

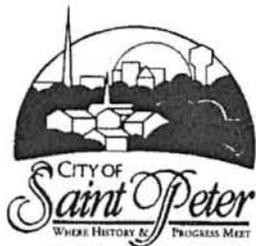


**CITY OF SAINT PETER, MINNESOTA
AGENDA AND NOTICE OF MEETING**

Regular City Council Meeting of Monday, September 12, 2016
Community Center Governors' Room - 7:00 p.m.

- I. **CALL TO ORDER**
- II. **APPROVAL OF AGENDA**
- III. **PUBLIC HEARINGS**
 - A. Temporary Family Health Care Dwellings
- IV. **APPROVAL OF MINUTES**
- V. **VISITORS**
 - A. Scheduling of Visitor Comments on Agenda Items
 - B. General Visitor Comments
- VI. **APPROVAL OF CONSENT AGENDA ITEMS**
- VII. **UNFINISHED BUSINESS**
 - A. Traverse Road Sanitary Sewer/Watermain Project Acceptance
- VIII. **NEW BUSINESS**
 - A. Revolving Loan Fund Request: Bushaw
 - B. SMMPA Agency Agreement Amendment
 - C. Public Access Equipment Purchase/Contract For Services
 - D. Temporary Family Health Care Dwellings Opt-Out
 - E. City Assistance Request: Halloween Hayride
 - F. City Assistance Request: Oktoberfest
 - G. Donation Acceptance: Girls Fast Pitch Association
 - H. Electric Budgeted Pick-up Purchase
 - I. Stormwater Budgeted Pick-up Purchase
- IX. **REPORTS**
 - A. **MAYOR**
 - B. **CITY ADMINISTRATOR**
 - 1. Boomers and Beyond Expo
 - 2. Rock Bend Folk Festival
 - 3. Goal Session August 29, 2016
 - 4. Others
- X. **ADJOURNMENT**

Office of the City Administrator
Todd Prafke



I. **CALL TO ORDER**

Mayor Zieman 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. **PUBLIC HEARING**

A. **PUBLIC HEARING ON TEMPORARY FAMILY HEALTH CARE DWELLINGS**

A public hearing has been scheduled at this time to receive comment on the possibility of opting out of the State law providing for Temporary Family Health Care Dwellings in residential areas. Notice of the public hearing has been duly published in the St. Peter Herald and affected property owners have been notified. Action to consider adoption of the City Code modification is scheduled under **NEW BUSINESS**.

IV. **APPROVAL OF MINUTES**

A copy of the minutes of the August 22, 2016 regular Council meeting is attached for approval. A MOTION is in order.

V. **VISITORS**

A. **Scheduling of Visitor Comments on Agenda Items**

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

B. **General Visitor Comments**

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

VI. **APPROVAL OF CONSENT AGENDA ITEMS**

The consent agenda, including approval of the schedule of disbursements for August 18, 2016 through September 7, 2016, is attached. Please see the attached staff reports and RESOLUTION.



VII. UNFINISHED BUSINESS

A. ADOPTION OF A RESOLUTION ACCEPTING TRAVERSE ROAD SANITARY SEWER AND WATERMAIN PROJECT

Staff recommends the project be accepted as completed and authorization be provided for final payment to Chard Tiling and Excavating. Please see the attached staff report and RESOLUTION.

VIII. NEW BUSINESS

A. ADOPTION OF A RESOLUTION APPROVING CBD RENOVATION/ACCESSIBILITY ENHANCEMENT REVOLVING LOAN APPLICATION FOR DAVID AND TRESSA BUSHAW

The EDA recommends approval of an application for a revolving loan in the amount of \$20,000 for renovation and repair of the property at 401 South Minnesota Avenue. Please see the attached staff report and RESOLUTION.

B. ADOPTION OF A RESOLUTION APPROVING EXECUTION OF SMMPA AGENCY AGREEMENT AMENDMENT

Based on recent Council discussion with Special City Attorney Michael Krikava, staff recommends approval be provided for execution of the SMMAP Agency Agreement amendment. Please see the attached staff report and RESOLUTION.

C. ADOPTION OF A RESOLUTION APPROVING PURCHASE OF PUBLIC ACCESS EQUIPMENT AND EXECUTION OF PRODUCTION SERVICES CONTRACT WITH TRUE FAÇADE PICTURES

Staff recommends approval be provided for purchase of replacement public access equipment and execution of a production services contract with True Façade for taping City Council meetings and other events previously taped by Public Access Production Assistants. Please see the attached staff report and RESOLUTION.



D. ADOPTION OF AN ORDINANCE AMENDING THE CITY CODE TO OPT OUT OF STATE TEMPORARY FAMILY HEALTH CARE DWELLINGS REGULATIONS

State law allows the City to "opt out" of the newly created Temporary Family Health Care Dwellings regulations. Following the public hearing, staff recommends adoption of an ordinance drafted by City Attorney Brandt. Please see the attached staff report and ORDINANCE.

E. ADOPTION OF A RESOLUTION APPROVING CITY ASSISTANCE FOR HALLOWEEN HAYRIDE EVENT SPONSORED BY NICOLLET COUNTY TRAILS ASSOCIATION

Staff recommends approval of a request by the Nicollet County Trails Association for their Halloween Hayride event. Please see the attached staff report and RESOLUTION.

F. ADOPTION OF A RESOLUTION APPROVING CITY ASSISTANCE FOR OKTOBERFEST EVENT SPONSORED BY SAINT PETER AMBASSADORS

Staff recommends approval of a request by the Saint Peter Ambassadors for City assistance related to their Oktoberfest event. Please see the attached staff report and RESOLUTION.

G. ADOPTION OF A RESOLUTION ACCEPTING DONATION FROM GIRLS FAST PITCH ASSOCIATION

As per the City's donation policy which requires Council approval for donations exceeding \$5,000, staff recommends approval of a donation from the St. Peter Girls Fast Pitch Association for improvements to Stones Park. Please see the attached staff report and RESOLUTION.

H. ADOPTION OF A RESOLUTION PROVIDING FOR THE PURCHASE OF A PICK-UP FOR THE ELECTRIC UTILITY

Staff recommends a budgeted replacement purchased through the state bid process.

I. ADOPTION OF A RESOLUTION PROVIDING FOR THE PURCHASE OF A PICK-UP FOR THE STORMWATER UTILITY.

Staff recommends a budgeted replacement purchased through the state bid process.

IX. REPORTS

A. MAYOR



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

B. CITY ADMINISTRATOR

1. REPORT ON BOOMERS AND BEYOND EXPO

A report will be provided at this time on the upcoming Boomers and Beyond Expo to be held at the Community Center on September 15, 2016.

2. REPORT ON ROCK BEND FOLK FESTIVAL

A report will be provided at this time on the Rock Bend Folk Festival.

3. GOAL SESSION OF AUGUST 29, 2016

A report on discussion at the August 29th goal session will be provided at this time.

4. OTHERS

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

IX. ADJOURNMENT

Office of the City Administrator
Todd Prafke

CITY OF SAINT PETER, MINNESOTA

PUBLIC HEARING PROCESS AND PROCEDURES

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

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

The public hearing will be conducted in the following manner:

1. **Staff Presentation** - City staff, or consultants employed by the City, will identify the issue of the hearing, explain any pertinent laws or regulations associated with the issue; and the steps being taken by the City.
2. **Applicant's Presentation** - In this portion of the hearing, the applicant (if applicable) has the opportunity to present his or her case. However, no statement either for or against the proposal should be accepted at this point.
3. **Public Comment** - Once staff and the applicant have completed their background information, the public will be allowed to speak.

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

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

CITY OF SAINT PETER, MINNESOTA
OFFICIAL PROCEEDINGS
MINUTES OF THE CITY COUNCIL MEETING
AUGUST 22, 2016

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 August 22, 2016.

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

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

Approval of Minutes – A motion was made by Carlin, seconded by Parras, to approve the minutes of the August 8, 2016 regular City Council meeting. With all in favor, the motion carried and the minutes were approved. A complete copy of the minutes of the August 8, 2016 regular City Council meeting is contained in the City Administrator's book entitled Council Proceedings 19.

Visitors – American Legion Post #37 Commander Ron Haugen, accompanied by Heather Redinius Tollefson, Bruce Frey, Greg Witty, and Tom Roessler, presented a ceremonial flag to the City Council. Haugen stated the flag had flown over the US Capital on August 10, 2016 and was symbolic of more than forty (40) flags that the American Legion donates to the City of Saint Peter each year for poles in City parks and in front of City buildings. The Legion requested that the specially donated flag be flown at City Hall. Mayor Zieman accepted the flag on behalf of the City and thanked the Legion for their generous donations and good work members do for the community.

Consent Agenda – City Administrator Prafke requested the inclusion of a part-time Bus Driver (Carly Ballman) appointment on the consent agenda at the wage of \$14.93 per hour. In motion by Brand, seconded by Parras, Resolution No. 2016-125 entitled, "Resolution Approving Consent Agenda", was introduced with the inclusion of the employee appointment. Upon roll call, with all in favor, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2016-125 is contained in the City Administrator's book entitled Council Resolutions 21.

North Third Street Land Swap – Community Development Director Wille requested approval for execution of a quit claim deed providing a land swap with Northern Con-Agg for right-of-way property on North Third Street. Wille noted it was a housekeeping issue related to land Northern Con-Agg dedicated when the roadway was reconstructed in 2013. In motion by Pfeifer, seconded by Carlin, Resolution No. 2016-126 entitled "Resolution Authorizing Execution Of Quit Claim Deed Transferring Property To Northern Con-Agg, LLP In Exchange For Dedication Of Lands Within The New North Third Street Right-Of-Way of The Hallett Pond Addition Plat" was introduced. Upon roll call, with all in favor, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2016-126 is contained in the City Administrator's book entitled Council Resolutions 21.

Façade Renovation Fund Close Out – City Administrator Prafke recommended the Façade Renovation Loan Fund (#260) be closed out and any remaining balance be transferred to the Revolving Loan Fund (#230). Prafke noted the recommendation was based on the changes recently made by the City Council to change the Façade Fund to an expanded loan program with higher loan limits. In motion by Kvamme, seconded by Parras, Resolution No. 2016-127 entitled "Resolution Authorizing Close Out Of Façade Renovation/Historic Enhancement Loan Fund #260" was introduced. Upon roll call, with all in favor, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2016-127 is contained in the City Administrator's book entitled Council Resolutions 21.

MVED Joint Use Agreement – City Administrator Prafke recommended execution of a shared use agreement with School District #508 that would outline ongoing costs, access and maintenance issues surrounding Ramsey Park ballfield which is partially on School property and the playground structure at the MVED building on Davis Street which was funded by the City. Prafke noted that execution of the agreement would eliminate future Council or School Boards from reducing access to either area. In motion by Carlin, seconded by Grams, Resolution No. 2016-128 entitled "Resolution Approving Execution Of Shared Use Agreement With School District #508 For Facilities At Ramsey Park And School Property On Davis Street" was introduced. Upon roll call, with all in favor, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2016-128 is contained in the City Administrator's book entitled Council Resolutions 21.

Hospital Patient Room Modification – River's Edge Hospital and Clinic CEO George Rohrich addressed the Council to request authorization for modifications to four patient rooms at the hospital to replace the bathtubs with showers at a cost of \$49,820. Rohrich indicated the cost of the project was initially estimated at \$13,000, but stated the Hospital Commission and Hospital Finance Committee recommended approval of the project to be done by Met-Con Construction. Rohrich indicated the reasons for the change were related to safety issues with patient falls and privacy and confidentiality issues for patients who couldn't step into the bathtub needing to be taken through semi-public hallways to empty rooms to shower. Mayor Ziemann asked if the change to showers was included in the future plans for hospital expansion. Rohrich indicated the future plans included installation of trench drains, which would have collected all water from the shower area, for this specific wing of the hospital.

In motion by Pfeifer, seconded by Carlin, Resolution No. 2016-129 entitled "Resolution Approving Modifications To Rooms At River's Edge Hospital and Clinic" was introduced. Upon roll call, with all in favor, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2016-129 is contained in the City Administrator's book entitled Council Resolutions 21.

Reports

Mayor's Report – Mayor Ziemann reported on his recent activities which included attending the Nicollet County Fair, the Smithsonian Water Ways exhibit at the Treaty Site History Center and the Business After Hours picnic sponsored by the Chamber of Commerce in Levee Park.

Labor Day Closures – City Administrator Prafke reminded the public of the upcoming Labor Day holiday and closures of City buildings and services related to the legal holiday.

Joint Transit Steering Committee Meeting – City Administrator Prafke encouraged Councilmembers attending the Joint Transit Steering Committee to contact him if they wished to carpool to the meeting.

Boomers and Beyond Expo - City Administrator Prafke asked Councilmembers if they were interested in participating in the City's booth at the Boomers and Beyond expo to be held on September 15th at the Community Center.

City Administrator Prafke reminded the public of the Park Naming Contest and reviewed how name suggestions can be submitted.

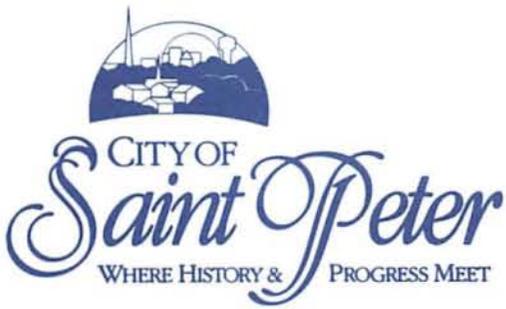
Prafke also reported that paving had begun in Traverse Green Subdivision; Councilmember Kvamme would be providing a welcome address at the October 5th REDA meeting; and reported that a contest to name the joint Le Sueur/Saint Peter transit system would be announced soon.

There being no further business, a motion was made by Pfeifer, seconded by Parras, to adjourn. With all in favor, the motion carried and the meeting adjourned at 7:28 p.m.

Charles Zieman
Mayor

ATTEST:

Todd Prafke
City Administrator



Memorandum

TO: Todd Prafke
City Administrator

DATE: August 31, 2016

FROM: Pete Moulton
Director of Public Works

RE: Snow Removal Equipment Replacement Cutting Edges

ACTION/RECOMMENDATION

Authorize the purchase of replacement cutting edges to H&L Mesabi, Inc. of Blaine, Minnesota in the amount of \$8,744.73.

BACKGROUND

Prior to winter snow plowing activities, staff reviewed the existing equipment and determined that new cutting edges were needed.

Quotes were solicited from the only two vendors in Minnesota that supply cutting edges:

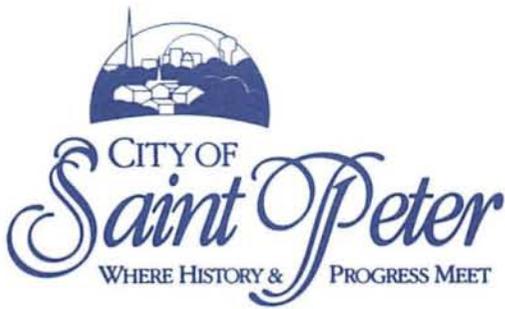
VENDOR	QUOTE
H&L Mesabi	\$8,744.73
KRIS Engineering Inc.	\$9,555.96

The low quote was received from H&L Mesabi, Inc. There are no tax or freight charges for this purchase.

Funding for the purchase is from the General Fund.

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

PM/TM/amg



Memorandum

TO: Todd Prafke
City Administrator

DATE: 9/7/2016

FROM: Cindy Moulton
Administrative Secretary

RE: Temporary Licenses

ACTION/RECOMMENDATION

Provide approval of temporary licenses.

BACKGROUND

The Mankato Health Care Foundation has submitted a Temporary Gambling license application in order to hold a raffle at Gustavus Adolphus College. The event will take place on October 29, 2016.

The St. Peter Ambassadors are holding their annual Oktoberfest on September 22 – 24, 2016 in Parking Lot #5. The Ambassadors have submitted a Temporary On-Sale Liquor and Temporary Dance license in order to hold the event.

The Arts Center of St. Peter has applied for a Temporary On-Sale Liquor License for November 5, 2016. The event will be held at the Arts Center located at 315 South Minnesota Avenue.

Please place these items on the September 12, 2016 City Council consent agenda.

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

CKM



Memorandum

TO: Todd Prafke
City Administrator

DATE: 08/24/16

FROM: Jane Timmerman *JT*
Director of Recreation & Leisure Services

RE: Employee appointment

ACTION/RECOMMENDATION

Approve the appointment of Annette Schatz to the part-time position of Circulation Clerk in the Recreation and Leisure Services Department at the wage rate of \$9.50 per hour.

BACKGROUND

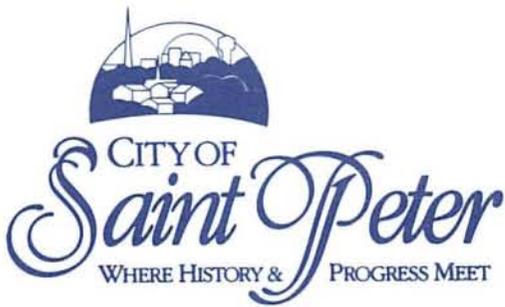
Ms. Schatz was interviewed as part of the recruitment process for a replacement part-time Circulation Clerk in May 2016. She was one of the top three candidates but Ms. Schatz's schedule would not allow her to accept the position at that time.

This week another of our part-time Circulation Clerks notified the Lead Librarian that she will need to adjust her hours to take a full-time position elsewhere. Because Ms. Schatz scored highly in the recent recruitment process she is eligible to be considered for this position. Ms. Schatz has previous experience working as a part-time circulation clerk at the Saint Peter Public Library from 2007–2010 and was a valuable employee during that time. She is available to start immediately.

Staff recommends the appointment of Annette Schatz to the part time position of part-time Circulation Clerk and also requests that she be temporarily appointed until the formal appointment process at the September 12, 2016 City Council meeting.

Please feel free to contact me should you have any questions or need any additional information.

JT/



Memorandum

TO: Honorable Mayor Zieman
Members of the City Council

DATE: 9/7/2016

FROM: Todd Prafke
City Administrator

RE: Election Judge Appointments

ACTION/RECOMMENDATION

Provide for appointment of additional Election Judges for the 2016 election.

BACKGROUND

The City Council has previously appointed Election Judges to serve for this year's election process.

Due to the anticipated historic turnout for the November 8th general election, I recommend the appointment of the following additional individuals to serve as Election Judges for the 2016 general election:

Jolene Westphal
Maria Alvarez-Sanchez
Edith Thorstensson
Jack Beahler

Diane Frauendienst
Todd Prafke
Samuel Sanda
Hilary Wickenhauser

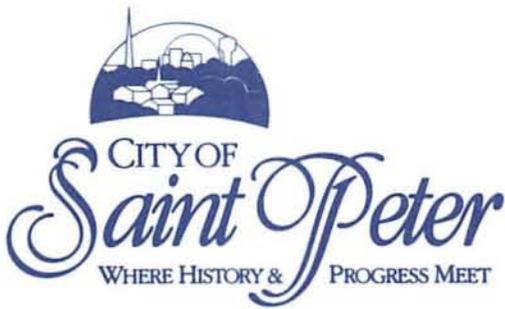
Max Hailperin
Ronald Lachmiller
Elizabeth Bueno

I am included on this list as an appointee in the event the City's Election Official is unable to perform her duties on election day or should unusual circumstances prevent a large number of judges from serving.

Election Judge wages have been included in the 2016 election budget.

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

TP/bal



Memorandum

TO: Honorable Mayor Zieman
Members of the City Council

DATE: 9/7/2016

FROM: Todd Prafke
City Administrator

RE: Fire Chief Appointment

ACTION/RECOMMENDATION

Approve the appointment of Matt Ulman to the position of Fire Chief starting October 9, 2016 and running to the end of the regular term on December 31, 2019.

BACKGROUND

The Committee is grateful that we had two very qualified and high quality candidates interested in leading the Department for the next three years. Both candidates met the minimum qualifications and both met a number of the desired qualifications that are established within the job description. Either candidate would serve the community well and provide for the needed operational and administrative leadership needed to maintain a Department of your size and scope. The Committee is, however, charged with recommending one.

In accordance with the rules established by the Fire Department and approved by the City Council, a recruitment process was initiated that resulted in two applications for the position of Fire Chief. Two members of the Department's Standing Committee and myself are charged with a review of the applications, interview and making a recommendation to hire to the City Council.

The Committee's recommendation is based on Ullman's coming into the process with identified goals and plans to achieve those goals.

The appointment is a few months longer than the usual appointment due to the pending retirement of Chief Quade on October 8th of this year.

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

TP/bal

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
4 THE TEAM, LLC	ntu shirts	RESTRICTED CONTRIB	POLICE	<u>28.60</u>
			TOTAL:	28.60
A TO Z RENTAL CENTER	summer celebration	GENERAL FUND	RECREATION/LEISURE SER	<u>320.00</u>
			TOTAL:	320.00
AFFORDABLE JETTING INC.	sump pump opening	STORMWATER FUND	NON-DEPARTMENTAL	<u>306.25</u>
			TOTAL:	306.25
ALL AMERICA PRESSURE WASHER MFG., INC.	pressure washer rental	GENERAL FUND	STREETS	<u>75.00</u>
			TOTAL:	75.00
AMAZON	ink cartridges	GENERAL FUND	STREETS	6.52
	ink cartridges	GENERAL FUND	PARKS	5.22
	ink cartridges	LIBRARY FUND	LIBRARY	155.00
	dvd's	LIBRARY FUND	LIBRARY	200.44
	library materials	LIBRARY FUND	LIBRARY	85.02
	library materials	LIBRARY FUND	LIBRARY	7.99
	ink cartridges	WATER	ADMIN AND GENERAL	2.61
	ink cartridges	WASTE WATER FUND	ADMIN AND GENERAL	2.61
	ink cartridges	ENVIRON SERVICES F	ADMIN AND GENERAL	2.61
	ink cartridges	ELECTRIC FUND	ADMIN AND GENERAL	6.52
	ntu reimbursement	RESTRICTED CONTRIB	POLICE	<u>33.50</u>
			TOTAL:	441.04
ATLAS COPCO COMPRESSORS LLC	air compressor maint.	WASTE WATER FUND	SOURCE/TREATMENT	2,550.25
	air compressor maint.	WASTE WATER FUND	SOURCE/TREATMENT	<u>2,549.89</u>
			TOTAL:	5,100.14
AUDIO EDITIONS	new adult audio books	LIBRARY FUND	LIBRARY	<u>340.78</u>
			TOTAL:	340.78
AUTOMATIC SYSTEMS CO.	emergency repair of plc	WASTE WATER FUND	SOURCE/TREATMENT	1,271.30
	emergency repair of plc	WASTE WATER FUND	SOURCE/TREATMENT	<u>1,619.75</u>
			TOTAL:	2,891.05
BATTERIES PLUS	12v lead	GENERAL FUND	STREETS	12.19
	12v lead	GENERAL FUND	PARKS	12.19
	12v lead	WATER	DISTRIBUTION AND STORA	6.10
	12v lead	WASTE WATER FUND	SOURCE/TREATMENT	6.10
	12v lead	ENVIRON SERVICES F	REFUSE DISPOSAL	6.10
	12v lead	ELECTRIC FUND	POWER DISTRIBUTION	12.19
	12v lead	STORMWATER FUND	TREATMENT	<u>6.08</u>
			TOTAL:	60.95
BGMN, INC	grease & fuel cleaner	GENERAL FUND	STREETS	145.10
	grease & fuel cleaner	GENERAL FUND	PARKS	145.10
	grease & fuel cleaner	WATER	DISTRIBUTION AND STORA	72.55
	grease & fuel cleaner	WASTE WATER FUND	SOURCE/TREATMENT	72.55
	grease & fuel cleaner	ENVIRON SERVICES F	REFUSE DISPOSAL	72.55
	grease & fuel cleaner	ELECTRIC FUND	POWER DISTRIBUTION	145.10
	grease & fuel cleaner	STORMWATER FUND	TREATMENT	<u>72.53</u>
			TOTAL:	725.48
BOLTON & MENK INC	2016 gardner rd. improv.	GENERAL FUND	STREETS	1,758.00
	staff mtgs	GENERAL FUND	STREETS	142.50

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	csah, gardner rd, gac seed	GENERAL FUND	STREETS	507.50
	gac triangle, lager sw, ca	GENERAL FUND	STREETS	420.00
	staff mtgs	GENERAL FUND	PARKS	114.00
	csah, gardner rd, gac seed	GENERAL FUND	PARKS	406.00
	hallets pond	GENERAL FUND	PARKS	2,777.50
	zoning maps/ city limit up	GENERAL FUND	ECONOMIC DEVMT	275.00
	high school	PARK LAND DEDICATI	PARKS	560.00
	2016 affordable housing ph	HOUSING DISTRICT #	ECONOMIC DEVMT	21,024.50
	2016 gardner rd. improv.	WATER	CAPITAL-WATER DISTRIBU	9,450.00
	gis implementation	WATER	CAPITAL-WATER DISTRIBU	2,188.12
	staff mtgs	WATER	ADMIN AND GENERAL	57.00
	csah, gardner rd, gac seed	WATER	ADMIN AND GENERAL	203.00
	gis implementation	WASTE WATER FUND	CAPITAL-COLLECTOR SYST	2,188.12
	staff mtgs	WASTE WATER FUND	ADMIN AND GENERAL	57.00
	csah, gardner rd, gac seed	WASTE WATER FUND	ADMIN AND GENERAL	203.00
	staff mtgs	ENVIRON SERVICES F	ADMIN AND GENERAL	57.00
	csah, gardner rd, gac seed	ENVIRON SERVICES F	ADMIN AND GENERAL	203.00
	gis implementation	ELECTRIC FUND	CAPITAL-DISTRIBUTION S	2,188.13
	staff mtgs	ELECTRIC FUND	ADMIN AND GENERAL	142.50
	csah, gardner rd, gac seed	ELECTRIC FUND	ADMIN AND GENERAL	507.50
	boundry map	ELECTRIC FUND	ADMIN AND GENERAL	830.00
	gis implementation	STORMWATER FUND	CAPITAL-COLL SYS/LIFT	2,188.13
			TOTAL:	48,447.50
BORDER STATES ELECTRIC SUPPLY	#6421 & 2 vrd	ELECTRIC FUND	NON-DEPARTMENTAL	2,209.60
	#449 heat shrink tubing	ELECTRIC FUND	NON-DEPARTMENTAL	156.01
	#450 heat shrink tubing	ELECTRIC FUND	NON-DEPARTMENTAL	146.01
			TOTAL:	2,511.62
BRANDT LAW OFFICE	forfeiture	GENERAL FUND	LEGAL SERVICES	148.06
			TOTAL:	148.06
C & S SUPPLY CO INC	uniform allow	GENERAL FUND	MUNICIPAL BUILDING	52.98
	uniform allow	GENERAL FUND	PARKS	128.67
	flower cart pump	GENERAL FUND	PARKS	99.99
	uniform allow	WASTE WATER FUND	ADMIN AND GENERAL	52.99
			TOTAL:	334.63
CENTERPOINT ENERGY MINNEGASCO	gas bill	GENERAL FUND	FIRE	49.03
	gas bill	GENERAL FUND	STREETS	51.23
	gas bill	GENERAL FUND	SWIMMING POOL	145.57
	gas bill	GENERAL FUND	PARKS	40.98
	gas bill	LIBRARY FUND	LIBRARY	101.35
	gas bill	COMMUNITY CENTER	COMMUNITY CENTER	410.31
	gas bill	WATER	PURIFICATION AND TREAT	143.44
	gas bill	WATER	PURIFICATION AND TREAT	18.53
	gas bill	WATER	ADMIN AND GENERAL	20.49
	gas bill	WASTE WATER FUND	COLLECTOR/LIFT STAT	15.85
	gas bill	WASTE WATER FUND	SOURCE/TREATMENT	66.21
	gas bill	WASTE WATER FUND	ADMIN AND GENERAL	20.49
	gas bill	ENVIRON SERVICES F	ADMIN AND GENERAL	20.49
	gas bill	ELECTRIC FUND	ADMIN AND GENERAL	51.23
			TOTAL:	1,155.20
CHARD TILING & EXCAVATING	est. #3 final traverse rd	WATER	CAPITAL-WATER DISTRIBU	5,781.20
	est. #3 final traverse rd	WASTE WATER FUND	CAPITAL-COLLECTOR SYST	5,781.20

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
			TOTAL:	11,562.40
CHEMISOLV CORP	phosphorous removal	WASTE WATER FUND	BIOSOLIDS	4,206.28
			TOTAL:	4,206.28
CINTAS FIRST AID & SAFETY	safety cabinet	GENERAL FUND	STREETS	4.85
	first aid supplies	GENERAL FUND	RECREATION/LEISURE SER	9.80
	safety cabinet	GENERAL FUND	PARKS	3.88
	first aid supplies	COMMUNITY CENTER	COMMUNITY CENTER	5.00
	safety cabinet	WATER	ADMIN AND GENERAL	1.94
	safety cabinet	WASTE WATER FUND	ADMIN AND GENERAL	1.94
	safety cabinet	ENVIRON SERVICES F	ADMIN AND GENERAL	1.95
	safety cabinet	ELECTRIC FUND	ADMIN AND GENERAL	4.85
			TOTAL:	34.21
COLE PAPERS INC	wipes, plates, forks, kniv	GENERAL FUND	STREETS	61.06
	wipes, soap, & gloves	GENERAL FUND	STREETS	82.80
	wipes, plates, forks, kniv	GENERAL FUND	PARKS	61.06
	wipes, soap, & gloves	GENERAL FUND	PARKS	82.80
	cleaning supplies	LIBRARY FUND	LIBRARY	128.44
	cleaning supplies	COMMUNITY CENTER	COMMUNITY CENTER	298.08
	returned garbage bags wron	COMMUNITY CENTER	COMMUNITY CENTER	29.67
	cleaning supplies	COMMUNITY CENTER	COMMUNITY CENTER	513.75
	wipes, plates, forks, kniv	WATER	DISTRIBUTION AND STORA	30.53
	wipes, soap, & gloves	WATER	DISTRIBUTION AND STORA	41.40
	wipes, plates, forks, kniv	WASTE WATER FUND	SOURCE/TREATMENT	30.53
	wipes, soap, & gloves	WASTE WATER FUND	SOURCE/TREATMENT	41.40
	tide	WASTE WATER FUND	SOURCE/TREATMENT	77.05
	wipes, plates, forks, kniv	ENVIRON SERVICES F	REFUSE DISPOSAL	30.53
	wipes, soap, & gloves	ENVIRON SERVICES F	REFUSE DISPOSAL	41.40
	wipes, plates, forks, kniv	ELECTRIC FUND	POWER DISTRIBUTION	61.06
	wipes, soap, & gloves	ELECTRIC FUND	POWER DISTRIBUTION	82.80
	wipes, plates, forks, kniv	STORMWATER FUND	TREATMENT	30.54
	wipes, soap, & gloves	STORMWATER FUND	TREATMENT	41.38
			TOTAL:	1,706.94
CREDIT RIVER TOOLS	ball swivel whip	GENERAL FUND	STREETS	5.43
	brake caliper	GENERAL FUND	STREETS	13.99
	ball swivel whip	GENERAL FUND	PARKS	5.43
	brake caliper	GENERAL FUND	PARKS	13.99
	ball swivel whip	WATER	DISTRIBUTION AND STORA	2.72
	brake caliper	WATER	DISTRIBUTION AND STORA	7.00
	ball swivel whip	WASTE WATER FUND	SOURCE/TREATMENT	2.72
	brake caliper	WASTE WATER FUND	SOURCE/TREATMENT	7.00
	ball swivel whip	ENVIRON SERVICES F	REFUSE DISPOSAL	2.72
	brake caliper	ENVIRON SERVICES F	REFUSE DISPOSAL	7.00
	ball swivel whip	ELECTRIC FUND	POWER DISTRIBUTION	5.43
	brake caliper	ELECTRIC FUND	POWER DISTRIBUTION	13.99
	ball swivel whip	STORMWATER FUND	TREATMENT	2.70
	brake caliper	STORMWATER FUND	TREATMENT	6.98
			TOTAL:	97.10
CRYSTAL VALLEY	power plant fuel	ELECTRIC FUND	POWER PRODUCTION	11,400.00
			TOTAL:	11,400.00
CULLIGAN	drinking water for pool st	GENERAL FUND	SWIMMING POOL	101.70

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
			TOTAL:	101.70
CUSTOM FIRE APPARATUS, INC.	fan motor	GENERAL FUND	FIRE	76.42
			TOTAL:	76.42
EATON/CANNON TECHNOLOGIES, INC.	ami project mgt	WATER	CAPITAL-WATER DISTRIBU	618.75
	ami project mgt	WASTE WATER FUND	CAPITAL-GENERAL PLANT	618.75
	ami project mgt	ELECTRIC FUND	CAPITAL-GENERAL PLANT	2,512.50
			TOTAL:	3,750.00
ELECTRIC PUMP	replacement transducer	WASTE WATER FUND	COLLECTOR/LIFT STAT	990.00
			TOTAL:	990.00
ELECTRICAL & COMMUNICATION SPECIALISTS	vets park electric repair	GENERAL FUND	PARKS	754.00
			TOTAL:	754.00
EMERGENCY RESPONSE SOLUTIONS	gas monitor calibration	GENERAL FUND	FIRE	59.31
			TOTAL:	59.31
ERC WIPING PRODUCTS, INC.	cleaning cloths	LIBRARY FUND	LIBRARY	45.00
	wiping cloths	COMMUNITY CENTER	COMMUNITY CENTER	136.00
	cleaning cloths	COMMUNITY CENTER	COMMUNITY CENTER	181.00
	return	COMMUNITY CENTER	COMMUNITY CENTER	136.00
			TOTAL:	226.00
ESS BROTHERS & SONS, INC.	frame & lid	WASTE WATER FUND	COLLECTOR/LIFT STAT	698.00
			TOTAL:	698.00
FASTENAL COMPANY	paint & primer	GENERAL FUND	STREETS	2.30
	batteries	GENERAL FUND	STREETS	18.62
	flagging tape	GENERAL FUND	STREETS	0.79
	duct tape	GENERAL FUND	STREETS	16.75
	sawzall blades	GENERAL FUND	STREETS	6.22
	duct tape	GENERAL FUND	STREETS	10.09
	nemesis safety glasses	GENERAL FUND	STREETS	11.82
	paint & primer	GENERAL FUND	PARKS	2.30
	batteries	GENERAL FUND	PARKS	18.62
	flagging tape	GENERAL FUND	PARKS	0.79
	duct tape	GENERAL FUND	PARKS	16.75
	quik links park grills	GENERAL FUND	PARKS	19.74
	sawzall blades	GENERAL FUND	PARKS	6.22
	duct tape	GENERAL FUND	PARKS	10.09
	nemesis safety glasses	GENERAL FUND	PARKS	9.46
	paint & primer	WATER	DISTRIBUTION AND STORA	1.15
	batteries	WATER	DISTRIBUTION AND STORA	9.31
	flagging tape	WATER	DISTRIBUTION AND STORA	0.39
	duct tape	WATER	DISTRIBUTION AND STORA	8.38
	connector & saw blade	WATER	DISTRIBUTION AND STORA	25.17
	sawzall blades	WATER	DISTRIBUTION AND STORA	3.11
	duct tape	WATER	DISTRIBUTION AND STORA	5.05
	nemesis safety glasses	WATER	ADMIN AND GENERAL	4.73
	paint & primer	WASTE WATER FUND	SOURCE/TREATMENT	1.15
	batteries	WASTE WATER FUND	SOURCE/TREATMENT	9.31
	flagging tape	WASTE WATER FUND	SOURCE/TREATMENT	0.39
	duct tape	WASTE WATER FUND	SOURCE/TREATMENT	8.38
	sawzall blades	WASTE WATER FUND	SOURCE/TREATMENT	3.11

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	duct tape	WASTE WATER FUND	SOURCE/TREATMENT	5.05
	nemesis safety glasses	WASTE WATER FUND	ADMIN AND GENERAL	4.73
	paint & primer	ENVIRON SERVICES F	REFUSE DISPOSAL	1.15
	batteries	ENVIRON SERVICES F	REFUSE DISPOSAL	9.31
	flagging tape	ENVIRON SERVICES F	REFUSE DISPOSAL	0.39
	duct tape	ENVIRON SERVICES F	REFUSE DISPOSAL	8.38
	sawzall blades	ENVIRON SERVICES F	REFUSE DISPOSAL	3.11
	duct tape	ENVIRON SERVICES F	REFUSE DISPOSAL	5.05
	nemesis safety glasses	ENVIRON SERVICES F	ADMIN AND GENERAL	4.72
	paint & primer	ELECTRIC FUND	POWER DISTRIBUTION	2.30
	batteries	ELECTRIC FUND	POWER DISTRIBUTION	18.62
	flagging tape	ELECTRIC FUND	POWER DISTRIBUTION	0.79
	duct tape	ELECTRIC FUND	POWER DISTRIBUTION	16.75
	sawzall blades	ELECTRIC FUND	POWER DISTRIBUTION	6.22
	duct tape	ELECTRIC FUND	POWER DISTRIBUTION	10.09
	nemesis safety glasses	ELECTRIC FUND	ADMIN AND GENERAL	11.82
	paint & primer	STORMWATER FUND	TREATMENT	1.17
	batteries	STORMWATER FUND	TREATMENT	9.32
	flagging tape	STORMWATER FUND	TREATMENT	0.40
	duct tape	STORMWATER FUND	TREATMENT	8.36
	sawzall blades	STORMWATER FUND	TREATMENT	3.10
	duct tape	STORMWATER FUND	TREATMENT	5.05
			TOTAL:	366.07
FLEETPRIDE	#47b flywheel	ENVIRON SERVICES F	REFUSE DISPOSAL	43.40
			TOTAL:	43.40
THE FLOOR TO CEILING STORE	replaced blinds at kids co	COMMUNITY CENTER	COMMUNITY CENTER	856.40
			TOTAL:	856.40
FOUR SEASONS OVERHEAD DOOR, LLC	garage door repair	GENERAL FUND	STREETS	982.50
			TOTAL:	982.50
GENESIS	august fuel	GENERAL FUND	FIRE	207.35
	august fuel	GENERAL FUND	STREETS	1,792.69
	august fuel	GENERAL FUND	PARKS	1,006.28
	august fuel	WASTE WATER FUND	COLLECTOR/LIFT STAT	166.19
	august fuel	ENVIRON SERVICES F	REFUSE DISPOSAL	587.60
	august fuel	ELECTRIC FUND	POWER DISTRIBUTION	256.29
	august fuel	STORMWATER FUND	TREATMENT	236.02
			TOTAL:	4,252.42
GRAYBAR ELECTRIC COMPANY INC	service hcu	WATER	PURIFICATION AND TREAT	1,400.00
	#478 & #4485 elbow conduit	ELECTRIC FUND	NON-DEPARTMENTAL	1,026.48
			TOTAL:	2,426.48
GUSTAVUS ADOLPHUS COLLEGE P.O.	postage	GENERAL FUND	CITY ADMINISTRATION	27.07
	postage	GENERAL FUND	CITY CLERK	19.28
	postage	GENERAL FUND	ELECTIONS	0.52
	postage	GENERAL FUND	FINANCE	168.89
	postage	GENERAL FUND	POLICE	19.57
	postage	GENERAL FUND	FIRE	3.31
	postage	GENERAL FUND	BUILDING INSPECTOR	7.51
	postage	GENERAL FUND	PUBLIC WORKS ADMIN	2.28
	postage	GENERAL FUND	STREETS	2.06
	postage	GENERAL FUND	RECREATION/LEISURE SER	18.25

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VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	postage	GENERAL FUND	PARKS	11.99
	postage	GENERAL FUND	ECONOMIC DEVT	28.93
	postage	LIBRARY FUND	LIBRARY	8.12
	postage	COMMUNITY CENTER	COMMUNITY CENTER	2.80
	postage	HOUSING DISTRICT #	ECONOMIC DEVT	168.17
	postage	WATER	ADMIN AND GENERAL	2.06
	postage	WATER	CUSTOMER ACCOUNTS	127.92
	postage	WASTE WATER FUND	ADMIN AND GENERAL	6.40
	postage	WASTE WATER FUND	CUSTOMER ACCOUNTS	127.92
	postage	ENVIRON SERVICES F	ADMIN AND GENERAL	1.03
	postage	ENVIRON SERVICES F	CUSTOMER ACCOUNTS	127.92
	postage	ELECTRIC FUND	ADMIN AND GENERAL	7.31
	postage	ELECTRIC FUND	CUSTOMER ACCOUNTS	127.92
	postage	TRANSIT	TRANSIT/TRANSPORTATION	8.37
			TOTAL:	1,025.60
HACH COMPANY	lab supplies	WASTE WATER FUND	SOURCE/TREATMENT	674.67
			TOTAL:	674.67
HANCOCK CONCRETE PRODUCTS, INC.	adj. rings	WASTE WATER FUND	COLLECTOR/LIFT STAT	198.00
			TOTAL:	198.00
HARRISON TRUCK CENTERS	#112 air dryer	GENERAL FUND	STREETS	286.24
	air dryer	GENERAL FUND	STREETS	281.24
			TOTAL:	567.48
HAWKINS, INC.	caustic soda	WATER	PURIFICATION AND TREAT	1,445.25
	bleach, chlorine cylinder,	WATER	PURIFICATION AND TREAT	7,045.77
	polymer	WASTE WATER FUND	BIOSOLIDS	3,680.85
			TOTAL:	12,171.87
HERMEL WHOLESALE	concession supplies	COMMUNITY CENTER	COMMUNITY CENTER	472.04
			TOTAL:	472.04
HOLIDAY COMMERCIAL	aug fuel	GENERAL FUND	MUNICIPAL BUILDING	25.00
	fuel	GENERAL FUND	POLICE	163.71
	aug. fuel	GENERAL FUND	BUILDING INSPECTOR	63.37
	aug fuel	GENERAL FUND	PUBLIC WORKS ADMIN	37.66
	aug. fuel	GENERAL FUND	STREETS	101.14
	aug. fuel	GENERAL FUND	STREETS	402.48
	aug. fuel	GENERAL FUND	RECREATION/LEISURE SER	90.16
	aug. fuel	GENERAL FUND	PARKS	638.31
	aug. fuel	WATER	SOURCE OF SUPPLY	36.06
	aug. fuel	WATER	PURIFICATION AND TREAT	54.09
	aug. fuel	WATER	DISTRIBUTION AND STORA	270.46
	aug fuel	WATER	CUSTOMER ACCOUNTS	38.41
	aug. fuel	WASTE WATER FUND	SOURCE/TREATMENT	466.63
	aug fuel	WASTE WATER FUND	CUSTOMER ACCOUNTS	38.41
	aug. fuel	ENVIRON SERVICES F	REFUSE DISPOSAL	72.94
	aug. fuel	ELECTRIC FUND	POWER DISTRIBUTION	360.61
	aug fuel	ELECTRIC FUND	CUSTOMER ACCOUNTS	38.42
	aug. fuel	STORMWATER FUND	TREATMENT	641.38
	aug. fuel	TRANSIT	TRANSIT/TRANSPORTATION	2,656.76
			TOTAL:	6,196.00
IDEXX DISTRIBUTION, INC	fecal coliform	WASTE WATER FUND	SOURCE/TREATMENT	129.53

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	sterile water	WASTE WATER FUND	SOURCE/TREATMENT	<u>53.15</u>
			TOTAL:	182.68
IMPACT	printing	WATER	CUSTOMER ACCOUNTS	162.52
	postage	WATER	CUSTOMER ACCOUNTS	365.65
	printing	WASTE WATER FUND	CUSTOMER ACCOUNTS	162.52
	postage	WASTE WATER FUND	CUSTOMER ACCOUNTS	365.65
	printing	ENVIRON SERVICES F	CUSTOMER ACCOUNTS	162.52
	postage	ENVIRON SERVICES F	CUSTOMER ACCOUNTS	365.64
	printing	ELECTRIC FUND	CUSTOMER ACCOUNTS	162.51
	postage	ELECTRIC FUND	CUSTOMER ACCOUNTS	365.65
	flyers	ELECTRIC FUND	CUSTOMER ACCOUNTS	<u>283.60</u>
			TOTAL:	2,396.26
INGRAM BOOK COMPANY	new library materials	LIBRARY FUND	LIBRARY	494.44
	new library materials	LIBRARY FUND	LIBRARY	<u>988.96</u>
			TOTAL:	1,483.40
INTERNATIONAL INSTITUTE OF MUNICIPAL C	2016-2017 membership fee	GENERAL FUND	CITY ADMINISTRATION	<u>155.00</u>
			TOTAL:	155.00
KASSULKE MASONRY	concrete slab	WATER	DISTRIBUTION AND STORA	<u>95.00</u>
			TOTAL:	95.00
KEEPERS, INC.	vest cover	GENERAL FUND	POLICE	<u>90.99</u>
			TOTAL:	90.99
KENDELL DOORS & HARDWARE, INC.	mn square restroom doors &	GENERAL FUND	PARKS	<u>1,790.00</u>
			TOTAL:	1,790.00
KIND VETERINARY CLINIC PA	animal care	GENERAL FUND	COMMUNITY SERVICE	228.45
	animal care-paws	RESTRICTED CONTRIB	COMMUNITY SERVICE	<u>353.38</u>
			TOTAL:	581.83
LAGER'S INC	squad repairs	GENERAL FUND	POLICE	336.54
	#22 fusse	WATER	DISTRIBUTION AND STORA	<u>17.54</u>
			TOTAL:	354.08
LEAGUE OF MN CITIES INSURANCE TRUST	workers comp.	GENERAL FUND	MAYOR & COUNCIL	37.14
	workers comp.	GENERAL FUND	CITY ADMINISTRATION	231.87
	workers comp.	GENERAL FUND	CITY CLERK	87.41
	workers comp.	GENERAL FUND	FINANCE	263.58
	workers comp.	GENERAL FUND	MUNICIPAL BUILDING	349.17
	workers comp.	GENERAL FUND	POLICE	9,097.43
	workers comp.	GENERAL FUND	FIRE	5,570.41
	workers comp.	GENERAL FUND	BUILDING INSPECTOR	215.34
	workers comp.	GENERAL FUND	COMMUNITY SERVICE	92.16
	workers comp.	GENERAL FUND	PUBLIC WORKS ADMIN	276.71
	workers comp.	GENERAL FUND	STREETS	6,170.93
	workers comp.	GENERAL FUND	RECREATION/LEISURE SER	1,145.78
	workers comp.	GENERAL FUND	SWIMMING POOL	1,203.30
	workers comp.	GENERAL FUND	SKATING RINKS	25.81
	workers comp.	GENERAL FUND	PARKS	2,750.11
	workers comp.	GENERAL FUND	ECONOMIC DEVMT	134.05
	workers comp.	LIBRARY FUND	LIBRARY	455.60
	workers comp.	PUBLIC ACCESS	PUBLIC ACCESS	13.36

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	workers comp.	COMMUNITY CENTER	COMMUNITY CENTER	1,017.37
	workers comp.	WATER	SOURCE OF SUPPLY	241.38
	workers comp.	WATER	PURIFICATION AND TREAT	1,425.66
	workers comp.	WATER	DISTRIBUTION AND STORA	1,645.31
	workers comp.	WATER	ADMIN AND GENERAL	187.49
	workers comp.	WATER	CUSTOMER ACCOUNTS	34.65
	workers comp.	WASTE WATER FUND	BIOSOLIDS	502.47
	workers comp.	WASTE WATER FUND	COLLECTOR/LIFT STAT	1,067.44
	workers comp.	WASTE WATER FUND	SOURCE/TREATMENT	2,668.81
	workers comp.	WASTE WATER FUND	ADMIN AND GENERAL	195.87
	workers comp.	WASTE WATER FUND	CUSTOMER ACCOUNTS	34.65
	workers comp.	ENVIRON SERVICES F	REFUSE DISPOSAL	1,329.20
	workers comp.	ENVIRON SERVICES F	ADMIN AND GENERAL	98.73
	workers comp.	ENVIRON SERVICES F	CUSTOMER ACCOUNTS	16.30
	workers comp.	ELECTRIC FUND	POWER PRODUCTION	126.58
	workers comp.	ELECTRIC FUND	POWER DISTRIBUTION	3,059.20
	workers comp.	ELECTRIC FUND	ADMIN AND GENERAL	497.49
	workers comp.	ELECTRIC FUND	CUSTOMER ACCOUNTS	134.50
	workers comp.	STORMWATER FUND	COLLECTIONS/LIFT STATI	1,433.59
	workers comp.	STORMWATER FUND	TREATMENT	503.60
	workers comp.	STORMWATER FUND	ADMINISTRATION AND GEN	98.73
	workers comp.	STORMWATER FUND	CUSTOMER ACCOUNTS	16.30
	workers comp.	TRANSIT	TRANSIT/TRANSPORTATION	2,823.02
			TOTAL:	47,278.50
LEXIS NEXIS	subscription fees	GENERAL FUND	POLICE	100.00
			TOTAL:	100.00
LS ENGINEERS, INC.	2016 bdwy water tower ant	WATER	DISTRIBUTION AND STORA	1,199.00
			TOTAL:	1,199.00
MACQUEEN EQUIPMENT INC	sweep vac repair	GENERAL FUND	STREETS	16,266.16
			TOTAL:	16,266.16
MALMANGER, JASON	filled lawn mower	GENERAL FUND	PARKS	29.54
			TOTAL:	29.54
MCCRANN SHEA CARNIVAL STRAUGHN & LAMB,	electric service territory	PARK LAND DEDICATI	PARKS	293.13
	electric service territory	HOUSING DISTRICT #	ECONOMIC DEVT	293.12
			TOTAL:	586.25
MENARDS	garage door opener	GENERAL FUND	STREETS	699.28
	nipples	WATER	DISTRIBUTION AND STORA	78.99
			TOTAL:	778.27
METERING & TECHNOLOGY SOLUTIONS	#238 & 680 meters	WATER	NON-DEPARTMENTAL	470.05
	#719 flange	WATER	NON-DEPARTMENTAL	190.00
	#828 ami meters	WATER	NON-DEPARTMENTAL	939.74
	meters	WATER	DISTRIBUTION AND STORA	938.99
	meters	WATER	DISTRIBUTION AND STORA	725.00
			TOTAL:	3,263.78
METRO JANITORIAL SUPPLY INC.	cleaning products	LIBRARY FUND	LIBRARY	159.83
	cleaning products	COMMUNITY CENTER	COMMUNITY CENTER	39.96
			TOTAL:	199.79

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT	
MIKE'S COUNTRYSIDE BODY SHOP INC	mn squaredoors refinished	GENERAL FUND	PARKS	300.00	
			TOTAL:	300.00	
MISC VENDOR	A-1 JANITORIAL SUPPLY	drain sewer opener	WASTE WATER FUND	COLLECTOR/LIFT STAT	572.12
	BOOKBINS	custom four compartment bo	LIBRARY FUND	LIBRARY	720.00
	FRIEDRICH, JEDIDIAH	2016 halloween fun run ref	RESTRICTED CONTRIB	RECREATION/LEISURE SER	101.90
	KNOLL, MARY A	2016 halloween fun run ref	RESTRICTED CONTRIB	RECREATION/LEISURE SER	115.73
	POTTS, LAWRENCE	2016 halloween fun run ref	RESTRICTED CONTRIB	RECREATION/LEISURE SER	48.65
	SHERBURNE, SONJA	refund for park shelter	GENERAL FUND	NON-DEPARTMENTAL	55.58
			TOTAL:	1,613.98	
MN BUREAU OF CRIMINAL APPREHENSION	crime scene registration s	GENERAL FUND	POLICE	375.00	
	registration for dmt-g/ wi	GENERAL FUND	POLICE	285.00	
	cjis conference fees-meyer	GENERAL FUND	POLICE	115.00	
			TOTAL:	775.00	
MN DEPT OF HEALTH	2016annual state water sur	WATER	NON-DEPARTMENTAL	19,773.24	
	flower watering	ENVIRON SERVICES F	REFUSE DISPOSAL	810.00	
			TOTAL:	20,583.24	
MN ELEVATOR, INC.	annual preventative	COMMUNITY CENTER	COMMUNITY CENTER	2,030.14	
			TOTAL:	2,030.14	
MN PIPE & EQUIPMENT	gaskets & bolts for invent	WATER	NON-DEPARTMENTAL	2,027.00	
	gaskets & bolts for invent	WATER	DISTRIBUTION AND STORA	72.00	
	h.s. sewer pipe	WASTE WATER FUND	CAPITAL-COLLECTOR SYST	81.20	
			TOTAL:	2,180.20	
PETE MOULTON	milage 08/01/16-08/12/16	GENERAL FUND	PUBLIC WORKS ADMIN	25.92	
	milage 08/01/16-08/12/16	GENERAL FUND	PARKS	29.16	
	milage 08/01/16-08/12/16	ENVIRON SERVICES F	ADMIN AND GENERAL	9.18	
	milage 08/01/16-08/12/16	ELECTRIC FUND	ADMIN AND GENERAL	138.24	
			TOTAL:	202.50	
MVTL LABORATORIES INC	lab testing	WASTE WATER FUND	SOURCE/TREATMENT	41.00	
			TOTAL:	41.00	
NBS CALIBRATIONS	scale calibration	WASTE WATER FUND	SOURCE/TREATMENT	167.00	
			TOTAL:	167.00	
NICOLLET COUNTY TREASURER	mortgage tax reg.	GENERAL FUND	ECONOMIC DEVMT	57.50	
			TOTAL:	57.50	
OVERHEAD DOOR COMPANY OF MANKATO INC	gen plant overhead dr.	ELECTRIC FUND	POWER PRODUCTION	1,998.00	
			TOTAL:	1,998.00	
PENWORTHY	new juvenile materials	LIBRARY FUND	LIBRARY	460.30	
			TOTAL:	460.30	
PEPSI-COLA OF MANKATO INC	seasonal pick-up credit	GENERAL FUND	SWIMMING POOL	200.00	
	concessions	COMMUNITY CENTER	COMMUNITY CENTER	646.28	
			TOTAL:	446.28	
QUALITY FLOW SYSTEMS, INC	3 service check lift	WASTE WATER FUND	COLLECTOR/LIFT STAT	300.00	
			TOTAL:	300.00	

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
QUILL	ink cartridge	LIBRARY FUND	LIBRARY	237.99
	ink cartridges	WATER	CUSTOMER ACCOUNTS	33.75
	ink cartridges	WASTE WATER FUND	CUSTOMER ACCOUNTS	33.75
	ink cartridges	ENVIRON SERVICES F	CUSTOMER ACCOUNTS	33.74
	ink cartridges	ELECTRIC FUND	CUSTOMER ACCOUNTS	33.75
			TOTAL:	372.98
RACO INDUSTRIES, INC.	thermal paper for receipt	LIBRARY FUND	LIBRARY	185.28
			TOTAL:	185.28
RAMY TURF PRODUCTS	grass seed	ENVIRON SERVICES F	REFUSE DISPOSAL	89.50
			TOTAL:	89.50
RDO EQUIPMENT CO.	#59 pin	ELECTRIC FUND	POWER DISTRIBUTION	40.17
			TOTAL:	40.17
RECREATION SUPPLY COMPANY	dri-deck tile for pool dec	GENERAL FUND	SWIMMING POOL	275.50
			TOTAL:	275.50
RED WING SHOE STORE	clothing allowance	COMMUNITY CENTER	COMMUNITY CENTER	271.99
			TOTAL:	271.99
THE RETROFIT COMPANIES, INC.	recycled 484 lightbulbs	LIBRARY FUND	LIBRARY	44.45
	recycled 484 lightbulbs	COMMUNITY CENTER	COMMUNITY CENTER	177.79
			TOTAL:	222.24
ROYAL TIRE, INC	#112 tires scrap	GENERAL FUND	STREETS	28.00
			TOTAL:	28.00
RYAN ELECTRIC OF ST PETER	fix lights in police garag	GENERAL FUND	MUNICIPAL BUILDING	175.56
	osmosis bldg gar door	WATER	PURIFICATION AND TREAT	295.10
	pretreatment rehook motors	WASTE WATER FUND	SOURCE/TREATMENT	170.75
	gen plant overhead dr. rep	ELECTRIC FUND	POWER PRODUCTION	377.43
			TOTAL:	1,018.84
RYAN PLUMBING & HEATING	mop sink repairs	GENERAL FUND	MUNICIPAL BUILDING	434.45
	pool boiler relief valve	GENERAL FUND	SWIMMING POOL	415.84
	jeff. park toilet leak	GENERAL FUND	PARKS	283.95
	pipe clamps	WATER	PURIFICATION AND TREAT	24.31
			TOTAL:	1,158.55
SAINTS BUS SERVICE	create-a-camp field trips	GENERAL FUND	RECREATION/LEISURE SER	1,015.00
			TOTAL:	1,015.00
SHERWIN-WILLIAMS	white hotline paint	GENERAL FUND	STREETS	330.00
			TOTAL:	330.00
SHOPKO STORES OPERATING CO., LLC	hydrant pushing	WATER	DISTRIBUTION AND STORA	23.98
	hydrant flushing	WATER	DISTRIBUTION AND STORA	11.99
	flowers downtown	ENVIRON SERVICES F	REFUSE DISPOSAL	355.94
			TOTAL:	367.93
SHORELAND COUNTRY CLUB	wellness-golf outing	RESTRICTED CONTRIB	CITY ADMINISTRATION	231.28
			TOTAL:	231.28
SOUTHERN MN CONSTRUCTION CO INC	2016 steel roller & cowboy	GENERAL FUND	STREETS	2,280.00

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	asphalt 57th manholes	GENERAL FUND	STREETS	261.56
	capital dr., 5th ,& pine a	WATER	DISTRIBUTION AND STORA	1,136.85
	class 5	WATER	ADMIN AND GENERAL	163.78
	class 5	WASTE WATER FUND	ADMIN AND GENERAL	163.78
	class 5	ENVIRON SERVICES F	ADMIN AND GENERAL	81.90
	class 5	ELECTRIC FUND	ADMIN AND GENERAL	409.46
			TOTAL:	4,497.33
SPRINT SOLUTIONS, INC.	phone bill	GENERAL FUND	FIRE	16.28
	phone bill	WATER	ADMIN AND GENERAL	39.99
			TOTAL:	58.27
SPS COMPANIES, INC. MANKATO	toilet parts	COMMUNITY CENTER	COMMUNITY CENTER	121.04
			TOTAL:	121.04
ST LOUIS MRO, INC.	drug testing	GENERAL FUND	SWIMMING POOL	24.75
			TOTAL:	24.75
ST PETER AMBASSADORS	grant for blues fest 06/1	RESTRICTED CONTRIB	CITY ADMINISTRATION	350.00
			TOTAL:	350.00
ST PETER AREA CHAMBER OF COMMERCE	volunteer appreciation	RESTRICTED CONTRIB	LIBRARY	75.00
			TOTAL:	75.00
ST PETER PUBLIC SCHOOLS	09/01/16 fall rec brochure	GENERAL FUND	RECREATION/LEISURE SER	1,116.61
			TOTAL:	1,116.61
ST PETER RENTAL CENTER	rider plate	WASTE WATER FUND	ADMIN AND GENERAL	9.95
			TOTAL:	9.95
STREICHER'S	returns	GENERAL FUND	POLICE	43.67
	under vest shirt	GENERAL FUND	POLICE	34.99
	name plate	GENERAL FUND	POLICE	7.99
	ammo	GENERAL FUND	POLICE	560.00
	uniform	GENERAL FUND	POLICE	78.00
			TOTAL:	637.31
SWANK MOTION PICTURES INC	licence fee's reimbursemen	GENERAL FUND	RECREATION/LEISURE SER	303.00
			TOTAL:	303.00
TASER INTERNATIONAL	taser cartridges	GENERAL FUND	POLICE	703.30
	taser maintenance plan	GENERAL FUND	POLICE	2,035.00
			TOTAL:	2,738.30
THE SUITES HOTEL AT WATERFRONT PLAZA	3 rooms for 3 night for aw	WATER	ADMIN AND GENERAL	1,178.61
			TOTAL:	1,178.61
TIGERDIRECT.COM	ups replacement	LIBRARY FUND	LIBRARY	55.95
	ups replacement	WASTE WATER FUND	ADMIN AND GENERAL	55.95
			TOTAL:	111.90
TIRE ASSOCIATES	blades	GENERAL FUND	PARKS	27.88
			TOTAL:	27.88
UNITED RENTALS AERIAL EQUIPMENT	mortar	WASTE WATER FUND	COLLECTOR/LIFT STAT	273.00
			TOTAL:	273.00

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
US AUTO FORCE	tires	GENERAL FUND	POLICE	736.46
	squad tires	GENERAL FUND	POLICE	506.36
	tires for squad	GENERAL FUND	POLICE	<u>225.12</u>
			TOTAL:	1,467.94
USA BLUE BOOK	lab supplies	WATER	PURIFICATION AND TREAT	881.48
	solution	WATER	PURIFICATION AND TREAT	46.55
	plugs	WASTE WATER FUND	COLLECTOR/LIFT STAT	<u>137.64</u>
			TOTAL:	1,065.67
VERIZON WIRELESS	cell phone charges	GENERAL FUND	POLICE	<u>341.88</u>
			TOTAL:	341.88
VERNON MANUFACTURING	bulk water bill repair	WATER	DISTRIBUTION AND STORA	<u>200.00</u>
			TOTAL:	200.00
VISA	budget lunch meeting, dept	GENERAL FUND	CITY ADMINISTRATION	137.93
	cards	GENERAL FUND	POLICE	3.24
	meal	GENERAL FUND	FIRE	7.49
	parts for #276 and a/c blo	GENERAL FUND	FIRE	252.05
	plumbing code class	GENERAL FUND	BUILDING INSPECTOR	274.98
	flag football supplies	GENERAL FUND	RECREATION/LEISURE SER	256.41
	craft supplies	GENERAL FUND	RECREATION/LEISURE SER	20.00
	supplies for theme day	GENERAL FUND	RECREATION/LEISURE SER	4.00
	craft supplies	GENERAL FUND	RECREATION/LEISURE SER	2.14
	return footballs's	GENERAL FUND	RECREATION/LEISURE SER	16.49-
	create-a-camp field trip	GENERAL FUND	RECREATION/LEISURE SER	205.00
	football rings for flag /	GENERAL FUND	RECREATION/LEISURE SER	815.00
	vip pool and pizza party	GENERAL FUND	RECREATION/LEISURE SER	156.88
	general rec programming	GENERAL FUND	RECREATION/LEISURE SER	19.45
	lunch meeting	GENERAL FUND	RECREATION/LEISURE SER	9.72
	srp 16	LIBRARY FUND	LIBRARY	11.00
	mn awwa annual conf.	WATER	ADMIN AND GENERAL	735.00
	boiler lic. renewal	WATER	ADMIN AND GENERAL	20.00
	earplugs	WASTE WATER FUND	ADMIN AND GENERAL	119.00
	parking for compost traini	ENVIRON SERVICES F	ADMIN AND GENERAL	12.00
	shoes	STORMWATER FUND	ADMINISTRATION AND GEN	114.99
ntu supplies	RESTRICTED CONTRIB	POLICE	199.91	
paws supplies	RESTRICTED CONTRIB	COMMUNITY SERVICE	<u>11.73</u>	
		TOTAL:	3,371.43	
VON ESSEN TOWING	tire repair & towing servi	GENERAL FUND	POLICE	122.00
	tire repair & towing servi	GENERAL FUND	POLICE	<u>60.00</u>
			TOTAL:	182.00
WESCO DISTRIBUTION INC	#392 1/0 short splice	ELECTRIC FUND	NON-DEPARTMENTAL	465.20
	#422 heat sleeves	ELECTRIC FUND	NON-DEPARTMENTAL	<u>823.40</u>
			TOTAL:	1,288.60
WHY NOT EVENTS	movies in the park supplie	GENERAL FUND	RECREATION/LEISURE SER	<u>1,500.00</u>
			TOTAL:	1,500.00
WOLF MOTOR COMPANY, INC.	#708 latch & retainer	ELECTRIC FUND	POWER DISTRIBUTION	92.75
	#708 retainer	ELECTRIC FUND	POWER DISTRIBUTION	4.20
	#140 reservoir vac	TRANSIT	TRANSIT/TRANSPORTATION	<u>29.79</u>
			TOTAL:	126.74

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
XCEL ENERGY	hwy 22 budge lights	GENERAL FUND	STREETS	38.45
			TOTAL:	38.45
ZIEGLER INC	#48 dryer	GENERAL FUND	STREETS	106.03
	#48 plug kit	GENERAL FUND	STREETS	37.58
	#48 lights	GENERAL FUND	STREETS	395.12
	#48 lens	GENERAL FUND	STREETS	34.68
			TOTAL:	573.41

***** FUND TOTALS *****

101	GENERAL FUND	80,720.99
211	LIBRARY FUND	4,885.94
213	PUBLIC ACCESS	13.36
217	COMMUNITY CENTER	7,014.28
404	PARK LAND DEDICATION	853.13
460	HOUSING DISTRICT #20	21,485.79
601	WATER	64,479.31
602	WASTE WATER FUND	35,827.40
603	ENVIRON SERVICES FUND	4,675.00
604	ELECTRIC FUND	31,371.17
606	STORMWATER FUND	5,726.60
610	TRANSIT	5,517.94
820	RESTRICTED CONTRIBUTIONS	1,482.68

 GRAND TOTAL: 264,053.59

TOTAL PAGES: 13

CITY OF SAINT PETER, MINNESOTA

RESOLUTION NO. 2016 –

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>
H & L Mesabi	Cutting Edges	\$8,744.73	General

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

Temporary Gambling License

Gustavus Adolphus College	800 West College Ave.	10/29/16
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Temporary On Sale Liquor

St. Peter Ambassadors	Parking Lot #5	9/22/16 – 9/24/2016
Arts Center of St. Peter	315 S MN	11/5/16

Temporary Dance License

St. Peter Ambassadors	Parking Lot #5	9/22/16 – 9/24/2016
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3. The following employee appointment is hereby approved at the wage indicated:

<u>NAME</u>	<u>POSITION</u>	<u>WAGE RATE</u>
Annette Schatz	PT Circulation Clerk	\$9.50/hour

4. The following individuals are hereby appointed to serve as Election Judges for the November 8, 2016 general election:

Jolene Westphal	Diane Frauendienst	Max Hailperin
Maria Alvarez-Sanchez	Todd Prafke	Ronald Lachmiller
Edith Thorstensson	Samuel Sanda	Elizabeth Bueno

Jack Beahler

Hilary Wickenhauser

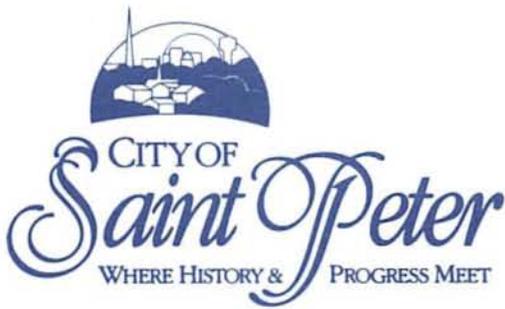
5. Matt Ulman is hereby appointed as Fire Chief for the term October 9, through December, 31, 2019.
6. The schedule of disbursements for August 18, 2016 through September 7, 2016 is hereby approved.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota this 12th day of September, 2016.

Charles Zieman
Mayor

ATTEST:

Todd Prafke
City Administrator



Memorandum

TO: Todd Prafke
City Administrator

DATE: August 31, 2016

FROM: Pete Moulton
Director of Public Works

Jeff Knutson
Water Resource Superintendent

RE: Traverse Road Sanitary Sewer and Watermain Improvements Project Final Acceptance

ACTION/RECOMMENDATION

Accept the Traverse Road Sanitary Sewer and Watermain Improvements Project as completed and authorize final payment to Chard Tiling and Excavating of Belle Plaine, Minnesota in the amount of \$11,562.40.

BACKGROUND

In preparation for development of the new Traverse Green Subdivision, the water and sewer utility extended from its current mains a 10" watermain and 12" sanitary main to the west of CASH 20 in the fall of 2015. Chard Tiling and Excavating of Belle Plaine, Minnesota was awarded the bid.

City staff has provided on-site inspections during the construction and the project has been completed as per the plans and specifications and has passed all utility testing requirements. I recommend acceptance of the project as completed and request authorization to make final payment to Chard Tiling and Excavating, Inc. in the amount of \$11,562.40. The final project cost was \$7,231.15 under budget.

PROJECT SUMMARY:

Initial Project Cost	\$218,814.05
Completed Work to Date	\$211,582.90
<u>Total Amount Paid on Previous Estimates</u>	<u>\$200,020.51</u>
<i>Final Payment</i>	<i>- \$ 11,562.40</i>
 Total Project Cost	 \$211,582.90

It may be important for the Council to note that the Council policy is that projects that are awarded by formal bid must come back for final action and closeout. This is one of those projects.

FISCAL IMPACT:

Funding for the project was from Water and Wastewater fund reserves.

ALTERNATIVES/VARIATIONS:

Do Not Act: No further action will be taken without additional direction from the City Council.

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

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

Please feel free to contact us should you have any questions or concerns.

PM/JSK/amg



BOLTON & MENK, INC.[®]

Consulting Engineers & Surveyors

1960 Premier Drive • Mankato, MN 56001-5900

Phone (507) 625-4171 • Fax (507) 625-4177

www.bolton-menk.com

August 25, 2016

Pete Moulton
Director of Public Works
City of Saint Peter
405 W. St. Julien Street
Saint Peter, MN 56082

RE: Acceptance and Final Payment Recommendation
Traverse Road Sanitary Sewer and Watermain Improvements - 2015
BMI Project No. M14.110682

Dear Pete:

Enclosed are signed copies of Contractor's Estimate No. 3-Final in the amount of \$11,562.40, along with the Consent of Surety to Final Payment and IC-134 certifying the withholding of income tax. The project included the installation of 10-inch watermain and 12-inch sanitary sewer in the north and south ditches, respectively, of Traverse Road from Nicollet Avenue to the west side of the new Traverse Green Subdivision.

The final project cost of \$211,582.90 is about 3.5% less than the bid amount of \$218,814.05.

We believe the project has been constructed according to the plans and specifications and therefore, can recommend acceptance and final payment to Chard Tiling & Excavating, Inc.

Sincerely,

BOLTON & MENK, INC.

Jeffrey A. Domras, P.E.
Project Engineer

Enclosures

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CITY OF SAINT PETER, MINNESOTA

RESOLUTION NO. 2016 -

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

**RESOLUTION ACCEPTING TRAVERSE ROAD SANITARY SEWER AND WATER
IMPROVEMENTS PROJECT AND AUTHORIZING FINAL PAYMENT TO CHARD TILING
AND EXCAVATING**

WHEREAS, the Council awarded the bid for the Traverse Road Sanitary Sewer and Water Improvements Project to Chard Tiling and Excavating in October of 2015; and

WHEREAS, the contractor has completed the work as described in the plans and specifications; and

WHEREAS, the contractor has also completed testing requirements for installation of utilities and public infrastructure.

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

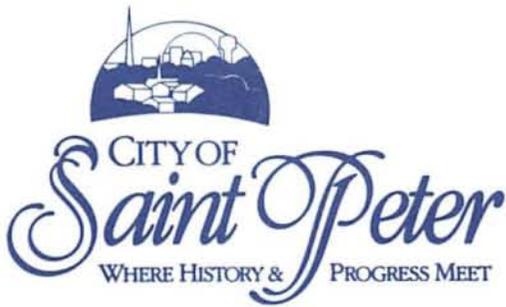
1. The Traverse Road Sanitary Sewer and Water Improvements Project is hereby accepted as completed.
2. Staff is directed to make final payment to Chard Tiling and Excavating of Belle Plaine, Minnesota in the amount of \$11,582.90.
3. Funding for the project shall be from Water and Wastewater reserve funds.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 12th day of September, 2016.

Charles Zieman
Mayor

ATTEST:

Todd Prafke
City Administrator



Memorandum

TO: Todd Prafke
City Administrator

DATE: 09/07/16

FROM: Russ Wille
Community Development Director

RE: Revolving Loan Request: Bushaw

ACTION/RECOMMENDATION

Approve a \$20,000 revolving loan to David and Tressa Bushaw to partially finance the restoration and drainage improvements to the historic property at 401 South Minnesota Avenue.

BACKGROUND

David and Tressa Bushaw own the historic commercial structure at 401 South Minnesota Avenue. The ground floor retail space is currently occupied by the St. Peter Thrift Store which is operated by the Church of St. Peter.

The 401 South Minnesota Avenue property is within the Central Business District as well as the Saint Peter Heritage Preservation District. Additionally, the property is also within the confines of the St. Peter Commercial Historic District as designated by the National Register of Historic Places and is considered to be a "contributing building".

The property has settled and stormwater pools against the exterior foundation of the building. After rainfall events, water penetrates the foundation and seeps into the basement of the structure. The continued freeze/thaw cycle of the Minnesota climate has formed cracks and flaking to the base of the structure's perimeter.

To remedy the matter, David Bushaw has solicited quotes from area contractors to remove the existing parking surface, regrade the lot to ensure proper drainage and re-establish the concrete/asphalt parking area. Once completed, the regrading will significantly improve the drainage of the lot away from the structure and into the municipal stormwater collection system. This vital repair is expected to significantly add to the life of this important historic asset.

Mr. Bushaw also solicited bids from area contractors to provide for tuck pointing of the west, east and north exterior brick walls of the structure. Once again, this regular maintenance of the structure will add to the life cycle of the building.

The cost of the project has been established utilizing the quotes received from qualified, local contractors. The accepted quotes are as follows:

<u>Contractor</u>	<u>Service</u>	<u>Quote</u>
Nielsen Blacktopping, Inc.	Re-grading/Parking	\$11,245
Johnson Building Restoration	Tuck Pointing	<u>\$11,000</u>
	TOTAL:	\$22,245

David and Tressa Bushaw have requested a \$20,000 revolving loan from the newly established CBD Renovation/Accessibility Enhancement Loan program to partially finance the renovation and repair of the 401 South Minnesota Avenue property. This would represent 89.9% of the identified project costs. The applicants would make a \$2,245 cash contribution to complete the project financing.

In 2005, Bushaw Properties, LLC (wholly owned by David and Tressa Bushaw), received a \$40,000 revolving loan from the EDA to finance improvements to the mechanical and plumbing systems of the 216/218 South Minnesota Avenue property that they owned at the time. All payments of the 2005 loan were made as due, when due, and in the full amount due establishing a "perfect" repayment history. The loan was repaid in full as the property was sold.

A review of the financial performance of the 401 South Minnesota Avenue property as well as the personal financial statement of David and Tressa Bushaw was undertaken by the Community Development Director. The review suggests the high likelihood that the note would be honored and that cash flows are sufficient to absorb the additional monthly payments of \$166.67 necessary to retire the debt.

The guidelines for the CBD Renovation/Accessibility Enhancement loan program requires the recording of a subordinate mortgage to fully collateralize the debt. The Nicollet County Appraiser has established an Estimated Market Value of \$288,800 for taxation purposes. A review of recorded documents at the Nicollet County Courthouse identified that on August 9, 2013, a mortgage was recorded against the property to the benefit of Hometown Bank in the amount of \$140,000. As such, a subordinate mortgage recorded against the property in the amount of \$20,000 would be of sufficient value.

The Heritage Preservation Commission (HPC) has reviewed the proposed renovation and repair of the 401 South Minnesota Avenue property submitted by the applicants. The HPC has given their consent to the planned repair and renovation.

The Economic Development Authority reviewed the Bushaw application at their August 25, 2016 meeting. It is their recommendation that the City Council approve a CBD Renovation/Accessibility Enhancement revolving loan for David and Tressa Bushaw to partially finance the renovation/repair of the 401 South Minnesota Avenue property.

The loan would be secured by a promissory note and subordinate mortgage. Given that the loan would be made to David and Tressa Bushaw, no personal guarantee would be necessary.

As the project was reviewed by the HPC and EDA, both entities suggested that Mr. and Mrs. Bushaw assess the ability to enhance the handicapped accessibility of the property via an alteration to the sidewalk abutting the property. The City will assist the Bushaws in determining if the sidewalk could be appropriately ramped to provide wheelchair access to the property.

If it is determined that the handicapped accessibility could be reasonably improved without creating an excessive sloping of the sidewalk, the EDA suggests that the loan could be amended to add the cost of the enhancement.

FISCAL IMPACT:

A \$20,000 revolving loan would be made to David and Tressa Bushaw to partially finance the repair/renovation of the 401 South Minnesota Avenue property. The note would be amortized over ten years and would be interest free. The last \$5,000 in loan principal would be forgiven if an acceptable repayment history is maintained.

Monthly payments of \$166.67 would be required to successfully retire the note as per the promissory note.

ALTERNATIVES/VARIATIONS:

Do not act: The Council would be asked to consider the matter at a future meeting.

Negative Votes: The Bushaw's would be notified of the denial.

Modification of the Resolution: This is always an option of the Council. However, any altered terms would need to be accepted by the loan applicant.

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

RJW

CITY OF SAINT PETER, MINNESOTA

RESOLUTION NO. 2016 -

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

**RESOLUTION APPROVING \$20,000 CENTRAL BUSINESS DISTRICT
RENOVATION/ACCESSIBILITY ENHANCEMENT REVOLVING LOAN TO DAVID AND
TRESSA BUSHAW TO PARTIALLY FINANCE THE RENOVATION AND REPAIR OF 401
SOUTH MINNESOTA AVENUE**

WHEREAS, the Economic Development Authority (EDA) administers the Revolving Loan programs; and

WHEREAS, the City has established the Central Business District Renovation/Accessibility Enhancement Revolving Loan Program to make interest free loans to renovate the historic properties within the Central Business District; and

WHEREAS, the EDA was granted power to administer all of the loan programs and to make recommendations to the City Council for disbursement of new loans; and

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

WHEREAS, David and Tressa Bushaw have submitted an application requesting funds to partially finance the repair and renovation of the building at 401 South Minnesota Avenue; and

WHEREAS, the scheduled improvements and repairs are expected to significantly enhance the continued structural integrity and lifecycle of the historic property; and

WHEREAS, the project is an eligible activity of the revolving loan; and

WHEREAS, the Heritage Preservation Commission has reviewed the planned renovation/repair as per the terms of the Heritage Preservation regulations and has given their required consent; and

WHEREAS, the EDA has reviewed the loan request submitted by David and Tressa Bushaw and has recommended approval of the loan as requested by the applicant.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA, THAT: The City Council approves a \$20,000 Central Business District Renovation/Accessibility Enhancement revolving loan to David and Tressa Bushaw (husband and wife) to partially finance the repair/renovation of the structure at 401 South Minnesota Avenue under the following terms:

1. The loan shall be amortized on a straight ten (10) year schedule.
2. The interest rate of the loan shall be fixed at zero percent (0%).

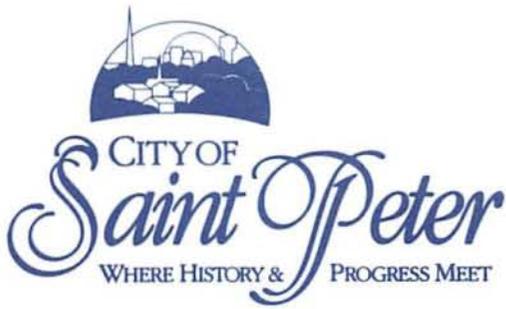
3. The loan shall be secured by a subordinate mortgage in the amount of \$20,000, recorded against the 401 South Minnesota Avenue property.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 12th day of September, 2016.

Charles Zieman
Mayor

ATTEST:

Todd Prafke
City Administrator



Memorandum

TO: Honorable Mayor Zieman
Members of the City Council

DATE: 9/6/2016

FROM: Todd Prafke
City Administrator

RE: SMMPA Agency Agreement Discussion

ACTION/RECOMMENDATION

Approve the attached Agency Agreement amendment with Southern Minnesota Municipal Power Agency.

BACKGROUND

As you know, SMMPA has asked for amendments to the Agency Agreement the City has with the organization. The City retained a Special City Attorney, Michael Krikava of Briggs and Morgan, to assist with analysis of the proposed amendment. Mr. Krikava has reviewed the documents and provided a written analysis of his recommendations, a copy of which is attached for Council review and discussion. You received information from SMMPA at a previous workshop when David Geshwind and Chris Schoenherr came to discuss the Board and Agency's thought behind the proposed amendment.

In general, the amendment provides a set of ground rules for the development of partnerships related to what are now non-SMMMPA entities and future non-SMMPA entities to partner with SMMPA on projects. Those ground rules include practices related to voting and participation.

FISCAL IMPACT:

There is no direct fiscal Impact to this action.

ALTERNATIVES/VARIATIONS:

Do not act. You have done your due diligence related to this amendment but not all SMMPA members (total of 18) have yet agreed. Since your review is completed, it seems like a reasonably appropriate time to take action. All SMMPA members must agree before the amendment is approved

Negative vote. Staff will wait for additional direction from the Council. Depending on the reason for your negative vote the other partners in SMMPA may interpret your action in a number of different ways. However, I am confident that the Agency will want to work with you to help ensure your comfort with any changes to the Agency Agreement.

Modification of the resolution. This is always an option of the Council, but as is the norm any changes to the agreement would need additional discussion with SMMPA.

Please let me know if you have any concerns or questions on this agenda item.

TP/bal



2200 IDS Center
80 South 8th Street
Minneapolis MN 55402-2157
tel 612.977.8400
fax 612.977.8650

August 29, 2016

Michael C. Krikava
(612) 977-8566
mkrikava@briggs.com

CONFIDENTIAL
ATTORNEY-CLIENT
PRIVILEGED COMMUNICATIONS

Todd Prafke
City Administrator
City of St. Peter
St. Peter City Hall
227 South Front Street
St. Peter, MN 56082-2513



Re: Proposed Amendments to SMMPA Agency Agreement

Dear Mr. Prafke:

You retained Briggs and Morgan to review certain revisions being proposed to the 1977 Agency Agreement between the City of St. Peter (and other municipalities) and the Southern Minnesota Municipal Power Agency ("SMMPA" or the "Agency"). Specifically, you asked that I review the proposed amendments for form and to discuss with you potential issues arising out of the proposed amendments. I understand your biggest concern is the impact these amendments could have on SMMPA members' ability to take action in light of the Cities of Austin's and Rochester's ("Austin/Rochester") stated intention to leave the Agency at the end of their current contractual period.

I have reviewed the information you provided, including the 1977 Agency Agreement establishing SMMPA, the proposed First Amendment to the Agency Agreement, St. Peter's current power supply contracts, and a PowerPoint presentation prepared by SMMPA administration describing the proposed First Amendment. I also reviewed the operative Minnesota statute that authorizes and governs municipal power agencies such as SMMPA. In addition, on August 26, 2016, you, Pete Moulton and I had a telephone conference to discuss the proposed First Amendment and to address your concerns and points of interest. Based on all of that information, this Memorandum summarizes my review.

CONFIDENTIAL
ATTORNEY-CLIENT RELATIONSHIP
PRIVILEGED COMMUNICATIONS

Todd Prafke
August 29, 2016
Page 2

I. BACKGROUND

It is my understanding that the City of St. Peter is a member in good standing of SMMPA, having signed the original 1977 Agency Agreement that formed SMMPA, and a series of subsequent supply and service agreements. The Agency Agreement is the foundation document that created SMMPA and sets up the rights and obligations of the Agency and its member Cities. The Agency Agreement is based upon and governed by Minnesota Statutes, Section 453.51 through 453.62 (the "Act"), which permits Cities to join together to engage in the generation, transmission and local distribution of electricity in order to secure an adequate, economical and reliable supply of electricity. (See Agency Agreement, Section 1.)

Under the Act, the Agency "shall be deemed to be performing an essential governmental function and exercising a part of the sovereign powers of the state of Minnesota." Minn. Stat. § 453.54, subd. 1. As a Member, St. Peter is a requirements customer of SMMPA and has contracts in place to meet the City's energy supply requirements. St. Peter's obligations as a requirements customer of SMMPA are contractually scheduled to expire April 30, 2050. All other Requirements Members of SMMPA, except Austin/Rochester, also have requirements contracts with SMMPA running through April 30, 2050. Austin/Rochester, however, have requirements contracts with SMMPA that are scheduled to expire April 30, 2030.

It is my understanding that Austin/Rochester have announced their intention to allow their participation as requirements customers of SMMPA to expire on April 30, 2030. Expiration of Austin/Rochester's contracts with SMMPA in 2030, without more, would result in the withdrawal of these Cities from the Agency for all purposes, meaning that the remaining SMMPA members, including St. Peter, would continue on with the Agency but without Austin/Rochester's participation. It is my understanding that Austin/Rochester are SMMPA's two largest members. Presumably, withdrawal of these two Cities would result in cost shifts, allocation adjustments, and other business impacts on the remaining members as well as on SMMPA itself.¹

Apparently SMMPA has decided to pursue a potential alternative path, short of losing Austin/Rochester entirely by restructuring the relationship with Austin/Rochester to allow their continued participation in a more limited fashion. To that end, SMMPA is proposing a *First Amendment to Agency Agreement* ("First Amendment") that effectuates certain specified changes to the contractual relationships among the Members, and especially creating a new contractual

¹ Note that you have not asked me to assess or consider the impact on St. Peter of the loss of Austin /Rochester as requirements members under the Agency Agreement.

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relationship that could be applied to Austin/Rochester (and potential new members) upon expiration of their requirements customer status.

The apparent overriding purpose for the First Amendment is:

[T]o enable [Austin/Rochester] to participate in contractual arrangements with the Agency following the expiration of their power sales contracts, and to provide an opportunity for other Minnesota cities to participate as members of the Agency solely with respect to specific generation, transmission or other projects on a contractual basis rather than on a requirements basis, among other matters;² (Emphasis added.)

The First Amendment allows for additional Members (beyond Austin/Rochester) to participate on specific contractual bases rather than as Requirements Members. Finally, the First Amendment includes certain “changes to the voting and quorum requirements, and the establishment of a project committee.”³ While these changes to the voting and quorum requirements are also related to planning for the departure of Austin/Rochester, they also have more general application, as discussed below.

II. DISCUSSION

Broadly speaking, the revisions contained in the proposed First Amendment fall into two categories: creation of a new category of membership – Project Members – and revisions to voting and quorum requirements. I note that on July 18, 2016, SMMPA held a workshop to discuss the amendments. In that workshop, SMMPA provided a PowerPoint presentation that summarizes the revisions proposed in the First Amendment. I believe that this PowerPoint presentation does a reasonable job of outlining the categories of the amendments and includes useful information. I commend this presentation to the City’s attention.

² Reference taken from “Form Resolution of City Council”, Whereas Clause 4. This form of resolution was presented by SMMPA to facilitate St. Peter’s approval of the First Amendment. Note that you have not asked me to review the form resolution and I assume your City Attorney will advise you and the City Council on the proper form of approval, should the City decide to approve the First Amendment.

³ Reference taken from Form Resolution of City Council, Whereas Clause 8.

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I. Project Members

Section 1 of the First Amendment recites the purpose of the proposed revisions. This section is a good summary and may be helpful to briefing City Council members and other stakeholders about the reasons for the proposed revisions. Section 1 recites that Austin/Rochester have power sales contracts that terminate in 2030, whereas all other SMMPA members have contracts that go into 2050. The First Amendment refers to Austin/Rochester as the “Terminating Requirements Members” and St. Peter and the other remaining members as the “Requirements Members.” The First Amendment also refers to “Project Members” who will essentially be Austin/Rochester and any other Project Members identified or joining in the future.

Section 1 goes on to recite that it may be beneficial for all parties to “participate in such contractual arrangements with the Terminating Requirements Members which relate to interests in a specified project rather than on a requirements basis.” Finally, this clause sets up the concept of a “Project” that can be implemented jointly by the Agency and the Terminating Requirements Members. Essentially, a Project is broadly defined as “such property or interest therein or capacity thereof” as designated by SMMPA. An example of a Project could be joint development of a power plant by SMMPA and Austin/Rochester where SMMPA owns a specified share of the plant on behalf of the Requirements Members and Austin/Rochester own the remaining share.

The First Amendment is structured so that Austin/Rochester have the right to become Project Members upon expiration of their contracts in 2030. Some of the clauses are effective immediately and others are delayed until 2030.

Generally the First Amendment is structured to remove Austin/Rochester from obligations to SMMPA for general allocations and general costs and to make their obligations specific and limited to any Project that either (or both) of them pursue jointly with SMMPA. “[N]o Project Member shall be liable for any indebtedness incurred, assessments made and/or any other pecuniary liability in connection with any such matters other than with respect to pecuniary matters relating to the Project or Projects in which it participates.” (Section 2(C).) While the obligations are limited, it is notable that the First Amendment authorizes up to two Project Members to sit on the SMMPA Board of Directors. (Section 4(F).) It may be appropriate for the City to consider the implications of the potential for Cities who do not carry a share of SMMPA’s general obligations to sit on its Board of Directors, which has authority over all matters and not just Projects.

Section 2(B) changes the voting rights of Members to align with the new relationship with Project Members. Essentially, Project Members retain the right to vote on general governance

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matters (admission/expulsion, termination, bylaws, Board of Directors). On financial matters (assessments, budgets, borrowings) Project Members' right to vote is limited to a vote "in connection with a Project." Specifically, "decisions relating to the issuance of bonds or notes of the Agency relating to a Project shall be determined on the Project Committee level subject to ratification by the Board of Directors."

Sections 2(C) and 2(D) further limit the Project Members' rights vis-à-vis general governance of the Agency. Project Members do not count toward a quorum except for those matters with which the Project Members have an interest as described in the preceding paragraph. Also, Project Members are not allocated a weighted vote.

Section 3 sets up the "Project Committee" for the purposes of governing the relationship between the Project Members and the remaining Requirements Members. This is perhaps the most important new material in the First Amendment. Section 3(A) sets up a framework by which "the Agency's participation in a Project shall be administered by a Project Committee"

Note that this clause contains substantial flexibility and creates a framework rather than hard and fast rules. This entire Section 3 is caveated so that a Project Committee can be governed "pursuant to contractual arrangements relating to a particular Project." Further, in each of the substantive paragraphs describing the formation, structure and responsibilities of a Project Committee, it begins with the same type of caveat: "Unless otherwise specifically stated in the Bylaws or in the contractual arrangements relating to a particular Project" (Emphasis added.)

This is an important point in that it gives SMMPA and Austin/Rochester broad latitude to design custom relationships to fit a particular Project. While there are sound commercial reasons for contracting parties to design that type of latitude, I suggest St. Peter consider its level of comfort with SMMPA and Austin/Rochester having the right to design their own arrangements for a particular Project outside of the Agency Agreement. Note that the Requirements Customers remain financially responsible for SMMPA's proportionate share of the costs of a Project so that the Requirements Customers (through SMMPA) have an interest in oversight of a Project. This question implicates St. Peter's and the other Requirements Customers' comfort in their governance of SMMPA to control SMMPA's contracting practices with Austin/Rochester.

Further under Section 3, if SMMPA and the Project Members choose to use the default committee structure, the provisions are fairly straightforward. The Project Committee has fairly typical rights to borrow money, execute contracts and interact both internally and externally. One notable limitation on the authority of the committee is found in the last sentence of Section 3(A), which provides: "The Project Committee's actions shall be of no effect until

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ratified by the Board of Directors.” This provides some governance control over the actions of a Project Committee (assuming the default procedures are used), although as noted previously, Austin/Rochester will have the right to have up to two seats on the Board of Directors.

If the default process is used for the Project Committee, the Project Committee will consist of Member(s) of the Project plus one representative of the Requirement Members. Action of the Project Committee would be by proportionate voting based on the shares of the Project.

There are a series of conforming changes that were made to implement the Project Member concept. These changes are consistent with the underlying purpose of the First Amendment and appear designed for facilitating the ability for SMMPA to contract with Austin/Rochester on specific Projects after they cease to be Requirements Members. These conforming changes include:

- Section 4(A) makes clear that if there become a “Future Project Member,” its obligations under the Agency Agreement are limited to costs “relating to the Project in which such Future Project Member will participate.”
- Section 4(B) addresses Cities’ right to withdraw from the Agency and clarifies that the obligations of a Project Member pertain only to the specific Project(s) when it comes to limitations on withdrawal from the Agency.
- Section 4(E) acknowledges the limitations on the rights and obligations of Project Members vis-à-vis the Board of Directors.
- Section 4(F) acknowledges that a Project Member can be on the Board of Directors but limits the right to no more than two Project Members.
- Section 4(H) clarifies that if SMMPA is dissolved a Project Member is only entitled to its share of the assets relating to the specific Project(s).
- Section 4(I) amends the Agency Agreement section on operating budgets to confirm that the Project Member is only entitled to vote on the budget as it pertains to a Project.

2. Voting and Quorum

The other main category of changes in the First Amendment pertain to modifications of the voting and quorum requirements under the Agency Agreement. While those changes pertain to some degree to the creation of the new Project Member classification, they also include broad changes to the way voting is structured. While I am not able to assess the precise impact these changes may have on St. Peter’s relative ranking among the Members, I will describe those changes for the City to consider whether and how those changes may impact St. Peter.

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Broadly speaking, these changes fall into three categories:

- a. Changes to reflect the new status of Austin/Rochester as Project Members;
- b. Changes to the formula for allocating weighted voting;⁴ and
- c. Changes to the circumstances when weighted voting is used.

From my perspective the third set of changes are potentially the most significant as they appear to somewhat change the relationship among the members. I have no basis to assess the practical impact of these changes but will describe them for the City to consider in light of its history with SMMPA and the other members.

- a. Changes to Reflect the New Status of Austin/Rochester

Many of the changes described in this section were previously addressed above. However, for ease of the reader, I will provide a summary of these changes here:

- Section 2(A) preserves St. Peter's right to vote on all matters as a Requirements Member.
- Section 2(B) restricts a Project Member's right to vote on matters of general governance and matters in connection with a Project.
- Section 2(C) provides that a Project Member is counted as part of a quorum only with respect to matters for which it has the right to vote.
- Section 2(D) states that "no Project Member shall be allocated a weighted vote."
- Section 4(I) allows a Project Member to vote on budgets only to the extent they are in connection with a Project.
- Section 4(J) addresses the quorum requirements for matters pertaining to both Project Members and Requirements Members. This clause clarifies a quorum is a majority of the total number of Representatives without weighted voting.
- Section 4(J) also addresses a quorum for matters pertaining only to Requirements Members. A quorum is the combination of a majority of the Representatives and a majority of the weighted votes. This requirement is, I believe, the same as in the past but may be applied differently since the weighting formula will change.

⁴ I note that on July 18, 2016, SMMPA held a workshop in St. Peter to discuss the amendments. Slide 9 from the PowerPoint presentation provides SMMPA's assessment of the relative impacts of removing Austin/Rochester and the changes to the formula for weighted voting. I have not independently verified the accuracy of this information.

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b. Changes to the Formula for Allocating Weighted Voting

First, it should be noted that a Project Member (Austin/Rochester) has no weighted voting rights.

Second, Section 4(D) of the First Amendment changes the formula for weighted voting effective after 2030. Previously, the formula included weighting to capacity purchases and included a component for non-SMMPA energy sales. According to SMMPA, the revisions in this Section simplify the weighted voting formula to now apply only to SMMPA sales and weight it equally between capacity and energy.

I do not know the practical impact of these changes but note that SMMPA's PowerPoint presentation, Slide 9 indicates that the shift in voting rights under the new formula is relatively small.

c. Changes to the Circumstances When Weighted Voting is Used

Since Project Members have no weighted voting rights at all under the First Amendment some additional changes were made to certain sections of the Agency Agreement that previously included weighted voting but which, post-2030, Austin/Rochester will have a vote. These issues are matters pertaining to:

- Admission/Expulsion of Members (Section 4(A) and Section 4(C))
- Amendments to the Agency Agreement (Section 4(K))
- Termination of Agency Agreement (Section 4(L))
- Bylaws Changes (Section 4(K))
- Election/Removal of Board Members (Section 4(G))

The First Amendment (Section 2(B)) gives Austin/Rochester the right to vote on these matters. But the original Agency Agreement had these subject to weighted voting. This creates something of a disconnect since Austin/Rochester's single votes would be meaningless if cast against the number of weighted votes under the old formula. SMMPA appears to have chosen to solve this disconnect by eliminating weighted voting for these items so that each City (including Austin/Rochester) has one vote.

This outcome presents an issue for consideration for St. Peter. Taking Austin/Rochester out of weighted voting after 2030 certainly mutes their influence on SMMPA governance. But St. Peter should consider what implications (if any) there are to reverting to straight "majority rules" voting on important governance matters such as amendments and Board elections. It may be that this change could operate to St. Peter's benefit by the elimination of Austin/Rochester's

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heavily-weighted position. However, I note that under the new language, the nine smallest members could successfully pass an outcome over the objections of larger members such as St. Peter and the other larger Cities.

III. CONCLUSION

Thank you for the opportunity to provide this review and analysis. I would be happy to answer any questions you may have.

Very truly yours,

BRIGGS AND MORGAN, P.A.

/s/ Michael C. Krikava

Michael C. Krikava

MCK/rh

AMENDMENT No. 1
to AGENCY AGREEMENT

Amendment No. 1 dated _____, 2016 ("Amendment No. 1") to the Agency Agreement dated April 1, 1977 creating the Southern Minnesota Municipal Power Agency (the "Agency") which agreement is on file with the Secretary of State of Minnesota in Book S-46 of Incorporations on page 300 (the "Original Agency Agreement;" such Original Agency Agreement as amended by this Amendment No. 1 is hereinafter referred to as the "Agency Agreement") between and among CITY OF AUSTIN, a city organized and existing under the laws of the State of Minnesota, CITY OF BLOOMING PRAIRIE, a city organized and existing under the laws of the State of Minnesota, CITY OF FAIRMONT, a city organized and existing under the laws of the State of Minnesota, CITY OF GRAND MARAIS, a city organized and existing under the laws of the State of Minnesota, CITY OF LAKE CITY, a city organized and existing under the laws of the State of Minnesota, CITY OF LITCHFIELD, a city organized and existing under the laws of the State of Minnesota, CITY OF MORA, a city organized and existing under the laws of the State of Minnesota, CITY OF NEW PRAGUE, a city organized and existing under the laws of the State of Minnesota, CITY OF NORTH BRANCH, a city organized and existing under the laws of the State of Minnesota, CITY OF OWATONNA, a city organized and existing under the laws of the State of Minnesota, CITY OF PRESTON, a city organized and existing under the laws of the State of Minnesota, CITY OF PRINCETON, a city organized and existing under the laws of the State of Minnesota, CITY OF REDWOOD FALLS, a city organized and existing under the laws of the State of Minnesota, CITY OF ROCHESTER, a city organized and existing under the laws of the State of Minnesota, CITY OF SAINT PETER, a city organized and existing under the laws of the State of Minnesota, CITY OF SPRING VALLEY, a city organized and existing under the laws of the State of Minnesota, CITY OF WASECA, a city organized and existing under the laws of the State of Minnesota, and CITY OF WELLS, a city organized under the laws of the State of Minnesota (herein referred to collectively as the "Cities") and any and all Minnesota cities becoming parties to the Agency Agreement in accordance with its terms after the date hereof (said cities together with the Cities being herein collectively referred to as the "Members"). Capitalized terms not otherwise defined in this Amendment No. 1 shall be as defined in the Original Agency Agreement.

WITNESSETH:

WHEREAS, the Original Agency Agreement created the Agency pursuant to Minnesota Statutes, Section 453.51 through 453.62, inclusive (herein referred to as the "Act," which term includes any amendment thereof); and

WHEREAS, each City is a Member of the Agency and is authorized either by the laws of the State of Minnesota or by its city charter adopted pursuant thereto to engage in the local distribution and sale of electric energy; and

WHEREAS, the Original Agency Agreement provides for the amendment thereof with the effectiveness of any amendment subject to certain conditions set forth in Section 9(L) of the Original Agency Agreement; and

WHEREAS, this Amendment No. 1 has been (a) approved by two-thirds of all of the Representatives, each casting one vote, (b) approved by the two-thirds of the total number of votes capable of being cast by all of the Representatives, in accordance with the weighted voting

formula described in Section 9(C) of the Original Agency Agreement, (c) approved and concurred in by Commission Resolutions and City Council Resolutions of two-thirds of all of the Members and (d) upon the filing with the Secretary of State as required by the Act of a certified copy of each such Resolution and this Amendment No. 1, this Amendment No. 1 shall be effective.

NOW, THEREFORE, each of the Cities and each of the Minnesota cities becoming a Member of the Agency after the date hereof, does hereby covenant and agree, each in consideration of the foregoing and in consideration of the covenants and agreements of the other; as follows:

Section 1. Purpose of Amendment No. 1. All of the Members of the Agency on the date hereof (except for the Cities of Austin and Rochester) have power sales contracts with the Agency with a term that remains in effect until April 1, 2050 (the "Continuing Members"). The Cities of Austin and Rochester (the "Terminating Requirements Members") have power sales contracts with an initial term ending on March 31, 2030 (the "Initial PSC Termination Date"). The Continuing Members, together with, prior to the Initial PSC Termination Date, the Terminating Requirements Members, are referred to herein as the "Requirements Members." The Terminating Requirements Members may wish to remain Members of the Agency after the Initial PSC Termination Date and participate in contractual arrangements with the Agency other than on the basis of the contractual arrangements between the Agency and the Requirements Members. The Agency also wishes to plan for its future needs and may determine that it is beneficial for the Agency and its Members for the Agency to participate in such contractual arrangements with the Terminating Requirements Members which relate to interests in a specified project rather than on a requirements basis. In addition, it may be beneficial to the Agency and its Members and Minnesota cities becoming Members after the date hereof to offer contractual arrangements with such future Members which relate to interests in a specified project rather than on a requirements basis (the "Future Project Members" or the "Project Members;" and, on and after the Initial PSC Termination Date, together with the Terminating Requirements Members participating in Projects, the "Project Members"). Prior to entering into any such contractual arrangements, the Board of Directors of the Agency shall designate such property or interest therein or capacity thereof as a "Project" (the "Project") for purposes of this Amendment No. 1. This Amendment No. 1 shall be effective upon its filing with the Secretary of State as required by the Act together with a certified copy of the resolutions referred to in the last "WHEREAS" clause hereof. However, certain provisions of this Amendment No. 1 may not take effect until the occurrence of certain events as specified in this Amendment No. 1. In addition, certain provisions herein may not take effect until the Initial PSC Termination Date.

Section 2. Matters Requiring Members' Approval. A. On and after any Member becomes a Project Member, Requirements Members shall be entitled to vote as a Representative on the matters requiring approval by the Representatives pursuant to Section 9(B) of the Original Agency Agreement except as otherwise set forth in this Section 2.

B. On and after any Member becomes a Project Member, Project Members shall be entitled to vote as a Representative on matters requiring approval by the Representatives pursuant to clauses (5), (6), (7) and (8) of Section 9(B) of the Original Agency Agreement. On and after any Member becomes a Project Member, as to matters requiring approval of the Representatives pursuant to clauses (2), (3) and (4) of Section 9(B) of the Original Agency Agreement, Project Members shall be entitled to vote as a Representative on such matters

requiring approval by the Representatives if such vote is in connection with a Project in which a Project Member has a pecuniary interest and matters relating to a Project shall be approved by the majority of the votes cast by the Representatives with each Representative entitled to one vote. On and after any Member becomes a Project Member, decisions relating to the issuance of bonds or notes of the Agency relating to a Project shall be determined on the Project Committee level subject to ratification by the Board of Directors.

C. On and after any Member becomes a Project Member, no Project Member shall be counted as a Representative for purposes of a quorum with respect to any of the matters enumerated in this Section 2 other than with respect to those matters for which Project Members shall be entitled to vote as a Representative pursuant to clause B of this Section 2 and no Project Member shall be liable for any indebtedness incurred, assessments made and/or any other pecuniary liability in connection with any such matters other than with respect to pecuniary matters relating to the Project or Projects in which it participates.

D. On and after any Member becomes a Project Member, no Project Member shall be allocated a weighted vote pursuant to Section 9(C) of the Agency Agreement.

E. On and after the Initial PSC Termination Date, Members shall consist of either Project Members or Requirements Members.

Section 3. Committee Governing Actions Relating to Projects. A. On and after the effective date of this Amendment No. 1, the Agency's participation in a Project shall be administered by a Project Committee which shall be established by the Board of Directors or pursuant to contractual arrangements relating to a particular Project. Such matters shall include, but not be limited to the following and are subject to the provisions of Section 9(B) of the Agency Agreement:

- (1) the issuance of bonds or notes of the Agency secured by the revenues and funds from such Project;
- (2) the execution by the Agency of any contract relating to such Project (other than contractual arrangements between the Agency and such Project Members relating to the applicable Project); and
- (3) representation on any committees relating to joint ownership of the Project.

The Project Committee's actions shall be of no effect until ratified by the Board of Directors.

B. Unless otherwise specifically stated in ~~the Bylaws or~~ in the contractual arrangements relating to a particular Project, a Project Committee shall consist of representatives of each of the Project Members participating in such Project and one representative for the Requirements Members. For purposes of clarity, for all purposes under this Section 3, prior to the Initial PSC Termination Date, the Terminating Requirements Members shall be included within the category of Requirements Members and, after the Initial PSC Termination Date, each Terminating Requirements Member participating in a Project shall for all purposes be an individual Project Member. The representative of the Requirements Members shall be selected

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by a majority vote of the Member Representatives of such Requirements Members with each Member Representative entitled to one vote. Each Project Committee shall meet as necessary to discuss matters relating to the applicable Project. Unless otherwise specifically stated ~~in the Bylaws or~~ in the contractual arrangements relating to a particular Project, a quorum exists at any meeting of a Project Committee when a majority of the members of the Project Committee are present and one of such members is the representative of the Requirements Members. Unless otherwise specifically stated ~~in the Bylaws or~~ in the contractual arrangements relating to a particular project, if a quorum exists, a majority vote of the members of the Project Committee present and comprising the quorum, each exercising the number of votes allotted to such member in accordance with clause C below, shall be necessary to take any action.

C. Unless otherwise specifically stated ~~in the Bylaws or~~ in the contractual arrangements relating to a particular Project, the number of votes that can be exercised by the members of the Project Committee shall be calculated as set forth in this clause C. The members of each Project Committee shall have an aggregate total amount of 100 votes. The allocation of such votes shall be based on percentage shares of the participants in the Project (as represented by the project percentages contained in the contractual arrangements between the Agency and the participants in such Project). For purposes of the foregoing, the Agency's percentage share in a Project shall be the percentage share of the Requirements Members. After the Initial PSC Termination Date, the Terminating Requirements Members shall each have its allocation of votes based on its percentage share of the Project and the Terminating Requirements Members shall each be a Project Member. Voting with respect to representatives of Project Members on the Project Committee shall be based on the total percentage shares of all Project Members in the Project. The number of votes on the Project Committee for each Project Member who is a member of the Project Committee shall be a number representing such Project Member's percentage share in the applicable Project calculated with respect to the aggregate total amount of 100 votes (by way of example, a 36.2% share in the applicable Project shall equal 36.2 votes out of the aggregate total of 100 votes). The total number of votes of the Requirements Members shall be a number equal to the total percentage share of the Agency in such Project calculated in the same manner as votes for each Project Member and shall be exercised by the representative of the Requirements Members on the Project Committee. Prior to any vote of representatives on the Project Committee on matters in connection with item (1) of clause A of this Section 3, the Requirements Members shall direct their representative on the Project Committee to cast the total number of votes of the Requirements Members on such matter or matters based on the results of a weighted vote on the question cast by the Member Representatives of such Requirements Members in accordance with Section 9(C) of the Original Agency Agreement. Any matters subject to such weighted vote shall be approved by a majority of weighted votes cast by the Member Representatives of the Requirements Members present. A quorum for purposes of such actions shall be that number of Member Representatives of Requirements Members which may, by weighted voting, cast a majority of the aggregate amount of votes capable of being cast by all Member Representatives of the Requirements Members.

D. Unless otherwise specified ~~in the Bylaws or~~ in the contractual arrangements relating to a particular Project, each Project Committee shall elect a chairperson who shall serve as the liaison between the Project Committee and the Agency staff. Unless otherwise specified herein, ~~in the Bylaws~~ or in the contractual arrangements relating to a particular Project, all procedural matters relating to meetings, notices of meetings, voting by proxy or determinations

as to removal or replacement of a member of the Project Committee shall be determined by the applicable Project Committee.

Section 4. Amendments to Original Agency Agreement.

A. Clauses 2 and 3 of Section 9(A) of the Original Agency Agreement are hereby amended to read as follows on and after the Initial PSC Termination Date:

(2) No such city shall become a Member of the Agency until (a) its admission is approved at an annual or special meeting of the Representatives by the affirmative vote of two-thirds of all Representatives of the then existing Members, each casting one vote, and (b) such city deposits with the Board of Directors or agrees to deposit with the Board of Directors an amount equal to a share of the costs and expenses incurred by the Agency prior to the date of admission of such city as a member of the Agency, as determined by the vote of a majority of the Representatives of the then existing Members, each casting one vote; provided, however, with respect to a Future Project Member such costs and expenses shall include only costs and expenses relating to the Project in which such Future Project Member will participate.

(3) The Board of Directors shall by resolution determine whether admission is approved by the required majority of the Representatives and, if it so determines, shall file certified copies of its resolution and the Commission Resolution and the City Council Resolution with the Secretary of State.

B. The second paragraph of clause 4 of Section 9(A) of the Original Agency Agreement is hereby amended to read as follows on and after any Member becomes a Project Member:

Any Member may withdraw from the Agency upon the following conditions: (a) the Member or its Representative shall have filed with the Board of Directors and the Secretary of State a certified copy of a Commission Resolution and, if the City is one in which the Commission is not the body charged by law with the general control of the City's governmental affairs, a certified copy of a City Council Resolution expressing its desire to so withdraw, (b) if the Agency, prior to the filing of such Commission Resolution and City Council Resolution, shall have incurred any obligation payable from assessments in accordance with Section 9(I) hereof which obligation matures after the date of such filing, the withdrawing Member shall have paid, or made arrangements satisfactory to the Board of Directors to pay, to the Agency its pro rata portion of such obligation, determined in accordance with Section 9(I) hereof, and (c) (i) if any obligations of the Agency (other than obligations with respect to a Project) shall be outstanding at the time, no Member shall be permitted to withdraw

from the Agency, if such withdrawal would reduce the number of Requirements Members remaining in the Municipal Power Agency to less than five (5) and (ii) if any obligations of the Agency incurred with respect to a Project shall be outstanding at the time, Project Members participating in such Project shall not be permitted to withdraw.

C. The last paragraph of clause 4 of Section 9(A) of the Original Agency Agreement is hereby amended to read as follows on and after the Initial PSC Termination Date:

Any Member which has (a) defaulted under a contract with the Agency, or (b) failed to pay its assessments in accordance with Section 9(I) hereof, may be expelled from the Agency at an annual or special meeting of the Representatives by the affirmative vote of a majority of the Representatives (including the Representative or Representatives of the defaulting Member), each casting one vote. The expulsion of a Member from the Municipal Power Agency shall not affect any obligations under any contract between the expelled Member and the Municipal Power Agency.

D. Section 9(C) of the Original Agency Agreement is hereby amended to read as follows on and after the Initial PSC Termination Date:

(C) Voting. Except as otherwise expressly provided in this Agency Agreement, each action at any meeting of the Representatives shall be taken by a majority of the votes cast on the question by the Representatives present, each exercising a number of votes allocated to the Member he or she represents as follows (referred to herein as a "weighted vote"):

(1) One vote for each full 5,000 megawatt hours of electric energy purchased by the Member from the Agency during the Agency's most recent Fiscal Year, under a full or partial requirements contract; plus

(2) One additional vote for each full megawatt of the peak amount of electric capacity purchased by the Member from the Agency during the Agency's most recent Fiscal Year, under a full or partial requirements contract; provided that

(3) If the votes allocated to any Member pursuant to clauses (1) and (2) would equal or exceed the total number of votes allocated to all other Members, its allocation of votes shall be reduced to one vote less than those allocated to all other Members.

The allocation of votes to each Member shall be made in accordance with the formula outlined above as soon as practicable after the beginning of each Fiscal Year. The allocation shall be made by the Secretary of the Agency based upon a certificate of

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the Commission of the Member, and such allocation shall be verified by the Board of Directors. Each such allocation shall remain effective until such time as a new allocation is made for the next Fiscal Year.

In the case of a new Requirements Member or Terminating Requirements Member with a new or modified requirements power sales contract, weighted votes will be determined under clauses (1) and (2) above for the first partial and full year of the new or modified power sales contract based on that Member's load characteristics from the prior year and the energy and capacity amounts expected to be provided by the Agency in that first partial and full year of the new or modified contract.

E. The first sentence of Section 9(E) of the Original Agency Agreement is hereby amended to read as follows on and after any new or existing Member becomes a Project Member:

Other than as set forth in Amendment No. 1 to the Original Agency Agreement, the powers of the Municipal Power Agency shall be exercised by the Board of Directors in which shall be vested all of the powers conferred on the Municipal Power Agency by the Act and this Agency Agreement other than those powers described in Section 9(B) hereof which shall require the approval of the Representatives.

F. Clause 3 of Section 9(E) of the Original Agency Agreement is hereby amended to add a sentence at the end of the first paragraph of such clause 3 to read as follows on or after any new or existing Member becomes a Project Member:

At no time shall the four Directors elected by the Representatives consist of more than two Project Members.

G. The second to last paragraph of clause 3 of Section 9(E) of the Original Agency Agreement is hereby amended to read as follows on and after the Initial PSC Termination Date:

Directors who have been elected may be removed for cause at a special meeting of the Representatives called for that purpose by the affirmative vote of two-thirds of the Representatives, each casting one vote.

H. Section 9(H)(3) of the Original Agency Agreement is hereby amended to read as follows on and after any new or existing Member becomes a Project Member:

If the Municipal Power Agency shall be dissolved after payment of all of its indebtedness, all of its assets shall be distributed to its Members; provided, however, a Project Member shall be entitled only to a distribution of its proportionate share of the assets of the

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Project or Projects in which it is participating at the time of the dissolution.

I. The second paragraph of Section 9(I) of the Original Agency Agreement is hereby amended to read as follows on and after any new or existing Member becomes a Project Member:

The Board of Directors shall submit the proposed annual operating budget, together with a proposed schedule as assessment payment dates, to the Representatives at the annual meeting or at a special meeting called for that purpose. Subject to the provisions of Amendment No. 1, the annual operating budget may be adopted by a majority of the votes cast by the Representatives at such meeting, including any adjourned session thereof. Upon approval of the annual operating budget, the net amount of estimated expenditures therein in excess of the estimated revenues therein shall be deemed assessed against the Members. The amount assessed against each Member shall be in the same proportion as the Member's weighted vote bears to the aggregate amount of votes capable of being cast by all Members. For such purposes, prior to the Initial PSC Termination Date, the Terminating Requirements Members shall be included in the weighted vote and the Terminating Requirements Members shall be assessed as Members as described in the foregoing sentence. Project Members shall be entitled to vote as Representatives on the annual operating budget to the extent permitted pursuant to clause B of Section 2 of Amendment No. 1. Assessments in connection with a particular Project shall be based on the percentage share of a Project participant in a particular Project calculated as set forth in clause C of Section 3 of Amendment No. 1. Upon the approval of the annual operating budget by the Representatives, the amount assessed against each Member shall become an obligation of the Member, enforceable, except as otherwise provided in this Section 9, as a contract right of the Agency. Such assessments shall be paid in accordance with the schedule prepared by the Board of Directors and submitted to the Representatives for their approval with the annual operating budget.

J. The first paragraph of Section 9(J) of the Original Agency Agreement is hereby amended to read as follows on and after the Initial PSC Termination Date:

With respect to voting involving both Project Members and Requirements Members, a quorum for a meeting of the Representatives shall consist of a majority of the total number of Representatives. With respect to voting involving only Requirements Members, a quorum for a meeting of the Representatives is (i) a majority of the total number of Representatives of Requirements Members, and (ii) that number of Representatives of Requirements Members which may, by

weighted voting, cast a majority of the aggregate amount of votes capable of being cast by all Representatives of Requirements Members.

K. Section 9(L) of the Original Agency Agreement is hereby amended to read as follows on and after the Initial PSC Termination Date:

This Agency Agreement may only be amended at a regular or special meeting of the Representatives for which notice stating the purpose shall be given to each Representative and any such amendment shall only become effective when (i) approved by two-thirds of all of the Representatives, each casting one vote, (ii) approved and concurred in by Commission Resolutions and City Council Resolutions of two-thirds of all of the Members, and (iii) when such amendment, together with certified copies of such Commission Resolutions and such City Council Resolutions are filed with the Secretary of State.

The Bylaws may only be amended by the affirmative vote of two-thirds of the Representatives present and voting at an annual or special meeting.

L. Section 9(M) of the Original Agency Agreement is hereby amended to read as follows on and after the Initial PSC Termination Date:

This Agency Agreement may be terminated by the vote of two-thirds of the Representatives, each casting one vote, at a regular meeting or a meeting specially called for that purpose, but not until after all debts of the Municipal Power Agency have been paid; and only upon the approval of same by two-thirds of the Members, as evidenced by Commission Resolutions and City Council Resolutions filed with the Board of Directors. Thereafter, the Board of Directors shall liquidate the business of the Municipal Power Agency as expeditiously as possible, distribute the net proceeds to the Members in the ratio that the total assessments made against each of them bears to the sum of the total assessments made against all of them, and file notice of such termination, together with such Commission Resolutions and City Council Resolutions, with the Secretary of State.

Section 5. Counterparts. Amendment No. 1 may be executed in any number of counterparts, all of which taken together shall constitute one and the same instrument and any of the parties hereto may execute Amendment No. 1 by signing any such counterpart.

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kew

IN WITNESS WHEREOF, the CITY OF AUSTIN, the CITY OF BLOOMING PRAIRIE, the CITY OF FAIRMONT, the CITY OF GRAND MARAIS, the CITY OF LAKE CITY, the CITY OF LITCHFIELD, the CITY OF MORA, the CITY OF NEW PRAGUE, the CITY OF NORTH BRANCH, the CITY OF OWATONNA, the CITY OF PRESTON, the CITY OF PRINCETON, the CITY OF REDWOOD FALLS, the CITY OF ROCHESTER, the CITY OF SAINT PETER, the CITY OF SPRING VALLEY, the CITY OF WASECA, and the CITY OF WELLS, have each caused this AMENDMENT NO. 1 to be executed and attested by a duly authorized officer, have each caused to be attached hereto the certified Resolution of its governing body, and the certified Resolution of its city council (or other body which is charged by law or its charter with the general control of such City's governmental affairs), and have caused this AMENDMENT NO. 1 to be filed with the Secretary of State of Minnesota, all as of the day and year first written above.

CITY OF AUSTIN

By _____
Mayor

By _____
President of Austin Utilities

By _____
Representative

(Seal)
Attest:
By: _____
City Clerk

CITY OF BLOOMING PRAIRIE

By _____
Mayor

By _____
Chairman of Public Utilities Commission

By _____
Representative

(Seal)
Attest:
By: _____
City Clerk

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CITY OF SAINT PETER, MINNESOTA

RESOLUTION NO. 2016 -

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

**RESOLUTION APPROVING EXECUTION OF SOUTHERN MINNESOTA MUNICIPAL
POWER AGENCY AMENDMENT NO. 1 TO AGENCY AGREEMENT**

WHEREAS, the City of Saint Peter, Minnesota (the "City"), together with certain other Minnesota cities (collectively, the "Members"), are parties to the Agency Agreement dated April 1, 1977 creating the Southern Minnesota Municipal Power Agency (the "Agency") pursuant to Minnesota Statutes, Section 453.51 through 453.62, inclusive (the "Act"), which agreement is on file with the Secretary of State of Minnesota in Book S-46 of Incorporations on page 300 (the "Agency Agreement"); and

WHEREAS, the City is a Member of the Agency; and

WHEREAS, certain Members, including the City of Saint Peter, have power sales contracts with the Agency with a term that remains in effect until April 1, 2050 (the "Continuing Members"), and other Members have power sales contracts with the Agency with a term ending on March 31, 2030 (the "Terminating Requirements Members"); and

WHEREAS, the Members wish to amend the Agency Agreement to set forth certain amendments to the Agency Agreement to enable Terminating Requirements Members to participate in contractual arrangements with the Agency following the expiration of their power sales contracts, and to provide an opportunity for other Minnesota cities to participate as members of the Agency solely with respect to specific generation, transmission or other projects on a contractual basis rather than on a requirements basis, among other matters; and

WHEREAS, there has been prepared and presented to this meeting for approval and concurrence a proposed form of Amendment No. 1 to the Agency Agreement (the "Amendment"); and

WHEREAS, the Agency Agreement provides for the amendment thereof upon (a) the approval of two-thirds of all of the Representatives (as defined in the Agency Agreement), each casting one vote, (b) approval by two-thirds of the total number of votes capable of being cast by all of the Representatives, in accordance with the weighted formula described in the Agency Agreement and (c) approval and concurrence by Commission Resolutions and City Council Resolutions of two-thirds of all of the Southern Minnesota Municipal Power Agency Members; and

WHEREAS, this City Council has carefully considered the amendments to the Agency Agreement reflected in the Amendment, including the changes to the voting and quorum requirements, and the establishment of a project committee.

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

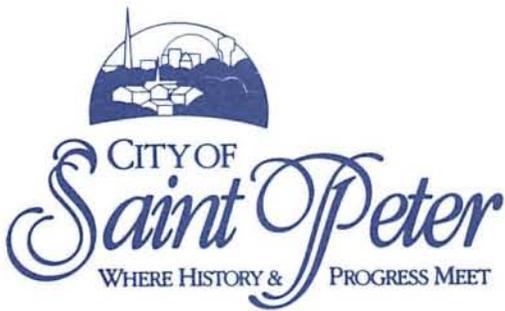
1. Determines that it is in the best interests of the City to enter into the Amendment; and
2. Approves the Amendment, in substantially the form provided to this City Council, and authorizes the City to enter into the Amendment; and
3. Authorizes the City Administrator and the Representative to execute and deliver the Amendment, subject to such changes as the City Administrator and the Representative may approve as necessary or desirable, such approval to be conclusively evidenced by the execution and delivery of the Amendment.
4. The City Administrator is hereby authorized and directed to affix to the Amendment a certified copy of this Resolution for submission to the Secretary of State of Minnesota in accordance with the requirements of the Act, and is further directed to maintain a copy of the Agency Agreement reference herein for public review in the City Administrator's Office.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 12th day of September, 2016.

Charles Zieman
Mayor

ATTEST:

Todd Prafke
City Administrator



Memorandum

TO: Todd Prafke
City Administrator

DATE: August 29, 2016

FROM: Jane Timmerman
Director of Recreation and Leisure Services

RE: SPPA Equipment Purchase/Contract for Production Services

ACTION/RECOMMENDATION

Approve purchase of new production equipment for public access and enter into a production agreement with Ryan Sturgis dba True Façade Pictures.

BACKGROUND

Over the past few years we have had a lot of difficulty with the equipment used to record City Council meetings. Some of the equipment, the video switcher for example, is over 15 years old. Our newest camera was purchased in 2012, but has already needed to be repaired. Most of the current setup needs to be replaced or updated.

Earlier this year we began exploring options to replace our current production equipment. We contacted three vendors, Alpha Video, EPA Audio Visual and True Façade and asked for setup and equipment recommendations and quotations. The only quotation received in a timely manner (within four weeks) was from True Façade Pictures/B & H Photo Video in the amount of \$19,104.84 plus installation. Alpha Video had staffing issues, but did end up submitting a quote of \$31,362.90 plus shipping and installation. We did not receive a quote from EPA Audio Visual.

At this time I recommend acceptance of the quote from True Façade/B & H for the Datavideo Production Bundle in the amount of \$19,104.84 plus installation. The equipment includes:

- Two Datavideo remote HD PTZ cameras and controller
- Datavideo SE-700 Video Switcher;
- Audio Mixer;
- Converter;
- Character Generator;
- 2 Wireless Microphones;
- Cables;
- Laptop;
- Training materials;
- Sony HXR-NX100 Camcorder; and
- Tripods.

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The new equipment will all work well together. Setup will be easier and allow for the recording of most meetings by one staff person. The cameras are all high definition (HD) and the equipment will enhance the video and audio recording quality of the meetings and also provide live streaming capability for the future.

If approved, the equipment would be purchased from B & H Photo Video and True Facade Pictures would assist with the setup and installation. B & H has provided excellent support in the past.

A few pieces of our current equipment will be kept but the rest will be declared surplus and offered for sale.

Please note that we do not anticipate a permanent installation. The equipment will be placed in rig boxes for use in a similar fashion to what is used now.

The proposed agreement with True Facade Pictures is based on their ability to provide the needed expertise to provide for the production related to City Council meetings, School Board meetings and other activities that occur from time to time as directed by the Council approved public access policy. As Councilmembers know we have been in an experimentation process with True Façade over the last few months. Their work and the activities undertaken have been an improvement over our previous model. The proposed contract is for one year with automatic renew unless 60 days' notice is provided. The cost is a \$25 per hour for service performed pricing model.

This is not a pure "turnkey" contract and some services will be needed from our current computer services staff which include integration with the "head end" of our PEG channel. I do believe that that the use of those staff hours will be somewhat reduced as Council has articulated at workshop the quality of the production has improved.

FISCAL IMPACT:

Funding for the equipment will come from funds that are dedicated solely for the purchase of equipment for public access through the cable television franchises with Mediacom and Consolidated Communications. We would expect installation to be less than \$500. The service contract will continue to fall within the budget, but will vary from time to time based on the number of productions. I expect that total cost for those contracted services to be less than \$6,000 per year.

ALTERNATIVES/VARIATIONS:

Do not act: No further action will be taken without additional direction from the City Council.

Negative vote: No further action will be taken.

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

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

JT/sb

**PUBLIC ACCESS PRODUCTION SERVICES CONTRACT
BY AND BETWEEN
CITY OF SAINT PETER And TRUE FAÇADE**

This Agreement is made and entered into this _____ day of June, 2016, by and between the City of Saint Peter, a Minnesota municipal corporation (CITY), and Ryan Sturgis, dba True Façade, True Façade Pictures, (TRUE FAÇADE).

WHEREAS, the CITY wishes to engage the services of TRUE FAÇADE to provide for production of certain public access programming; and

WHEREAS, the TRUE FAÇADE has the ability and desire to provide these services under the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual promises and agreements, the parties agree to the following

I. CITY hereby engages TRUE FAÇADE to provide the following services for Saint Peter Public Access:

A. Responsibility of TRUE FAÇADE:

1. Work with designated CITY staff to
 - a. Define the process to be followed
 - b. Actively participate in productions
 - c. Conduct equipment research as requested and needed.
 - d. Be available for consultation.

2. Provide the following services:
 - a. Production to include:
 - i. Capture City Council meetings
 - ii. Capture ISD #508 School Board meetings
 - iii. Capture League of Women Voters Candidate's Forums
 - iv. Capture other programs as requested by CITY and agreed upon by True Façade
 - v. Capture annual Fourth of July parade
 - vi. Edit footage
 - vii. Integrate Saint Peter Public Access (SPPA) branding
 - viii. Gather and supply existing content appropriate for SPPA viewing.
 - b. Research and recommend purchase of equipment which will be purchased by CITY.
 - c. Install, integrate and maintain all equipment

II. Terms of Contract –

- A. This contract shall be effective for a one year term beginning May 1, 2016 or upon such date as it is duly executed and shall remain in effect for one year with option to renew in one year increments.

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- B. **RIGHT TO TERMINATE** – Either party may terminate this agreement upon sixty (60) days written notice to the other party. Termination of the agreement without the sixty day written notice shall result in a monetary penalty to the non-terminating party of five hundred dollars (\$500).

III. **Terms of Payment** –

- A. TRUE FAÇADE shall invoice CITY at a rate of \$25 per hour on a monthly basis for services performed as indicated in Section I. Such invoice shall provide a line item break down of the charges and such additional detail as is necessary for CITY to properly distinguish the services provided.

Invoices shall be sent to CITY at the following address:

CITY OF SAINT PETER
DEPARTMENT OF RECREATION/LEISURE SERVICES
600 SOUTH FIFTH STREET
SUITE 200
SAINT PETER, MN 56082

- B. Payments by CITY shall be made within 45 days to TRUE FAÇADE at the following address:

TRUE FACADE
RYAN STURGIS
TRUE FACADE PICTURES
103 JAMES AVENUE
MANKATO, MN 56001

IV. **DAMAGE.** If TRUE FAÇADE damages any of CITY'S equipment during the term of this Agreement, by the act, default or negligence of TRUE FACADE, or of TRUE FACADE's agents or employees, TRUE FACADE will pay to the CITY upon demand such sum as shall be necessary to restore the equipment to their present condition.

TRUE FACADE hereby assumes full responsibility for the character, acts, and conduct of all persons allowed access to the City's equipment and/or buildings by the consent of TRUE FACADE or by or with the consent of any person acting for or on behalf of TRUE FACADE.

V. **Insurance.** It shall be the responsibility of TRUE FACADE to assure that its employees or any person acting on behalf of TRUE FAÇADE within CITY's premises or working with CITY'S equipment are covered by hazard and public liability insurance policies. The public liability insurance policy shall provide coverage at least in the amount of the CITY's maximum liability limits as set by statute which currently is established at \$1,500,000. TRUE FACADE shall provide CITY with a certificate of insurance naming CITY as an additional insured upon execution of the contract and shall keep said insurance in full force and effect during the term of the contract.

VI. **Indemnification.** TRUE FACADE covenants and agrees to save CITY harmless and to indemnify CITY against any claims or liabilities for compensation which may arise or accrue by reason of the work of TRUE FACADE, TRUE FACADE's agents, employees, patrons, guests or any person admitted to a CITY building or using CITY equipment by TRUE FACADE.

VII. Waivers. The failure of the CITY to insist on a strict performance of any of the terms and conditions of this Agreement shall not be deemed a waiver of any subsequent breach or default of any terms or conditions of this Agreement.

VIII. Notice. All notices to be given with respect to this Agreement shall be in writing. Each notice, (with the exception of invoices which shall be submitted as outlined in Section __ above) shall be sent by registered or certified mail, postage pre-paid and return receipt requested to the parties as follows:

CITY OF SAINT PETER
Attn: City Administrator
227 South Front Street
Saint Peter, Minnesota 56082

TRUE FACADE
Attn: Ryan Sturgis
103 James Avenue
Mankato, Minnesota 56001

IX. Assignment. This Agreement may not be assigned by either party without the written consent of the other party. The written consent shall not be unreasonably withheld.

X. Total Agreement. This Agreement contains the entire agreement between the parties and cannot be changed or terminated except by a written instrument executed by both parties. This Agreement and terms and conditions of the Agreement apply to and are binding on the legal representatives, successors and assigns of both parties.

XI. APPLICABLE LAW. THIS AGREEMENT SHALL BE GOVERNED BY AND CONSTRUED IN ACCORDANCE WITH THE LAWS OF THE STATE OF MINNESOTA.

XII. Further Assurances. Each of the parties agree to execute all documents and instruments and to take or to cause to be taken all action which are necessary or appropriate to comply with the terms of this Agreement.

XIII. Amendments, Supplements, etc. This Agreement may be amended or supplemented at any time by additional written agreements as may mutually be determined by the parties to be necessary, desirable, or expedient to further the purpose of this Agreement or to clarify the intention of the parties.

XIV. Rights Cumulative. All rights and remedies of each of the parties under this Agreement will be cumulative, and the exercise of one or more rights or remedies will not preclude the exercise of any other right or remedy available under this Agreement or applicable law.

XV. Severability. Any term or provision of this Agreement that is invalid or unenforceable will not be ineffective to the extent of such invalidity or unenforceability without rendering invalid or unenforceable but remaining rights of the party benefiting from the provision or any other provisions of this Agreement.

XVI. Execution of Counter-Parts. This Agreement may be executed by one or more counter-parts, each of which will be deemed an original, but all of which together shall constitute one and the same agreement.

XVII. No Reliance. CITY and TRUE FACADE represent to one another that each has read this Agreement and has obtained such advice from counsel as deemed appropriate under the

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CITY OF SAINT PETER, MINNESOTA

RESOLUTION NO. 2016-

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

**RESOLUTION AUTHORIZING PURCHASE OF PUBLIC ACCESS RECORDING EQUIPMENT
AND EXECUTION OF PRODUCTION SERVICES CONTRACT BETWEEN THE CITY AND
RYAN STURGIS DBA TRUE FAÇADE PICTURES**

WHEREAS, there are funds available in the public access fund for equipment purchases; and

WHEREAS, the City's current recording equipment is outdated and failing; and

WHEREAS, new production equipment for the recording of City Council meetings, School Board meetings, candidate forums, and other events is needed; and

WHEREAS, new equipment will be high definition and enhance the quality of the recordings; and

WHEREAS, recording of meetings can be done more efficiently and by one staff person using updated technology; and

WHEREAS, production services can be more effectively done if contracted to True Façade Pictures; and

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

1. Staff is authorized to provide for purchase of new recording equipment from B & H Photo Video in the amount of \$19,104.84.
2. Funding for the equipment purchase shall be from the public access fund.
3. The Mayor and City Administrator are authorized to execute a contract with Ryan Sturgis, dba True Façade Pictures, for public access production services.

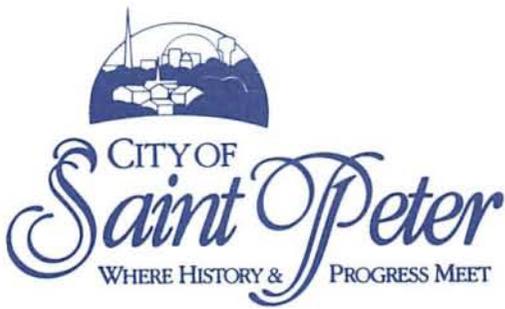
Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 12th day of September 2016.

Chuck Zieman
Mayor

ATTEST:

Todd Prafke
City Administrator

ldo



Memorandum

TO: Todd Prafke
City Administrator

DATE: 09/07/16

FROM: Russ Wille
Community Development Director

RE: Temporary Family Health Care Dwellings - (Granny Pods)

ACTION/RECOMMENDATION

Adopt the attached ordinance opting-out of 2016 Laws, Chapter 111, allowing Temporary Family Health Care Dwellings as authorized by the Legislature.

BACKGROUND

In the closing days of the 2016 Minnesota legislative session, the Legislature passed and Governor Dayton signed 2016 Laws, Chapter 111 providing for the permitting of Temporary Family Health Care Dwellings (TFHCD) within Minnesota cities.

The law essentially allows for the use of camper type trailers, or other similarly constructed enclosures, for temporary living quarters serving those with mental or physical ailments. Such use can be permitted for a 6 month period with a potential one time 6 month extension.

The law allows cities to opt out of the program. The law went into effect September 1, 2016, however the City retains the right to opt out at this time. No applications for Temporary Family Health Care Dwellings have been received as of this date.

Copies of the League of Minnesota Cities white paper on the matter is included for your review.

In consultation with City Attorney Brandt it was determined that a recommendation to opt out of the legislation would be forwarded to the Planning and Zoning Commission. At their August 18, 2016 special meeting, the Commission reviewed the legislation and recommended that the City Council exercise their authority to opt out of the TFHCD process established by the legislature.

While recommending to opt out of the legislation, the Commission did acknowledge that such dwellings may reasonably be established to accommodate those with such medical/mental conditions. The Commission has asked that the Community Development Director consider how such use could be accommodated within the existing municipal code.

As such, an ordinance has been prepared for City Council consideration which would opt out of Chapter 111 as recommended by the Planning and Zoning Commission.

Based on that recommendation the hearing held earlier in this meeting was scheduled as required under the law.

FISCAL IMPACT:

No fiscal impact associated with opting out of the legislation has been identified with the exception of the cost of publishing the ordinance and codifying it into the existing City Code.

ALTERNATIVES/VARIATIONS:

Do not act: City Staff will wait for additional direction and until further direction is provided by the Council, staff will start the work to establish a Temporary Family Health Care Dwelling application process to satisfy the legislation.

Negative Vote: Staff will assume that the Council would like to see a provision allowing use of these temporary dwellings and will work to establish a Temporary Family Health Care Dwelling application process to satisfy the legislation.

Modification of the Ordinance: This is always an option of the City Council at this time but time should be provided for a comprehensive review of any changes that are proposed from the floor.

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

RJW



Temporary Family Health Care Dwellings of 2016 Allowing Temporary Structures – What it means for Cities

Introduction:

On May 12, 2016, Gov. Dayton signed, into law, a bill creating a new process for landowners to place mobile residential dwellings on their property to serve as a temporary family health care dwelling.¹ Community desire to provide transitional housing for those with mental or physical impairments and the increased need for short term care for aging family members served as the catalysts behind the legislature taking on this initiative. The resulting legislation sets forth a short term care alternative for a “mentally or physically impaired person”, by allowing them to stay in a “temporary dwelling” on a relative’s or caregiver’s property.²

Where can I read the new law?

Until the state statutes are revised to include bills passed this session, cities can find this new bill at [2016 Laws, Chapter 111](#).

Does the law require cities to follow and implement the new temporary family health care dwelling law?

Yes, unless a city opts out of the new law or currently allows temporary family health care dwellings as a permitted use.

Considerations for cities regarding the opt-out?

These new temporary dwellings address an emerging community need to provide more convenient temporary care. When analyzing whether or not to opt out, cities may want to consider that:

- The new law alters a city’s level of zoning authority for these types of structures.
- While the city’s zoning ordinances for accessories or recreational vehicles do not apply, these structures still must comply with setback requirements.
- A city’s zoning and other ordinances, other than its accessory use or recreational vehicle ordinances, still apply to these structures. Because conflicts may arise between the statute and a city’s local ordinances, cities should confer with their city attorneys to analyze their current ordinances in light of the new law.

¹ [2016 Laws, Chapter 111](#).

² Some cities asked if other states have adopted this type of law. The only states that have a somewhat similar statute at the time of publication of this FAQ are North Carolina and Virginia. It is worth noting that some states have adopted Accessory Dwelling Unit (ADU) statutes to allow granny flats, however, these ADU statutes differ from Minnesota’s Temporary Health Care Dwelling law.

- Although not necessarily a legal issue for the city, it seems worth mentioning that the permit process does not have the individual with the physical or mental impairment or that individual's power of attorney sign the permit application or a consent to release his or her data.
- The application's data requirements may result in the city possessing and maintaining nonpublic data governed by the Minnesota Government Data Practices Act.
- The new law sets forth a permitting system for both cities and counties³. Cities should consider whether there is an interplay between these two statutes.

Do cities need to do anything to have the new law apply in their city?

No, the law goes into effect Sept. 1, 2016 and automatically applies to all cities that do not opt out or don't already allow temporary family health care dwellings as a permitted use under their local ordinances.

Do cities lose the option to opt out after the Sept. 1, 2016 effective date?

No, the law does not set a deadline for opting out, so cities can opt out after Sept. 1, 2016. However, if the city has not opted out by Sept. 1, 2016, then the city must not only have determined a permit fee amount⁴ before that date (if the city wants to have an amount different than the law's default amount), but also must be ready on that date to accept applications and process the permits in accordance with the short timeline required by the law. Cities should consult their city attorney to analyze how to handle applications submitted after Sept. 1, 2016, but still pending at the time of a later opt out.

What if a city already allows a temporary family health care dwelling as a permitted use?

If the city already has designated temporary family health care dwellings as a permitted use, then the law does not apply and the city follows its own ordinance. The city should consult its city attorney for any uncertainty about whether structures currently permitted under existing ordinances qualify as temporary family health care dwellings.

What process should the city follow if it chooses to opt out of this statute?

Cities that wish to opt out of this law must pass an ordinance to do so. The statute does not provide clear guidance on how to treat this opt-out ordinance. However, since the new law adds section 462.3593 to the land use planning act (Minn. Stat. ch. 462), arguably, it may represent the adoption or an amendment of a zoning ordinance, triggering the requirements of Minn. Stat. § 462.357, subd. 2-4, including a public hearing with 10-day published notice. Therefore, cities may want to err on the side of caution and treat the opt-out ordinance as a zoning provision.⁵

³ See Minn. Stat. §394.307

⁴ Cities do have flexibility as to amounts of the permit fee. The law sets, as a default, a fee of \$100 for the initial permit with a \$50 renewal fee, but authorizes a city to provide otherwise by ordinance.

⁵ For smaller communities without zoning at all, those cities still need to adopt an opt-out ordinance. In those instances, it seems less likely that the opt-out ordinance would equate to zoning. Because of the ambiguity of the

Does the League have a model ordinance for opting out of this program?

Yes. Link to opt out ordinance here: [Temporary Family Health Care Dwellings Ordinance](#)

Can cities partially opt out of the temporary family health care dwelling law?

Not likely. The opt-out language of the statute allows a city, by ordinance, to opt out of the requirements of the law but makes no reference to opting out of parts of the law. If a city wanted a program different from the one specified in statute, the most conservative approach would be to opt out of the statute, then adopt an ordinance structured in the manner best suited to the city. Since the law does not explicitly provide for a partial opt out, cities wanting to just partially opt out from the statute should consult their city attorney.

Can a city adopt pieces of this program or change the requirements listed in the statute?

Similar to the answer about partially opting out, the law does not specifically authorize a city to alter the statutory requirements or adopt only just pieces of the statute. Several cities have asked if they could add additional criteria, like regulating placement on driveways, specific lot size limits, or anchoring requirements. As mentioned above, if a city wants a program different from the one specified in the statute, the most conservative approach would involve opting out of the statute in its entirety and then adopting an ordinance structured in the manner best suited to the city. Again, a city should consult its city attorney when considering adopting an altered version of the state law.

What is required in an application for a temporary family health care dwelling permit?

The mandatory application requests very specific information including, but not limited to:⁶

- Name, address, and telephone number of the property owner, the resident of the property (if different than the owner), and the primary care giver;
- Name of the mentally or physically impaired person;
- Proof of care from a provider network, including respite care, primary care or remote monitoring;
- Written certification signed by a Minnesota licensed physician, physician assistant or advanced practice registered nurse that the individual with the mental or physical impairment needs assistance performing two or more “instrumental activities of daily life;”⁷

statute, cities should consult their city attorneys on how best to approach adoption of the opt-out ordinance for their communities.

⁶ New Minn. Stat. § 462.3593, subd. 3 sets forth all the application criteria.

⁷ This is a term defined in law at Minn. Stat. § 256B.0659, subd. 1(i) as “activities to include meal planning and preparation; basic assistance with paying bills; shopping for food, clothing, and other essential items; performing household tasks integral to the personal care assistance services; communication by telephone and other media; and traveling, including to medical appointments and to participate in the community.”

- An executed contract for septic sewer management or other proof of adequate septic sewer management;
- An affidavit that the applicant provided notice to adjacent property owners and residents;
- A general site map showing the location of the temporary dwelling and the other structures on the lot; and
- Compliance with setbacks and maximum floor area requirements of primary structure.

The law requires all of the following to sign the application: the primary caregiver, the owner of the property (on which the temporary dwelling will be located) and the resident of the property (if not the same as the property owner). However, neither the physically disabled or mentally impaired individual nor his or her power of attorney signs the application.

Who can host a temporary family health care dwelling?

Placement of a temporary family health care dwelling can only be on the property where a “caregiver” or “relative” resides. The statute defines caregiver as “an individual, 18 years of age or older, who: (1) provides care for a mentally or physically impaired person; and (2) is a relative, legal guardian, or health care agent of the mentally or physically impaired person for whom the individual is caring.” The definition of “relative” includes “a spouse, parent, grandparent, child, grandchild, sibling, uncle, aunt, nephew or niece of the mentally or physically impaired person. Relative also includes half, step and in-law relationships.”

Is this program just for the elderly?

No. The legislature did not include an age requirement for the mentally or physically impaired dweller.⁸

Who can live in a temporary family health care dwelling and for how long?

The permit for a temporary health care dwelling must name the person eligible to reside in the unit. The law requires the person residing in the dwelling to qualify as “mentally or physically impaired,” defined as “a person who is a resident of this state and who requires assistance with two or more instrumental activities of daily living as certified by a physician, a physician assistant, or an advanced practice registered nurse, licenses to practice in this state.” The law specifically limits the time frame for these temporary dwellings permits to 6 months, with a one-time 6 month renewal option. Further, there can be only one dwelling per lot and only one dweller who resides within the temporary dwelling

⁸ The law expressly exempts a temporary family health care dwelling from being considered “housing with services establishment”, which, in turn, results in the 55 or older age restriction set forth for “housing with services establishment” not applying.

What structures qualify as temporary family health care dwellings under the new law?

The specific structural requirements set forth in the law preclude using pop up campers on the driveway or the “granny flat” with its own foundation as a temporary structure. Qualifying temporary structures must:

- Primarily be pre-assembled;
- Cannot exceed 300 gross square feet;
- Cannot attach to a permanent foundation;
- Must be universally designed and meet state accessibility standards;
- Must provide access to water and electrical utilities (by connecting to principal dwelling or by other comparable means⁹);
- Must have compatible standard residential construction exterior materials;
- Must have minimum insulation of R-15;
- Must be portable (as defined by statute);
- Must comply with Minnesota Rules chapter [1360](#) (prefabricated buildings) or [1361](#) (industrialized/modular buildings), “and contain an Industrialized Buildings Commission seal and data plate or to American National Standards Institute Code 119.2”¹⁰; and
- Must contain a backflow check valve.¹¹

Does the State Building Code apply to the construction of a temporary family health care dwelling?

Mostly, no. These structures must meet accessibility standards (which are in the State Building Code). The primary types of dwellings proposed fall within the classification of recreational vehicles, to which the State Building Code does not apply. Two other options exist, however, for these types of dwellings. If these structures represent a pre-fabricated home, the federal building code requirements for manufactured homes apply (as stated in Minnesota Rules, Chapter 1360). If these structures are modular homes, on the other hand, they must be constructed consistent with the State Building Code (as stated in Minnesota Rules, Chapter 1361).

What health, safety and welfare requirements does this new law include?

Aside from the construction requirements of the unit, the temporary family health care dwelling must be located in an area on the property where “septic services and emergency vehicles can gain access to the temporary family health care dwelling in a safe and timely manner.”

What local ordinances and zoning apply to a temporary health care dwelling?

The new law states that ordinances related to accessory uses and recreational vehicle storage and parking do not apply to these temporary family health care dwellings.

⁹ The Legislature did not provide guidance on what represents “other comparable means”.

¹⁰ ANSI Code 119.2 has been superseded by NFPA 1192. For more information, the American National Standards Institute website is located at <https://www.ansi.org/>.

¹¹ New Minn. Stat. § 462.3593, subd. 2 sets forth all the structure criteria.

However, unless otherwise provided, setbacks and other local ordinances, charter provisions, and applicable state laws still apply. Because conflicts may arise between the statute and one or more of the city's other local ordinances, cities should confer with their city attorneys to analyze their current ordinances in light of the new law.

What permit process should cities follow for these permits?

The law creates a new type of expedited permit process. The permit approval process found in Minn. Stat. § 15.99 generally applies; however, the new law shortens the time frame within which the local governmental unit can make a decision on the permit. Due to the time sensitive nature of issuing a temporary dwelling permit, the city does not have to hold a public hearing on the application and has only 15 days (rather than 60 days) to either issue or deny a permit. For those councils that regularly meet only once a month, the law provides for a 30-day decision. The law specifically prohibits cities from extending the time for making a decision on the permit application. The new law allows the clock to restart if a city deems an application incomplete, but the city must provide the applicant written notice within five business days of receipt of the application identifying the missing information.

Can cities collect fees for these permits?

Cities have flexibility as to amounts of the permit fee. The law sets the fee at \$100 for the initial permit with a \$50 renewal fee, unless a city provides otherwise by ordinance

Can cities inspect, enforce and ultimately revoke these permits?

Yes, but only if the permit holder violates the requirements of the law. The statute allows for the city to require the permit holder to provide evidence of compliance and also authorizes the city to inspect the temporary dwelling at times convenient to the caregiver to determine compliance. The permit holder then has sixty (60) days from the date of revocation to remove the temporary family health care dwelling. The law does not address appeals of a revocation.

How should cities handle data it acquires from these permits?

The application data may result in the city possessing and maintaining nonpublic data governed by the Minnesota Government Data Practices Act. To minimize collection of protected health data or other nonpublic data, the city could, for example, request that the required certification of need simply state "that the person who will reside in the temporary family health care dwelling needs assistance with two or more instrumental activities of daily living", without including in that certification data or information about the specific reasons for the assistance, the types of assistance, the medical conditions or the treatment plans of the person with the mental illness or physical disability. Because of the complexities surrounding nonpublic data, cities should consult their city attorneys when drafting a permit application.

Should the city consult its city attorney?

Yes. As with any new law, to determine the potential impact on cities, the League recommends consulting with your city attorney.

Temporary Family HealthCare Dwellings
June 27, 2016
Page 7

Where can cities get additional information or ask other questions.

For more information, contact Staff Attorney Pamela Whitmore at pwhitmore@lmc.org or LMC General Counsel Tom Grundhoefer at tgrundho@lmc.org. If you prefer calling, you can reach Pamela at 651.281.1224 or Tom at 651.281.1266.

ORDINANCE NO. ____, THIRD SERIES

AN ORDINANCE AMENDING CITY CODE CHAPTER 24 "LAND USE REGULATIONS AND ZONING" SECTION 24-14 "GENERAL DESCRIPTION OF RESIDENTIAL USE TYPES" TO OPT OUT OF THE REQUIREMENTS OF MINNESOTA STATUTES SECTION 462.3593 AND ADOPTING BY REFERENCE SAINT PETER CITY CODE CHAPTER 1 SECTION 1-6, WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS

WHEREAS, on May 12, 2016, Governor Dayton signed into law the creation and regulation of temporary family health care dwellings, codified at Minn. Stat. §462.3593, which permit and regulate temporary family health care dwellings; and

WHEREAS, subdivision 9 of Minn. Stat. §462.3593 allows cities to "opt out" of those regulations.

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

Section 1. Chapter 24. City Code, Section 24-14 "General Description of Residential Use Types" is amended by the addition of the following:

- (9) Pursuant to authority granted by Minnesota Statutes, Section 462.3593, subdivision 9, the City of Saint Peter opts-out of the requirements of Minn. Stat. §462.3593, which defines and regulates Temporary Family Health Care Dwellings.

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

Section 3. All provisions of Chapter 1, Section 1-6 of the Saint Peter City Code are made a part hereof and applicable to this Ordinance.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 12th day of September, 2016.

ATTEST:

Todd Prafke
City Administrator

Charles Zieman
Mayor

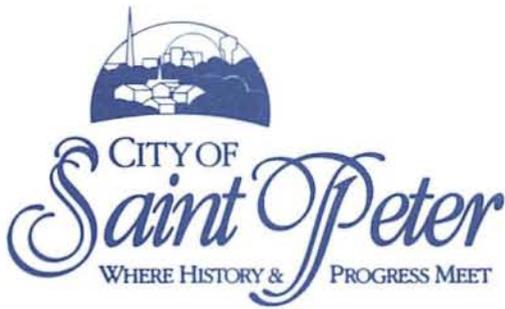
The foregoing Ordinance was adopted by the following votes:

Ayes:

Nays:

Absent:

Published in the *Saint Peter Herald* on _____, 2016.



Memorandum

TO: Honorable Mayor Zieman
Members of the City Council

DATE: 9/6/2016

FROM: Todd Prafke
City Administrator

RE: Request For City Assistance: Haunted Hayrides

ACTION/RECOMMENDATION

Provide approval for City assistance for a fundraising event sponsored by the Nicollet County Trails Association in Riverside Park on October 20-22 and October 28-29, 2016.

BACKGROUND

The Nicollet County Trails Association has submitted a request for City assistance for a fundraising event to be held on two weekends in October in Riverside Park. The hayrides would begin and end at the Mill Pond area of Riverside Park, but would mostly take place within the southern portion of the park south of the Mill Pond and east of the homes along South Front Street. This is their second year and their request includes an expansion in days, hours and activities.

The minimum maintenance road that would be utilized to enter this area of Riverside Park is normally blocked by large concrete barricades. These would be temporarily removed by the City. City employees access this section of the park on Walnut Street and utilize the area for snow storage during the winter.

With the exception of having the event on two separate weekends and allowing activity until 11:00 p.m., the request is similar to that submitted in 2015. We have met with organizers of the event to address concerns and/or safety issues and they have been very accommodating in addressing any and all issues we brought up. My specific recommendations for approval of this request are included on the proposed resolution.

Funds raised by the event will be used to groom and maintain snowmobile trails in and around Saint Peter.

The organizers would be required to submit a certificate of insurance naming the City as an additional insured in an amount of not less than \$1,500,000 per occurrence. This is the same requirement other community event organizers must comply with.

FISCAL IMPACT:

The expected fiscal impact to the City is \$1,000.

Please also note that the group did a positive job of fixing any damage to the park that was caused mostly due to one night of rainy weather last year. Due to higher water along the Minnesota River the use of the road will be limited and not extend as far south this year.

ALTERNATIVES/VARIATIONS:

Do Not Act: Should the Council choose to take no action on the request, Association officials will be notified and the event will not take place.

Negative vote: Association officials will be notified and the event will not take place in the City park.

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

City of ST. Peter Copy

This year, the Nicollet County Trails Association is requesting permission to host A five day event, split among the following days:

• MEA Weekend

Thursday • October 20th

Friday • October 21st

Saturday • October 22nd

• Last Weekend of October

Friday • October 28th

Saturday • October 29th ←

Kids Events, Corn Pit, Mini Train,
Pumpkin Painting, Photo Props, 12 pm to
4 or 5 pm or 12 pm to Dusk?



2016 NCTA Haunted Hayride

Put on by Active Nicollet County Trail Association Members & Volunteers

When: Thursday October 20th - 22nd, October Friday 28th - 29th
From 5 to 10 pm ~~6:30 pm~~ 4 PM

Where: Mill Pond, Trail 2, South Side of Mill Pond - trail starts on old Market st, continues through Riverside Park via NCTA trail.

How: Same procedure AS last year:

- Approximately 3 current model tractors pulling caged wagons with straw bale seating
- All tractors meet & exceed safety options including:
 - 100+ horse power
 - 4x4
 - Ability to handle wagons in any conditions
 - Stopping and starting anywhere on the trail
- All wagons will have safety chains, a staircase with ramp for loading and unloading passengers, and is handicap accessible.
- Front of wagons will consist of a 3' high metal mesh with tarp to prevent actors from entering area between tractor and wagon to scare people
- All tractor drivers will be 21 years of age or older with a valid drivers license
- Trails will consist of approximately 22 scenes
- A new trail route has been designed due to water in low lying areas, which has also been moved further away from homes on S Front Street

- Teiki Torches will be used along the trail, wire-tied to a steel T-Post, preventing them from falling over.
- Water Barrels will be placed along the trail route for safety
- Approximately 3 fire rings made of steel barrels, with emergency water barrels nearby, will be used in some scenes
- 2-way radios will be used to provide efficient communication between traffic workers, scene operators, and tractor drivers.
- Quiet generators will be used in certain scenes
- Handicap Accessible porta-potty will be available if park restrooms are closed.
- A few members of the St. Peter Fire Department will be helping on scene, providing First Responder care if needed
- Traffic, loading, and unloading personnel will be provided reflective vests for improved visibility
- A safety fence will be put up again separating the active trail and waiting line to prevent people from crossing
- Tulip Insurance Supplement has been accepted by NCTA up to \$2 million
- Concession Wagons will be having hot dogs, brats, cider, cocoa
- Flame Bar is sponsoring the event, however there will be no alcohol
- No food or drink will be allowed on ride
- Wagon of pumpkins, squash, and gourds for purchase
- All areas will be cleaned of litter each evening and early morning the following day.

Contact Person Kenny Johnson 507-327-8200

Paul Broom 507-469-0768

Jamie Lorentz 507-327-6523



THE MILL POND HAUNTED HAYRIDE

Presented by
**NICOLLET COUNTY TRAIL ASSOCIATION
SNOWMOBILE CLUB**



When: OCT 20,21,22 & OCT 28,29 Gates open 4pm Ride open 5-10 PM

Kids Event Ages 2 to 10 \$5 Saturday Oct 29th 12 pm to 5 pm
Corn Pit ,Bouncy House,Mini Train Ride,Straw Bale Maze,Straw Pile Climb,Picture Stands,Smores

Where : Entrance near 300 South Front Street St Peter Mn. Mill Pond/Riverside Park
Parking Available on South Front Street and in Municipal lots by Front Street

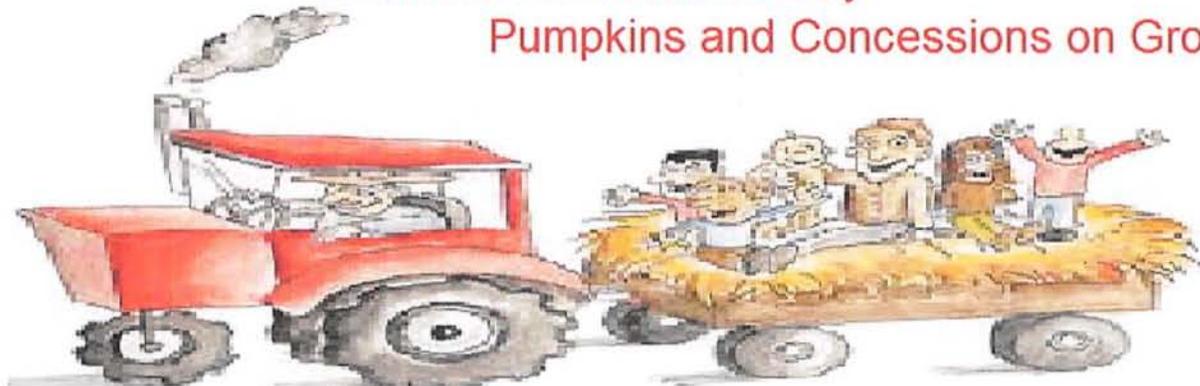
What : Approx 22 scenes on over 1.7 miles of river valley heavily wooded trail & marsh.
\$10 Adults Age 14 & Up \$5 Kids Age 6 to 13 Kids 5 and Under Free

Like us on Facebook

Follow us on Facebook At <https://www.facebook.com/NCTASnowmobileClub/> Events

All proceeds benefit the Nicollet County Trails Association towards Grooming and Maintenance of
Area Trails in Nicollet County

Pumpkins and Concessions on Grounds



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CITY OF SAINT PETER, MINNESOTA

RESOLUTION NO. 2016 -

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

**RESOLUTION APPROVING REQUEST FOR CITY ASSISTANCE FOR NICOLLET COUNTY
TRAILS ASSOCIATION HAUNTED HAYRIDES**

WHEREAS, the Nicollet County Trails Association Snowmobile Club has requested City assistance for a fundraising event on October 20-22 and October 28-29, 2016; and

WHEREAS, the Association wishes to provide haunted hayrides beginning and ending at the Mill Pond area of Riverside Park; and

WHEREAS, the rides will include travel through the southern portion of Riverside Park on the minimum maintenance road and other trails; and

WHEREAS, City staff has met with organizers of the event to address concerns and/or safety issues; and

WHEREAS, the City Council has previously approved City assistance for certain community events; and

WHEREAS, funds raised by the event will be used to groom and maintain snowmobile trails in and around Saint Peter; and

WHEREAS, staff recommends approval of the request for City assistance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA, THAT: the request by the Nicollet County Trails Association Snowmobile Club for City assistance for the Haunted Hayrides event on October 20-22 and 28-29, 2016 is hereby approved as follows:

1. The Association will be allowed to:
 - Use Riverside Park and the Mill Pond area for the event from approximately 4:00 p.m. – 11:00 p.m. each night. City staff will remove and replace the concrete barriers currently installed at the north entrance to the minimum maintenance road.
 - Use the Mill Pond restroom facility during the event hours.
 - Sell non-alcoholic refreshments and pumpkins, gourds and squash at the Mill Pond during the event.
 - Use the City Hall lot and adjoining on-street parking for event parking.

2. The approval is contingent upon the Association:
 - Providing a staircase with railings for loading and unloading riders.
 - Only utilizing wagons which are in good condition and outfitted with safety chains.
 - Providing a ramp for use by disabled individuals.
 - Taking other appropriate safety measures to ensure the safety of passengers

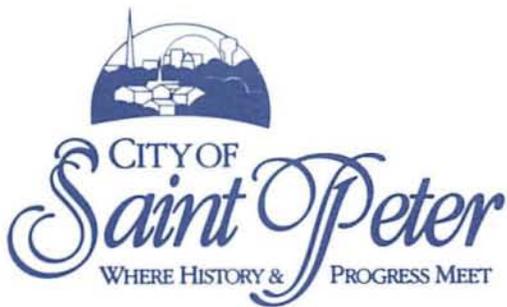
- Wagon drivers being at least 21 years old with valid driver's licenses.
- Removing all debris from the event area and along the trail at the conclusion of the event.
- Providing handicap accessible port-a-potties in the event the Mill Pond restroom facility has been closed for the season.
- Obtaining all necessary food and beverage licenses from the City and Nicollet County prior to the event.
- Allowing access to the park for those using the campground, if the campground is still open.
- Providing written notice of the event to the residential properties abutting the trail route.
- Providing the City with a certificate of insurance naming the City as an additional insured in an amount of not less than \$1,500,000 per occurrence.
- The Saint Peter Police Department shall have the authority to end the event based on noise complaints and/or safety concerns.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 12th day of September, 2016.

Charles Zieman
Mayor

ATTEST:

Todd Prafke
City Administrator



Memorandum

TO: Honorable Mayor Zieman
Members of the City Council

DATE: 9/6/2016

FROM: Todd Prafke
City Administrator

RE: Request for City Assistance: Oktoberfest

ACTION/RECOMMENDATION

Authorize certain City assistance for Oktoberfest.

BACKGROUND

The Saint Peter Ambassadors have submitted a request for City assistance for an event called "Oktoberfest" that they wish to hold in Municipal Parking Lot #5 located at the southwest corner of West Grace Street/South Minnesota Avenue intersection. The event would take place on September 23-24, 2016.

The organizers have communicated their plan with City staff and the recommendation from staff is as follows:

The St. Peter Ambassadors will be allowed to:

- Use Parking Lot #5 starting after 12 noon on September 21st to 3:00 p.m. on September 25th for their Oktoberfest event including installation of a large tent and stage in the parking lot providing the Ambassador's comply with Gopher State One-Call requirements. This authorization is being provided contingent upon the lot and surrounding sidewalk areas being returned to pre-event condition when the event is completed.
- Use South Third Street from West Broadway Avenue to West Mulberry Street for a parade on September 24th beginning at 1:00 p.m. and use North Third Street from West Broadway Avenue to West Chatham Street for parade staging beginning at 12:00 noon.
- Use City owned portable light standards with generators with costs being paid to the City as outlined in the municipal fee schedule.

The City will provide for the following:

- Scheduling of Police Reserves to assist with the event with costs to be reimbursed to the Police Reserves by the Ambassadors.
- Provision of approximately 30 picnic tables to the event location.
- Allowing music to be played until 11:00 p.m. on Thursday, September 21st through Saturday, September 24th.

- Closure of West Grace Street from the intersection with Highway 169 west to the alley on the 200 block of West Grace Street from 1:00 p.m. on September 23rd until midnight on September 24th.

The authorization would be provided contingent upon the St. Peter Ambassadors providing for the following:

- Prior to the event provide the City Administrator's Office with a certificate of insurance in an amount not less than \$1,500,000 per occurrence naming the City as an additional insured.
- Obtain all necessary licenses, including a show license and the appropriate beverage licenses, from the City prior to the event.
- Provide appropriate lighting, restroom and refuse facilities for the event.
- Ensure that all vendors are appropriately licensed.
- Return the site to pre-event condition upon completion of the event.

FISCAL IMPACT:

Estimated cost to the City for providing this assistance is approximately \$4,000.

ALTERNATIVES/VARIATIONS:

Do Not Act: No further action will be taken without additional direction from the Council.

Denial: Staff would notify the Ambassadors of the Council's decision.

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 agenda item.

TP/bal

ST. PETER AMBASSADORS, INC.
P.O. BOX 301
ST. PETER, MN 56082

August 25, 2016

Todd Prafke, City Administrator
City of St. Peter
227 S. Front Street
St. Peter, MN 56082



RE: St. Peter Oktoberfest 2016

Greetings:

We are proposing to take the lead in planning an Oktoberfest celebration in the fine City of St. Peter again this year. We wish to thank the City for its past cooperation and assistance in helping with this community event. The plans call for the event to take place on September 23-24, 2016, with setup beginning on Wednesday, September 21st.

As in past years, we are seeking the following authorizations from the city:

- Use of Lot #5 for setup on September 21st, and for the event on September 23-24, 2016
- Authorization for installation of a large tent and stage in the parking lot. The Ambassadors will comply with all Gopher State One-call requirements.
- Use of Police Reserves to provide security for the event at our cost
- Use of City picnic tables and delivery of said tables to event site
- Use of South Third Street from Broadway Avenue to West Mulberry Street for a parade on September 24 beginning at 1:00 p.m.
- To provide additional safety for attendees, we would like to request that a portion of the 200 block of Grace Street be closed from the alley to Highway 169 from 1 p.m. (or earlier) on Friday, September 23 until midnight on Saturday, September 24th.
- Use of two portable light standards with generators
- Use of barricades to enclose the fest grounds where buildings and fencing are not already present.

The Ambassadors understand that we would need to be responsible for the following items:

- Provide appropriate lighting, restroom and refuse facilities for the event
- Obtain all licenses from the City prior to the event
- Provide the City with appropriate insurance naming the City as an additional insured
- Cleaning up the site following the event and return the site to pre-event condition
- Ensure that all vendors are appropriately licensed
- Pay for the fuel for the portable light standards

On behalf of the St. Peter Ambassadors, I would like to thank you for your consideration of this request.

Sincerely,



Arlo Lehtinen
Committee Member

Cc: Dan Welp
John Mayer
David Detlefsen

CITY OF SAINT PETER, MINNESOTA

RESOLUTION NO. 2016 -

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

**RESOLUTION APPROVING CITY ASSISTANCE FOR ST. PETER AMBASSADOR'S
OKTOBERFEST EVENT**

WHEREAS, the City Council wishes to promote cultural events in Saint Peter's downtown that provide for activities that are inclusive of the entire community; and

WHEREAS, a request has been received from the St. Peter Ambassadors to hold a community event (Oktoberfest) in Municipal Parking Lot # 5 located at the corner of Highway 169 and West Grace Street; and

WHEREAS, this request includes planning for security, waste, sanitation and vending; and

WHEREAS the City Council has, from time to time, provided a variance from current regulations concerning excessive noise.

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

1. The St. Peter Ambassadors will be allowed to:
 - Use Parking Lot #5 starting after 12 noon on September 21st to 3:00 p.m. on September 24th for their Oktoberfest event including installation of a large tent and stage in the parking lot providing the Ambassador's comply with Gopher State One-Call requirements. This authorization is being provided contingent upon the lot and surrounding sidewalk areas being returned to pre-event condition when the event is completed.
 - Use South Third Street from West Broadway Avenue to West Mulberry Street for a parade on September 24th beginning at 1:00 p.m. and use North Third Street from West Broadway Avenue to West Chatham Street for parade staging beginning at 12:00 noon.
 - Use City owned portable light standards with generators with costs being paid to the City as outlined in the municipal fee schedule.

2. The City will provide for the following:
 - Scheduling of Police Reserves to assist with the event with costs to be reimbursed to the Police Reserves by the Ambassadors.
 - Provision of approximately 30 picnic tables to the event location.
 - Allowing music to be played until 11:00 p.m. on Thursday, September 22nd, Friday, September 23rd and Saturday, September 24th.
 - Closure of West Grace Street from the intersection with Highway 169 west to the alley on the 200 block of West Grace Street from 1:00 p.m. on September 23rd until midnight on September 24th.

3. The authorization is provided contingent upon the St. Peter Ambassadors providing for the following:

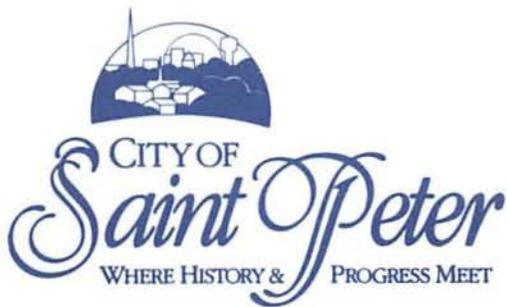
- Prior to the event provide the City Administrator's Office with a certificate of insurance in an amount not less than \$1,500,000 per occurrence naming the City as an additional insured.
- Obtain all necessary licenses, including a show license, from the City prior to the event.
- Provide appropriate lighting, restroom and refuse facilities for the event.
- Ensure that all vendors are appropriately licensed.
- Return the site to pre-event condition upon completion of the event.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 12th day of September, 2016.

Charles Zieman
Mayor

ATTEST:

Todd Prafke
City Administrator



Memorandum

TO: Todd Prafke
City Administrator

DATE: August 25, 2016

FROM: Pete Moulton
Director of Public Works

RE: Donation Request – Stones Park

ACTION/RECOMMENDATION

Approve the donation from Saint Peter Girls Fast Pitch Association in the amount of \$6,175 for Stones Park.

BACKGROUND

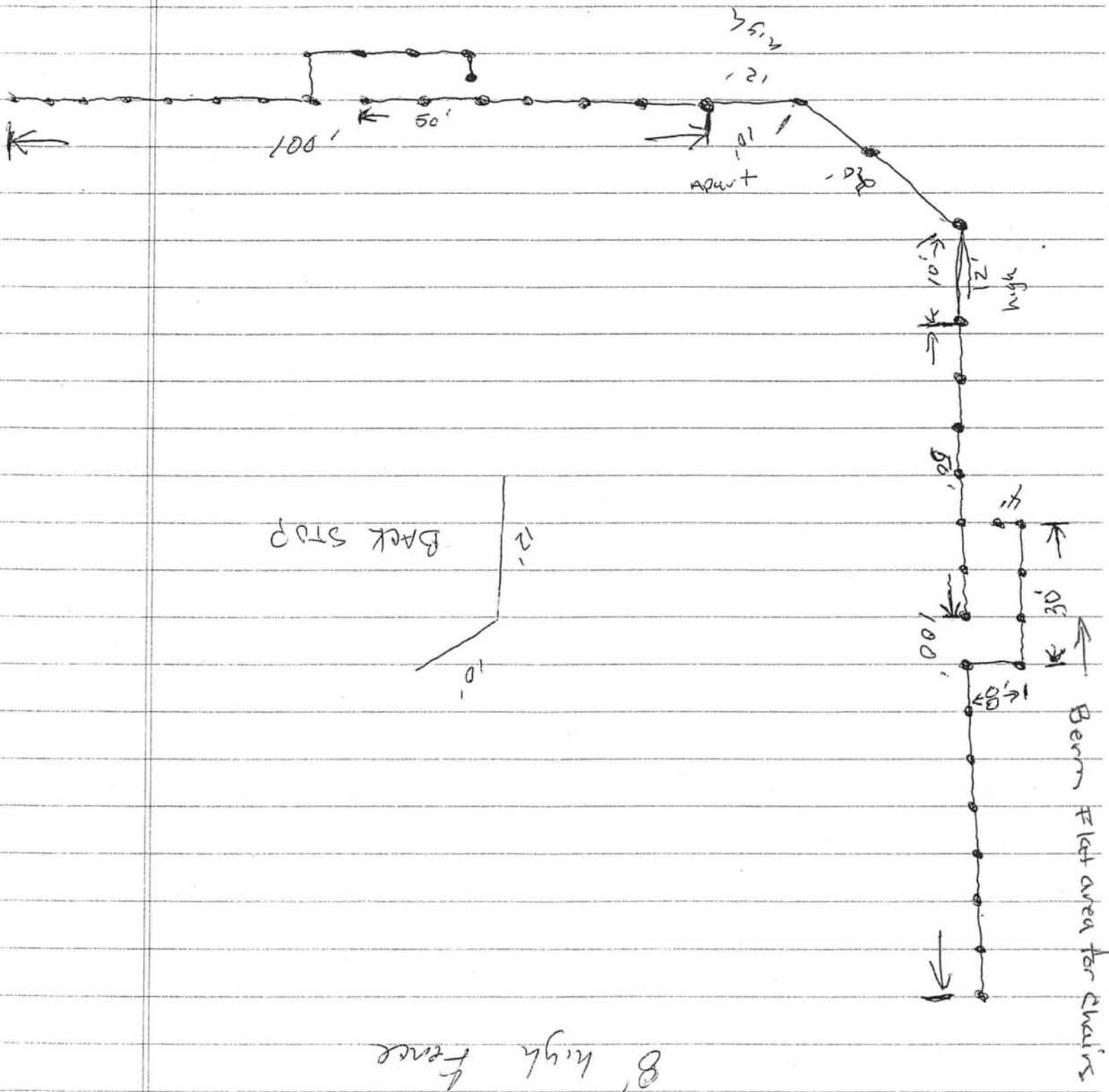
The Saint Peter Girls Fast Pitch Association has requested approval of an upgrade to the line fences and to install dugouts on the softball field at Stones Park. The Saint Peter Girls Fast Pitch Association has contacted a local vendor to do the installation of the line fences and dugouts for a cost of \$6,175. The Girls Fast Pitch Association will pay directly to Andy Pancratz Fencing. They are asking the City for some cost sharing responsibility. City staff will be responsible for some skid steer work on one of two dugouts and to flatten the berm behind the third baseline for ball game viewing. This would improve a seating area for chairs on the third baseline. This area will also be hydro-seeded by City staff.

Total Cost Sharing of Upgrades

Girls Fast Pitch Association	Andy Pancratz Fencing	\$6,175
City of Saint Peter	Skid Steer Work & Seeding	\$675
Total Cost of Upgrades		\$6,850

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

PM/TM/amg



8' high fence

CITY OF SAINT PETER, MINNESOTA

RESOLUTION NO. 2016 -

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

**RESOLUTION ACCEPTING DONATION FROM SAINT PETER GIRLS FASTPITCH
ASSOCIATION FOR IMPROVEMENTS TO STONES PARK**

WHEREAS, the City has adopted a donation policy that requires formal acceptance by the City Council of all donations exceeding \$5,000; and

WHEREAS, the St. Peter Girls Fast Pitch Association wishes to make a donation of \$6,175 for improvements to Gault Park; and

WHEREAS, funding for any excess costs associated with the construction of th soccer rink could be made from the General Fund.

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

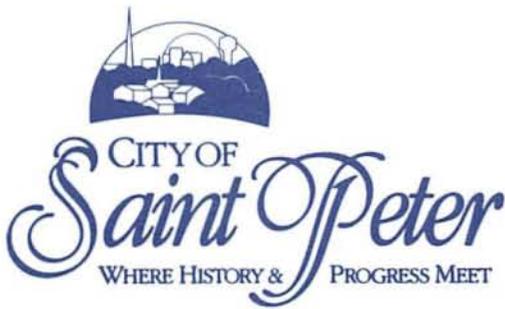
1. The donation from the St. Peter Soccer Club in the total amount of \$6,175 is hereby accepted.
2. The donation shall be restricted for upgrade to the line fences and installation of dugouts at the softball field at Stones Park.
3. The City shall provide approximately \$675 in seeding and skid steer work for the project, with the City's costs funded by the Parks budget (General Fund).

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 12th day of September, 2016.

Charles Zieman
Mayor

ATTEST:

Todd Prafke
City Administrator



Memorandum

TO: Todd Prafke
City Administrator

DATE: August 29, 2016

FROM: Pete Moulton
Director of Public Works

RE: Electric Truck Purchase: 2017 Ford 3/4 ton Super Cab 4X4

ACTION/RECOMMENDATION

Authorize the purchase of a 2017 Ford 3/4 ton, 4x4, Super Cab, from Wolf Motors of Le Sueur, Minnesota in the amount of \$33,596.55. Declare the existing Unit #66 as surplus and authorize staff to dispose of the vehicle.

BACKGROUND

Public Works staff has worked with the "state bid" to identify truck suppliers who can furnish and deliver a 3/4ton extended cab vehicle to replace Unit #66 in the Electric Utility. Staff identified that only one could meet this criteria and that is the Ford Motor Company.

The current truck is a 2001 Dodge 2500 RAM Unit #66 with a full sized box. This Unit was purchased used and has 98,763 miles. It's currently being used by the Electric Foreman and by the Electric crew during construction activities. This past summer it was repaired frequently is 15 years old and starting to show its age and needs to be replaced. Staff proposes to use the new vehicle as a replacement for this Unit where it will serve basically the same purpose. The existing Unit #66 will be sold as per city policy.

Staff evaluated other trucks but they did not meet the specification of an 8' truck box as they can only provide a 6 1/2' truck box. The 8' truck box is critical for carrying equipment for construction activities and sensitive electrical inventory to and from the site.

Staff recommends that Wolf Motors be authorized to supply the specified vehicle. If approved, the truck would be delivered in about 75 days.

FISCAL IMPACT:

Money is budgeted in the 2016 Electric Utility for this purchase.

ALTERNATIVES/VARIATIONS:

Do not act: Staff will not to proceed with this purchase.

Negative Vote: Staff will explore other options based on City Council direction.

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/amg

94

Current Unit #66



New 2017 Truck

2017 Super Duty
F-250 XL



CITY OF SAINT PETER, MINNESOTA

RESOLUTION NO. 2016 -

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

RESOLUTION AUTHORIZING THE PURCHASE OF A FORD 4X4 SUPER CAB

WHEREAS, in 2001 the City purchased a Dodge 2500 Ram truck to be used in the Electric department of Public Works; and

WHEREAS, the vehicle, which has served the City well, has over 98,000 miles and is in need of replacement; and

WHEREAS, the City wishes to be able to provide adequate customer service support functions by completing electric utility services without the City; and

WHEREAS, the City wishes to support construction activities for electric infrastructure; and

WHEREAS, only one vendor was able to accommodate this replacement of the Dodge Ram from qualified truck dealers, due to the box size; and

WHEREAS, the State Bid proposal was received from Wolf Motors of LeSueur, Minnesota; and

WHEREAS, purchase of a 2017 Ford 4X4, 3/4ton Super Cab truck in the amount of \$33,596.55 is an Electric budgeted purchase in 2016; and

WHEREAS, if the Ford purchase is approved, the City would no longer have a need for the 2001 Dodge Ram and staff recommends it be declared as surplus property.

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

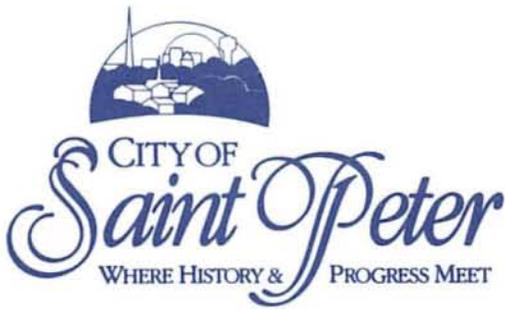
1. Staff is directed to proceed with the budgeted purchase of a 2017 Ford 4X4, 3/4ton super cab truck from Wolf Motors of LeSueur, Minnesota in the amount of \$33,596.55.
2. The purchase shall be funded from the Electric budget.
3. The existing 2001 Dodge Ram 2500 truck, for which the City no longer has a need, is hereby declared as surplus property and staff is directed to dispose of the vehicle through public sale as outlined in the City Code.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 12th day of September, 2016.

Charles Zieman
Mayor

ATTEST:

Todd Prafke
City Administrator



Memorandum

TO: Todd Prafke
City Administrator

DATE: August 29, 2016

FROM: Pete Moulton
Director of Public Works

RE: Stormwater Truck Purchase: 2017 Ford 1/2 ton Super Cab 4X4

ACTION/RECOMMENDATION

Authorize the purchase of a 2017 Ford 1/2 ton, 4x4, Super Cab, from Midway Ford Commercial of Roseville, Minnesota in the amount of \$32,579.72.

BACKGROUND

Public Works staff has worked with the "state bid" to identify truck suppliers who can furnish and deliver a 1/2 ton extended cab vehicle to replace Unit #406 in the Stormwater Utility. The truck also comes with an extended warranty of 7 years or 75,000 miles included in the sale price. Staff identified that only one could meet this criteria and that is the Ford Motor Company.

The current Blazer is a 2002 GMC Unit #406. This Unit was purchased used and has 136,111 miles. It's currently being used by the Stormwater Foreman and by the Stormwater crew during inspection activities. It's proposed to deliver this unit to the City's Building Department for their use.

Staff followed the purchasing policy and found on state bid the lowest total for a truck that would meet Stormwater Utility needs. Staff recommends that Midway Ford Commercial of Roseville be authorized to supply the specified vehicle. If approved, the truck would be delivered in about 75 days.

FISCAL IMPACT:

Money is budgeted in the 2016 Stormwater Utility for this purchase.

ALTERNATIVES/VARIATIONS:

Do not act: Staff will not to proceed with this purchase.

Negative Vote: Staff will explore other options based on City Council direction.

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/amg

CITY OF SAINT PETER, MINNESOTA

RESOLUTION NO. 2016 -

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

RESOLUTION AUTHORIZING THE BUDGETED PURCHASE OF A FORD 4X4 SUPER CAB

WHEREAS, in 2002 the City purchased a used GMC Blazer to be used in the utility division of Public Works; and

WHEREAS, the vehicle, which has served the City well, has over 133,111 miles and is in need of replacement; and

WHEREAS, the City wishes to be able to provide adequate customer service support functions by completing locates in the water, wastewater and stormwater utilities; and

WHEREAS, the City wishes to support construction activities for water, wastewater and stormwater infrastructure; and

WHEREAS, using the State Bid website staff was able to find a replacement for the GMC Blazer from qualified truck dealers; and

WHEREAS, the lowest proposal was received from Midway Ford Commercial of Roseville, Minnesota; and

WHEREAS, purchase of a 2017 Ford 4X4, 1/2ton Super Cab truck in the amount of \$32,579.72 is a budgeted purchase from the 2016 Stormwater budget; and

WHEREAS, if the Ford purchase is approved, the City would no longer have a need for the 2002 GMC Blazer and staff will be transferring this vehicle to the Building Department.

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

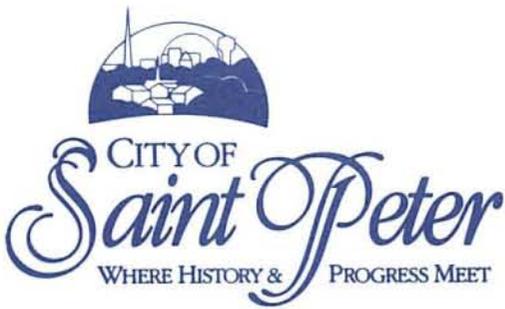
1. Staff is directed to proceed with the budgeted purchase of a 2017 Ford 4X4, 1/2ton super cab truck from Midway Ford Commercial of Roseville, Minnesota in the amount of \$32,579.72.
2. The purchase shall be funded from the 2016 stormwater budget.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 12th day of September, 2016.

Charles Zieman
Mayor

ATTEST:

Todd Prafke
City Administrator



Memorandum

TO: Honorable Mayor Zieman
Members of the City Council

DATE: 09/07/2016

FROM: Todd Prafke
City Administrator

RE: Goal Session Report and takeaways

ACTION/RECOMMENDATION

None needed. For your information and review.

BACKGROUND

The goal of this memo is to provide a basic outline of the principal discussion points and priorities as the Council provided direction as a part of its' Goal Session on August 29, 2016

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

- The Council reviewed its' list of Items of Vital Importance and spent time in review and discussion on the current list. The list remains as follows:
 - Community that treats all people like neighbors
 - Proactive housing solutions
 - Availability of quality health care
 - Thriving business community
 - Action on the changes in our demographics
 - Aesthetically distinctive
 - Improved Sustainability
 - Available early childhood care and educational opportunities and Exceptional schools
- The Council participated in two exercises. One designed to stimulate discussion on issues surrounding City activities, provision of services, teamwork and communications. The second exercise was designed to provide an example and specific focus on the value of setting and articulating goals and the impact that has on our ability to efficiently and effectively determine the best methods to reach Council objectives.
- Members were provided a presentation on solar activities and opportunity for community solar through SMMPA. A considerable amount of information and time was spent on this area

with conversation including cost to SMMPA, possible costs to potential local subscribers, and some of the tactics that could be used related to marketing comparison and overall costs. Members also discussed wishes related to renewable energy, not just solar, and staff was directed to continue to review the SMMPA program progress and to continue work based on the goals that have been previously established related to solar within our community.

- Members reviewed a sidewalk repair and placement program and its possible tax implications and directed staff that no property assessment is desired as a part of the process and that it would be their goals to see the projects initiated in the 2017 year with construction in the 2017 and potentially 2018 year dependent on pricing.
- Council expressed its ongoing support of the communication tools that are currently being used and they continue to look for ways for members to participate in partnership meetings. Staff was directed to ensure that the City and School partnership resume a more regular meeting schedule.
- Council discussed its' ongoing desire to move forward with a planning process for a new fire hall. Staff was directed to start the process to get a draft contract with Five Bugles Design architectural firm and solidify planning cost using their assistance.
- Dog access to parks was also discussed and staff was directed to draft a change in the rules and ordinance to clarify use of trails and sidewalks for walking of pets. This will be reviewed by the Parks and Recreation Advisory Board in advance of any action by the Council.
- The potential for the City to provide for a program designed to assist employees purchasing in the Traverse Green neighborhood as a way to increase recruitment and retention, but more importantly to stimulate other private and public sector employers to follow and tap into the matching funding that is available from Greater Minnesota Housing Fund. This provides additional assistance to working families which is the target of of this development.
- Members discussed the current cost and development of the City park located north of the new high school. The project still is not fully funded and emphasis was put on the need to ensure that the park is not just about organized athletic space, but also that needs for green space and non-organized use of facilities is also a priority.
- A transit update was provided by staff and included discussion on the primary goals that we share with the City of Le Sueur.
- Members received information on the plan to upgrade one of the current storage buildings at Public Works to expand our mobile equipment repair shop area. Targeting funding, need for more space and general plans were discussed. Staff was directed to continue to review and start the process to complete over the 2017 and 2018 years.
- Hospital CEO was present. The Council discussed the process and planning related to evaluation and needs of facilities on the River's Edge campus including additional space for patients and the impact that volume changes in both OR and ER have made on facility needs and finances.

- Council reviewed their Cooperative Effort List (White Sheets) and discussed issues related to partnerships and joint activities.
- Discussion was held on the process and planning related to Broadway Avenue between the Highway 99 Bridge and Minnesota Avenue. Discussion focused on plan, who decides and funding.
- Council reviewed the 2003 document entitled "EDA Option 2". This is the current philosophical basis for EDA activities and relationships with other economic development organizations. Council reviewed, in light of it's importance and historical perspective, the opportunity to review any needed modifications. None were made.
- Council received a short update on the AMI project that included meter purchases.
- A review of Parks vision agenda item and submittals from Damon Farber for parks was undertaken. Discussions on the submittals and how this consultant would be used with both the Park and Recreation Advisory Board and the City Council to provide additional expertise and balance within the efforts related to organized sport space and other recreational uses of our facilities.
- Council discussed its' organizational health, civility and the opportunity to provide additional training to themselves and others in the operation of meetings and keeping meetings civil and open.
- Not all items on the agenda were covered as the meeting concluded at about 9:30 p.m.
- Location and food were good and no additional or outside facilitator was recommended at this time.

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

TP/bal