE CHAPTER 30 "OFFENSES AND MISCELLANEOUS PROVISIONS, ARTICLE IX "PUBLIC NUISANCES", SECTION 30-234 "HEALTH" AND SECTION 30-238 "ABATEMENT" AND ADOPTING BY REFERENCE SAINT PETER CITY CODE CHAPTER 1 SECTION 1-6, WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS

WHEREAS, the City is required to be permitted for a municipally separate storm sewer system; and

WHEREAS, the City needs to upgrade certain sections of the City Code in order to have the permit renewed; and

WHEREAS, staff has worked with Bolton and Menk, Inc. to prepare the necessary updates to the City Code; and

WHEREAS, staff recommends approval of the proposed Code modifications.

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

Section 1. Saint Peter City Code Chapter 30 "Offenses and Miscellaneous Provisions", Article IX "Public Nuisances", Sec. 30-234 "Health" is hereby modified as follows:

Sec. 30-234. - Health.

The following are hereby declared to be nuisances affecting health:

- (1) Exposed accumulation of decayed or unwholesome food or vegetable matter;
- (2) All diseased animals running at large;
- (3) All ponds or pools of stagnant water;
- (4) Carcasses of animals not buried or destroyed within 24 hours after death;
- (5) Accumulations of manure, refuse, or other debris;
- (6) Privy vaults and garbage cans which are not rodent free or fly tight or which are so maintained as to constitute a health hazard or to emit foul and disagreeable odors;
- (7) Discharge of sewage, industrial waste, or other wastes from either point or nonpoint sources into any public well or cistern, or waters of the State so as to cause any nuisance conditions, such as the presence of significant amounts of floating solids, scum, visible oil film, excessive suspended solids, material discoloration, obnoxious odors, gas ebullition, deleterious sludge deposits, undesirable slimes or fungus growths, aquatic habitat degradation, excessive growths of aquatic plants, or other offensive or harmful effects.

- (8) Throwing, depositing, placing, leaving, maintaining, or keeping any stockpiled material, refuse, rubbish, garbage, lawn waste, or any discarded or abandoned objects, articles, or accumulations, in or upon any street, alley, sidewalk, storm drain, inlet, catch basin, conduit or drainage structure, business place, or upon any public or private plot of land, such that it might inhibit proper stormwater drainage or become a pollutant, except when in containers, recycling bags, or other lawfully established waste disposal receptacles for scheduled collection.
- (9) All noxious weeds and other rank growths of vegetation upon public or private property;
- (10) Dense smoke, noxious fumes, gas and soot, or cinders, in unreasonable quantities;
- (11) All public exposure of persons having a contagious disease; or
- (12) Any offensive trade or business as defined by statute not operating under local license.

Section 2. Saint Peter City Code Chapter 30 "Offenses and Miscellaneous Provisions", Article IX "Public Nuisances", Sec. 30-238 "Abatement" is hereby modified as follows:

Sec. 30-238. – Abatement.

Subd. 1. Whenever the officer charged with enforcement determines that a public nuisance is being maintained or exists on premises in the City, the officer shall notify, in writing, the owner or occupant of the premises of such fact and order that such nuisance be terminated and abated. The notice shall be served in person or by certified or registered mail. If the premises are not occupied and the owner is unknown or should the property owner refuse to accept the in person or mailed notice, the notice may be served by posting it on the premises. The notice shall specify the steps to be taken to abate the nuisance and the time, not exceeding 30 days, within which the nuisance is to be abated. If the nuisance activity is on a property with an active City permit, the enforcement actions available under that permit shall be immediately invoked upon failure to comply with the notice.

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

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 23rd day of March, 2014.

ATTEST:

 Todd Prafke
 City Administrator

 Timothy Strand
 Mayor

The foregoing Ordinance was adopted by the following votes:

Ayes:

Nayes:

Absent:

Published in the *Saint Peter Herald* on _____, 2014.

ORDINANCE NO. __, THIRD SERIES

**AN ORDINANCE AMENDING SAINT PETER CITY CODE CHAPTER 52 "UTILITIES"
ARTICLE X "STORMWATER MANAGEMENT" DIVISION 2 "PLANNING AND
DEVELOPMENT" AND DIVISION 2 "MANAGEMENT AND STANDARDS" AND ADOPTING
BY REFERENCE SAINT PETER CITY CODE CHAPTER 1 SECTION 1-6, WHICH, AMONG
OTHER THINGS, CONTAIN PENALTY PROVISIONS"**

WHEREAS, the City is required to be permitted for a municipally separate storm sewer system; and

WHEREAS, the City needs to upgrade certain sections of the City Code in order to have the permit renewed; and

WHEREAS, staff has worked with Bolton and Menk, Inc. to prepare the necessary updates to the City Code; and

WHEREAS, staff recommends approval of the proposed Code modifications.

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

Section 1. Saint Peter City Code, Chapter 52 "UTILITIES", Article X "Stormwater Management" Division 2 "Planning and Development" is hereby modified as follows:

Sec. 52-618. - Purpose.

The purpose of this division is to promote, preserve, and enhance the natural resources within the City and protect them from adverse effects occasioned by poorly sited development or incompatible activities that would have an adverse and potentially irreversible impact on water quality and unique and fragile environmentally sensitive land by:

- (1) Protecting surface and groundwater supplies from the improper discharge caused by incompatible land uses and alterations;
- (2) Providing safe and sanitary drainage;
- (3) Protect public and private property from damage resulting from runoff, erosion, or flooding.
- (4) Restricting and controlling land development so it will not impede the flow of water or cause danger to life or property;
- (5) Ensure where possible the annual runoff rates and volumes from post development site conditions mimic the annual runoff rates and volumes from predevelopment site conditions;
- (6) Provide a single, consistent set of performance standards that apply to all developments;
- (7) Designating suitable land uses that are compatible with the preservation of the natural vegetation and marshes. Natural vegetation and marshes are a principal factor in the maintenance of constant rates of water flow through the year and sustain many species of wildlife and plant growth;

- (8) Protect functional and aesthetic values of natural water courses, private waters, and wetlands;
- (9) Regulating runoff of surface waters from developed areas to prevent pollutants from being carried directly into natural streams, lakes, or other public or private waters;
- (10) Regulating the alteration of wetland systems to prevent excessive sediment pollution, increased and rapid runoff, excessive nutrient runoff pollution, and to maintain the aesthetic appearance of the wetlands;
- (11) Preventing the development of structures in areas that will adversely affect the public passage or use of creeks, marshes, lowlands, and watercourses within the city.

Sec. 52-619. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Applicant means any person who applies to the City for approval of a preliminary plat for the subdivision of land within the City; any person who applies for a permit for any land disturbing activities, including but not limited to mining, excavation, filling, and grading; any person who applies for a building permit involving land disturbing activities, including but not limited to construction of structures.

Best Management Practice (BMP) means the most effective and practicable means of erosion prevention and sediment control, and water quality management practices that are the most effective and practicable means of to control, prevent, and minimize degradation of surface water. Acceptable BMPs are identified in the current versions of Protecting Water Quality in Urban Areas, MPCA and The Minnesota Stormwater Manual, MPCA. BMPs must be adapted to the site and can be adopted from other sources. However, they must be similar in purpose and at least as effective and stringent as MPCA's BMPs.

Detention basin means a temporary storage facility containing runoff from rainfall and snowmelt events to control peak discharge rates and provide an opportunity for physical, chemical, and biological treatment of runoff to occur.

Flood fringe means the portion of the floodplain outside of the floodway.

Floodplain means the areas adjoining a watercourse or water basin that has been or may be covered by a regional flood.

Floodway means the channel of the watercourse or water basin that has been or may be covered by a regional flood.

Public waters means any waters of the state as defined in M.S. § 103G.005, subd. 15.

Regional flood means a flood that is representative of large floods known to have occurred generally in the State and reasonably characteristic of what can be expected to occur on an average frequency in the magnitude of a 100-year recurrence interval.

Sediment means solid matter carried by water, sewage, or other liquids.

Stormwater Master Plan means a plan adopted by City Council action providing for regional pond locations and districts from which stormwater is collected and stored or treated.

Structure means anything manufactured, constructed, or erected which is normally attached to or positioned on land, including portable buildings, earthen structures, roads, parking lots, and paved storage areas.

Watershed Master Plan means a document that provides locations for stormwater facilities including basins, pipes, swales, and other facilities and is used for planning purposes.

Wetlands means areas inundated or saturated by surface or groundwater, at a frequency and duration to support, and, under normal circumstances, do support a prevalence of vegetation typically adapted for saturated soil conditions.

Sec. 52-620. - Applicability.

Subd. 1. Every applicant must submit a Stormwater Management Plan. No building permit involving land disturbing activities, including but not limited to construction of structures, and no final plat for the subdivision of land within the City, and no permit to allow land disturbing activities, including but not limited to mining, excavation, filling and grading, shall be issued until approval of the Stormwater Management Plan or a waiver of the approval requirement has been obtained in strict conformance with the provisions of this section. The provisions of this division apply to all land, public or private, located within the City.

Subd. 2. The provisions of this division shall apply to all properties within the City for which mining or excavation conditional use permits have been issued; said applicability shall become effective on the next annual review date of a mining or excavation conditional use permit following the effective date of the ordinance from which this division is derived.

Subd. 3. Land disturbance as a part of a structure requiring a building permit or construction requiring a building permit shall require the applicant to submit the following information as a part of the building permit application process:

- (1) A "to scale" drawing of the area of the permit including adjacent buildings, streets, fences, stormwater structures, indicating a proposed stormwater design and arrows indicating the direction of stormwater flow to the most appropriate stormwater structure.
- (2) The drawing shall be submitted to the Director of Public Works for review. Review will consist of a comparison to the Stormwater Management Plan for the area and will be approved or denied on a form to be signed by the Director of Public Works. Reasons for denial may be included on the form.
- (3) If the stormwater design is not approved, a building permit shall not be issued.

Subd. 4. The provisions of this division do not apply under any one or more of the following circumstances:

- (1) Any part of a subdivision if a Final Plat for the subdivision has been approved by the City Council on or before the effective date of the ordinance from which this division is derived, unless a Watershed Master Plan that includes the subdivision or area has been approved by City Council;
- (2) Any land disturbing activity for which plans have been approved by the City within six months prior to the effective date of the ordinance from which this division is derived;

- (3) Any construction or development for which a building permit has been approved on or before the effective date of the ordinance from which this division is derived;
- (4) Land disturbing activity that will result in soil disturbance of less than 120 square feet of surface area that is located on a lot of record or within an area platted and served by stormwater facilities;
- (5) Installation of fence, sign, telephone, or electric poles or other kinds of posts or poles;
- (6) Emergency work to protect life, limb, or property that is approved or directed by the City or its Director of Public Works or City Administrator; or
- (7) Land disturbance that is in a City-owned right-of-way.

Subd. 5. A waiver or variance from provisions of this division may be issued after approval of the City Council to provide relief to a landowner where the division imposes undue hardship by reason of exceptional topographic or hydrological or other conditions on the landowner in the use of the land. The following provisions shall apply:

- (1) A waiver or variance may be granted only in the event that all of the following apply:
 - a. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity as a result of lot size or shape, topography, or other circumstances over which the owner of property since the enactment of this section has had no control;
 - b. The literal interpretation of this section would deprive the applicant of rights commonly enjoyed by other properties in the same district;
 - c. The special conditions or circumstances do not result from the actions of the applicant;
 - d. Granting the waiver or variance will not confer on the applicant any special privilege that is denied by this section to owners of other lands, structures or buildings in the same zoning district;
 - e. The waiver or variance is the minimum action necessary to alleviate the hardship; and
 - f. The waiver or variance would not be materially detrimental to the purposes of this division or to property in the same district.
- (2) An applicant for a waiver or variance shall complete and submit a waiver or variance request form, with the appropriate fee, to the Zoning Administrator who shall refer the application to Planning Commission for review.

Subd. 6. The Planning and Zoning Commission shall hold a public hearing on the application. Notice of said hearing shall be published in the official newspaper of the City at least ten days prior to the hearing, and the Zoning Administrator or designee shall mail the same notice to the owners of all property located within 350 feet of the land to which the variance will apply. The notice shall include a description of the land and the proposed variance. Failure of a property owner to receive such notification shall not invalidate the proceedings.

Subd. 7. The Planning and Zoning Commission must take action on the application within 60 days after receiving the application. If it grants the waiver or variance, the Planning

and Zoning Commission may impose conditions it considers necessary to protect the public health, safety, and welfare. The Planning and Zoning Commission will make a recommendation to the City Council which will provide for final determination.

Sec. 52-621. - Plan approval.

Subd. 1. A written application for Stormwater Management Plan approval, along with the proposed Stormwater Management Plan, shall be filed with the Director of Public Works and Director of Community Development. The following provisions shall apply:

- (1) The written application shall include a statement indicating the grounds upon which the approval is requested. The application must also include a statement regarding the proposed land use of the area and whether or not the use is permitted or a permit has been applied for shall conform to construction standards outlined in Division 3 of this article. The proposed plan shall be developed in relationship to the Stormwater Master Plan for the watershed as approved by City Council resolution. The absence of a Stormwater Master Plan for the area of application shall not relieve the applicant of any requirements or need for a Stormwater Management Plan. The application shall be forwarded to the Director of Public Works for review by the Director of Public Works and the City Engineer. Approval shall be provided in a form to be signed by the Director of Public Works and the City Engineer. Copies of any approval or denial shall be forwarded to the Director of Building, Director of Community Development and City Administrator.
- (2) Two sets of clearly legible blue- or black-lined copies of drawings and required information shall be submitted to the Director of Building or designee and shall be accompanied by a receipt for payment of the appropriate fees. Drawings shall be prepared to a scale appropriate to the size of the project and suitable for the review to be performed. The scale shall be no smaller than one-inch equals 100 feet.

Subd. 2. At a minimum, the Stormwater Management Plan shall be consistent with the version of the Minnesota Pollution Control Agency's NPDES Construction Permit Requirements and Minnesota Stormwater Manual in place at the time of application and contain the following information:

- (1) Identification and description
 - a. Project name;
 - b. Project type (residential, commercial, industrial, road construction, or other);
 - c. Project location;
 - d. County parcel identification number (legal description), section, township and range;
 - e. Names and addresses of all record owner(s).
- (2) A map of existing site conditions showing the site and immediately adjacent areas;
 - a. The name and address of the applicant, the section, township and range, north point, date, and scale of drawing, and number of sheets, and list of names and addresses of all owners of the property;

- b. Location of the tract by an insert map at a scale sufficient to clearly identify the location of the property and giving such information as the names and numbers of adjoining roads, railroads, utilities, subdivisions, towns, and districts or other landmarks;
- c. A delineation of all streams, rivers, public waters, intermittent streams, and wetlands located on and within ½ mile of the site, including depth of water, floodway and flood fringe boundary, a description of all vegetation which may be found in the water, a statement of general water quality and any classification given to the water body or wetland by the State Department of Natural Resources, the State Pollution Control Agency, or the U.S. Army Corps of Engineers;
- d. Location and area of all existing impervious surfaces;
- e. Location and dimensions of existing stormwater drainage systems including drain tile, ditches, and natural drainage patterns on and immediately adjacent to the site delineating in which direction and at what rate stormwater is conveyed from the site, identifying the receiving stream, river, public water, or wetland, and setting forth those areas of the unaltered site where stormwater collects;
- f. Site soils information including but not limited to runoff and infiltration rates.
- g. Description of the existing vegetative cover and clearly delineating any vegetation proposed for removal; and
- c. 100-year floodplains, flood fringes, and floodways

Subd. 3. Proposed Conditions - A complete site plan and specifications, signed by the person who designed the plan shall be drawn to an easily legible scale, shall be clearly labeled with a north arrow and a date of preparation, and shall include, at a minimum, the following information:

- (1) Site boundaries, proposed elevations, steep slopes (1V:3H) and areas not to be disturbed;
- (2) Locations and dimensions of all proposed land disturbing activities and any phasing of those activities;
- (3) Location and area of all proposed impervious surfaces
- (4) Locations and dimensions of all temporary soil or dirt stockpiles;
- (5) Locations and dimensions of all temporary and permanent BMPs necessary to meet the requirements of this section including but not limited to normal and high water level and emergency overflow provisions for all detention and infiltration basins;
- (6) Schedule of anticipated starting and completion dates of each land disturbing activity including the installation of BMPs needed to meet the requirements of this division; and
- (7) Provisions for maintenance of the site BMPs.
- (8) Copies of permits or a list of all known needed permits required by any other governmental entity or agencies including mitigation measures required as a result of any review for the project (e.g. wetland mitigation, EAW, EIS, archaeology survey, etc.)

Subd. 4. A plan of final site conditions shall be submitted. The plan shall be on the same scale as the existing site map showing the site changes for parcels of over 6,500 square feet and shall include information as follows:

- (1) Finished grading shown at 1-foot increment contours;
- (2) A landscape plan, drawn to an appropriate scale, including dimensions and distances, and the location, type, size, and description of all proposed landscape materials that will be added to the site as part of the development;
- (3) A drainage plan of the developed site delineating in which direction and at what rate stormwater will be conveyed from the site and setting forth the areas of the site where stormwater will be allowed to collect;
- (4) The proposed size, alignment, and intended use of any structures to be erected on the site;
- (5) A clear delineation and tabulation of all areas which will be paved or surfaced, including a description of the surfacing material to be used; and
- (6) Any other information pertinent to the particular project that in the opinion of the applicant is necessary for the review of the project.

Subd. 5. The Director of Public Works may waive any of the requirements in this section if in his determination information is not needed.

Sec. 52-622. - Plan review procedure.

Subd. 1. Process. For all applications, a Stormwater Management Plans meeting the requirements of section 52-621 shall be reviewed by the Director of Public Works or designee for approval, modification, or denial.

- (1) For preliminary plat applications, the Stormwater Management Plan review procedure shall be identical and coincidental to that required under chapter 44.
- (2) For permittees to conduct land disturbing activities, including but not limited to mining, excavation, filling, and grading, Stormwater Management Plans meeting the requirements of section 52-621 shall be submitted to the Director of Public Works or designee and to Planning Commission for review in accordance with construction standards. Planning shall recommend approval, approval with conditions, or denial of the Stormwater Management Plan. Following Planning and Zoning Commission action, the Stormwater Management Plan shall be submitted to the City Council at its next available meeting. City Council action on the Stormwater Management Plan shall be accomplished within 60 days of the date that a complete application is filed with the Director of Building or designee. An application shall not be considered complete if the Director of Public Works or designee determine the submitted Stormwater Management Plan fails to meet the requirements of Section 52-621.

Subd. 2. Duration. Approval of a plan submitted under the provisions of this section shall expire one year after the date of approval unless construction has commenced in accordance with the plan. However, if prior to the expiration of the approval, the applicant makes a written request to the Director of Public Works for an extension of time to commence construction, setting forth the reasons for the requested extension, the Director of Public Works or designee may grant one extension of not greater than one year. Receipt of any request for an

extension of such permit shall be acknowledged by the Director of Public Works or designee within 15 days. The Director of Public Works or designee shall make a decision on the extension within 30 days of receipt. Any plan may be revised in the same manner as originally approved.

Subd. 3. Standards. Application designs shall comply with Division 3 of this article.

Subd. 4 Modification. An application may be made to the Director of Public Works or designee for modification of an approved Stormwater Management Plan. The Director of Public Works or designee shall follow the review process laid out in this section for new Stormwater Management Plans.

Sec. 52-623. - Enforcement Response Procedures

The City has adopted an Enforcement Response Procedure Document that includes penalties for Illicit Discharges of Pollutants which is hereby referenced as part of this Ordinance.

Sec. 52-624. - Other controls.

In the event of any conflict between the provisions of this division, the provisions of any erosion control or shoreland protection regulation adopted by the City Council, or the provisions of any erosion control or public water regulations by any regulatory agency with jurisdiction the more restrictive standard shall prevail.

Section 2. Saint Peter City Code Chapter 52 "Utilities", Article X "Stormwater Management", Division 3 "Management and Standards" is hereby amended as follows:

Sec. 52-654. Purpose.

The purpose of this division is to promote, preserve, and enhance the natural resources within the City and protect them from adverse effects occasioned by poorly sited development or incompatible activities that would have an adverse and potentially irreversible impact on water quality and unique and fragile environmentally sensitive land by:

- (1) Protecting surface and groundwater supplies from the improper discharge caused by incompatible land uses and alterations;
- (2) Providing safe and sanitary drainage;
- (3) Protect public and private property from damage resulting from runoff, erosion, or flooding.
- (4) Restricting and controlling land development so it will not impede the flow of water or cause danger to life or property;
- (5) Ensure where possible the annual runoff rates and volumes from post development site conditions mimic the annual runoff rates and volumes from predevelopment site conditions;
- (6) Provide a single, consistent set of performance standards that apply to all developments;
- (7) Designating suitable land uses that are compatible with the preservation of the natural vegetation and marshes. Natural vegetation and marshes are a principal

factor in the maintenance of constant rates of water flow through the year and sustain many species of wildlife and plant growth;

- (8) Protect functional and aesthetic values of natural water courses, private waters, and wetlands;
- (9) Regulating runoff of surface waters from developed areas to prevent pollutants from being carried directly into natural streams, lakes, or other public or private waters;
- (10) Regulating the alteration of wetland systems to prevent excessive sediment pollution, increased and rapid runoff, excessive nutrient runoff pollution, and to maintain the aesthetic appearance of the wetlands;
- (11) Preventing the development of structures in areas that will adversely affect the public passage or use of creeks, marshes, lowlands, and watercourses within the City.

Sec. 52-655. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Applicant means any person who applies for a building permit or permit for a land disturbing activity.

Best Management Practice (BMP) means the most effective and practicable means of erosion prevention, sediment control, and water quality management practices that are the most effective and practicable means to control, prevent, and minimize degradation of surface water. BMP recommendations and design guidance is available in the MPCA publications Protecting Water Quality in Urban Areas and the Minnesota Stormwater Manual. BMPs must be adapted to the site and can be adopted from other sources, however, they must be similar in purpose and at least as effective and stringent as MPCA's BMPs.

Buffer zone means any area surrounding stormwater detention or retention basins that is controlled by or owned by the City.

Charge means the amount set by Council action or resolution that must be paid for one-time connection to the system.

Detention basin means a temporary storage facility containing runoff from rainfall and snowmelt events to control peak discharge rates and provide an opportunity for physical, chemical, and biological treatment of runoff to occur.

Fee means the amount set by Council action or resolution that is imposed for ongoing services and is included in calculations for services used.

Land disturbing or development activity means any change of the land surface including removing vegetative cover, excavating, filling, grading, and the construction of any structure.

MPCA means the Minnesota Pollution Control Agency

New development means all construction activity that is not defined as redevelopment.

Public waters means any waters of the state as defined in M.S. § 103G.005, subd. 15.

Redevelopment means any construction activity where, prior to the start of construction, the areas to be disturbed have 15 percent or more of impervious surface(s).

Retention basin means a permanent storage facility containing runoff from rainfall and snowmelt events with volume reduction resulting from infiltration, evaporation or emergency release.

Sediment means solid matter carried by water, sewage, or other liquids.

Structure means anything manufactured, constructed, or erected which is normally attached to or positioned on land, including portable structures, earthen structures, roads, parking lots, and paved storage areas.

Wetlands means areas inundated or saturated by surface or groundwater, at a frequency and duration to support, and, under normal circumstances, do support a prevalence of vegetation typically adapted for saturated soil conditions.

Sec. 52-656. Stormwater management standards.

Subd. 1. *Meeting standards required.* No Stormwater Management Plan that fails to meet the standards contained in this division shall be approved by the City Council.

Subd. 2. *Site dewatering.* Water may not be discharged in a manner that causes erosion or flooding of the site or of receiving channels or a wetland. Water pumped from the site shall be treated by one of the following processes: temporary sedimentation basins, grit chambers, sand filters, up flow chambers, hydrocyclones, swirl concentrators, or other controls as approved by the Director of Public Works or designee.

Subd. 3. *Waste and material disposal.* All waste and unused building materials (including garbage, debris, cleaning wastes, wastewater, toxic materials or hazardous materials), shall be properly disposed of off-site and not allowed to be carried by runoff into a receiving channel or storm sewer system.

Subd. 4. *Tracking.* Each development or redevelopment site shall have graveled roads, access drives, and parking areas of sufficient width and length to prevent sediment from being tracked onto public or private roadways or alternative method approved in advance by the Public Works Director capable of the same or better protection. Any sediment reaching a public or private road shall be removed by street cleaning (not flushing) before the end of each workday.

Subd. 5. *Drain inlet protection.* All storm drain inlets receiving site runoff shall be protected with appropriate BMPs during construction until upstream BMPs eliminating sediment entry to the inlet are in fully functional or the site is fully stabilized.

Subd. 6. *Site erosion control.* The following criteria apply only to construction activities that result in runoff leaving the site:

- (1) Channelized runoff from adjacent areas passing through the site shall be diverted around disturbed areas, if practical. Otherwise, the channel shall be protected as described below. Sheet flow runoff from adjacent areas greater than 10,000 square feet in area shall also be diverted around disturbed areas, unless shown to have resultant runoff rates of less than one-half cubic foot per second across

the disturbed area for the one-year storm. Diverted runoff shall be conveyed in a manner that will not erode the conveyance and receiving channels.

- (2) All activities on the site shall be conducted in a logical sequence to minimize the area of bare soil exposed at any one time.
- (3) Runoff from the entire disturbed area on the site shall be controlled by meeting the applicable subsections of this subdivision:
 - a. Stabilization must be initiated immediately to limit soil erosion whenever any construction activity has permanently or temporarily ceased on any portion of the site and will not resume for a period exceeding 14 calendar days. Stabilization must be completed no later than 14 calendar days after the construction activity in that portion of the site has temporarily or permanently ceased except that:
 - i. The normal wetted perimeter of any temporary or permanent drainage ditch or swale that drains water from the site or diverts water around the site, within 200 lineal feet from the property edge, or from the point of discharge into any surface water must be stabilized within 24 hours after connecting to the surface water or discharging from the site, and
 - ii. For sites that discharge to special and/or impaired waters stabilization shall be initiated immediately and in no case completed later than 7 days after construction activity has temporarily or permanently ceased.
 - b. One or more temporary or permanent sedimentation basins shall be constructed if:
 - i. More than 10 acres are disturbed and drained to a single point of discharge temporary sediment basins must be installed.
 - ii. More than 5 acres are disturbed and drain to a special and/or impaired water temporary sediment basin requirements described must be installed.
 - iii. The site has sensitive features as determined by the Public Works Director or designee or the potential of offsite impacts, then temporary sediment basins must be installed to protect the resource.
 - c. Each temporary sedimentation basin shall meet the following minimum criteria:
 - i. The basins must provide live storage for a calculated volume of runoff from a two (2)-year, 24-hour storm from each acre drained to the basin, except that in no case shall the basin provide less than 1,800 cubic feet of live storage from each acre drained to the basin; or where the calculation has not been done, providing 3,600 cubic feet of live storage per acre drained to the basin shall be provided for the entire drainage area of the temporary basin.

- ii. Temporary basin outlets must be designed to prevent short-circuiting and the discharge of floating debris.
 - iii. The basin must be designed with the ability to allow complete basin drawdown for maintenance activities, and must include a stabilized emergency overflow to prevent failure of pond integrity.
 - iv. The outlet structure must be designed to withdraw water from the surface in order to minimize the discharge of pollutants, except that the use of a surface withdrawal mechanism for discharge of the basin may be temporarily suspended during frozen conditions.
 - v. Energy dissipation must be provided for the basin outlet.
 - vi. Sediment Basins must be situated outside of surface waters and any buffer zones, and must be designed to avoid draining water from wetlands unless a current and valid permit for wetland impact has been obtained in advance.
 - vii. The temporary basins must be constructed and made operational prior to disturbance of 10-acres, or 5-acres if discharging to a special and/or impaired.
 - viii. When site restrictions do not allow for a temporary sediment basin, equivalent measures such as smaller basins, check dams, and vegetated buffer strips can be included.
 - ix. For sites not required to install temporary sediment basins appropriate BMPs shall be placed along all side slopes and down-slope sides of the site. If a channel or area of concentrated runoff passes through the site, BMPs shall be utilized to reduce sediment reaching the channel. The use of BMPs must include a maintenance and inspection schedule.
 - x. All disturbed ground associated with mining and excavation activities, such as gravel pits, shall comply with the following within six months of the effective date of the ordinance from which this division is derived:
 - 1.1 All disturbed organic soils (topsoil, organic subsoils) shall be covered with vegetation, mulch, or other appropriate covers.
 - 1.2 All inorganic soils (gravel, sand) shall be controlled by means of filter fencing, staked straw bales, or other appropriate measures.
- (4) No soil or dirt piles containing more than ten cubic yards of material shall be located with a down-slope drainage length of less than 25 feet from the toe of the pile to a roadway or drainage channel. If remaining for more than seven days, they shall be stabilized by mulching, vegetative cover, tarps, or other means. Erosion from piles that will be in existence for less than seven days shall be controlled by placing straw bales or silt fence barriers around the pile. In-street utility repair or construction soil or dirt storage piles located closer than 25 feet of

a roadway or drainage channel must be covered with tarps or suitable alternative control if exposed for more than seven days, and the storm drain inlets must be protected with straw bales or other appropriate filtering barriers.

Sec. 52-657. Criteria for permanent facilities.

Subd. 1. *Installation or construction of facilities.* The applicant shall install or construct, on or for the proposed land disturbing or development activity, all stormwater management facilities necessary to manage:

- (1) Storm peak discharge rates.
- (2) Volume, Total Suspended Solids (TSS), Total Phosphorus (TP) such that there is no net increase from pre-project conditions on an annual average basis for new developments and such that there is a net reduction from pre-project conditions on an annual average basis for redevelopment projects.
 - a. For projects where site constraints limit the ability to provide the required control practices within the project boundary; the project shall provide for downstream improvements for that portion that cannot be treated within project boundaries. Such projects may include:
 - i. Linear projects where reasonable effort has been made to obtain sufficient right-of-way to install required control practices and said efforts have been unsuccessful;
 - ii. Sites where infiltration is prohibited;
 - iii. Other locations as determined by the Director of Public Works or designee.
 - b. Projects that have made reasonable effort but been unable to fully meet TSS and TP requirements within the project limits may upon authorization by the Director of Public Works or designee utilize the following methods to meet that portion not met onsite:
 - i. Purchase from the City's bank credits equal to the portion unmet. If insufficient credits are available then;
 - ii. Provide treatment that yields the same benefits in an offsite location to the same receiving water that receives runoff from the project site. If this is not feasible then
 - iii. Provide treatment that yields the same benefits in an offsite location within the same Minnesota Department of Natural Resources catchment area as the project site. If this is not feasible then;
 - iv. Provide treatment that yields the same benefits in an offsite location within an adjacent Minnesota Department of Natural Resources catchment area up-stream of the project site. If this is not feasible then;

- v. Provide treatment that yields the same benefits at a site approved by the City.
- (3) Applicants shall provide documentation showing compliance with (1) and (2) above. Acceptable options shall be:
- a. For Rate and Volume:
 - i. Select from the Modeling Tool Selection of the MPCA Stormwater Manual, or
 - ii. Other method approved by the Director of Public Works.
 - b. For TSS and TP:
 - i. Minimal Impact Design Standards (MIDS) Calculator available on the MPCA website, or
 - ii. Other method approved by the Director of Public Works.

Subd. 2. *Natural topography.* The applicant shall give consideration to reducing the need for stormwater management facilities by incorporating the use of natural topography and land cover such as wetlands, ponds, natural swales, and depressions as they exist before development to the degree that they can accommodate the additional flow of water without compromising the integrity or quality of the wetland or pond. The development shall minimize impact to significant natural features. Review the site for steep slopes (greater than 1V:3H), wetlands, wooded areas of significance, rare and endangered species habitat, greenways, or parks and open space. These areas should not be developed.

Subd. 3. *Investigation of practices.* The following stormwater management practices shall be investigated in developing a Stormwater Management Plan in the following descending order of preference:

- (1) Infiltration of runoff on site, if suitable soil conditions are available for use except that infiltration shall be prohibited where:
 - 1. Industrial facilities are not authorized to infiltrate industrial stormwater under an NPDES/SDS Industrial Stormwater Permit issued by the MPCA.
 - 2. Vehicle fueling and maintenance occur
 - 3. Less than three (3) feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock can be achieved.
 - 4. High levels of contaminants in soil or groundwater will be mobilized by the infiltrating stormwater.
 - 5. Soil infiltration rates are more than 8.3 inches per hour.
 - 6. Soils are predominately Hydrologic Soil Group D (clay), except where soil amendment will allow for appropriate infiltration.

- (2) Flow attenuation by use of open vegetated swales and natural depressions;
- (3) Stormwater retention facilities; and
- (4) Stormwater detention facilities.

Subd. 4. *Minimum control requirements.* A combination of successive practices may be used to achieve the intent described in subdivision 1 of this section. Written justification shall be provided by the applicant for the method selected and showing that the proposed design, suggested location and phased implementation of effective, practicable stormwater management measures for plans shall be designed, engineered and implemented to achieve the following results:

- (1) Volume Control
 - a. No net increase from pre-project conditions on an annual average basis for new developments and such that there is a net reduction from pre-project conditions on an annual average basis for redevelopment projects.
 - b. Except as discussed in Sec. 52-657 of Subd. 3, the water quality volume that must be infiltrated on site shall be one (1) inch of runoff from the new impervious surfaces created by the project.
 - c. Calculations shall use the appropriate Hydrologic Soil Group Classification and saturated infiltration rates unless specific rates are measured by a registered soil scientist.
- (2) Sediment Control - No net increase from pre-project conditions on an annual average basis for new developments and such that there is a net reduction from pre-project conditions on an annual average basis for redevelopment projects.
- (3) Oil and grease control – Where the potential for pollution by oil, grease, or both, exists, the Director of Public Works may require installation of an oil and grease removal device designed to handle the volume and type of material anticipated.
- (4) Runoff rate control – hydrologic calculations - All runoff calculations shall be by a methodology approved by the Director of Public Works or designee.
 - a. For agricultural land subject to this section, the maximum runoff curve number (RCN) used in such calculations shall be 51 for Hydrologic Soil Group (HSG) A, 68 for hydrologic soil group B, 79 for HSG C, and 84 for HSG D.
 - b. Heavily disturbed sites will be lowered one permeability class for hydrologic calculations. Lightly disturbed areas require no modification. Where practices have been implemented to restore soil structure to pre-developed conditions, no permeability class modification is required.
- (5) Runoff rate control - All stormwater facilities shall be designed, installed and maintained to:

- a. Maintain or reduce predevelopment peak runoff rates for the 2-year, 10-year, and 100-year 24-hour storm event.
- b. Storm sewer conveyance system shall be designed for the 10-year, 24-hour storm event.
- c. Safely pass the 100-year, 24-hour storm event.

Subd. 5. *Current technology.* Stormwater retention, detention and infiltration facilities constructed in the City shall be designed according to the most current technology as reflected in the MPCA's Protecting Water Quality in Urban Areas and Minnesota Stormwater Manual and the most recent version of the MPCA's NPDES Construction Stormwater Permit Requirements, and shall contain, at a minimum, the following factors:

- (1) Pond Requirements – For all projects creating more than one acre of impervious surface, ponding shall be required. At a minimum all pond design specifications shall conform to the current version of the Minnesota Stormwater Manual and the current requirements found in the NPDES construction permit. In addition the following are required:
 - a. A minimum protective shelf at the normal water level extending ten feet into the permanent pool with a slope of ten-to-one (10:1), beyond which slopes should not exceed four-to-one (4:1);
 - b. A device to keep oil, grease, and other floatable material from moving downstream as a result of normal operations; such devices may include but are not limited to skimmers, grease traps, trash traps, filters, and other similar devices;
 - c. For new developments, detention shall be sufficient to limit peak flows in each subwatershed to those that existed before the development for the ten-year storm event. All calculations and hydrologic models/information used in determining peak flows shall be submitted along with the Stormwater Management Plan;
 - d. A forebay to remove coarse-grained particles prior to discharge into a watercourse or storage basin. A grit separation structure may be installed in lieu of a forebay when approved by the Director of Public Works.
 - e. To provide proper protection for adjacent property within the first tier from the pond, the design storm interval for the ponding area is a 100-year, 24-hour storm. A reinforced emergency overland overflow system must be established for the health and safety of the area. Where an overland overflow system cannot be established a correctly sized conveyances for 100-yr, 24-hour storm flows shall be constructed in place of the overland overflow system. The conveyance shall be in addition to any pond outlets and shall not take the place of them.
- (2) Projects must include creation of new or retrofit existing structural stormwater best management practices or utilize properly designed regional structural stormwater best management practices. Routine maintenance of existing structural stormwater best management practices does not meet the requirement to provide stormwater management under this division.

Subd. 6. *Minimum Protection for Rivers, Lakes, and Wetlands.*

- (1) Rivers, streams, lakes, and wetlands shall be protected from runoff generated during construction and after completion of the development. Runoff shall not be discharged directly into wetlands without appropriate quality and quantity runoff control, depending on the individual wetland's vegetation.
- (2) A protective buffer strip of natural vegetation including grass, rye and native prairie grasses, at least 50 feet in width from the high-water level shall surround all wetlands, retention, and detention basins and 100-foot from a special or impaired water.
 - a. This buffer strip width may be modified with approval of the Director of Public Works based on the topography of the area where such change shall provide equal or improved protection to the resource and provided that the resources total buffer area remains the same.
 - b. Any existing drain tile shall be modified as part of the project to eliminate short circuiting of the buffer strip.
 - c. New or enhanced buffer strips shall be maintained by the applicant for the later of 1-year after completion of the project or acceptance by the Director of Public Works.
- (3) Wetlands shall not be drained or filled, wholly or partially, unless replaced by restoring or creating wetland areas of at least equal public value. Replacement shall be guided by the requirements outlined in the Board of Water and Soil Resources rules that implement the Minnesota Wetland Conservation Act of 1991 and the following principles in descending order of priority:
 - a. Avoiding the direct or indirect impact of the activity that may destroy or diminish the wetland;
 - b. Minimizing the impact by limiting the degree or magnitude of the wetland activity and its implementation;
 - c. Rectifying impacts by repairing, rehabilitating, or restoring the affected wetland environment;
 - d. Compensating for the impact by replacing or providing substitute wetland resources or environments.

Subd. 7 *Regional Ponding.*

- (1) The City may establish and maintain public regional stormwater management ponds.
- (2) All new development or redevelopment projects located within the drainage area of an existing public regional pond shall:
 - a. Discharge site stormwater to the public regional pond unless otherwise authorized by the Public Works Director or designee;

- b. Pay a connection fee for connection to the public regional pond. Authorization by the Public Works Director or designee to not discharge to the public regional pond shall not reduce the connection fee.
 - c. The applicant shall be responsible for all costs associated with improvements necessary to allow discharge to the public regional pond including but not limited to the upsizing of the pond.
- (3) Applicants that propose to utilize an existing private regional pond shall provide documentation of adequate capacity and the agreement of the pond owner to such discharge to the Director of Public Works for review, approval, or denial.
- a. Discharge to an existing private regional pond that does not meet or exceed the requirements of Section 52-657 shall not be allowed without correction of all deficiencies necessary to achieve compliance.

Subd. 8. *Dedication to City.* All land areas containing wetlands, identified or created, or retention basins or detention basins constructed, including the maintenance access and buffer strip of natural vegetation shall be dedicated to the City to become part of the stormwater management system.

Subd. 9. *Catchbasins.* All newly installed and rehabilitated catchbasins shall be provided with a sump area for the collection of coarse-grained material and shall be constructed to standards approved by City Council resolution. Such basins shall be cleaned periodically based on City policy.

Subd. 10. *Drain leaders.* All newly constructed and reconstructed buildings shall route drain leaders to impervious areas or to the stormwater collection system. The flow rate of water exiting the leaders shall be controlled so no damage or erosion occurs in the pervious areas.

Subd. 11. *Inspection and maintenance.* All stormwater management facilities shall be designed to minimize the need for maintenance, to provide access for maintenance purposes, and to be structurally sound. All stormwater management facilities shall have a plan of operation and maintenance that assures continued effective removal of pollutants carried in stormwater runoff.

- (1) It shall be the responsibility of the applicant to obtain any necessary easements or other property interests to allow access to the stormwater management facilities for inspection and maintenance purposes.
 - a. All public and private owned stormwater management facilities shall provide an unobstructed all season 20-wide vehicle access path capable of supporting 1 tons, for the purpose of conducting inspections of the facility and maintenance thereof. No private stormwater facility may be approved unless a public easement is provided and recorded allowing for access for maintenance and inspection.
- (2) The applicant shall be responsible for inspection and maintenance of all public stormwater management facilities constructed with the project until final acceptance by the Director of Public Works.
 - a. If the Director of Public Works or designee finds that stormwater facility maintenance is required during this period, a written notice shall be delivered to the developer. If the developer fails to take corrective action

within the time period specified in the written notice, the Director or designee shall take corrective action to maintain the stormwater facility.

- b. The Director of Public Works or designee shall keep a record of the total cost of the maintenance activity attributable to each lot or parcel of property and notify the property owner of the expense to be paid by the property owner. The Director or designee shall also notify the property owner that if the expense is not paid, the expense will be made a special assessment against the property concerned and report such information to the City Clerk-Administrator.
 - c. On or before October 1 of each year, the City Clerk-Administrator shall list the total unpaid charges for each type of current service against each separate lot or parcel to which they are attributable under this section. After notice and hearing as provided in M.S. § 429.061, the City Council may then spread the charges against the property benefited as a special assessment under M.S. § 429.101 and other pertinent statutes for certification to the County Auditor and collection along with the current taxes as provided for in the City Of Saint Peter Assessment Policy.
- (3) Where the City Council authorizes the construction of private stormwater management facilities, the applicant shall designate the responsible party for inspection and maintenance of all private stormwater management facilities in an agreement to be recorded against the properties being developed. In addition, the agreement shall provide for:
- a. Description of anticipated maintenance activities and frequency.
 - b. Access in perpetuity for inspection of the facilities by the Director of Public Works or designee.
 - c. Access in perpetuity for maintenance of the facilities should the Director of Public Works or designee find that stormwater facility maintenance is required and upon written notice the property owners fail to take corrective action with the cost of such maintenance to be paid by the property owner.
 - d. If the expense is not paid, the expense will be made a special assessment against the property concerned.

On or before October 1 of each year, the City Clerk-Administrator shall list the total unpaid charges for each type of current service against each separate lot or parcel to which they are attributable under this section. After notice and hearing as provided in M.S. § 429.061, the City Council may then spread the charges against the property benefited as a special assessment under M.S. § 429.101 and other pertinent statutes for certification to the County Auditor and collection along with the current taxes as provided for in the City of Saint Peter Assessment Policy.

Subd. 12. *Models, methodologies and computations.* Hydrologic models and design methodologies used for the determination of runoff and analysis of stormwater management structures shall be approved by the Director of Public Works. The maximum depth of water on street for five-year storm is six inches deep at gutter flow line. The maximum depth of water for

100-year storm is 1½ feet at gutter flow line for residential streets and one-foot for collector and arterial streets. The design standards rainstorm for the stormwater collection system are:

- (1) A five-year storm for the minimum stormwater system that includes catchbasins and storm sewer collection system.
- (2) A 100-year storm for the major stormwater system that includes all overland flow, streets, culverts, ditches. Plans, specifications, and computations for stormwater management facilities submitted for review shall be sealed and signed by a registered professional engineer. All computations shall appear on the plans submitted for review, unless otherwise approved by the Director of Public Works.

Subd. 13. *Watershed management plans/groundwater management plans.* Stormwater Management Plans shall be consistent with adopted watershed management plans and groundwater management plans prepared in accordance with M.S. §§ 103B.231 and 103B.255 respectively, and as approved by the Minnesota Board of Water and Soil Resources in accordance with State law.

Subd. 14. *Easements.* If a Stormwater Management Plan involves direction of some or all runoff off the site, it shall be the responsibility of the applicant to obtain from adjacent property owners any necessary easements or other property interests concerning flowage of water.

Subd. 15. *Conditions.* A Stormwater Management Plan may be approved subject to compliance with conditions reasonable and necessary to ensure that the requirements contained in this section are met. Such conditions may, among other matters, limit the size, kind or character of the proposed development, require the construction of structures, drainage facilities, storage basins and other facilities, require replacement of vegetation, establish required monitoring process, stage the work over time, require alteration of the site design to ensure buffering, and require the conveyance to the City or other entity of certain lands or interests therein. An applicant shall be required to make an in-kind or monetary contribution to the development and maintenance of community stormwater management facilities designed to serve multiple land disturbing and development activities undertaken by one or more persons, including the applicant.

Subd. 16. *Performance Security.* Prior to approval of any Stormwater Management Plan, the applicant shall submit an agreement to construct such required physical improvements, to dedicate property or easements, and to comply with such conditions as may have been agreed to. Such agreement shall be accompanied by a letter of credit to cover the amount of the established cost of complying with the agreement. The agreement and letter of credit shall guarantee completion and compliance with conditions within a specific time, which time may be extended in accordance with approval of the Director of Public Works. The City Administrator may at their discretion authorize a Performance Bond in the amount of 1.5 times the required amount in lieu of a letter of credit. The adequacy, conditions, and acceptability of any agreement and letter of credit shall be determined by the City Administrator ..

Subd. 17. *Charges.* All applications for Stormwater Management Plan approval shall be accompanied by a processing and approval payment per the City fee schedule.

Subd. 18. *Failure to Complete.* If the applicant fails to complete the required stormwater improvements within 24-months of beginning construction of the improvements, the City shall make provisions to complete the required stormwater improvements or to provide equivalent downstream treatment. The City shall use the Performance Security to reimburse itself for all costs associated with this work. Any expense in excess of the available Performance

Security will be made a special assessment against the property concerned. On or before October 1 of each year, the City Clerk-Administrator shall list the total unpaid charges for each type of current service against each separate lot or parcel to which they are attributable. After notice and hearing as provided in M.S. § 429.061, the City Council may then spread the charges against the property benefited as a special assessment under M.S. § 429.101 and other pertinent statutes for certification to the County Auditor and collection along with the current taxes as provided for in the City of Saint Peter Assessment Policy.

Subd. 19. *Removal or Alteration of Structure Stormwater Best Management Practices.* Structural Stormwater Best Management Practices installed to fulfill the requirements of this Ordinance shall be maintained in compliance with the approved maintenance plan. Where no plan is in place they shall be maintained in compliance with accepted Industry Standard and Minnesota Pollution Control Agency recommendations. No Structural Stormwater Best Management Practices shall be removed or altered in such a way to decrease structural Stormwater Best Management Practices effectiveness without:

- (1) Authorization of the Director of Public Works or designee; and
- (2) Providing new or improved Structural Stormwater Best Management Practices providing or exceeding that amount lost due to the alteration or removal.

Sec. 52-658. Vegetation/fertilizer regulations.

Subd. 1. *Use on impervious surfaces.* No person shall apply fertilizer to or deposit grass clippings, leaves, dirt, landscaping debris or other vegetative materials on impervious surfaces (ie. street, road, alley, etc.), within stormwater drainage systems (ie. catch basin, culvert, curb, gutter, inlet, ditch, etc.), natural or fabricated drainage ways, or within water resource buffer, or flood control channel.

Subd. 2. *Unimproved land areas.* Except for driveways, sidewalks, patios, areas occupied by structures or areas that have been improved by landscaping, all areas shall be covered by plants or vegetative growth.

Subd. 3. *Fertilizer content.* No person shall apply fertilizer which contains more phosphorus than is allowed by State regulation or law.

Subd. 4. *Buffer zone.* Fertilizer applications shall not be made within the buffer zone of any wetland or water resource.

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

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota this day of , 2014.

ATTEST:

Todd Prafke
City Administrator

Timothy Strand
Mayor

The foregoing Ordinance was adopted by the following votes:

Ayes:

Nays:

Absent:

Published in the *Saint Peter Herald* on _____, 2014

CITY OF SAINT PETER, MINNESOTA

RESOLUTION NO. 2015 -

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

**RESOLUTION AUTHORIZING PUBLICATION OF THE TITLE AND SUMMARY OF
ORDINANCE NO. ___, THIRD SERIES**

WHEREAS, the City Council has determined that the publication of the title and a summary of Ordinance No. ___, Third Series entitled "AN ORDINANCE AMENDING SAINT PETER CITY CODE CHAPTER 52 "UTILITIES" ARTICLE X "STORMWATER MANAGEMENT" DIVISION 2 "PLANNING AND DEVELOPMENT" AND DIVISION 2 "MANAGEMENT AND STANDARDS" AND ADOPTING BY REFERENCE SAINT PETER CITY CODE CHAPTER 1 SECTION 1-6, WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS", would clearly inform the public of the intent and effect of Ordinance No. ___, Third Series; and

WHEREAS, pursuant to Minnesota Statutes 412.191, Subdivision 4, the Council may by a four-fifths vote of its members, direct that only the title of the Ordinance and a summary be published with notice that a printed copy of the Ordinance is available for inspection by any person during regular office hours at the office of the City Clerk/Administrator and at the Saint Peter Public Library; and

WHEREAS, prior to publication of the title and summary, the Council has read and approved the text of the summary and determined that it clearly informs the public of the intent and effect of the Ordinance.

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

1. The title and summary of Ordinance 8, Third Series entitled "AN ORDINANCE AMENDING SAINT PETER CITY CODE CHAPTER 52 "UTILITIES" ARTICLE X "STORMWATER MANAGEMENT" DIVISION 2 "PLANNING AND DEVELOPMENT" AND DIVISION 2 "MANAGEMENT AND STANDARDS" AND ADOPTING BY REFERENCE SAINT PETER CITY CODE CHAPTER 1 SECTION 1-6, WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS" be published with notice that a printed copy of the Ordinance is available for inspection by any person during regular office hours at the office of the City Clerk and the Saint Peter Public Library.
2. The publication shall read as follows:

AN ORDINANCE AMENDING SAINT PETER CITY CODE CHAPTER 52 "UTILITIES" ARTICLE X "STORMWATER MANAGEMENT" DIVISION 2 "PLANNING AND DEVELOPMENT" AND DIVISION 2 "MANAGEMENT AND STANDARDS" AND ADOPTING BY REFERENCE SAINT PETER CITY CODE CHAPTER 1 SECTION 1-6, WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS - This ordinance amends Chapter 52 by modifying the process and regulations for stormwater regulation within the City. This ordinance includes the following Sections:

- Sec. 52-618. - Purpose.
- Sec. 52-619. - Definitions.
- Sec. 52-620. - Applicability.
- Sec. 52-621. - Plan approval.
- Sec. 52-622. - Plan review procedure.
- Sec. 52-623. - Enforcement Response Procedures
- Sec. 52-624. - Other controls.
- Sec. 52-654. - Purpose.
- Sec. 52-655. - Definitions.
- Sec. 52-656. - Stormwater management standards.
- Sec. 52-657. - Criteria for permanent facilities.
- Sec. 52-658. - Vegetation/fertilizer regulations.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 27th day of August, 2012.

Timothy Strand
Mayor

ATTEST:

Todd Prafke
City Administrator

ORDINANCE NO. __, THIRD SERIES

AN ORDINANCE AMENDING SAINT PETER CITY CODE CHAPTER 52 "UTILITIES", BY RESERVING SECTIONS 52-659 THROUGH 52-699 OF ARTICLE X "STORMWATER MANAGEMENT" AND BY THE ADDITION OF ARTICLE XI, "ILLICIT DISCHARGE" AND ADOPTING BY REFERENCE SAINT PETER CITY CODE CHAPTER 1 SECTION 1-6, WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS

WHEREAS, the State of Minnesota requires illicit discharge limitations into surface waters; and

WHEREAS, the City Council desires to protect its surface waters; and

WHEREAS, the City Council desires to provide long-term planning to minimize the impact of illicit pollutants on storm water and groundwater; and

WHEREAS, the City Council desires to encourage "best management practices" for the control of these illicit discharges; and

WHEREAS, a procedure to regulate and manage illicit storm water discharge is necessary.

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

1. Section 1. Saint Peter City Code Chapter 52 "Utilities", Article X "Stormwater Management" Sections 52-659 through 52-699 are hereby reserved.
2. Section 2. Saint Peter City Code Chapter 52 "Utilities" is hereby amended by the creation of Article IX "ILLICIT DISCHARGE" as follows:

Article IX. Illicit Discharge

DIVISION 1. Generally.

Section 52-701. Statutory authorization

This division is adopted pursuant to M.S. §§ 462.351 and 462.364 that grants municipalities the necessary powers and a uniform procedure for municipal planning.

Section 52-702. Findings

The City hereby finds that illicit discharge adversely affect the public health, safety, and general welfare by impacting water quality and contributing to other environmental problems, creating nuisances, impairing other beneficial uses of environmental resources and hindering the ability of the City to provide adequate water, sewage, flood control, and other community services. In addition, extraordinary public expenditures may be required for the protection of persons and property in such areas and in areas that may be affected by unplanned land usage.

Section 52-703. Purpose

The purpose of this division is to promote, preserve, and enhance the natural resources within the City and protect those resources from adverse effects occasioned by illicit discharge

directly or indirectly to the City stormwater system and to natural waterbodies located in and downstream of the City.

Section 52-704. Definitions

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Administrative penalty means administrative penalties as set forth in the Enforcement Response Procedures.

CFR means the Code of Federal Regulations.

City means the City of Saint Peter, Minnesota.

Contaminated means containing a harmful quantity of any substance.

Contamination means the presence of or entry of any substance which may be deleterious to the public health and/or the quality of the water into the public storm water system, Waters of the State, or Waters of the United States.

Cosmetic Cleaning means cleaning done for cosmetic purposes to the exterior of buildings, motorized vehicles, parking lots, recreational vehicles or similar activity. It does not include industrial cleaning, cleaning associated with manufacturing activities, hazardous or toxic waste cleaning, or any cleaning otherwise regulated under federal, state, or local laws.

ERP refers to the Enforcement Response Procedure Document as adopted by the City Council.

Harmful Quantity means the amount of any substance that will cause pollution of waters of the City, State or Nation that will cause lethal or sub-lethal adverse effects on the representative, sensitive aquatic monitoring organisms residing in waters.

Mobile Commercial Cosmetic Cleaning means power washing, steam cleaning and any other mobile cosmetic cleaning operation of vehicles and/or exterior surfaces engaged for commercial purposes.

Municipal Separate Storm Sewer System (MS4) means the system of conveyances, including sidewalks, municipal streets, driveways, curb & gutter, ditches, channels, retention basins, catch basins or similar storm water inlets, and/or any other conveyance delivering water to the public storm sewer collection and delivery system.

MS4 Permit means the Minnesota Pollution Control Agency (MPCA) permit issued to the City of Saint Peter for monitoring and maintaining water quality in its MS4. The Environmental Protection Agency has promulgated the National Pollution Discharge Elimination System, Phase II storm water rules. The MPCA has delegated the responsibility to administer the National Pollution Discharge Elimination System, Phase II storm water permit system to MS4 communities.

National Pollutant Discharge Elimination System means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing

and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the federal Clean Water Act.

NOI means Notice of Intent.

Notice of Intent means a written notice to the Minnesota Pollution Control Agency that the City plans on meeting the MS4 permit requirements.

NPDES means the National Pollutant Discharge Elimination System.

Point Source means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

Pollutant means dredged spoil; solid waste; incinerator residue; sewage; garbage; sewage sludge; filter backwash; munitions; chemical wastes; biological materials; toxic materials; radioactive materials; heat; wrecked or discarded equipment; rock; sand; cellar dirt; and industrial, municipal, recreational, and agricultural waste discharged into water or into the municipal separate storm sewer system.

Pollution means the alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any Waters of the State or the MS4, that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property, or to the public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.

Release means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into groundwater, subsurface soils, surface soils, the municipal separate storm sewer system (MS4) or the Waters of the State.

Storm Water or Stormwater means any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snow melt.

Storm Water Pollution Prevention Plan means a plan required by a permit to discharge storm water associated with industrial activity, including construction, and which describes and ensures the implementation of practices that are to be used to reduce the pollutants in storm water discharges associated with industrial activity at the facility.

SWPPP means storm water pollution prevention plan.

Waters of the State means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof.

Section 52-705. Administration.

The Saint Peter Director of Public Works and the Director's authorized representatives are authorized to administer, implement, and enforce the provisions of this Section.

Section 52-706. Discharge to MS4 Prohibited.

Subd. 1. A person commits a violation if the person introduces or causes to be introduced into the Saint Peter MS4 any discharge that is not composed entirely of storm water.

Subd. 2. The following are considered exempt discharge activities from enforcement action for a violation of this section:

- (1) A discharge authorized by, and in full compliance with a site specific NPDES permit such as a storm water management plan permit for construction activities;
- (2) A discharge or flow resulting from firefighting by the Fire Department;
- (3) Agricultural storm water runoff;
- (4) A discharge or flow from water line flushing or disinfection that contains no harmful quantity of total residual chlorine or any other chemical used in line disinfection;
- (5) A discharge or flow from lawn watering, or landscape irrigation;
- (6) A discharge or flow from a diverted stream flow or natural spring;
- (7) A discharge or flow from uncontaminated pumped groundwater or rising groundwater;
- (8) Uncontaminated groundwater infiltration;
- (9) Uncontaminated discharge or flow from a foundation drain, sump pump, or footing drain;
- (10) A discharge or flow from a potable water source not containing any harmful substance or material from the cleaning or draining of a storage tank or other container;
- (11) A discharge or flow from air conditioning condensation that is unmixed with water from a cooling tower, emissions scrubber, emissions filter, or any other source of pollutant;
- (12) A discharge or flow from individual residential car washing;
- (13) A discharge or flow from a riparian habitat or wetland;
- (14) A discharge or flow from cold water (or hot water with prior permission of the Director) used in street washing or cosmetic cleaning that is not contaminated with any soap, detergent, degreaser, solvent, emulsifier, dispersant, or any other harmful cleaning substance; or
- (15) Drainage from a private residential swimming pool containing no harmful quantities of chlorine or other chemicals. Drainage from swimming pool filter backwash is prohibited.

Subd. 3. No exemption shall be allowed under Subdivision 2 if:

- (1) The discharge or flow in question has been determined by the City to be a source of a pollutant or pollutants to the waters of the State or to the MS4;

- (2) Written notice of such determination has been provided to the discharger; and
- (3) The discharge has continued after the expiration of the time given in the notice to cease the discharge.
- (4) A person commits a violation if the person introduces or causes to be introduced into the MS4 any harmful quantity of any substance.

Subd. 4. Connection of Sanitary Sewer Prohibited.

A person commits an offense if the person connects a line conveying sewage to the MS4, or allows such a connection to continue.

Subd. 5. Nuisances.

- (1) An actual or threatened discharge to the MS4 that violates or would violate this Article is hereby declared to be a nuisance.
- (2) A line conveying sewage or designed to convey sewage that is connected to the MS4 is hereby declared to be a nuisance.

Section 52-707. Enforcement Response Procedures (ERP)

Subd. 1. The City has adopted a resolution approving the ERP that identifies increasing penalties for Illicit Discharges of Pollutants. This document includes Written Notices, Citations, Cease and Desist Orders as well as revocation of permits.

- (1) The ERP Document is hereby referenced as part of this Illicit Discharge regulation.
- (2) The following subdivisions 2 and 3 are additional ERPs that may be applied where unlawful illicit discharges are associated with fully operational operations properties that do not have construction related permits and where cease and desist orders would create a disproportionate penalty.

Subd. 2. Emergency Suspension of Utility Service and MS4 Access.

- (1) Providing there are State regulations restricting the interruption of service, the City may, without prior notice, suspend water service, sanitary sewer service, and/or MS4 discharge access to a person discharging to the MS4, Waters of the State, or Waste Water Treatment Plant when such suspension is necessary to stop an actual or threatened discharge which:
- (2) Presents or may present imminent and substantial danger to the environment or to the health or welfare of persons; or
- (3) Presents or may present imminent and substantial danger to the MS4 or Waters of the State.
- (4) When the Saint Peter Director Public Works determines that City-provided water and/or sanitary sewer service needs to be suspended pursuant to Subdivision 11.A, the Director of Public Works is empowered to order such suspension.

- (5) As soon as is practicable after the suspension of service or MS4 discharge access, the Director of Public Works shall notify the violator of the suspension in person or by certified mail, return receipt requested, and shall order the violator to cease the discharge immediately. When time permits, the Director should also attempt to notify the violator prior to suspending service or access.
- (6) If the violator fails to comply with an order issued under Subdivision 11.C, the Director may take such steps as deemed necessary to prevent or minimize damage to the MS4 or Waters of the State, or to minimize danger to persons.
- (7) The City shall not reinstate suspended services or MS4 access to the violator until:
 - a. The violator presents proof, satisfactory to the Director, that the noncomplying discharge has been eliminated and its cause determined and corrected;
 - b. The violator pays the City for all costs the City incurred in responding to abating, and remediating the discharge or threatened discharge; and
 - c. The violator pays the City for all costs the City will incur in reinstating service or access.
 - 1. A violator whose service or access has been suspended or disconnected may appeal such enforcement action to the Director, in writing, within ten days of notice of the suspension.
 - 2. The City may obtain a lien against the property to recover its response costs.

Subd. 3. Non-emergency Suspension of Utility Service and MS4 Access.

- (1) The City may terminate the City-provided water supply, sanitary sewer connection, and/or MS4 access any person discharging to the MS4 in violation of this Section, if such termination would abate or reduce the illicit discharge.
- (2) The Director of Public Works will notify a violator of the proposed termination of its water supply, sanitary sewer connection, and/or MS4 access. The violator may petition the Director for a reconsideration and hearing before the City Council's designee.
- (3) The City shall not reinstate suspended services or MS4 access to the discharger until:
 - a. The violator presents proof, satisfactory to the Director, that the noncomplying discharge has been eliminated and its cause determined and corrected; and
 - b. The violator pays the City for all costs the City will incur in reinstating service or MS4 access.

Subd. 4. The remedies provided by this Section are in addition to any other remedies set out in the City Code. Exercise of this remedy shall not be a bar against, or a prerequisite for, taking other action against a violator.

Subd. 5. A person commits a violation if the person reinstates water service, sanitary sewer service, and or MS4 access to premises terminated pursuant to this Section, without the prior approval of the Director of Public Works.

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

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota this 23rd day of March, 2015.

ATTEST:

Todd Prafke
City Administrator

Timothy Strand
Mayor

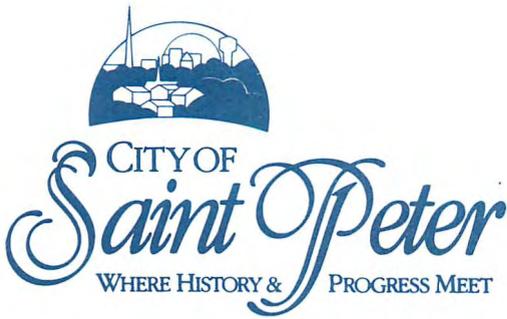
The foregoing Ordinance was adopted by the following votes:

Ayes:

Nays:

Absent:

Published in the *Saint Peter Herald* on _____, 2015.



Memorandum

TO: Todd Prafke
City Administrator

DATE: 3/13/2015

FROM: Pete Moulton
Director of Public Works

RE: Municipal Fee Schedule Modifications

ACTION/RECOMMENDATION

Approve modification to the 2015 municipal fee schedule to include fees for Erosion and Sediment Control Surety and for Illicit Discharge.

BACKGROUND

Due to the new Municipal Separate Storm Sewer Systems (MS4) permit issued by the Minnesota Pollution Control Agency, additional modifications are needed to be made to the fee schedule in order to be compliant with the new stormwater ordinance changes and Emergency Response Procedures (ERPs). To meet the requirements and language of the new ordinance the City should add two new fees for erosion and sediment control surety and illicit discharge fines.

The erosion and sediment control surety will be implemented when contractors fill out permits for construction. Currently, contractors are required to have a \$3,000.00 surety for each permit; regardless of the construction size. The new fee will require an additional \$1,000.00 of surety per acre over three acres in size. This will help ensure that the contractor will complete the job according to City standards. If the project is not complete to City standards, staff will have funds to complete the project using the surety.

Surety comes in a number of different forms or types. We see bonds, checks and letters of credit used most often. Occasionally, for projects managed by a property owner, we will allow the use of a Waiver of Assessment which allows the City to assess to property taxes should an enforcement action be needed. Use of a Waiver must be approved by the City Administrator.

Staff will use the Enforcement Response Procedures whenever a violation of the regulations occurs. The fees would then be implemented based on the enforcement action matrix outlined in the ERP.

Proposed new fees:

xxx.	<u>Erosion & Sediment Control Surety</u>	
	A. Surety for Sites up to and including 3-acres	\$3,000.00
	B. Additional Surety for each additional 1-acres or portion thereof	\$1,000.00

- xxx. Illicit Discharge – all fees are as stated OR 150% of actual cost incurred by the City – whichever is greater
- | | |
|----------------------------|--------------|
| A. First Offense | \$250.00 |
| B. Second Offense | \$500.00 |
| C. All Subsequent Offenses | \$1,000.00 |
| D. Failure to Report | \$250.00/Day |

FISCAL IMPACT:

There is no fiscal impact.

ALTERNATIVES AND VARIATIONS:

Do not act: No changes to the fees will be made without additional direction from the Council.

Negative Vote: Staff will await further direction regarding the fee schedule.

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

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

PTM/amg

CITY OF SAINT PETER, MINNESOTA

RESOLUTION NO. 2015 -

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

RESOLUTION MODIFYING THE 2015 MUNICIPAL FEE SCHEDULE

WHEREAS, State law requires the City to obtain a Municipal Separate Storm Sewer Systems (MS4) permit from the Minnesota Pollution Control Agency (MPCA); and

WHEREAS, modifications are required to the City's Municipal Fee Schedule to provide for the inclusion of fees for Erosion and Sediment Control Surety and illicit discharge; and

WHEREAS, the City wishes to be in compliance with requirements of the MPCA and have established rates for certain issues.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA, THAT: the 2015 fee schedule is hereby updated by the inclusion of the following fees effective April 2, 2015:

- xxx. Erosion & Sediment Control Surety
 - A. Surety for Sites up to and including 3-acres \$3,000.00
 - B. Additional Surety for each additional 1-acres or portion thereof \$1,000.00

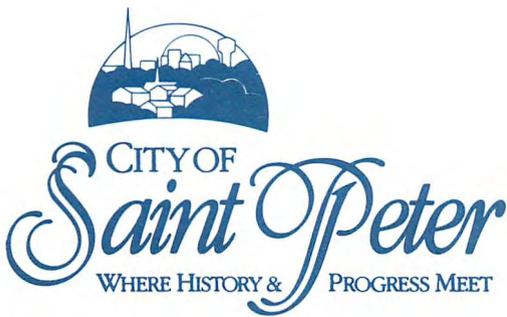
- xxx. Illicit Discharge – all fees are as stated OR 150% of actual cost incurred by the City – whichever is greater
 - A. First Offense \$250.00
 - B. Second Offense \$500.00

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 23rd day of March, 2015.

Timothy Strand
Mayor

ATTEST:

Todd Prafke
City Administrator



Memorandum

TO: Honorable Mayor Strand
Members of the City Council

DATE: 3/19/15

FROM: Todd Prafke
City Administrator

RE: Water Utilities Superintendent Position Description

ACTION/RECOMMENDATION

Approve an updated position description for the Water Utilities Superintendent position.

BACKGROUND

The practice of the Council has been to review job descriptions when openings occur and other times as needed based on changes in laws or best practices. Due to the appointment of the previous Superintendent to your Public Works Director position, the Water Utilities position is open.

Council, at your workshop, suggested two other changes that have been incorporated into the description.

The modifications to the job description are minor in nature with the most significant being the change in title to "Water Resources Superintendent". That change, from an operation standpoint, has little to no impact. There are other language changes primarily reflective of our change to what we believe to be more descriptive. Pay Equity Points are to remain the same.

I view any other changes as being clean-up and not significant to the position, but rather technical in nature, that relate to hire processes and how we use this description as an important part of that process.

A copy of the job description is attached for your additional review

FISCAL IMPACT:

No changes in wages or costs are anticipated as a part of this this change.

ALTERNATIVES AND VARIATIONS

Do not act. Staff will wait for further direction from the Council.

Negative vote. Staff will use the current job description.

Modification to the resolution of job description. This is always an option of the Council.

Please let me know if you have any questions or concerns.

TP/bal

POSITION TITLE: WATER RESOURCES SUPERINTENDENT

DEPARTMENT: PUBLIC WORKS

DIVISION: WATER, WASTEWATER AND STORMWATER UTILITIES

SUPERVISOR: DIRECTOR OF PUBLIC WORKS

OVERVIEW OF POSITION:

Under the general supervision of the Director of Public Works, the Water Resources Superintendent plans, coordinates, directs, and monitors the operations of the Water, Wastewater, and Stormwater Infrastructure systems. The Water Resources Superintendent assumes responsibility for in-service training of personnel, customer service, setting quality standards for work to be performed, monitoring safety conditions, inspecting and reviewing the work of assigned personnel, the essential job functions as listed herein and performing related duties as assigned or apparent.

ESSENTIAL JOB FUNCTIONS:

The Water Resources Superintendent shall work with the Director of Public Works in performing the following duties:

- Plan, coordinate, direct, and monitor the operation of the Water, Wastewater, and Stormwater infrastructure systems.
- Plan and supervise the construction, operation, and maintenance of water wells, water distribution system, and water treatment facilities.
- Plan and supervise the construction and operation of lift stations, wastewater collection system, and wastewater treatment facilities.
- Plan and supervise the construction and operation of the stormwater collection system and stormwater structures and treatment facilities.
- Plan, supervise and coordinate the construction activities of the City's water, wastewater, and stormwater infrastructure.
- Set priorities to deal with emergencies and unanticipated costs.
- Coordinate activities with other divisions, departments, and organizations to avoid work delays and service interruptions; assist with planning, design, and construction of joint projects.
- Evaluate the need for and prepare specifications for materials and equipment; maintain operating records; prepare bid specifications for water utility, wastewater utility, and stormwater utility service, equipment and materials; prepare reports as requested; assist in presentation of annual budgets.

- Set quality standards for work to be performed; set priorities.
- Evaluate water, wastewater, and stormwater personnel; conduct evaluation of job performance for assigned personnel on a regular basis; effect disciplinary measures for division employees as appropriate; adjust grievances for division personnel as appropriate in the grievance process; enforce operating and personnel policies as per state law, City Code, and City Council resolution.

The Water Resources Superintendent is directly responsible for performing or ensuring Water Resource staff performance of the following functions:

- Provide an effective communications link between the Director of Public Works and Water Resources personnel; assist in the recruitment and recommendation of personnel in the hiring process.
- Serve as the Wellhead Protection Coordinator.
- Supervise the Foreman and all Water, Wastewater, and Stormwater Utility employees; inspect and review the work of assigned personnel.
- Work with State and Federal agencies to ensure compliance with required permits for water, wastewater, and stormwater and ensure that reports required by these regulations and permits are filed in an accurate and timely manner.
- Coordinate work with water, wastewater, and stormwater personnel on a daily basis; coordinate with other Public Works sections on work activities and use of equipment; coordinate projects with other utilities and governmental units.
- Ensure that routine maintenance is performed on assigned vehicles and equipment; coordinate equipment replacement and maintenance schedules; recommend purchase of new and replacement equipment.
- Set goals for the timely completion of work; develop and prioritize work assignments to facilitate completion of work in a safe and efficient manner; prepare reports of work planned; prepare and monitor work orders; prepare weekly reports of work completed; set and enforce quality standards for work to be performed.
- Develop contract work specifications and arrange for contract work; inspect contract work as assigned.
- Ensure that inventory replacement materials are ordered in sufficient quantities and in a timely manner.
- Prepare reports on emergencies and problems.
- Review bills and monitor expenditures to assure compliance with approved budgets.
- Evaluate new methods and materials.

- Monitor safety conditions; ensure compliance of personnel with federal, state, and City safety laws; recognize unsafe conditions and take corrective action as needed; conduct or assure the conduct of safety training programs.
- Answer questions, investigate complaints and resolve problems in an appropriate and timely manner and in accordance with policy.
- Perform related duties as assigned or apparent.

ESSENTIAL PHYSICAL REQUIREMENTS:

The Water Utilities Superintendent is required to be capable of performing any of the following physical functions or a combination thereof for any given work day:

Legend:

Continuously is over 2/3 of a work day

Frequently is 1/3 to 2/3 of a work day

Occasionally is less than 1/3 of a workday

Workday – a normal workday is eight (8) hours with a break for a meal. A normal workweek is five (5) days with two consecutive days off. During emergencies, workdays may extend to 16 hours or more and a workweek to seven days.

Actions: Continuously speaks comprehensible English and understands English, read and write English; hearing – continuously normal or corrected to normal; eyesight – continuously far vision and near vision 20/40 or corrected to 20/40, differentiate colors precisely, normal depth perception, normal peripheral vision; continuously sit, stand, walk, bend/stoop, squat, crawl; frequently climb to a height of fifty feet, reach above shoulder level, crouch, kneel, balance, push/pull; occasionally climb height of one hundred-forty feet, descend to a depth of fifty feet, use both feet for repetitive movements as in operating foot controls; continuously use hands for firm grasping and fine manipulating.

Strength: Continuously carry one to ten pounds and lift one to ten pounds; frequently carry eleven to seventy-four pounds and lift eleven to seventy-four pounds; occasionally carry seventy-five to one hundred pounds and lift seventy-five to one hundred pounds.

Stamina: Continuously endure exposure to changes in temperature from less than minus seventeen degrees centigrade to in excess of thirty-seven degrees centigrade; continuously endure exposure to dust, fumes, gases, mist, wet, humid.

Safety: Perform cardiopulmonary resuscitation; perform bucket rescue; perform confined space (manhole) rescue; wear safety equipment including hard hat, steel-toed shoes, safety goggles, and safety vests; wear self-contained breathing apparatus.

Vaccinations: Receive vaccinations for tetanus, polio, typhoid, hepatitis A and hepatitis B. The vaccinations for hepatitis A and B are made available to the Water Resources Superintendent by the City but are not required.

REQUIRED INTERPERSONAL SKILLS:

Ability to: communicate effectively, both orally and in writing; accept responsibility; understand and carry out oral and written instructions; cooperate with a wide range of individuals; possess

interpersonal skills sufficient to work closely with others on a team; demonstrate flexibility in work environment, performing a variety of frequently changing tasks; exhibit sustained concentration and prolonged commitment to job tasks; work with others effectively; be tactful; maintain confidentiality as needed; and deal with the public.

MINIMUM QUALIFICATIONS:

- High school diploma or equivalent and satisfactory completion of a technical school program for water and/or wastewater operators AND eight years of responsible experience in the operation of a Class A, B, or C system facility or a similar sized industrial facility; OR...
 - 64 semester credits in college courses related to chemical, civil, environmental, mechanical, or sanitary engineering or in business or public administration AND six years of responsible experience as a licensed water or wastewater operator.
- Possession of a State of Minnesota Class B Water Supply System Operator Certificate or ability to obtain within six months of the date of employment with the City.
- Possession of, or ability to obtain, a State of Minnesota Class B Wastewater Treatment Facility Operator Certificate or to obtain within six months of the date of employment with the City.
- Possession of State of Minnesota Type IV Waste Facility Operator Certificate or ability to obtain within six months of the date of employment.
- Possession of a valid State of Minnesota Class D Drivers License or ability to obtain within one month of the date of employment with the City.

DESIRABLE QUALIFICATIONS:

- Demonstrated knowledge of approved methods, materials, and tools used in the construction, operation, and maintenance of water wells, distribution, and treatment systems.
- Demonstrated knowledge of approved methods, materials, and tools in the construction, operation, and maintenance of wastewater collection and treatment systems.
- Demonstrated knowledge of approved methods, materials, and tools used in the construction, operation, and maintenance of stormwater collection systems, detention, and treatment.
- Demonstrated knowledge of the principles, practices, and equipment used in testing water, wastewater, and storm water.
- Demonstrated knowledge of Supervisory Control and Data Acquisition (SCADA) system.
- Demonstrated knowledge of applicable regulatory codes; ability to read and interpret engineering plans and specifications.

- Demonstrated knowledge of OSHA regulations and municipal safety policy.
- Demonstrated knowledge of computer operations.
- Demonstrated knowledge of laboratory certification procedures.
- Bachelor's degree in engineering, public administration or a related field.

Adopted: _____

CITY OF SAINT PETER, MINNESOTA

RESOLUTION NO. 2015 -

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

**RESOLUTION APPROVING MODIFICATIONS TO POSITION DESCRIPTION FOR WATER
UTILITIES (RESOURCES) SUPERINTENDENT POSITION**

WHEREAS, it is the policy of the City to review all position descriptions whenever a vacancy occurs; and

WHEREAS, the position of Water Utilities Superintendent is currently vacant; and

WHEREAS, the position description has been reviewed by the City Administrator to determine the description continues to provide accurate information concerning the minimum and required qualifications for the position and that the description adequate conveys the essential functions and physical requirements of the position; and

WHEREAS, the position description was also reviewed to ensure compliance with State and Federal regulations; and

WHEREAS, minor modifications are recommended to the description.

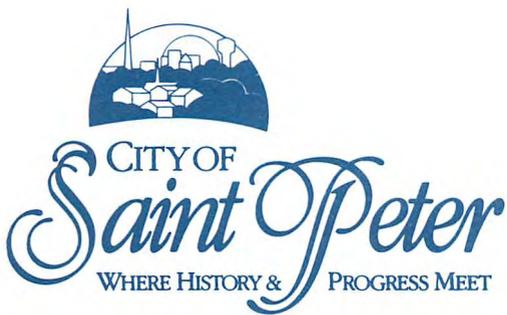
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA, THAT: the updated position description for Water Utilities Superintendent, which includes a title change to Water Resources Superintendent, is hereby approved.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 23rd day of March, 2015.

Timothy Strand
Mayor

ATTEST:

Todd Prafke
City Administrator



Memorandum

TO: Honorable Mayor Strand
Members of the City Council

DATE: 3/18/2015

FROM: Todd Prafke
City Administrator

RE: Assistant Lead Librarian Position Description

ACTION/RECOMMENDATION

Approve modifications to the position description for Assistant Lead Librarian.

BACKGROUND

It is the City's practice to review position descriptions whenever a position becomes vacant. This allows us to ensure that the description accurately reflects the minimum and desired qualifications for the position as well as the essential job and physical functions of the position. It also gives us the opportunity to review the description for compliance with State and Federal regulations.

With the recent resignation of the City's Assistant Lead Librarian, the position description was reviewed and I recommend several minor changes. Once the Council has considered this agenda item, staff will initiate the recruitment process to fill the vacancy.

I believe that the changes recommended are not substantial.

Our preferred process is that changes to a job description flow through a workshop first, however, in this instance the changes are very minor and due to my hope to move all of these at a quicker pace, I hope you will take action on this description as requested. If you prefer to have this as a workshop item, it would be appropriate to table action until that discussion can take place.

FISCAL IMPACT:

There is no fiscal impact to this action.

ALTERNATIVES/VARIATIONS:

Do Not Act: Should the Council not act on this agenda item, staff would proceed with the recruitment process utilizing the existing position description.

Denial: Should the Council deny the proposed modifications, staff would proceed with the recruitment process utilizing the existing position description.

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

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

TP/bal

POSITION TITLE: ASSISTANT LEAD LIBRARIAN

DEPARTMENT: RECREATION AND LEISURE SERVICES

SUPERVISOR: LEAD LIBRARIAN

OVERVIEW OF POSITION:

Under the direction and general supervision of the Lead Librarian, the Assistant Lead Librarian provides assistance to library patrons and assists in carrying out the work of the Library.

ESSENTIAL JOB FUNCTIONS:

- Provides assistance to library patrons; helps patrons locate needed materials; registers borrowers; assists library users in filling out application cards; checks out materials.
- Assists in carrying out the work of the library; records returned materials; shelves returned materials; maintains library shelves in good order; prepares overdue notices.
- Primary responsibility for maintenance of children's and young adult materials in the collection of the library.
- Develops, presents, initiates and provides library programs and displays focused on youth and children.
- Organizes youth related activities, including but not limited to, story time, summer reading programs and others.
- Coordinates with other area public libraries, local elementary libraries, and college education departments.
- Responsible for management of Inter-Library Loan (ILL) materials.
- Coordinates publicity for library activities and programs.
- Performs related duties as assigned or apparent.

REQUIRED INTERPERSONAL SKILLS:

Ability to: communicate effectively; accept responsibility; secure the confidence of library patrons; maintain confidentiality as needed; demonstrate tact; deal with the public; interact appropriately with other staff and the general public; work independently with minimal supervision.

ESSENTIAL PHYSICAL REQUIREMENTS:

The Library Assistant is required to be capable of performing the following physical functions or a combination thereof for any given workday.

- Speak, read, write and understand English.
- Hearing normal or corrected to normal.
- Eyesight 30/40 or corrected to 30/40.
- In an 8 hour day, sit for up to 8 hours and/or stand for up to 8 hours.
- Frequently bend, stoop, squat, crouch, kneel, and balance.
- Occasionally reach above shoulder level.
- Use hands for simple grasping and fine manipulating.
- Ability to perform repetitive motions of the hands and wrists for up to 8 hours.
- Ability to operate typewriter or computer keyboard for up to 8 hours in a workday.
- Occasionally lift and carry up to thirty (30) pounds.

MINIMUM QUALIFICATIONS:

- High school diploma or equivalent.
- Ability to operate a PC and use internet and related programs.
- Ability to use on-line cataloging system.
- Experience working with the public.

DESIRED QUALIFICATIONS:

- Bachelors degree in Education, Media or Library Sciences or equivalent.
- Three or more years of public library experience in patron service related or youth related position.
- Advanced education in library operations, media resources or related field.
- Demonstrated ability to provide children's programming and services.

Adopted: _____

CITY OF SAINT PETER, MINNESOTA

RESOLUTION NO. 2015 -

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

**RESOLUTION APPROVING MODIFICATIONS TO POSITION DESCRIPTION FOR
ASSISTANT LEAD LIBRARIAN POSITION**

WHEREAS, it is the policy of the City to review all position descriptions whenever a vacancy occurs; and

WHEREAS, the position of Assistant Lead Librarian is currently vacant; and

WHEREAS, the position description has been reviewed by the City Administrator to determine the description continues to provide accurate information concerning the minimum and required qualifications for the position and that the description adequate conveys the essential functions and physical requirements of the position; and

WHEREAS, the position description was also reviewed to ensure compliance with State and Federal regulations; and

WHEREAS, minor modifications are recommended to the description.

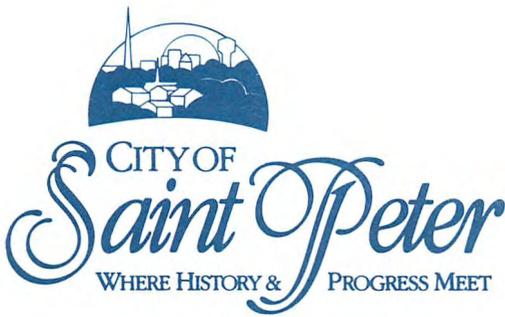
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA, THAT: the updated position description for Assistant Lead Librarian is hereby approved.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 23rd day of March, 2015.

Timothy Strand
Mayor

ATTEST:

Todd Prafke
City Administrator



Memorandum

TO: Todd Prafke
City Administrator

DATE: 03/03/2015

FROM: Pete Moulton
Director of Public Works

RE: 2015 Equipment Certificate Purchase: Pool Chemical Controllers

ACTION/RECOMMENDATION

Authorize 2015 Equipment Certificate purchase of three (3) new DCM 2 ProMinent chemical controllers in the amount of \$7,333.60 from Horizon Commercial Pool Supplies of Saint Paul, Minnesota.

BACKGROUND

The Roy T. Lindenberg pool complex has three pools; the main pool, a diving pool (the pit), and a wading pool for toddlers and younger children. Each pool has a chemical feed pump which determines the pH of the water and feeds chemical to balance the pH. These controllers are now 12 years old and in need of replacement.

The current chemical controllers were purchased back in 2003, and were designed to be manually set and operate at a continuous feed rate. The new ProMinent chemical controllers are able to be set using real time data and incorporates an auto-feed and flow control system. The new flow variable pumps come with a 5-year electrical and 2-year pH probe warranty. A benefit of the new controllers is more accurate use of chemicals which we hope will save on chemical costs and provide improved water quality. In addition, we have the option to monitor and control the pH without being on-site standing in front of the controllers.

Quotes for controllers were obtained which include shipping, delivery and onsite training. The quotes are shown below. Staff has made verbal requests to other pump suppliers but none could supply the same DCM 2 ProMinent chemical controller or other comparable product.

<u>Vendor</u>	<u>Cost</u>
Horizon Commercial Pool Supplies	\$7,333.60
Signature Aquatics	\$9,000.00

FISCAL IMPACT:

The 2015 Equipment Certificate will fund the purchase of these controllers. The amount of \$7,333.60 includes tax, delivery and use training. Purchases that are made using Equipment Certificate Funds are required, by Council rules, to be a separate agenda item.

ALTERNATIVES/VARIATIONS:

Do not act: Staff will wait for further direction.
Negative Vote: Staff will continue to use existing controllers until failure.
Modification of the Resolution: This is always an option of the Council.

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

CITY OF SAINT PETER, MINNESOTA

RESOLUTION NO. 2015 -

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

RESOLUTION APPROVING 2015 EQUIPMENT CERTIFICATE PURCHASE

WHEREAS, the City Council has established a budget and provided funding for purchases to be financed by an equipment certificate; and

WHEREAS, the City is in need of three (3) DCM 2 ProMinent chemical pool controllers; and

WHEREAS, the controllers come with a 5-year electrical and 2-year pH probe warranty; and

WHEREAS, the 2015 equipment certificate contains an appropriation for replacement of the pool controllers; and

WHEREAS, staff recommends the purchase of three (3) DCM 2 ProMinent chemical pool controllers from Horizon Commercial Pool Supplies, St. Paul, MN.

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

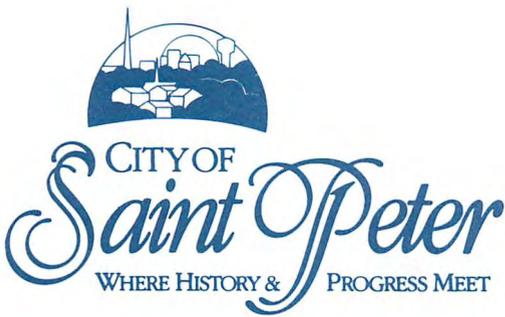
1. Staff is authorized to proceed with the purchase of three (3) DCM 2 ProMinent chemical pool controllers for the Roy T. Lindberg pool complex, in the amount of \$7,333.60 which includes tax, delivery and hands on training.
2. Funding for the purchase shall be from the 2015 equipment certificate.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 23rd day of March, 2015.

Timothy Strand
Mayor

ATTEST:

Todd Prafke
City Administrator



Memorandum

TO: Todd Prafke
City Administrator

FROM: Pete Moulton
Director of Public Works

RE: 2015 Rain Barrel Program

DATE: 3/17/2015

ACTION/RECOMMENDATION

Approve the attached resolution directing staff to renew the Rain Barrel Program in 2015.

BACKGROUND

With the success of the Rain Barrel Program in 2013 and 2014, City staff has been working with local businesses to continue the program in 2015. This type of program is becoming more frequent in communities such as ours as cities continue to reach out and offer more choices and benefits to help each homeowner minimize their monthly utility cost and still keep their property looking nice.

The program which staff has assembled includes a subsidy in the cost of rain barrels for homeowners plus a variety in the selection, with two types of barrels available. The selected rain barrels will be available at three businesses (Arrow Ace Hardware, Mary's Flowers, and Traverse des Sioux Garden Center). The business owners feel the program was well run and they liked the fact that the City continues to work with them on promoting items that are bought and sold locally. Each of the business owners indicated the barrels chosen were good products and they hope to continue the existing program. They voiced some concern about lowering the quality of the barrels used and customer satisfaction if lesser limits were sold.

The rain barrels are the same barrels that were used last year and are available at a cost of \$80-\$90 depending on the unit selected. Customers are able to purchase a different barrel from one of the three businesses as long as the barrel price is at least \$80. Last year this did happen once giving the homeowner their choice in what the rain barrel looked like, was constructed of, and what they were willing to spend.

Staff is also recommending that the "Barrel Kit" remain an option for customers as some owners may have their own rain barrel. The "kit" allows the owner to retrofit the barrel and makes it useable as a rain barrel. Kits can be purchased for \$32 and customers are eligible for a \$10.00 rebate on this item. We do have some concerns about the proliferation of the "big blue" barrels in neighborhoods and hope that folks who are interested and go to this effort will also understand that our visual environment is a consideration as well.

As in 2013 and 2014, the customer will initially pay full price for the rain barrel/rain kit and will fill out a rebate form at the time of purchase. City staff will pick up the rebate forms at the business and deliver the forms to the Finance Department to process a \$25 or \$10 credit on the customer's utility bill.

We expect approximately 25 rain barrel units and 5 conversion kits will be sold during the duration of the program which would run from May 15 to July 15 and that the Stormwater Utility will spend about \$650 for this program. In 2014, one conversation kit and 20 rain barrels were purchased through this program at an expense of less than \$600 to the utility.

This kind of program is good for the community in a number of different ways. First, it provides an opportunity, at a reduced cost for homeowners, to do something that can have a positive impact on the environment (not to mention the benefit to their plants and gardens). Use of rain barrels can help save irrigation costs and helps in a small way to recharge our groundwater. In addition, it provides a wonderful, positive contact opportunity for us that show our commitment to environment. While we show the environmental commitment in many ways, like enhanced wastewater treatment, experimenting with electric gators, composting, and others, this is a day-in/day-out example that our customers have direct opportunity to see and use. And our private/public partnership with local businesses is positive in keeping dollars and opportunities at home.

Staff has felt very positive about the program and we may not look to renew in 2016 unless, we see larger demand or have a very different idea for promotion or the development of another type of program with the same or similar objectives.

FISCAL IMPACT:

Based on past participation, it is estimated that approximately \$550 in rebates would be provided to customers.

ALTERNATIVES/VARIATIONS:

Do not act: Staff will move forward with the program.

Negative Votes: The project will not proceed.

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.

PTM/AK/amg

CITY OF SAINT PETER, MINNESOTA

RESOLUTION NO. 2015-

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

**RESOLUTION AUTHORIZING CONTINUATION OF RAIN BARREL PROGRAM AND
ESTABLISHING FUNDING FOR REBATE PROGRAM**

WHEREAS, the City Council has established a Stormwater Utility; and

WHEREAS, Council previously directed staff to establish a program that promotes the use of rain barrels as a way to help reduce stormwater runoff, conserve water, enhance regeneration of local aquifers; and

WHEREAS, funding is available in the Stormwater Fund budget to provide rebates for continuation of the rain barrel program during 2015; and

WHEREAS, the Council believes that providing for a private /public partnership on the sale of the rain barrels is positive for the promotion of the program.

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

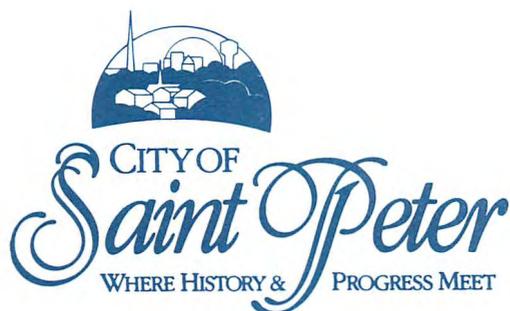
1. Staff is directed to utilize up to \$650 from Stormwater Funds for the payment of individual rebates for the purchase of rain barrels and/or rain barrel kits from these selected vendors: Arrow Ace Hardware, Mary's Flowers, St. Peter Greenhouse and Floral, and Traverse des Sioux Garden Center.
2. To be eligible for rebates the rain barrel must be of the two selected types or have a sale price greater than \$80.
3. Saint Peter utility customers are eligible for up to two rebates per utility address.
4. Rebates will be provided as a credit on the buyer's Saint Peter utility bill in the amount of \$25 for a rain barrel and \$10 for a rain barrel kit.
5. Rebates will be provided until the authorized spending level is reached.
6. The program will run from May 15, 2015 to July 15, 2015.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 23rd day of March, 2015.

Timothy Strand
Mayor

ATTEST:

Todd Prafke
City Administrator



Memorandum

TO: Todd Prafke
City Administrator

DATE: 03/20/15

FROM: Russ Wille
Community Development Director

RE: 430 Ritt Street – Purchase Agreement

ACTION/RECOMMENDATION

Authorize execution of an agreement by and between the EDA and Marv Kottke for the sale of the 430 Ritt Street property at a price of \$930,000.

BACKGROUND

Late last week our realtor presented the EDA with an executed purchase agreement to sell the Ritt Street property to Mr. Marv Kottke at a price of \$930,000. Marv Kottke is the owner of Spring Touch Lawn and Pest Control. Operating since 1973. Spring Touch is the region's oldest lawn care company. After undertaking various improvements to the building and property, Mr. Kottke would intend to relocate his business operations, employees and fleet of vehicles to the 430 Ritt Street property. Spring Touch currently has in excess of thirty employees during the growing season and a limited number of employees are retained to provide snow plowing and removal services.

The EDA considered the proposed purchase agreement in special session on March 18, 2015. The EDA passed a resolution at that meeting stating, "The Economic Development Authority recommends that the City Council accept the terms of an agreement for the sale/purchase of the 430 Ritt Street property to Marv Kottke at a price of \$930,000, subject to the requirements set forth in Minnesota Statutes §469.105."

Minnesota Statutes would require that the EDA conduct a public hearing regarding the sale and its terms. A public hearing will be scheduled subject to City Council acceptance and authorization.

Additional history on our ownership of the building: Creation Technologies (CT) began operations in Saint Peter in 2007 when they purchased the Taytronics business and real estate. At that time, Creation Technologies corporate staff met with City, Saint Peter Development Corporation and Chamber of Commerce representatives. Creation Technologies suggested that their current business model would necessitate their expansion and a larger operating facility in approximately 24 months. They indicated their desire to remain in Saint Peter due to their dedicated workforce and exceptional community amenities.

CT suggested that they would prefer a new facility of at least 50,000 square feet (expandable to 75,000 sq. ft.), custom designed to match their work flow. They would desire a facility that would provide curb appeal for their clients and business partners. Finally, they suggested that they would prefer to lease the facility rather than own the real estate.

The City was able to negotiate the sale of North Industrial Park property to Traverse des Sioux Enterprises (TdSE) which constructed a 50,000 square foot electronics manufacturing plant north of the Rivers Edge Hospital campus. TdSE then entered in to a multi-year lease of the plant to CT which relocated to the brand new site in April of 2010.

To facilitate CT's ability to relocate, the EDA purchased the 430 Ritt Street property from CT in 2009 for \$1,100,000. In turn, the EDA leased the Ritt Street property to CT for \$1/year as TdSE was constructing the new plant in the industrial park.

As a result of the negotiated assistance, CT pledged that upon relocation to the North Industrial Park that they would increase their employment from 92 full-time jobs to 116 full-time jobs within two years. That goal was achieved by April, 2012 and Creation Technologies currently has 145 full-time jobs with 5 more to begin by the end of this month. In total, 53 new full-time jobs have been created within the last 6 years as a result of the municipal assistance.

Creation Technologies is very thankful for the City's assistance and has expressed as much to the Commissioner of the Minnesota Department of Employment and Economic Development as well as to our congressional delegation. They look forward to continued growth and expansion in Saint Peter.

Upon CT's vacation of the property, the 430 Ritt Street site remained vacant until April, 2011 when the 36,000 square foot site was leased to Al Hertraus to house Jari, USA operations. A three year lease of the site at \$3.00/square foot yielded monthly lease revenues of \$9,166.

Mr. Hertaus subsequently sold Jari, USA to Peter Jones. In 2012, the City Council consented to the assignment of the lease to Mr. Jones. Mr. Jones subsequently subleased a portion of the Ritt Street facility to Quality Products (a subsidiary of M.R.C.I.).

In March, 2014, with one month remaining on the original 3 year lease, Jari, USA suddenly ceased operations. Within approximately 2 months the business assets were relinquished to Community Bank (Mankato). After a few months, Community Bank sold the business and all its assets to Kirk Donelson of Ogden, IA. Mr. Donelson had been a long time distributor of the Jari, USA product line.

The entire transfer from Jari, USA to Community Bank to Donelson; and ensuing relocation of the Jari assets encumbered the Ritt Street building until Mr. Donelson was able to arrange for the removal of machines, equipment and inventory in August, 2014.

In June, 2014, the portion of the Ritt Street building not occupied by Jari, USA assets was leased to Quality Products at a price of \$5,884/month. This was a month-to-month lease as it was determined that the facility was not ideal and that Quality Products was seeking alternative locations.

In August, 2014, Quality Products provided notice of their intent to vacate the lease. They moved to the former ROLCO plant in Kasota by September, 2014. At that time the Ritt Street building was completely vacant.

In February 2015, the EDA entered in to a month-to-month lease of 5,000 square feet of the Ritt Street property to Quality Products. Upon relocation, the company determined that they would require more storage for their product. Bringing us up to today.

FISCAL IMPACT:

The proposed sale price of \$930,000 would result in net proceeds to the EDA revolving loan fund(s) of \$46,130 over the six years that the EDA has owned the property.

\$ <u>930,000</u>	Sale Price
\$ 11,750	Pro-rate RE Taxes
\$ 55,800	RE Commission
\$1,100,000	Purchase Price
\$ 90,534	Holding Costs
\$ <u>374,214</u>	Lease Revenues
\$ 46,130	NET PROCEEDS

If the Council wished to use interest in the calculation, our net loss would be about \$36,000.

A customary expense will be incurred to advertise the EDA's public hearing as required by statute.

ALTERNATIVES/VARIATIONS:

Do not act: Failure to act would cause the proposed agreement to lapse.

Negative Votes: Mr. Kottke will be notified of the City Council's rejection of his offer.

Modification of the Resolution: Any proposed modification would need to be acceptable to the buyer.

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

RJW

PURCHASE AGREEMENT

This Purchase Agreement (“**Agreement**”) is made to be effective as of March __, 2015, between St. Peter Economic Development Authority, having an address of 227 S. Front, St. Peter, MN 56082 (“**Seller**”), and Marv Kottke and/or assigns, having an address of 1420 Lookout Drive, North Mankato, MN 56003 (“**Buyer**”).

In consideration of the covenants and agreements of the parties hereto, Seller and Buyer agree as follows:

1. **Sale of Property.** Upon the terms and conditions of this Agreement, Seller agrees to sell to Buyer, and Buyer agrees to purchase from Seller, the following property (collectively, the “**Property**”):

(A) approximately 4.4 acres of land, together with all buildings (collectively, the “**Improvements**”) located at 430 Ritt Street, City of St. Peter, Nicollet County, State of Minnesota, having tax parcel numbers of 19.571.0060 and 19.571.0050, the exact legal descriptions of which shall be determined by Sellers’ Title Evidence;

(B) all fixtures, furnishings, equipment and other property situated in or about the Improvements that Buyer selects and elects to purchase and retain, in Buyer’s discretion, including, but not limited to, all plants, shrubs and trees; all storm sash, storm doors, detachable vestibules, screens, and awnings; lighting and electrical fixtures, equipment and bulbs; plumbing fixtures and equipment; hot water tanks and heaters; heating, ventilating, and air conditioning equipment; water softener; liquid gas tank and controls (if the property of Seller); sump pump; incinerator; any built-in sinks, dishwashers, garbage disposals, and other built in fixtures, appliances, and equipment (“**Personal Property**”);

(C) Seller’s interests in any certificates, permits, variances, authorizations, licenses and approvals which benefit or relate to Property; all warranties and guaranties, if any, given to, assigned to or benefiting the Property regarding the construction, design, use, operation, management or maintenance of the Property; and all blueprints, drawings, surveys, studies, plans and specifications regarding the Property that are in the possession of, or available to Seller or its agents.

2. **Purchase Price.** The total purchase price (“**Purchase Price**”) to be paid by Buyer to Seller for the Property shall be Nine Hundred Thirty Thousand and no/100’s Dollars (\$930,000.00), payable as follows:

(A) **Earnest Money.** Five Thousand and no/100 Dollars (\$5,000.00) as earnest money (“**Earnest Money**”), which Earnest Money shall be held by Fisher Group of Mankato, Inc. (“**Realtor**”), the receipt of which Seller hereby acknowledges;

(B) **Cash.** Nine Hundred Twenty Five Thousand and no/100 Dollars (\$925,000.00) shall be payable in certified funds or wire transfer to be paid on the Closing Date.

3. **Closing.** The closing of the purchase and sale contemplated by this Agreement (the “**Closing**”) shall occur on or before **July 31, 2015**, or such other date mutually acceptable to Seller and Buyer, subject to extension for title curative matters pursuant to Section 8(C) (the “**Closing Date**”). The Closing shall take place at a location mutually agreeable to both parties.

4. **Closing Deliverables.** On the Closing Date, Seller shall execute and/or deliver to Buyer the following:

(A) A Warranty Deed (“**Deed**”) (with statement regarding no wells), in a form reasonably satisfactory to Buyer, conveying the land and Improvements to Buyer, free and clear of all mortgages, liens

debts, and encumbrances, subject only to the following exceptions: (i) Building and zoning laws, ordinances, state and federal regulations; (ii) Restrictions relating to use or improvement of the Property without effective forfeiture provision; (iii) Reservation of any minerals or mineral rights to the State of Minnesota; (iv) Utility and drainage easements which do not interfere with present Improvements; and (v) Rights of tenants as follows (unless specified, not subject to tenancies);

(B) A Bill of Sale, in general warranty form, conveying the Personal Property to Buyer, free and clear of all encumbrances;

(C) A general Assignment of the items specified in Section 1C above in a form reasonably satisfactory to Buyer;

(D) An Affidavit of Seller indicating that on the Closing Date there are no outstanding, unsatisfied judgments, tax liens or bankruptcies against or involving Seller or the Property; that there has been no labor or material furnished to the Property for which payment has not been made or for which mechanics' liens could be filed; that there are no other unrecorded interests in the Property; and that there are no encroachment or survey issues of which Seller is aware; together with whatever standard owner's affidavit and/or indemnity which may be reasonably required by the Realtor to issue a policy of title insurance;

(E) A non-foreign person affidavit, properly executed and notarized, containing such information as is required by IRC Section 1445(b) (2) and its regulations;

(F) The Title Evidence for the land and Improvements; and

(G) Other documents reasonably determined by Buyer to be necessary to properly transfer the Property to Buyer, or to record the closing documents.

5. Real Estate Taxes and Assessments. General real estate taxes and assessments payable therewith and payable in the year prior to the year of Closing and all prior years will be paid by Seller. Seller shall pay all special assessments that were officially levied or pending as of the date of this Agreement. Special assessments levied or which become pending after the date of this Agreement shall be the responsibility of Buyer. General real estate taxes payable in the year of Closing shall be prorated on a daily basis based upon a calendar year.

6. Possession. Seller agrees to deliver possession of the Property and other items specified herein on the Date of Closing, provided that all conditions of this Agreement have been complied with.

7. Buyer's contingencies. The obligation of Buyer to perform under this Agreement is contingent upon the timely occurrence or satisfaction of each of the following conditions:

(A) On the Closing Date, title to the Property shall be acceptable to Buyer.

(B) The representations and warranties of Seller contained in this Agreement shall be true and correct now and on the Closing Date.

(C) The Buyer shall have obtained suitable financing on or before May 31, 2015, ("**Financing Deadline**") to purchase the Property. If Buyer does not receive financing approval prior to this date, Buyer may cancel this agreement with no penalty. If Buyer does not notify Seller prior to this date, it shall be assumed that financing has been approved and the transaction shall proceed.

(D) The Buyer shall have received a satisfactory inspection from the St. Peter Economic Development Authority (EDA's contractor i.e. Schwickert's) regarding all HVAC systems and roof. If the inspection shows that any of the HVAC systems and/or roof are not satisfactory, Seller shall then repair

and/or replace. If Seller declines to repair/replacement following inspection report, Buyer may cancel this agreement with no penalty.

(E) The Economic Development Authority's acceptance is subject to the requirements set forth in Minnesota Statutes 469.105.

8. Mutual Agreements.

(A) In the event this Property is destroyed or substantially damaged by fire or any other cause before the Closing Date, at Buyer's option, this Agreement shall become null and void at the Buyer's or Seller's option, and all monies paid shall be refunded to Buyer.

(B) Buyer and Seller agree that pro-rata adjustments of rents, interest, insurance and city water, and, in the case of income property, current operating expenses, shall be made as of Closing.

(C) Seller shall, within a reasonable time after execution of this Agreement, furnish an abstract of title, or a torren's certificate of title, certified to date to include proper searches covering bankruptcies and state and federal judgments and liens ("**Title Evidence**"). Buyer shall be allowed 15 days after receipt thereof for examination of said Title Evidence and the making of any objections thereto, said objections to be made in writing or deemed to be waived. If any objections are so made, Seller shall be allowed 60 days to make such title marketable. Pending correction of title, the payments hereunder required shall be postponed, but upon correction of title and within 10 days after written notice to Buyer, the parties shall perform this Agreement according to its terms. If said title is not marketable and is not made so within 60 days from the date of written objections thereto as above provided, Buyer will have the option to: (1) Terminate this Agreement and receive a refund of the Earnest Money and the interest accrued and unpaid on the Earnest Money, if any, which shall be Buyer's sole remedy; or (2) Waive the objections in writing and proceed to Closing.

(D) Buyer and Seller understand that Buyer will be applying for a low interest loan from the St. Peter Economic Development Authority.

9. Seller's Representations and Warranties. As part consideration and inducement to Buyer to enter into this Agreement, Seller represents and warrants to Buyer and agrees as follows:

(A) The Improvements are within the boundary lines of the Property, and all improvements on adjoining real property, if any, are outside the boundary lines of the Property.

(B) There are no: (i) abandoned individual sewage treatment systems on the land, and (ii) above ground or underground tanks located in or about the land in use or abandoned and no such tanks have been removed during Seller's ownership of the Property except in compliance with applicable law.

(C) Prior to Closing, payment in full will have been made for all labor, materials, machinery, or fixtures furnished within the one hundred (120) days immediately preceding the Closing in connection with any improvement to the Property.

(D) Neither the execution, delivery or performance of this Agreement will result in the breach under any indenture, security instrument or other agreement or court or administrative order by which the Seller or the Property may be bound or affected.

(E) Seller has not received any written notice from a governmental authority that a person or the Property has violated a law, ordinance or regulation affecting the Property or that the authority may commence eminent domain, condemnation, special taxing district, or rezoning proceedings affecting the Property.

(F) There are no special or other assessments pending or certified for payment with respect to the Property, and Seller has not received any notice of any pending, actual, or proposed special assessments of the Property.

(G) To the knowledge of Seller, there is not any environmental condition, hazardous substance, situation or incident on, at, or concerning the Property, that could give rise to an action or liability under any Environmental Laws. Seller warrants and represents that: (1) to Seller's knowledge there are no current investigations, administrative proceedings, litigation, regulatory hearings or other actions proposed, threatened or pending, alleging non-compliance with or violation of any federal, or state or local laws, ordinance, rule or regulations dealing with environmental, health or safety matters ("**Environmental Laws**") or relating to any required environmental permits; (2) Seller has not violated any Environmental Laws with respect to the Property or Improvements; and (3) to the knowledge of Seller, the Property is in material compliance with all Environmental Laws.

(H) Seller is the owner of all, and there exists no lien, encumbrance or adverse claim with respect to, any of the items of Personal Property.

(I) As of the Closing Date, the structural walls, roof, and foundation comprising the Improvements are in reasonable condition and repair, are water tight, and contain no latent defects.

(J) All representations, warranties and agreements contained in this Agreement shall survive the Closing for twelve (12) months, and shall not be merged into the Deed, instruments of conveyance delivered at closing, and the parties hereto shall be bound accordingly. All such representations and warranties shall be true on the Closing Date as if made on and as of such date. In the event that any aforesaid warranty is determined not to be true on and as of the Closing Date, Buyer may at its option and by notice to Seller, either: (i) terminate this Agreement, and upon said termination, Seller shall promptly refund to Buyer all Earnest Money; or (ii) waive the warranty or representation and close the sale and purchase hereof.

(K) Except for the representations and warranties set forth in section 7, Buyer acknowledges and agrees with Seller that: (i) Buyer is purchasing the Property in "as-is, where is" condition "with all faults" and defects as of the Closing Date and specifically and expressly without any warranties, representations or guarantees, either express or implied, as to its condition, fitness for any particular purpose, merchantability, or any other warranty of any kind, nature, or type whatsoever from or on behalf of Seller.

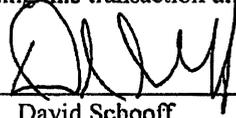
10. Remedies. If Buyer defaults under this Agreement, Seller shall give written notice to Buyer, and if Buyer fails to cure such default within fifteen (15) days of the date of such notice, this Agreement will terminate, and upon such termination Seller will retain the Earnest Money as liquidated damages, time being of the essence of this Agreement. The termination of this Agreement and retention of the Earnest Money will be the sole remedy available to Seller for such default by Buyer, and Buyer will not be liable for any further damages whatsoever. If Seller defaults under this Agreement, Buyer may, at Buyer's option: (i) terminate the Agreement upon fifteen (15) days' notice to Seller (Seller having cure rights during the 15-day period) and demand return of the Earnest Money and other amounts paid to Seller hereunder, or (ii) proceed by action at law or equity (including specific performance) to enforce this Agreement and Buyer's rights hereunder, including "loss of bargain" damages upon Seller's default. Except where expressly limited herein, no right or remedy herein conferred on or reserved to Buyer or Seller is intended to be exclusive of any other right or remedy herein or by law provided but each shall be cumulative in and in addition to every other right or remedy existing at law in equity or by statute, now or in the future.

11. General Terms. The respective covenants, agreements, indemnifications, warranties and other terms of this Agreement will survive and be in full force and effect after the Closing, and shall not be deemed to have merged into any of Seller's or Seller's closing documents. This Agreement: (a) together with all attached exhibits and addenda or amendments signed by the parties constitutes the entire agreement

between Seller and Buyer and supersedes all other written or oral agreements between them, and neither party has relied upon any verbal or written representations, agreements or understandings not set forth herein, whether made by any agent or party hereto; (b) may not be modified except by a writing signed by Seller and Buyer; (c) may be executed in counterparts, each of which shall be deemed an original, and which together shall constitute a single, integrated contract; (d) shall be governed by the laws of the state where the Property is located; and (e) may not be assigned without the written consent of both parties. Time is of the essence for all provisions of this Agreement.

12. Acceptance Deadline. This Agreement must be accepted by Seller on or before March 25, 2015 and if not so accepted, this Agreement shall become null and void and there will be no further obligation, financial or otherwise, on the part of either party to the other and all Earnest Money paid herein shall be returned to Buyer.

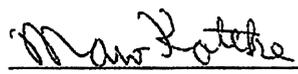
13. Broker Representation. David Schooff, broker, Coldwell Banker Commercial Fisher Group stipulates that he is representing the Seller in this transaction. The delivery of all papers and monies shall be made at the office of: Coldwell Banker Commercial Fisher Group, 1961 Premier Drive, Suite 404, Mankato, MN 56001. The Seller is responsible for a commission regarding this transaction and shall be pursuant to a separate agreement.

By:  Broker
David Schooff

ONCE THIS AGREEMENT IS SIGNED BY BOTH PARTIES, THE EARNEST MONEY CHECK SHALL BE CASHED AND HELD BY BROKER / REALTOR.

SELLER: St. Peter Economic Development Authority BUYER: Marv Kottke and/or assigns

By: _____

By: 

Its: _____

Its: _____

By: _____

By: _____

Its: _____

Its: _____

THIS IS A LEGALLY BINDING CONTRACT, IF NOT UNDERSTOOD, SEEK COMPETENT ADVICE.

[Signature Page to Purchase Agreement]

CITY OF SAINT PETER, MINNESOTA

RESOLUTION NO. 2015 -

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

**RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT BY AND BETWEEN THE
ECONOMIC DEVELOPMENT AUTHORITY AND MARV KOTTKE FOR THE SALE OF THE
430 RITT STREET PROPERTY AT A PRICE OF \$930,000**

WHEREAS, the Economic Development Authority (EDA) administers the economic development programs and activities of the City; and

WHEREAS, in 2010, the EDA purchased the 430 Ritt Street property from Creation Technologies to facilitate the expansion of the private company; and

WHEREAS, subsequent to Creation Technologies vacation of the 430 Ritt Street facilities, the EDA had listed the Ritt Street property for sale with Coldwell-Banker Fisher Commercial; and

WHEREAS, Marv Kottke has offered to purchase the 430 Ritt Street property from the EDA at a price of \$930,000; and

WHEREAS, Mr. Kottke has submitted a purchase agreement for EDA and City Council consideration; and

WHEREAS, the EDA considered the proposed purchase agreement at a special meeting held March 18, 2015 and has recommended that the City Council accept the agreement and authorize the EDA President and EDA Executive Director to execute the purchase agreement.

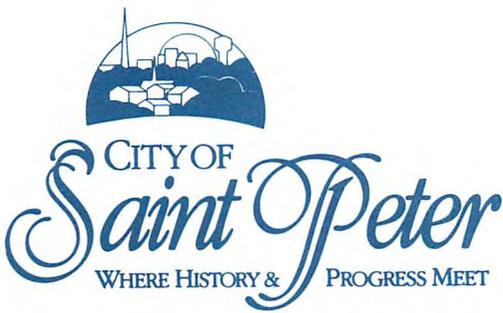
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA, THAT: The Economic Development Authority President and EDA Executive Director are authorized to execute an agreement for the sale/purchase of the 430 Ritt Street property to Marv Kottke at a price of \$930,000 subject to the requirements set forth in Minnesota Statutes §469.105.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 23rd day of March, 2015.

Timothy Strand
Mayor

ATTEST:

Todd Prafke
City Administrator



Memorandum

TO: Honorable Mayor Strand
Members of the City Council

DATE: 3/18/2015

FROM: Todd Prafke
City Administrator

RE: Hospital Commission Membership Modification

ACTION/RECOMMENDATION

Adopt an ordinance modifying the membership of the Hospital Commission to include two Councilmembers and to provide voting privileges to the President of the Medical staff.

BACKGROUND

Members may recall your discussion related to membership on all of your boards and commissions including the Hospital Commission. Council suggested that a change may be appropriate and more specifically that additional representation of the City Council be provided for. Since the Hospital is owned by the City and the City has not only an operational obligation but also a fiduciary responsibility for the Hospital, it was suggested that a second Councilmember may be a positive addition to that Commission.

After a review of the Ordinance governing the Hospital and the Commission membership, as well as a review of a few options related to the requested change, your City Attorney and I are suggesting the modification below.

You will note that in addition to a second member of the City Council, the language change would provide for establishing voting rights for the President of the Medical Staff (a President is elected yearly) which shows the significant role that the care providers play in the success of the Hospital. Additionally, it provides for an odd number of members which is a best practice for voting purposes.

Sec. 2-624. - Establishment and composition.

The Hospital, Nursing Home, Medical Clinic and Ambulance Commission is hereby continued. The short title of the Commission shall be "Hospital Commission". The Commission shall consist of six members who shall be legal voters of the City and who shall serve staggered five-year terms. In addition to the foregoing membership, ~~one~~ two members of the Council shall be ex officio members with full voting privileges and one member shall be the President of the Medical Staff who shall serve as an ex officio member with ~~no~~ full voting privileges. The Councilmembers shall be appointed for a term of one year and may be reappointed.

Other potential options and variations include:

- Modification of the City Code to designate one or two of the current number of seats for Councilmembers. Since there are no current vacancies this could be done at the end of the year or by removal of a current member if you prefer action more quickly. Whether you decide to have one or two Councilmembers on the Hospital Commission may have an impact on the time line if you choose to use Commission attrition as the trigger.
- Since the current Code provides no specificity as to background for membership, the Council could appoint a Councilmember to a "regular member" term when one opens. This would mean however, that the Councilmember appointed would be eligible to serve the 5 year term. Since Council terms are four years this could pose an overlap problem meaning that the Councilmember could stop being a member of the Council and still remain on the Commission, therefore not meeting your goal of two Councilmembers.
- We could explore staggered terms for the Councilmembers instead of the one year at a time process that you use currently. There are a couple of variations on this general theme. If this is a choice for the Council, I would suggest the best practice is to provide direction in your City Code rather than a Council practice or operational procedure.
- There are others as well.

The Council could take action in March. Action of this type certainly has the potential to meet the discussed goals of the Council. The expressed goals were:

- Improve communication opportunities between the Commission and the Council.
- Provide for better understanding by the Council of operations and capital requests.
- Since the Hospital is such a large part of your overall operations more attention to the Commission may be of value.
- There may have been others that I either failed to note or have since been thought of.

I provided a report on your discussions to the Hospital Commission at their last meeting and received no negative comments from the Hospital Commission members that were present.

The membership change must be done through adoption of the attached Ordinance.

FISCAL IMPACT:

Approval of this action will require publication in the legal newspaper of the City and codification into the City Code. The expected cost for both of these actions will be approximately \$500.

ALTERNATIVES/VARIATIONS:

Do not act: No further action will be taken and the current membership will continue.

Negative Vote: No further action will be taken and the current membership will continue

Modification of the Ordinance: This is always an option of the City Council.

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

TP/bal

ORDINANCE NO. ____, THIRD SERIES

AN ORDINANCE OF THE CITY OF SAINT PETER AMENDING CHAPTER 2 "ADMINISTRATION", ARTICLE V, DIVISION 9 SECTION 2-624 "ESTABLISHMENT AND COMPOSTION" AND ADOPTING BY REFERENCE CITY CODE CHAPTER 1 SECTION 1-6, WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS

WHEREAS, the City Council has created a Hospital Commission; and

WHEREAS, the City Council wishes to have two City Councilmembers sit as representatives on the Hospital Commission.

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

Section 1. Saint Peter City Code Chapter 2, Article V, Division 9 Section 2-624 is hereby modified as follows:

Sec. 2-624. - Establishment and composition.

The Hospital, Nursing Home, Medical Clinic and Ambulance Commission is hereby continued. The short title of the Commission shall be "Hospital Commission". The Commission shall consist of six members who shall be legal voters of the City and who shall serve staggered five-year terms. In addition to the foregoing membership, two members of the Council shall be ex officio members with full voting privilege and one member shall be the President of the Medical Staff who shall serve as an ex officio member with full voting privileges. The Councilmember shall be appointed for a term of one year and may be reappointed.

Section 2. All provisions of Chapter 1 of the Saint Peter City Code are made a part hereof and applicable to this Ordinance.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 23rd day of March, 2015.

ATTEST:

Todd Prafke
City Administrator

Timothy Strand
Mayor

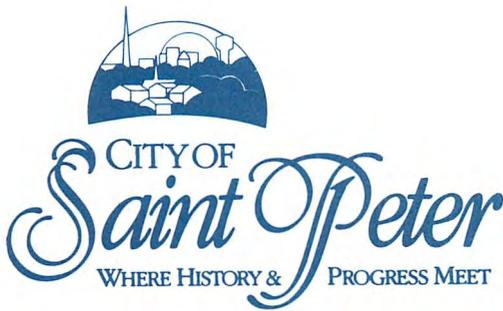
The foregoing Ordinance was adopted by the following votes:

Ayes:

Nayes:

Absent:

Published in the *Saint Peter Herald* on _____, 2015.



Memorandum

TO: Honorable Mayor Strand
Members of the City Council

DATE: 3/18/2015

FROM: Todd Prafke
City Administrator

RE: Human Rights Commission Modification

ACTION/RECOMMENDATION

Adopt an ordinance modifying the membership of the Human Rights Commission to name the City Council as the Human Rights Commission.

BACKGROUND

Members may recall your discussions related to membership on the Human Rights Commission. Maintaining membership on that Commission has been an ongoing struggle. In addition, some the initiatives supported by the Commission failed to grab the attention of the community in a way that the Commission members had hoped. This was exemplified by the lack of interest in nomination for the Saint Peter Human Rights Award over the last couple of years.

The Council discussed the important mission that the Commission works to fulfill and had suggested that a review be done to determine whether that role could be taken on by the Council, thereby effectively making sure membership was addressed and that the mission of the Human Rights Commission received the attention deserved by the community.

Your previous discussions included a couple of options to provide for this change. Based on a review with your City Attorney, we believe that if the Council wishes to make that change, all things being equal, the concept of transferring the duties to the Council is less confusing and a straighter path. An ordinance modification would do just that and a redlined copy of the existing City Code section is attached for your consideration.

Action of this type certainly has the potential to meet the discussed goals of the Council which are:

- Ability to meet statutory requirements for response
- Maintain membership levels to fully function
- Additional impact within the community
- Planning for changing demographics within Saint Peter

The Council wants to make sure that the previous members of the Commission receive great thanks for their service and commitment and that this action is in no way a reflection of their

work. Rather the change is a reflection of the reality of the challenges of volunteer service on boards and commissions and the importance that the Council places on equal rights and recognition of human rights within our community.

An ordinance has been drafted for Council consideration.

FISCAL IMPACT:

Approval of this action will require publication in the legal newspaper of the City and codification into the City Code. The expected cost for both of these actions will be approximately \$500.

ALTERNATIVES/VARIATIONS:

Do not act: No further action will be taken and the current membership will continue.

Negative Vote: No further action will be taken and the current membership will continue

Modification of the Ordinance: This is always an option of the City Council.

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

TP/bal

ORDINANCE NO. ____, THIRD SERIES

**AN ORDINANCE AMENDING SAINT PETER CITY CODE CHAPTER 2, DIVISION 10
"HUMAN RIGHTS COMMISSION", ARTICLE V, DIVISION 10 SECTION 2.649
"COMPOSITION" AND ADOPTING BY REFERENCE SAINT PETER CITY CODE CHAPTER
1 SECTION 1-6, WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS**

WHEREAS, the City Council has created a Human Rights Commission; and

WHEREAS, the City Council wishes to modify the membership of the Commission to have the entire City Council serve as the Commission.

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

Section 1. The following Section of the Saint Peter City Code is hereby modified to read as follows:

Sec. 2-649. - Composition.

The Human Rights Commission shall consist of the seven (7) City Council Members. The terms of the Councilmembers appointment as a member of the Human Rights Commission shall coincide with their terms on the City Council.

Section 2. All provisions of Chapter 1 of the Saint Peter City Code are made a part hereof and applicable to this Ordinance.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota this 23rd day of March, 2015.

ATTEST:

Todd Prafke
City Administrator

Timothy Strand
Mayor

The foregoing Ordinance was adopted by the following votes:

Ayes:

Nays:

Absent:

Published in the *Saint Peter Herald* on _____, __, 2015.

PROCLAMATION

“VIETNAM VETERANS DAY”

- WHEREAS, the United States of America began military operations in the country of Vietnam on January 12, 1962; and
- WHEREAS, American involvement in the Vietnam War continued until the last American troops were evacuated from Vietnam on March 29, 1973; and
- WHEREAS, more than 58,000 American military men and women gave their lives in service to our Nation during the Vietnam War; and
- WHEREAS, Veterans of the Vietnam War deserve to be shown the respect and dignity of a grateful nation; and
- WHEREAS, Minnesota honors the sacrifice of these Veterans and respects their dedication to the highest traditions of our Armed Forces; and
- WHEREAS, our Nation stands stronger for the service of these Veterans and Minnesota stands ready to honor their proud legacy with our deepest gratitude.

NOW, THEREFORE, I, Timothy Strand, Mayor of the City of Saint Peter, Minnesota, do hereby proclaim March 29, 2015 as “VIETNAM VETERANS DAY” in the City and hereby do encourage Saint Peter residents to honor the sacrifices made by all Veterans of the Vietnam War by attending the Vietnam Veteran’s Day ceremonies at the Community Center at 3:00 p.m. on March 29th. In witness whereof, I have hereunto set my hand and caused the seal of the City of Saint Peter to be affixed this 23rd day of March, 2015.

Timothy Strand
Mayor

ATTEST:

Todd Prafke
City Administrator

