



City Council Agenda
October 17, 2022
5:30 pm in the City Council Chambers

Invocation – Pastor Jim Johnson
Pledge of Allegiance

- A. Call to Order
- B. Roll Call
- C. Approval of the Agenda
- D. Public Hearings
 - 1. Public hearing for housing tax rebate at 3216 Pebble Shores Drive and 728 Oak Trail
 - a. Resolution approving a housing tax rebate for 3216 Pebble Shores Drive as requested by Dustin and Stefanie Christensen
 - b. Resolution approving a housing tax rebate for 728 Oak Trail as requested by Gordon & Marie Fuchs
- E. Awarding of Bids
- F. Petitions and Communications
- G. Consent Agenda
 - 1. Motion approving the minutes from the October 3, 2022 City Council meeting, the October 3, 2022 work session and the October 12, 2022 Committee of the Whole meeting
 - 2. Motion approving licenses
 - 3. Resolution initiating and combining PI 5347, 5348, 5349, 7212, 7213, 7214, 8227, 8228, & 8229 into City Project 5960, the street reconstruction and utility project on Linden and Laurel; Order the Preliminary Engineering Report (PER) for CP 5960; Accept Patchin Messner's professional services proposal for appraisal services not to exceed amount of \$9,000.00
 - 4. Resolution accepting Patchin Messner's professional services proposal for appraisal services not to exceed \$11,000; accepting Terracon's professional services proposal for geotechnical exploration services not to exceed \$8,900 for CP 5959, the Stanton Avenue reconstruction improvement project
 - 5. Motion directing the City Attorney to draft an update to City Code Chapter 152, Stormwater Management
 - 6. Resolution entering into an agreement with the Pebble Lake Golf Course to purchase and install HVAC equipment in the clubhouse
 - 7. Motion establishing a sub-committee of the Natural Resources Advisory Committee for geese management and water quality issues at Lake Alice
 - 8. Resolution waiving the monetary limits on municipal tort liability established by Minnesota Statutes, Section 466.04

- H. Ordinance and Resolutions
 - 1. Resolution approving matching sources for the state bond funds grant agreement for the Phase I Downtown Riverfront project
- I. Presentation of Claims \$2,034,438.75
- J. Board, Committee and Department Reports
- K. Reports from Staff and Administrative Officers
 - 1. Resolution approving a term sheet for the development agreement for the TIF District for the former flour mill project
- L. Old Business/Unfinished Business
- M. New Business
- N. Miscellaneous Announcements
 - November 2 7:00 am Committee of the Whole meeting
 - November 2 Bagged leaf pick-up beginning at 6 am
 - November 7 5:30 pm City Council meeting
 - November 8 General Election. Polls open 7 am-8 pm
 - November 11 Veterans Day holiday. Most city offices and facilities closed (liquor stores open). Garbage and recycling normally picked up on Friday is moved to Thursday November 10. Thursday pickup is moved to Wednesday November 9
 - November 16 7:00 am Canvass General Election results followed by joint work session between the City Council and Fergus Falls School Board
- O. Adjournment to closed meeting for attorney-client privilege as permitted by MN Stat. Sect. 13D.05 subd.3 (b).

If you have special needs for accommodations, please call 332-5436 or TDD 1-800-627-3529 (Minnesota Relay Service).

The City of Fergus Falls holds an open forum session from 5:20-5:30 pm.
Those wishing to participate in the open forum must register by noon the day of the
City Council meeting in the City Administrator's office.



Council Action Recommendation

Page 1 of 1

Meeting Date:

October 17, 2022 – City Council

Subject: Tax Abatement Agreements- Housing Rebate Program

Recommendation: Following a public hearing for each request, approve tax rebates for 3216 Pebble Shores Dr and 728 Oak Trl and allow City officials to sign tax abatement agreements with Dustin & Stefanie Christenson and Gordon & Marie Fuchs, respectively.

Background/Key Points: The purpose of the Tax Rebate Program is to encourage the construction of new primary residence single and two-family housing units and encourage the replacement of dilapidated housing structures in Fergus Falls. The two applications before you today are both new construction. The projected value of 3216 Pebble Shores Dr is \$1.8 million. The projected value of 728 Oak Trl is \$450,000.

Budgetary Impact: Any person who files application materials for new primary residence single and two-family housing units between Jan 1, 2020 and Dec 31, 2024 may be eligible to receive a 100% rebate of Fergus Falls' share of increased real estate taxes as a result of building a new home for a period of up to 5 years or up to \$5,000, whichever is met first.

Originating Department: Community Development

Respectfully Submitted:

Klara Beck, Community Development Manager

Attachments: Tax Rebate Program Applications

**OTTER TAIL COUNTY - MINNESOTA
HOUSING TAX REBATE APPLICATION**

(Application Period 1/1/2020 through 12/31/2024)

Property Owner / Applicant: DUSTIN & STEFANIE CHRISTENSEN
Current Address: 3216 PEBBLE SHORES DR. FERGUS FALLS, MN 56537
Telephone: 320 491 6701 E-Mail: dustyc02@gmail.com
Are property taxes current? Yes No Anticipated Construction Start Date (as defined below): 9-10-22
Proposed Project: New Construction Replacement of housing unit
Project Type: Single Family Two Family
Project Address (if available): SAME AS ABOVE
Parcel Number: 71001990956004 Estimated Project Valuation: \$ 8,600,000

Applicant Statement:

(Please provide a statement as to why you are requesting an abatement of property taxes.)

BIG BUILD PROGRAM

Attach site plan with location of house, parcel information and parcel number. (Include letter of consent from property owner if subject to purchase agreement.)

I / We as applicant(s) for the Housing Tax Rebate certify that no construction has begun or will begin prior to the taxing authority's decision on my/our application. For the purposes of this provision, construction shall include the installation of footings, slab, foundation, posts, walls or other portions of a building. Site preparation, land clearing or the installation of utilities shall not constitute construction.

I / We as applicant(s) for the Housing Tax Rebate submit this application having read the policy and understand the provisions as outlined including, but not limited to, the potential of a partial abatement in year one, construction must commence within one year of the approval, assessors cannot be refused access to the property for assessment purposes, and the abatement is awarded following full payment of real estate taxes due annually and only in the years in which the owner is a permanent resident of Otter Tail County.

[Signature] Stefanie Christensen 9-2-22
Construction & Provisions Certification Signature Date

I understand that checking this box constitutes a legal signature confirming that I acknowledge and agree to the above Terms of Acceptance.

FOR OFFICE USE ONLY: ELIGIBLE / APPLICABLE APPROVALS

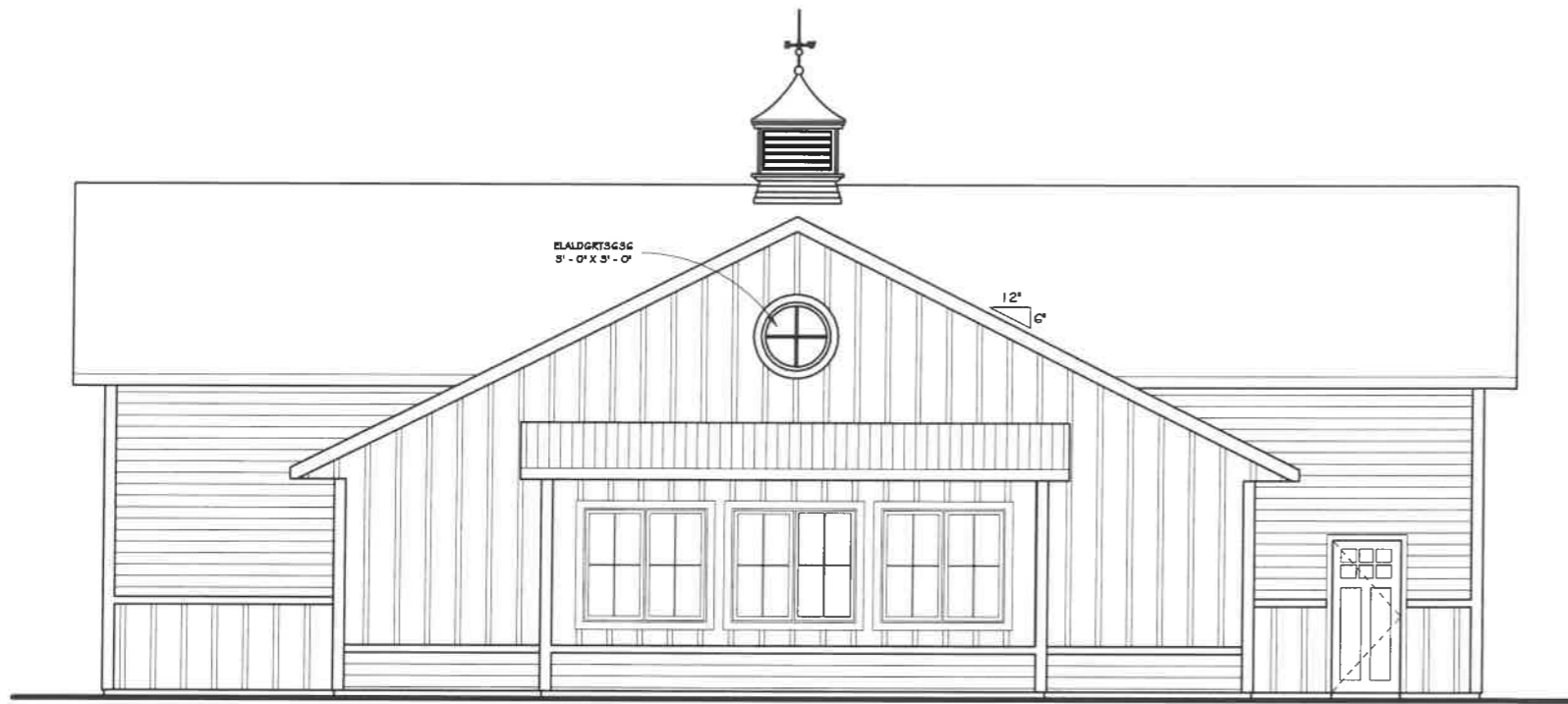
Otter Tail County _____ Date: _____
 City or Township of _____ Date: _____

Disclaimer: Each taxing entity makes its own decision on approval or denial of application for tax rebate. Applications must comply with all requirements of the policy/program as outlined in the policy/program guidelines and build within allotted timeframe or tax rebate offer will be automatically terminated. Building cannot start until such time as all taxing entities have approved and written authorization is provided.

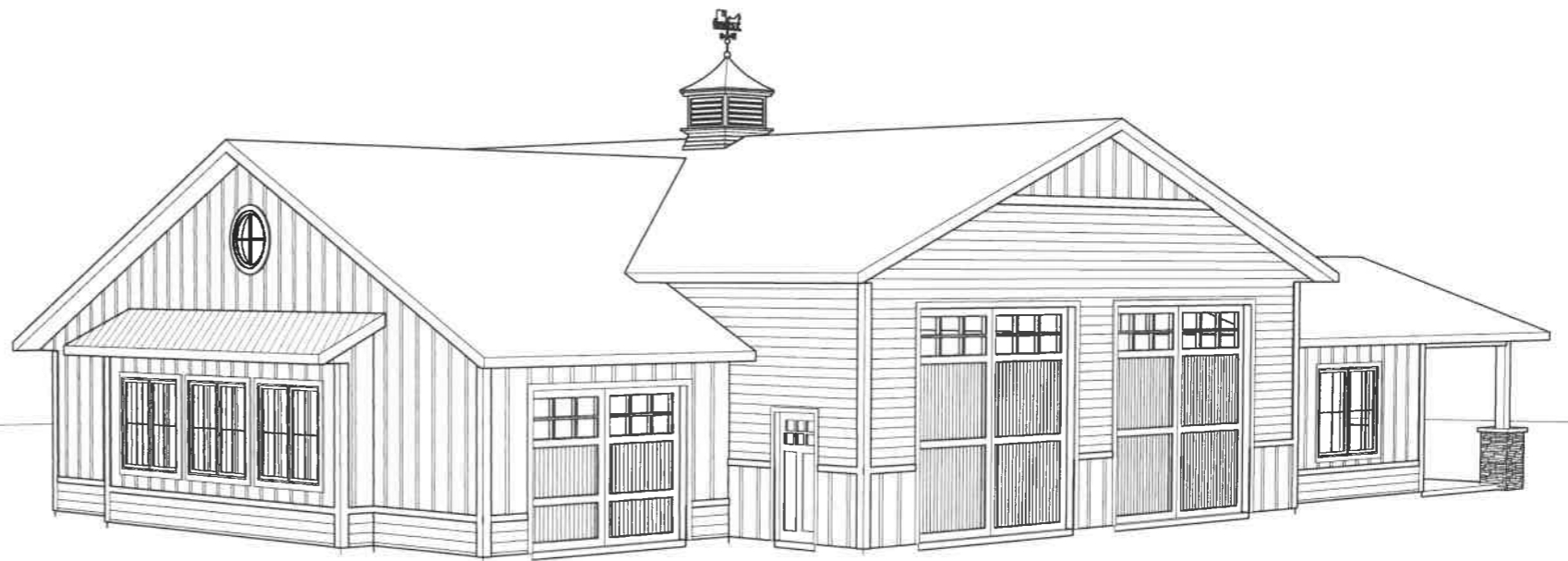
Please submit completed application with attachments to:

Otter Tail County Community Development
520 West Fir Ave, Fergus Falls, MN 56537
or: cda@co.ottertail.mn.us

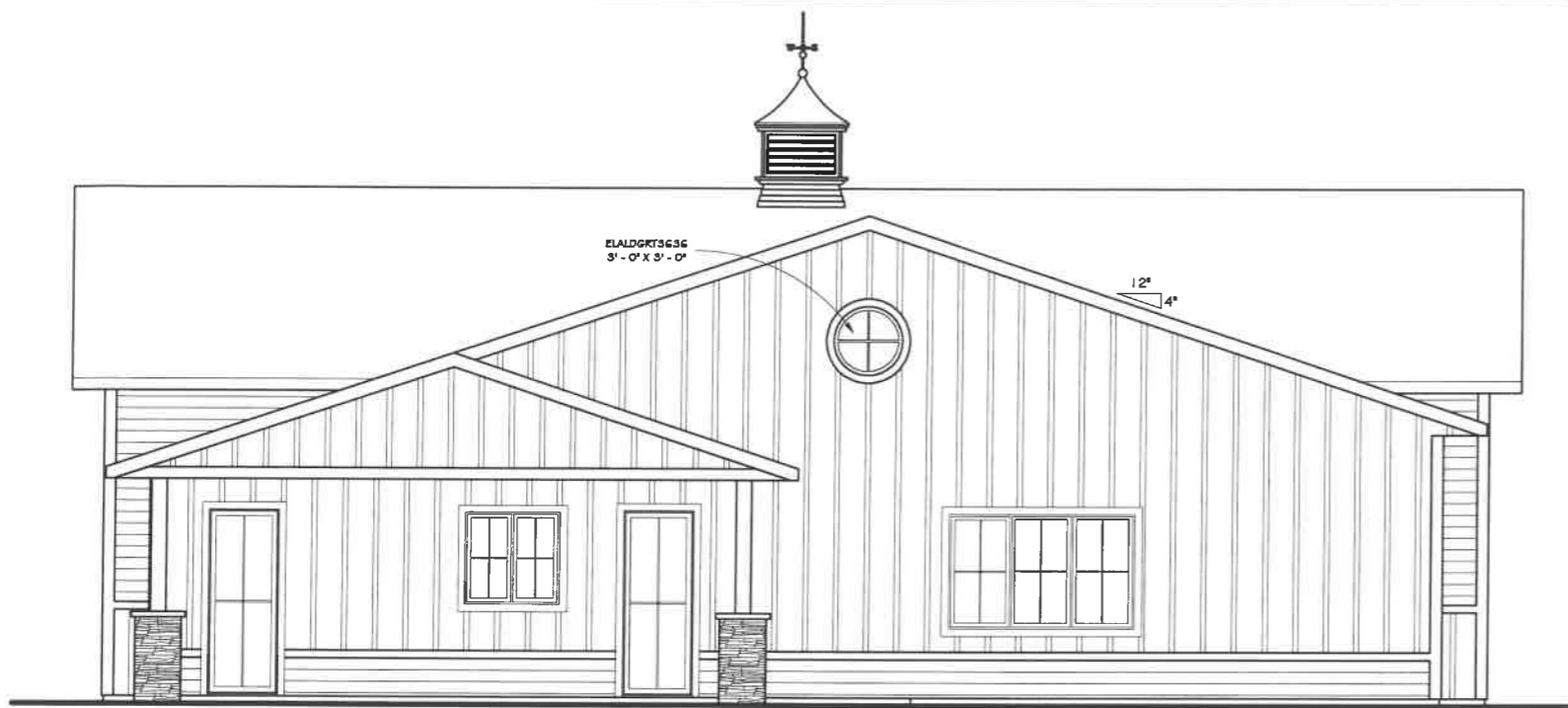




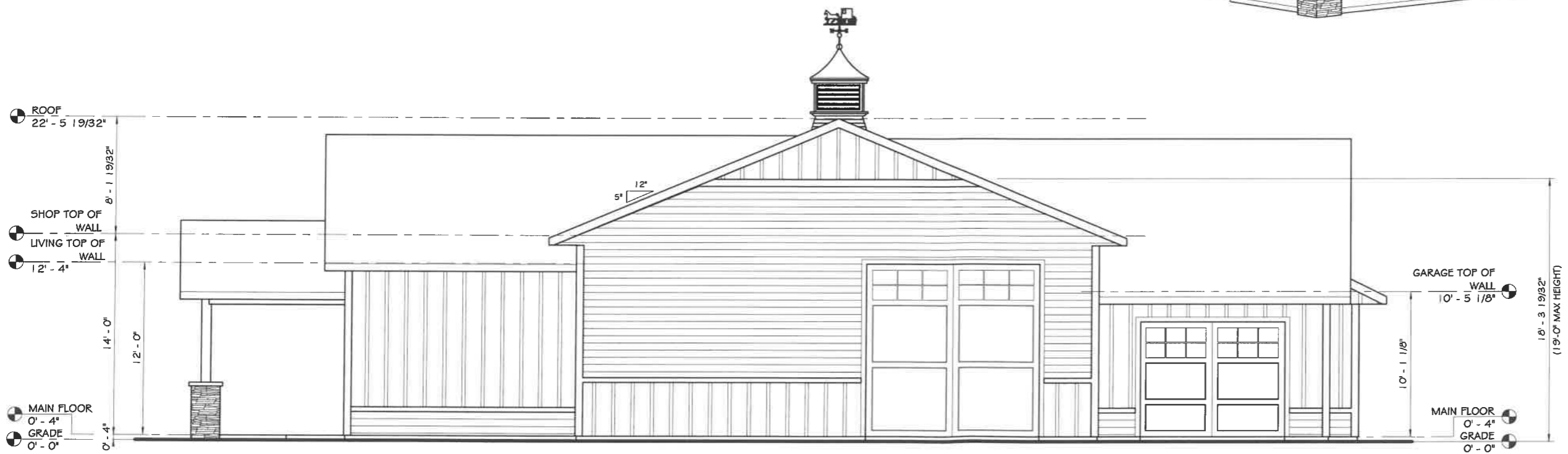
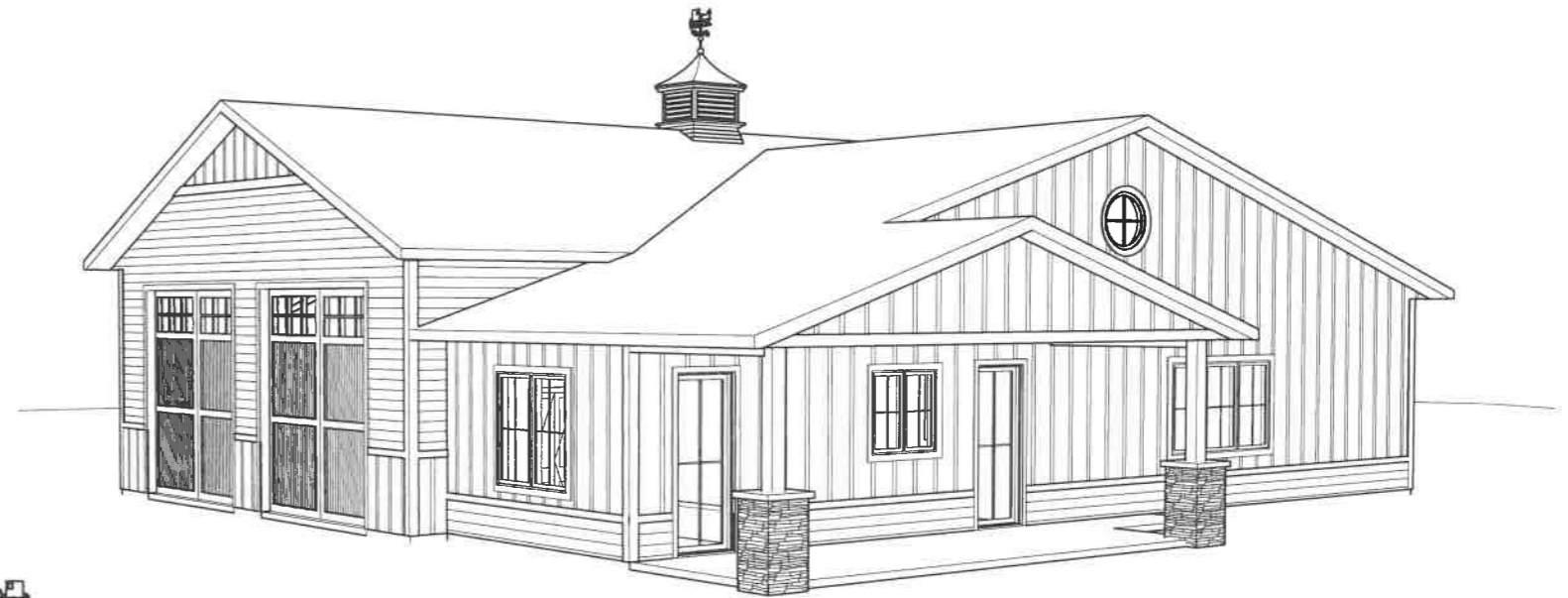
1 FRONT ELEVATION
 AI 1/4" = 1'-0"



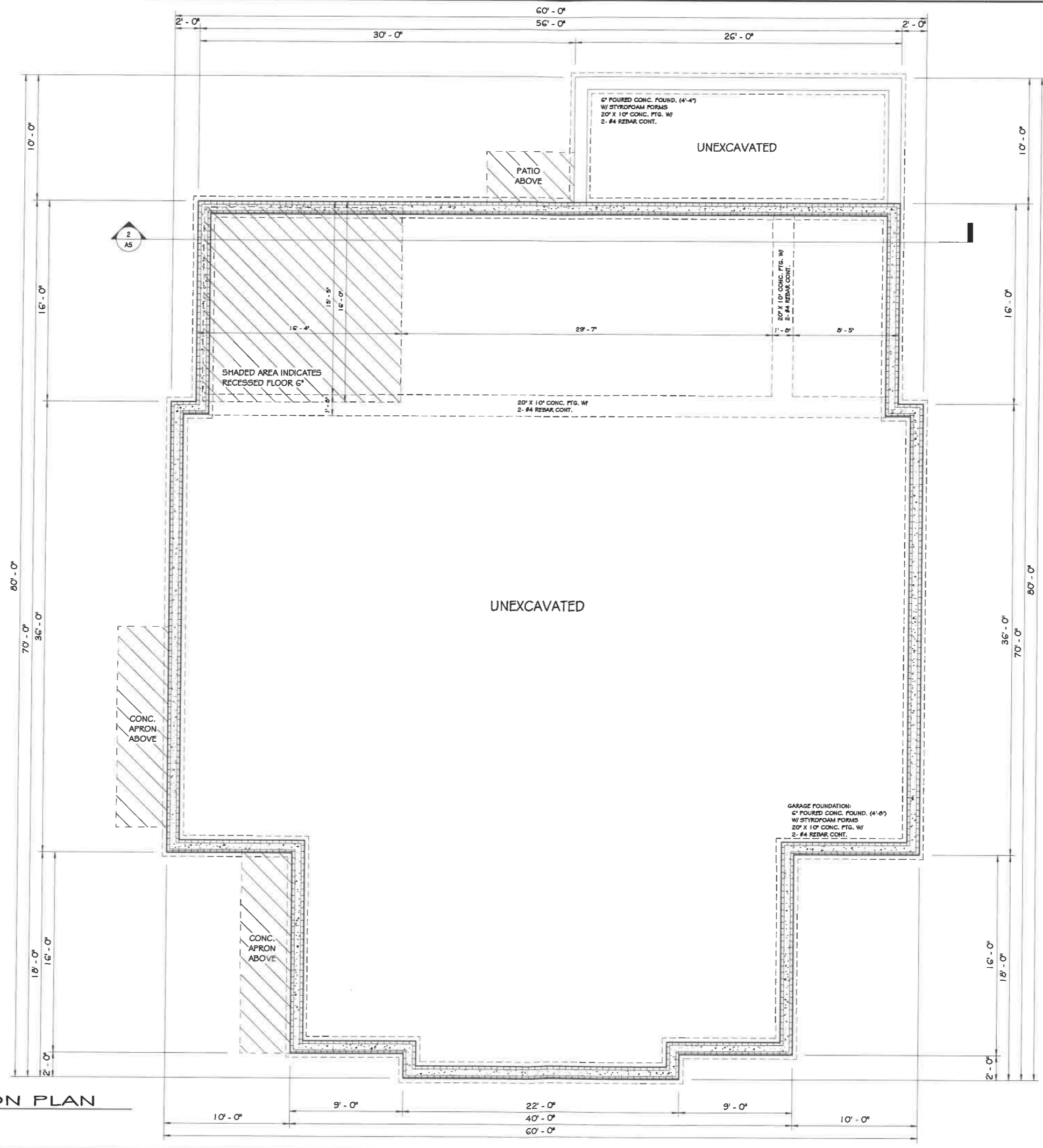
2 RIGHT ELEVATION
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1 REAR ELEVATION
A1.2 1/4" = 1'-0"



2 LEFT ELEVATION
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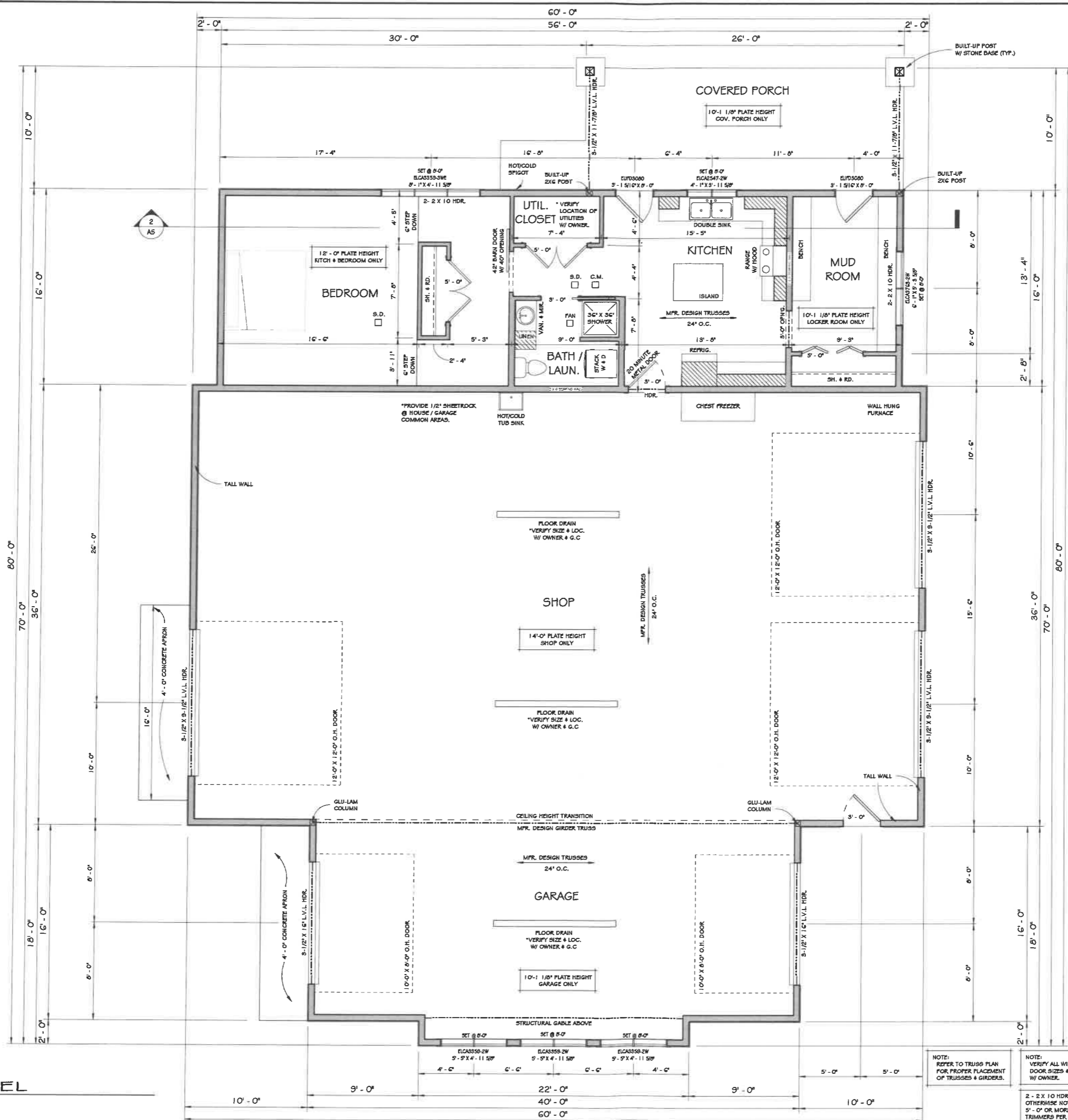
1 FOUNDATION PLAN
A2 1/4" = 1'-0"

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1 MAIN LEVEL
A3 1/4" = 1'-0"

NOTE: REFER TO TRUSS PLAN FOR PROPER PLACEMENT OF TRUSSES & GIRDERS.

NOTE: VERIFY ALL WINDOW & DOOR SIZES & LOCATIONS W/ OWNER.

2 - 2 X 10 HDR. UNLESS OTHERWISE NOTED. OPENINGS 5'-0" OR MORE REQUIRE 2 TRIMMERS PER SIDE.

BUILDING SQUARE FOOTAGE = 3,740 S.F.
COVERED PATIO & CONC. APRONS = 416 S.F.

14 AOV

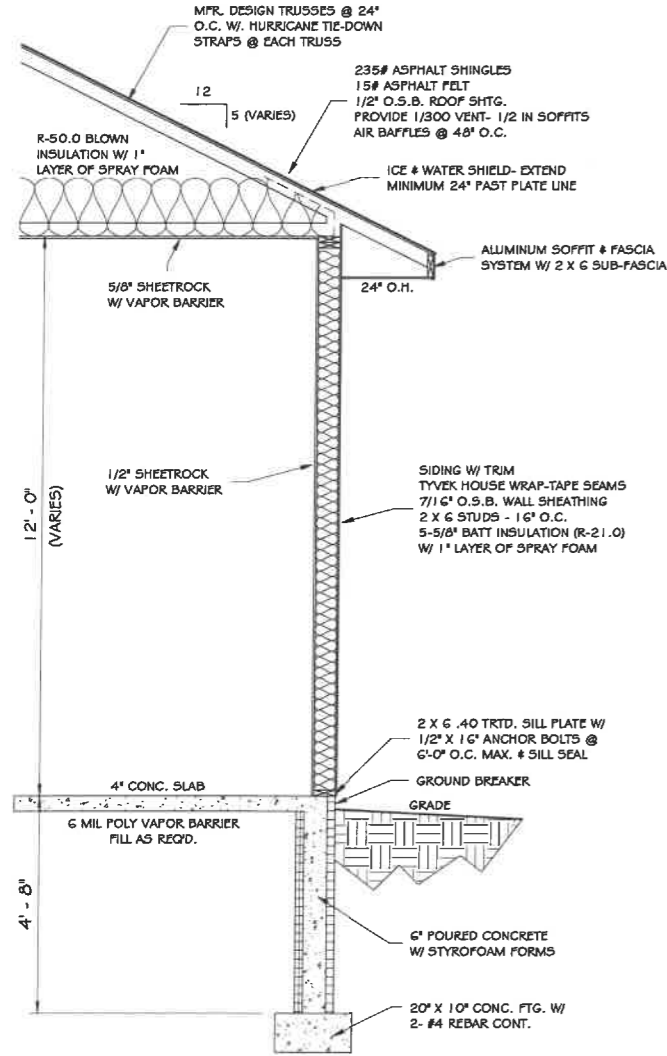
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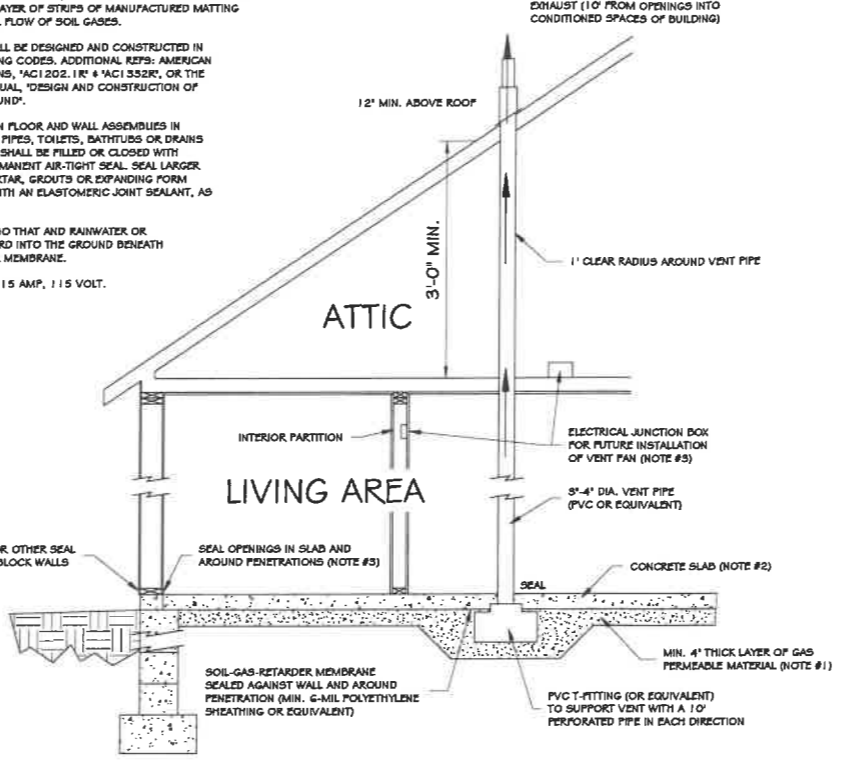
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PASSIVE SUB-SLAB DEPRESSURIZATION RADON CONTROL SYSTEM FOR NEW CONSTRUCTION

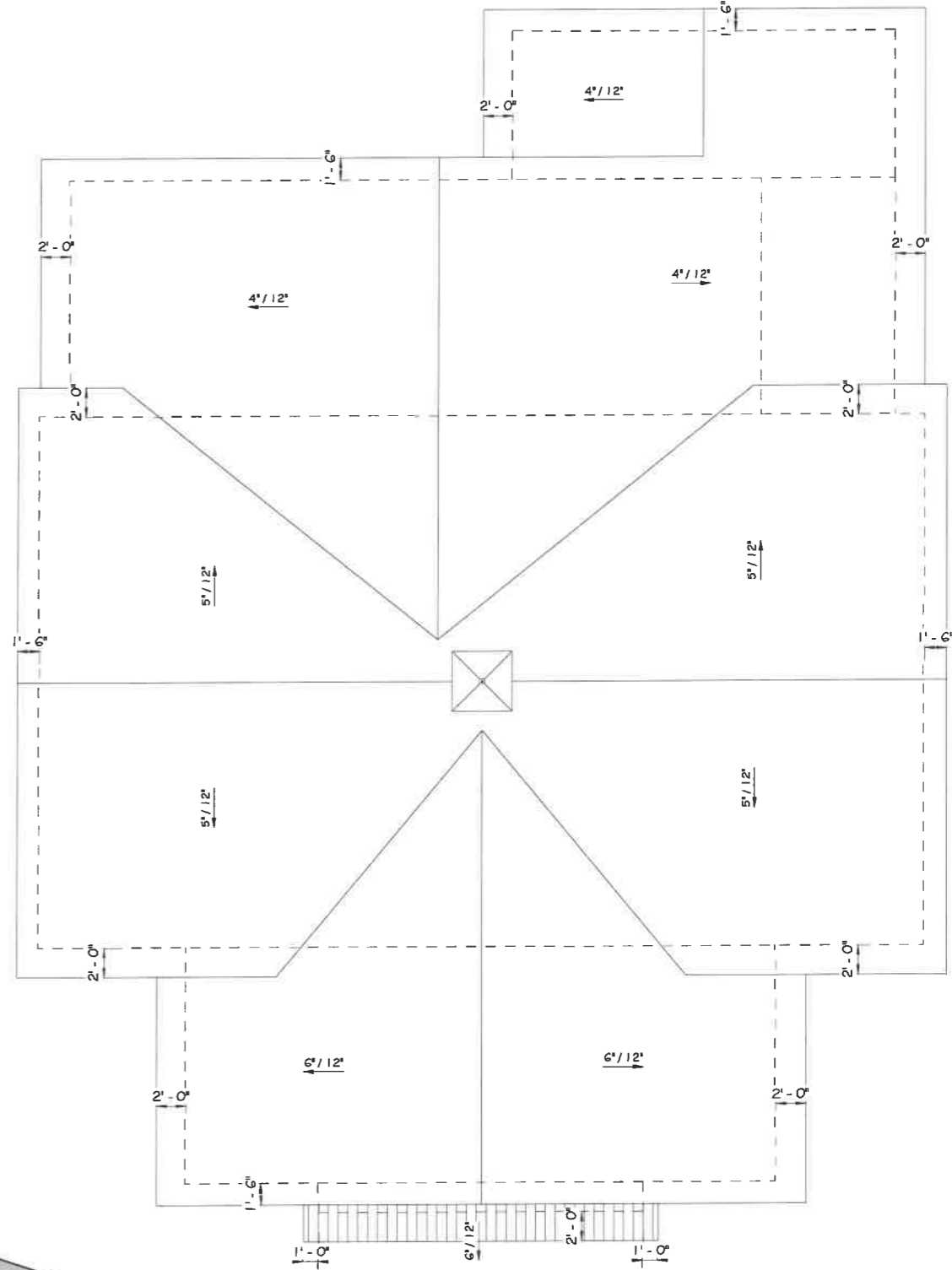
- NOTES:**
1. ALL CONCRETE SLABS THAT COME IN CONTACT WITH THE GROUND SHALL BE LAID OVER A GAS PERMEABLE MATERIAL MADE UP OF EITHER A MINIMUM 4" THICK UNIFORM LAYER OF CLEAN AGGREGATE, OR A MINIMUM 4" THICK UNIFORM LAYER OF SAND, OVERLAIN BY A LAYER OF STRIPS OF MANUFACTURED MATTING DESIGNED TO ALLOW THE LATERAL FLOW OF SOIL GASES.
 2. ALL CONCRETE FLOOR SLABS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH LOCAL BUILDING CODES, ADDITIONAL REFS: AMERICAN CONCRETE INSTITUTE PUBLICATIONS, "ACI 202.1R" & "ACI 332R", OR THE POST-TENSIONING INSTITUTE MANUAL, "DESIGN AND CONSTRUCTION OF POST-TENSIONED SLABS ON GROUND".
 3. ALL OPENINGS, GAPS AND JOINTS IN FLOOR AND WALL ASSEMBLIES IN CONTACT WITH SOIL OR GAPS AROUND PIPES, TOILETS, BATHTUBS OR DRAINS PENETRATING THESE ASSEMBLIES SHALL BE FILLED OR CLOSED WITH MATERIALS THAT PROVIDED A PERMANENT AIR-TIGHT SEAL. SEAL LARGER OPENINGS WITH NON-SHRINK MORTAR, GROUTS OR EXPANDING FORM MATERIALS AND SMALLER GAPS WITH AN ELASTOMERIC JOINT SEALANT, AS DEFINED IN ASTM C920-07.
 4. VENT PIPES SHALL BE INSTALLED SO THAT AND RAINWATER OR CONDENSATION DRAINS DOWNWARD INTO THE GROUND BENEATH THE SLAB OR SOIL-GAS-RETARDER MEMBRANE.
 5. CIRCUITS SHOULD BE A MINIMUM 15 AMP, 115 VOLT.



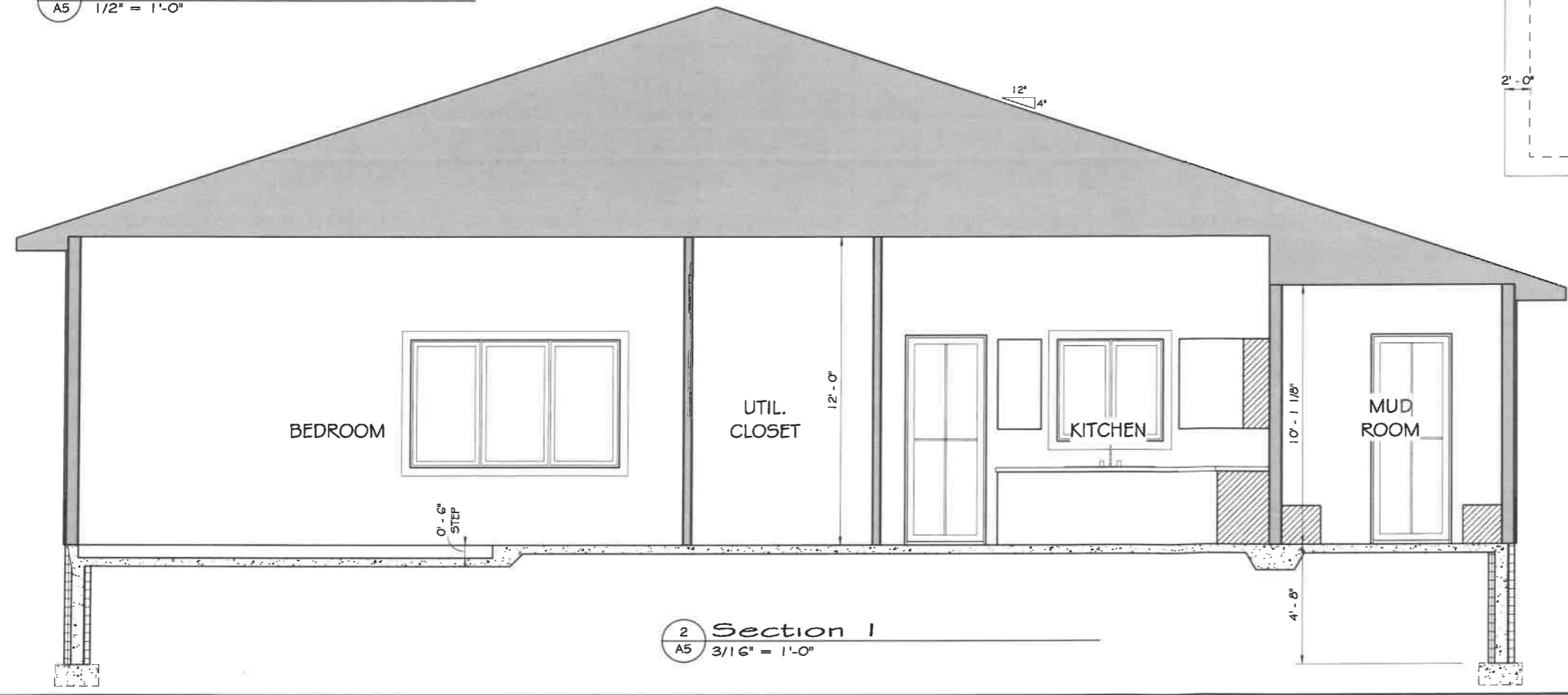
4 WALL SECTION
A5 1/2" = 1'-0"



3 RADON SECTION
A5 1/2" = 1'-0"



1 ROOF PLAN
A5 3/16" = 1'-0"



2 Section 1
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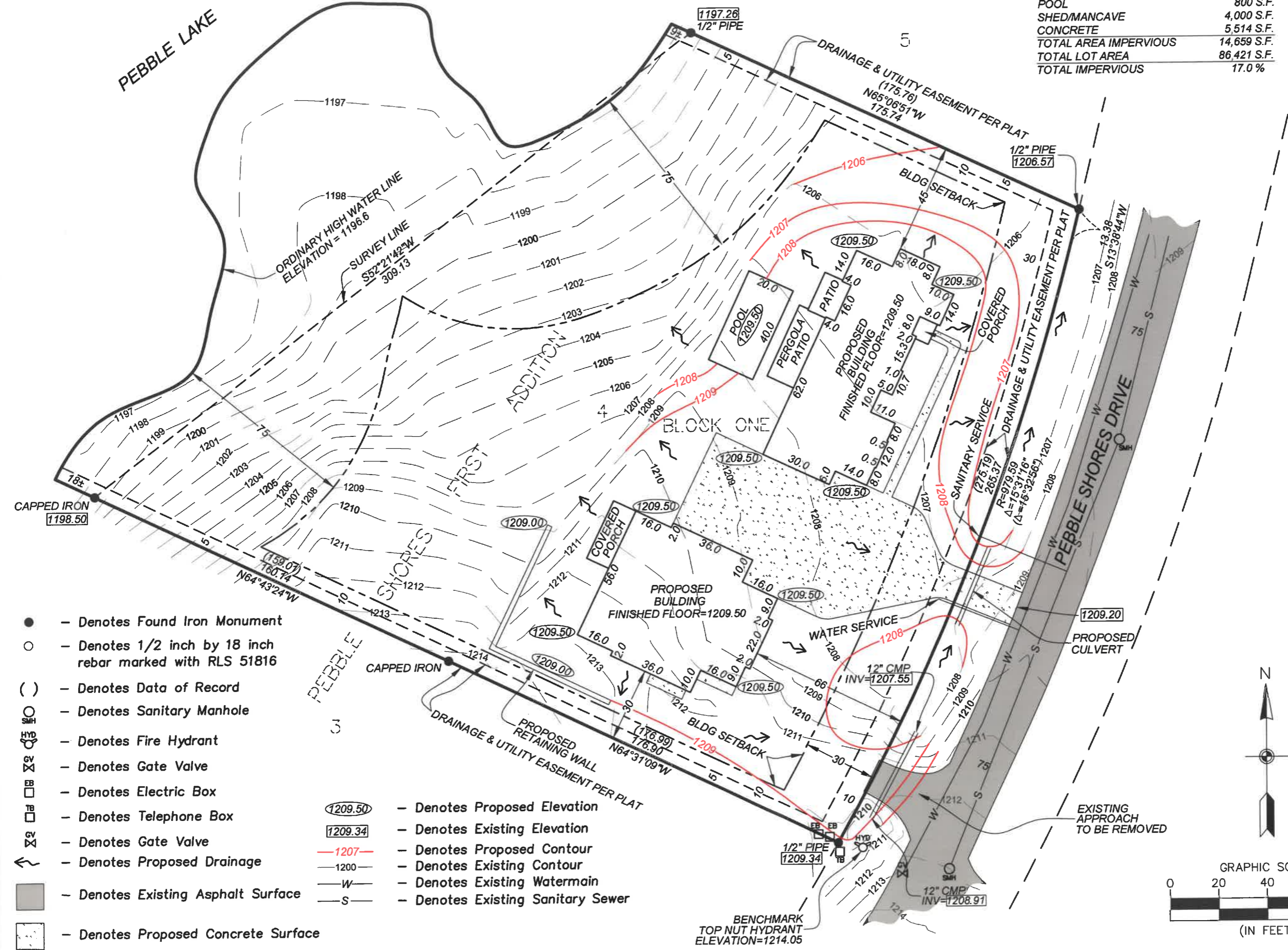
Desk:
Date:
Stat:
Num:

Certificate of Survey

PROPOSED IMPERVIOUS AREA CALCULATIONS	
HOUSE/PATIOS	4,345 S.F.
POOL	800 S.F.
SHED/MANCAVE	4,000 S.F.
CONCRETE	5,514 S.F.
TOTAL AREA IMPERVIOUS	14,659 S.F.
TOTAL LOT AREA	86,421 S.F.
TOTAL IMPERVIOUS	17.0 %

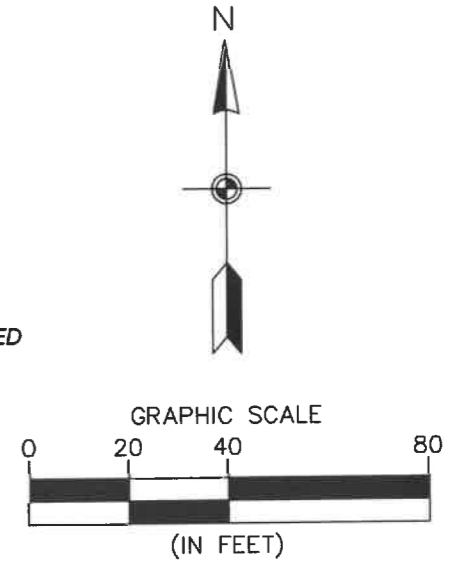
SECTION 13, T132N, R43W

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota
 Name: Micah T. Radach



- - Denotes Found Iron Monument
- - Denotes 1/2 inch by 18 inch rebar marked with RLS 51816
- () - Denotes Data of Record
- - Denotes Sanitary Manhole
- - Denotes Fire Hydrant
- - Denotes Gate Valve
- - Denotes Electric Box
- - Denotes Telephone Box
- - Denotes Gate Valve
- ↗ - Denotes Proposed Drainage
- - Denotes Existing Asphalt Surface
- - Denotes Proposed Concrete Surface

- (1209.50) - Denotes Proposed Elevation
- (1209.34) - Denotes Existing Elevation
- 1207- - Denotes Proposed Contour
- 1200- - Denotes Existing Contour
- W- - Denotes Existing Watermain
- S- - Denotes Existing Sanitary Sewer



DRAWN BY: MTR
 ISSUE DATE: 8/26/2022
 JOB NO. 886

SURVEY PREPARED FOR:

OTTER TAIL COUNTY - MINNESOTA HOUSING TAX REBATE APPLICATION

(Application Period 1/1/2020 through 12/31/2024)

Property Owner / Applicant: Gordon & Marie Fuchs
Current Address: 20707 E. Dane Prairie Rd. Fergus Falls, MN. 56537
Telephone: 218-205-8210 E-Mail: fffoxes@gmail.com
Are property taxes current? Yes No Anticipated Construction Start Date (as defined below): Fall 2022
Proposed Project: New Construction Replacement of housing unit
Project Type: Single Family Two Family
Project Address (if available): 728 Oak Trail Fergus Falls, MN. 56537
Parcel Number: 71004990942000 Estimated Project Valuation: \$ 450,000

Applicant Statement:

(Please provide a statement as to why you are requesting an abatement of property taxes.)

Attach site plan with location of house, parcel information and parcel number. (Include letter of consent from property owner if subject to purchase agreement.)

I / We as applicant(s) for the Housing Tax Rebate certify that no construction has begun or will begin prior to the taxing authority's decision on my/our application. For the purposes of this provision, construction shall include the installation of footings, slab, foundation, posts, walls or other portions of a building. Site preparation, land clearing or the installation of utilities shall not constitute construction.

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Marie D. Fuchs
Construction & Provisions Certification Signature

8.30.22
Date

I understand that checking this box constitutes a legal signature confirming that I acknowledge and agree to the above Terms of Acceptance.

FOR OFFICE USE ONLY: ELIGIBLE / APPLICABLE APPROVALS

Otter Tail County _____ Date: _____

City or Township of _____ Date: _____

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Please submit completed application with attachments to:

Otter Tail County Community Development
520 West Fir Ave, Fergus Falls, MN 56537
or: cda@co.ottertail.mn.us





NO SCALE
7/23/20



WESTSIDE DR

BLOCK 1

1519 2

1513 1

717 5

BLOCK 2

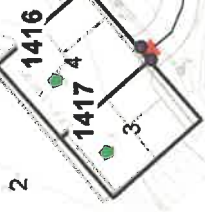
725 6

733 7

741 8

LOT 2, BLOCK 1
RESERVED FOR FUTURE DEVELOPMENT

BLOCK 1



2

1416 4

1417 3

MEADOW LANE

BLOCK 2

710

BLOCK

2

OAK TRAIL

728 1

734 2

736 3

740 4

742 5

721 1

725 2

727 3

733 4

735 5

739 6

741 7

725 8

727 8

733 8

735 8

739 8

741 8

BLOCK 3

734 2

736 3

740 4

742 5

BLOCK 4

725 8

727 8

733 8

735 8

739 8

741 8

BLOCK 5

BLOCK

PARK VW

1143 6

1117 3

1121 4

1135 7

1123 8

RIGHT OF WAY
WALCOTT AVE

DEDICATED

City Council Minutes
October 3, 2022

The Fergus Falls City Council held a regular meeting on Monday October 3, 2022, at 5:30 pm in the City Council Chambers. Pastor Duane Smith gave the invocation, and the Pledge of Allegiance was recited. Mayor Schierer called the meeting to order at 5:31 pm and the following council members were in attendance: Gustafson, Hicks, Fish, Hagberg, Kvamme, Rufer, Thompson and Arneson.

Approval of Agenda

A motion and second were made by Arneson and Gustafson accepting the agenda as presented and the motion carried.

Consent Agenda

The following items were approved under **Resolution #191-2022** by Thompson: Motion approving the minutes from the September 19, 2022 City Council meeting and the September 28, 2022, Committee of the Whole meeting. Motion approving the following licenses: Excavating Mark Lee Excavating Inc., Abbott Excavating; Mechanical Voss Plumbing & Heating; 2023 Wine and 3.2% Malt Liquor (Strong Beer Authorization) Northern Aire Lanes; 2023 Full On Sale Liquor VFW Post 612; 2023 Tobacco Olson Oil Company, Lakeway Express, King Tobacco, Joanne New Age, Walmart, Holiday; 2023 3.2% Malt Liquor Lakeway Express, Walmart, Holiday; Minnesota Lawful Gambling Permit Fergus Falls College Foundation for raffle on December 12, 2022 at M-State. Motion appointing Donald Mayo to the Human Rights Commission. **Resolution #192-2022** awarding the construction services contract for PI 9348, the airport fuel system replacement project to MN Petroleum Services, inc. in the amount of \$687,450 contingent upon the receipt of a state grant offer; accepting SEH's professional services proposal for construction administration in the amount of \$54,300 and authorizing the submission of a state grant offer for this project. **Resolution #193-2022** approving a Conditional Use Permit to operate/own a permit to own a federal firearms licensing business in accordance with ATF & FBI regulations in a R-2 zone at 1233 Northern Avenue with conditions. **Resolution #194-2022** appointing election judges to serve at the November 8, 2022, General Election. **Resolution #195-2022** calling for a public hearing to consider housing tax abatements on October 17, 2022, at 5:30 pm. The resolution was seconded by Hagberg and was adopted.

Resolution of Accounts

Fish offered a resolution authorizing the payments and claims in the amount of \$2,192,351, which was seconded by Hagberg and was adopted.

Active Transportation Grant

Patrick Hollister of the Bicycle and Pedestrian Committee met with Superintendent Drake and Principal Rund at Cleveland School to discuss possible bicycle and pedestrian safety projects around the Cleveland and Kennedy schools. They identified seven possible projects and would like to apply for a state Active Transportation Grant. Letters of intent for the \$50,000-\$500,000 grant are due October 14 with a full application due at the end of the year. Hollister asked the council to consider a motion authorizing staff to submit the letter of intent by the October 14 deadline and authorize a committee of himself, Katrina Johnson, Jeff Drake, Tindy Rund, Chief Kile Bergren and Brian Yavarow to put together the application. A motion and second were made by Kvamme and Fish to authorize the city to submit a Letter of Intent to apply for an Active Transportation Grant for safety

improvements around Cleveland and Kennedy Schools and to form a committee to work on the applications and the motion carried.

Sales Tax Projects Communications Strategy

Communications Manager Jean Bowman reminded the community there are 36 days until the General Election when residents will be asked to vote on two sales tax questions on the ballot: improvements at DeLagoon Park and the development of an Aquatics Center. The city cannot advocate for these projects, only educate the public. Bowman announced the new website www.PlayYourWayFergusFalls.com has been formed to provide information and answers to the questions surrounding these projects. In addition to public speaking engagements, social media, sponsored ads, surveys and other media programs, the city plans to provide a direct mail piece to each household within the city. After receiving some feedback on the flyer, Bowman said residents can expect the flyer to be sent out next week and she encouraged everyone to visit the website to learn more about the projects.

Other Business

Hicks remarked he heard from candidates who are missing signs and he himself had two signs endorsing a council candidate removed from his personal property. He asked the community to be respectful of differing opinions, especially during the election season.

The meeting adjourned at 5:48 pm

Lynne Olson

City Council Work Session
October 3, 2022

The Fergus Falls City Council held a work session on Monday October 3, 2022, in the City Council Chambers at 4:30 pm to learn more about the National Registration of a Historic Downtown District. Mayor Schierer called the meeting to order and council members in attendance were Fish, Hagberg, Kvamme, Thompson, and Gustafson. Rufer, Arneson and Hicks were absent.

Earlier this year the Heritage Preservation Commission proposed designating the downtown as a historic district and the council requested more information before proceeding. Michael Koop and Ginny Way of the Minnesota State Historic Preservation Office (SHPO) provided an overview of the National Registration of a Historic Downtown District designation, what it means, the process of obtaining the designation and expected timeframe. Way explained the National Register of Historic Places is the official list of the nation's cultural resources worthy of preservation. Properties listed in the register include districts, sites, buildings, structures, and objects that are significant in American history, archaeology, engineering, and culture that possess integrity of the location, design, setting, materials, workmanship, feeling and association.

Determining if the downtown area is historically significant requires an intensive application process and gathering substantial amounts of information over an approximate two-year time frame. Criteria for evaluation includes the association with events having made a significant contribution to the broad patterns of history or are associated with the lives of persons significant in our past or embody the distinctive characteristics of a type, period or method of construction or possesses high artistic values or have yielded important information in prehistory or history.

If the city would like to pursue the designation of a historic downtown district, a boundary would have to be established. Properties within the boundary area may include buildings that are non-contributing to the period of significance, but the boundary must be contiguous. A majority of the property owners included in the boundary area must agree to the designation. Those who do not want to be included must submit a written and notarized letter of objection. Significant historic properties that fall outside the boundary, but that provide historic significance can be nominated for national registration status individually with the support of the property owner. The incentives to have a historic downtown designation includes historic preservation tax credits, access to historic and cultural heritage grants, support for local businesses, an increase in heritage tourism, environmental sustainability, and educational opportunities. Way reviewed several the frequently asked questions regarding nationally designated properties. SHPO is not the preservation police and if the property owner of a nationally registered property wants to tear the building down, it is their prerogative to do so. They are allowed to repair or maintain the property as they see fit unless they use federal or state funding. SHPO cannot enforce an owner to perform maintenance. Properties can be sponsored by a public entity or privately nominated for registration, but the registration will not move forward if the owner formally objects.

If the city would like to pursue a national registration of a historic downtown district, they would need to survey area and establish the boundary, significance, and criteria. Way suggested the city consider hiring a qualified consultant to perform the survey work as this work requires extensive and technical documentation, research and analysis and a conduit to the other entities during the review and guidance process. After this work has been prepared, it is sent to SHPO for review, guidance, and any objections. The State Review Board will then comment and make recommendations. The final step

is the review, comment, guidance, and final decision by the National Parks Service. Chris Schuelke of the Heritage Preservation Commission suggested the city consider hiring a consultant to have the best chance of success. The estimated cost of the consultant is \$20,000-\$25,000. Michael Koop commented the city's Certified Local Government status and the possible funding sources that may be available to hire a consultant. The grants would have a matching requirement and would staff time would be considered as a part of the matching funds. Applications are due annually in mid-January. Way spoke about the importance of public education and engagement throughout the process and confirmed if the city did the preliminary work, they would not be obligated to proceed with the final application. Various questions about the economic impact of nationally registered buildings, historic tax credits and various scenarios about rehab vs. repair of a structure were addressed. The council was in consensus to have the Heritage Preservation Commission discuss the issue and bring a recommendation to the council.

The meeting adjourned at 5:20 pm

Lynne Olson

Committee of the Whole
October 12, 2022

The Fergus Falls City Council met as a Committee of the Whole on Wednesday October 12, 2022, at 7:00 am in the City Council Chambers. Acting Mayor Justin Arneson called the meeting to order, and the following council members were in attendance: Hicks, Fish, Hagberg, Kvamme, Thompson and Arneson. Gustafson, Rufer and Mayor Schierer were absent.

Fergus Falls School District Letter of Interest for Kirkbride Park

The Fergus Falls School District submitted a letter of interest to acquire 14.83 acres of parkland in front of the former Regional Treatment Center for a new elementary school. The project would be contingent upon a successful future bond referendum. The city operates and maintains this property within our parks system. City Administrator Andrew Bremseth spoke about the due diligence work needed to determine a purchase price and working with the State Historic Preservation Office (SHPO) to see what the impact of this possible sale would do to the historic tax credits and national registration of the RTC campus. If the city wants to sell the land, they will need to negotiate a purchase agreement with the Fergus Falls School District.

Thompson was not in favor of losing the historic tax credits on the campus and spoke of a past project being denied on this parkland. Arneson felt this was a good use for the property the city has held for many years and the city should be open to exploring this option. Kvamme was opposed to the school building on the parkland and cited the RTC master plan considers this land historic. He felt there are better sites in the community for a new school and said this is a good example of why the city needs a comprehensive plan. He suggested a work session be scheduled with the school district to talk through more of the issues. Hicks felt it was better to contact SHPO early before too much time or effort was put into a project but agreed this would expose more people to the buildings. The council agreed a joint work session would be valuable as this is an important topic that affects the community. A motion and second were made by Fish and Hicks to recommend the council explore the options for selling this land and schedule a joint work session with the school district and the motion carried.

City Project 5960

City Engineer Brian Yavarow shared the city's plans for upcoming projects. Plans are underway for a reconstruction and utility project on Linden and Summit from Broadway to Oak Street and on Laurel Street from First Avenue to Broadway. A portion of the street reconstruction would be funded through special assessments while the utility replacements would be funded by enterprise funds. The city would need to contract for the appraisal services. There is no cost estimate for the project at this time and funding sources have not yet been determined. If approved staff would begin drafting the Preliminary Engineering Report in-house for the council to consider later. A motion and second were made by Fish and Hagberg to recommend the council initiate PI 5347, 5348, 5349, 7212, 7213, 7214, 8227, 8228 and 8229; Combine PI 5347, 5348, 5349, 7212, 7213, 7214, 8227, 8228 & 8229 into City Project 5960; Order the Preliminary Engineering Report for CP 5960; Accept Patchin Mesner's professional services proposal for appraisal services in the not to exceed the amount of \$9,000 and the motion carried.

City Project 5959

Another proposed 2023 street reconstruction and utility project on Stanton Avenue: Union Avenue to Broadway. Yavarow contacted Terracon to ascertain to extent of the poor soils under the street

surface, collect soil borings and provide a report with recommendations on mitigating the unsuitable soils. Special assessments would likely be utilized to help fund the project and professional appraisal services would be required. A motion and second were made by Hicks and Fish to recommend the council accept Patchin Messner's professional services proposal for appraisal services not to exceed \$11,000; and accept Terracon's professional services proposal for geotechnical exploration services in an amount not to exceed \$8,900 for City Project 5959 and the motion carried.

Downtown Riverfront Project Phase 2 Update

Recently the council requested updates on Phase 2 of the Downtown Riverfront Project regarding vendor utility hookups and the water filtration system for the splash pad. While it is possible to add utility connections in Phase 2, the cost has not yet been determined. After discussing possible locations in Phase 2, the council suggested staff contact vendors to seek their preference as the final design decision would not be necessary until the project starts in the spring. Yavarow commented on the pros and cons, cost, and maintenance issues with the two types of water filtration systems for the splash pad: flow through or re-circulating. The project was designed and bid with a re-circulating system and the council agreed to keep that system in place.

Stormwater Management Ordinance

The MPCA provided a written response to their audit of the city's stormwater management program. Many of the alleged violations can be resolved with site plan reviews, construction inspections and City Code updates. Yavarow shared proposed City Code revisions to address many of the regulatory mechanisms. Kvamme asked if the additional requirements would be too cumbersome for developers and if they are practical for staff to achieve. Yavarow spoke the powers of the MPCA to implement this unfunded mandate from the state due to the size of our population. He talked about the staff dedicated to implementing and overseeing the program and the city's requirement to enforce the standards. If the city does not comply with the regulations, the MPCA would have the ability to levy fines against the city. Hicks acknowledged the city does not have the ability to deviate from the MPCA guidelines and suggested the city communicate these changes are not city driven but come from a state regulatory authority. A motion and second were made by Fish and Hagberg to recommend the council direct the City Attorney to draft an update to City Code Chapter 152, Stormwater Management and the motion carried.

Pebble Lake Golf Course Clubhouse HVAC System

After Palmer's restaurant opened this spring at the Pebble Lake Golf Course, it became evident the air conditioning system has exceeded its life expectancy with the kitchen temperature often exceeding 100 degrees. The restaurant is expected to run year-round in the future, and the heating system is also lacking. The Pebble Lake Golf Course has requested an agreement with the city to front them the expense of a new HVAC system (estimated at \$50,000) and they would repay 50% of the cost over a five-year period. The city received one quote to date and is waiting for a second quote to come in. The funds that were being saved for re-siding the clubhouse would instead be used for the new HVAC system. The golf board acknowledged they would be paying higher heating and cooling bills but agreed a new system would be an added benefit to this city asset. A motion and second were made by Fish and Thompson to recommend the council enter into an agreement with the Pebble Lake Golf Course to purchase and install new HVAC equipment into the clubhouse and the motion carried.

Lake Alice Planning Discussion

The city recently received correspondence from a resident concerned with the goose population and water quality within Lake Alice. Kvamme felt it would be appropriate to designate a committee to investigate these concerns and possible solutions. He proposed the committee also look at future roadway, utility, and stormwater projects in this area. Staff suggested those interested in looking at the water quality and geese issues apply to the Natural Resources Committee and a sub-committee could be formed to address these issues. They also spoke about the work that has been done around Lake Alice over the years and that information could be a catalyst for future projects. A motion and second were made by Hicks and Hagberg to recommend the council establish a sub-committee of the Natural Resources Advisory Committee and the motion carried.

The meeting adjourned at 7:57 am

Lynne Olson

FOR COUNCIL MEETING— OCT 17, 2022

APPROVALS ON ALL LICENSES ARE CONTINGENT UPON PAPERWORK BEING FILLED OUT CORRECTLY AND COMPLETELY, AND ALL INSURANCES AND BONDS BEING CURRENT.

Minnesota Lawful Gambling Permit

Fergus Falls Sertoma Club for a raffle on February 12, 2023 at the Eagles Aerie 2339

Tobacco

Elevate-2022 NEW

Casey's General Store (Vernon)-2023

Casey's General Store (Union)-2023

M & H -2023

Mechanical

J Brothers Mechanical Plus

Full On Sale Liquor License-2023

Eagles Aerie 2339



Council Action Recommendation

Page 1 of 2

Meeting Date:

October 12, 2022 – Committee of the Whole

October 17, 2022 – City Council

Subject:

City Project CP No. 5960 – 2023 Street and Utility Improvement Project No. 1

Recommendation:

- Initiate PI No.'s 5347, 5348, 5349, 7212, 7213, 7214, 8227, 8228, & 8229
- Combine PI No.'s 5347, 5348, 5349, 7212, 7213, 7214, 8227, 8228, & 8229 into CP 5960
- Order the Preliminary Engineering Report (PER) for CP 5960
- Accept Patchin Messner's professional services proposal for appraisal services not to exceed amount of \$9,000.00

Background/Key Points:

Staff is evaluating future improvement projects for next year's construction season. I am proposing reconstructing the pavement and utilities located along:

- Linden Street and Summit Avenue from Broadway Avenue to Oak Street.
- Laurel Street from 1st Avenue to Broadway Avenue

Please refer to the project location map for reference.

Similar to the past reconstruction projects (CP 5954, 5956, & 5955), a portion of street reconstruction is proposed to be funded thru 429 special assessments. The utility replacements will be funded through the appropriate enterprise fund. I am also requesting the Council order the Preliminary Engineering Report (PER) and to Accept Patchin Messner's professional services proposal for appraisal services not to exceed amount of \$9,000.00.

If acceptable, City staff will begin drafting the Preliminary Engineering Report in-house for presentation to this Council later.

Budgetary Impact:

The estimated cost for this project is not determined at this time. Potential funding sources might be utility enterprise funds, PIR Bonds, and special assessment, and/or a combination thereof.

Originating Department:

Engineering Department

Respectfully Submitted:

Brian Yavarow - City Engineer

Attachments:

Project Location Map

LEGEND:

 Proposed Street & Utility Locations



1 inch = 400 feet

**2023 Street & Utility Reconstruction Improvement
Project C.P. No. 5960**

This map has been compiled from information on file at the City of Fergus Falls Engineering Department. The City of Fergus Falls makes no representation and assumes no liability for errors, omissions, or inaccuracies contained on this map. This map should not be used for boundary survey information.



Council Action Recommendation

Page 1 of 2

Meeting Date:

October 12, 2022 – Committee of the Whole

October 17, 2022 – City Council

Subject:

City Project CP No. 5959 – 2023 Street and Utility Improvement Project No. 2

Stanton Avenue Reconstruction Improvement Project from Union Avenue to Broadway Avenue

Recommendation:

- Resolution accepting Patchin Messner’s professional services proposal for appraisal services not to exceed amount \$11,000.00
- Resolution accepting Terracon’s professional services proposal for geotechnical exploration services not to exceed amount \$8,900.00

Background/Key Points:

Based on anecdotal evidence and historical accounts the underlying soil beneath Stanton Avenue is believed to be unsuitable (poor) soil however, the extent is not fully known. Therefore, I contacted Terracon for geotechnical exploration services. In general, Terracon will drill a series of soil borings thru the pavement to soil collect soil samples, prepare a geotechnical report along with recommendations to mitigate the potential unsuitable soils. I suspect geosynthetic products such as fabrics, geo grid, etc. might be a recommendation for the new street construction process.

Secondly, although the estimated costs for this project have not been determined, special assessments for a portion of the street are likely to be utilized as a portion of the total project funding. Because of this, I solicited Patchin Messner for professional services proposal for appraisal services. Patchin Messner has provided appraisal services these services for past City projects.

Budgetary Impact:

The estimated cost for this project is not determined at this time. Potential funding sources might be Municipal State Aid (street portion), enterprise funds (City utilities), special assessment, and/or a combination thereof. Funding options will be reviewed after the completion of the PER and preliminary design.

Originating Department:

Engineering Department

Respectfully Submitted:

Brian Yavarow, P.E. - City Engineer

Attachments:

Project Location Map



PI 5350, 7215 & 8230 Street & Utility Replacement

This map has been compiled from information on file at the City of Fergus Falls Engineering Department. The City of Fergus Falls makes no representation and assumes no liability for errors, omissions, or inaccuracies contained on this map. This map should not be used for boundary survey information.



Council Action Recommendation

Page 1 of 3

Meeting Date:

October 12, 2022 – Committee of the Whole
October 17, 2022 – City Council

Subject:

Chapter 152 - Stormwater Management Ordinances

Recommendation:

- Motion directing the City Attorney to draft the Stormwater Management Ordinance revisions for Chapter 152

Background/Key Points:

On September 14, 2022 the MPCA provided written responses to their audit of the City's Stormwater Management program. A majority of the MPCA alleged violations can be resolved with site plan reviews, construction inspections, and City Code updates. The City has procedures and written forms to resolve requirements of the MS4 permit. The City has since responded to the MPCA with facts and/or circumstances to consider in its process of determining enforcement actions regarding their audit.

Budgetary Impact:

General staff time

Originating Department:

Engineering Department

Respectfully Submitted:

Brian Yavarow, P.E. - City Engineer

Attachments:

List of Ordinance revisions
Chapter 152 - Stormwater Management Ordinances - Redlines

- 1) Develop regulatory mechanism(s) that establishes requirements for erosion, sediment, and waste controls that is at least as stringent as the MPCA's most current CSW Permit.
- 2) Develop a regulatory mechanism(s) that requires owners and operators of construction activity to develop site plans that incorporate the following erosion, sediment, and waste controls that are at least as stringent as described in the CSW Permit: erosion prevention practices; sediment control practices; dewatering and basin draining; inspection and maintenance; pollution prevention management measures; temporary sediment basins; and termination conditions.
- 3) Develop a regulatory mechanism(s) that prohibits infiltration systems from being constructed in the following areas:
 - that receive discharges from vehicle fueling and maintenance areas, regardless of the amount of new and fully reconstructed impervious surface.
 - where high levels of contaminants in soil or groundwater may be mobilized by the infiltrating stormwater.
 - where soil infiltration rates are more than 8.3 inches per hour unless soils are amended to slow the infiltration rate below 8.3 inches per hour.
 - with less than three feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock of predominately Hydrologic Soil Group D (clay) soils
 - in an Emergency Response Area (ERA) within a Drinking Water Supply Management Area (DWSMA) as defined in Minn. R. 4720.5100, Subp. 13, classified as high or very high vulnerability as defined by the Minnesota Department of Health.
 - in an ERA within a DWSMA classified as moderate vulnerability unless the Regulated Party performs or approves a higher level of engineering
 - review sufficient to provide a functioning treatment system and to prevent adverse impacts to groundwater
 - outside of an ERA within a DWSMA classified as high or very high vulnerability unless the Regulated Party performs or approves a higher level of engineering review sufficient to provide a functioning treatment system and to prevent adverse impacts to groundwater
 - within 1,000 feet up-gradient or 100 feet down gradient of active karst features; and
 - that receive stormwater runoff from these types of entities regulated under NPDES for industrial stormwater: automobile salvage yards; scrap recycling and waste recycling facilities; hazardous waste treatment, storage, or disposal facilities; or air transportation facilities that conduct deicing activities.
- 4) Incorporate the following requirement into your regulatory mechanism(s): "for non-linear projects, where the water quality volume cannot cost effectively be treated on the site of the original construction activity, the Regulated Party must identify, or may require owners of the construction activity to identify, locations where off-site treatment projects can be completed. If the entire water quality volume is not addressed on the site of the original construction activity, the remaining water quality volume must be addressed through off-site treatment and, at a minimum, ensure the requirements of items 20.11 through 20.14 are met."

- 5) Incorporate the following requirement into your regulatory mechanism(s), “that off-site treatment project areas are selected in the following order of preference: locations that yield benefits to the same receiving water that receives runoff from the original construction activity; locations within the same Department of Natural Resource (DNR) catchment area as the original construction activity; locations in the next adjacent DNR catchment area up-stream; or locations anywhere within the Regulated Party's jurisdiction.”
- 6) Incorporate the following requirement into your regulatory mechanism(s), “that off-site treatment projects must involve the creation of new structural stormwater BMPs or the retrofit of existing structural stormwater BMPs, or the use of a properly designed regional structural stormwater BMP. Routine maintenance of structural stormwater BMPs already required by the General Permit cannot be used to meet this requirement.”
- 7) Incorporate the following requirement into your regulatory mechanism(s), “that off-site treatment projects must be completed no later than 24 months after the start of the original construction activity.”

TITLE XV: LAND USAGE

CHAPTER 152: STORM WATER MANAGEMENT

Section

Storm Water Drainage Utility

- 152.01 Establishment
- 152.02 Findings and determination
- 152.03 Storm Drainage Utility Fund
- 152.04 "Runoff equivalent factor" ("REF") defined
- 152.05 Storm water drainage charges
- 152.06 Drainage units
- 152.07 Other land uses
- 152.08 Adjustment of charge
- 152.09 Exemptions
- 152.10 Payment of charge
- 152.11 Late payment penalty
- 152.12 Establishment of tax lien

Storm Water Management

- 152.25 Purpose
- 152.26 Definitions
- 152.27 Scope; exemptions; installation and repair
- 152.28 Site vegetation management
- 152.29 Storm water management plan; application and content
- 152.30 Review process
- 152.31 Duration
- 152.32 Conditions
- 152.33 Plan; approval standards
- 152.34 State's Storm Water Manual
- 152.35 Models, methodologies and computations
- 152.36 Criteria for new and redeveloped permanent facilities
- 152.37 Operation, maintenance and inspections
- 152.38 Easements
- 152.39 Plan applicability
- 152.40 Plan amendment
- 152.41 NPDES permits
- 152.42 Inspections of prevention measures
- 152.43 Construction plans and specifications
- 152.44 Construction activities
- 152.45 Violations and reporting
- 152.46 Emergency suspension
- 152.47 Non-emergency revocation of plan

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- 152.48 Notification
- 152.49 Costs of damage; attorney fees and costs
- 152.50 Falsifying information

- 152.99 Penalty

STORM WATER DRAINAGE UTILITY

§ 152.01 ESTABLISHMENT.

Pursuant to M.S. § 444.075, as it may be amended from time to time, the city establishes a storm drainage utility and authorizes the imposition of just and reasonable charges for the use and availability of storm drainage facilities. The storm drainage utility operations shall be a part of the Public Works Department and under the administration of the City Administrator.
(2002 Code, § 3.93) (Ord. 14, Fifth Series, passed 11-18-1996)

§ 152.02 FINDINGS AND DETERMINATION.

(A) In the exercise of its governmental authority and in order to promote the public health, safety, convenience and general welfare, the city has constructed, operated and maintained a storm drainage system. This subchapter is adopted in the further exercise of the authority and for the same purposes.

(B) The system, as constructed heretofore, has been financed and paid for through the imposition of special assessments and ad valorem taxes. It is now necessary and desirable to provide an additional method of recovering some or all of the future costs of improving, establishing, enlarging, replacing, repairing, maintaining and operating the system through the imposition of charges as provided in this subchapter.

(C) In imposing charges, it is necessary to establish a methodology that undertakes to make them just and equitable. Taking into account the status of completion of the system, past methods of recovering system costs, the topography of the city and other relevant factors, it is determined that it would be just and equitable to assign responsibility for some or all of the future costs of improving, establishing, enlarging, replacing, repairing, maintaining and operating the system on the basis of the expected storm water runoff from the various parcels of land within the city during a standard rainfall event.
(2002 Code, § 3.93) (Ord. 14, Fifth Series, passed 11-18-1996)

§ 152.03 STORM DRAINAGE UTILITY FUND.

There is hereby created a Storm Drainage Utility Fund into which all charges, when collected, and all moneys received from the sale of any facilities or equipment, or any by-products shall be placed. The moneys shall be used first to pay the normal,

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reasonable and current costs of operating and maintaining the facilities.
(2002 Code, § 3.93) (Ord. 14, Fifth Series, passed 11-18-1996)

§ 152.04 “RUNOFF EQUIVALENT FACTOR” (“REF”) DEFINED.

For the purpose of this subchapter, **RUNOFF EQUIVALENT FACTOR (REF)** is defined as the ratio of the average volume of surface water runoff generated by one acre of a given land use to the average volume of runoff generated by one acre of typical single-family residential land, during a standard one-year rainfall event.(2002 Code, § 3.93) (Ord. 14, Fifth Series, passed 11-18-1996)

§ 152.05 STORM WATER DRAINAGE CHARGES.

(A) In determining charges, the City Council shall, by resolution, establish a basic system rate to be charged monthly against one standardized or measured drainage unit having an REF of one. The charge to be made against each parcel of land shall then be determined by multiplying the REF for the parcel's land use, classification times the parcel's drainage unit times the basic system rate.

(B) The REF values for various land uses are as follows:

Class	Land Use	REF
1	Single-family and duplex residential	1.00
2	Small commercial	2.00
3	Large commercial, industrial, institutional, churches and the like	4.00
4	Parks, cemeteries and vacant land	0.00

(2002 Code, §3.93) (Ord. 14, Fifth Series, passed 11-18-1996)

§ 152.06 DRAINAGE UNITS.

(A) *Standardized drainage unit (Classification 1)*. For the purpose of calculating storm water drainage charges, all Classification 1 land use parcels shall be considered to have one drainage unit per residence (duplex, two residences).

(B) *Standardized drainage unit (Classification 2)*. For the purpose of calculating storm water drainage charges, all Classification 2 land use parcels shall be considered to have one drainage unit per business (maximum parcel size = one-half an acre).

(C) *Measured drainage unit (Classification 3)*. For the purpose of calculating storm water drainage charges, all Classification 3 land use parcels shall be considered to have one drainage unit for each one acre of measured impermeable surface (roofs, parking lots and the like) located on the parcel (minimum parcel size = one-half an acre).

(2002 Code, § 3.93) (Ord. 14, Fifth Series, passed 11-18-1996)

§ 152.07 OTHER LAND USES.

(A) Other land uses not listed in the foregoing table shall be classified by the City Administrator by assigning them to classes most nearly like the listed uses, from the standpoint of runoff volume for the standard rainfall event.

(B) An appeal of the classifications from the determination of the City Administrator may be made to the City Council.

(2002 Code, § 3.93) (Ord. 14, Fifth Series, passed 11-18-1996)

§ 152.08 ADJUSTMENT OF CHARGE.

The City Council may, by resolution, adopt policies providing for the adjustment of charges for parcels based upon land use data supplied by affected property owners which demonstrates a runoff volume for a standard rainfall event substantially different from the REF being used for the parcels. The adjustments for storm water drainage charges shall not be made retroactively.

(2002 Code, § 3.93) (Ord. 14, Fifth Series, passed 11-18-1996)

§ 152.09 EXEMPTIONS.

Public street rights-of-way, cemeteries, parks and vacant land with ground cover are exempt from storm water drainage charges.

(2002 Code, § 3.93) (Ord. 14, Fifth Series, passed 11-18-1996)

§ 152.10 PAYMENT OF CHARGE.

Statements for storm water drainage charges shall be made a part of the present utility billing system invoiced through the City Administrator's office on a monthly basis. All charges shall be subject to established procedure for determining and collecting customer charges.

(2002 Code, § 3.93) (Ord. 14, Fifth Series, passed 11-18-1996)

§ 152.11 LATE PAYMENT PENALTY.

Each billing for storm water drainage charges which are not paid when due shall incur a penalty charge of 10% of the amount past due.

(2002 Code, § 3.93) (Ord. 14, Fifth Series, passed 11-18-1996)

§ 152.12 ESTABLISHMENT OF TAX LIEN.

Any past due storm water drainage charges will be certified to the County Auditor

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for collection with real estate taxes against the property served by the utility established in this subchapter for collection as other taxes are collected in the following year pursuant to M.S. § 444.075, subd. 3, as it may be amended from time to time, and the code. In addition, the city may have the right to bring a civil action or take other legal remedies to collect unpaid charges.
(2002 Code, § 3.93) (Ord. 14, Fifth Series, passed 11-18-1996)

STORM WATER MANAGEMENT

§ 152.25 PURPOSE.

(A) This subchapter outlines the requirements for storm water management systems within the city. In the event of any conflict between the provisions of this subchapter or other regulations adopted by the city, the state or federal authorities, the more restrictive standard prevails. The objectives of this subchapter are as follows:

- (1) To protect the natural resources within the city from undesirable impacts related to development or other activities;
- (2) To promote the safety of people and property through effective storm water quantity and quality management practices;
- (3) To regulate land development activity, land-disturbing activity or other activities that may have an adverse impact on storm water quantity or quality;
- (4) To establish standards and procedures for land development activities throughout the city, which balance development and the protection of water quality;
- (5) To provide the basis for storm water system analysis necessary to protect public and private property, water quality and existing natural resources; and
- (6) To comply with the requirements of the city's National Pollution Discharge Elimination System's (NPDES) municipal separate storm sewer system (MS4) permit and associated storm water pollution prevention program (SWPPP).

(B) Except as otherwise provided herein, the City Engineer shall administer, implement and enforce the provisions of this subchapter.
(2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015)

§ 152.26 DEFINITIONS.

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

APPLICANT. Any person or group that applies for a building permit, subdivision approval, zoning change, approach, excavation or special use permit, storm water plan approval or any other permit which allows land-disturbing activities.

BEST MANAGEMENT PRACTICES (BMP). Erosion and sediment control and water quality management practices that are the most effective and practicable means of controlling, preventing and minimizing the degradation of surface water, including

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construction-phasing, minimizing the length of time soil areas are exposed, prohibitions and other management practices published by federal, state or designated area-wide planning agencies.

BMPs. Measures designed to:

- (1) Prevent pollutants from leaving a specific area;
- (2) Reduce/eliminate the introduction of pollutants;
- (3) Protect sensitive areas; or
- (4) Prevent the interaction between precipitation and pollutants.

BUFFER.

(1) The buffer strip begins at the ordinary high water mark for wetlands and the top of the bank of the channel for rivers and streams. This start point corresponds to the State Department of Natural Resources' definition of a "shoreline" in Minn. Rules part 6115.0030 or as may be amended from time to time.

(2) A protective vegetated zone located adjacent to a natural resource, such as a water of the state that is subject to direct or indirect human alteration. Such a buffer strip is an integral part of protecting an aquatic ecosystem through trapping sheet erosion, filtering pollutants, reducing channel erosion and providing adjacent habitat.

CITY. The City of Fergus Falls or the City Council of the City of Fergus Falls.

CITY ENGINEER. The City Engineer of the City of Fergus Falls or authorized agent. The **CITY ENGINEER** may require a third party Engineer's service at the applicant's expense.

COMMON PLAN OF DEVELOPMENT OR SALE. A contiguous area where multiple separate and distinct land-disturbing activities may be taking place at different times, or on different schedules, but under one proposed plan. This item is broadly defined to include design, permit application, advertisement or physical demarcation indicating that land-disturbing activities may occur.

CONTROL MEASURE. A practice or combination of practices to control erosion and attendant pollution. See also **BMPs (BEST MANAGEMENT PRACTICES)**.

COUNCIL. The City Council of the City of Fergus Falls.

DETENTION FACILITY. A natural or human-made structure, including wetlands, used for the temporary storage of runoff and which may contain a permanent pool of water or may be dry during times of no runoff.

DEVELOPMENT. Any land-disturbance activity that changes the site's runoff characteristics in conjunction with residential, commercial, industrial or institutional construction or alteration.

DEVELOPER. A person, firm, corporation, sole proprietorship, partnership, federal or state agency, or political subdivision thereof engaged in a land-disturbance and/or land development activity.

DISCHARGE. The release, conveyance, channeling, runoff or drainage of storm water, including snowmelt.

DRAINAGE EASEMENT. A right to use the land of another for a specific purpose, such as a right-of-way for the movement of water across or under the land surface or the storage of water.

DRAINAGE SYSTEM. Local drainage system.

EROSION. Removing the surface of the land by the action of water, wind, ice or gravity. **EROSION** can be accelerated by the activities of humans and nature.

EROSION CONTROL. Refers to methods employed to prevent erosion. Examples include soil stabilization practices, horizontal slope grading, temporary or permanent cover, and construction phasing.

EROSION AND SEDIMENT CONTROL PLAN (E&S CONTROL PLAN).

A written description and/or plan indicating the number, locations, sizes and other pertinent information about best management practice methods designed to reduce erosion of the land surface and the deposition of sediment within a waterway. An **E&S CONTROL PLAN** is required as part of a storm water management plan. Both the storm water management plan and **E&S CONTROL PLANS** are used in developing the state-mandated storm water pollution prevention plan (SWPPP). An **E&S CONTROL PLAN** may be required for certain projects not requiring a full storm water management plan, as outlined in this subchapter or determined necessary by the City Engineer.

EXPOSED SOIL AREAS. All areas of the construction site where the vegetation (trees, shrubs, brush, grasses and the like) or impervious surface has been removed, thus rendering the soil more prone to erosion. This includes topsoil stockpile areas, borrow areas and disposal areas within the construction site. It does not include temporary stockpiles or surcharge areas of clean sand, gravel, concrete or bituminous, which have less stringent protection. Once soil is exposed, it is considered **EXPOSED SOIL**, until it meets the definition of "final stabilization".

FINAL STABILIZATION. All soil disturbing activities at the site have been completed, and that a uniform (evenly distributed - e.g., without large bare areas) perennial vegetative cover with a density of 70% of the cover for unpaved areas and areas not covered by permanent structures has been established, or equivalent permanent stabilization measures have been employed. Simply sowing grass seed is not considered **FINAL STABILIZATION**. Where agricultural land is involved, such as when pipelines are built on crop or rangeland, **FINAL STABILIZATION** constitutes returning the land to its preconstruction agricultural use.

HYDRIC SOILS. Soils that are saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile.

HYDROPHYTIC VEGETATION. Macrophytic (large enough to be observed by the naked eye) plant life growing in water, soil or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content.

IMPERVIOUS AREA. A constructed hard surface that either prevents or retards the entry of water into the soil, and causes water to run off the surface in greater quantities and at an increased rate of flow than existed prior to development. Examples include rooftops, sidewalks, patios, driveways, parking lots, storage areas and concrete, asphalt or gravel parking lots and roads.

LAND DEVELOPMENT ACTIVITY. The act of subdivision or platting properties for personal use, adding value or for the purposes of resale. This includes the construction and/or demolition of buildings, structures, roads, parking lots, paved storage areas and similar facilities.

LAND-DISTURBING ACTIVITY. Any land change that may result in soil erosion from water or wind and the movement of sediments into or upon waters or lands within the city's jurisdiction, including construction, clearing and grubbing, grading, excavating, transporting and filling of land. Within the context of this subchapter,

LAND-DISTURBANCE ACTIVITY does not mean:

- (1) **MINOR LAND-DISTURBANCE ACTIVITIES** such as home gardens and an individual's home landscaping, repairs and maintenance work, which will not result in sediments entering the storm water system;
- (2) Additions or modifications to existing single-family structures that

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result in creating under 5,000 square feet of exposed soil or impervious surface and will not result in sediments entering the storm water system; Construction, installation, and maintenance of trees, fences, signs, posts, poles and electric, telephone, cable television, utility lines or individual service connections to these utilities, which result in creating under 5,000 square feet of exposed soil or impervious surface and will not result in sediments entering the storm water system;

(3) Tilling, planting or harvesting of agricultural, horticultural or silvicultural (forestry) crops; and/or

(4) Emergency work to protect life, limb or property and emergency repairs, unless the land- disturbing activity would have otherwise required an approved erosion and sediment control plan, except for the emergency. If such a plan would have been required, then the disturbed land area shall be shaped and stabilized in accordance with the city's requirements as soon as possible.

LANDOWNER. Any person holding title to or having a divided or undivided interest in land.

LOCAL DETENTION. Detention intended to serve only the developing area in question and no areas outside of the development boundaries. As such, it is under the control of one owner or group of owners. This is also known as **ON-SITE DETENTION**.

LOCAL DRAINAGE SYSTEM. The storm drainage system which transports the minor and major storm water runoff to the major storm water system serving only the property within the development boundaries, under the control of one owner or group of owners. This is also known as the **ON-SITE DRAINAGE SYSTEM**.

MANAGEMENT PRACTICE. A practice or combination of practices to control erosion and water quality degradation.

Municipal Separate Storm Sewer System (MS4). The system of conveyances and structural stormwater BMPs (including sidewalks, roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, constructed channels or storm drains) owned or operated by the City, designed or used for collecting or conveying stormwater, and not used for collecting or conveying wastewater that discharges to waters of the United States.

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES)

STORM WATER PERMIT. Any permit or requirement enforced pursuant to the Clean Water Act, being 33 U.S.C. §§ 1251 et seq., as amended, for the purposes of regulating storm water discharge.

NATIONWIDE URBAN RUNOFF PROGRAM (NURP). An urban runoff study by the United States Environmental Protection Agency.

NATURAL WATER. A river, stream, pond, channel or ditch.

NON-COMPLIANCE FEE. The administrative penalty, or fee, for re-inspection of a property which may be assessed to a permittee, land owner, developer or their contractor(s) for non-compliance with the provisions and/or conditions of an approved storm water plan and/or permit or the violation of any other provisions contained in this subchapter.

ON-SITE DETENTION. Local detention system.

OUTLET. Any discharge point, including storm sewers, into a watercourse, pond, ditch, lake or other body of surface water or ground water.

OWNER or OCCUPANT. Any person owning or using a lot, parcel of land or premises connected to and discharging storm water into the storm water system of the city, and who pays for and is legally responsible for the payment of storm water rates or charges made against the lot, parcel of land, building or premises, if connected to the

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storm water system or who would pay or be legally responsible for such payment.

PERMANENT CONSTRUCTED DEVELOPMENT PERMANENT FACILITIES.

Those features of a storm water management plan which are part of any natural or constructed storm water system that requires periodic maintenance to retain their operational capabilities. This includes, but is not limited to, storm sewers, infiltration areas, detention areas, channels, streets and the like.

PERMANENT COVER. Final stabilization. Examples include grass, gravel, asphalt and concrete. See also the definition of **FINAL STABILIZATION**. Any buildings, structures, landscaping and related features as part of a development project approved for construction or constructed prior to the passage of this subchapter.

PERMIT. Within the context of this rule, a **PERMIT** is a written warrant or license granted for construction, subdivision approval or to allow land-disturbing activities.

PERMITTEE. Any person who applies for and receives approval of a storm water plan and/or permit from the city and/or state.

PERSON. Any developer, individual, firm, corporation, partnership, franchise, association, owner, occupant of property or agency, either public or private.

PROHIBITED DISCHARGE.

(1) A non-storm water discharge into the storm water system or a natural water, including, but not limited to:

(a) Debris or other materials such as grass clippings, vegetative materials, tree branches, earth fill, rocks, concrete chunks, metal, other demolition or construction materials or structures;

(b) The disposal or misuse of chemicals or any other materials that would degrade the quality of waters within the system, including, but not limited to, chemicals (fertilizers, herbicides, pesticides and the like) or petroleum based products (gasoline, oil, fuels, solvents, paints and the like);

(c) Erosion and sediment originating from a property and deposited onto city streets, private properties or into the storm water conveyance system, including those areas not specifically covered under an approved storm water management plan or storm water permit; and

(d) Failure to remove sediments transported or tracked onto city streets by vehicles or construction traffic within 24 hours of it being deposited on the street.

(2) For the purposes of this section, **PROHIBITED DISCHARGES** do not include the following, unless information is available to indicate otherwise:

- (a) Water line flushing;
- (b) Landscape irrigation;
- (c) Diverted stream flows;
- (d) Rising ground water;
- (e) Uncontaminated ground water infiltration;
- (f) Uncontaminated pumped ground water;
- (g) Discharges from potable water sources;
- (h) Foundation drains;
- (i) Air conditioning condensate;
- (j) Irrigation water;
- (k) Springs;
- (l) Water from crawl space pumps;
- (m) Footing drains;
- (n) Lawn watering;

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- (o) Individual residential car washing;
- (p) Flows from riparian habitats and wetlands;
- (q) De-chlorinated swimming pool discharges; and
- (r) Street wash water.

PUBLIC STORM SEWER. A storm sewer located entirely within publicly-owned land or easements.

REGIONAL DETENTION. Detention facilities provided to serve an area outside the development boundaries.

RETENTION FACILITY. A natural or human-made structure that provides for the storage of all or a portion of storm water runoff.

RUNOFF. The rainfall, snowmelt, dewatering or irrigation water flowing over the grounds surface and into open channels, underground storm sewers and detention or retention ponds.

SEDIMENT. Solid material or organic material that, in suspension, is being transported or has been moved by air, water, gravity or ice, and deposited at another location.

SEDIMENT CONTROL. The methods employed to prevent sediment from leaving the development site. Examples of **SEDIMENT CONTROL** practices include, but are not limited to, silt fences, sediment traps, earth dikes, drainage swales, check dams, subsurface drains, pipe slope drains, storm drain inlet protection and temporary or permanent sedimentation basins.

SIGNIFICANT REDEVELOPMENT. Alterations of a property that changes the footprint of a site or building in such a way that results in the disturbance of over one acre of land. This term is not intended to include activities, which would not be expected to cause adverse storm water quality impacts and offer no new opportunity for storm water controls, such as exterior remodeling.

SITE. The entire area included in the legal description of the parcel or other land division on which the land development or land-disturbing activity is proposed in the storm water plan or permit application.

STABILIZE. To make the site steadfast or firm, minimizing soil movement by mulching and seeding, sodding, landscaping, placing concrete, gravel or other measures.

STABILIZED. The exposed ground surface after it has been covered by sod, erosion control blanket, riprap, pavement or other material that prevents erosion. Simply sowing grass seed is not considered **STABILIZATION**. Ground surfaces may be temporarily or permanently **STABILIZED**. (Also, see **FINAL STABILIZATION**.)

STATE. The State of Minnesota.

STORM SEWER. A pipe or conduit for carrying storm waters, surface runoff and drainage, excluding sewage and industrial wastes.

STORM WATER. Precipitation runoff, storm water runoff, snow melt runoff and any other surface runoff and drainage. **STORM WATER** does not include construction site dewatering.

STORM WATER DEPRESSED DETENTION. Temporary storage of storm water runoff in ponds, parking lots, grassy areas, rooftops, buried underground tanks and the like, for future or controlled release. Used to delay and attenuate flow.

STORM WATER MANAGEMENT. The planned set of public policies and activities undertaken to regulate runoff and reduce erosion, and maintain or improve

water quality under various specified conditions within various portions of the drainage system. It may establish criteria for controlling peak flows and/or runoff volumes, for runoff detention and retention, or for pollution control, and may specify criteria for the relative elevations among various elements of the drainage system. **STORM WATER MANAGEMENT** is primarily concerned with limiting future flood damages and environmental impacts due to development, whereas flood control aims at reducing the extent of flooding that occurs under current conditions.

STORM WATER MANAGEMENT CRITERIA. Specific guidance provided to the engineer/ designer to carry out drainage and storm water management policies. An example might be the specification of local design hydrology and use of the design storm.

STORM WATER MANAGEMENT PLAN. A document containing the requirements identified by the city in §§ 152.29 and 152.30 of this chapter that when implemented will provide solutions to storm water management problems that may occur as a result of the proposed development or land-disturbing activity.

STORM WATER MANAGEMENT SYSTEM. Physical facilities that collect, store, convey and treat storm water runoff in urban areas. These facilities normally include detention and retention facilities, streets, storm sewers, inlets, open channels and special structures, such as inlets, manholes and energy dissipaters.

STORM WATER POLLUTION PREVENTION PLAN (SWPPP). A joint storm water and erosion and sediment control plan that is written as a prerequisite to obtaining an NPDES storm water permit for construction activity, that when implemented will decrease soil erosion on a parcel of land and off-site non-point pollution. It involves both temporary and permanent controls. The **SWPPP**, which draws its information from a storm water management plan and is typically condensed, must be incorporated into the construction grading plans for the project.

STORM WATER RETENTION STRUCTURE. Storage designed to eliminate or reduce the frequency of subsequent surface discharge. Wet ponds are the most common type of retention storage (though wet ponds may also be used for detention storage). Anything manufactured, constructed or erected which is normally attached to or positioned on land, including portable structures, earthen structures, roads, parking lots and paved storage areas.

SUBDIVISION. Any tract of land divided into building lots for private, public, commercial, industrial and the like development for the purpose of sale, rent or lease, including planned unit development.

SYSTEM CHARGE OR ASSESSMENT. A charge for connecting an outlet to a regional storm water management facility, typically a pond. The charge is normally assessed to recover the proportional cost of constructing a regional pond or storm water treatment facility.

TEMPORARY PROTECTION. Short-term methods employed to prevent erosion. Examples of such protection are straw, mulch, erosion control blankets, wood chips and erosion netting.

UNDEVELOPED LAND. Land that in its current state has not been impacted by significant land- disturbance activities, annexed into the city or subdivided into multiple ownership lots and is typically zoned agricultural.

URBAN AREA. Land associated with, or part of, a defined city or town.

USER. Any person who discharges, causes or permits the discharge of storm water into the city's storm water management system.

VIOLATION. The willful or negligent act of non-compliance with the conditions attached to an approved storm water plan and/or permit, or any other provisions contained in this subchapter, subject to enforcement and penalty or non-compliance fees.

WATERCOURSE. The natural path for the flow of water where there is sufficient natural and accustomed runoff to form and maintain a distinct and defined channel or an open channel facility that has been constructed for such purpose. This shall include any easements obtained for the purposes of runoff conveyance.

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

WATERSHED MASTER PLAN. A plan that an engineer/designer formulates to manage urban storm water runoff for a particular project or drainage area. It typically addresses such subjects as characterization of the existing and future site development, land use and grading plan, peak rates of runoff, flow duration, runoff volumes for various return frequencies, locations, criteria and sizes of detention or retention ponds and conveyances; runoff control features; land parcels, easement locations, opinions of probable costs, measures to enhance runoff quality, salient regulations and how the plan addresses them and consistency with secondary objectives such as public recreation, aesthetics, public safety and ground water recharge. It may be submitted to regulatory officials for their review for adoption.

WET POND or WET DETENTION FACILITY. A retention facility which includes a permanent pool of water used for the purposes of providing for the treatment of storm water runoff.

WETLANDS. Lands that transition between terrestrial and aquatic systems (excluding drainage ditch bottoms) where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this definition,

WETLANDS must have the following three attributes:

- (1) A predominance of hydric soils;
- (2) Are inundated or saturated by the surface or ground water at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions; and
- (3) Under normal circumstances support the prevalence of the vegetation.

(2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015)

§ 152.27 SCOPE; EXEMPTIONS; INSTALLATION AND REPAIR.

(A) *Prohibited discharges.* It shall be considered an offense for any person to cause or allow a prohibited discharge into waters of the state, including the city storm water system or any natural water.

(B) *Land-disturbing activity requiring a storm water management plan.* Any person, firm, sole proprietorship, partnership, corporation, state agency or political subdivision proposing subdivision or plat approval, a building permit or any land-disturbance activity greater than one acre within the city must submit a state-issued NPDES permit and storm water pollution prevention plan to the City Engineer unless a waiver is provided in accordance with this subchapter. No subdivision approval, plat approval or building permit shall be issued until a state NPDES permit and storm water pollution prevention plan or a waiver of the approval requirements has been approved by the City Engineer in strict conformance with the provisions of this subchapter. No land shall be disturbed until the permit is approved by the City Engineer and conforms to the standards set forth herein. A storm water management plan may also be required in some situations as determined by the City Engineer (i.e., development within an existing subdivision with documented flooding problems associated with storm water runoff).

(C) *Exemptions.* Exemptions to the storm water management plan requirements of this subchapter include:

(1) Any part of a subdivision that is included in a plat that has been approved by the City Council and recorded with the office of the County Recorder on or before the effective date of this subchapter. A storm water permit for land-disturbing activities on such properties may still be required, as determined by the City Engineer, and such activities are still subject to other compliance requirements in accordance with this subchapter;

(2) A storm water management plan is generally not required for individual lots or properties located within a subdivision or plat for which a storm water management plan has already been approved. This exemption is subject to the City Engineer's consideration and approval;

(3) A parcel for which a building permit has been approved on and/or before the effective date of this section and an NPDES/SDS permit was not required;

(4) Any land-disturbance activity not associated with building construction that will affect less than one acre of undeveloped land; or

(5) Emergency work to protect life, limb or property.

(D) *Land-disturbing activity involving the construction of a single-family or two-family dwelling.* Construction of single-family or two-family dwellings must comply with in place approved BMPs and any existing permitted SWPPP for the subdivision, including NPDES/SDS permit requirements and subdivision agreement. Compliance with the single-family residential construction erosion/sediment control standards is required.

(E) *Installation and repair of utility service lines.*

(1) At project sites that require permit coverage where a utility contractor is not the site owner or operator, each utility contractor must comply with the provisions of the storm water pollution prevention plan (SWPPP) for the project their construction activities will impact. Each utility contractor must ensure that their activities do not render ineffective, the erosion prevention and sediment control best

management practices (BMPs) for the site. Should a utility contractor damage or render ineffective any BMPs for the site, the owner must ensure such BMPs are repaired or replaced within seven days of completion of utility installation on the site.

(2) At project sites where a utility contractor is the site owner or operator, and the utility company disturbs one or more acres of soil for the purpose of installation of utility service lines, including, but not limited to, residential electric, gas, telephone and cable lines, the utility company must apply for permit coverage from the state prior to commencement of construction.

(3) Utility contractors working in a street right-of-way to repair existing or install new utilities and disturbing less than one acre are required to provide appropriate inlet protection and sediment control during the course of the work so as to ensure the storm sewer system is protected from pollution. The utility contractor is also required to provide street sweeping as necessary to ensure that sediments resulting from their activity do not enter the storm water system following construction. The street shall be swept within working day of completion of utility installation on the site. All disturbed vegetation shall be replaced with seed or sod within seven days of completion of utility installation on the site. The city will provide guidance regarding acceptable temporary protection BMPs for inlets and methods to stabilize the exposed soil areas until they meet the definition of final stabilization.

(F) *Waivers.* The City Engineer may waive any requirement of this subchapter upon making a finding that compliance with the requirement will involve an unnecessary hardship, and the waiver of such requirement is not contrary to the objectives in this subchapter. The City Engineer may require as a condition of the waiver, the dedication or construction, or agreement to dedicate or construct, as may be necessary to adequately meet the standards and requirements.

(2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015)

§ 152.28 SITE VEGETATION MANAGEMENT.

(A) Any landowner shall provide for the installation and maintenance of vegetation on his or her property in accordance with the following criteria, regardless as to whether or not a storm water management plan has been approved or is necessary under this subchapter.

(1) *Use of impervious surfaces.* No person shall apply items included in the definition of “prohibited discharge” on impervious surfaces or within storm water drainage systems with impervious liners or conduits.

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

(3) *Use of pervious surfaces.* No person shall deposit grass clippings, leaves or other vegetative materials, with the exception of normal mowing or weed control, within natural or human-made watercourses, wetlands or within wetland buffer areas. No person shall deposit items included in the definition of “prohibited discharge”, except as noted above.

(B) Failure to comply with this subchapter shall constitute a violation and subject the landowner to the enforcement provisions, penalties and non-compliance fees outlined in §§ 152.39 and 152.99 of this chapter. (2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015) Penalty, see § 152.99

§ 152.29 STORM WATER MANAGEMENT PLAN; APPLICATION AND CONTENT.

(A) (1) A written storm water management plan shall be filed with the City Engineer. The storm water management plan shall include:

- (a) A statement indicating the grounds upon which the approval is requested;
- (b) A statement indicating that the proposed use is permitted in the underlying zoning district; and
- (c) Adequate evidence showing the proposed use will conform to the standards set forth in this subchapter and the *Minnesota Storm Water Manual* (hereinafter referred to as the "Manual").

(2) Prior to seeking approval of a storm water management plan, it is recommended that the storm water management plan be reviewed by any affected public agencies.

(B) Two sets of legible copies of the drawings and required information shall be submitted to the City Engineer at the time of plat approval or when applying for a building permit. Plans shall be prepared to a scale appropriate to the site of the project and suitable for performing the review.

(C) (1) The storm water management plan shall contain the following information:

- (a) A written storm water management report discussing the pre and post development hydrologic and hydraulic analysis, erosion and sedimentation control during and after construction;
 - (b) Protective measures for proposed and existing structures;
- and
- (c) Shall address water quality concerns.

(2) For additional information, refer to the storm water management plan approval standards in § 152.33 of this chapter.

(2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015)

§ 152.30 REVIEW PROCESS.

A storm water management plan meeting the requirements of § 152.29 of this chapter shall be submitted to the City Engineer for review and to determine its compliance with the standards as outlined in § 152.33 of this chapter. The City Engineer shall approve, approve with conditions or deny the storm water management plan. If a particular storm water management plan involves a complex application or has the

potential for significant controversy, the City Engineer may bring the proposed storm water management plan before the City Council for consideration and public comment. The City Engineer may also require that the proposed storm water management plan be reviewed by a third-party engineer at the applicant's expense. (2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015)

§ 152.31 DURATION.

Approval of any storm water management plan shall expire one year after the date of approval unless construction has commenced in accordance with the plan. However, if, prior to the expiration of approval, the applicant makes a written request to the City Engineer for an extension of time to commence construction setting forth the reasons for the requested extension, the City Engineer may grant one extension of not greater than one year. The City Engineer shall acknowledge receipt of any request for an extension and shall make a decision on the extension within 30 days of receipt. Any expired and/or revised plan may be resubmitted following the same procedure for an original approval. Any denied or expired plan may be resubmitted with additional information addressing the concerns contained within the denial. The resubmitted application shall be subject to the applicable review time lines. (2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015)

§ 152.32 CONDITIONS.

A storm water management plan may be approved subject to compliance with conditions reasonable and necessary to ensure that the requirements contained in this subchapter are met. The conditions may, among other matters, limit the size, kind or character of the proposed development, require the construction of structures, drainage facilities, storage basins and other facilities, require replacement of vegetation, establish required monitoring procedures, stage the work over time, require alteration of the site design to ensure proper buffering, require the acquisition or dedication of certain lands or easements and require the conveyance to the city or other public entity of certain lands or interests therein for storm water system facilities. The City Engineer may specify special requirements or conditions for specific major or minor watersheds within the city and its extraterritorial jurisdiction. The nature of these requirements will be subject to the unique environmental and natural resource environment of each sub watershed. Approval of a plan shall bind the applicant to perform and comply with all the requirements and conditions of the plan prior to commencing or concurrent with any land-disturbing activities. (2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015)

§ 152.33 PLAN; APPROVAL STANDARDS.

The City Engineer shall not approve a storm water management plan, which fails to meet the standards set forth within this subchapter. Other ~~applicable standards, such as state and federal standards, shall also apply~~ standards of the most currently approved NPDES/SDS and NPDES MS4 permit must be met by proposed stormwater plans. If the standards of different agencies conflict, the more restrictive standards shall apply. It shall be the applicant's responsibility to obtain any required permits from other governmental agencies having any jurisdictional authority over the work to be performed. ~~Typically, such agencies include, but are not limited to, the state's Department of Natural Resources, the state's Department of Transportation, the state's Pollution Control Agency, the state's Historical Preservation Office, the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, Federal Emergency Management Agency and others.~~ The city may choose to obtain some of the required permits. The applicant will be notified which permits are to be obtained by the city. (2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015)

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§ 152.34 STATE'S STORM WATER MANUAL.

The *Minnesota Storm Water Manual* contains the principal standards and design criteria for developing an effective and acceptable storm water management plan. The Manual contains an overview of state storm water management policy and design objectives as well as a detailed discussion of the required contents for storm water management plans submitted to the state for approval. The Manual contains detailed criteria for hydrologic evaluations, the design of storm water management system facility components, water quality protection standards, instructions for the development of an erosion and sedimentation control plan. The Manual also contains a discussion of operation and maintenance requirements, standard forms to be used and standard construction details approved by the state. (2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015)

§ 152.35 MODELS, METHODOLOGIES AND COMPUTATIONS.

Other than those outlined in the Manual, any hydrologic models and/or design methodologies used to determine runoff conditions and to analyze storm water management structures and facilities, shall be approved in advance by the City Engineer. ~~All storm water management plans, drawings, specifications and computations for storm water management facilities submitted for review shall contain a validated seal and shall be signed by a professional engineer registered in the state.~~ (2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015)

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§ 152.36 CRITERIA FOR NEW AND REDEVELOPED PERMANENT FACILITIES.

Storm water control facilities, included as part of the final design for a permanent development, shall be addressed in the storm water management plan and shall meet the following criteria:

(A) *Pre- versus post-hydrological response of site.* An applicant shall design, install or construct, on or for the proposed land-disturbing activity, development activity or redevelopment activity, all storm water management facilities necessary to manage runoff such that increases in flow under the design conditions will not occur that could exceed the capacity of the outlet, or the storm water management system, into which the site discharges or that would cause the storm water management system to be overloaded or accelerate channel erosion as a result of the proposed land-disturbing activity or development activity. Under no circumstances shall the two-, ten- or 100-year developed peak flow exceed the two-, ten- or 100-year existing peak flow without prior written approval by the City Engineer. Post construction storm water management BMPs shall be installed to the maximum extent practical (MEP) and shall show a net [per annual basis](#) reduction for volume, total suspended solids (TSS) and total phosphorus (TP) for new or redeveloped sites from pre-project conditions. For regional detention or storm water management system, the City Engineer shall recommend a proposed system charge or assessment to be approved by the City Council based upon an approved watershed master plan and an analysis of required drainage systems, projected costs and flood protection benefits provided to those properties directly or indirectly impacted by the regional detention or storm water management system. [Design criteria must meet the most current state approved NPDES/SDS and NPDES/MS4 general permit requirements.](#)

(B) *Natural features of the site.* The applicant shall give consideration to reducing the need for storm water management system facilities by incorporating the use of natural topography and land cover such as wetlands, ponds, natural swales and depressions as they exist before development to the degree that they can accommodate the additional water flow without compromising the integrity or quality of these natural features.

(C) *Storm water management strategies.*

(1) The following storm water management practices shall be investigated when developing a storm water management plan in accordance with this subchapter and the city code:

(a) Natural infiltration of precipitation and runoff on-site, if suitable soil profiles can be created during site grading. The purpose of this strategy is to encourage the development of a storm water management plan that encourages natural infiltration. This includes, providing as much natural or vegetated area on the site as possible, minimizing impervious surfaces and directing runoff to vegetated areas rather than onto adjoining streets, storm sewers and ditches;

(b) Flow attenuation by use of open vegetated swales and natural depressions;

(c) Storm water detention facilities;

(d) Storm water retention facilities (on a case by case basis);

and

(e) Other facilities requested by the City Engineer.

(2) A combination of successive practices may be used to achieve the applicable minimum control requirements specified. Justification shall be provided by the applicant for the method selected, except as provided in storm water management "limitations" noted in the state's NPDES general permit.

(3) For non-linear projects, where the water quality volume cannot cost effectively be treated on the site of the original construction activity, the applicant is required to identify locations where off-site treatment projects can be completed. If the entire water quality volume is not addressed on the site of the original construction activity, the remaining water quality volume must be addressed through off-site treatment.

(a) Off-site treatment project areas shall be selected in the following order of preference: locations that yield benefits to the same receiving water that receives runoff from the original construction activity; locations within the same Department of Natural Resource (DNR) catchment area as the original construction activity; locations in the next adjacent DNR catchment area up-stream; or locations anywhere within the Regulated Party's jurisdiction

~~(f)(b)~~ off-site treatment projects must involve the creation of new structural stormwater BMPs or the retrofit of existing structural stormwater BMPs, or the use of a properly designed regional structural stormwater BMP. Routine maintenance of structural stormwater BMPs already required by the General Permit cannot be used to meet this requirement

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(D) *Adequacy of outlets.* The adequacy of any outlet used as a discharge point for proposed storm water management system must be assessed and documented to the satisfaction of the City Engineer. To the extent practicable, hydraulic capacities of downstream natural channels, storm sewer systems or streets shall be evaluated to determine if they have sufficient conveyance capacity to receive and accommodate post-development runoff discharges and volumes. In addition, projected velocities in downstream natural or human-made channels shall not exceed that which is reasonably anticipated to cause erosion unless protective measures acceptable to the City Engineer are approved and installed as part of the storm water management plan. The assessment of outlet adequacy shall be included in the storm water management plan.

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~~(E) Storm water detention/retention facilities. Storm water detention or retention facilities proposed to be constructed in the storm water management plan shall be designed according to the most current practices as reflected in the nationwide urban runoff program study.~~

~~(F) Pond buffers. A pond buffer extending 20 feet outward and two feet up from the high water level must be provided around the entire pond. The developer must provide signs denoting pond buffer limits, as deemed necessary and as approved by the~~

~~city. Deviations from this standard will only be allowed with prior review and approval from the city.~~

(2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015)

§ 152.37 OPERATION, MAINTENANCE AND INSPECTION.

All storm water management systems shall be designed to minimize the need for maintenance, to provide easy vehicle (typically, eight feet or wider) and personnel access for maintenance purposes, and to be structurally sound. All storm water management systems shall have a plan of operation and maintenance that assures continued effective removal of pollutants carried in storm water runoff. The City Engineer may inspect all public and private storm water management systems at any time. Inspection records will be kept on file at the City Engineer's office. It shall be the responsibility of the applicant to obtain any necessary easements or other property interests to allow access to the storm water management system for inspection and maintenance purposes. The owner must perform routine maintenance and inspections that are required annually and includes mowing grass, controlling weeds and woody vegetation, repairing eroded areas and removing debris. Owner shall maintain records and provide annual maintenance and inspection reports. The reports shall be made available to the City upon request.

~~A pond's buffer should be maintained as a meadow, prairie or forest with no more than two mowings annually at a height of no less than four inches.~~ The owner must perform non-routine maintenance which includes sediment cleanout and major structural repairs when needed. Inspections for non-routine maintenance items must occur at a minimum of every five years. Sediment cleanout must occur when 50% of the permanent pool storage volume is sediment. The City Engineer shall retain

enforcement powers for assuring adequate operation and maintenance activities through permit conditions, penalties, non-compliance orders and fees.
(2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015)

§ 152.38 EASEMENTS.

Easements may be required as conditions to the issuance of a storm water management plan approval. If a storm water management plan involves directing some or all of the site's runoff to a drainage easement, the applicant or his or her designated representative shall obtain from the property owners any necessary easements or other property interests concerning the flowing of the water. No fill, structures, fences, walls, rip-rap, buildings, docks, bridges, fountains or other similar encumbrances to access or restrictions to the flow of water may be placed within the drainage easement without the prior written consent of the city.

(2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015)

§ 152.39 PLAN APPLICABILITY.

A storm water management plan approval issued under this subchapter runs with

the land and is a condition of plat or development approval. Any landowner or subsequent landowner of any parcel within the plat or development area must comply with the plan or any approval, condition, revision or modification of the plan. The landowner must also comply with all applicable state subdivision registration, permit transfer/modification and notice of termination permits and provide a copy of the permit applications to the city for approval. Failure to comply with this plan shall constitute a violation and subject the permittee, developer and/or landowner to the enforcement provisions, penalties and non-compliance fees.

(2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015)

§ 152.40 PLAN AMENDMENT.

Storm water management plans may be amended only by a written request submitted to the City Engineer. This request shall contain the reason for the change and documentation related to any additional change in projected impacts, which may result from amendment approval. Amendment requests submitted prior to final approval of a plan application shall be considered part of the original submittal. Amendment requests filed after plan approval shall be considered following the same procedures as if it were a new application and subject to applicable review periods.

(2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015)

§ 152.41 NPDES PERMITS.

(A) It is unlawful to initiate any land development activity, land-disturbing activity or other activities which may result in an increase in storm water quantities, degradation of storm water quality, or restriction of flow in any storm sewer system, open ditch or natural channel, storm water easement, waterbody or wetland outlet within the jurisdiction of the city, without having first complied with the terms of this subchapter. Other activities include those outlined herein.

(1) *Permit.* All persons subject to meeting the requirements and needing to obtain a NPDES permit shall apply for coverage and file a copy with the City Engineer. The permit will be accompanied by a storm water management plan as prescribed under §§ 152.29 and 152.30 of this chapter, if such a plan has not been previously approved. Permit applications may be denied if the applicant is not in compliance with the NPDES permit currently in effect. Commencing earthwork on a project prior to plan or permit approval is considered a violation of this subchapter.

(2) *Permit delays.* The City Engineer may withhold granting approval of a permit until all issues associated with the site are resolved to the satisfaction of the City Engineer. Permits may be conditioned with delays such that work cannot begin until a specified date or until after the site is inspected.

(3) *Permit amendments.* NPDES permits may be amended (by applicant) only by a written request submitted by the permittee to the state. This request shall contain the reason for the change and documentation related to any additional impacts, which may result from amendment approval. A copy of the request will be submitted to the City Engineer within seven days of the submittal to the state. The state-

approved amended permit will also be submitted to the City Engineer within seven days of receipt.

(4) *Permit transfer.* A NPDES permit runs with the property it covers, until the permitted activities are completed, and is transferable to new landowners in its entirety or by parcel, with each parcel being subject to the permit and any conditions, which apply to that parcel. Land transfers must be reported to the City Engineer prior to issuing of permits.

(5) *Inspection.* The City Engineer may inspect the storm water management system of any permittee to determine compliance with the requirements of this subchapter. The applicant shall promptly allow the city and its authorized representatives, upon presentation of credentials to:

- (a) Enter upon the permitted site for the purpose of obtaining information, examination of records, conducting investigations, inspections or surveys;
- (b) Bring the equipment upon the permitted site as is necessary to conduct such inspections, surveys and investigations.
- (c) Examine and copy any books, papers, records or memoranda pertaining to activities or records required to be kept under the terms and conditions of this permitted site;
- (d) Inspect the storm water pollution control measures; and
- (e) Sample and monitor any items or activities pertaining to storm water pollution control measures.

(B) Any applicant or permittee shall provide safe and easy access for inspections.

(2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015)

Cross-reference:

Enforcement, see § 10.20

§ 152.42 INSPECTIONS OF PREVENTION MEASURES.

At a minimum, inspections shall be done weekly by the permittee (general contractor, developer or the developer's designated representative), and within 24 hours after every storm or snow melt event large enough to result in runoff from the site (one-half inches or more in 24 hours). Date and amount of all rainfall events greater than one-half inch in 24 hours must be recorded. Rainfall amounts must be obtained by a properly maintained rain gauge installed onsite, a weather station that is within one mile of your location or a weather reporting system that provides site specific rainfall data from radar summaries. At a minimum, these inspections and rainfall recording shall be done during active construction (the MPCA has inspection forms available upon request).

(2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015)

§ 152.43 CONSTRUCTION PLANS AND SPECIFICATIONS.

- (A) The plans and specifications prepared for the construction of the storm

water management system must be:

- (1) Consistent with the storm water management plan approved by the City Engineer, including any special provisions or conditions;
 - (2) In conformance with the requirements of the city and any other necessary permits required and issued by other governmental agencies;
 - (3) Sealed and signed by a professional engineer registered in the state;
 - (4) Submitted to the City Engineer for approval; and
 - (5) Approved by the City Engineer prior to commencing construction.
- ~~(5)~~(6) Site plan reviews shall be documented by the City to achieve compliance with MS4 permitting requirements.

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- (B) The construction grading and erosion/sediment control plans, in a format

acceptable to the City Engineer, shall contain a drawing or drawings delineating the features incorporated into the storm water pollution prevention plan (SWPPP) including details of perimeter protection, construction phasing, storm drain inlet protection, erosion control measures, temporary and final stabilization measures, including all BMPs. In addition, the construction specifications shall contain technical provisions describing erosion, sedimentation and water control measures to be utilized during and after construction as well as to define the entities responsible for the installation and maintenance of the BMPs. The project SWPPP must be incorporated into the construction specification documents.

(2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015)

§ 152.44 CONSTRUCTION ACTIVITIES.

Construction operations must at a minimum comply with any applicable federal or state permit and SWPPP in addition to the following best management practices.

(A) *Site dewatering.* Water pumped from the site shall be treated by temporary sedimentation basins, grit chambers, sand filters, upflow chambers, hydro-cyclones, soil concentrators or other appropriate controls as deemed necessary. Water may not be discharged in a manner that causes erosion, sedimentation or flooding on the site, on downstream properties, in the receiving channels or in any wetland.

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

(C) *Tracking management.* Each site shall have roads, access drives and parking areas of sufficient width, length and surfacing to minimize sediment from being tracked onto public or private roadways. Any material deposited by vehicles or other construction equipment onto a public or private road shall be removed (not by flushing) before the end of each day's work.

(D) *Water quality protection.* The construction contractor, including the general contractor and all subcontractors, shall be required to control oil and fuel spills and chemical discharges to prevent the spills or discharges from entering any watercourse, sump, sewer system, waterbody or wetland.

(E) *Site erosion and sedimentation control.* Construction operations must include erosion and sedimentation control measures meeting accepted design criteria, standards and specifications contained in the *Minnesota Storm Water Manual* or other standards determined by the City Engineer.

(F) *Water quantity.* The construction contractor, including the general contractor and all subcontractors, shall be required to minimize the volume of surface water runoff which flows from any specific site during development. This volume is not to exceed the pre-development hydrologic regime to the maximum extent practicable.

(G) *Temporary sediment basins.* Where ten or more acres of disturbed soil drain to a common location, the permittee(s) must provide a temporary sediment basin to provide treatment to the runoff before it leaves the construction site or enters surface

waters. A temporary sediment basin may be converted to a permanent basin after construction is complete. The temporary basin is no longer required when permanent cover has reduced the acreage of disturbed soil to less than ten acres draining to a common location. The permittee(s) is/are encouraged, but not required, to install temporary sediment basins where appropriate in areas with steep slopes or highly erodible soils even if less than ten acres drains to one area. The basins must be designed and constructed according to the state's NPDES general permit requirements.

(H) *Mitigation provisions.* Construction must meet all of the state's NPDES general permit requirements.
(2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015)

§ 152.45 VIOLATIONS AND REPORTING.

(A) Storm water management plan, NPDES permit and non-permit related storm water violations include, but are not limited to:

(1) Commencing site grading or preparation work without first having obtained approval from the City Engineer of all applicable permits;

(2) Non-compliance with the requirements or conditions attached to an approved SWPPP of an NPDES/SDS storm water permit for construction activity, storm water management plan or other standards established by the City Engineer, under authority of the city;

(3) The causing or allowing of a prohibited discharge in the city storm water system, a natural watercourse, storm water easement, stream or river;

(4) Failure to remove sediments transported or tracked onto city streets by vehicles or construction traffic within 24 hours of it being deposited on the street;

(5) Failure to install and maintain the erosion control measures (BMPs) on a construction site as outlined in the approved SWPPP and its amendments or other standards established by the City Engineer, under authority of the city; and

(6) Other violations or issues as noted or described throughout this subchapter.

(B) The City Engineer shall document the reporting of a violation in writing. Documentation shall include, at a minimum, the following:

(1) Name of the person responsible for violating the terms and conditions of the permittee's regulatory mechanism(s);

(2) Date(s) and location(s) of the observed violation(s);

- (3) Description of the violation(s), including reference(s) to relevant regulatory mechanism(s);
 - (4) Corrective action(s) (including completion schedule) issued by the permittee;
 - (5) Date(s) and type(s) of enforcement used to compel compliance (e.g., written notice, citation, stop work order, withholding of local authorizations and the like);
 - (6) Referrals to other regulatory organizations (if any); and
 - (7) Date(s) violation(s) resolved.
- (2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015)

§ 152.46 EMERGENCY SUSPENSION.

(A) The City Engineer may for cause order the suspension of a storm water management plan when the City Engineer determines that an actual or threatened discharge presents or may present an imminent or substantial danger to the health or welfare of persons downstream, or substantial danger to the environment. If such a suspension occurs, all work in the area covered by the plan shall cease immediately. If any person is notified of the suspension and then fails to comply voluntarily with the suspension order, the city shall commence whatever steps are necessary to obtain compliance. The City Engineer may reinstate the storm water management plan upon proof of compliance with all plans or permit conditions. The City Engineer may also order the immediate suspension of all work if a person or entity is conducting an activity for which a permit is needed without first obtaining the appropriate permit. The suspension shall remain in effect until the required permit(s) are obtained.

(B) Whenever the City Engineer orders the suspension of a plan and/or orders all work to stop pursuant to the emergency provisions of this subchapter, the City Engineer shall serve notice on the landowner and/or permittee personally, or by registered or certified mail.

(2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015)

§ 152.47 NON-EMERGENCY REVOCATION OF PLAN.

(A) A storm water management plan may be revoked following notice. The City Engineer may revoke a plan or permit for cause, including, but not limited to:

- (1) Violation of any terms or conditions of the applicable plan or permit;
- (2) False statements on any required reports and applications;
- (3) Obtaining a plan or permit by misrepresentation or failure to disclose fully all relevant facts; or
- (4) Any other violation of this subchapter or related ordinance.

(B) The City Engineer may revoke a storm water management plan and order a work stoppage to bring a project into compliance. Notice of an order shall be given in accordance with § 152.48 of this chapter. Under a revoked plan, no additional permit approvals (i.e., building, excavation and the like) shall be issued for any properties within the area included within the plan or permit boundaries until approved by the City Engineer. In addition, the city may deny new permits (i.e., building, excavation and the

like) to the permittee or landowner in violation for projects in other locations until current permits are brought into compliance.
(2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015)

§ 152.48 NOTIFICATION

(A) Whenever the City Engineer finds that any person has violated or is violating this subchapter, the City Engineer shall serve upon the person a written notice stating the nature of the violation. A plan satisfactory to the Engineer for correction thereof must be submitted to the City Engineer within an approved time frame. If a satisfactory plan is not submitted or the terms of the plan are not followed, the City Engineer may order all work in the affected area to cease. The City Engineer reserves the right to have the required work to be completed by others at the owner's expense.

(B) If any person commences any land-disturbing activities which result in increased storm water quantity or storm water quality degradation into the city's storm water management system contrary to the provisions of this subchapter, federal or state requirements or any order of the City Engineer, the City Attorney may commence action for appropriate legal and/or equitable relief, including administrative or criminal penalties.

(2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015)

§ 152.49 COSTS OF DAMAGE; ATTORNEY FEES AND COSTS.

(A) *Costs of damage.* Any person violating any of the provisions of this subchapter or who initiates an activity which causes a deposit, obstruction or damage or other impairment to the city's storm water management system is liable to the city for any expense, loss or damage caused by the violation or the discharge. The city may bill the person violating this subchapter the costs for any cleaning, repair or replacement work caused by the violation of storm water discharge, and if unpaid within 90 days may result in assessment of the costs against the violator's property.

(B) *City Attorney's fees and costs.* In addition to the civil penalties provided herein, the city may recover reasonable attorney's fees, court costs, court reporter's fees and other expenses of litigation by appropriate action against the person found to have violated this subchapter or the orders, rules, regulations and permits issued hereunder.

(2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015)

§ 152.50 FALSIFYING INFORMATION.

Any person who knowingly makes any false statements, representations or certification in any applicable record, report, plan, permit or other document filed or required to be maintained pursuant to this subchapter, or who knowingly falsifies, tampers with or knowingly renders inaccurate any monitoring devices or method

required under this subchapter, shall be guilty of a misdemeanor.
(2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015) Penalty, see § 152.99

§ 152.99 PENALTY.

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

(B) (1) Any person who is found to have violated an order of the City Engineer made in accordance with §§ 152.25 through 152.50 of this chapter, or who has failed to comply with any provision of §§ 152.25 through 152.50 of this chapter and the orders, rules, regulations and permits issued hereunder, is guilty of a misdemeanor. Each day on which a violation occurs or continues to exist shall be deemed a separate and distinct offense. All land use and building permits may be suspended until the applicant has corrected the violation. One re-inspection of a site will be allowed before any re-inspection fees will be applied. Reasonable non-compliance and re-inspection fees may be imposed for violation of §§ 152.25 through 152.50 of this chapter.

(2) Any person violating any provision of §§ 152.25 through 152.50 of this chapter, in addition to other sanctions set forth above, may be charged with a criminal misdemeanor or, alternatively, may be charged with an administrative violation pursuant to city code.

(2002 Code, § 3.94) (Ord. 109, Sixth Series, effective 6-25-2009; Ord. 24, Seventh Series, effective 5-23-2015)



Council Action Recommendation

Page 1 of 1

Meeting Date: 10-12-22

Subject: Club house Heating/Ventilation/Air Conditioning (HVAC)

Recommendation: Jointly (City and Pebble Lake Golf Club "PLGC") replace the club house HVAC equipment.

Background/Key Points: The air conditioning capabilities of the club house have shown to be inadequate with the opening of the restaurant and the prospect of it (restaurant) being in operation year-round. Pebble Lake Golf Club (PLGC) approached the city about replacing the equipment. Staff is recommending the city enter into an agreement with PLGC where the city would "front" the expense from the Golf Course budget and PLGC would repay 50% of the cost over a 5 year term.

The city recognizes the asset that the course and its amenities are to its citizens and appreciates all that PLGC does to provide this opportunity to the citizens and the region.

Budgetary Impact: One estimate of \$50,000 has been received and we are waiting on more. The funds are available in the Golf Course line of the Park and Recreation budget. The available funds are funds that have been set aside and have been building over the last few years to undertake an exterior face lift. This would delay that project indefinitely. Once all quotes are received, the city council will be asked to approve.

Originating Department: Public Works

Respectfully Submitted: Len Taylor

Attachments:



Council Action Recommendation

Page 1 of 1

Meeting Date: October 17, 2022

Subject: 2023 Insurance Renewal

Recommendation: The City of Fergus Falls waive the monetary limits on municipal tort liability established by Minnesota Statutes, Section 466.04

Background/Key Points: The City of Fergus Falls is insured through the League of Minnesota Cities Insurance Trust (LMCIT). The current statutes limit a city's tort liability to a maximum of \$500,000 per claimant and \$1,500,000 per occurrence. The LMCIT provides the City the option to waive the monetary statutory tort limits. The waiver provides coverage to a maximum of \$2,000,000 per claimant and \$2,000,000 per occurrence.

In prior years, the City of Fergus Falls has waived the statutory limits to provide expanded coverage for the residents.

I have reviewed this waiver with the City Attorney in the past and he recommends we continue to waive the statutory tort limits to provide this additional protection.

Budgetary Impact: Because the waiver increases the City's municipal liability and auto liability exposure, the premium is about 3.5% higher for coverage under the waiver option or about \$5,700 based on the 2022 municipal and automobile liability premiums.

Originating Department: Finance

Respectfully Submitted: Bill Sonmor, Finance Director

Attachments:

None



Council Action Recommendation

Page 1 of 1

Meeting Date: October 17, 2022

Subject: Downtown Riverfront Project - Phase 1 Matching Sources for State Bonding

Recommendation: Approve a resolution summarizing the matching sources for the State Bond Funds grant agreement.

Background/Key Points: During the 2020 Legislative Session, the City was awarded \$1,750,000 of State Bond Funds for the Downtown Riverfront project. The City is in the process of completing the grant agreement process with the Minnesota Department of Employment and Economic Development (DEED) and Minnesota Management and Budget (MMB).

The attached resolution is similar to Resolution #219-2021 previously adopted by the City Council. This current resolution includes additional detail by fund, of the matching funds provided by the City. The City Council has already approved the sources in prior resolutions. I am simply requesting the current resolution to provide clear information in one document for DEED.

Budgetary Impact: N/A – The funding sources have been previously approved by the City Council

Originating Department: Finance

Respectfully Submitted: Bill Sonmor, Finance Director

Attachments:

Resolution for Minnesota Department of Employment and Economic Development

Resolution No. XX-XXXXX

**for Minnesota Department of Employment and Economic Development
(DEED) Grant Funding Assistance for Fergus Falls Riverfront Corridor –
Downtown Riverfront Project – Phase 1**

BE IT FURTHER RESOLVED that the City of Fergus Falls has the legal authority to apply for financial assistance, and the institutional, administrative, and managerial capability to ensure adequate acquisition, construction, maintenance and protection of the proposed project described as the Fergus Falls Riverfront Corridor – Downtown Riverfront Project.

BE IT FURTHER RESOLVED that the City hereby pledges to complete the project or phase if it exceeds the total funding provided by the proposed \$1,750,000 grant from the Minnesota Department of Employment and Economic Development.

BE IT FURTHER RESOLVED City has the financial capability to provide any required matching funds and that the source of City’s matching funds shall be as follows (will not include other State funding sources):

- Local General Obligation Bonds \$1,464,215
- City Funds
 - Liquor Store 400,000
 - ARPA 245,000
 - General Fund Balance 167,000
 - Sewer and Water 35,200
 - Stormwater 42,539
- Local Fundraising (City will finance until collection) 205,000
- Total Matching Funds \$2,558,954

BE IT FURTHER RESOLVED that the City has not incurred any reimbursable expenses prior to the effective date of the agreement/legislation.

BE IT FURTHER RESOLVED that the City has not violated any Federal, State, or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the City may enter into an agreement with the State of Minnesota for the above- references project, and that the City certifies that it will comply with all applicable laws and regulations as stated in the contract agreement.

NOW, THEREFORE BE IT RESOLVED that the City Administrator and Mayor are hereby authorized to execute such agreements as are necessary to implement the project on behalf of the City.

I CERTIFY THAT the above resolution was adopted by the City Council of the City of Fergus Falls, Minnesota on October 17, 2022.
(City) (Date)

ATTEST:

ADOPTED:

(Signature)

(Title)

(Date)

(Signature)

(Title)

(Date)

RESOLUTION ALLOWING CLAIMS & ORDERING PAYMENT THEREOF

WHEREAS, THE CITY ADMINISTRATOR HAS AUDITED AND THE DEPARTMENTS HAVE APPROVED THE FOLLOWING CLAIMS AGAINST THE CITY OF FERGUS FALLS, AND HAVE CERTIFIED THAT SUCH CLAIMS ARE PROPERLY PAYABLE BY THE SAID CITY, AND THAT THE SAID CITY ADMINISTRATOR HAS VERIFIED SUCH CLAIMS TO BE PAID AND HAS SATISFIED HIMSELF THAT SUCH BILLS AND CLAIMS ARE PROPER CHARGES AGAINST THE CITY OF FERGUS FALLS;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FERGUS FALLS, MINNESOTA, THAT THE FOLLOWING BILLS AND CLAIMS BE AND THEREBY ARE, ORDERED PAID OUT OF THE FOLLOWING FUNDS:

General

AT&T MOBILITY	DATA PLANS/FIRE CHIEF PHONE	49.75
AT&T MOBILITY	DATA PLANS/PREVENTION CHIEF	44.72
AT&T MOBILITY	DATA PLANS/TRAINING CHIEF	44.72
AT&T MOBILITY	IPADS & CELL PHONE DATA	357.05
ADMINISTRATOR'S CONTINGENCY FD	AIRPORT SIGN ENCROACHMENT AGRE	46.00
ADMINISTRATOR'S CONTINGENCY FD	REFUND/PAVILION DEPOSIT-OTP	100.00
ADMINISTRATOR'S CONTINGENCY FD	REFUND/PLPS DEPOSIT-FRIEDRICH	25.00
ARAMARK UNIFORM SERVICES	SEPTEMBER LINEN SUPPLY	1,499.16
SEAN ANDERSON	CLEANING WEEKS OF SEPT 26-OCT	423.89
AUTO VALUE - FERGUS FALLS	OCT GATES HYD HOSE HOCKEY AREN	21.99
BIG AXX LLC	OCTOBER BLADES SHARPENED	33.00
BIG AXX LLC	OCTOBER FREIGHT	32.00
BJORN'S HEATING & AIR COND INC	CITY HALL FAILED 3 WAY VALVE	45.00
ANDREW BREMSETH	09/17-09/21/22 ICMA CONFERENCE	326.55
TRAVIS CARLSON	LOCAL TAX	.07-
TRAVIS CARLSON	OTC TAX	.07-
TRAVIS CARLSON	STATE TAX	.96-
CHARTER COMMUNICATIONS	10/02-11/01/22 CABLE	44.88
CHARTER COMMUNICATIONS	10/04-11/03/22 CABLE	52.62
COMMERCIAL REFRIGERATION SYS	AUGUST CHILLER RENTAL	24,450.00
COMMERCIAL REFRIGERATION SYS	DECOMMISSIONED, LOADED CHILLER	1,800.00
COMMISSIONER OF REVENUE	SEPTEMBER 2022 SALES TAX	69,009.00
COOPERS TECHNOLOGY GROUP	OCTOBER PRINT BOND PAPER ROLLS	185.99
COOPERS TECHNOLOGY GROUP	OCTOBER RETURN CALENDAR	7.36-
COOPERS TECHNOLOGY GROUP	SEPT CREDIT SUPPLIES	60.59-
COOPERS TECHNOLOGY GROUP	SEPT LABELS, SHEET PROTECTORS	90.20
COOPERS TECHNOLOGY GROUP	SEPT TOP TAB FILE FOLDERS	51.48
COOPERS TECHNOLOGY GROUP	2023 CALENDARS	357.10
EMPLOYEES INSURANCE TRUST FUND	OCTOBER HEALTH INSURANCE	97,746.72
EMPLOYEES INSURANCE TRUST FUND	OCTOBER LIFE INSURANCE	2,684.30
EQUIPMENT FUND	SEPT FUEL CHARGES #3002	114.77

General

EQUIPMENT FUND	SEPT FUEL CHARGES #3006	115.47
EQUIPMENT FUND	SEPT FUEL CHARGES #3040	95.20
EQUIPMENT FUND	SEPT REPAIRS/SERVICE #3002	399.98
EQUIPMENT FUND	SEPT REPAIRS/SERVICE #3019	68.54
4M FUND	SEP 22 SERVICE CHARGE	73.00
FASTENAL COMPANY	OCT PARK SAFETY VENDING	80.33
FASTENAL COMPANY	OCT STREET SAFETY VENDING	80.33
FERGUS FALLS CONVENTION &	AUG 2022 LODGING TAX	20,763.55
FERGUS FALLS CONVENTION &	AUG 2022 LODGING TAX ADMIN	622.91-
FERGUS FALLS DOWNTOWN	REFUND BARRICADE/CONE/SIGN PMT	38.18
FERGUS FALLS DOWNTOWN	REFUND DELIVERY/PICK UP FEE	35.00
FERGUS FALLS DOWNTOWN	REFUND PICNIC TABLES	90.00
FERGUS FALLS MONUMENT COMPANY	150TH ANNIVERSARY TREE PLAQUE	325.00
GALLS LLC	MATTER UNIFORM PURCHASE	185.61
GALLS LLC	MATTER UNIFORM RETURN	160.17-
GENERAL FUND	JAN-AUG MISC SUPPLIES	6,009.99
GENERAL FUND	REC TO JAN-AUG MISC SUPPLIES	10,305.29-
GENERAL FUND	RETURN DAIRY PROP EARN. FUNDS	5,000.00-
GENERAL FUND	SEPTEMBER COPIER USE	458.54
GENERAL FUND	SEPTEMBER LONG DISTANCE CHARGE	125.14-
GENERAL FUND	SEPTEMBER POSTAGE USE	454.66
GENERAL FUND	TRANSFER SEPTEMBER COPIER USE	550.66-
GENERAL FUND	TRANSFER SEPTEMBER POSTAGE USE	759.99-
NAPA AUTO PARTS - FERGUS FALLS	SEPTEMBER RESPONSE SUPPLIES	23.98
GOODIN COMPANY	AUGUST BROADWAY PARK	76.56
GOODIN COMPANY	AUGUST RETURNED PART	178.65-
GOODIN COMPANY	SEPT GALV PIPE	34.25
GOODIN COMPANY	URINAL, SEAT	221.53
GOODIN COMPANY	2XCLOSE RED BRASS NIPPLE	29.10
GREAT PLAINS NATURAL GAS CO	SEPTEMBER NATURAL GAS EXPENSE	431.12
CHRIS HARIG	FIRE MARSHAL CONFERENCE-EAGAN	134.71
HELPSYSTEMS LLC	ANTIVIRUS - IBM I - PROD PART.	524.56
HELPSYSTEMS LLC	ANTIVIRUS - IBM I - WEB PART.	1,391.29
HIGH POINT NETWORKS LLC	AZURE ACTIVE DIRECTORY PREMIUM	747.00
HIGH POINT NETWORKS LLC	HPN MONTHLY M365/GSUITE BACKUP	228.00
HIGH POINT NETWORKS LLC	OFFICE 365 G3 GCC	1,826.00
HIGH POINT NETWORKS LLC	PROJECT PLAN 3 FOR GCC	30.00
HIGH POINT NETWORKS LLC	VISIO PLAN 2 FOR GCC	45.00
HOME DEPOT CREDIT SERVICES	OCT PLUMBING PARTS MAGNUSSON P	34.06
HOME DEPOT CREDIT SERVICES	OCT PLUMBING PARTS NP PARK	236.67
HOME DEPOT CREDIT SERVICES	OCT STEEL STAKE HOOT LAKE PIER	215.40
HOME DEPOT CREDIT SERVICES	SEPTEMBER NOZZLE, HOSE, SPRAYER	153.93
LAKE REGION ELECTRIC COOP	SEPT/SNOW REMOVAL/EQUIP BLDG	74.90

General

LAKE REGION ELECTRIC COOP	SEPTEMBER ELECTRICITY EXPENSE	1,958.17
LAKELAND MENTAL HEALTH CENTER	SEPT/EMPLOYEE ASSIST-1379650	100.00
LAKELAND MENTAL HEALTH CENTER	SEPT/EMPLOYEE ASSIST-1383870	100.00
LAKES AREA DRAIN	SEPT/OPEN KITCHEN SINK DRAIN	240.00
LEAGUE OF MN CITIES INS. TRUST	2022 ADD'L PROPERTY INSURANCE	339.00
MARK LEE ASPHALT & PAVING, INC	LOCAL TAX	.42-
MARK LEE ASPHALT & PAVING, INC	OTC TAX	.42-
MARK LEE ASPHALT & PAVING, INC	STATE TAX	5.70-
LOCATORS & SUPPLIES INC	OCT WHITE TRAFFIC PAINT 5GAL B	5,125.00
LOCATORS & SUPPLIES INC	OCT YELLOW CAUTION TAPE	67.80
LOCATORS & SUPPLIES INC	OCT 30" SQUEEGEE/HANDLES MICK	130.76
LOCATORS & SUPPLIES INC	OCT 5XL SAFETY VESTS	59.94
VICTOR LUNDEEN COMPANY	SEPT SPLASH PAD EVENT PRINTING	11.35
VICTOR LUNDEEN COMPANY	SEPTEMBER INVITES & ENVELOPES	24.72
VICTOR LUNDEEN COMPANY	SEPTEMBER SUPPLIES-PAPER	2.10
VICTOR LUNDEEN COMPANY	30 NAT'L NIGHT OUT POSTERS	12.00
MII LIFE INCORPORATED	OCT FLEX/HSA PART FEE	147.95
MN DEPT OF PUBLIC SAFETY	CJDN ACCESS- SEPT 22-JUN 23	1,560.00
MISSION MECHANICAL INC	AIR HANDLER/CONDENSING UNIT	15,989.00
NEW HORIZONS ENERGY	OCT TRIMEC CLASSIC (MICK)	140.79
NYCKLEMOE & ELLIG, P.A.	OCTOBER PROSECUTING SERVICES	9,225.00
OTTER TAIL COUNTY HIGHWAY DEPT	ROUND-A-BOUT DECOR.LIGHTS ELEC	11.19
OTC HUMANE SOCIETY INC	JULY ANIMAL BOARDING	598.00
OTC HUMANE SOCIETY INC	JUNE ANIMAL BOARDING	1,118.00
OTTER TAIL POWER COMPANY	SEPTEMBER ELECTRICITY EXPENSE	24,120.11
OTTER TAIL POWER COMPANY	AUGUST ASSESSMENTS NOTICES	55.47
OTTER TAIL POWER COMPANY	AUGUST ASSESSMENTS POSTAGE	161.88
OTTER TAIL TELCOM	OCT. TELEPHONE LINES	2,397.98
OTTER TAIL TELCOM	OCTOBER ADDITIONAL LISTING	10.00
OTTER TAIL TELCOM	OCTOBER TELEPHONE EXPENSE	725.14
OTTER TAIL TELCOM	OCTOBER TELEPHONE LINES	184.49
OTTER TAIL TELCOM	SEPTEMBER LONG DISTANCE	12.02
OVERHEAD DOOR CO	SEPT OVERHEAD DOOR REPAIR	85.00
PEMBERTON LAW, P.L.L.P.	SEPT 2022 COMPENSATION STUDY	444.50
PLUMBERS INC	URINAL SERVICE,FLUSH VALVE KIT	523.71
POLICE DEPT CONTINGENCY FUND	BERGREN UNIFORM PURCHASE	314.89
POLICE DEPT CONTINGENCY FUND	ELDIEN UNIFORM PURCHASE	246.94
POLICE DEPT CONTINGENCY FUND	NEULEIB BCA CONF MEALS	55.57
SKY CREW SERVICES, LLC	NOVEMBER MANAGEMENT FEES	5,500.00
SPEE*DEE DELIVERY SERVICE INC	SHIPPING	18.09
STATE TREASURER	3RD QTR 2022 SURCHARGE	7,049.13
STATE TREASURER	3RD QTR 2022 SURCHARGE RETENT	281.97-
STRUCTURAL MATERIALS INC	OCT CONCRETE RAKES OCTO HANDLE	137.28

General

WELLS FARGO - INVESTMENTS	PURCHASE OF INVEST/01F020646	62,566.47-
WELLS FARGO - INVESTMENTS	PURCHASE OF INVEST/01F042699	199,231.26-
WELLS FARGO - INVESTMENTS	PURCHASE OF INVEST/01F050684	130,866.11-
WELLS FARGO - INVESTMENTS	PURCHASE OF INVEST/01F050692	133,225.74-
WELLS FARGO - INVESTMENTS	PURCHASE OF INVEST/3140MM3C0	92,403.91-
WELLS FARGO - INVESTMENTS	PURCHASE OF INVEST/3142BANQ1	108,314.68-
WELLS FARGO - INVESTMENTS	PURCHASE OF INVEST/35563PE39	220,244.54-
WELLS FARGO - INVESTMENTS	PURCHASE OF INVEST/5977496M7	100,000.00-
WELLS FARGO - INVESTMENTS	PURCHASE OF INVEST/831641FU4	175,000.00-
WELLS FARGO - INVESTMENTS	PURCHASE OF INVEST/91282CFH9	148,057.65-
WELLS FARGO - INVESTMENTS	PURCHASE OF INVESTMENTS - SEP	2,739,820.72
	F U N D T O T A L	1,666,220.29

P.A. General

ATLAS OUTDOOR SERVICES LLC	OCTOBER/CBHH SNOW/LAWN CARE	1,000.00
EMPLOYEES INSURANCE TRUST FUND	OCTOBER HEALTH INSURANCE	1,108.62
EMPLOYEES INSURANCE TRUST FUND	OCTOBER LIFE INSURANCE	8.11
GENERAL FUND	RETURN DAIRY PROP EARN. FUNDS	5,000.00
GENERAL FUND	SEPTEMBER COPIER USE	49.94
GENERAL FUND	SEPTEMBER LONG DISTANCE CHARGE	7.43
GENERAL FUND	SEPTEMBER POSTAGE USE	1.68
JOHNSON CONTROLS INC	MONTHLY MAINT -HVAC SEP	965.50
MII LIFE INCORPORATED	OCT FLEX/HSA PART FEE	3.30
OTTER TAIL TELCOM	OCT. TELEPHONE LINES	6.36
SUMMIT COMPANIES	MONTHLY MONITORING -OCT	32.50
UGSTAD PLUMBING INC	BOILER/GEN CK 09/05/22	90.00
UGSTAD PLUMBING INC	BOILER/GEN CK 09/14/2022	90.00
UGSTAD PLUMBING INC	BOILER/GEN CK 09/22/22	90.00
UGSTAD PLUMBING INC	BOILER/GEN CK 09/30/22	90.00
UGSTAD PLUMBING INC	MONTHLY MAINT -PLBG & HTG SEP	90.00
UGSTAD PLUMBING INC	REPAIR LOOSE SHOWER HEAD	90.00
	F U N D T O T A L	8,723.44

Regional Treatment Center-City Operated

Regional Treatment Center-City Operated

HOME DEPOT CREDIT SERVICES	OCT EXTERIOR FLAT PAINT RTC	22.97
OTTER TAIL POWER COMPANY	SEPTEMBER ELECTRICITY EXPENSE	329.97
	F U N D T O T A L	352.94

Public Library

ARAMARK UNIFORM SERVICES	SEPTEMBER LINEN SUPPLY	5.24
ARAMARK UNIFORM SERVICES	TOWELS MOPS	30.48
BAKER & TAYLOR INC	BOOKS	1,677.57
BAKER & TAYLOR INC	FREIGHT SURCHARGE	16.76
BAKER & TAYLOR INC	PROCESSING	181.26
BAKER & TAYLOR INC	PROCESSING BOOKS	62.34-
EMPLOYEES INSURANCE TRUST FUND	OCTOBER HEALTH INSURANCE	6,336.70
EMPLOYEES INSURANCE TRUST FUND	OCTOBER LIFE INSURANCE	47.66
GENERAL FUND	JAN-AUG MISC SUPPLIES	1,402.15
GENERAL FUND	SEPTEMBER LONG DISTANCE CHARGE	62.54
GREAT PLAINS NATURAL GAS CO	SEPTEMBER NATURAL GAS EXPENSE	26.87
HOME DEPOT CREDIT SERVICES	OCT SHELVING UNITS LIBRARY	345.96
HOOPLA	DIGITAL MATERIALS	750.00
LERNER PUBLICATIONS COMPANY	BOOKS	24.57
MII LIFE INCORPORATED	OCT FLEX/HSA PART FEE	13.75
MIDWEST PRINTING COMPANY	PAPER CUTTING SCRATCH	15.00
OTTER TAIL POWER COMPANY	SEPTEMBER ELECTRICITY EXPENSE	1,001.49
OTTER TAIL TELCOM	OCT. TELEPHONE LINES	76.33
OTTER TAIL TELCOM	OCTOBER FAX LINE LIBRARY	35.19
OTTER TAIL TELCOM	OCTOBER TELEPHONE EXPENSE	146.36
US BANK EQUIPMENT FINANCE	06/21-09/21/22 OVERAGE	68.76
US BANK EQUIPMENT FINANCE	09/21-10/21/22 COPIER LEASE	551.70
	F U N D T O T A L	12,754.00

Bigwood Event Center

ARAMARK	OCTOBER LINEN SUPPLY	395.80
CARDCONNECT	SEP CREDIT CARD FEES	63.03
COMMISSIONER OF REVENUE	SEPTEMBER 2022 SALES TAX	7.22

Bigwood Event Center

GENERAL FUND	JAN-AUG MISC SUPPLIES	318.36
MII LIFE INCORPORATED	OCT FLEX/HSA PART FEE	2.75
OTTER TAIL POWER COMPANY	SEPTEMBER ELECTRICITY EXPENSE	2,331.34
OTTER TAIL TELCOM	OCT. TELEPHONE LINES	198.48
OTTER TAIL TELCOM	OCTOBER INTERNET ACCESS BW	178.24
TWEETON REFRIGERATION	SEPTEMBER ICE MACHINE RENTAL	180.00
	F U N D T O T A L	3,675.22

IRP Revolving Loan

GENERAL FUND	SEPTEMBER COPIER USE	.92
	F U N D T O T A L	.92

CDBG/HUD Revolving Loan

GENERAL FUND	SEPTEMBER COPIER USE	2.62
GENERAL FUND	SEPTEMBER POSTAGE USE	1.14
	F U N D T O T A L	3.76

P.I.R. Bond and Interest 2007

P.I.R. BOND & INTEREST 2007	2022 DEBT SERVICE TRANSFER	106,180.00-
	F U N D T O T A L	106,180.00-

P.I.R. Bond and Interest 2009

P.I.R. BOND & INTEREST 2009	2022 DEBT SERVICE TRANSFER	131,270.00-
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P.I.R. Bond and Interest 2009

F U N D T O T A L 131,270.00-

P.I.R. Bond and Interest 2012B

P.I.R. BOND & INTEREST 2012 2022 DEBT SERVICE TRANSFER 117,395.00-

F U N D T O T A L 117,395.00-

Capital Improvement

BOLTON & MENK INC	AQUATIC CENTER REDESIGN	5,850.00
BOLTON & MENK INC	DELAGOON PARK PLAN UPDATES	1,443.00
BOLTON & MENK INC	PROF SERV 8/20/22 THRU 9/16/22	6,425.00
FINANCE & COMMERCE INC	RTC PHASE 3 AD FOR BIDS	289.79
GOODIN COMPANY	PLUMBING PARTS MAGNUSON PARK	44.36
GOODIN COMPANY	4" ADJ FLOOR DRAIN ROUND PVC	79.83
HANCOCK CONCRETE PRODUCTS CO.	HEADWALL,4" DOT,WITH SCREEN	2,776.20
HOLCIM-MWR INC	OCT CONCRETE AT GODEL PARK	933.00
MARK LEE ASPHALT & PAVING, INC	PAVE COURT ST & PARKING LOT	21,500.00
LIBRARY FURNITURE INTL INC	SHELVES	5,473.52
MOORE ENGINEERING INC	PRELIM. DESIGN STANTON AVE	8,226.25
MOORE ENGINEERING INC	PROF SERV.CONCORD ST IMPR.	753.75
OTTER TAIL POWER COMPANY	SPLASH PAD PLEDGE FORMS	78.76
STENERSON BROTHERS LUMBER CO	OCT 1.5" REBAR CHAIRS GODEL PA	10.80
STRUCTURAL MATERIALS INC	OCT CLEAR CONC CURE GODEL PARK	825.00
TAFT STETTINIUS HOLLISTER LLP	2022 CONTRACT MATTER	3,025.00
VINCO INC	WIRING FOR CAMERA IN WORKROOM	600.00
BEN WOLDEN LANDSCAPING	PAY ESTIMATE NO. 1	33,227.63
	F U N D T O T A L	91,561.89

P.I.R. Project 2007B

P.I.R. Project 2007B

P.I.R. BOND & INTEREST 2007	2022 DEBT SERVICE TRANSFER	106,180.00
	F U N D T O T A L	106,180.00

P.I.R. Project 2009

P.I.R. BOND & INTEREST 2009	2022 DEBT SERVICE TRANSFER	131,270.00
	F U N D T O T A L	131,270.00

P.I.R. Project 2012B

P.I.R. BOND & INTEREST 2012	2022 DEBT SERVICE TRANSFER	117,395.00
	F U N D T O T A L	117,395.00

Liquor Store

AL'S REFRIGERATION, INC.	SEPT CLEANED ICE MAKER	253.00
AL'S REFRIGERATION, INC.	SEPT REPLACE MIDDLE AC CONDENS	210.21
AL'S REFRIGERATION, INC.	SEPT TEMP CONTROL WALK-IN COOL	839.89
THE AMERICAN BOTTLING COMPANY	OCTOBER/MIX	138.66
ARAMARK UNIFORM SERVICES	SEPTEMBER LINEN SUPPLY	586.65
ARTISAN BEER COMPANY	OCTOBER/BEER	1,586.85
ARTISAN BEER COMPANY	SEPTEMBER/BEER	470.60
BELLBOY CORPORATION	OCTOBER/FREIGHT	94.04
BELLBOY CORPORATION	OCTOBER/LIQUOR	6,763.50
BELLBOY CORPORATION	OCTOBER/MIX	336.00
BEVERAGE WHOLESALERS INC	OCTOBER/BEER	28,906.03
BEVERAGE WHOLESALERS INC	OCTOBER/LIQUOR	329.00
BEVERAGE WHOLESALERS INC	OCTOBER/MIX	430.95
BEVERAGE WHOLESALERS INC	SEPTEMBER/BEER	11,904.45
BEVERAGE WHOLESALERS INC	SEPTEMBER/LIQUOR	94.00
BRAUN VENDING INC	OCTOBER WATER COOLER RENT	7.00

Liquor Store

BRAUN VENDING INC	SEPTEMBER/SUPPLIES-WATER	7.00
BREAKTHRU BEVERAGE MINNESOTA	OCTOBER/FREIGHT	239.92
BREAKTHRU BEVERAGE MINNESOTA	OCTOBER/LIQUOR	13,237.48
BREAKTHRU BEVERAGE MINNESOTA	OCTOBER/MIX	257.71
BREAKTHRU BEVERAGE MINNESOTA	OCTOBER/WINE	3,044.00
BREAKTHRU BEVERAGE MINNESOTA	SEPTEMBER/FREIGHT	171.10
BREAKTHRU BEVERAGE MINNESOTA	SEPTEMBER/LIQUOR	12,483.29
BREAKTHRU BEVERAGE MINNESOTA	SEPTEMBER/MIX	138.40
BREAKTHRU BEVERAGE MINNESOTA	SEPTEMBER/WINE	104.00-
CAYAN	AUG 2022 MONTHLY SERVICE FEE	160.74
CAYAN	SEPT 2022 CR CD FEES	15,744.64
VIKING COCA-COLA BOTTLING CO	SEPTEMBER/MIX	227.20
COMMISSIONER OF REVENUE	SEPTEMBER 2022 SALES TAX	22.95
COOPERS TECHNOLOGY GROUP	2023 CALENDARS	53.80
D-S BEVERAGES, INC.	OCTOBER/BEER	7,992.40
D-S BEVERAGES, INC.	OCTOBER/LIQUOR	167.10
D-S BEVERAGES, INC.	OCTOBER/MIX	143.79
D-S BEVERAGES, INC.	SEPTEMBER/BEER	958.15
D-S BEVERAGES, INC.	SEPTEMBER/MIX	237.70
EMPLOYEES INSURANCE TRUST FUND	OCTOBER HEALTH INSURANCE	7,665.62
EMPLOYEES INSURANCE TRUST FUND	OCTOBER LIFE INSURANCE	23.33
GENERAL FUND	JAN-AUG MISC SUPPLIES	1,287.89
GENERAL FUND	SEPTEMBER LONG DISTANCE CHARGE	.92
GREAT PLAINS NATURAL GAS CO	SEPTEMBER NATURAL GAS EXPENSE	31.60
HOME DEPOT CREDIT SERVICES	SEPT PAINT,BRUSH,ROLLER,POLY	174.39
HOME DEPOT CREDIT SERVICES	SEPT SHOCKWAVE,5/8" COUNTERSIN	32.88
JOHNSON BROTHERS LIQUOR CO	AUGUST/FREIGHT	1.66
JOHNSON BROTHERS LIQUOR CO	OCTOBER/FREIGHT	206.73
JOHNSON BROTHERS LIQUOR CO	OCTOBER/LIQUOR	4,925.28
JOHNSON BROTHERS LIQUOR CO	OCTOBER/MIX	322.00
JOHNSON BROTHERS LIQUOR CO	OCTOBER/WINE	4,483.15
LIQUOR STORE	RECEIPT OCTOBER RENT	358.00-
MII LIFE INCORPORATED	OCT FLEX/HSA PART FEE	16.50
MAVERICK WINE LLC	OCTOBER/FREIGHT	55.00
MAVERICK WINE LLC	OCTOBER/LIQUOR	7,616.20
MAVERICK WINE LLC	SEPTEMBER/FREIGHT	35.00
MAVERICK WINE LLC	SEPTEMBER/LIQUOR	772.02
MAVERICK WINE LLC	SEPTEMBER/WINE	750.00
OTTER TAIL POWER COMPANY	SEPTEMBER ELECTRICITY EXPENSE	4,427.49
OTTER TAIL TELCOM	OCT. TELEPHONE LINES	83.62
OTTER TAIL TELCOM	OCTOBER TELEPHONE EXPENSE	311.05
OUTSTATE BREWING COMPANY	OCTOBER/BEER	360.00
PAUSTIS WINE COMPANY	OCTOBER/FREIGHT	194.70

Liquor Store

PAUSTIS WINE COMPANY	OCTOBER/WINE	10,933.00
PAUSTIS WINE COMPANY	SEPTEMBER/FREIGHT	14.40
PAUSTIS WINE COMPANY	SEPTEMBER/LIQUOR	1,419.00
PAUSTIS WINE COMPANY	SEPTEMBER/WINE	354.00
PEPSI BEVERAGE COMPANY	OCTOBER/MIX	188.82
PHILLIPS WINE & SPIRITS CO	OCTOBER/FREIGHT	103.13
PHILLIPS WINE & SPIRITS CO	OCTOBER/LIQUOR	4,462.30
PHILLIPS WINE & SPIRITS CO	OCTOBER/MIX	385.00
PHILLIPS WINE & SPIRITS CO	OCTOBER/WINE	1,650.25
SIGNATURE HOME TECHNOLOGIES	OCT, NOV, DEC MONITOR SERVICE	73.74
SMALL LOT MN	SEPTEMBER/FREIGHT	18.00
SMALL LOT MN	SEPTEMBER/LIQUOR	743.94
SMALL LOT MN	SEPTEMBER/WINE	2,295.72
SOUTHERN GLAZER'S OF MN	OCTOBER/FREIGHT	95.27
SOUTHERN GLAZER'S OF MN	OCTOBER/LIQUOR	2,487.20
SOUTHERN GLAZER'S OF MN	OCTOBER/MIX	92.00
SOUTHERN GLAZER'S OF MN	OCTOBER/WINE	3,068.00
SOUTHERN GLAZER'S OF MN	SEPTEMBER/FREIGHT	20.35
SOUTHERN GLAZER'S OF MN	SEPTEMBER/LIQUOR	1,806.48
VINOCOPIA INC	SEPTEMBER/FREIGHT	54.50
VINOCOPIA INC	SEPTEMBER/LIQUOR	1,550.95
VINOCOPIA INC	SEPTEMBER/MIX	228.00
VINOCOPIA INC	SEPTEMBER/WINE	1,641.60
WINEBOW FINE WINE & SPIRITS	OCTOBER/FREIGHT	29.25
WINEBOW FINE WINE & SPIRITS	OCTOBER/LIQUOR	742.79
WINEBOW FINE WINE & SPIRITS	OCTOBER/WINE	1,342.88
	F U N D T O T A L	177,353.80

Refuse Disposal

ARAMARK UNIFORM SERVICES	SEPTEMBER LINEN SUPPLY	299.59
COMMISSIONER OF REVENUE	SEPTEMBER SWMT	29,347.00
COMMISSIONER OF REVENUE	SEPTEMBER 2022 SALES TAX	33.40
COOPERS TECHNOLOGY GROUP	2023 CALENDARS	14.72
WASTE MANAGEMENT	09/16-09/30/22 PRO SERVICES	11,849.01
EMPLOYEES INSURANCE TRUST FUND	OCTOBER HEALTH INSURANCE	14,670.20
EMPLOYEES INSURANCE TRUST FUND	OCTOBER LIFE INSURANCE	64.21
FASTENAL COMPANY	OCT REFUSE SAFETY VENDING	80.33
FERGUS FALLS DOWNTOWN	REFUND SOLID WASTE MGMT TAX	8.50

Refuse Disposal

FERGUS FALLS DOWNTOWN	REFUND TRASH DISPOSAL	35.00
FERGUS FALLS DOWNTOWN	REFUND TRASH/RECYCLING CONTAI	37.74
GENERAL FUND	JAN-AUG MISC SUPPLIES	215.07
GENERAL FUND	SEPTEMBER LONG DISTANCE CHARGE	1.00
MII LIFE INCORPORATED	OCT FLEX/HSA PART FEE	16.50
MACQUEEN EQUIPMENT INC	OCT 65 GALLON BLUE CARTS	3,515.95
OLYMPIC SALES INC	OCT 3 YARD RL BROWN DUMPSTER	4,452.00
OLYMPIC SALES INC	OCT 30 YARD ROLL OFF CONTAINER	8,700.00
OLYMPIC SALES INC	OCT 6 YARD RL BROWN DUMPSTER	6,270.00
OTTER TAIL POWER COMPANY	SEPTEMBER ELECTRICITY EXPENSE	201.97
OTTER TAIL POWER COMPANY	AUGUST SERVICE-MAIL BILLS	76.35
OTTER TAIL TELCOM	OCT. TELEPHONE LINES	25.44
OTTER TAIL TELCOM	OCTOBER TELEPHONE EXPENSE	142.73
U.S. POSTMASTER	OCTOBER POSTAGE	3,000.00
REVTRAK INC	SEPT 2022 CR CD FEES	3,451.62
ULINE	OCT 6X2 POLY WHEELS	69.37
WASTEWATER TREATMENT FUND	SEPT ASH CELL LEACHATE	453.60
WASTEWATER TREATMENT FUND	SEPT DEMO CELL LEACHATE	450.00
	F U N D T O T A L	87,481.30

Sewage Treatment

ARAMARK UNIFORM SERVICES	SEPTEMBER LINEN SUPPLY	224.97
AQUAFIX INC	OCT LAB TESTING SERVICE	550.00
AQUAFIX INC	OCT VITASTIM NITRIFIER	1,998.66
COOPERS TECHNOLOGY GROUP	2023 CALENDARS	22.08
COSSETTE ELECTRIC LLC	OCT N.MIXER, TANK PUMP WORK	178.00
EMPLOYEES INSURANCE TRUST FUND	OCTOBER HEALTH INSURANCE	10,592.60
EMPLOYEES INSURANCE TRUST FUND	OCTOBER LIFE INSURANCE	43.94
FASTENAL COMPANY	OCT S/S WASHERS (WWTP)	9.27
FASTENAL COMPANY	OCT SEWER SAFETY VENDING	80.33
FASTENAL COMPANY	OCT 3/4-10 SS CAP SCREW WWTP	10.77
GENERAL FUND	JAN-AUG MISC SUPPLIES	175.13
GENERAL FUND	SEPTEMBER LONG DISTANCE CHARGE	15.29
GOPHER STATE ONE CALL	SEPT BILLABLE TICKETS	67.05
HANCOCK CONCRETE PRODUCTS CO.	MH,ADJ-RING, 27"X2"	588.00
HAWKINS INC	SEPT ALUMINUM SULFATE LIQUID	6,439.68
HAWKINS INC	SEPT CHLORINE	1,507.00
LAKE REGION ELECTRIC COOP	SEPTEMBER ELECTRICITY EXPENSE	170.42

Sewage Treatment

LEITCH EXCAVATING INC	OCT BURLINGTON AVE EQ./LABOR	1,966.50
MII LIFE INCORPORATED	OCT FLEX/HSA PART FEE	11.00
MCMASTER-CARR SUPPLY CO	AUG SS HEX SCREWS	466.31
NORTH SHORE ANALYTICAL INC	SEPT EFFLUENT, FILTER, INFLUENT	405.00
OTTER TAIL POWER COMPANY	SEPTEMBER ELECTRICITY EXPENSE	10,534.56
OTTER TAIL POWER COMPANY	AUGUST SERVICE-MAIL BILLS	76.34
OTTER TAIL TELCOM	OCT. TELEPHONE LINES	25.44
OTTER TAIL TELCOM	OCTOBER TELEPHONE EXPENSE	143.64
PLUNKETT'S PEST CONTROL INC.	SPRING/FALL EXT. SERV PROGRAM	23.40
U.S. POSTMASTER	OCTOBER POSTAGE	3,000.00
RMB ENVIRONMENTAL LABORATORIES	OCT ANALYSIS	782.98
RMB ENVIRONMENTAL LABORATORIES	SEPT ANALYSIS	384.41
REVTRAK INC	SEPT 2022 CR CD FEES	3,451.63
SPEE*DEE DELIVERY SERVICE INC	OCT SHIPPING	20.80
SPEE*DEE DELIVERY SERVICE INC	SEPT SHIPPING	31.26
STRUCTURAL MATERIALS INC	OCT 1600 WHITE PIG CONC CURE	317.45
USA BLUEBOOK	SEPT SEWAGE PUMP	1,809.34
WASTEWATER TREATMENT FUND	SEPT ASH CELL REC. TO LEACHATE	453.60-
WASTEWATER TREATMENT FUND	SEPT DEMO CELL REC. TO LEACHATE	450.00-
	F U N D T O T A L	45,219.65

Water

ADMINISTRATOR'S CONTINGENCY FD	MN DEPT OF HEALTH EXAM APPLICA	64.00
ADMINISTRATOR'S CONTINGENCY FD	OCTOBER UTILITIES REFUNDS	153.60
ARAMARK UNIFORM SERVICES	SEPTEMBER LINEN SUPPLY	496.68
TRAVIS CARLSON	METER DEPOSIT REC #225369	60.00
TRAVIS CARLSON	METER RENT 41.50/MONTH-10 DAYS	13.90-
TRAVIS CARLSON	4,776.2 GAL @ \$3.63/1,000	17.36-
COOPERS TECHNOLOGY GROUP	OCTOBER SHARPIES	11.24
COOPERS TECHNOLOGY GROUP	2023 CALENDARS	99.34
CORE & MAIN LP	OCT BRASS ADAPTER CTSXFNT	102.17
EMPLOYEES INSURANCE TRUST FUND	OCTOBER HEALTH INSURANCE	8,893.64
EMPLOYEES INSURANCE TRUST FUND	OCTOBER LIFE INSURANCE	64.22
FASTENAL COMPANY	OCT WATER SAFETY VENDING	80.35
FERGUSON WATERWORKS #1657	OCT STOCK METER SPUDS (CPLGS)	377.58
FERGUSON WATERWORKS #1657	OCT STOCK PARTS PER TRAVIS	533.02
FERGUSON WATERWORKS #1657	OCT STOCK WATER PARTS ORDER	10,654.65
FERGUSON WATERWORKS #1657	OCT 2" MACH 10 R900I/FLANGE KI	1,169.89

Water

GENERAL FUND	JAN-AUG MISC SUPPLIES	81.99
GENERAL FUND	SEPTEMBER COPIER USE	38.64
GENERAL FUND	SEPTEMBER LONG DISTANCE CHARGE	13.14
GENERAL FUND	SEPTEMBER POSTAGE USE	248.75
GOPHER STATE ONE CALL	SEPT BILLABLE TICKTES	67.05
GRAINGER INC.	SEPT DISP. RESPIRATOR	43.72
GRAINGER INC.	SEPT SOLENOID VALVE	497.02
HOME DEPOT CREDIT SERVICES	OCT JOINT KNIFE/MULTI TOOL	18.19
HOME DEPOT CREDIT SERVICES	OCT SHOP VAC FILTERS (WTP)	79.88
HOME DEPOT CREDIT SERVICES	SEP SUMP PUMP/VALVE/NIPPLE WTP	118.84
MARK LEE ASPHALT & PAVING, INC	DEPOSIT PAID REC #226728	260.00
MARK LEE ASPHALT & PAVING, INC	RENT 8/30-9/12	45.89-
MARK LEE ASPHALT & PAVING, INC	10,200 GAL @ 3.63/1,000	37.03-
LEITCH EXCAVATING INC	SEPT REPAIR 811 W SUMMIT	2,268.00
MII LIFE INCORPORATED	OCT FLEX/HSA PART FEE	19.25
MARK SAND AND GRAVEL COMPANY	AUG MATERIAL FOB MIX	2,215.10
DONAVAN & JENNIFER OLSON	HYDRANT DEPOSIT REC#226545	260.00
DONAVAN & JENNIFER OLSON	LESS 22,300 GAL @ \$3.63/1,000	80.95-
OTTER TAIL POWER COMPANY	SEPTEMBER ELECTRICITY EXPENSE	8,223.26
OTTER TAIL POWER COMPANY	AUGUST SERVICE-MAIL BILLS	76.34
OTTER TAIL TELCOM	OCT. TELEPHONE LINES	25.44
OTTER TAIL TELCOM	OCTOBER TELEPHONE EXPENSE	162.35
U.S. POSTMASTER	OCTOBER POSTAGE	3,000.00
RMB ENVIRONMENTAL LABORATORIES	OCT 1ST HALF BACT. MONITORING	119.79
REVTRAK INC	SEPT 2022 CR CD FEES	3,451.63
STRUCTURAL MATERIALS INC	OCT CREDIT DROP CHARGE	60.00-
WADENA ASPHALT INC	SEPT TIC #33778	455.00
WADENA ASPHALT INC	SEPT TIC #33814	930.00
WADENA ASPHALT INC	SEPT TIC #33815	455.00
WADENA ASPHALT INC	SEPT TIC.#33777	930.00
	F U N D T O T A L	46,563.63

Storm Water

FASTENAL COMPANY	OCT STORM SAFETY VENDING	45.51
GOPHER STATE ONE CALL	SEPT BILLABLE TICKETS	67.05
MOORE ENGINEERING INC	2022 MS4 AUDIT ASSISTANCE	2,520.00
OTTER TAIL POWER COMPANY	SEPTEMBER ELECTRICITY EXPENSE	132.49
	F U N D T O T A L	2,765.05

Equipment

ARAMARK UNIFORM SERVICES	SEPTEMBER LINEN SUPPLY	446.40
AUTO VALUE - FERGUS FALLS	OCT AIR FILTER UNIT 262	118.04
AUTO VALUE - FERGUS FALLS	OCT AIR FILTERS UNIT 2082	21.24
AUTO VALUE - FERGUS FALLS	OCT ATC 20AMP FUSES	35.80
AUTO VALUE - FERGUS FALLS	OCT BELT FOR UNIT 291	12.99
AUTO VALUE - FERGUS FALLS	OCT BRAKE CLEANER (SHOP)	41.88
AUTO VALUE - FERGUS FALLS	OCT CAB FILTER UNIT 262	12.47
AUTO VALUE - FERGUS FALLS	OCT CREDIT RETURNED PARTS	131.43-
AUTO VALUE - FERGUS FALLS	OCT CREDIT STOP&TAIL LIGHT	3.99-
AUTO VALUE - FERGUS FALLS	OCT DOOR JAMB SWITCH U-3013	19.48
AUTO VALUE - FERGUS FALLS	OCT FUEL FILTER (STOCK)	21.31
AUTO VALUE - FERGUS FALLS	OCT FUEL LEAK DETECTOR FLUID	52.98
AUTO VALUE - FERGUS FALLS	OCT FUEL LINE (TIRE CHANGER)	49.90
AUTO VALUE - FERGUS FALLS	OCT GREASE SEAL UNT 291	22.99
AUTO VALUE - FERGUS FALLS	OCT GROMMETS/LIGHTS U-242	51.35
AUTO VALUE - FERGUS FALLS	OCT HEATER HOSE UNIT 270	10.90
AUTO VALUE - FERGUS FALLS	OCT HOSE CONNECTOR UNIT 483	3.58
AUTO VALUE - FERGUS FALLS	OCT HYD FITTING/FILTER (STK)	78.61
AUTO VALUE - FERGUS FALLS	OCT LIGHT BULB LADDER TRUCK	1.89
AUTO VALUE - FERGUS FALLS	OCT LIGHT BULBS 1142CP	7.56
AUTO VALUE - FERGUS FALLS	OCT OIL FILTER UNIT 2082	6.06
AUTO VALUE - FERGUS FALLS	OCT OIL FILTER UNIT 263	10.56
AUTO VALUE - FERGUS FALLS	OCT OIL FILTER UNIT 60	4.41
AUTO VALUE - FERGUS FALLS	OCT O2 SENSOR UNIT 42	58.99
AUTO VALUE - FERGUS FALLS	OCT PERMATEX GASKET MAKER SHOP	22.89
AUTO VALUE - FERGUS FALLS	OCT PUSH/PULL SWITCH	10.99
AUTO VALUE - FERGUS FALLS	OCT RADIO ANTENNA	13.99
AUTO VALUE - FERGUS FALLS	OCT SEALED BEAM HEADLIGHT U240	20.99
AUTO VALUE - FERGUS FALLS	OCT STOCK AIR FILTERS	106.70
AUTO VALUE - FERGUS FALLS	OCT STOCK ATM30 MINI FUSES	9.95
AUTO VALUE - FERGUS FALLS	OCT STOCK FILTER ORDER	208.64
AUTO VALUE - FERGUS FALLS	OCT STOCK PARTS ORDER	311.33
AUTO VALUE - FERGUS FALLS	OCT STOP&TAIL LIGHT UNIT 453	7.98
AUTO VALUE - FERGUS FALLS	OCT STRAIGHT HEATER HOSE	12.90
AUTO VALUE - FERGUS FALLS	OCT TEMP GAUGE 100-280	31.99
AUTO VALUE - FERGUS FALLS	OCT THREAD REPAIR KIT 492	35.29
AUTO VALUE - FERGUS FALLS	OCT V-BELT UNIT 291	43.98
AUTO VALUE - FERGUS FALLS	OCT V-BELTS UNIT 291	89.96
AUTO VALUE - FERGUS FALLS	OCT VULCANIZING COMPOUND SHOP	7.49
AUTO VALUE - FERGUS FALLS	OCT 4" ROUND LIGHT GROMMET	6.76
AUTO VALUE - FERGUS FALLS	OCT 5W20 CONVENTIONAL OIL 2068	32.94
BUY-MOR PARTS & SERVICE LLC	OCT AIR VALVES UNIT 803	242.87
BRIAN'S REPAIR & TIRE SERVICE	OCT DISMOUNT/MOUNT TIRE U-291	165.25

Equipment

CERTIFIED LABORATORIES	OCT PREMALUBE #1 GREASE (SHOP)	627.95
CLARK EQUIPMENT CO	OCT 68" ANGLE BROOM FOR TOOLCA	4,265.88
CODE 4 SERVICES INC	2098 FIX LIGHTBAR	224.59
COMMISSIONER OF REVENUE	SEPT 2022 SPECIAL FUEL TAX	1,030.85
COMMISSIONER OF REVENUE	SEPTEMBER 2022 SALES TAX	259.43
COOPERS TECHNOLOGY GROUP	2023 CALENDARS	14.72
COSSETTE ELECTRIC LLC	OCT RUN CONDUIT/WIRE FOR PRESS	4,354.83
EMPLOYEES INSURANCE TRUST FUND	OCTOBER HEALTH INSURANCE	6,525.74
EMPLOYEES INSURANCE TRUST FUND	OCTOBER LIFE INSURANCE	27.04
ENVIRONMENTAL EQUIP & SERVICES	CHARGE LOOP FILTER U-238	84.16
EQUIPMENT FUND	SEPT FUEL USAGE	325.44-
EQUIPMENT FUND	SEPT REPAIRS/SERVICE	468.52-
FARGO FREIGHTLINER	OCT WATER SUPPLY VALVE U-226	94.39
FARGO FREIGHTLINER	OCT WINDOW ROCKER SWITCH U-227	85.22
JOHN DEERE FINANCIAL	OCT BOLTS FOR VERMEER GRINDER	28.50
JOHN DEERE FINANCIAL	OCT FUEL SOL KIT UNIT 280	2,196.88
JOHN DEERE FINANCIAL	OCT RIGHT COVER ON TRACK U-280	1,179.92
JOHN DEERE FINANCIAL	SEP CLUTCH UNIT 930	868.20
JOHN DEERE FINANCIAL	SEP CREDIT RETURNED CLUTCH	1,251.75-
FASTENAL COMPANY	OCT FLEET SAFETY VENDING	45.51
FASTENAL COMPANY	OCT SHOP SUPPLY VENDING	143.51
FASTENAL COMPANY	OCT STOCK RUBBER STRAPS/WASHER	136.26
FASTENAL COMPANY	OCT 3/8-16 BLACK CAP SCREWS	3.85
FERGUSON WATERWORKS #1657	OCT 3/4' BRASS COUPLERS TRAVIS	12.94
FLEXIBLE PIPE TOOL COMPANY	OCT 3" TIGERTAIL (STOCK)	140.00
GENERAL FUND	JAN-AUG MISC SUPPLIES	814.71
GENERAL FUND	SEPTEMBER LONG DISTANCE CHARGE	16.41
NAPA AUTO PARTS - FERGUS FALLS	JULY EQUIPMENT PARTS	36.11
NAPA AUTO PARTS - FERGUS FALLS	OCT SWITCH LADDER TRUCK	15.29
GRAINGER INC.	OCT Y STRAINER UNIT 265	64.92
GREAT PLAINS NATURAL GAS CO	SEPTEMBER NATURAL GAS EXPENSE	302.49
GROWMARK INC	OCT UNITED UNIVERSAL TRANSDRAU	2,783.00
HOME DEPOT CREDIT SERVICES	OCT PLUMBING FITTINGS UNIT 265	31.38
INTERSTATE BATTERY SYSTEM	OCT GROUP 31/65 BATTERIES STK	490.75
INTERSTATE BATTERY SYSTEM	OCT SCRUBBER BATTERY (ARENA)	301.95
KNUTSON ELECTRIC REBUILDING	OCT REPAIR GENERATOR U-483	88.30
MII LIFE INCORPORATED	OCT FLEX/HSA PART FEE	5.50
MTI DISTRIBUTING INC	OCT LIFT CYL SEAL KIT U-954	131.43
MTI DISTRIBUTING INC	OCT OIL SEAL UNIT 958	39.82
MEKALSON HYDRAULICS INC	OCT 2" SUCTION/RETURN LINE	272.18
MINNESOTA MOTOR COMPANY	SEPTEMBER CAR WASHES	25.00
NARDINI FIRE EQUIPMENT CO INC	OCT ANNUAL FIRE MONITORING FEE	368.00
NELSON INTERNATIONAL	OCT BRAKE VALVE UNIT 240	367.18

Equipment

NELSON INTERNATIONAL	OCT CREDIT RETURNED GASKET	150.88-
NELSON INTERNATIONAL	OCT CREDIT RETURNED SEAL	87.03-
NELSON INTERNATIONAL	OCT FAN BLADE UNIT 240	480.98
NORTHWEST TIRE INC	OCT ALIGNMENT UNIT 41	102.62
OLSON OIL COMPANY INC	OCT DIESEL FUEL LANDFILL	3,774.52
OLSON OIL COMPANY INC	OCT PREM RED DIESEL (SHOP)	31,729.97
OLYMPIC SALES INC	OCT PACKER EXTEND/RETRACT SOL	595.44
O'REILLY AUTOMOTIVE INC	OCT MINI BULB LADDER TRUCK	6.37
OTTER TAIL POWER COMPANY	SEPTEMBER ELECTRICITY EXPENSE	505.16
OTTER TAIL TELCOM	OCT. TELEPHONE LINES	57.25
OTTER TAIL TELCOM	OCTOBER TELEPHONE EXPENSE	35.79
POLICE DEPT CONTINGENCY FUND	TABS 2068, 2073, 2076, 2080	85.50
PRODUCTIVITY PLUS ACCOUNT	OCT INPUT SHAFT/SPROCKET/SIGHT	746.47
ROYAL TIRE INC	OCT 11R22.5 BD BDM TIRES	782.86
SNAP-ON TOOLS CORPORATION	OCT FOOT CONTROLLED AIR VALVE	168.00
ZIEGLER INC.	OCT WINDSHIELD WASHER COVER	14.20
	F U N D T O T A L	67,643.16

Employees Insurance

EMPLOYEES INSURANCE TRUST FUND	RECEIPT OCTOBER HEALTH INS	153,539.84-
EMPLOYEES INSURANCE TRUST FUND	RECEIPT OCTOBER LIFE INSURANCE	2,962.81-
	F U N D T O T A L	156,502.65-

Flexible Benefit Agency

MII LIFE INCORPORATED	FLEX PLAN REIMB	114.92
MII LIFE INCORPORATED	2022 FLEX PLAN REIMB	230.77
	F U N D T O T A L	345.69

PEG Access

PEG Access

LIQUOR STORE	OCTOBER RENT	358.00
OTTER TAIL POWER COMPANY	SEPTEMBER ELECTRICITY EXPENSE	99.64
OTTER TAIL TELCOM	OCTOBER TELEPHONE EXPENSE	221.77
	F U N D T O T A L	679.41

Fergus Falls Convention and Visitor's Bureau, Inc.

COOPERS TECHNOLOGY GROUP	SEPT CREDIT SUPPLIES	343.36-
FERGUS FALLS CONVENTION &	AUG 2022 LODGING TAX	20,763.55-
FERGUS FALLS CONVENTION &	AUG 2022 LODGING TAX ADMIN	622.91
GENERAL FUND	SEPTEMBER LONG DISTANCE CHARGE	8.41
GENERAL FUND	SEPTEMBER POSTAGE USE	53.76
OTTER TAIL TELCOM	OCT. TELEPHONE LINES	19.08
	F U N D T O T A L	20,402.75-

T O T A L A L L F U N D S	2,034,438.75
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BE IT FURTHER RESOLVED, THAT THE CITY ADMINISTRATOR BE, AND HE HEREBY IS AUTHORIZED AND DIRECTED TO DRAW WARRANTS FOR THE ABOVE CLAIMS FROM THE RESPECTIVE FUNDS AS HEREIN INDICATED, AND THAT THE MAYOR AND CITY ADMINISTRATOR BE, AND THEY HEREBY ARE, AUTHORIZED TO EXECUTE AND DELIVER SUCH WARRANTS.

THE ABOVE AND FOREGOING RESOLUTION WAS OFFERED AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE 17 DAY OF OCTOBER BY ALDERMAN WHO MOVED ITS ADOPTION, WAS SECONDED BY ALDERMAN AND ADOPTED BY THE FOLLOWING VOTE:

AYES:

NAYS:

ABSTAIN:

ABSENT:

WHEREUPON THE ABOVE RESOLUTION WAS DULY DECLARED ADOPTED.

ATTEST:

APPROVED:

CITY ADMINISTRATOR

MAYOR

10/17/2022

R E S O L U T I O N R E C O R D

COMMISSIONER OF REVENUE	99,709.85
4M FUND	73.00
MN DEPT OF PUBLIC SAFETY	1,560.00
OTTER TAIL COUNTY HIGHWAY DEPT	11.19
STATE TREASURER	6,767.16
AT&T MOBILITY	496.24
ADMINISTRATOR'S CONTINGENCY FD	388.60
AL'S REFRIGERATION, INC.	1,303.10
THE AMERICAN BOTTLING COMPANY	138.66
ARAMARK UNIFORM SERVICES	3,589.17
ARAMARK	395.80
SEAN ANDERSON	423.89
AQUAFIX INC	2,548.66
ARTISAN BEER COMPANY	2,057.45
ATLAS OUTDOOR SERVICES LLC	1,000.00
AUTO VALUE - FERGUS FALLS	1,504.33
BAKER & TAYLOR INC	1,813.25
BUY-MOR PARTS & SERVICE LLC	242.87
BELLBOY CORPORATION	7,193.54
BEVERAGE WHOLESALERS INC	41,664.43
BIG AXX LLC	65.00
BJORN'S HEATING & AIR COND INC	45.00
BOLTON & MENK INC	13,718.00
BRAUN VENDING INC	14.00
BREAKTHRU BEVERAGE MINNESOTA	29,467.90
ANDREW BREMSETH	326.55
BRIAN'S REPAIR & TIRE SERVICE	165.25
CARDCONNECT	63.03
TRAVIS CARLSON	27.64
CAYAN	15,905.38
CERTIFIED LABORATORIES	627.95
CHARTER COMMUNICATIONS	97.50
CLARK EQUIPMENT CO	4,265.88
VIKING COCA-COLA BOTTLING CO	227.20
CODE 4 SERVICES INC	224.59
COMMERCIAL REFRIGERATION SYS	26,250.00
COOPERS TECHNOLOGY GROUP	489.36
CORE & MAIN LP	102.17
COSSETTE ELECTRIC LLC	4,532.83
D-S BEVERAGES, INC.	9,499.14
WASTE MANAGEMENT	11,849.01
ENVIRONMENTAL EQUIP & SERVICES	84.16
FARGO FREIGHTLINER	179.61
JOHN DEERE FINANCIAL	3,021.75
FASTENAL COMPANY	796.35
FERGUS FALLS DOWNTOWN	244.42
FERGUS FALLS MONUMENT COMPANY	325.00

10/17/2022

R E S O L U T I O N R E C O R D

FERGUSON WATERWORKS #1657	12,748.08
FINANCE & COMMERCE INC	289.79
FLEXIBLE PIPE TOOL COMPANY	140.00
GALLS LLC	25.44
NAPA AUTO PARTS - FERGUS FALLS	75.38
GOODIN COMPANY	306.98
GOPHER STATE ONE CALL	201.15
GRAINGER INC.	605.66
GREAT PLAINS NATURAL GAS CO	792.08
GROWMARK INC	2,783.00
HANCOCK CONCRETE PRODUCTS CO.	3,364.20
CHRIS HARIG	134.71
HAWKINS INC	7,946.68
HELPSYSTEMS LLC	1,915.85
HIGH POINT NETWORKS LLC	2,876.00
HOLCIM-MWR INC	933.00
HOME DEPOT CREDIT SERVICES	1,464.55
HOOPLA	750.00
INTERSTATE BATTERY SYSTEM	792.70
JOHNSON BROTHERS LIQUOR CO	9,938.82
JOHNSON CONTROLS INC	965.50
KNUTSON ELECTRIC REBUILDING	88.30
LAKE REGION ELECTRIC COOP	2,203.49
LAKELAND MENTAL HEALTH CENTER	200.00
LAKES AREA DRAIN	240.00
LEAGUE OF MN CITIES INS. TRUST	339.00
MARK LEE ASPHALT & PAVING, INC	21,670.54
LEITCH EXCAVATING INC	4,234.50
LERNER PUBLICATIONS COMPANY	24.57
LIBRARY FURNITURE INTL INC	5,473.52
LOCATORS & SUPPLIES INC	5,383.50
VICTOR LUNDEEN COMPANY	50.17
MII LIFE INCORPORATED	582.19
MTI DISTRIBUTING INC	171.25
MACQUEEN EQUIPMENT INC	3,515.95
MARK SAND AND GRAVEL COMPANY	2,215.10
MAVERICK WINE LLC	9,228.22
MCMASTER-CARR SUPPLY CO	466.31
MEKALSON HYDRAULICS INC	272.18
MIDWEST PRINTING COMPANY	15.00
MINNESOTA MOTOR COMPANY	25.00
MISSION MECHANICAL INC	15,989.00
MOORE ENGINEERING INC	11,500.00
NARDINI FIRE EQUIPMENT CO INC	368.00
NELSON INTERNATIONAL	610.25
NEW HORIZONS ENERGY	140.79
NORTH SHORE ANALYTICAL INC	405.00

10/17/2022

R E S O L U T I O N R E C O R D

NORTHWEST TIRE INC	102.62
NYCKLEMOE & ELLIG, P.A.	9,225.00
OLSON OIL COMPANY INC	35,504.49
DONAVAN & JENNIFER OLSON	179.05
OLYMPIC SALES INC	20,017.44
O'REILLY AUTOMOTIVE INC	6.37
OTC HUMANE SOCIETY INC	1,716.00
OTTER TAIL POWER COMPANY	52,432.62
OTTER TAIL TELCOM	5,224.19
OUTSTATE BREWING COMPANY	360.00
OVERHEAD DOOR CO	85.00
PAUSTIS WINE COMPANY	12,915.10
PEMBERTON LAW, P.L.L.P.	444.50
PEPSI BEVERAGE COMPANY	188.82
PHILLIPS WINE & SPIRITS CO	6,600.68
PLUMBERS INC	523.71
PLUNKETT'S PEST CONTROL INC.	23.40
POLICE DEPT CONTINGENCY FUND	702.90
U.S. POSTMASTER	9,000.00
PRODUCTIVITY PLUS ACCOUNT	746.47
RMB ENVIRONMENTAL LABORATORIES	1,287.18
REVTRAK INC	10,354.88
ROYAL TIRE INC	782.86
SIGNATURE HOME TECHNOLOGIES	73.74
SKY CREW SERVICES, LLC	5,500.00
SMALL LOT MN	3,057.66
SNAP-ON TOOLS CORPORATION	168.00
SOUTHERN GLAZER'S OF MN	7,569.30
SPEE*DEE DELIVERY SERVICE INC	70.15
STENERSON BROTHERS LUMBER CO	10.80
STRUCTURAL MATERIALS INC	1,219.73
SUMMIT COMPANIES	32.50
TWEETON REFRIGERATION	180.00
TAFT STETTINIUS HOLLISTER LLP	3,025.00
UGSTAD PLUMBING INC	540.00
ULINE	69.37
USA BLUEBOOK	1,809.34
US BANK EQUIPMENT FINANCE	620.46
VINCO INC	600.00
VINOCOPIA INC	3,475.05
WADENA ASPHALT INC	2,770.00
WELLS FARGO - INVESTMENTS	1,369,910.36
WINEBOW FINE WINE & SPIRITS	2,114.92
BEN WOLDEN LANDSCAPING	33,227.63
TOTAL OTHER GOVERNMENT	108,121.20

10/17/2022

R E S O L U T I O N R E C O R D

TOTAL OTHER VENDORS 1,926,317.55

TOTAL ALL VENDORS 2,034,438.75

Open Forum Registration

City of Fergus Falls

A written request to address the Council at the Open Forum must be filed and received in the City Administrator's office by noon the day of the City Council meeting. The Open Forum is held from 5:20-5:30 pm.

Today's Date: 10/10/2020 Date wishing to speak: 10-17-22

Name: Russ Hall

Address: _____

Issue you wish to address with the Council:

power lines, Recovered stolen bikes

Action you would like to see taken by the Council:

?

If you would like to be contacted regarding this issue, please provide the following:

_____ and/or _____

Phone Number

Email Address

I have read the City of Fergus Falls Open Forum Policy (see back) and agree to comply with the rules as outlined:

Russell R. Hall
Must be signed