



City Council Agenda
February 6, 2023
5:30 pm in the City Council Chambers

Invocation – Pastor Tim Molter, Calvary Chapel Church
Pledge of Allegiance

- A. Call to Order
- B. Roll Call
- C. Approval of the Agenda
- D. Public Hearings
- E. Awarding of Bids
- F. Petitions and Communications
 - 1. Proclamation declaring February 9, 2023 as Giving Hearts Day
 - 2. 2022 Investment Portfolio Review
- G. Consent Agenda
 - 1. Motion approving the minutes from the January 17, 2023 City Council meeting, the January 23, 2023 Special Council meeting, the January 23, 2023 Joint Council/School Board work session and the February 1, 2023 Committee of the Whole meeting
 - 2. Motion approving licenses
 - 3. Motion appointing Amy Mayo to the Human Rights Commission
 - 4. Resolution accepting a \$500 donation from Lake Region Electric Cooperative for the Fergus Falls Fire Department
 - 5. Resolution declaring Summerfest, Over the River festival and Shop, Move and Groove as 2023 Community Festivals
 - 6. Resolution authorizing the submission of a grant to the MN DNR for 2 groomers for cross country ski trails
 - 7. Resolution authorizing the Fergus Falls Fire Department to submit a grant for a new Self Contained Breathing Apparatus station compressor, a fixed and mobile fill station, a supplied air system, confined space air monitoring and entry/rescue equipment and communication headsets for apparatus and scene communications
 - 8. Resolution approving an increase in service benefits to retiring paid on call firefighters
- H. Ordinance and Resolutions
 - 1. First reading of Ordinance 31, Eighth Series, Stormwater Management
 - 2. Resolution approving the City's Strategic Plan
 - 3. Resolution approving moving Police Patrol officers to C41 and Sergeants to C43 on the city's current pay matrix and utilizing a Memorandum of Understanding until the next contract
 - 4. Motion directing staff to work with Chris Hood on the next step for annexation by ordinance

5. Resolution authorizing the Heritage Preservation Commission to apply for up to \$10,000 from the Historic Preservation Fund as a Certified Local Government to fund a historic district eligibility study
- I. Presentation of Claims \$1,211,780.54
 - J. Board, Committee and Department Reports
 - K. Reports from Staff and Administrative Officers
 - L. Old Business/Unfinished Business
 1. Resolution accepting a Letter of Intent from the Fergus Falls School District and directing staff to work on the next steps to facilitate a sale contingent upon a successful school referendum
 - M. New Business
 - O. Miscellaneous Announcements

February 15	7:00 am	Committee of the Whole meeting
February 20		Most city offices and facilities closed for observation of President's Day Garbage and recycling normally picked up on Monday is moved to Tuesday. Tuesday pickup will be moved to Wednesday the 22 nd
February 21	5:30 pm	City Council meeting
 - P. Adjournment to a closed meeting for real estate offer pursuant to MN Statute Sec 13d.05.

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.

PROCLAMATION

GIVING HEARTS DAY

FEBRUARY 9TH, 2023

WHEREAS, Giving Hearts Day was started in 2008 by Dakota Medical Foundation and Impact Foundation as the first 24-hour regional giving event of its kind with Alex Stern Family Foundation joining them as a co-host in 2014; and

WHEREAS, Giving Hearts Day is a gateway for citizens to connect to charitable organizations doing important work improving health and quality of life across our state; and

WHEREAS, Dakota Medical Foundation, Impact Foundation, and Alex Stern Family Foundation jointly support the Impact Institute to dramatically improve “friendraising” efforts of nonprofit organizations by equipping them with data-driven resources, training and coaching; and

WHEREAS, since inception, Giving Hearts Day has raised over \$138 million to support regional charities; and

WHEREAS, Giving Hearts Day 2023 includes nearly 550 nonprofit organizations and charitable funds, spans the entire state of North Dakota and northwest Minnesota, and includes 8 nonprofit organizations in our own city of Fergus Falls which are Inspiration Point, Freedom Resource Center, Health Resources Center, LB Homes, A Wife Like Me, Lutheran Brethren Seminary, Lake Region Healthcare Foundation, and Hillcrest Lutheran Academy, as well as additional organizations with local representatives; and

WHEREAS, our Giving Hearts 2023 goal is to inspire more than 50,000 giving hearts to support charity on Giving Hearts Day, many of whom get to experience the joy of giving for the first time, making us the most generous region on the planet.

NOW, THEREFORE, as Mayor of the City of Fergus Falls, Minnesota, I do hereby proclaim February 9th, 2023, GIVING HEARTS DAY in the City of Fergus Falls.

City Council Minutes
January 17, 2023

The Fergus Falls City Council held a regular meeting on Tuesday January 17, 2023, at 5:30 pm in the City Council Chambers. Pastor Roger Sodsod gave the invocation and the Pledge of Allegiance was recited. Mayor Schierer called the meeting to order at 5:33 pm and the following council members were in attendance: Thompson, Rachels, Hicks, Fish, Job, Kvamme, Rufer, and Kremeier.

Approval of Agenda

A motion and second were made by Rufer and Fish to approve tonight's agenda as presented and the motion carried.

Consent Agenda

The following items were approved under **Resolution #9-2023** by Thompson: Motion approving the following licenses: Metal Recycling Lakes Iron & Metal; Minnesota Lawful Gambling Permit Otter Tail County Pheasants Forever raffle on April 15 at the Eagles Aerie 2339, Minnesota Deer Hunters Association raffle on April 1 at the VFW Post 612; Fireworks Sales Fleet Farm; THC Product Sales Elevate. Motion directing the City Attorney to draft amendments to Ordinance 31, Eighth Series, Stormwater Management. **Resolution #10-2023** approving budget adjustments. **Resolution #11-2023** approving the 2023 rates for the Pebble Lake Golf Course. **Resolution #12-2023** authorizing staff to execute the MnDOT State/Federal Delegating Process Agreement No. 1052055. **Resolution #13-2023** pursuing Option 2 in the final bidding documents for PI 5314, the Union Avenue: Fir to Lincoln; Lincoln: Union to Friberg resurfacing project. Motion directing staff to research and make a recommendation on council and mayor salaries. **Resolution #14-2023** accepting a grant for a bicycle playground. The resolution was seconded by Rachels and was adopted.

Hicks and Kremeier asked the minutes from the January 3, 2023, meeting to be amended as follows:
Approval of Agenda

A motion and second were made by Fish and Rufer approving tonight's agenda as proposed. Earlier tonight at the open forum a point was addressed about having the new council seated immediately to carry out tonight's business as per City Code 31.25 regarding the council reorganization and the language stating at its first regular meeting in January, the Council shall, in the order herein stated and prior to commencing its regular order of business, reorganize by:

- a) Having all new officers and officials take and subscribe their oath of office;
- b) Seat all new members of the Council;
- c) Select a Mayor pro term;
- d) Select a Secretary of the Council who may be the City Administrator and,
- e) Perform other organizational acts or functions as may be permitted or required.

Hicks proposed the new council be sworn in and charged with conducting all business on tonight's agenda. He cited state and federal governments do not have a transition in duties and asked the council to reconsider the motion. Mayor Schierer agreed the code language may not be fully clear, but the city past practices have been to have the "old council" conduct the "old business" while the "new council" attends to the "new business". He said the council told the public they would be acting in that manner as a part of our orderly procedure. The Charter Commission has been asked to look at that language at their April meeting and make a determination if the process should be refined.

Schierer also stated that nothing the “old council” does tonight cannot be undone by the “new council”. The motion was called to a vote and carried with Hicks voting in opposition.

Hicks stated the minutes reflect it was a regular meeting as City Code says meetings are held the first and third Monday of the month. He believed this was the first regular meeting that the new council should have been sworn in and conducted all of the business on the January 3 agenda. Kremeier said the minutes of the January 3, 2023 open forum stated the City Attorney’s position “the old council has conducted the old business and the new council does the new business as long as he can remember” is of no consequence as it contradicts the code language. He said the procedure by City Code should have been to swear in the new council members immediately and allow them to conduct all of the meeting’s business. He said in the first meetings in 2017 and 2019 the new council was immediately sworn in and conducted the business. There were no changes in council membership in 2021 and there was no need to have an “old council and a new council”. He asked the council to follow the City Code as prescribed in 31.25. A motion and second were made by Hicks and Rachels approving the amended minutes from the January 3, 2023, City Council meeting and the January 11, 2023, Committee of the Whole meeting and the motion carried.

PI 9504 Professional Services Proposal

Roosevelt Park is the proposed location for the new aquatics center and staff confirmed there are no covenants on this property. Hicks offered **Resolution #15-2023** accepting JLG Architect’s professional services proposal for design development, final design and construction administration in the amount of \$681,820 for PI 9504, the Aquatics Center, which was seconded by Fish and was adopted.

Ordinance 34, Eighth Series, Shoreline Management

Ordinance 34, Eighth Series, Shoreline Management was adopted by a roll call vote.

Charter Commission Membership

Hicks offered **Resolution #16-2023** approving a petition of membership to the Charter Commission, which was seconded by Rachels and was adopted.

Lobbyist Contract with Joel Carlson

The city has been contracting lobbyist services with Joel Carlson for over 20 years and the two-year contract is up for renewal. The rate would be \$43,420 per year. Fish offered **Resolution #17-2023** approving a lobbyist contract with Joel Carlson, which was seconded by Rufer and was adopted.

Legislative Priorities

The Legislative Committee is comprised of the Mayor, City Administrator and Council Members Hicks and Rufer. They have offered the following priorities for the city during the 2023 legislative session:

- An additional \$3 million in sales tax authorization for the aquatics center
- \$5.2 million in bonding for the dairy property and Old Smokey
- A sales and use tax exemption for the proposed economic development project (Project 116)
- A request for cash for RTC holding costs
- A Local Government Aid adjustment for coal plant closure/coal community funding

The state has a budget surplus and the Legislative Committee is suggesting the city be prepared for other funding opportunities if they arise. They would also like to discuss roads and road funding as the legislature offers limited funding opportunities for local street projects. Legislative Committee members met with Senator Jordan Rasmusson yesterday to review this list of projects and described the meeting as positive. Although there is a \$19 billion state surplus, many requests are expected for the funds. Rasmusson did not feel there would be challenges with getting the additional sales tax authorization for the aquatics center and the Legislative Committee also requested the dairy funding be prioritized as it would also address the housing shortage. The Senator was cautious about the request for additional money for the RTC holding costs as this request may pit it against other community projects. Thompson offered **Resolution #18-2023** adopting the city's 2023 legislative priorities, which was seconded by Kvamme and was adopted.

Tax Increment Financing for FM Bank

FM Bank is requesting an analysis for the creation of a redevelopment Tax Increment Financing (TIF) to demolish the old Shopko building and build a new bank at that location. Staff confirmed there is no cost to the city as funds placed in escrow to cover this expense. Hicks stated his preference the TIF district is 3.5 years and that FM Bank gets a new occupant so their current location does not sit vacant. Hicks offered **Resolution #19-2023** authorizing staff to retain the services of a consultant at Baker Tilly regarding an application for Tax Increment Financing from FM Bank, which was seconded by Fish and was adopted.

PI 5362, Fir and Friberg Roundabout

In March of 2020, the City of Fergus Falls and Otter Tail County initiated a joint agency effort to study roundabouts in the city including the Fir and Friberg intersection. The council is being asked to consider the initiation of the project and accept the agreement with the county for this intersection improvement project. City Engineer Brian Yavarow referred to the Municipal State Aid Street (MSAS) map and a second map showing the city's list of upcoming projects. Planned upcoming City State Aid and Federal Aid (STIP) projects include the 2023 project on Broadway: Fir to Lincoln; Randolph Avenue; Union Avenue: Fir to Lincoln and Lincoln: Union to Friberg. The city is working with MnDOT for the replacement of the I-94 bridge. Three blocks of Stanton Avenue are also proposed for reconstruction. In 2026 a street resurfacing project spanning Friberg Avenue, Pebble Lake Road, Sheridan Street, and Washington Avenue is planned. Staff are seeking funding sources for reconstruction projects on Cleveland Avenue and S Union Avenue as well. The Union Avenue bridge is also scheduled for a full deck replacement. All projects are pending due to favorable bid prices.

Hicks felt the city's share of \$730,000 of the project should be allocated for other street projects prior in lieu of the roundabout. Kremeier agreed a roundabout is not necessary as it was the county's choice to move forward on the project and felt the funds should be used in another projects. He suggested the North Cleveland roadway be prioritized in its place. Rachels felt the roundabout was necessary and he asked about reconstruction project costs. For reference, Yavarow said last year's bids for the Union and Lincoln Avenue projects were \$2.5 million for a resurfacing project and estimated the cost to reconstruct an area this extensive would likely be tenfold. Kvamme asked if the county can proceed without the city. The county acquired property in 2016 for the roundabout project and the city has been involved in the study of three potential roundabouts. They have since decided to only focus on this site. If the city were to back out, they would likely partner with a different community. Fish offered **Resolution #20-2023** initiating PI 5362, the Fir and Friberg Avenue roundabout

improvement project and accepting Otter Tail County's agreement for the intersection improvement for CSAH 1 and Friberg Avenue (MSAS No 126), which was seconded by Kvamme and the voting resulted in a tie. Voting in favor were Rachels, Fish, Kvamme and Rufer. Voting in opposition were Thompson, Hicks, Job and Kremeier. With a 4-4 tie, the mayor cast the deciding vote and he voted in favor of the resolution officially adopting the action.

Outstate Brewing Company Loan

In 2019 Outstate Brewing Company received a \$250,000 IRP loan from the city. In 2020 and 2021 the city offered deferrals of loan payments to businesses adversely impacted by the pandemic. Outstate Brewing requested four months of interest only payments for January, February, March and April of 2023 as winter is a slow time for them. Outstate's current loan balance is \$171,215.44 and the deferment would increase the final payment at the termination of the loan (October 2026). The principal payment is \$2,800 per month and the interest portion is \$730. Rachels asked if Outstate was current on their other bills. He was opposed to offering the interest only payments to only one business and felt if you operate a business, you must be expected to pay your bills. The city is in the third position and if the business were to fail, the city would not likely be repaid. Hicks spoke about the seasonality of their business and said their balance has been going down and he expressed his support of the four month deferment. Hicks offered **Resolution #21-2023** approving four months of interest only loan payments for Outstate Brewing Company, which was seconded by Thompson and was adopted with Rachels voting in opposition.

Resolution of Accounts

Fish offered a resolution authorizing the payments and claims in the amount of \$1,813,717.23, which was seconded by Rufer and was adopted.

Roads and Road Funding

Earlier tonight the Legislative Committee recommended the council have a discussion on roads and the city's available funding for these projects. Although the city has done a large amount of street improvement projects the past few years and has been increasing the street maintenance budget, there is much work yet to be done. If state and federal dollars are not available for certain streets, the cost must be borne locally through increases to property taxes. There are not many opportunities for local street funding from the state legislature. In 2021 the City Council began a discussion to implement franchise fees to fund additional street projects. Utility companies using the city's right of ways to operate would be assessed an additional amount, and those costs are charged to their customers. The utility companies collect the funds and return them to the city to be placed in a dedicated account for street improvements. The city has a cable television franchise fee for PEG Access, but the gas and power companies would be subject to this proposed franchise fee. Bremseth asked the council if they had the appetite to look at franchise fees again as a funding mechanism to take bigger bites out of the street improvement issues. Each year the Tax Levy Committee looks for opportunities to fund more street project, but the city's budget is already lean and no other funding has been found without raising taxes.

Mayor Schierer spoke about the amount of time and research put into the last study of franchise fees and the public outcry the day of the vote deterred the council from implementing franchise fees at that time. He was understanding of the economic factors, but the roads will not be improved without an additional funding source. He felt the community would be supportive of this fee with extensive public education and conversation and suggested a cap on bigger users would be established so larger businesses are not adversely affected. At the meeting the City Engineer could provide assessments of

each road section and a plan to tackle the streets at their various conditions. Rufer spoke about the inhospitable climate for roads in our freeze/thaw cycle and agreed if streets are a priority for the community, then the public must realize an alternative funding source must be explored. Kremeier wanted to look deeper at the city's \$53 million budget and asked if \$2 million can be cut and used for additional street funding. He spoke about reducing unnecessary spending so more money is available for street projects. Rachel argued the city's budget does not have additional funding for street projects and said \$2 million in additional funding would likely be a 25% increase in property taxes. Sonmor said the city's budget has many restricted funds and only the General Fund would be available for any additional street projects. Kvamme said City Council candidate Nate Kunde had helpful suggestions during his campaign about making more interactive features on the city's website for residents to view road conditions and improvement schedule and he suggested the city entertain implementing this type of information. Staff will schedule a work session in April to continue the franchise fee discussion and asked if other strategies or revenue streams may be available, to let him know so staff can be prepared. It was requested the City Engineer provide assessments of each road section and a plan to tackle the streets at their various conditions.

Announcements

The city is holding a joint work session with the Fergus Falls School District on January 23 at 4:00 pm to discuss the proposed new elementary school on the RTC parkland. Bremseth said the City Council will be holding a special session at 3:30 pm that day to discuss the resolution seeking additional \$3 million in sales tax authorization from the Minnesota State Legislature for the aquatics center. The resolution is due at the end of January. Fish announced he and his wife became great grandparents earlier this day. After offering congratulations, the meeting adjourned at 6:42 pm.

Lynne Olson

Special City Council Meeting
January 23, 2023

The Fergus Falls City Council held a special meeting on Monday January 23, 2023, at 3:30 pm in the Otter Community Room at Kennedy Secondary School. Acting Mayor Scott Kvamme opened the meeting and the following council members were in attendance: Thompson, Rachels, Fish, Job, Kvamme and Kremeier. Mayor Schierer and council members Hicks and Rufer were absent.

Approval Agenda

A motion and second were made by Fish and Rachels approving the agenda and the motion carried.

Resolution for Local Sales Tax

Finance Director Bill Sonmor explained the city must adopt a resolution supporting legislation authorizing an additional \$3,000,000 of local sales tax to construct an aquatic center as approved by the voters at the November 2022 General Election. 59.7% of the voters approved the construction of a \$10.8 million aquatics center to be built in Roosevelt Park and the project would be paid through a local option sales tax. The city had already received legislative approval for a \$7.8 million facility, and when the project estimates came in higher, the city submitted a request for the additional \$3 million in funding in the 2022 legislative session. The state legislature adjourned from that session without a bonding bill and the city did not receive the additional funding. The resolution being requested today would seek the additional \$3 million to complete the project as proposed to the voters. Staff estimate the project would be paid in approximately 14 years and the sales tax collection would begin in October of 2023.

Kremeier asked if the city had considered an indoor year-round facility instead of the proposed aquatic center. He felt the community would support projects that are done right and asked the council to ensure they are not settling. The city can only proceed with a project approved by the voters and Kvamme explained the city engaged other community partners in a study for a community center. The idea fizzled out when the estimated cost was \$60 million. He spoke in favor of the project the voters approved and agreed the city needs to make the best of the project at hand.

Fish offered **Resolution #22-2023** ratifying the Fergus Falls City Council's support of the authority to impose a general local sales tax of one-half of one percent (0.50%) until \$10,800,000 plus an amount equal to interest and the costs of issuance of any bonds, is collected to finance the aquatics center and authorized the city submit a resolution and request to the 2023 legislature that it consider and approve an additional \$3 million of local sales taxes as requested during the 2022 legislative session for the aquatics center as supported by the city's voters and a grant of authority to the city to impose the full \$10,800,000 in sales tax. The resolution was seconded by Thompson and was adopted with Kremeier voting in opposition.

The meeting adjourned at 3:49 pm and the City Council will hold a joint work session with the Fergus Falls School Board at this location at 4:00 pm.

Lynne Olson

Kremeier asked about the school's past building projects and gave his opinion the school should expand at the site they already own at Lincoln School (the old Target building). The owner of the 46 acres of farmland adjacent this school is seeking \$20,000 per acre and the school was asked if they could negotiate a better price or not purchase all the property. Not all the land is buildable, and a street would be needed for access. There was a question if it would be the city or school's responsibility to put in the roads and infrastructure at new site. Kremeier and Thompson spoke about the current traffic patterns around the RTC campus and felt the addition of a school could negatively affect adjacent business owners and create additional traffic congestion, even if a roundabout was constructed. They did not feel the owners of the new twin homes would want a school built in this location. Questions were asked about the ability to construct a school with the sloped land in the Kirkbride Park. The school felt it was possible to build a two-story building into the base of the hill. The multiple stories would also provide additional green space for the school. There were questions about traffic at other proposed sites and if the new school was built at the Lincoln site, it would likely be a one-way circle surrounding the area with new roadways to be constructed.

Kvamme referenced the city's RTC master plan stating the plan is for the parkland to remain as it is. He felt a school built in this location would deter future housing development for the RTC structure and expressed strong opposition to giving the land to the school. Kremeier agreed the city stands to lose development opportunities or space for community events like SummerFest if the school builds in the parkland. Vigesaa suggested a new school might spur housing development in the area. Anderson felt the school would have many positive impacts on the community if it were built in the Kirkbride Park. He felt there was a financial advantage to the taxpayers for acquiring this land from the city at little to no cost. The city is required to give the land proceeds to the state and legislators have indicated their willingness to forego the land being sold at fair market value if the land sale is advantageous to the taxpayers.

Kvamme felt the school should be thoughtfully built for the future and suggested there was plenty of room for growth at the Norgren, Rogness and farm properties behind Lincoln School. The school district currently has 8-10 sections of each grade level and would plan a building for 10 sections. Drake spoke about the difficulty in planning for enrollment with the recent growth in telecommuting. Cole disputed some of the comments made earlier about school projects and felt the discussion should focus on the city's willingness to sell the Kirkbride Park to the school district and not tell them how to plan or implement their project. Members of the school board asked the council what other information they needed to make an informed decision. It was decided renderings would not sway the council's decision, but information on a traffic plan, how the building would fit into the Kirkbride Park site and infrastructure needs would be beneficial. The council will take up this issue at a meeting in February so the school can either move forward or begin plans for another site.

The meeting adjourned at 5:07 pm

Lynne Olson

Committee of the Whole
February 1, 2023

The Fergus Falls City Council held a Committee of the Whole meeting on Wednesday February 1, 2023 at 7:00 am in the City Council Chambers. Mayor Schierer called the meeting to order and the following council members were in attendance: Thompson, Hicks, Fish, Job, Kvamme, and Kremeier. Rachels and Rufer were absent.

Community Festivals

The city annually declares which events are community festivals, which authorizes the city to waive some of the labor and equipment fees. The criteria to meet the definition of a community festival says the activity benefits the community as a whole; the activity directly relates to functions of a government and the activity does not have as its primary objective, the benefit of a private interest. The intent of the language is meant to be fairly restrictive and although there are many good causes and organizations holding events, the city is legally bound on their ability to publicly spend funds. In the past the city has declared SummerFest, Over the River Festival and Shop, Move and Groove as community festivals and the council was asked if they would like to continue citing these events as community festivals. Hicks felt all were justified and offered a motion the council recommend naming these three as the 2023 community festivals, which was seconded by Fish and was adopted.

Trail Equipment Grant

The city has been partnering with the Nordic Ski Association to groom and maintain cross country ski trails in Roosevelt Park and Kirkbride Park. The grooming has been done with equipment borrowed by the DNR and has limitations. The ski association has asked the city for authorization to submit a \$21,850 grant to the MN DNR for two “Yellowstone Ginzu groomers”. The Ottertail Nordic Ski Association has agreed to cover the 25% required matching funds (\$5,462.50). If successfully awarded, the groomers would become part of the city’s fleet and any preventive maintenance/repairs would be borne by the equipment fund for the duration of the groomer’s useful life. Proposed projects in these parks may alter the paths in the future, but multiple trails would be created and maintained. A motion and second were made by Fish and Thompson to recommend the council authorize the submission of a grant for two cross country ski trail groomers and the motion carried.

Fire Department Equipment Grant

The Self Contained Breathing Apparatus (SCBA) station compressor and mobile fill station does not have the capacity to provide enough psi to fill the department’s storage tanks and needs replacement. The Fire Department is seeking authorization to replace this equipment as well as other rescue equipment including a supplied air system, confined space air monitoring, entry/rescue equipment and communication headsets for apparatus and on scene communications. The total amount of the grant is \$134,000 and requires a 5% local match that would be paid if successful from the capital funds within the Fire Department budget. A motion and second were made by Kvamme and Hicks to recommend the council authorize the Fire Department to apply for the Fiscal Year 2022 AFG grant for the department’s equipment needs and the motion carried.

Fire Relief Association Service Benefits

Luke Draxten, representing the Fire Relief Association Board of Trustees recommended an increase in service benefits from \$5,850 per year of active service to \$5,900 per year effective March 1, 2023. The Fire Relief Association Special Fund is a self-supporting fund and the \$50 per year increase falls

within the range established by state statutes. Despite the volatility in the market, the Board has sufficient funds to cover the request. A motion and second were made by Fish and Thompson to recommend the council approve an increase in service benefits for retiring paid on call firefighters and the motion carried.

Strategic Planning

Klara Beck reviewed the process employed in the city's strategic planning process. Efforts began in October of 2021 when a joint work session between the City Council and Port Authority was convened to develop a common vision for an economic development policy and defining the parameters used when offering various city financial incentives. A survey was sent to each of these members as well as members of Business Development for Fergus Falls, Greater Fergus Falls and city department heads. The overarching theme was growth within the community and seven priorities were identified: Increasing the number of employees, increasing the number of businesses, increasing the workforce living and working in Fergus Falls, increasing the number of new businesses formed (not relocations), reducing the number/percent of business closures, improving diversity in the economy with the types of businesses, full-time jobs with benefits and diversified business owners and increasing the taxes collected (sales, income and property). Participants were asked to prioritize strategies to allow the measurement of growth and three priorities were identified: increasing the taxes collected, increasing the number of businesses and increasing the number of employees. The group also discussed recognizing the identify and focusing on the strengths of the community. The discussion led to a follow-up session in December of 2021 to develop an economic development policy for the city and provide the strategic framework to develop a comprehensive plan for the city that aligns with the community's values and goals.

Efforts turned to engaging the community into the strategic planning process. Four areas to focus on were land use, infrastructure, community and social, and economic development. A committee was formed to develop an RFQ for a consultant to help steer the community through these conversations and WSB was chosen in April of 2022 and the \$75,000 earmarked for a comprehensive plan were used for this work. The strategic planning process kicked off in May of 2021 when names of community members were submitted to serve on the four focus areas. Invites were extended to a diversified group of participants. Committee meetings showed the need to narrow the focus even further and the four groups were redesigned into two groups: infrastructure merged with the community and social development while economic development and land use were combined. These committees met three times and additional public input was sought at two sessions held in conjunction with community events. Online options were made available to receive public input as well. The final plan has been developed with priorities highlighted in the plan. Community & Social Development: communications, overall community health and public safety, schools and childcare challenges. Infrastructure: communication/information and the creation of destination places. Economic Development: available tools and a focus on downtown. Land Use: residential development. The strategic plan is designed to be fluid to meet the community's needs and challenges over the next 5 years and staff plan to hold a work session with the council to review the city's priorities annually. The plan will help staff develop a policy to decide when the city's various economic development tools should be employed and determine which kinds of development the city is interested in subsidizing. Staff will be seeking council approval of this plan on Monday night. The meeting adjourned at 7:33 am.

Lynne Olson

FOR COUNCIL MEETING— FEBRUARY 6, 2023

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

Excavator

Leitch Excavating

Consolidated Communications Enterprise Services

THC Product Sales

Sugar High Cannabis Consulting & Dispensary LLC

King Tobacco

Mechanical

Air Mechanical Inc. dba AMI of Minnesota

Voss Plumbing & Heating

Fire-N-Ice Heating & A/C



Council Action Recommendation

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Meeting Date: February 6, 2023

Subject: Lake Region Electric Cooperative Donation - Fire Department

Recommendation: Please approve a resolution accepting a \$500 donation from Lake Region Electric Cooperative for Fire Department equipment purchases.

Background/Key Points:

The Fergus Falls Fire Department has received a donation of \$500 from Lake Region Electric Cooperative Operation Roundup.

Budgetary Impact: The funds will be receipted to the Fire Department Trust Fund to be applied towards a fire extinguisher training prop.

Originating Department: Finance & Fire Department

Respectfully Submitted: Bill Sonmor, Finance Director and Ryan Muchow, Fire Chief

Attachments:

Letter from LREC



Lake Region Electric Cooperative

1401 South Broadway • P.O. Box 643
Pelican Rapids, Minnesota 56572-0643

January 14, 2022

Fergus Falls Fire Department
325 E Washington Ave
Fergus Falls, MN 56537



Fergus Falls Fire Department:

On behalf of the Lake Region Electric Trust Board for Operation Round Up®, I am pleased to inform you that Fergus Falls Fire Department was selected for a donation. Enclosed is a check for \$500 to be used for fire department expenses.

Funding was provided by Lake Region Electric Cooperative (LREC) members who generously opt to round up their monthly electric bills to the nearest whole dollar and through abandoned unclaimed capital credits. Priority is given by the board of trustees for Operation Round Up to keep funding in our service area where it benefits rural members in particular. Awarding donations to organizations like yours distributes funding to all our communities.

The board of trustees believes your organization is important to the community and we wish you success in the years ahead.

Sincerely,

Bev Terhurne
Recording Secretary
Lake Region Electric Trust

Enclosures

Cc: Theresa Halverson, Executive Director



Lake Region Electric Cooperative

1401 South Broadway • P.O. Box 643 • Pelican Rapids, Minnesota 56572-0643

January 13, 2023

\$500



Subject: Fire Department

On behalf of the Lake Region Electric Trust Board for Operation Round Up®, I am pleased to inform you that a donation is being awarded to support your local fire department.

Funding was provided by Lake Region Electric Cooperative (LREC) members who generously opt to round up their monthly electric bills to the nearest whole dollar and through abandoned unclaimed capital credits. Priority is given by the Operation Round Up board of trustees to keep funding in our service area where it benefits rural members in particular. Awarding donations for festivals like yours distributes funding to communities throughout our service area.

The board of trustees believes your organization is important to the community and wish you success in the years ahead.

Sincerely,

Roberta Sogn

Roberta Sogn
Recording Secretary
Lake Region Electric Trust

Enclosures

Cc: Theresa Halverson, Executive Director



Council Action Recommendation

Page 1 of 1

Meeting Date: February 1, 2023 Committee of the Whole
February 6, 2023 City Council

Subject: Community Festivals

Recommendation: Recommendation the City Council adopt a resolution declaring 2023 community festivals

Background/Key Points:

The State of Minnesota provides municipalities the ability to declare events as community festivals if they meet the criteria for valid public expenditures. The term “public purpose” has been defined by the Minnesota Supreme Court as:

- The activity will benefit the community as a whole
- The activity directly relates to functions of government
- The activity does not have, as its primary objective, the benefit of a private interest

The City of Fergus Falls follows the guidance of the League of Minnesota Cities in declaring events as Community Festivals based on the criteria listed above. In past years, the council has declared Summerfest, Over the River Festival and Shop, Move and Groove as community festivals. In 2022, the City also declared the 150th Anniversary as a community festival and waived charges for the 150th birthday party held in June of 2022. With this designation, the city waives certain charges (labor, delivery fees, barricades, garbage and recycling cans, picnic tables etc...) for these events.

The city is also able to waive charges to other governmental units and does not charge the Fergus Falls School District for the annual homecoming parade barricades.

Budgetary Impact: No financial impact for an annual resolution. The city does incur the cost of services, equipment, labor and disposal from these events.

Originating Department: Administration

Respectfully Submitted: Andrew Bremseth

Attachments: League of Minnesota Cities Informational Memo on Public Purpose Expenditures

Public Purpose Expenditures

Understand the general criteria for a valid public expenditure. Find a list of commonly analyzed expenditures, including factors relied upon to determine the validity or invalidity of donations to organizations, contributions toward economic development, expenditures on certain employee expenses, and more.

RELEVANT LINKS:

[Minn. Const. art. X, § 1.](#)
[Minn. Const. art. XI, § 2.](#)

[Minn. Const. art. XII, § 1.](#)

[Minn. Stat. § 469.191.](#)

Handbook, *Community Development and Redevelopment.*

[Visina v. Freeman](#), 89 N.W.2d 635 (Minn. 1958).

I. Criteria for valid public expenditures

For an expenditure of public funds to qualify as a lawful expenditure, it should have:

- A public purpose. A public purpose for the expenditure must exist.
- Authority. Specific or implied authority for the expenditure must arise out of a statute or from the city’s charter. Specific authority usually is clear. In contrast, whether a statute or charter provision implicitly provides authority for an expenditure often becomes subject to interpretation. Cities should consult with their city attorneys regarding whether implied authority for a specific expenditure exists.

The Minnesota Constitution allows taxation for furthering a public purpose, but generally prohibits enacting local or special ordinances or laws to tax for a private purpose. Minnesota’s Constitution also generally prohibits cities from donating money or loaning the credit of the state for the specific purpose to aid an individual, an association, or a corporation. This does not mean, however, that a city can never contribute to an association or a corporation; but, in order to do so, the expenditure must further a public purpose and must be authorized by a statute or charter.

For example, a specific state law allows cities to give donations (of up to \$50,000 per year) to any incorporated developmental society or organization for promoting, advertising, improving, or developing the economic and agricultural resources. Also, various statutory economic development tools make it possible for cities to make certain contributions toward development and redevelopment. Again, cities should consult with their city attorneys or bond attorneys regarding allowable expenditures for development.

Since, as stated above, a public expenditure must always further a public purpose, analysis of what qualifies as a “public purpose” becomes crucial.

The meaning of “public purpose” constantly is evolving. The Minnesota Supreme Court has followed a liberal approach, generally finding a “public purpose” when the activity in question meets all the following:

R.E. Short Co. v. City of Minneapolis, 269 N.W.2d 331 (Minn. 1978).

City of Pipestone v. Madsen, 178 N.W.2d 594 (Minn. 1970).

Abrahamson v. St. Louis Sch. Dist., 802 N.W.2d 393 (Minn. App. 2011), affirmed in part and reversed in part in *Abrahamson v. St. Louis Cnty. Sch. Dist. 2142*, 819 N.W.2d 129 (Minn. 2012).

Walser Auto Sales v. City of Richfield, 635 N.W.2d 391 (Minn. App. 2001) (taxpayer lawsuit).

See generally, [State Auditor's Statements of Position](#).

- The activity will benefit the community as a body.
- The activity directly relates to functions of government.
- The activity does not have, as its primary objective, the benefit of a private interest.

The Minnesota Supreme Court has recognized that an incidental benefit to a private interest does not, per se, deprive the spending activity of its public nature, if the primary purpose of the expenditure is public.

The Minnesota Supreme Court further clarified that activities that promote the following objectives for the benefit of all the city's residents further a public purpose:

- Public health
- Safety
- General welfare
- Security
- Prosperity
- Contentment

By no coincidence, these interests also represent the foundation of all legitimate council actions. Councilmembers are elected or appointed to govern by and for these interests, acting as specialists on what best serves the local population. Therefore, it is wise for a city council to work with its city attorney and to document, in writing, reasonable findings of the council in its determination of a valid public.

Attorney general (AG) opinions provide guidance in analyzing the validity of a public expenditure. However, the AG opinions serve only as guideposts, with courts making the final decision if an expenditure gets challenged. Judicial review focuses on (1) whether the expenditure benefits the community as a whole; and (2) whether the expenditure relates to the functions of government.

The following issues could arise from an invalid expenditure:

- Taxpayer lawsuits. Depending on the outcome, a council may have to cover the expense of defending itself in a taxpayer lawsuit and, if the taxpayer wins, dealing with a court order finding the expenditure not valid. Personal liability for the expenditure also might fall upon individual councilmembers in some situations since they have a fiduciary responsibility to spend the public's money for a public purpose.
- Non-compliance finding by the state auditor. The state auditor has the authority to find that the city made an unauthorized expenditure of public funds. This could result in future special audits and embarrassment for the city.

- Public mistrust. The council could lose the trust of the people in the community.
- Changes in law. Substantial violations may prompt the adoption of more restrictive legislation on city expenditures.

A later section of this memo contains a checklist cities can use to make a preliminary determination of whether specific expenditures qualify as a proper use of public funds.

II. Common questions on public spending

Common questions often arise regarding certain public expenditures. Please note this section does not represent an exhaustive list of all valid or invalid city expenditures.

Many statutes limit the authority to spend money by type of cities. For example, some statutes specifically give spending authority only to statutory cities or only to home rule charter cities.

[Minn. Stat. § 410.01.](#)

Also, many statutes give authority for certain expenditures only to cities of a certain class. Population determines which of the following class a city falls under:

- First class cities. A first-class city has a population over 100,000. (Cities do not generally lose first class status if their population drops below 100,000, unless the population drops more than a certain amount).
- Second class cities. A second-class city has a population over 20,000, but not more than 100,000.
- Third class cities. A third-class city has a population over 10,000, but not more than 20,000.
- Fourth class cities. A fourth-class city has a population that is 10,000 or less.

[Minn. Stat. § 410.33.](#)

The analyses of the expenditures in this section primarily apply to statutory cities since home rule charter cities may have additional authority for expenditures in their city charters. Charter cities should check their charters for more details. Generally, home rule charter cities will consult the general statutory law that provides statutory cities with authority for an expenditure when the following conditions exist:

- The city's charter is silent on the particular matter.
- No general law exists prohibiting a charter city from making the expenditure.
- No general law exists that expressly states a city's charter must prevail over general law on that particular matter.

[Minn. Stat. §§ 469.187-.189.](#)

A. Advertising

City officials often ask if they may spend money on advertising. Generally, cities have statutory authority for advertising expenditures. In some instances, however, this authority may be limited to a certain type of advertising for a specific purpose or also may vary based on the class of the city.

[A.G. Op. \(Jan. 30, 1930\).](#)

Councilmembers should carefully review an expenditure beforehand to ensure it qualifies as an advertising expenditure anticipated by the statutes. The attorney general has deemed a donation, under the guise of advertising, improper.

A city seeking to expend monies on advertising expenditures not outlined in this memo should contact the League for further information or consult its city attorney for a legal opinion.

[Minn. Stat. § 469.187.](#)

1. First class cities

Any first-class city may levy a tax, not exceeding 0.00080 percent of the estimated market value, and the council may direct the use of the proceeds for city publicity purposes. The council may establish and provide for a publicity board or bureau to administer the fund, subject to the conditions and limitations that the council prescribes by ordinance.

[Minn. Stat. § 469.188. Minn. Stat. § 410.01.](#)

2. Second and third class cities

Any second or third class city (whether a statutory or home rule charter city) may levy a tax to use for advertising:

- Agricultural resources of the community.
- Industrial business of the community.
- All other resources of the community.

[Minn. Stat. § 469.189. Minn. Stat. § 410.01.](#)

3. Second, third, and fourth class cities

The governing body of any second, third, or fourth class statutory or home rule charter city may annually appropriate money to advertise the city, its resources and advantages. Limitations on the appropriations include using the money:

- to advertise the city; or
- for cooperative programs that involve promotion of the area by more than one municipality and its resources and advantages.

[Minn. Stat. § 469.186. Section II–HH, Tourism.](#)

4. Statutory cities

Any statutory city may spend money to create a bureau of information and publicity to (1) furnish tourists with information;

Minn. Stat. § 360.032. Minn. Stat. § 360.043. Minn. Stat. §§ 360.011-.076.

Minn. Stat. § 441.26. Minn. Stat. § 410.01.

Minn. Stat. § 441.48. Minn. Stat. §§ 441.47-.55.

Minn. Stat. § 458.02. Minn. Stat. § 458.03.

Minn. Stat. Ch. 469.

Section II-L, *Economic development.*

Minnesota Department of Employment and Economic Development, 332 Minnesota Street, Suite E-200, St. Paul, MN 55101; (651) 259-7114 or (800) 657-3858.

(2) provide outdoor advertising and (3) prepare, publish, and circulate information and facts concerning community recreational facilities, business resources and industrial resources.

B. Airports

All cities, towns, and counties in Minnesota have the power to acquire, maintain, and operate airports. In addition, cities, towns, and counties may assist other municipalities in exercising the powers and authority those other municipalities have under the aeronautics code. This assistance may take the form of a gift or lease of real property, a donation or loan of personal property, or the appropriation of money.

C. Bridges

All statutory cities may spend money to assist in the improvement and maintenance of roads and bridges outside the city limits, so long as the roads lead into the city. Fourth class home rule charter cities also have this authority.

All cities have the power to acquire, purchase, construct, maintain, and operate bridges and the bridges' approaches. To use this authority, however, a city must pass an ordinance determining to exercise powers granted by certain state statutes.

D. Ports, Docks

All cities with a population from 4,000 to 50,000 may acquire land on a navigable stream in the city by purchase or condemnation. The city may, on this land or on a portion of this land, construct, erect, and maintain:

- Docks, quays, levees, wharves, landing places, railroads, and other transportation loading and unloading places.
- Water freight and passenger stations.
- Terminals and terminal buildings for carriers.
- Necessary equipment and appurtenances.

E. Businesses

Several statutes empower cities to provide money or real property for economic development purposes under various programs.

Likewise, there is limited authority to provide low-cost land for housing redevelopment purposes.

These different programs are discussed briefly in a later section of this memo. For further information, contact the League or the Minnesota Department of Employment and Economic Development (DEED).

Minn. Stat. § 412.221, subd. 9.

Minn. Stat. § 471.84. Minn. Stat. § 410.01.

MN State Auditor, Statement of Position Public Expenditure: Donations and Dues.

Minn. Stat. § 38.12.

Minn. Stat. § 465.50.

F. Cemeteries

Statutory cities may acquire, hold, and manage cemetery grounds. These cities may acquire cemeteries by purchase, gift, devise, condemnation, or otherwise.

Any statutory city, town, or fourth class home rule charter city may appropriate up to \$10,000 per year to any public or privately owned cemetery located within or outside the city's boundaries. The cemetery must be used for burial of the dead without restriction. The statute does not specify a particular use of the money by the cemetery. Alternatively, a city may enter a joint powers agreement with another governmental entity for the operation of a cemetery. In addition to the joint powers agreement, neighboring cities and towns may jointly agree to maintain a cemetery, with the same \$10,000-per-year restriction for each.

G. Community celebrations

City officials often ask if the city may hold a celebration for the community or contribute to an organization that will be holding a community celebration. Although no general authorization exists for festival expenditures, some statutory authority does support these types of expenditures in limited circumstances. The League cautions against spending money on celebrations outside of parameters set forth below and recommends consulting with city attorneys regarding expenditures on fairs or celebrations.

1. County fairs

Any city or town hosting the fairs of county and district agricultural societies or associations may appropriate money to the agricultural society or association if both:

- The society or association is a member of the Minnesota State Agricultural Society; and
- The fair is held within the city's or town's corporate limits or within close-proximity to the corporate limits.

2. Memorial Day observances

All cities have the authority to spend money for Memorial Day observances in commemoration of the noble and valiant deeds of the nation's dead soldiers. Cities may spend up to \$300 annually for each 75,000 of population.

Minn. Stat. § 471.93. Section II-R, *Historical*.

Minn. Stat. § 471.935. Minn. Stat. §§ 471.15-.191. Office of State Auditor, Statement of Position: Expenditure of Public Funds to Schools and Senior Programs, Oct. 14, 2016.

Minn. Stat. § 412.221, subd. 34.

A.G. Op. 59-a-22 (Dec. 4, 1934).

MN State Auditor, Statement of Position Public Expenditure: Donations and Dues.

Minn. Stat. § 469.191.

Handbook, *Community Development and Redevelopment*.

Minn. Stat. § 465.03. Minn. Stat. § 465.04. Minn. Stat. § 471.895.

Accepting Donations, LMC Model Resolution.

3. Centennial and historical celebrations

The statutes do not specifically authorize cities to spend money for city centennial celebrations. An argument can be made, however, that cities may spend money on such local celebrations under a statute allowing cities to spend money to commemorate important historical events that occurred in the city. A later section of this memo discusses this authority in more detail.

H. Community centers

Any city may appropriate money to support the facilities, programs, and services of a public or private nonprofit senior citizen or youth center. No specific authority expressly allows cities to finance other community centers, but many cities have done so through the state recreation statutes.

I. Decorations

Statutory cities may spend money on decorations, signs, plaques, and attached accessories for public streets, buildings, and parks. Cities should use caution to ensure that decorations, such as those for the Christmas holidays, are not primarily religious in nature.

J. Donations

Cities often get asked to make donations to organizations operating for good causes. Generally, without express authority by charter or statute, cities do not have authority to appropriate or give away public funds as donations to any person, corporation or private institution. This does not mean, however, that a city can never contribute to an association or a corporation; but, to do so, the expenditure must further a public purpose and must be authorized by a statute or charter. Indeed, some statutes specifically allow support for certain organizations and causes.

For example, a specific state law exists that allows cities to give donations (of up to \$50,000 per year) to any incorporated developmental society or organization.

Also, various statutory economic development tools make it possible for cities to make certain contributions toward development and redevelopment. Again, cities should consult with their city attorneys or bond attorneys regarding allowable expenditures for development.

Cities may also accept gifts of real or personal property, including money, and use them in accordance with the terms prescribed by the donor. However, a city may not accept or use gifts for religious or sectarian purposes. A resolution accepting the gift and the donor's terms must receive an affirmative vote of two-thirds of the members of the council.

A.G. Op. 59-a-3 (May 21, 1948). A.G. Op. 218-r (Aug. 15, 1951). A.G. Op. 59-a-22 (Aug. 7, 1951). A.G. Op. 476-b-2 (Apr. 20, 1944). A.G. Op. 218-r (Feb. 10, 1942). A.G. Op. 476-b-2 (Apr. 29, 1954).
[Office of State Auditor, Statement of Position: Expenditure of Public Funds to Schools and Senior Programs, Oct. 14, 2016.](#)

[Minn. Stat. § 412.221, subd. 2.](#)

[Minn. Stat. § 349.213.](#)

[Minn. Stat. § 349.12.](#)

[Minn. Stat. § 471.941.](#)

[Minn. Stat. § 469.191.](#)
A.G. Op. (June 27, 1997) (informal letter opinion to Staples).
Section II-K, *Dues*.

1. Nonprofit organizations in general

The attorney general and the state auditor, over the years, have considered the question of whether cities can donate public funds to various groups. Public expenditures to the following groups or organizations do not have statutory authority and are invalid:

- Supporting the Boy Scouts.
- Sponsoring a local bowling team.
- Sponsoring a local kittenball team (like softball).
- Helping the American Legion build a Legion Hall.
- Supporting the Red Cross.
- Supporting a campaign to stop expansion of a neighboring city airport.
- Supporting schools.

Cities have other options to support nonprofits. For example, the city could use its contracting power to indirectly support nonprofits, such as contracting with a club to spend a Saturday cleaning up public grounds in exchange for money. Also, if a city maintains a fund created from gambling proceeds, those proceeds may be used for many types of charitable contributions that further a lawful purpose. The city should consult with its city attorney to ensure that the use of gambling proceeds complies with the statutory requirements of a lawful purpose expenditure.

2. Artistic organizations

Counties, cities, and townships may appropriate money to support artistic organizations. The governing body may divide the appropriation among multiple artistic organizations in proportions determined by the governing body.

An association, corporation, or other group that provides an opportunity for people to participate in the creation, performance, or appreciation of artistic activities qualifies as an “artistic organization”. The statute provides examples of “artistic activities” that cities can support; however, it, by no means, represents an exclusive list.

3. Incorporated development societies or organizations

State law authorizes cities “to appropriate not more than \$50,000 annually to any incorporated development society or organization of the state for promoting, advertising, improving, or developing the economic and agricultural resources of the city.”

Because of the limitations regarding donations, cities interested in donating up to \$50,000 in any given year to an incorporated development society or organization should consult their city attorney. For example, the attorney general's office has opined that, while this authority allows a city to contribute up to \$50,000 annually to a chamber of commerce, it does not allow a city to become a member of the chamber of commerce, or to pay dues to it.

Minn. Stat. § 465.039. Minn. Stat. § 465.037. Minn. Stat. § 469.191. Sections II-S, Hospitals and EMS and II-L, Economic development.

4. Community food shelves

Any city, town, or county may appropriate an amount to provide grants to nonprofit organizations that operate community food shelves and provide food to the needy without charge. Authority also exists to provide public money to support hospitals and certain economic development organizations. These circumstances are discussed in more detail in a later part of this memo.

Minn. Stat. § 343.11.

5. Prevention of cruelty to animals

If a city has a society for the prevention of cruelty to animals ("SPCA"), it may appropriate monies, not otherwise appropriated, for the maintenance and support of that SPCA "in the transaction of the work for which they are organized". However, no part of such an appropriation may go to pay the salary of any officer of the society.

Minn. Stat. § 465.90.

6. Solicitation of donations by firefighters

Despite any law or ordinance to the contrary, any city may, by resolution, allow full-time firefighters employed by the city and while on duty, or volunteer firefighters serving the city while not on duty, to solicit charitable contributions from motorists.

A city that wishes to do this must follow certain strict requirements set forth in the statute, including restrictions on type of charitable organization, frequency and time frame of solicitations and proof of insurance.

Minn. Stat. § 471.3459.

Donation of Surplus City Equipment to a Nonprofit Organization, LMC Model Policy.

7. Surplus city equipment

In 2016, the Minnesota Legislature passed a law allowing a "local government," including statutory and home rule charter cities, to donate "surplus equipment" to a "nonprofit organization." Surplus equipment includes equipment used by a local government public works department, and also includes cellular phones, emergency medical and firefighting equipment no longer needed by the local government (because the phones or equipment no longer meet industry standards for emergency medical services, police, or fire departments; have minimal value; or have no resale value).

A.G. Op. (June 27, 1997)
(informal letter opinion to
Staples). MN State Auditor,
Statement of Position Public
Expenditure: Donations and
Dues.

Minn. Stat. § 471.96.

Minn. Stat. § 465.58.

Minn. Stat. Ch. 469.

Minn. Stat. § 469.185.

Minn. Stat. §§ 116J.993-
.995.

Minn. Stat. § 469.191.

Minn. Stat. §§ 469.124-.134.
Minn. Stat. §§ 469.090-
.1082.
Minn. Stat. § 469.192. Minn.
Stat. §§ 469.1812-
.1816.

Before donating surplus equipment, a city must adopt a policy on how it will determine what qualifies as surplus eligible for donation and how it will select nonprofit organizations eligible to receive donations. One caveat worth mentioning—the policy “must address the obligations of the local government to disclose to the nonprofit that the surplus equipment may be defective and cannot be relied upon for safety purposes.”

K. Dues

According to the attorney general, cities cannot join or become members of “private” organizations, absent specific statutory authority—even if there is specific authority to contribute to the organization. Without authorization for membership, cities do not have authority to pay for membership.

All cities, counties, and towns may appropriate money for membership in county, regional, state, and national associations of a civic, educational, or governmental nature. The associations must have, as their purpose, the betterment and improvement of municipal governmental operations. This authorization also allows these public entities to participate in the meetings and activities of these associations.

All cities and urban towns in Minnesota may appropriate money to pay dues to become members of the League of Minnesota Cities.

L. Economic development

A number of statutes empower cities to provide money or real property for economic development purposes under various programs, including up to \$50,000 to an incorporated development society or organization discussed in II(J)(3) above.

An analysis of the economic development statutes and their requirements fall outside the scope of this memo; however, cities should know that, in certain circumstances, the statutes permit contributions for economic development.

The following list provides a broad summary of some of the more common tools available for encouraging development:

- Conveyance of city-owned land for a nominal amount to encourage business and industry, under certain conditions.
- “Business subsidies,” including contributions of personal property, real property and/or infrastructure.
- Grants to certain economic development organizations.
- Creation of development districts.
- Economic Development Authority programs.
- Economic development loans.
- Tax abatement.

Minnesota Department of Employment and Economic Development, 332 Minnesota Street, Suite E-200, St. Paul, MN 55101; (651) 259-7114 or (800) 657-3858.

Handbook, *Community Development and Redevelopment*.

A.G. Op. 472-o (July 31, 1959). A.G. Op. 185-b-2 (June 28, 1962). A.G. Op. 185-b-2 (Apr. 6, 1962). LMC information memo, *City Special Elections*.

A.G. Op. 159-a-3 (May 24, 1966). Office of the State Auditor, *Statement of Position: Expenditure of Public Funds on Ballot Issue Advocacy*, Apr. 2014.

The League recommends consulting with city attorneys or city bond counsel when considering any of these tools. Also, for further information about economic development programs, contact the League or the Minnesota Department of Employment and Economic Development (DEED). Finally, Chapter 14 of the Handbook for Minnesota Cities, entitled *Community Development and Redevelopment*, provides guidance on awarding business subsidies or utilizing various development tools.

M. Elections

Cities can spend money to hold general and special elections authorized by law.

1. Special elections/advisory elections

Special elections, whether authorized by statutes or by charter provisions, represent a valid public expenditure. In the alternative, elections on questions that the public has no authority to answer, either by statute or charter provision, constitute advisory elections, which are prohibited, and expenditures on these types of elections are not valid.

Many home rule charter cities have charters containing initiative and referendum provisions. These provisions give these charter cities additional powers regarding the types of questions that can be put on the ballot at a special election. Voters in these cities often have the right to petition for special elections in certain circumstances.

2. Advocating/educating on a ballot question

A common question regarding ballot issues revolves around whether a city can spend money for advertisements encouraging voters to support the city's position on a local ballot question, such as a "yes" vote for a special election to issue bonds or a "no" vote on a city charter issue. A related question arises, as well, as to whether a city can spend money either to support or oppose a state constitutional amendment ballot initiative.

a. Local ballot initiatives

Traditionally, case law and the attorney general have allowed local subdivisions to publish and distribute publications intended merely to inform the public of financial conditions and the potential effects of the passage or failure of a ballot question. However, cities generally have not been allowed to expend funds to promote or defeat passage of a local ballot question by presenting one-sided information on the issue.

The state auditor acknowledged an exception to this, stating elected officials may appear before citizens to orally advocate for a position, so long as no expenditure of public funds has occurred.

Abrahamson v. St. Louis Cnty. Sch. Dist. 2142, 819 N.W.2d 129 (Minn. 2012).

A.G. Op. 442-a-20 (July 10, 1952).

A.G. Op. (June 30, 2006) (informal letter opinion).

Office of the State Auditor,
[Statement of Position: Expenditure of Public Funds on Ballot Issue Advocacy](#), Apr. 2014.

Abrahamson v. St. Louis Cnty. Sch. Dist. 2142, 819 N.W.2d 129 (Minn. 2012).

A 2012 Minnesota Supreme Court decision, however, questioned the extent to which a city either can inform its residents of a ballot measure or warn its citizens of the direct financial consequences that may occur should a ballot measure succeed or fail. While the court declined to opine on whether a city could legally spend money to promote a position on a ballot measure, the court cautioned that any such expenditures would be subject the city to campaign finance laws. Furthermore, the court stated any statement made by a city “with reckless disregard of whether it is false” could be punishable as a misdemeanor.

Given the uncertainty left by this decision, cities should consult their city attorney prior to any expenditures associated with efforts to inform voters about any ballot question.

b. State constitutional ballot initiatives

Historically, the attorney general also has frowned upon expenditures made to support a position on a state constitutional ballot initiative. A 1952 opinion addressed a situation where a town wanted to spend money to advocate the adoption of a constitutional amendment. The attorney general found the expenditure illegal, stressing that use of taxpayer money to support one political position was improper since taxpayers can have differing opinions about almost any political question.

In a later opinion, however, the attorney general has recognized that, in limited circumstances, spending money to advocate a position could be proper.

The attorney general and the state auditor both have stated that, where a state action or proposal could have a “direct and substantial effect” on the interests of a local governmental entity, that entity could spend public funds to protect or promote its interests—even by financially supporting one side of a ballot issue.

The attorney general and state auditor quickly point-out, however, a city cannot spend public funds for advocacy of a position where the proposed measures’ effect would be “only indirect and in common with the public at large.”

The city council has the discretion to make findings as to whether a measure has a “direct and substantial effect.” Therefore, cities that wish to spend money to encourage a particular vote on a local ballot initiative should first consult with their city attorneys.

Lastly, in light of the 2012 Minnesota Supreme Court case, cities that spend any money to promote a position on a state constitutional amendment must do so in compliance with campaign finance and fair campaign practice laws.

Minn. Stat. § 297A.99, subd. 1(d), (e).

c. Local sales tax

State statutes currently ban cities from expending funds to promote or otherwise advertise a referendum to support special legislation imposing a local option sales tax. Cities can, however, expend money to:

- Conduct the referendum.
- Disseminate information included in the resolution and indicating the city council's approval of the local sales tax, but only if the disseminated information includes a list of specific projects and the cost of each individual project.
- Provide notice of and conduct public forums at which both proponents and opponents of the referendum have equal time to express their opinions on the merits of the referendum.
- Provide facts and data on the impact of the proposed local sales tax on consumer purchases.
- Provide facts and data related to the individual programs and projects to be funded with the local sales tax.

N. Employees/staff/public officials

Cities often ask about various employee costs. These include:

- Pay, expenses, and benefits.
- Miscellaneous items (bonds, recognition events, and flowers).

1. Pay, expenses, and benefits

Statutory cities may create departments and advisory boards and appoint officers, employees and agents as deemed necessary for the proper management and operation of city affairs. In doing so, the council may define the duties of its officers, employees and other staff, as well as fix the compensation for those positions.

a. Bonuses

The attorney general has said that a bonus for past services is void as a gratuity, in the absence of some type of agreement or understanding.

However, the attorney general acknowledged the possibility of paying a bonus to employees and opined that “an agreed monetary bonus might be provided as part of a salary plan to employees who meet performance or longevity standards”.

Based on this AG opinion, it seems reasonable to assume that, if the bonus arose from a prior agreement or understanding of how or when payment of the bonus would occur, then the bonus would be valid.

Minn. Stat. § 412.111.

A.G. Op. 270-d (Aug. 12, 1977).
A.G. Op. 107-a-3 (Jan. 22, 1980).

A.G. Op. (Feb. 6, 1998)
(informal letter opinion to Champlin).

MN State Auditor, Petition Report: City of Becker.

b. Discounted or free items or services from city-owned business

The state auditor has determined that no specific authority permits offering discounts to city employees because of their status as city employees on merchandise sold by city-owned businesses, such as discounts on clothes in a city-owned golf course pro shop. Discounts on merchandise to nonemployees or employees for reasons other than status of employees (like any season pass holder) may pass muster so long as the city's council has approved a policy outlining the discounting practice.

c. Insurance benefits

Municipalities may insure or protect their officers and employees and their dependents under group health insurance, life insurance, and accident insurance. The city may pay all or any part of the premium or charges on the insurance or protection. Such a payment represents additional compensation paid to the officer or employee, but does not qualify as income for purposes of determining contributions or benefits under a public pension or retirement system.

Any city or town may insure or protect its retired officers and employees and their dependents under a group life, health, accident, medical and surgical benefits, or hospitalization insurance or benefits. A city also may contract with an insurance company for the voluntary purchase of long-term care insurance by employees and their dependents.

d. Mileage reimbursement

Cities may pay a mileage reimbursement for staff who travel for city business and use their own vehicles. The city council sets the maximum amount to be reimbursed. The Internal Revenue Service (IRS) sets the rate considered tax deductible for business use. If a city sets its rate higher than the IRS rate, any additional amounts represents income to the employee. In lieu of the mileage allowance, the council may pay a monthly or periodic allowance to any officer or employee for using his or her personal vehicle for city business. However, no allowance in lieu of mileage may be paid to councilmembers unless provided by special law or the city's charter.

e. Preventive health and employee recognition (plaques, dinners, parties)

State law allows a statutory or home rule charter city to (1) establish and operate a program of preventive health and employee recognition services for its employees; (2) to provide necessary staff, equipment, and facilities and (3) to expend funds, as necessary, to achieve the objectives of the program.

Minn. Stat. § 471.61, subd. 1.
Minn. Stat. § 471.61, subd. 2a.
Minn. Stat. § 471.61, subd. 5.

Minn. Stat. § 471.665.

Minn. Stat. § 15.46.

Office of the Minnesota State Auditor, *Statement of Position: Employee Recognition Programs and Events*, Feb. 2014.

MN State Auditor, Petition
Report: City of Becker.

The state auditor has released a statement of position that narrowly interprets this statute, requiring the programs to be in writing and to state clear wellness and recognition objections. The city council must approve the program, with the council determining the amount necessary to achieve the objectives of the program. The state auditor also cautions that “in-kind” benefits to employees of statutory cities must have express authorizations by statute. Cities should consult with their city attorneys before offering in-kind benefits, such as employee privileges (like free rounds of golf) or discounts on items (like season passes) as part of wellness programs.

Minn. Stat. § 465.54.

f. Public officials’ expenses

Statutory cities may pay the expenses incurred by councilmembers for their official duties relating to their city’s bureau of information and tourism. This does not include trips for lobbying purposes or for meetings and conventions not connected with specific municipal projects pending before the official making the trip. This also does not include paying for employees to participate in events, such as playing in golf tournaments.

MN State Auditor, Petition
Report: City of Becker.

g. Severance pay

Cities may pay severance pay to their employees and adopt rules for the payment of severance pay to employees who leave employment. Severance pay cannot exceed the equivalent of one year of pay. Severance pay does not include compensation for accumulated sick leave or other payments in the form of contributions by an employer toward premiums for group insurance policies for former employee. The city must pay severance pay in a manner mutually agreeable to the employee and the employer and must pay it over a period of not more than five years from retirement or termination. For more information regarding the requirements for these types of severance pay situations, contact the League.

Minn. Stat. § 465.72.

LMC Research and
Information Services at (800)
925-1122 or (651) 281-1200.

h. Vacation leave

Any city council may grant paid or unpaid vacations to its regularly employed employees and officers. The city council may adopt vacation policies by ordinance or resolution, including determining the terms and conditions of vacations. No elected official may receive monetary compensation for unused vacation or sick leave accruals.

Minn. Stat. § 471.66.

2. Miscellaneous items

Cities often ask if it is proper to spend money on the following miscellaneous items for their officers and staff:

Minn. Stat. § 415.18.

Minn. Stat. § 412.111.

Minn. Stat. § 471.895.

LMC information memo,
Official Conflict of Interest.

Minn. Stat. § 412.221, subd.
15.
Minn. Stat. § 410.33.

Minn. Stat. § 449.06. Minn.
Stat. § 410.01.

Minn. Stat. § 449.08. Minn.
Stat. § 410.01.

Minn. Stat. § 449.09. Minn.
Stat. § 410.01.
A.G. Op. No. 107, p. 188
(1950).

Minn. Stat. § 449.10. Minn.
Stat. § 449.11.

a. Official Performance Bonds

City councils may pay to provide fidelity or faithful performance bonds for city officers and employees who, by statute, must furnish them.

b. Flowers

No specific authority exists for purchasing flowers for a staff member or city official who is ill or has lost a family member.

Additionally, even if employees contribute their own money towards flowers, potential problems could arise if purchased for a supervisor under the state’s gift law.

The gift law prohibits a person from giving a gift to an elected or appointed official if the official has the power to make a decision that could impact a financial interest of the person giving the gift.

Since many city supervisors qualify as “appointed” officials and, those supervisors often give feedback that directly affects salary raises for the staff they manage, a potential violation of the gift law may result when staff members give the supervisor any gift beyond those authorized by law.

O. Entertainment (musical)

Statutory city councils may spend money to provide free musical entertainment. Many home rule charter cities contain similar authority in their charters. If the city’s charter is silent on the matter, it may turn to the same statute relied upon by statutory cities to get authorization for providing free musical entertainment.

Fourth class home rule charter cities may levy a tax for providing musical entertainment to the public in public buildings or on public grounds. The maximum amount that may be spent in any year is \$3,500.

Any third-class city may levy a tax to pay for free musical entertainment for the public. The annual expenditure is limited to \$3,000.

There also is a more general law that permits towns, statutory cities, and home rule charter cities of the second, third, and fourth class to levy a tax for funding a band, orchestra or chorus. To use this authority, the council must get permission from the city’s voters.

To put the question on the ballot, the city first must have received a petition signed by 10 percent of the voters proposing the funding. The statute provides the language of the ballot question. Once the city receives the petition, the council must put the question to the voters at the next general municipal election.

Minn. Stat. § 449.09.

If a majority of voters, who vote on the question, approve it, the city levies the tax and the money must be kept in a special fund. The money may be used for maintenance, transportation and employment of a band, orchestra, or chorus for municipal purposes. If the musical group is discontinued or, the city decides, by vote, not to employ a band, orchestra, or chorus, the governing body may transfer the sums already levied and collected to the general fund

Minn. Stat. § 412.221, subd. 1.

P. Furniture, office supplies

Statutory cities may purchase office supplies, such as furniture, equipment, and stationery supplies, necessary for city purposes. Charters of home rule charter cities usually have similar authority.

Minn. Stat. § 410.32. Minn. Stat. § 412.301.

Notwithstanding any contrary provision of other law or the charter, all statutory cities and charter cities may, by resolution and without public referendum, issue capital notes subject to the city debt limit to purchase capital equipment, which includes computer hardware and software, whether bundled with machinery or equipment or unbundled, together with application development services and training related to the use of the computer hardware and software. Cities should work with their city attorney or bond counsel to make sure these capital notes comply with the specific statutory requirements, including the required two-thirds vote of the governing body.

Minn. Stat. § 412.221, subd. 22.
Minn. Stat. § 410.33.

Q. Garbage

Statutory cities may adopt ordinances to regulate or provide for the disposal of sewage, garbage, and other refuse.

Home rule charter cities often have similar authority in their charters. If their charter is silent on the matter, they may rely upon the authority set forth in statute for statutory cities.

Minn. Stat. § 471.93. Minn. Stat. § 410.01.

R. Historical

All statutory cities and second, third, or fourth class home rule charter cities may appropriate money to commemorating the anniversary of any important and outstanding event in the city's history. This authority allows cities to spend money on the following:

- Collecting data and material pertaining to the history of the city.
- Preserving, storing, and housing data and material pertaining to the history of the city.
- Printing, publishing distributing and exhibiting data and material pertaining to the history of the city.
- Preserving historic data for future generations.

Minn. Stat. § 138.053.

The governing body of any home rule charter or statutory city may annually appropriate, from its general fund, an amount not to exceed .02418 percent of estimated market value, derived from ad valorem taxes on property or other revenues, to the historical society of its respective city, town, or county to further the promotion of historical work and to aid in defraying the expenses of carrying on the historical work in the city, town, or county. However, the city may only appropriate these funds to a historical society affiliated with and approved by the Minnesota Historical Society.

Minn. Stat. § 412.221, subd. 16.
Minn. Stat. §§ 447.05-.06.
Minn. Stat. § 410.01.

S. Hospitals and EMS

All statutory cities may spend money to provide hospitals. Third and fourth class home rule charter cities may establish, acquire, and operate hospitals. These cities may also acquire property by gift, purchase, or condemnation for the location of a municipal hospital.

Minn. Stat. § 447.045.

Cities with municipal liquor stores may spend money from the liquor dispensary fund to construct a community hospital. The dollar amounts vary depending upon the class and type of city and the type of liquor store. In some cases, a city must get voter approval before proceeding.

Minn. Stat. § 465.037.

Any city or town may make grants for the use of a private, nonprofit or public hospital or to an emergency medical services agency that serves the city or town. The city council or town board must authorize the grant (after an affirmative vote of the town electors at the annual or special town meeting).

Minn. Stat. § 447.45.

Cities may issue revenue bonds to finance the acquisition and betterment of nursing homes and related facilities. Cities may jointly create hospital districts with the power to own and operate hospitals, nursing homes, and similar facilities.

T. Housing

Minn. Stat. Ch. 462C.

Cities may adopt and develop municipal housing programs that can do the following:

- Make or purchase mortgage or rehabilitation loans to finance the acquisition or rehabilitation of single family housing for low- and moderate-income individuals and families.
- Make or purchase loans to finance multifamily housing developments or the rehabilitation of multifamily housing developments if the program is submitted for review.
- Establish, by ordinance, a local housing trust fund or participate in a joint powers agreement to establish a regional housing trust fund.

Minn. Stat. § 462C.16.

LMC Research and Information Service at (800) 925-1122 or (651) 281-1200. Minn. Stat. §§ 469.001-.047. Section II-L, *Economic development*.

Minn. Stat. § 462C.16.

Part I, Criteria for valid public expenditures.

Minn. Stat. § 435.193. LMC information memo, *Special Assessment Toolkit*.

Minn. Stat. §§ 469.1812-.1815.

Section II-J, *Donations to organizations*.

Cities and participants in these programs must meet various criteria to qualify. Contact the League for more information. Housing and Redevelopment Authorities (HRAs) also have special authority to encourage the recovery and rehabilitation of blighted housing.

With respect to local housing trust funds, a nonprofit organization may administer the fund, which then can encourage private charitable donations to the fund. Money in the local or regional house trust fund may pay for administrative expenses, as long as not more than 10 percent of the balance of the fund goes toward these administrative expenses. The money in this fund may also: fund grants, loans, and loan guarantees for the development, rehabilitation, or financing of housing; match other funds from federal, state, or private resources for housing projects; or provide down payment assistance, rental assistance, and homebuyer counseling services.

U. Individuals and public entities

As a reminder, the basic principle of valid public expenditures requires spending public money to further a public purpose. As a result, it makes sense that public money may not generally be used for the benefit of an individual. Of course, some limited exceptions exist. This section discusses some of the more common questions city officials have asked about using city money to help individuals.

1. Forgiving property taxes and special assessments

Cities generally lack authority to forgive taxes or special assessments that have been levied to properties. However, state statutes allow for hardship assessment deferral in certain situations and permit cities to defer special assessments on property owned by persons 65 years of age or older, persons retired because of permanent or total disability, or, in some instances, members of the National Guard or other military reserves called to active duty. To do so, the city must adopt an ordinance or resolution establishing standards and guidelines for determining the existence of a hardship and for determining the existence of a disability.

Property tax abatement is an economic development tool available to cities, counties, and school districts. Each taxing authority may abate its portion of taxes against a property identified for development for a limited number of years. Several criteria must be met to use this tool. For further information about property tax abatement, contact the League.

2. Aid to remedy emergency situations

No specific statutory authority permits cities to spend money to help individuals who may have suffered losses due to a natural disaster, such as a flood or tornado.

A.G. Op. 218-r (Feb. 10, 1942). A.G. Op. 476-b-2 (Oct. 11, 1946).

Minn. Stat. § 12.02, subd. 1(3).

Minn. Stat. § 12.37.

Minn. Stat. § 12.331.

Minn. Stat. § 12.03, subds. 2, 3.

Minn. Stat. § 38.345.
Minn. Stat. § 38.331, subd. 2.

Minn. Stat. § 465.035.

Minn. Stat. § 471.85.

As mentioned earlier, the attorney general has found that a city cannot donate money directly to the Red Cross or to similar organizations; however, the statutes allow cities to assist other cities recovering from natural disasters.

The emergency management statutes provide for rendering of mutual aid among political subdivisions of the state.

Also, under one of the emergency management statutes, a political subdivision may enter contracts and incur obligations to combat disaster and provide emergency assistance to victims of disasters. In these situations, political subdivisions can provide this assistance without complying with the normal formalities, including those pertaining to the appropriation and expenditure of public funds.

Under the emergency management statutes, cities may provide personnel, equipment and supplies to another political subdivision that requests assistance because of an emergency. “Emergency” is defined as an unforeseen combination of circumstances that calls for immediate action to prevent a disaster from developing or occurring. “Disaster” is defined as (1) a situation that creates an actual or imminent serious threat to the health and safety of persons; or (2) a situation that has resulted or is likely to result in catastrophic loss to property or the environment, and for which traditional sources of relief and assistance within the affected area are unable to repair or prevent the injury or loss.

3. Public entities

The council of any city may spend money on county extension work. The statute defines “county extension work” as “educational programs and services provided by extension educators in the areas of agriculture; agricultural finance; economic development; nutrition; youth leadership development (including 4-H programs); leadership; and environment and natural resources.”

Any public corporation may lease or convey its land for nominal consideration to the state of Minnesota or any government subdivision; to the U.S. government or any agency of the federal government; to another public corporation or to the Minnesota State Armory Building Commission. This authority also allows public land to be similarly conveyed without consideration or for an agreed upon amount.

Any city, town, county, or school district may transfer its personal property to another public corporation for public use. This transfer may occur without consideration or, in the alternative, for a nominal amount; but the governing body must authorize it first.

A.G. Op. 904 (June 27, 1963).
A.G. Op. 1011 (Dec. 27, 1968).

In a 1963 opinion, the attorney general concluded that this statute did not authorize the transfer of money between a county and a city. However, in a subsequent 1968 opinion, the attorney general modified this position, opining that one public entity could, in fact, donate money to another public entity as long as the transferring entity did so in compliance with other legal limitations and in furtherance of the purposes for which the money originally was obtained.

The 1968 opinion also cautioned against broadening the definition of “public purpose”, stressing that the planned use for the donated property must directly relate to the public purposes of the transferring governing body.

As with other donations, cities should first seek a legal opinion from their city attorneys or from the attorney general.

V. Insurance

A governing body of any municipality may purchase liability insurance that protects the municipality and its officers, employees, and agents for damages. Municipalities may insure in amounts above the liability limits imposed by statute.

As discussed in Section II(N)(1)(c) above, municipalities also may insure or protect its officers and employees, and their dependents, or any class or classes of officers, employees, or dependents, under a policy (or policies) or contract (or contracts) of group insurance or benefits covering life, health, and accident for employees and medical and surgical benefits and hospitalization insurance or benefits for both employees and dependents (including dependents of an employee whose death was due to causes arising out of and in the course of employment).

W. Legal

All cities have general authority to spend money on legal costs, including hiring attorneys, defending or prosecuting lawsuits, and paying court judgments or settlements.

All cities must pay to defend and indemnify for damages claimed or levied against their officers and employees, if the damages resulted while the officer or employee acted in performance of the duties of his or her position and the officer or employee did not act with malfeasance, willful neglect, or bad faith. All cities may reimburse their officers and employees for legal costs incurred to defend them against criminal charges that arise out of the reasonable and lawful performance of their duties, including reasonable attorney’s fees. Certain conditions must be met before such costs may be paid.

[Minn. Stat. § 466.06.](#)

[Minn. Stat. § 471.61, subd. 1.](#)

[Minn. Stat. § 412.221, subd. 5.](#) [Minn. Stat. § 465.13.](#)
[Minn. Stat. § 466.08.](#) [Minn. Stat. § 466.09.](#)

[Minn. Stat. § 466.07.](#) [Minn. Stat. § 465.76.](#)

[Douglas v. City of Minneapolis](#), 230 N.W.2d 577 (Minn. 1975).

[Minn. Stat. § 134.07.](#)

[Minn. Stat. § 429.021.](#) LMC information memo, *Special Assessment Toolkit*.

[Minn. Stat. § 429.021, subd. 1\(8\).](#) LMC information memo, *Special Assessment Toolkit* and *Public Nuisances*, LMC Model Ordinance.

[Minn. Stat. §§ 416.01-06.](#)

[Minn. Stat. § 465.50.](#) Section II-G, *Memorial Day observances*.

[Minn. Stat. § 412.491.](#)

[Minn. Stat. §§ 471.15-.191.](#)
[Minn. Stat. § 471.15.](#)

A.G. Op. 59-a-3 (July 12, 1948).
[MN State Auditor, Statement of Position Public Expenditure: Donations and Dues.](#)

X. Libraries

Any city or county may establish and maintain a library. The city may pass an ordinance or resolution setting aside public property for a library. All statutory cities and second, third, or fourth class home rule charter cities may levy an annual tax on all taxable property to establish a library fund.

Y. Local improvements

Municipalities may spend money to make local improvements. Certain procedures must be followed, such as notice and public hearings, if funding the project with special assessments.

Z. Nuisance abatement

Municipalities may spend money to abate public nuisances or to drain or fill swamps, marshes, and ponds. They also may recover the costs through special assessments to the property in question.

AA. Memorials

All city councils may adopt an ordinance to spend money to erect buildings, monuments, and parks in recognition of those who served in the military. If necessary, council may acquire a site within the city for this purpose.

All cities may spend money in the observance of Memorial Day and in the annual commemoration of the noble deeds of the nation's dead soldiers. The dollar amount is limited to \$300 for each 75,000 in population.

BB. Park and recreation

Statutory cities may spend money to establish, improve, ornament, maintain, and manage parks, parkways, and recreational facilities.

All cities, towns, counties, and school districts may spend money to operate public recreational facilities and programs of public recreation and playgrounds. The statutes also permit any home rule charter or statutory city to spend funds available to it for awards and trophies as part of these programs. Cities, towns, counties, and school districts may jointly operate public recreational facilities and programs with other government entities, American Legions, incorporated veterans' organizations, or nonprofit organizations. The city may issue bonds to operate these recreational facilities.

The attorney general has concluded that the above statutes do not permit a city to make donations to the Boy Scouts to assist with their private recreational programs.

A.G. Op. 218-r (Aug. 15, 1951). A.G. Op. 59-a-22 (Aug. 7, 1951).
Section II–J, *Donations*.

[Minn. Stat. § 459.14.](#)

[Minn. Stat. § 412.221, subd. 14.](#)
[Minn. Stat. § 469.176, subd. 4g\(b\).](#)

[Minn. Stat. § 459.14.](#)

[Minn. Stat. § 412.221, subd. 32.](#)

[Minn. Stat. § 412.153.](#)

[Minn. Stat. § 412.111.](#)

[Minn. Stat. § 410.33.](#)

[Minn. Stat. § 436.05.](#) [Minn. Stat. § 436.06.](#)

The attorney general also has determined that cities cannot sponsor local sports teams, including bowling teams or kittenball teams (like softball).

CC. Parking

All statutory cities and home rule charter cities of the second, third, and fourth class may spend money to acquire or build automobile parking facilities. Such facilities may be located inside or outside the city’s corporate limits. Minneapolis and St. Paul have similar authority, but, for those two cities, the facilities must lie within these cities’ corporate limits.

All statutory cities have the power to not only acquire or build automobile parking facilities; but also, to improve and operate those facilities, as well as tourist camps. Publicly owned parking facilities can be financed with tax increment revenues. The city also may acquire, by purchase or lease, parking meters or other parking or traffic-control devices.

DD. Public safety

All statutory cities have the power to provide for the government and good order of the city, the suppression of vice and immorality, the prevention of crime, and the protection of public and private property.

Statutory cities may expend public funds to acquire or lease residential property for the housing of volunteer firefighters or ambulance personnel or otherwise provide housing assistance in the city for them. The expenditure may only be made to attract and retain the qualified personnel necessary to ensure a city has timely public safety and related services. A city may approve the expenditure only after the need for the expenditure has been established and approved at a public hearing.

Statutory cities also may create, as the council deems necessary, such offices and employment positions for proper management and operation of the city. Presumably, this authority would permit statutory cities to create positions dealing with public safety.

Home rule charter cities may have similar authority in their charters. If the charter is silent on this issue, a city may use the same authority as statutory cities.

1. Police

Any city, town, or county may contract for police services with another city, town, or county. Adjacent cities may establish, equip, and operate joint municipal police departments, unless located within a county that contains a first-class city.

Minn. Stat. § 412.221, subd. 17.

2. Fire

All statutory cities may establish fire departments and provide equipment and apparatus needed to prevent, control, or extinguish fires.

Minn. Stat. § 438.11.

All cities may appropriate reasonable sums of money to defray the expenses of members of the city's fire department for attending:

- The state convention of the Minnesota State Fire Department Association.
- The Minnesota State Fire School.
- The meetings of regional firefighters' associations.

3. Ambulance

Minn. Stat. § 471.476.

All cities, towns, hospital districts, and counties (except for Hennepin County) have the authority to provide ambulance services, either singly or jointly, by agreement. In providing such service, the city may purchase, rent, or lease ambulances and related equipment and supplies; may contract for such service with any person, firm, corporation, or other political subdivision upon such terms and conditions as may be agreed upon; and may employ and train personnel for such service. The ambulance service authorized by this section may be provided both inside and outside the boundaries of the city and to nonresidents as well as residents.

4. Animal pounds

Minn. Stat. § 412.221, subd. 21.

All statutory cities have the authority to establish animal pounds.

5. School patrols

Minn. Stat. § 465.69.

Statutory cities may pay for the cost of training school patrol members, including attendance at any authorized school patrol camp within Minnesota.

6. Capital equipment

Minn. Stat. § 410.32. Minn. Stat. § 412.301.

Notwithstanding any contrary provision of other law or charter, all statutory cities and charter cities may, by resolution and without public referendum, issue capital notes subject to the city debt limit to purchase capital equipment, identified as public safety equipment, ambulance and other medical equipment, road construction and maintenance equipment and other capital equipment. Cities should work with their city attorney or bond counsel to make sure these capital notes comply with the specific statutory requirements, including the required two-thirds vote of the governing body.

Minn. Stat. § 471.198.

Authorizing Solicitation of Contributions, LMC Model Resolution.

Minn. Stat. § 412.221, subd. 3.

LMC information memo, *Purchase and Sale of Real Property*.

Minn. Stat. § 463.152.

Minn. Stat. § 465.01. Minn. Stat. Ch. 117.

Minn. Stat. § 463.02.

Minn. Stat. § 471.631.

A.G. Op. 355-a (Aug. 23, 1972).

7. National Night Out

Any home rule charter or statutory city may spend money for National Night Out events held within the city's boundaries.

Any home rule charter or statutory city also may spend money for any event or purpose that the governing body determines will foster positive relationships between law enforcement and the community. Notwithstanding any law or ordinance to the contrary, any home rule charter city, statutory city, town, county, or school district may, by resolution, authorize officials and staff to solicit contributions for these events.

EE. Real property

All statutory cities have the power to buy or lease land and buildings. Charter cities usually have similar powers in their city charters.

To receive a copy of the LMC research information memo on city real estate transactions, contact the League.

State statute permits all cities, towns, and counties to spend money to acquire hazardous buildings and real estate using eminent domain. The statute specifically declares this action "a public purpose".

Any city may acquire private property using eminent domain, whether located inside or outside the city limits, so long as the city acquires that property for the same purposes that the law otherwise would have allowed the city to either purchase it or receive it as a gift. The city also may use eminent domain to acquire a right-of-way for sewer or drainage, whether inside or outside the city limits. The procedure for condemnation shall follow the process prescribed by chapter 117, or that prescribed by the charter of such city.

Any city may acquire building line easements by purchase, grant, or condemnation.

FF. Rewards

Any city may offer a reward for information leading to the apprehension, charging, or conviction of an individual who has committed a felony crime within the city's limits. The statute also allows a city to fund the payment of a reward offered by a nonprofit organization for the same information. The statute does not set a dollar amount, giving the council the discretion to establish an appropriate amount.

A 1972 attorney general opinion stated a city had the authority to offer a reward for information leading to the arrest and conviction of the person who had shot at animals in the city's zoo.

Minn. Stat. § 412.221, subd. 32.

In this opinion, the attorney general concluded that the general welfare clause in the city's charter permitted the city to take reasonable measures of self-protection to preserve its property due to threats.

Minn. Stat. § 412.221, subd. 6.

In this attorney general opinion, the language of the city's charter provision was similar to the general welfare clause in the statutory city code, making the Attorney General's opinion arguably applicable to statutory cities. However, cities that wish to offer rewards for information regarding crimes should first contact their city attorneys.

Minn. Stat. 412.221, Subd. 7.

GG. Streets and sidewalks

Statutory cities have broad authority to establish, construct, alter, and maintain city streets, sidewalks, and sewers. Charter cities usually have similar authority in their charters.

Minn. Stat. § 441.26.

This authority includes providing for lighting on streets, buildings, or grounds by gas, electricity, or other means, and to contract with anyone engaged in the business of furnishing gas or electric service for the supply of such service to the city.

Minn. Stat. § 429.021. LMC information memo, *Special Assessment Toolkit*.

Statutory cities and fourth class home rule charter cities have the power to appropriate and spend reasonable sums of money to assist in improving or maintaining roads outside city limits that lead into the city.

The local improvement code also authorizes municipalities to undertake a variety of local improvements, including street and sidewalk improvements. Although municipalities may choose to pay for the cost of these improvements, they also may assess benefited properties for these costs. However, the assessment may not be more than the increase in market value of the benefited property due to the improvement.

Minn. Stat. § 469.186.

HH. Tourism

Any statutory city council may establish and maintain a bureau of information and publicity to:

- Provide information for tourists.
- Provide outdoor advertising of tourist and city information.
- Prepare, publish, and circulate information and facts concerning recreational facilities and business and industrial conditions of the community.

Minn. Stat. § 450.19.

Both statutory and charter cities may establish and maintain public tourist campgrounds. The city may acquire land for these campgrounds either by lease, purchase or gift, and the campgrounds may lie inside or outside the city or town's corporate limits. The amount of money a city may spend per year for maintenance, improvement, or operation may not exceed 0.00806 percent of estimated market value.

Minn. Stat. § 469.190.

Any city, whether statutory or home charter rule, may impose a lodging tax of up to three percent on the gross receipts from staying at a hotel, motel, rooming house, tourist court or resort to fund a local convention or visitor’s bureau (other than the renting or leasing of it for a continuous period of 30 days or more). The city shall use at least ninety-five percent of the gross proceeds from any such tax imposed to fund a local convention or tourism bureau for the purpose of marketing and promoting the city or town as a tourist or convention center. Any city, by ordinance, may also impose this tax on the camping site receipts of a municipal campground.

Minn. Stat. § 412.221, subd. 14.

Also, statutory cities may spend money to acquire, improve, and operate parking facilities and tourist camps and, by ordinance, regulate those camps and parking facilities.

II. Utilities

Minn. Stat. § 412.321.

Any statutory city may own and operate any utility, including waterworks, district heating system or gas, light, power, or heat plant.

Minn. Stat. § 465.74.

Specific statutory authority allows city operation of district heating systems under certain conditions and subject to certain restrictions based upon classification of the city and, in one instance, number of inhabitants.

Minn. Stat. § 444.075.

All towns and cities may build, construct, reconstruct, repair, enlarge, improve, or obtain the following types of water or sewer systems:

Minn. Stat. § 444.075. Minn. Stat. § 412.221, subd. 11.

- Waterworks. This includes mains, valves, hydrants, service connections, wells, pumps, reservoirs, tanks, treatment plants, and other appurtenances of a waterworks system. In addition, statutory cities may also provide wells, cisterns, reservoirs, waterworks, and other means of water supplies.
- Sewer systems. This includes sewage treatment works, disposal systems, and other facilities for disposing of sewage, industrial waste, and other wastes.
- Storm sewer systems. This includes mains, holding areas and ponds, and other appurtenances and related facilities for the collection and disposal of storm water.

Minn. Stat. § 444.075.

III. Conclusion

Cities have broad authority to make a wide variety of expenditures. For these expenditures to qualify as lawful expenditures, they must further or promote a public purpose and have specific or implied statutory or charter authority. A city with questions about the validity of a specific public expenditure should contact the League for further information and seek a legal opinion from its city attorney or from the attorney general.

Appendix A: Public purpose expenditure chart

This chart sets forth criteria to help determine the validity of a public expenditure. An expenditure that does not meet the tests below may not represent a proper public expenditure. In those instances, a city should consult its city attorney before authorizing the expenditure.

Also see Part I above for a discussion of the criteria for public purpose expenditures.

Test	Answer	Public expenditure <u>NOT</u> authorized	Public expenditure authorized
1. Does a statute or charter provision specifically or implicitly authorize the specific expenditure?	Yes		✓
	No	✓	
2. Does the expenditure benefit the community as a whole?	Yes		✓
	No	✓	
3. Is the expenditure directly related to the functions of government?	Yes		✓
	No	✓	
4. Does the expenditure have as its primary objective the benefit of a private interest?	Yes	✓	
	No		✓



Council Action Recommendation

Page 1 of 1

Meeting Date: February 1, 2023

Subject: "Federal Recreational Trail Equipment Grant"

Recommendation: To allow a grant to be submitted to the MN DNR for 2 "Yellowstone Ginzu groomers" to be used to groom cross country ski trails.

Background/Key Points: The Ottertail Nordic Ski Association has been a great partner in establishing and maintaining ski trails in Kirkbride and Roosevelt parks the last few years. The grooming has been done using a groomer that is owned by the DNR and is "on loan" to the city. While it has been a great piece of equipment to use in the infancy of these trails, it does have limitations and they (Ottertail Nordic Ski Assoc.) have approached the city about applying for this grant to replace this groomer.

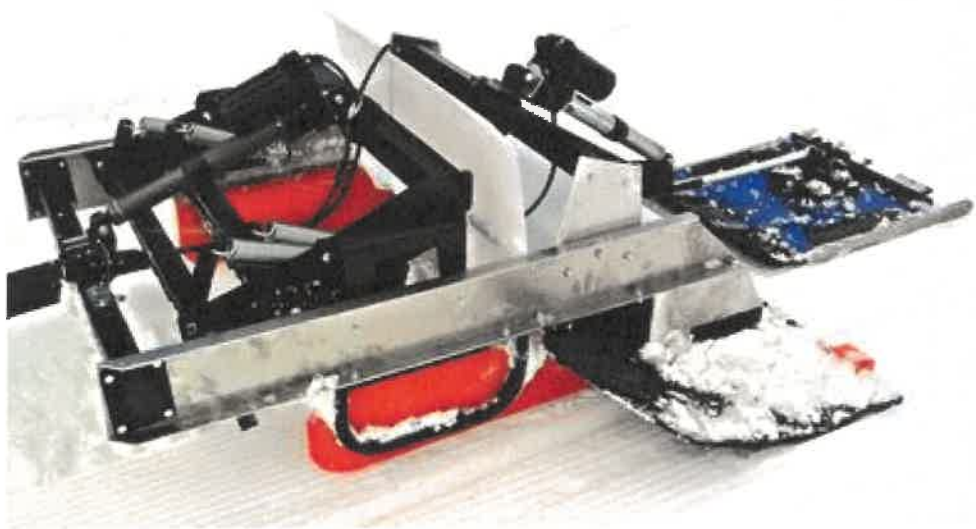
Budgetary Impact: The Association has agreed to cover the required 25% match so, there would be no immediate budget impact. The groomers will become part of the city fleet and any preventative maintenance and/or repairs will be borne by the equipment fund for the duration of their "useful life"

The amount being applied for is, \$21,850. The amount of the match that the Association will cover will be \$5,462.50.

Originating Department: Public Works--Parks, Recreation and Forestry division

Respectfully Submitted: Len Taylor, Public Works Dir.

Attachments: photo of a Yellowstone Ginzu groomer





Council Action Recommendation

Page 1 of 1

Meeting Date: 2/1/2023

Subject: FEMA Assistance to Fire Fighters Grant (AFG)

Recommendation: Council to approve the Fire Department to apply for the Fiscal Year 2022 AFG for a new Self Contained Breathing Apparatus (SCBA) station compressor and a fixed and mobile fill station, a supplied air system, confined space air monitoring and entry/rescue equipment, and communication headsets for apparatus and on scene comms.

Background/Key Points: The current compressor and fill station was purchased and installed in 1996. The Fire Department was successful in securing an AFG Fiscal Year 2015 grant to replace all 30 SCBA. Our current SCBA operate at twice the psi pressure compared to our previous ones, which is a tremendous benefit to the safety of our fire fighters, however a challenge in that our fill compressor rated psi does not have the capacity to fill our storage bottles to 6,000 psi.

The Fire Department has submitted numerous grants since the in-service of our SCBA's to purchase a new compressor and fill station; however, we have yet to be a recipient. The Fire Department is taking a mission specific approach to the grant submittal and including the addition of confined space and communications as part of the request. The equipment request would greatly enhance the capability of training for and responding to a confined space or industrial incident and provide better in truck and on scene communications.

Budgetary Impact: The AFG requires a 5% local match. The requested grant amount is estimated at \$134,000. Funds for the matching amount would be paid through capital funds within the Fire Department budget.

Originating Department: Fire

Respectfully Submitted: Ryan Muchow

Attachments:



Council Action Recommendation

Page 1 of 1

Meeting Date: February 01, 2023

Subject: Service benefits for retiring paid on call firefighters

Recommendation:

Request to approve an increase in service benefits for retiring paid on call firefighters

Background/Key Points:

The Fergus Falls Fire Department Relief Association Board of Trustees has examined the Special Fund of the Relief Association and has approved an increase in service benefits for retiring paid on call firefighters from \$5,850 per year of active service, to \$5,900 per year of active service effective March 1, 2023.

The Relief Association Special Fund is a self-supporting fund, and the increase of \$50.00 per year of service falls well within a range established by State statutes.

Annually the Fergus Falls Fire Department Relief Association board of trustees analyzes and reevaluates its service pension amount and present its findings to the city council before March 1st.

In order for the Relief Association to be eligible for a service pension increase request, the funded ratio should be at or above 115%. (Funding Ratio guideline/benchmark parameters will be reevaluated pending major market shifts or substantial changes in future State Aid receipts)

State statutes governing Fire Relief Associations mandate City Council affirmation of service benefits established by the Relief Association.

Budgetary Impact:

There is no budget impact to the City unless the fund would fall below 100% funded

Originating Department: Fire Department

Respectfully Submitted: Ryan Muchow, Fire Chief

Attachments:

Resolution to amend Schedule A of the bylaws for the Fergus Falls Fire Department Relief Association

Resolution to Amend Schedule A of the Bylaws for the
Fergus Falls Fire Department Relief Association

Resolution No. 2023-1

Whereas, after careful consideration and examination of the actuarial liability and available funding of the Fergus Falls Fire Department Relief Association, the Board of Trustees has determined that it would be in the best interest of the municipality and membership to increase service time benefits in order to meet inflation and increases in the cost of living,

Whereas, the increase in benefit would not cause an unfunded liability resulting in a risk to the membership fund, the municipality, or the local taxpayers,

Now therefore be it resolved that the Board of Trustees of the Fergus Falls Fire Department Relief Association has approved an increase in benefits from \$5,850 to \$5,900 per year of active service with the Fergus Falls Fire Department.

Be it further resolved by the Board, that the benefit increase become effective on March 1, 2023.

Adopted in accordance with the Bylaws of the Fergus Falls Fire Department Relief Association, by the Board of Trustees at a regular scheduled meeting, held after due and proper notice given on this 17th day of January, in the year 2023.

President

Attested by:

Secretary of the Fergus Falls Fire Department Relief Association

I certify that I am the Secretary of the Fergus Falls Fire Department Relief Association and that I have read the foregoing and know the contents thereof, and that the same is a true and correct copy of the resolution passed by the Board of Trustees of the Fergus Falls Fire Department Relief Association on January 17th, 2023.

Chad P. Nelson
Secretary

ORDINANCE NO. 31, EIGHTH SERIES

AN ORDINANCE OF THE CITY OF FERGUS FALLS, MINNESOTA, AMENDING CHAPTER 152.26 DEFINITIONS OF STORM WATER MANAGEMENT, CHAPTER 152.33, PLAN; APPROVAL STANDARDS; CHAPTER 152.36, CRITERIA FOR NEW AND REDEVELOPED PERMANENT FACILITIES; CHAPTER 152.37, OPERATION, MAINTENANCE AND INSPECTION; AND CHAPTER 152.43, CONSTRUCTION PLANS AND SPECIFICATIONS OF THE CITY CODE.

THE CITY OF FERGUS FALLS DOES ORDAIN:

Section 1. City Code Chapter 152.26, Definitions, Municipal Separate Storm Sewer System (MS4), is hereby added as follows:

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 collection or conveying wastewater that discharges to waters of the United States.

Section 2. City Code Chapter 152.33, Plan; Approval Standards, is hereby amended to read as follows:

The City Engineer shall not approve a storm water management plan, which fails to meet the standards set forth within this subchapter. Other standards of the most currently approved NPDES/SDS permit MNR100001 and general stormwater design standards of the NPDES MS4 permit MNR040000 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. 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.

Section 3. City Code Chapter 152.36, Criteria for New and Redeveloped Permanent Facilities, is hereby amended to read as follows:

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 permit MNR100001 and NPDES/MS4 general permit MNR040000 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);

- (e) Other facilities requested by the City Engineer.
- (f) Infiltration systems are prohibited 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 City 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.

(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.

(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.

(c) Off-site treatment projects must be completed no later than 24 months after the start of the original construction activity.

(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.

Section 4. City Code Chapter 152.37, Operation, Maintenance and Inspection, is hereby amended to read as follows:

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.

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.

Section 5. City Code Chapter 152.43, Construction Plans and Specifications, is hereby amended to read as follows:

- (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;
 - (5) Approved by the City Engineer prior to commencing construction; and
 - (6) Site plan reviews shall be documented by the City to achieve

compliance with MS4 permitting requirements.

(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.

Section 6. Effective date. The effective date of this ordinance shall be the _____ day of _____, 2022.

The following summary is approved by the City council and shall be published in lieu of publishing the entire ordinance pursuant to Minnesota Statutes Section 412.191:

PUBLIC NOTICE

WHEREAS, Certain sections of the Fergus Falls City Code Chapter 152 have been amended by Ordinance No. 31, Eighth Series, which ordinance has been duly adopted by the City Council; and,

WHEREAS, Said ordinance is lengthy and the Council has therefore determined that, pursuant to City Charter Section 4.04, Subd. 2, publication of the title and summary of said ordinance would clearly inform the public of the intent and effect of the ordinance; and,

WHEREAS, The Council, by at least four-fifths of its members, has directed that only the title of the ordinance and a summary be published and that printed copies of the ordinance be available for inspection by any person during regular office hours at the office of the City Administrator and also at the public library where the entire text of said ordinance is posted.

NOTICE IS HEREBY GIVEN, that the title of Ordinance No. 31, Eighth Series, is as follows:

AN ORDINANCE OF THE CITY OF FERGUS FALLS, MINNESOTA, AMENDING CHAPTER

**152.26 DEFINITIONS OF STORM WATER
MANAGEMENT, CHAPTER 152.33, PLAN;
APPROVAL STANDARDS; CHAPTER 152.36,
CRITERIA FOR NEW AND REDEVELOPED
PERMANENT FACILITIES; CHAPTER 152.37,
OPERATION, MAINTENANCE AND INSPECTION;
AND CHAPTER 152.43, CONSTRUCTION PLANS
AND SPECIFICATIONS OF THE CITY CODE.**

NOTICE IS FURTHER GIVEN, that a summary of Ordinance No. 31, Eighth Series, is as follows:

- Section 1 amends Chapter 152.26, Definitions
- Section 2 amends Chapter 152.33, Plan; Approval Standards
- Section 3 amends Chapter 152.36, Criteria for New and Redeveloped Permanent Facilities
- Section 4 amends Chapter 152.37, Operation, Maintenance and Inspection
- Section 5 amends Chapter 152.43, Construction Plans and Specifications
- Section 6 provides for the effective date.

NOTICE IS FURTHER GIVEN, that the Council has approved the text of the foregoing summary and determines that it clearly informs the public of the intent and effect of the ordinance.

THIS ORDINANCE was introduced on the _____ day of _____, 2022, and adopted by the City Council of the City of Fergus Falls, Minnesota, on the _____ day of _____, 2022, by the following vote:

AYES:

NAYS:

ATTEST:

APPROVED:

City Administrator

Mayor

Published in the Fergus Falls Daily Journal on _____.



CITY OF FERGUS FALLS

Strategic Framework

Process Overview



The City of Fergus Falls undertook a strategic framework planning process in 2022. The city began by identifying four areas of focus: economic development, community and social development, infrastructure, and land use. With the assistance of WSB, Inc. and Moore Engineering as consultants, the city engaged the City Council, city staff, and the community in discussions about priorities and strategies in each of these four areas.

THE STRATEGIC FRAMEWORK ENGAGEMENT PROCESS INCLUDED:

- A kickoff meeting with the City Council and staff in May to introduce the process and four focus areas as well as begin discussions around their goals and strategies within these areas.
- Committees were established that included key community members and stakeholders for each of the four focus areas. These committees met in June, October, and November to brainstorm, dream, vet and guide ideas, priorities, and strategies related to the four focus areas.
- Community-wide engagement and feedback were solicited via two in-person events in August and October.
- Additional community feedback was sought via virtual tools which included: an online map, module, and survey.
- A check-in meeting with City Council and staff in November provided an update and sought feedback regarding community input.



This plan summarizes the discussions, priorities, and strategies from the Fergus Falls Strategic Framework Process. It is intended to be a working document that is fluid, eliciting ongoing discussion on priorities, strategies, and projects.

Community-Wide Engagement Process

Public input was gathered through in-person events as well as virtual tools. These included an in-person open house where attendees responded to “prompts” on giant Post-It Notes, a 20-question web-based survey, taken by 89 individuals, and an online, interactive “Social Pinpoint” map that allowed users to “pin” comments. Fifteen individuals pinned 25 comments on the map, and 190 users visited the online map.

Through this process, themes emerged, revealing popular ideas and priorities in the community. Each opinion and comment is valuable. However, the overarching takeaways gathered through public input allow decisionmakers to understand and focus on themes of consensus.

The takeaways below are grouped within the focus areas employed in the Strategic Framework Process. For each question, the one-sentence “response” in italics captures the popular opinion on that topic, summarizing the response(s) voiced most frequently. The questions below are pulled directly from the web-based survey and the in-person open house prompts. Following the questions, please find a note about the Social Pinpoint interactive map.



Economic Development

QUESTION	RESPONSE
<ul style="list-style-type: none"> Name one thing that would add to the vitality of Downtown. 	<p><i>More retail, restaurants, bars, and parking - with the river as the focal point</i></p>
<ul style="list-style-type: none"> What type of business would you go to for goods or services on a regular basis if it was available in Fergus Falls? 	<p><i>Target, a grocery store, clothing options for the family such as Kohls, and a craft/hobby store</i></p>
<ul style="list-style-type: none"> What type of housing is needed in the community? 	<p><i>Affordability for all housing within the community, increase opportunities for different types of housing, including single family, multi-family, and senior living</i></p>
<ul style="list-style-type: none"> Are there enough jobs in town for those who want them? Do you think the available jobs fit the community in pay and skills? 	<p><i>There are plenty of jobs but higher-paying jobs with benefits are needed</i></p>
<ul style="list-style-type: none"> What should be done with the RTC/Kirkbride? 	<p><i>Opinion is split between tearing it down versus keeping the tower and repurposing the site as an event venue or community center</i></p>
<ul style="list-style-type: none"> What childcare needs do you see in the community? 	<p><i>More daycare facilities and providers are severely needed, particularly for infant care and for drop-in and extended hours options</i></p>
<ul style="list-style-type: none"> The city supports economic development in a variety of ways, including through business subsidies or incentives like Tax Increment Financing and tax abatement. Do you support this? 	<p><i>Most respondents support this type of economic development</i></p>
<ul style="list-style-type: none"> If you support business subsidies or incentives, for which type of business would you favor using them? 	<p><i>Most support subsidies for businesses creating good-paying jobs</i></p>

Community & Social Development

QUESTIONS	RESPONSE
<ul style="list-style-type: none"> What makes you proud to live in Fergus Falls? 	<p><i>Beauty, safety, the art scene, and nice people</i></p>
<ul style="list-style-type: none"> What are the city's best features or amenities? 	<p><i>River, lakes, outdoor scene, downtown</i></p>
<ul style="list-style-type: none"> What would make you feel more connected with your city? 	<p><i>More communication from city officials, as well as more gathering places and events</i></p>
<ul style="list-style-type: none"> When you think of our local values, what comes to mind? 	<p><i>Safety, family-focused, kindness, supportive of the arts</i></p>
<ul style="list-style-type: none"> How do you learn what's going on in the City of Fergus Falls? 	<p><i>Facebook and word-of-mouth</i></p>
<ul style="list-style-type: none"> What community asset would you be willing to financially support through taxes? 	<p><i>Streets/infrastructure as well as the aquatic center</i></p>



Land Use

QUESTIONS	RESPONSE
<ul style="list-style-type: none"> Would you like your community to continue growing at about the same rate, grow less, or grow more? 	<p><i>Most respondents support more growth</i></p>
<ul style="list-style-type: none"> Where are our best spots for outdoor recreation? 	<p><i>Delagoon, Pebble Lake, parks</i></p>
<ul style="list-style-type: none"> Where is development (retail, housing, etc.) needed? What type? 	<p><i>Strong support for more retail in all areas of town</i></p>



Infrastructure

QUESTIONS	RESPONSE
<ul style="list-style-type: none"> How are the city's roads, sewer, and water services working for you? 	<p><i>Roads are in need of repair, and some experience issues with taste of water</i></p>
<ul style="list-style-type: none"> How should the city fund road repair and construction? 	<p><i>Through state and local taxes, special assessments, and/or grants</i></p>
<ul style="list-style-type: none"> Where can roads or other infrastructure be improved? 	<p><i>Street repair is needed everywhere but especially Union and Lincoln</i></p>

Social Pinpoint

The online, interactive Social Pinpoint map allowed users to “pin” comments on a map of Fergus Falls. Users selected, an icon representing one of the four Strategic Framework Process focus areas. Other users of the map could upvote or downvote each comment. Social Pinpoint is best understood as a means for community members to share their individual ideas. This tends to result in unique feedback that may not be representative of the general consensus on any given topic, but is nonetheless valuable. Below is the most upvoted comment shared in each of the four categories.

ECONOMIC DEVELOPMENT

Employment continues to be a challenge for the city. What are some ways that Fergus Falls can attract diverse and economically sustainable industries to help bolster employment opportunities, which bring in more revenue and provide citizens with long-term employment options?

COMMUNITY & SOCIAL DEVELOPMENT

I really enjoy that the city has invested in the downtown infrastructure more. I would love to see some more diversity/incentives for retail and hospitality businesses downtown so that we can attract more foot traffic during the year to help encourage more tourism.

LAND USE

Fergus Falls lacks public art in the downtown area. The type of public art that locals and visitors both like to look at and are willing to share with their “followers” on social media platforms. Simple things like murals, sculptures, and fountains are a few things that could be added to help with that. Just a few small things that might make Fergus Falls more enjoyable.

INFRASTRUCTURE

Consider an alternative design to the current intersection at Fir and Union - something such as a roundabout that would allow traffic to flow more freely without having to crossover or strain your neck to navigate safely.

Priorities/Strategies



The following represents the priorities, strategies, and projects gleaned from the strategic framework planning process. This list is in no particular order of importance and is meant to be fluid and adaptable. It is also categorized by each focus area. It is recommended that the Fergus Falls Team continually discuss long, mid-, and short-term time frames and designate persons to be the champion for each priority. As such, it is recommended that the City Administrator and Community Development Manager bring the City Council and Staff Team together at least once per year to provide an update on and discuss any changes to the strategic plan.

Community & Social Development

PRIORITIES	STRATEGIES	TIME FRAMES	DESIGNATED PERSONS
<p>COMMUNICATIONS</p> <p>There was significant discussion and feedback throughout the process surrounding the need for enhanced city communication efforts. This led the City to create and hire a communications manager even before the process was complete.</p>	Create a strategic communications plan, which defines a community brand that is used in all messaging.	Short Term	Communications Manager
	Create a bi-weekly city update, after the Committee of the Whole meetings, to proactively provide accurate information to residents across the most effective, efficient, and diverse communication platforms.	Short Term	Communications Manager
	Find ways to improve the communication between and from residents to increase citizen engagement.	Short Term	Communications Manager
	Find ways to enhance the links and landing pages on all city and community partner websites.	Short Term	Communications Manager
	Remain actively engaged with the PEG access committee on both technology and programming.	Short Term	City Administrator, Communications Manager

Community & Social Development (Cont'd)

PRIORITIES	STRATEGIES	TIME FRAMES	DESIGNATED PERSONS
OVERALL COMMUNITY HEALTH & PUBLIC SAFETY The stakeholders had concerns and discussion about the need to recognize and make efforts toward the mental and physical health, as well as safety, of the community.	Support and enhance the Fire and Police Departments' efforts regarding mental health awareness and communicate those strategies to the public.	Short Term	Police Chief, Fire Chief, Communications Manager
	Communicate and educate the public on the mental health resources in the community including promoting amenities within Fergus Falls from the lens of overall health such as parks, trails, and the river.	Mid-Term	Communications Manager
	Investigate additional opportunities for provision of housing and services to increase overall well-being of existing residents.	Long Term	Community Development Manager, Housing and Redevelopment Authority
SCHOOLS The importance of a good educational system within the community was discussed as well as creating and maintaining relationships and partnerships between the schools and city.	Continue support of the high school internship for business and project-based learning program.	Short Term	Community Development Manager
	Engage M-State Fergus Falls in the community. <ul style="list-style-type: none"> Encourage Community organizations and local businesses to take part in the M-State Fergus Falls "Welcome". Have M-State Fergus Falls student - specific events at Spies Riverfront Park. Engage and connect the Downtown Riverfront Council with M-State Fergus Falls students. Bring the business community to the M-State Fergus Falls students/campus. 	Short Term	Community as a Whole Leads: City, Chamber/ Business Community, M-State Fergus Falls Administration.
	Find ways to engage the Hillcrest Lutheran Academy students to become more aware of the community offerings and engage in the community similar to the above for M-State Fergus Falls.		

Community & Social Development (Cont'd)

PRIORITIES	STRATEGIES	TIME FRAMES	DESIGNATED PERSONS
<p>CHILDCARE CHALLENGES</p> <p>Childcare challenges are a significant issue in the City that in turn affect local employment challenges. Supporting efforts to address childcare issues was a focused conversation of the committees.</p>	<ul style="list-style-type: none"> Support the existing Rural Child Care Initiative Program (RCCIP) Childcare Taskforce's efforts. Conduct a town hall event for the community and to educate providers and interested providers about available resources and support. 	Short Term	Community Development Manager
	Explore incentives and supportive programs for providers and interested providers.	Mid-Term	Community Development Manager
	Work with employers to provide childcare services.	Long Term	Community Development Manager
	Explore ways to partner with the local school district on childcare facilities and options.	Long Term	Community Development Manager



Infrastructure

PRIORITIES	STRATEGIES	TIME FRAMES	DESIGNATED PERSONS
<p>INFRASTRUCTURE</p> <p>There was significant discussion regarding the need to better inform the community about local infrastructure, including the need, funding mechanisms and decision-making process.</p>	<p>Continue to maintain the accurate, consistent, and funded 5-year Capital Improvement Program (CIP) for strategic prioritization of projects.</p>	<p>Short Term</p>	<p>City Engineer, Finance Director</p>
	<p>Use the CIP to create an outward facing, interactive, public, GIS page on the website to educate the public and provide them with a point and click option to gather information regarding targeted infrastructure projects and plans.</p>	<p>Mid-Term</p>	<p>City Engineer, Planning Specialist/ GIS Coordinator</p>
	<p>Explore and potentially adopt franchise fees as a stable, dedicated funding source for roads.</p>	<p>Short Term</p>	<p>City Administrator, Finance Director</p>
	<p>Communicate to the public the cost of infrastructure projects, how they are paid for, the decision-making process behind them, and the legal restrictions of funding them such as special assessments and state aid funding.</p>	<p>Mid-Term</p>	<p>Finance Director, Communications Manager</p>
	<p>Continue to maintain and communicate an accurate asset management program and develop agreed upon metrics for maintenance and replacement of internal infrastructure and capital equipment.</p>	<p>Short Term</p>	<p>Public Works Director, City Engineer, Finance Director, Communications Manager</p>
<p>CREATION OF DESTINATION PLACES</p> <p>There was discussion reinforcing the need to continue creation of destination places within the community so that Fergus Falls is looked at as the place to go locally and in the region for recreation. This would also benefit demand for commercial uses and services.</p>	<p>Continue the focus on downtown riverfront improvements and connections that encourage the recreational aspects of the river.</p>	<p>Mid-Term</p>	<p>City Staff, City Council</p>
	<p>Update the Park & Recreation plan to include funding sources, and a strategy for engaging all community members around park amenities.</p>	<p>Mid-Term</p>	<p>Communications Manager</p>
	<p>Continue exploration of partnerships with the State and County for joint enhancements and funding sources.</p>	<p>Mid-Term</p>	<p>Public Works Director, MnDNR</p>

Economic Development

PRIORITIES	STRATEGIES	TIME FRAMES	DESIGNATED PERSONS
<p>ECONOMIC DEVELOPMENT TOOLS</p> <p>The city sought a conversation about economic development tools in order to coalesce around priorities and the use of limited financial resources.</p>	<p>The city will work with strategic stakeholders on an update to the business subsidy plan to include the below:</p> <ul style="list-style-type: none"> • Identify and define the who, what, where, and when regarding business subsidies the city will consider; review annually. • Create a matrix to assist in decision-making subsidy decisions. • Create a childcare subsidy. 	<p>Short Term</p>	<p>City Administrator, Community Development Manager</p>



Economic Development (Cont'd)

PRIORITIES	STRATEGIES	TIME FRAMES	DESIGNATED PERSONS
<p>DOWNTOWN</p> <p>Downtown Fergus Falls is considered a vital piece of Fergus Falls' future. The stakeholders had robust discussion about strategies to energize and vitalize downtown.</p>	<p>Create a Downtown Historic District to include design standards, public/private partnerships, façade programs, and access to incentives and funding sources. Educate business and property owners regarding the benefits of the designation and explain any potential drawbacks.</p>	<p>Long Term</p>	<p>Community Development Manager, Communications Manager, Otter Tail County Historical Society</p>
	<p>Create wayfinding in downtown ensuring information about parking locations and businesses located on adjoining side streets.</p>	<p>Long Term</p>	<p>Public Works Director, Communications Manager</p>
	<p>Incorporate pedestrian safety into all future projects in downtown through the CIP.</p>	<p>Short Term</p>	<p>City Engineer</p>
	<p>In conjunction with Greater Fergus Falls, conduct a commercial leakage study and use existing study metrics.</p>	<p>Mid-Term</p>	<p>Community Development Manager, Greater Fergus Falls</p>
	<p>Leverage the Otter Tail River as an amenity to bring people downtown. In conjunction with the strategy to continue focus on Riverfront improvements. Specifically, make river modifications to provide better access to the riverfront and explore activities such as paddling and tubing on the river.</p>	<p>Long Term</p>	<p>Public Works Director, MnDNR, Otter Tail Power Company, Private Sector Partners</p>
	<p>Partner with the business community on a business highlight campaign to focus on individual downtown businesses.</p>	<p>Mid-Term</p>	<p>Communications Manager, Downtown Riverfront Council, Chamber of Commerce</p>
	<p>Look for residential use opportunities in downtown.</p>	<p>Mid-Term</p>	<p>Community Development Manager, Planning Specialist/GIS Coordinator</p>

Land Use

PRIORITIES	STRATEGIES	TIME FRAMES	DESIGNATED PERSONS
<p>DEVELOPMENT FOCUS</p> <p>The groups discussed which future land uses would benefit the community and should be prioritized given the city's limited resources. Housing/residential development was the use that rose to the top in the discussions because it would aid in economic development and create a more sustainable local economy</p>	<p>Focus short and mid-term efforts on residential development and conduct a housing study that can be used as a marketing tool to attract developers in all land use categories – residential, commercial, retail.</p>	<p>Mid-Term</p>	<p>City Administrator, Community Development Manager</p>
	<p>Pursue the following specific opportunities:</p>		<p>City Staff Team</p> <p>Leads: City Administrator, Community Development Manager, Planning Specialist/GIS Coordinator</p>
	<ul style="list-style-type: none"> Norgren Property 	<p>Short Term</p>	
	<ul style="list-style-type: none"> Dairy Property 	<p>Short Term</p>	
	<ul style="list-style-type: none"> Redevelopment of Under-Utilized School Sites 	<p>Mid- and Long Term</p>	
	<ul style="list-style-type: none"> Former Wastewater Treatment Plant 	<p>Long Term</p>	
	<ul style="list-style-type: none"> Former Kmart Site 	<p>Long Term</p>	
<ul style="list-style-type: none"> RTC/Kirkbride <ul style="list-style-type: none"> Focus on the existing Master Plan. Partner with a developer who can assist in implementing the vision for the site based off the Master Plan and position it for phased re-use. Continue to explore financing options that may assist in Plan implementation. Advocate at the state level for access to historic tax credits. 	<p>Mid- and Long Term</p>		

Summary/Conclusion



The 2022 Fergus Falls Strategic Framework process allowed the City Council, City Staff, stakeholders, and the community to brainstorm and discuss priorities and strategies in the areas of economic development, community and social development, infrastructure, and land use for Fergus Falls. The process allowed for listening and better understanding of individual goals. This shared understanding should lead to greater focus and collaboration, maximizing progress.

It is recommended that opportunities are created annually for updates and continued discussion by the Fergus Falls Team on the priorities, strategies, and projects as laid out in this document. This will be vital in keeping the lines of communication open for collaboration, understanding, the building of trusting relationships, and the continued momentum in creating a successful Fergus Falls.





Council Action Recommendation

Page 1 of 1

Meeting Date: February 6, 2023

Subject: Police Department Recruitment and Retention

Recommendation: Move Patrol Officers to C41, and Sergeants to C43 on current city pay matrix.

Utilize a Memo of Understanding (MOU) until next contract.

Background/Key Points:

- Significant statewide law enforcement shortage
- Supply and demand economics are driving wages up
- Allows the department to be more competitive with other local agencies
- Enhances recruitment efforts
- Helps to retain current patrol officers and sergeants
- Places all city employees into one salary matrix

Budgetary Impact: 2023 budget impact \$39,969.77 (Cost covered by staffing vacancy)
2024 cost impact will be factored into 2024 budget planning process.

Originating Department: Police Department
Human Resources

Respectfully Submitted: Mike Hartwell
Kile Bergren

Attachments:

- Patrol MOU
- Patrol Appendix
- Sergeant MOU
- Sergeant Appendix
- City pay matrix

Percent Increase January 1, 2023 is 2.9%

CITY OF FERGUS FALLS WAGE SCHEDULE ANNUALIZED

DBM	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
A11	\$39,869	\$41,349	\$42,851	\$44,353	\$45,811	\$47,335	\$48,793	\$50,295	\$51,775
A12	\$42,785	\$44,397	\$45,987	\$47,578	\$49,190	\$50,781	\$52,393	\$54,005	\$55,596
A13	\$45,722	\$47,423	\$49,146	\$50,869	\$52,548	\$54,248	\$55,971	\$57,650	\$59,395
B21	\$48,638	\$50,449	\$52,305	\$54,116	\$55,927	\$57,738	\$59,527	\$61,405	\$63,216
B22	\$51,576	\$53,497	\$55,419	\$57,363	\$59,284	\$61,206	\$63,172	\$65,072	\$66,993
B23	\$54,557	\$56,611	\$58,645	\$60,699	\$62,754	\$64,787	\$66,842	\$68,875	\$70,930
B31	\$59,330	\$61,556	\$63,782	\$66,007	\$68,233	\$70,459	\$72,685	\$74,911	\$77,137
B32	\$65,044	\$67,484	\$69,924	\$72,364	\$74,804	\$77,244	\$79,684	\$82,124	\$84,564
C41	\$66,906	\$70,245	\$73,606	\$76,945	\$80,283	\$83,622	\$86,983	\$90,322	\$93,660
C42	\$70,545	\$74,076	\$77,608	\$81,140	\$84,671	\$88,203	\$91,713	\$95,244	\$98,776
C43	\$74,205	\$77,908	\$81,632	\$85,335	\$89,037	\$92,761	\$96,464	\$100,167	\$103,891
C51	\$78,764	\$82,702	\$86,662	\$90,600	\$94,538	\$98,476	\$102,414	\$106,353	\$110,291
C52	\$84,243	\$88,459	\$92,676	\$96,892	\$101,109	\$105,325	\$109,520	\$113,801	\$117,953
D61	\$85,270	\$90,600	\$95,929	\$101,259	\$106,588	\$111,917	\$117,247	\$122,576	\$127,906
D62	\$88,780	\$94,324	\$99,867	\$105,411	\$110,976	\$116,519	\$122,062	\$127,606	\$133,149
D63	\$92,269	\$98,048	\$103,806	\$109,584	\$115,342	\$121,121	\$126,878	\$132,636	\$138,414
D71	\$96,657	\$102,714	\$108,750	\$114,785	\$120,821	\$126,878	\$132,914	\$138,950	\$144,985
D72	\$101,922	\$108,300	\$114,657	\$121,035	\$127,392	\$133,770	\$140,148	\$146,505	\$152,883
E81	\$106,310	\$112,945	\$119,601	\$126,236	\$132,892	\$139,527	\$146,184	\$152,819	\$159,454

CITY OF FERGUS FALLS WAGE SCHEDULE MONTHLY

DBM	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
A11	\$3,322	\$3,446	\$3,571	\$3,696	\$3,818	\$3,945	\$4,066	\$4,191	\$4,315
A12	\$3,565	\$3,700	\$3,832	\$3,965	\$4,099	\$4,232	\$4,366	\$4,500	\$4,633
A13	\$3,810	\$3,952	\$4,096	\$4,239	\$4,379	\$4,521	\$4,664	\$4,804	\$4,950
B21	\$4,053	\$4,204	\$4,359	\$4,510	\$4,661	\$4,812	\$4,961	\$5,117	\$5,268
B22	\$4,298	\$4,458	\$4,618	\$4,780	\$4,940	\$5,101	\$5,264	\$5,423	\$5,583
B23	\$4,546	\$4,718	\$4,887	\$5,058	\$5,230	\$5,399	\$5,570	\$5,740	\$5,911
B31	\$4,944	\$5,130	\$5,315	\$5,501	\$5,686	\$5,872	\$6,057	\$6,243	\$6,428
B32	\$5,420	\$5,624	\$5,827	\$6,030	\$6,234	\$6,437	\$6,640	\$6,844	\$7,047
C41	\$5,576	\$5,854	\$6,134	\$6,412	\$6,690	\$6,969	\$7,249	\$7,527	\$7,805
C42	\$5,879	\$6,173	\$6,467	\$6,762	\$7,056	\$7,350	\$7,643	\$7,937	\$8,231
C43	\$6,184	\$6,492	\$6,803	\$7,111	\$7,420	\$7,730	\$8,039	\$8,347	\$8,658
C51	\$6,564	\$6,892	\$7,222	\$7,550	\$7,878	\$8,206	\$8,535	\$8,863	\$9,191
C52	\$7,020	\$7,372	\$7,723	\$8,074	\$8,426	\$8,777	\$9,127	\$9,483	\$9,829
D61	\$7,106	\$7,550	\$7,994	\$8,438	\$8,882	\$9,326	\$9,771	\$10,215	\$10,659
D62	\$7,398	\$7,860	\$8,322	\$8,784	\$9,248	\$9,710	\$10,172	\$10,634	\$11,096
D63	\$7,689	\$8,171	\$8,650	\$9,132	\$9,612	\$10,093	\$10,573	\$11,053	\$11,535
D71	\$8,055	\$8,559	\$9,062	\$9,565	\$10,068	\$10,573	\$11,076	\$11,579	\$12,082
D72	\$8,494	\$9,025	\$9,555	\$10,086	\$10,616	\$11,148	\$11,679	\$12,209	\$12,740
E81	\$8,859	\$9,412	\$9,967	\$10,520	\$11,074	\$11,627	\$12,182	\$12,735	\$13,288

CITY OF FERGUS FALLS WAGE SCHEDULE HOURLY

DBM	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
A11	\$19.17	\$19.88	\$20.60	\$21.32	\$22.02	\$22.76	\$23.46	\$24.18	\$24.89
A12	\$20.57	\$21.34	\$22.11	\$22.87	\$23.65	\$24.41	\$25.19	\$25.96	\$26.73
A13	\$21.98	\$22.80	\$23.63	\$24.46	\$25.26	\$26.08	\$26.91	\$27.72	\$28.56
B21	\$23.38	\$24.25	\$25.15	\$26.02	\$26.89	\$27.76	\$28.62	\$29.52	\$30.39
B22	\$24.80	\$25.72	\$26.64	\$27.58	\$28.50	\$29.43	\$30.37	\$31.28	\$32.21
B23	\$26.23	\$27.22	\$28.19	\$29.18	\$30.17	\$31.15	\$32.14	\$33.11	\$34.10
B31	\$28.52	\$29.59	\$30.66	\$31.73	\$32.80	\$33.87	\$34.94	\$36.02	\$37.09
B32	\$31.27	\$32.44	\$33.62	\$34.79	\$35.96	\$37.14	\$38.31	\$39.48	\$40.66
C41	\$32.17	\$33.77	\$35.39	\$36.99	\$38.60	\$40.20	\$41.82	\$43.42	\$45.03
C42	\$33.92	\$35.61	\$37.31	\$39.01	\$40.71	\$42.41	\$44.09	\$45.79	\$47.49
C43	\$35.68	\$37.46	\$39.25	\$41.03	\$42.81	\$44.60	\$46.38	\$48.16	\$49.95
C51	\$37.87	\$39.76	\$41.66	\$43.56	\$45.45	\$47.34	\$49.24	\$51.13	\$53.02
C52	\$40.50	\$42.53	\$44.56	\$46.58	\$48.61	\$50.64	\$52.65	\$54.71	\$56.71
D61	\$41.00	\$43.56	\$46.12	\$48.68	\$51.24	\$53.81	\$56.37	\$58.93	\$61.49
D62	\$42.68	\$45.35	\$48.01	\$50.68	\$53.35	\$56.02	\$58.68	\$61.35	\$64.01
D63	\$44.36	\$47.14	\$49.91	\$52.68	\$55.45	\$58.23	\$61.00	\$63.77	\$66.55
D71	\$46.47	\$49.38	\$52.28	\$55.19	\$58.09	\$61.00	\$63.90	\$66.80	\$69.70
D72	\$49.00	\$52.07	\$55.12	\$58.19	\$61.25	\$64.31	\$67.38	\$70.44	\$73.50
E81	\$51.11	\$54.30	\$57.50	\$60.69	\$63.89	\$67.08	\$70.28	\$73.47	\$76.66

Percent Increase January 1, 2024 is 2.8%

CITY OF FERGUS FALLS WAGE SCHEDULE ANNUALIZED

DBM	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
A11	\$40,985	\$42,507	\$44,051	\$45,595	\$47,093	\$48,660	\$50,159	\$51,703	\$53,224
A12	\$43,983	\$45,640	\$47,275	\$48,910	\$50,568	\$52,202	\$53,860	\$55,518	\$57,152
A13	\$47,003	\$48,751	\$50,522	\$52,293	\$54,019	\$55,767	\$57,538	\$59,264	\$61,058
B21	\$50,000	\$51,862	\$53,769	\$55,631	\$57,493	\$59,355	\$61,194	\$63,124	\$64,986
B22	\$53,020	\$54,995	\$56,971	\$58,969	\$60,944	\$62,920	\$64,941	\$66,894	\$68,869
B23	\$56,084	\$58,197	\$60,287	\$62,399	\$64,511	\$66,602	\$68,714	\$70,804	\$72,916
B31	\$60,991	\$63,279	\$65,567	\$67,856	\$70,144	\$72,432	\$74,720	\$77,009	\$79,297
B32	\$66,866	\$69,374	\$71,882	\$74,390	\$76,899	\$79,407	\$81,915	\$84,424	\$86,932
C41	\$68,780	\$72,212	\$75,667	\$79,099	\$82,531	\$85,964	\$89,418	\$92,851	\$96,283
C42	\$72,520	\$76,151	\$79,781	\$83,411	\$87,042	\$90,672	\$94,281	\$97,911	\$101,541
C43	\$76,283	\$80,089	\$83,917	\$87,724	\$91,530	\$95,359	\$99,165	\$102,972	\$106,800
C51	\$80,969	\$85,018	\$89,088	\$93,137	\$97,185	\$101,233	\$105,282	\$109,330	\$113,379
C52	\$86,602	\$90,936	\$95,271	\$99,605	\$103,940	\$108,274	\$112,587	\$116,987	\$121,256
D61	\$87,658	\$93,137	\$98,615	\$104,094	\$109,572	\$115,051	\$120,530	\$126,008	\$131,487
D62	\$91,266	\$96,965	\$102,664	\$108,362	\$114,063	\$119,762	\$125,460	\$131,179	\$136,877
D63	\$94,853	\$100,793	\$106,712	\$112,653	\$118,571	\$124,512	\$130,431	\$136,349	\$142,290
D71	\$99,363	\$105,590	\$111,795	\$117,999	\$124,204	\$130,431	\$136,635	\$142,840	\$149,045
D72	\$104,776	\$111,333	\$117,867	\$124,424	\$130,959	\$137,516	\$144,072	\$150,607	\$157,164
E81	\$109,286	\$116,107	\$122,950	\$129,771	\$136,613	\$143,434	\$150,277	\$157,098	\$163,919

CITY OF FERGUS FALLS WAGE SCHEDULE MONTHLY

DBM	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
A11	\$3,415	\$3,542	\$3,671	\$3,800	\$3,924	\$4,055	\$4,180	\$4,309	\$4,435
A12	\$3,665	\$3,803	\$3,940	\$4,076	\$4,214	\$4,350	\$4,488	\$4,626	\$4,763
A13	\$3,917	\$4,063	\$4,210	\$4,358	\$4,502	\$4,647	\$4,795	\$4,939	\$5,088
B21	\$4,167	\$4,322	\$4,481	\$4,636	\$4,791	\$4,946	\$5,100	\$5,260	\$5,416
B22	\$4,418	\$4,583	\$4,748	\$4,914	\$5,079	\$5,243	\$5,412	\$5,574	\$5,739
B23	\$4,674	\$4,850	\$5,024	\$5,200	\$5,376	\$5,550	\$5,726	\$5,900	\$6,076
B31	\$5,083	\$5,273	\$5,464	\$5,655	\$5,845	\$6,036	\$6,227	\$6,417	\$6,608
B32	\$5,572	\$5,781	\$5,990	\$6,199	\$6,408	\$6,617	\$6,826	\$7,035	\$7,244
C41	\$5,732	\$6,018	\$6,306	\$6,592	\$6,878	\$7,164	\$7,452	\$7,738	\$8,024
C42	\$6,043	\$6,346	\$6,648	\$6,951	\$7,253	\$7,556	\$7,857	\$8,159	\$8,462
C43	\$6,357	\$6,674	\$6,993	\$7,310	\$7,628	\$7,947	\$8,264	\$8,581	\$8,900
C51	\$6,747	\$7,085	\$7,424	\$7,761	\$8,099	\$8,436	\$8,773	\$9,111	\$9,448
C52	\$7,217	\$7,578	\$7,939	\$8,300	\$8,662	\$9,023	\$9,382	\$9,749	\$10,105
D61	\$7,305	\$7,761	\$8,218	\$8,674	\$9,131	\$9,588	\$10,044	\$10,501	\$10,957
D62	\$7,606	\$8,080	\$8,555	\$9,030	\$9,507	\$9,982	\$10,457	\$10,932	\$11,406
D63	\$7,904	\$8,399	\$8,893	\$9,388	\$9,881	\$10,376	\$10,869	\$11,362	\$11,858
D71	\$8,280	\$8,799	\$9,316	\$9,833	\$10,350	\$10,869	\$11,386	\$11,903	\$12,420
D72	\$8,731	\$9,278	\$9,822	\$10,369	\$10,913	\$11,460	\$12,006	\$12,551	\$13,097
E81	\$9,107	\$9,676	\$10,246	\$10,814	\$11,384	\$11,953	\$12,523	\$13,091	\$13,660

CITY OF FERGUS FALLS WAGE SCHEDULE HOURLY

DBM	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
A11	\$19.70	\$20.44	\$21.18	\$21.92	\$22.64	\$23.39	\$24.11	\$24.86	\$25.59
A12	\$21.15	\$21.94	\$22.73	\$23.51	\$24.31	\$25.10	\$25.89	\$26.69	\$27.48
A13	\$22.60	\$23.44	\$24.29	\$25.14	\$25.97	\$26.81	\$27.66	\$28.49	\$29.35
B21	\$24.04	\$24.93	\$25.85	\$26.75	\$27.64	\$28.54	\$29.42	\$30.35	\$31.24
B22	\$25.49	\$26.44	\$27.39	\$28.35	\$29.30	\$30.25	\$31.22	\$32.16	\$33.11
B23	\$26.96	\$27.98	\$28.98	\$30.00	\$31.02	\$32.02	\$33.04	\$34.04	\$35.06
B31	\$29.32	\$30.42	\$31.52	\$32.62	\$33.72	\$34.82	\$35.92	\$37.02	\$38.12
B32	\$32.15	\$33.35	\$34.56	\$35.76	\$36.97	\$38.18	\$39.38	\$40.59	\$41.79
C41	\$33.07	\$34.72	\$36.38	\$38.03	\$39.68	\$41.33	\$42.99	\$44.64	\$46.29
C42	\$34.87	\$36.61	\$38.36	\$40.10	\$41.85	\$43.59	\$45.33	\$47.07	\$48.82
C43	\$36.67	\$38.50	\$40.34	\$42.17	\$44.00	\$45.85	\$47.68	\$49.51	\$51.35
C51	\$38.93	\$40.87	\$42.83	\$44.78	\$46.72	\$48.67	\$50.62	\$52.56	\$54.51
C52	\$41.64	\$43.72	\$45.80	\$47.89	\$49.97	\$52.05	\$54.13	\$56.24	\$58.30
D61	\$42.14	\$44.78	\$47.41	\$50.05	\$52.68	\$55.31	\$57.95	\$60.58	\$63.21
D62	\$43.88	\$46.62	\$49.36	\$52.10	\$54.85	\$57.59	\$60.33	\$63.07	\$65.81
D63	\$45.60	\$48.46	\$51.30	\$54.16	\$57.01	\$59.86	\$62.71	\$65.55	\$68.41
D71	\$47.77	\$50.76	\$53.75	\$56.73	\$59.71	\$62.71	\$65.69	\$68.67	\$71.66
D72	\$50.37	\$53.53	\$56.67	\$59.82	\$62.96	\$66.11	\$69.27	\$72.41	\$75.56
E81	\$52.54	\$55.82	\$59.11	\$62.39	\$65.68	\$68.96	\$72.25	\$75.53	\$78.81

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is made by and between the City of Fergus Falls ("Employer") and Law Enforcement Labor Services Inc. Local # 201 ("Union").

WHEREAS, the Union is the exclusive representative of certain employees of the Employer in the appropriate unit ("Bargaining Unit Employees");

WHEREAS, the City established a base pay structure, effective January 1, 2023; and

WHEREAS, the current Bargaining Unit Employees are currently on a separate pay structure and shall be placed onto the current city pay structure; and

WHEREAS, the parties desire to clarify certain components of implementing this base pay structure and identify a schedule which specifically identifies when and which step each Bargaining Unit Employee will be placed;

WHEREAS, Appendix A shall be included in this MOU to identify those specific placements.

NOW, THEREFORE, all parties hereto understand as follows:

I. Steps in Base Pay Structure

All Bargaining Unit Employees will be placed onto the City's current base pay structure at DBM C41, on the prescribed date and step as outlined in Appendix A. The top step on this scale will be step 8 for these Bargaining Unit Employees.

All Bargaining Unit Employees receiving a step increase or placement on July 1, will receive their next step increase in 2024 again on July 1, and not on their previously assigned anniversary date. The following bargaining unit employees will move to a July 1 anniversary date: Cederberg, Foreman, Geiszler, Johnson, Kitzman, Renner and Shirkey.

All other Bargaining Unit Employees will receive their assigned step increases or placements on the dates outlined in Appendix A for the remainder of 2023 and will receive their next step increase in 2024 on their normally assigned anniversary date. The following bargaining unit employees include: Delaney, Duenow, Estep, Haken, Heinen, Matter, Mattson, and Young.

The agreed upon cost-of-living increase for both the City's current base pay structure and the agreed upon contract increase for 2024 is 2.8%.

II. Entire Understanding

This MOU constitutes the entire understanding among the parties hereto. No representations, warranties, covenants, or inducement have been made to any party concerning this MOU, other than the representations, covenants or inducements contained and memorialized in this MOU. This MOU supersedes all prior negotiations, oral and written understandings, policies and practices with respect thereto addressing the specific matter addressed in this MOU.

III. Waiver of Bargaining

While this MOU is in full force and effect, Employer and Union each voluntarily and unqualifying waives the right and each agrees that the other shall not be obligated to bargain collectively with respect to the express subjects or matters included in this MOU.

IV. Limitations

This MOU is intended for the sole and limited purpose specific herein. This MOU cannot be construed to be, nor does it constitute or establish any admission of the Employer, precedent, past practice or otherwise place any prohibition or limitation on any management right of the Employer except as otherwise prohibited or limited by the express terms of this MOU. The Employer expressly reserves the right to exercise its management rights without limitation unless otherwise limited by this MOU.

V. Amendment or Modification

This MOU or any of its terms may only be amended or modified by a written instrument that: (1) expressly states it is amending or modifying the MOU; and (2) is signed by or on behalf of all parties hereto or their successors in interest.

VI. Voluntary Understanding of the Parties

The parties hereto acknowledge and agree that this MOU is voluntarily entered into by all parties hereto as the result of arm's-length agreement during which all such parties were represented.

This MOU is effective with the first payroll in March 2023.

This MOU will expire and no longer be in force or effect, effective the date that the collective agreement between the Employer and Union for January 1, 2022 through December 31, 2024 is no longer in force or effect.

IN WITNESS HEREOF, the parties hereto have made this MOU on the latest date affixed to the signatures below.

CITY OF FERGUS FALLS

FOR LAW ENFORCEMENT LABOR SERVICES Inc.

Its Mayor

Its Business Agent

Date: _____

Date: _____

Its City Administrator

Union Representative, Local 201

Date: _____

Date: _____

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is made by and between the City of Fergus Falls ("Employer") and Law Enforcement Labor Services Inc. Local # 248 ("Union").

WHEREAS, the Union is the exclusive representative of certain employees of the Employer in the appropriate unit ("Bargaining Unit Employees");

WHEREAS, the City established a base pay structure, effective January 1, 2023; and

WHEREAS, the current Bargaining Unit Employees are currently on a separate pay structure and shall be placed onto the current city pay structure; and

WHEREAS, the parties desire to clarify certain components of implementing this base pay structure and identify a schedule which specifically identifies when and which step each Bargaining Unit Employee will be placed;

WHEREAS, Appendix A shall be included in this MOU to identify those specific placements.

NOW, THEREFORE, all parties hereto understand as follows:

I. Steps in Base Pay Structure

All Bargaining Unit Employees will be placed onto the City's current base pay structure at DBM C43, on the prescribed date and step as outlined in Appendix A.

All Bargaining Unit Employees receiving a step increase or placement on December 1, will receive their next step increase in 2024 again on December 1, and not on their previously assigned anniversary date. The following bargaining unit employees will move to a December 1 anniversary date: Miller, Sonstebo, West.

All other Bargaining Unit Employees will receive their assigned step increases or placements on the dates outlined in Appendix A for the remainder of 2023 and will receive their next step increase in 2024 on their normally assigned anniversary date. The following bargaining unit employees include: Hohrman and Silbernagel. Bargaining Unit Employee Lien will remain at current pay rate until official promotion and will then be placed on the city base structure accordingly. In the event Lien is not promoted, he will be placed on Step 6 of the Patrol Units pay scale on July 1, 2023 and observe that date as his new anniversary date.

The agreed upon cost-of-living increase for both the City's current base pay structure and the agreed upon contract increase for 2024 is 2.8%.

II. Entire Understanding

This MOU constitutes the entire understanding among the parties hereto. No representations, warranties, covenants, or inducement have been made to any party concerning this MOU, other than the representations, covenants or inducements contained and memorialized in this MOU. This MOU supersedes all prior negotiations, oral and written understandings, policies and practices with respect thereto addressing the specific matter addressed in this MOU.

III. Waiver of Bargaining

While this MOU is in full force and effect, Employer and Union each voluntarily and unqualifying waives the right and each agrees that the other shall not be obligated to bargain collectively with respect to the express subjects or matters included in this MOU.

IV. Limitations

This MOU is intended for the sole and limited purpose specific herein. This MOU cannot be construed to be, nor does it constitute or establish any admission of the Employer, precedent, past practice or otherwise place any prohibition or limitation on any management right of the Employer except as otherwise prohibited or limited by the express terms of this MOU. The Employer expressly reserves the right to exercise its management rights without limitation unless otherwise limited by this MOU.

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This MOU is effective the first payroll in March 2023.

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IN WITNESS HEREOF, the parties hereto have made this MOU on the latest date affixed to the signatures below.

CITY OF FERGUS FALLS

FOR LAW ENFORCEMENT LABOR SERVICES Inc.

Its Mayor

Its Business Agent

Date: _____

Date: _____

Its City Administrator

Union Representative, Local 248

Date: _____

Date: _____

Appendix A

2023 Officer Placement on City's New Pay Scale				Anniversary date
Cederberg	Step 6	July 1		July 1
Delaney	Step 5	March		Feb 5
Duenow	Step 2	March	Step 3 Nov 15, 2023	Nov 15
Estep	Step 3	March	Step 4 July 23, 2023	July 23
Foreman	Step 6	July 1		July 1
Geiszler	Step 6	July 1		July 1
Haken	Step 1	March	Step 2 June 28, 2023	June 28
Heinen	Step 2	March	Step 3 Sept 10, 2023	Sept 10
Johnson	Step 6	July 1		July 1
Kitzman	Step 6	July 1		July 1
Matter	Step 6	Sept 27, 2023		Sept 27
Mattson	Step 2	Mar 16, 2023		Mar 16
Renner	Step 6	July 1		July 1
Shirkey	Step 6	July 1		July 1
Young	Step 4	March		Feb 4

*Those denoting a "March" placement shall mean the first payroll of March 2023.

* Those denoting a "July 1" placement shall mean the first payroll in July 2023.

Appendix A

2023 Sergeant Placement on City's New Pay Scale

Hohrman	Step 7	March – First payroll	March 1 will be new anniversary date
Miller	Step 7	December 1	December 1 will be new anniversary date
Sonstebo	Step 7	December 1	December 1 will be new anniversary date
West	Step 7	December 1	December 1 will be new anniversary date
Silbernagel	Step 6	May 17	May 17 will be anniversary date
Lien	Remain at current pay rate		



Council Action Recommendation

Page 1 of 2

Meeting Date:

February 6, 2023 – City Council

Subject:

FF Township Annexation Update- Next Steps

Recommendation:

- Motion directing staff to work with Chris Hood on next steps for annexation by ordinance

Background/Key Points:

As you know, the City and Fergus Falls Township have been trying to reach agreement for several months on a joint resolution (orderly annexation agreement) related to annexing two parcels directly south of the Green Plains Ethanol Plant that are owned by PPTF, LLC.

PPTF, LLC. has petitioned the City to annex these two parcels (total 162 acres) into the City as they are exploring a potential economic development project on this site. They would need access to City infrastructure and utilities to move forward with a project. The property is contiguous to the existing City limits.

The holdup on agreement between the City and Township appears to be terms related to the Ethanol plant, which is not a party to or subject of this annexation. It appears that both sides remain far apart and the City has made a best and final offer, which has a deadline of February 13th at 5 PM for the Township to accept or reject.

Since annexation is the next step in this proposed economic development project and timing is essential, we need to be prepared to move in a different direction towards annexation.

The City intends to work with Chris Hood from Flaherty and Hood to lay out the next steps and prepare the necessary notices and documents to move forward with annexation by ordinance. The annexation by ordinance can only include 120 acres or less, so we are working with PPTF, LLC to identify this area, should the township not accept the City's offer.

If the Township accepts the City's offer, we will proceed through the orderly annexation process, otherwise we need to be ready to move this forward through the ordinance process.

The requested action is for the Council to direct staff to work with Chris Hood to begin preparing for this process.

Budgetary Impact:

Legal Fees to draft documents and staff time

Originating Department:

Administration

Respectfully Submitted:

Andrew Bremseth, City Administrator

Attachments:



Memo

Page 1 of 1

Meeting Date:

February 6, 2023- Council

Subject:

Certified Local Government Grant

Recommendation:

Authorize the Heritage Preservation Commission to apply for up to \$10,000 from the Historic Preservation Fund as a Certified Local Government to fund a historic district eligibility study.

Background/Key Points:

The State Historic Preservation Office (SHPO) administers the U. S. Department of the Interior's Historic Preservation Fund Program in cooperation with the National Park Service. Under this program the Department of the Interior specifies that at least 10% of Minnesota's annual HPF Program award be designated as pass-through funding to Certified Local Governments (CLGs) each year. The anticipated total amount available for Fiscal Year 2023 grants is approximately \$120,000.

The City of Fergus Falls qualifies as a CLG through the actions of its Heritage Preservation Commission. It was unanimously decided at the last HPC meeting that an application for up to \$10,000 to fund a study of downtown Fergus Falls be made to determine eligibility for a possible downtown historic district. Further discussion and public outreach regarding the creation of a downtown historic district will be held contingent upon a positive eligibility finding through the eligibility study.

Budgetary Impact:

A 30% match is required. A \$10,000 total project budget therefore requires a local match of \$3,000. Matching funds may be in-kind and/or donated services or materials contributed to the project. Already-completed studies of downtown and in-kind offerings of staff time and materials by the Otter Tail County Historical Society, City of Fergus Falls and Downtown Riverfront Council will comprise the local match. No cash is requested of the City of Fergus Falls.

Originating Department:

Community Development

Respectfully submitted:

Klara Beck, Community Development Manager

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

ARC DOCUMENT SOLUTIONS LLC	BASE MAINT -GIS PRINTERS	217.19
ADMINISTRATOR'S CONTINGENCY FD	DEC 2022 ANALYSIS SVC CHARGE	156.61
ADMINISTRATOR'S CONTINGENCY FD	DECEMBER INTEREST EARNED	.02-
ADMINISTRATOR'S CONTINGENCY FD	NW CHAPTER MN BLDG OFFICIALS	100.00
ADMINISTRATOR'S CONTINGENCY FD	2023 SERVICE AWARDS	300.00
ARAMARK UNIFORM SERVICES	DECEMBER LINEN SUPPLY	1,110.32
SEAN ANDERSON	CLEANING WEEKS OF JAN 16-23	436.08
SEAN ANDERSON	CLEANING WEEKS OF JAN 2-9	455.04
AVESIS THIRD PARTY ADMIN INC	FEBRUARY VISION INSURANCE	30.14
BANKCARD CENTER	ANNUAL MEMBERSHIP FEE	30.00
BANKCARD CENTER	ANNUAL PREMIUM	396.00
BANKCARD CENTER	BERGREN UNIFORM PURCHASE	133.47
BANKCARD CENTER	BOERHAVE UNIFORM PURCHASE	370.56
BANKCARD CENTER	BOILER RENEWAL B.WALLINGTON	30.00
BANKCARD CENTER	BRUSVEN NOTARY	120.00
BANKCARD CENTER	CALENDAR	20.63
BANKCARD CENTER	CALENDARS	28.63
BANKCARD CENTER	CAREER FAIR SUPPLIES	79.09
BANKCARD CENTER	DEC APLLE PENCIL,CASE,PROTECT	173.76
BANKCARD CENTER	DEC KIDDE BATTERY CO ALARM	135.04
BANKCARD CENTER	DEC PAPERFEEL SCREEN PROTECTOR	9.99
BANKCARD CENTER	DEC RENATA COIN CELL BATTERY	17.13
BANKCARD CENTER	DEC RENEW MN BOARD OF ACCOUNTA	102.00
BANKCARD CENTER	DEC SHARPIES,PENS,USB C CABLE	22.07
BANKCARD CENTER	DECEMBER ADOBE CREATIVE CLOUD	39.99
BANKCARD CENTER	DECEMBER APPLE PEN TIPS	19.00
BANKCARD CENTER	DECEMBER APPY PIE LLC	60.00
BANKCARD CENTER	DECEMBER DUAL CHUCK INFLATOR	16.10
BANKCARD CENTER	DECEMBER ELECTED OFFICIALS MTG	15.00
BANKCARD CENTER	DECEMBER EMERGENCY STOP	36.52
BANKCARD CENTER	DECEMBER E2 PUMP PANEL SHIELD	48.00

General

BANKCARD CENTER	DECEMBER MEETING-GEOFEST	6.64
BANKCARD CENTER	DECEMBER REGISTER MNCPA CLASS	438.00
BANKCARD CENTER	DECEMBER SHIP PAGERS	11.00
BANKCARD CENTER	DECEMBER SUPPLIES-SIGN	332.84
BANKCARD CENTER	DECEMBER THINKPAD AC ADAPTERS	46.60
BANKCARD CENTER	DECEMBER 10 PACK AA BATTERIES	7.65
BANKCARD CENTER	DECEMBER DUTY BOOTS	160.95
BANKCARD CENTER	DRUG KITS	79.37
BANKCARD CENTER	DUENOW UNIFORM PURCHASE	211.93
BANKCARD CENTER	FED EX RADIO REPAIR	18.49
BANKCARD CENTER	FIRST AID SUPPLIES	5.03
BANKCARD CENTER	FLASH DRIVES	44.58
BANKCARD CENTER	FLOOR MAT	53.63
BANKCARD CENTER	ICE CLEATS	157.45
BANKCARD CENTER	LIC.RENEWAL J.SCHUETZLE	73.00
BANKCARD CENTER	MN CHIEF OF POLICE DUES	434.00
BANKCARD CENTER	MOBILE MOULTRIE	9.99
BANKCARD CENTER	MONTHLY ADOBE MEMBERSHIP	10.73
BANKCARD CENTER	NEULEIB UNIFORM PURCHASE	214.62
BANKCARD CENTER	NEULEIB UNIFORM RETURN	79.48-
BANKCARD CENTER	NOVEMBER POWER ADAPTER	63.00
BANKCARD CENTER	NOVEMBER TREE FOR OTTER COVE	53.68
BANKCARD CENTER	NUISANCE IMAGE STORAGE	9.99
BANKCARD CENTER	OFFICE DOOR STOPS	82.45
BANKCARD CENTER	OFFICE SUPPLIES	128.82
BANKCARD CENTER	PATROL NEW MONITORS	1,599.90
BANKCARD CENTER	PET LIC. 001-200 EXP 12/31/24	84.95
BANKCARD CENTER	POSTAGE MACHINE LEASE	243.00
BANKCARD CENTER	REGION III IN-PERSON TRAINING	280.00
BANKCARD CENTER	RENEWED COURSES A.ZUMACH	155.00
BANKCARD CENTER	RENNER UNIFORM RETURN	34.26-
BANKCARD CENTER	SHOP WITH A HERO GIFT CARDS	4,050.00
BANKCARD CENTER	SHOP WITH A HERO GIFT PURCHASE	53.98
BANKCARD CENTER	SHOP WITH A HERO OVERAGE	725.52
BANKCARD CENTER	TABLE RUNNER FOR JOB FAIRS	28.68
BANKCARD CENTER	TABLECLOTH FOR JOB FAIRS	23.99
BANKCARD CENTER	TONERS	435.98
BANKCARD CENTER	WEST INTERVIEW MEAL	14.60
BANKCARD CENTER	12/09/22-12/08/23 BITLEY, INC	348.00
BIG AXX LLC	JANUARY BLADES SHARPENING	81.00
BIG AXX LLC	JANUARY FREIGHT	75.26
BJORN'S HEATING & AIR COND INC	SEPT INSTALL ROOFTOP UNIT	8,696.50
BRAUN INTERTEC CORPORATION	PROF SERV THRU 1/20/23	4,657.00

General

CARR'S TREE SERVICE, INC.	TRIM/CLAW CREW CHANNING/ALCOTT	355.36
CARR'S TREE SERVICE, INC.	1/2/23-1/5/23 TREE TRIMMING	8,226.58
CHARTER COMMUNICATIONS	CABLE 1/18-2/17	32.97
CHARTER COMMUNICATIONS	JANUARY FIXED IP ADDRESS	19.99
CHARTER COMMUNICATIONS	JANUARY INTERNET	119.99
MARK CHRISTOPHERSON	2022 SUMMER ICE - TEMP CHILLER	2,150.00
COLE PAPERS INC	JANUARY OPERATING SUPPLIES	532.98
COLE PAPERS INC	OFFICE SUPPLIES	13.55
COMMISSIONER OF REVENUE	OCTOBER - DECEMBER SALES TAX	89.77
COMMISSIONER OF REVENUE	2022 DECEMBER SALES TAX	77,204.00
COMMISSIONER OF TRANSPORTATION	ASPHALT EMULSION	7,572.36
COMSTOCK CONSTRUCTION INC	FIRE HALL DOOR REPLACEMENTS	17,126.10
COOPERS TECHNOLOGY GROUP	JANUARY HANGING LEGAL FOLDERS	69.66
COOPERS TECHNOLOGY GROUP	JANUARY 2023 DESK CALENDAR	2.86
COSSETTE ELECTRIC LLC	BROADWAY PK. OCCUPANCY SENSOR	140.00
COSSETTE ELECTRIC LLC	L.ALICE W.HOUSE REPL.DISKLIGHT	116.06
DACOTAH PAPER CO	CLNR,SANITIZER,WIPE DISINF	315.06
DACOTAH PAPER CO	TISSUE,BLEACH,CLNR,SOAP	480.88
DAILY JOURNAL	PUBLISH 2023 BUDGET SUMMARY	770.00
DELZER CONSTRUCTION	PERMIT #2675 OVERPAYMENT	150.00-
DELZER CONSTRUCTION	PERMIT #2853 OVERPAYMENT	150.00-
DELZER CONSTRUCTION	RETURN FEE PERMIT #2812	150.00
DELZER CONSTRUCTION	RETURN FEE PERMIT #2821	150.00
DELZER CONSTRUCTION	RETURN FEE PERMIT #2825	150.00
DELZER CONSTRUCTION	RETURN FEE PERMIT #2842	150.00
DELZER CONSTRUCTION	RETURN FEE PERMIT #2853	150.00
DELZER CONSTRUCTION	RETURN FEE PERMIT #2877	300.00
EMPLOYEES INSURANCE TRUST FUND	JANUARY HEALTH INSURANCE	109,329.06
EMPLOYEES INSURANCE TRUST FUND	JANUARY LIFE INSURANCE	2,794.67
EQUIPMENT FUND	FEBRUARY EQUIPMENT RENT	114,157.90
FASTENAL COMPANY	JAN BA TOGGLER/10-24 X2 (BOB)	48.48
FASTENAL COMPANY	JAN PARK SAFETY VENDING	59.71
FASTENAL COMPANY	JAN STREET SAFETY VENDING	59.71
FERGUS FALLS CONVENTION &	NOV 2022 LODGING TAX	11,997.90
FERGUS FALLS CONVENTION &	NOV 2022 LODGING TAX ADMIN	359.94-
THOMAS GARDING	2023 SAFETY BOOT REIMBURSEMENT	168.55
GENERAL FUND	JANUARY COPIER USE	232.72
GENERAL FUND	JANUARY LONG DISTANCE CHARGES	88.14-
GENERAL FUND	JANUARY POSTAGE USE	385.49
GENERAL FUND	TRANSFER JANUARY COPIER USE	372.82-
GENERAL FUND	TRANSFER JANUARY POSTAGE USE	667.17-
GOODIN COMPANY	BOX FLANGE, CLOSET SPUD	35.36
GOODIN COMPANY	URINAL PARTS KIT	179.72

General

GRANICUS LLC	2023 GOVACCESS-LICENSING FEE	4,961.25
GREAT PLAINS NATURAL GAS CO	JANUARY NATURAL GAS EXPENSE	2,617.76
SHAWN HAUGE	2023 SAFETY BOOT REIMBURSEMENT	243.00
HEPPNER CONSULTING, INC.	IBM ISERIES MAINTENANCE	4,584.68
HEPPNER CONSULTING, INC.	IBM ISERIES POWER VM MAINT.	258.07
HEPPNER CONSULTING, INC.	IBM ISERIES SOFTWARE MAINT.	4,435.46
HOME DEPOT CREDIT SERVICES	JAN ALARM,WOOD GLUE,LAG SCREW	67.74
HOME DEPOT CREDIT SERVICES	JAN HASP/SCREW STREET LIGHTS	6.12
HOME DEPOT CREDIT SERVICES	JAN TILE ADHESIVE,BASE SPREADE	18.34
HOME DEPOT CREDIT SERVICES	JANUARY ALARMS, SWIFFER REFILL	92.91
HOME DEPOT CREDIT SERVICES	JANUARY HASP, SAFETY STAPLE	8.93
HOME DEPOT CREDIT SERVICES	JANUARY SCRAPING SET,KWIK SEAL	22.75
HOME DEPOT CREDIT SERVICES	JANUARY 8" ZINC HD TEE HINGE	10.74
INDEPENDENT EMERGENCY SERVICES	ANNUAL E-911 IES SERVICES	258.48
ISD #544	2023 ANNUAL RENT GROUND LEASE	10.00
ISD #544	2023 ANNUAL RENT SPACE LEASE	10.00
INNOVATIVE OFFICE SOLUTIONS	OFFICE SUPPLIES	481.46
JB ELECTRIC	REPAIR ELEVATOR ROOM ELECTRICA	126.40
JB ELECTRIC	REWIRE GENERATOR CHARGER	673.00
JB ELECTRIC	WIRE WATER HEATER SRE BUILD.	435.00
J.P. COOKE COMPANY	DATE STAMPS	240.45
J.P. COOKE COMPANY	EVENSON DATE STAMPER	91.15
LAKE REGION ELECTRIC COOP	DEC/SNOW REMOVAL/EQUIP BLDG	140.35
LAKE REGION ELECTRIC COOP	DECEMBER ELECTRICITY EXPENSE	2,462.87
LAKE REGION HEALTHCARE CORP	BLOOD DRAW/BRADLEY 22040469	104.00
LAKES COUNTRY SERVICE COOP	NOV RANDOM DRUG SCREEN	70.00
LEAGUE OF MINNESOTA CITIES	2023 ELECTED LEADERS CONFERENC	350.00
LEAGUE OF MINNESOTA CITIES	23 PATROL SUBSCRIPTIONS	2,070.00
LOCATORS & SUPPLIES INC	JAN ORANGE EAR PROTECTOR	105.90
LOCATORS & SUPPLIES INC	JANUARY EYE WASH SOLUTION	16.99
MN SOCIETY OF CERTIFIED PUBLIC	2023 MEMBERSHIP DUES	355.00
M-R SIGN COMPANY INC	JAN 30" STOP SIGN FACES	223.32
MARCO TECHNOLOGIES LLC	COPIER CONTRACT 1/10-2/10	355.61
MEDTOX LABORATORIES INC	DEC PRE-EMPLOY DRUG SCREEN	33.40
METRO SALES, INC	12/18/22-01/17/23 COPIER RENT	152.98
METRO SALES, INC	12/18/22-01/17/23 COPIER USAGE	20.85
MILLER ROOFING	ROOSEVELT ROOF REPAIR	10,744.00
MN DEPT OF PUBLIC SAFETY	REFUND PAYMENT SENT BY MISTAKE	1,412.88
MINNKOTA ENVIROSERVICES INC	DECEMBER SHREDDING	41.30
MINNKOTA ENVIROSERVICES INC	DECEMBER SHREDDING SERVICE	41.30
MOBOTREX INC	JAN 5 SEC SIGNAL FRAME/VISORS	528.00
NICE THREADS CUSTOM EMBROIDER	DEC/EMPLOYEE SERVICE AWARD	262.00
NYCKLEMOE & ELLIG, P.A.	FEB RETAINER FEE/OFFICE ALLOW	9,492.50

General

OFFICE OF MNIT SERVICES	DEC. INTERNET USAGE	274.48
OTIS ELEVATOR COMPANY	ELEVATOR CONTRACT 2023	1,249.08
OTTER TAIL COUNTY HIGHWAY DEPT	ROUNDAABOUT DECORATIVE-ELECTRIC	41.43
OTC HUMANE SOCIETY INC	DEC ANIMAL BOARDING	270.00
OTC HUMANE SOCIETY INC	NOV ANIMAL BOARDING	752.00
OTTER TAIL COUNTY TREASURER	2023 IT TECH SUPPORT	20,000.00
OTTER TAIL POWER COMPANY	JANUARY ELECTRICITY EXPENSE	40,597.09
OTTER TAIL TELCOM	FEB. TELEPHONE LINES	2,394.61
POLICE DEPT CONTINGENCY FUND	BOERHAVE SHIRT EMBROIDERY	9.00
POLICE DEPT CONTINGENCY FUND	DUENOW DMT TRAINING MEALS	51.69
POLICE DEPT CONTINGENCY FUND	FOREMAN UNIFORM PURCHASE	101.89
POLICE DEPT CONTINGENCY FUND	HEINEN DMT SCHOOL EXPENSES	43.50
POLICE DEPT CONTINGENCY FUND	SHIRKEY UNIFORM PURCHASE	331.18
POLICE DEPT CONTINGENCY FUND	UNIFORM PURCHASE	358.78
PRO-WEST & ASSOCIATES, INC	GIS TECH SUPPORT SERVICES	596.89
PUBLIC UTILITIES DEPARTMENT	JAN UTILITIES/522 E HAMPDEN	36.28
PUBLIC UTILITIES DEPARTMENT	JANUARY PUBLIC UTILITIES	3,878.39
RICOH USA INC	RICOH4247 SN27405 ANNUAL MAINT	1,223.33
RICOH USA INC	RICOH4247 SN27406 ANNUAL MAINT	1,223.33
SHI INTERNATIONAL CORP	ELO 4243L LED MONITOR 42"	1,923.87
SERVICE FOOD SUPERVALU	JANUARY MEETING EXPENSE	103.34
SPECIALTY SOLUTIONS LLC	JAN ECO THAW 50LB BAGS	2,553.24
SPEE*DEE DELIVERY SERVICE INC	STANDARD SHIPPING	40.61
STATE TREASURER	4TH QTR SURCHARGE	3,832.39
STATE TREASURER	4TH QTR SURCHARGE RETENT	153.30-
SUMMIT COMPANIES	FIRE ALARM-ANNUAL INSPECTION	351.00
SUMMIT COMPANIES	JAN RECHARGE 20# FIRE EXTINGUI	99.50
SUMMIT COMPANIES	RECHARED EXTINGUISHER	90.00
SUMMIT COMPANIES	SYSTEM INSPECTION	187.25
ULINE	VINYL SIGN	16.50
USABLE LIFE	FEBRUARY LIFE INSURANCE	79.20
VERIZON WIRELESS	FEBRUARY CELL PHONE EXPENSE	40.01
VERIZON WIRELESS	JANUARY CELL PHONE EXPENSE	1,198.49
WSB & ASSOCIATES INC	SEPTEMBER STRATEGIC PLANNING	967.57
WELLS FARGO BANK MINNESOTA NA	10/01-12/31/22 INVESTMENT FEE	13,599.81
WIMACTEL INC	JANUARY TELEPHONE EXPESNE	132.00
	F U N D T O T A L	529,983.14

P.A. General

P.A. General

A-1 LOCK & KEY LLC	KEYED NEW CYLINDERS & INSTALL	330.86
COMSTOCK CONSTRUCTION INC	ANNUAL FIRE DOOR INSPECTION	391.25
COOPERS TECHNOLOGY GROUP	JANUARY MECHANICAL PENCIL	8.15
EMPLOYEES INSURANCE TRUST FUND	JANUARY HEALTH INSURANCE	1,182.42
EMPLOYEES INSURANCE TRUST FUND	JANUARY LIFE INSURANCE	8.11
GENERAL FUND	JANUARY COPIER USE	89.20
GENERAL FUND	JANUARY LONG DISTANCE CHARGES	3.21
GENERAL FUND	JANUARY POSTAGE USE	10.74
JOHNSON CONTROLS INC	MONTHLY MAINT -HVAC DEC	2,579.91
JOHNSON CONTROLS INC	MONTHLY MAINT -HVAC JAN	724.35
NICE THREADS CUSTOM EMBROIDER	DEC/EMPLOYEE SERVICE AWARD	109.00
OTTER ELECTRIC LLC	ADJUSTMENT TO BREAKER #36	90.00
OTTER ELECTRIC LLC	LIGHT SWITCH REPAIRS RM #171	180.00
OTTER ELECTRIC LLC	REPLACED BALLAST CART RM #150	108.89
OTTER ELECTRIC LLC	REPLACED BALLAST LAUNDRY RM164	123.61
OTTER ELECTRIC LLC	REPLACED BALLAST OFFICE RM 102	123.61
OTTER ELECTRIC LLC	REPLACED BALLAST STORAGE RM135	123.61
OTTER ELECTRIC LLC	REPLACED STROBE LIGHT & MODULE	1,050.87
OTTER ELECTRIC LLC	REPLACED 2 BALLASTS SECLUSION	459.54
OTTER TAIL TELCOM	FEB. TELEPHONE LINES	6.33
UGSTAD PLUMBING INC	BOILER INSPECTION WITH STATE	90.00
UGSTAD PLUMBING INC	BOILER/GEN CK 01/05/23	90.00
UGSTAD PLUMBING INC	BOILER/GEN CK 01/11/23	90.00
UGSTAD PLUMBING INC	FEBRUARY RETAINER FEE	125.00
UGSTAD PLUMBING INC	MONTHLY MAINT -PLBG & HTG DEC	504.13
UGSTAD PLUMBING INC	REPAIRED FAUCET BATH RM #143	712.32
	F U N D T O T A L	9,315.11

Regional Treatment Center-City Operated

BANKCARD CENTER	RTC CUDEBACK DIGITAL	20.00
OTTER TAIL POWER COMPANY	JANUARY ELECTRICITY EXPENSE	339.15
	F U N D T O T A L	359.15

Public Library

Public Library

ADMINISTRATOR'S CONTINGENCY FD	2023 SERVICE AWARDS	100.00
ARAMARK UNIFORM SERVICES	DECEMBER LINEN SUPPLY	5.24
ARAMARK UNIFORM SERVICES	TOWELS & MOPS	31.78
BAKER & TAYLOR INC	BOOKS	795.82
BAKER & TAYLOR INC	FREIGHT SURCHARGE	7.96
BAKER & TAYLOR INC	PROCESSING	76.31
BANKCARD CENTER	DECEMBER "LITTLE PEOPLES COVE"	349.70
BANKCARD CENTER	DECEMBER BOOKS	423.53
BANKCARD CENTER	DECEMBER DIGITAL MATERIALS	2,359.91
BANKCARD CENTER	DECEMBER DVD'S	1,305.22
BANKCARD CENTER	2023 AMERICAN LIBRARY ASSN DUE	300.00
BLACKSTONE PUBLISHING	DECEMBER DVD'S	34.95
DAILY JOURNAL	LRAC GRANT NEWSPAPER AD	300.00
EMPLOYEES INSURANCE TRUST FUND	JANUARY HEALTH INSURANCE	6,748.72
EMPLOYEES INSURANCE TRUST FUND	JANUARY LIFE INSURANCE	54.42
FRIENDS OF THE FERGUS FALLS	LRAC GRANT FACEBOOK AD	50.00
GENERAL FUND	JANUARY LONG DISTANCE CHARGES	22.99
VICTOR LUNDEEN COMPANY	BOOKS	113.19
MAGAZINE SUBSCRIPTION SERVICE	MAGAZINES SPONSORED BY PHOTOC	19.97
MIDWEST TAPE EXCHANGE	NOVEMBER DVD'S	164.14
OTTER TAIL POWER COMPANY	JANUARY ELECTRICITY EXPENSE	4,466.78
OTTER TAIL TELCOM	FEB. TELEPHONE LINES	75.91
PUBLIC UTILITIES DEPARTMENT	JANUARY PUBLIC UTILITIES	286.12
U S BANK	JANUARY 2023 NSF - J RIEPPEL	30.00
	F U N D T O T A L	18,122.66

Bigwood Event Center

ARAMARK	JANUARY LINEN SUPPLY	866.52
BANKCARD CENTER	DECEMBER BEVERAGES	115.47
BANKCARD CENTER	DECEMBER FOOD	27.85
BANKCARD CENTER	DECEMBER OPERATING SUPPLIES	170.10
CLOVER	JAN POS MONTHLY CHARGE	144.85
VIKING COCA-COLA BOTTLING CO	DECEMBER RETURN BEVERAGES	93.00-
EMPLOYEES INSURANCE TRUST FUND	JANUARY HEALTH INSURANCE	1,847.52
FASTENAL COMPANY	JAN 1/4" SET SCREWS FOR FLOOR	15.84
GREAT PLAINS NATURAL GAS CO	JANUARY NATURAL GAS EXPENSE	4,464.76
HOME DEPOT CREDIT SERVICES	JAN CONSTRUCTION ADHESIVE BIGW	13.98
HOME DEPOT CREDIT SERVICES	JAN DUSTER/WALL PLATES BIGWOOD	26.25

Bigwood Event Center

HOME DEPOT CREDIT SERVICES	JAN SHEET ROCK MUD/TOOL BIGWOO	12.04
MII LIFE INCORPORATED	DEC HSA PLAN PART FEE	2.75
OTTER TAIL POWER COMPANY	JANUARY ELECTRICITY EXPENSE	2,307.18
OTTER TAIL TELCOM	FEB. TELEPHONE LINES	198.38
PRECISION CATERING MINNESOTA	EVENT 01/11-01/12/23 BEVERAGES	784.80
PRECISION CATERING MINNESOTA	EVENT 01/11-01/12/23 FOOD	3,524.40
PRECISION CATERING MINNESOTA	EVENT 01/11-01/12/23 LESS 15%	519.90-
PRECISION CATERING MINNESOTA	01/21/2023 FOOD	729.60
PRECISION CATERING MINNESOTA	01/21/2023 LESS 15%	91.20-
PRECISION CATERING MINNESOTA	1/26/2023 FOOD	2,040.00
PRECISION CATERING MINNESOTA	1/26/2023 LESS 15%	255.00-
PUBLIC UTILITIES DEPARTMENT	JANUARY PUBLIC UTILITIES	501.02
ROASTED	1/20/2023 FOOD	87.50
SHERWIN WILLIAMS CO	JAN CREDIT RETURNED PAINT	52.86-
SHERWIN WILLIAMS CO	JAN PAINT/FRAME BIGWOOD MARCIA	72.05
SIGN GUYS LLC	JAN CHANGE WINDOW TO FROSTED	134.79
SUMMIT COMPANIES	FIRE ALARM-ANNUAL INSPECTION	676.00
TWEETON REFRIGERATION	JANUARY ICE MACHINE RENTAL	180.00
VERIZON WIRELESS	JANUARY CELL PHONE EXPENSE	51.20
	F U N D T O T A L	17,982.89

Tax Abatement - Fergus Care Center LLC

FERGUS CARE CENTER LLC	2022 TAX ABATEMENT PMT 6	5,090.30
	F U N D T O T A L	5,090.30

Tax Abatement - Northstar Behavioral Health, LLC

NORTHSTAR BEHAVIORAL HEALTH	2022 TAX ABATEMENT PMT 4	18,783.92
	F U N D T O T A L	18,783.92

MIF/Small Cities Grant

MIF/Small Cities Grant

GENERAL FUND	JANUARY COPIER USE	.12
	F U N D T O T A L	.12

IRP Revolving Loan

GENERAL FUND	JANUARY COPIER USE	2.98
	F U N D T O T A L	2.98

CDBG/HUD Revolving Loan

GENERAL FUND	JANUARY COPIER USE	21.60
OTTERTAIL GLASS COMPANY	STOREFRONT DOOR/1005 PL RD/507	1,977.76
	F U N D T O T A L	1,999.36

G.O. Port Authority Bonds, Series 2020A-DEED Demo

MN DEPT. OF EMPLOYMENT AND	SEMI-ANNUAL PAYMENT/INTEREST	5,548.60
MN DEPT. OF EMPLOYMENT AND	SEMI-ANNUAL PAYMENT/PRINCIPAL	42,681.54
	F U N D T O T A L	48,230.14

G.O. Port Authority Bonds, Series 2020B-DEED RLF

MN DEPT. OF EMPLOYMENT AND	SEMI-ANNUAL PAYMENT/PRINCIPAL	15,187.00
	F U N D T O T A L	15,187.00

Capital Improvement

BAKER TILLY MUNICIPAL	ANNUAL REPORT PREPARATION FEE	1,600.00
BANKCARD CENTER	TRAFFIC CONT.CERT. D.REGER	150.00
BOLTON & MENK INC	PROF SERV UNION AVE MILL/OLAY	755.00
BOLTON & MENK INC	PROF SERV. DOWNTOWN PHASE 2	4,726.46
JOEL CARLSON INC.	FEBRUARY 2023 LEGISLATIVE FEES	2,285.00
JOEL CARLSON INC.	JANUARY 2023 LEGISLATIVE FEES	2,285.00
COMMISSIONER OF TRANSPORTATION	MATERIAL TESTING INSPECT	382.23
INTERSTATE ENGINEERING INC.	PROF SERV 11/20/22 TO 1/7/23	6,372.00
INTERSTATE ENGINEERING INC.	PROF SERV 12/4/22 TO 1/7/23	15,240.00
INTERSTATE ENGINEERING INC.	PROF SERV 8/7/22 TO 9/3/22	721.00
STANTEC CONSULTING SERVICE INC	RTC PHASE 3 STABILIZATION PROJ	891.37
	F U N D T O T A L	35,408.06

Airport Capital Improvement

SHORT ELLIOTT HENDRICKSON INC	13/31 LIGHTING CONST. FINAL	8,510.00
	F U N D T O T A L	8,510.00

Liquor Store

A-1 LOCK & KEY LLC	DOOR ARM, LEVER, CLOSER REPAIR	1,367.00
THE AMERICAN BOTTLING COMPANY	FEBRUARY/MIX	363.09
THE AMERICAN BOTTLING COMPANY	JANUARY/MIX	267.23
ARAMARK UNIFORM SERVICES	DECEMBER LINEN SUPPLY	322.94
ARCTIC GLACIER USA INC	JANUARY/FREIGHT #3609302405	15.00
ARCTIC GLACIER USA INC	JANUARY/ICE #3609302404	29.80-
ARCTIC GLACIER USA INC	JANUARY/ICE #3609302405	125.58
ARTISAN BEER COMPANY	FEBRUARY/BEER	1,113.25
ARTISAN BEER COMPANY	JANUARY/BEER	2,252.42
BANKCARD CENTER	DEC BATTERY BACKUP, SURGE PROTE	145.68
BANKCARD CENTER	DECEMBER GPC IMAGE TONER CARTR	203.37
BANKCARD CENTER	DECEMBER MOOD PANDORA	57.86
BELLBOY CORPORATION	JANUARY/FREIGHT	28.45
BELLBOY CORPORATION	JANUARY/LIQUOR	198.00
BELLBOY CORPORATION	JANUARY/MIX	812.20

Liquor Store

BEVERAGE WHOLESALERS INC	FEBRUARY/BEER	6,689.95
BEVERAGE WHOLESALERS INC	FEBRUARY/MIX	60.15
BEVERAGE WHOLESALERS INC	JANUARY/BEER	59,223.67
BEVERAGE WHOLESALERS INC	JANUARY/LIQUOR	423.00
BEVERAGE WHOLESALERS INC	JANUARY/MIX	622.65
BEVERAGE WHOLESALERS INC	JANUARY/WINE	22.20
PATRICIA DILLON	07/01-12/31/22 MILEAGE	113.75
BRAUN VENDING INC	JANUARY SUPPLIES-WATER	28.00
BRAUN VENDING INC	JANUARY WATER COOLER RENT	9.00
BREAKTHRU BEVERAGE MINNESOTA	FEBRUARY/FREIGHT	74.79
BREAKTHRU BEVERAGE MINNESOTA	FEBRUARY/LIQUOR	2,647.38
BREAKTHRU BEVERAGE MINNESOTA	FEBRUARY/MIX	467.49
BREAKTHRU BEVERAGE MINNESOTA	FEBRUARY/WINE	116.00
BREAKTHRU BEVERAGE MINNESOTA	JANUARY/FREIGHT	480.50
BREAKTHRU BEVERAGE MINNESOTA	JANUARY/LIQUOR	23,643.96
BREAKTHRU BEVERAGE MINNESOTA	JANUARY/MIX	179.21
BREAKTHRU BEVERAGE MINNESOTA	JANUARY/WINE	3,091.60
CARLOS CREEK WINERY	JANUARY/WINE	2,244.00
CAYAN	JAN 2022 MONTHLY SERVICE FEE	160.37
VIKING COCA-COLA BOTTLING CO	FEBRUARY/MIX	426.92
VIKING COCA-COLA BOTTLING CO	JANUARY/MIX	678.20
COMMISSIONER OF REVENUE	2022 DECEMBER SALES TAX	10.28
COOPERS TECHNOLOGY GROUP	JANUARY SUPPLIES-RUBBERBANDS	13.06
BRANDON CURRIE	07/01-12/31/22 MILEAGE	552.50
D-S BEVERAGES, INC.	FEBRUARY/BEER	6,399.95
D-S BEVERAGES, INC.	FEBRUARY/LIQUOR	109.70
D-S BEVERAGES, INC.	FEBRUARY/MIX	1,045.90
D-S BEVERAGES, INC.	JANUARY/BEER	59,413.73
D-S BEVERAGES, INC.	JANUARY/LIQUOR	710.63-
D-S BEVERAGES, INC.	JANUARY/MIX	270.58
DACOTAH PAPER CO	FEBRUARY/SUPPLIES-BAGS	233.32
DACOTAH PAPER CO	JANUARY SUPPLIES-BAGS	183.82
MARGO DENBROOK	07/01-12/31/22 MILEAGE	195.00
EMPLOYEES INSURANCE TRUST FUND	JANUARY HEALTH INSURANCE	9,306.46
EMPLOYEES INSURANCE TRUST FUND	JANUARY LIFE INSURANCE	23.33
FERGUS BREWING COMPANY LLC	JANUARY/BEER	220.00
GENERAL FUND	JANUARY LONG DISTANCE CHARGES	.60
GREAT PLAINS NATURAL GAS CO	JANUARY NATURAL GAS EXPENSE	988.11
HOME DEPOT CREDIT SERVICES	JAN DUCT&ELECTRIC TAPE, LINER	20.93
INTEGRITY EMPLOYEE BENEFITS	2023 ADMIN FEES-BEN CONNECT	1,515.50
JOHNSON BROTHERS LIQUOR CO	FEBRUARY/FREIGHT	455.94
JOHNSON BROTHERS LIQUOR CO	FEBRUARY/LIQUOR	931.50
JOHNSON BROTHERS LIQUOR CO	FEBRUARY/WINE	12,561.34

Liquor Store

JOHNSON BROTHERS LIQUOR CO	JANUARY/BEER	30.00
JOHNSON BROTHERS LIQUOR CO	JANUARY/FREIGHT	443.89
JOHNSON BROTHERS LIQUOR CO	JANUARY/LIQUOR	6,389.08
JOHNSON BROTHERS LIQUOR CO	JANUARY/MIX	188.90
JOHNSON BROTHERS LIQUOR CO	JANUARY/WINE	10,375.17
MII LIFE INCORPORATED	DEC HSA PLAN PART FEE	2.75
THE MCKINNON COMPANY INC	JANUARY/MIX-RED BULL	77.38
NICE THREADS CUSTOM EMBROIDER	DEC/EMPLOYEE SERVICE AWARD	325.00
OTTER TAIL POWER COMPANY	JANUARY ELECTRICITY EXPENSE	3,699.86
OTTER TAIL TELCOM	FEB. TELEPHONE LINES	83.26
OUTSTATE BREWING COMPANY	JANUARY/BEER	410.00
PAUSTIS WINE COMPANY	JANUARY/FREIGHT	18.00
PAUSTIS WINE COMPANY	JANUARY/WINE	720.00
PEPSI BEVERAGE COMPANY	JANUARY/MIX	274.41
PHILLIPS WINE & SPIRITS CO	JANUARY/FREIGHT	382.06
PHILLIPS WINE & SPIRITS CO	JANUARY/LIQUOR	10,982.05
PHILLIPS WINE & SPIRITS CO	JANUARY/MIX	427.36
PHILLIPS WINE & SPIRITS CO	JANUARY/WINE	6,053.09
PUBLIC UTILITIES DEPARTMENT	JANUARY PUBLIC UTILITIES	454.34
SMALL LOT MN	JANUARY/FREIGHT	18.00
SMALL LOT MN	JANUARY/WINE	1,879.92
SOUTHERN GLAZER'S OF MN	FEBRUARY/FREIGHT	50.25
SOUTHERN GLAZER'S OF MN	FEBRUARY/LIQUOR	2,173.65
SOUTHERN GLAZER'S OF MN	FEBRUARY/WINE	1,387.32
SOUTHERN GLAZER'S OF MN	JANUARY/FREIGHT	512.31
SOUTHERN GLAZER'S OF MN	JANUARY/LIQUOR	32,461.84
SOUTHERN GLAZER'S OF MN	JANUARY/MIX	316.35
SOUTHERN GLAZER'S OF MN	JANUARY/WINE	2,794.40
SUMMIT COMPANIES	OCT SECURITY SYSTEM	2,690.00
VERIZON WIRELESS	JANUARY CELL PHONE EXPENSE	128.22
WINE MERCHANTS INC	FEBRUARY/FREIGHT	4.80
WINE MERCHANTS INC	FEBRUARY/WINE	528.00
WINE MERCHANTS INC	JANUARY/FREIGHT	27.07
WINE MERCHANTS INC	JANUARY/WINE	2,648.00
	F U N D T O T A L	291,342.71

Refuse Disposal

ARAMARK UNIFORM SERVICES	DECEMBER LINEN SUPPLY	299.59
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Refuse Disposal

AUTO VALUE - FERGUS FALLS	JAN AIR GAUGES (LANDFILL)	73.98
COMMISSIONER OF REVENUE	2022 DECEMBER SALES TAX	3.95
COMMISSIONER OF REVENUE	2022 DECEMBER SWMT	28,512.00
WASTE MANAGEMENT	01/01-01/15/23 PRO SERVICES	5,046.04
EMPLOYEES INSURANCE TRUST FUND	JANUARY HEALTH INSURANCE	15,180.25
EMPLOYEES INSURANCE TRUST FUND	JANUARY LIFE INSURANCE	64.21
EQUIPMENT FUND	FEBRUARY EQUIPMENT RENT	42,700.75
FASTENAL COMPANY	JAN REFUSE SAFETY VENDING	59.71
GENERAL FUND	JANUARY LONG DISTANCE CHARGES	.67
INTEGRITY EMPLOYEE BENEFITS	2023 ADMIN FEES-BEN CONNECT	1,515.50
LIBERTY TIRE SERVICES LLC	DEC CAR TIRE OFF RIM	812.35
LOCATORS & SUPPLIES INC	JAN KINCO OPEN CUFF GLOVES	53.97
METRO SALES, INC	12/18/22-01/17/23 COPIER RENT	16.56
METRO SALES, INC	12/18/22-01/17/23 COPIER USAGE	10.68
MIDWEST PRINTING COMPANY	JAN RECYCLING REMINDER	210.00
OTTER TAIL COUNTY TREASURER	DECEMBER TIPPING FEES	83,833.20
OTTER TAIL POWER COMPANY	JANUARY ELECTRICITY EXPENSE	266.45
OTTER TAIL TELCOM	FEB. TELEPHONE LINES	25.30
OVERHEAD DOOR CO	JAN SERVICE O/H DOOR	321.30
PUBLIC UTILITIES DEPARTMENT	JANUARY PUBLIC UTILITIES	1,005.11
REFUSE DISPOSAL FUND	2021 POSTCLOSURE CARE COSTS	69,070.42-
U S BANK	JAN 23 WALKUP CONSTRUCTION	93.00
VARIOUS FUNDS	2022 CERTIFIED UTILITIES	5,045.84-
VERIZON WIRELESS	JANUARY CELL PHONE EXPENSE	25.95
	F U N D T O T A L	106,014.26

Sewage Treatment

ARAMARK UNIFORM SERVICES	DECEMBER LINEN SUPPLY	226.13
AQUAFIX INC	JAN QWIK-ZYME L 55 GAL DRUM	3,721.58
BANKCARD CENTER	DEC DRILL/IMPACT KIT W/BATT.	263.97
BANKCARD CENTER	DEC 1"UNION, COUPLING, VALVE	318.38
BANKCARD CENTER	NOV PB BLASTER, PVC COUPLING	20.71
CORE & MAIN LP	JAN PVC CPLG, PVC PIPE, ADPT.	331.09
COSSETTE ELECTRIC LLC	JAN CORD ENDS	48.92
COSSETTE ELECTRIC LLC	JAN REPL.CIRC.BRD-GATE OPENER	441.65
EMPLOYEES INSURANCE TRUST FUND	JANUARY HEALTH INSURANCE	11,009.06
EMPLOYEES INSURANCE TRUST FUND	JANUARY LIFE INSURANCE	43.94
EQUIPMENT FUND	FEBRUARY EQUIPMENT RENT	12,335.41

Sewage Treatment

FASTENAL COMPANY	JAN SEWER SAFETY VENDING	59.71
FLEXIBLE PIPE TOOL COMPANY	JAN PIPETECH SUPPORT 12 MONTHS	587.50
GENERAL FUND	JANUARY LONG DISTANCE CHARGES	13.97
GOPHER STATE ONE CALL	JAN 2023 ANN. OPERATOR FEE	16.67
GRAINGER INC	JAN V-BELT	26.20
GREAT PLAINS NATURAL GAS CO	JANUARY NATURAL GAS EXPENSE	4,632.24
HAWKINS INC	JAN CHLORINE, SULFUR CYLINDERS	50.00
INTEGRITY EMPLOYEE BENEFITS	2023 ADMIN FEES-BEN CONNECT	1,515.50
LAKE REGION ELECTRIC COOP	DECEMBER ELECTRICITY EXPENSE	212.31
LEAGUE OF MN CITIES INS TRUST	MARCH/INDEMNITY-114780	1,000.00
METRO SALES, INC	12/18/22-01/17/23 COPIER RENT	16.55
METRO SALES, INC	12/18/22-01/17/23 COPIER USAGE	10.68
OTTER TAIL POWER COMPANY	JANUARY ELECTRICITY EXPENSE	9,979.67
OTTER TAIL TELCOM	FEB. TELEPHONE LINES	25.30
PUBLIC UTILITIES DEPARTMENT	JANUARY PUBLIC UTILITIES	542.39
RMB ENVIRONMENTAL LABORATORIES	JAN ANALYSIS	1,627.41
SPEE*DEE DELIVERY SERVICE INC	DEC STANDARD SHIPPING	96.37
SPEE*DEE DELIVERY SERVICE INC	JAN STANDARD SHIPPING	69.92
VARIOUS FUNDS	2022 CERTIFIED UTILITIES	5,944.47-
VERIZON WIRELESS	JANUARY CELL PHONE EXPENSE	117.35
	F U N D T O T A L	43,416.11

Water

ADMINISTRATOR'S CONTINGENCY FD	2023 SERVICE AWARDS	100.00
ARAMARK UNIFORM SERVICES	DECEMBER LINEN SUPPLY	316.67
AUTO VALUE - FERGUS FALLS	JAN PERMATEX (CORY WTP)	11.99
BANKCARD CENTER	DEC COVER, CAR CHARGER, PROTECTO	113.85
BANKCARD CENTER	DECEMBER APPLE PENCILS	257.98
CARR'S TREE SERVICE, INC.	JAN WATERLINE CLEARING E.MT F	3,200.00
CORE & MAIN LP	JAN 16" BELL JOINT CLAMP	914.68
COSSETTE ELECTRIC LLC	JAN OUTLETS, SWITCH, EXIT SIGN	152.77
EMPLOYEES INSURANCE TRUST FUND	JANUARY HEALTH INSURANCE	8,010.15
EMPLOYEES INSURANCE TRUST FUND	JANUARY LIFE INSURANCE	57.46
EQUIPMENT FUND	FEBRUARY EQUIPMENT RENT	4,712.58
ETHANOL PRODUCTS, LLC	JAN C02 33,220 LBS	2,657.60
FASTENAL COMPANY	JAN WATER SAFETY VENDING	59.71
FERGUSON WATERWORKS #1657	JAN HYD PART/FLG KIT (TRAVIS)	373.96
FERGUSON WATERWORKS #1657	JAN METER CAPS/GASKETS TRAVIS	65.20

Water

GENERAL FUND	JANUARY COPIER USE	26.20
GENERAL FUND	JANUARY LONG DISTANCE CHARGES	17.40
GENERAL FUND	JANUARY POSTAGE USE	270.94
GOPHER STATE ONE CALL	JAN 2023 ANN. OPERATOR FEE	16.67
GRAYMONT (WI) LLC	JAN HIGH CALCIUM QUICKLIME	7,121.69
GREAT PLAINS NATURAL GAS CO	JANUARY NATURAL GAS EXPENSE	2,995.32
HAWKINS INC	JAN CONTAINMENT TANK	1,455.00
HAWKINS INC	JAN CYLINDERS	30.00
INTEGRITY EMPLOYEE BENEFITS	2023 ADMIN FEES-BEN CONNECT	1,515.50
LAKES COUNTRY SERVICE COOP	NOV RANDOM DRUG SCREEN	70.00
MEDTOX LABORATORIES INC	DEC PRE-EMPLOY DRUG SCREEN	33.40
METRO SALES, INC	12/08/22-01/07/23 COPIER RENT	63.68
METRO SALES, INC	12/18/22-01/17/23 COPIER RENT	16.56
METRO SALES, INC	12/18/22-01/17/23 COPIER USAGE	10.68
MIDWEST PRINTING COMPANY	JANUARY RED INK DATER	185.00
NICE THREADS CUSTOM EMBROIDER	DEC/EMPLOYEE SERVICE AWARD	119.00
OTTER TAIL POWER COMPANY	JANUARY ELECTRICITY EXPENSE	5,572.16
OTTER TAIL TELCOM	FEB. TELEPHONE LINES	25.30
PUBLIC UTILITIES DEPARTMENT	JANUARY PUBLIC UTILITIES	180.06
RMB ENVIRONMENTAL LABORATORIES	JAN 1ST HALF BACT.MONITORING	179.69
RMB ENVIRONMENTAL LABORATORIES	JAN 2ND HALF BACT. MONITORING	157.91
USA BLUEBOOK	DEC BROMCRESOL GREEN-METHYL	100.97
VARIOUS FUNDS	2022 CERTIFIED UTILITIES	19,734.14
VERIZON WIRELESS	FEBRUARY CELL PHONE EXPENSE	1,016.11
VERIZON WIRELESS	JANUARY CELL PHONE EXPENSE	251.94
VESSCO INC.	AUG CYLINDER REPAIR KIT / KGV	110.00
VESSCO INC.	SEPT CYLINDER REPAIR KIT	110.00
	F U N D T O T A L	62,389.92

Storm Water

EQUIPMENT FUND	FEBRUARY EQUIPMENT RENT	11,236.00
FLEXIBLE PIPE TOOL COMPANY	JAN PIPETECH SUPPORT 12 MONTHS	587.50
GOPHER STATE ONE CALL	JAN 2023 ANN. OPERATOR FEE	16.66
OTTER TAIL POWER COMPANY	JANUARY ELECTRICITY EXPENSE	150.09
VARIOUS FUNDS	2022 CERTIFIED UTILITIES	8,743.83-
VERIZON WIRELESS	JANUARY CELL PHONE EXPENSE	35.01
	F U N D T O T A L	3,281.43

Equipment

ARAMARK UNIFORM SERVICES	DECEMBER LINEN SUPPLY	447.80
AMERICAN WELDING & GAS, INC	JAN ACETYLENE/CUT OFF WHEELS	164.14
AMERICAN WELDING & GAS, INC	JAN ARGON & ARGON/CARBON DIOXI	170.64
AMERICAN WELDING & GAS, INC	JAN FORKLIFT PROPANE	84.00
AMERICAN WELDING & GAS, INC	JAN NITROGEN UNIT 498	39.93
AMERICAN WELDING & GAS, INC	NOV FORKLIFT PROPANE 33LB	132.45
AUTO VALUE - FERGUS FALLS	JAN AIR FILTER U-3019	39.86
AUTO VALUE - FERGUS FALLS	JAN BODY PAINT UNIT 239	30.00
AUTO VALUE - FERGUS FALLS	JAN BRAKE CALIPERS UNIT 2091	286.24
AUTO VALUE - FERGUS FALLS	JAN BRAKE CALIPERS UNIT 65	320.24
AUTO VALUE - FERGUS FALLS	JAN BRAKE FLUID DOT3 (SHOP)	14.98
AUTO VALUE - FERGUS FALLS	JAN BRAKE PADS/ROTORS U-2091	339.97
AUTO VALUE - FERGUS FALLS	JAN CABIN AIR FILTER (STK)	37.41
AUTO VALUE - FERGUS FALLS	JAN CRANK SHAFT SEAL U-498	27.99
AUTO VALUE - FERGUS FALLS	JAN CREDIT RETURNED PARTS/CORE	553.51-
AUTO VALUE - FERGUS FALLS	JAN DEF FLUID (SHOP)	14.79
AUTO VALUE - FERGUS FALLS	JAN FEMALE JIC 37 HYD FITTINGS	72.98
AUTO VALUE - FERGUS FALLS	JAN FILTER FOR FIRE DEPARTMENT	7.50
AUTO VALUE - FERGUS FALLS	JAN FILTER UNIT 280	18.45
AUTO VALUE - FERGUS FALLS	JAN GREASE GUN FITTING (SHOP)	2.79
AUTO VALUE - FERGUS FALLS	JAN HYD FILTER (STOCK)	33.05
AUTO VALUE - FERGUS FALLS	JAN KEY STOCK (SHOP)	1.18
AUTO VALUE - FERGUS FALLS	JAN LICENSE PLATE LIGHT U-821	12.99
AUTO VALUE - FERGUS FALLS	JAN MALE ORING BOSS HYD FITTIN	28.98
AUTO VALUE - FERGUS FALLS	JAN OIL FILTER UNIT 280	18.45
AUTO VALUE - FERGUS FALLS	JAN OIL FILTERS/STOP&TAIL LIGH	21.21
AUTO VALUE - FERGUS FALLS	JAN PARTS CLEANER/STARTING FLU	96.96
AUTO VALUE - FERGUS FALLS	JAN POR-15 RUST STOPPER (SHOP)	177.69
AUTO VALUE - FERGUS FALLS	JAN SIDE BULB DOOR STRIPPING	168.99
AUTO VALUE - FERGUS FALLS	JAN SIDE BULB WEATHER STRIPPIN	40.99
AUTO VALUE - FERGUS FALLS	JAN STOCK BULK HYD ROLLS	768.00
AUTO VALUE - FERGUS FALLS	JAN STOCK HYD FILTER	33.05
AUTO VALUE - FERGUS FALLS	JAN STOCK ORDER PARK & REC	76.32
AUTO VALUE - FERGUS FALLS	JAN STOCK PARTS ORDER	360.84
AUTO VALUE - FERGUS FALLS	JAN STOP LIGHT UNIT 2089	28.98
AUTO VALUE - FERGUS FALLS	JAN T-CASE INPUT/OUTPUT SEAL	50.98
AUTO VALUE - FERGUS FALLS	JAN TRAILER COUPLER UNIT 821	29.99
AUTO VALUE - FERGUS FALLS	JAN TRAILER T-CONNECTOR U-56	39.99
AUTO VALUE - FERGUS FALLS	JAN TRAILER T-CONNECTOR U-65	40.99
AUTO VALUE - FERGUS FALLS	JAN 1A BATTERY MAINTAINERS	110.97
AUTO VALUE - FERGUS FALLS	JAN 36/36 BRAKE CHAMBER U-228	157.00
AUTO VALUE - FERGUS FALLS	JAN 7 PIN TRAILER CONNECTORS	28.98
BANKCARD CENTER	DEC CURTAIN-CLEAR VINYL PANEL	1,865.14

Equipment

BANKCARD CENTER	DEC DE-ICER,CLAMPS,SCRUBBER	60.83
BANKCARD CENTER	DEC DIESEL	129.38
BANKCARD CENTER	DEC LINK, EXTENTION CORDS	142.50
BANKCARD CENTER	DEC OIL ANALYSIS SAMPLE PUMP	31.77
BANKCARD CENTER	DEC PIPE INSULATION, TUBING	59.74
BANKCARD CENTER	DEC TOOL REPAIR-IMPACT GUN	175.99
BANKCARD CENTER	DECEMBER MISC SMALL TOOLS	850.71
BANKCARD CENTER	DECEMBER MOTOR FUEL	150.00
BANKCARD CENTER	DECEMBER PRESSURE WASHER	155.16
BANKCARD CENTER	DECEMBER TRIP SPRING	89.31
BANKCARD CENTER	NOVEMBER HOLLAND 2" KING PIN	133.25
BANKCARD CENTER	NOVEMBER TRAILER KING PIN GAUG	47.06
BANKCARD CENTER	2081 GAS	72.86
CERTIFIED LABORATORIES	JAN PREMALUBE #1 GREASE	358.95
COMMISSIONER OF REVENUE	2022 DECEMBER SPECIAL FUEL TAX	1,038.26
COMMISSIONER OF REVENUE	2022 DECEMBER SALES TAX	109.77
COSSETTE ELECTRIC LLC	JAN SITE WORK (CITY SHOP)	432.30
COSSETTE ELECTRIC LLC	JAN 3 WAYS SWITCH SHED #2	726.94
CUMMINS SALES AND SERVICE	JAN OIL SEAL UNIT 498	142.42
DAKOTA HOSE & FITTINGS LP	JAN 2" WATER FILL STATION HOSE	55.29
DEPT. OF MOTOR VEHICLE	2012 GMC SIERRA LICENSE & TABS	435.00
EMPLOYEES INSURANCE TRUST FUND	JANUARY HEALTH INSURANCE	6,892.66
EMPLOYEES INSURANCE TRUST FUND	JANUARY LIFE INSURANCE	27.04
EQUIPMENT FUND	FEBRUARY EQUIPMENT RENT	1,666.69
EQUIPMENT FUND	REC FEBRUARY EQUIPMENT RENT	186,809.33-
EZ OPEN GARAGE DOOR	DEC SHOP W.DOOR SERVICE	208.00
FARGO FREIGHTLINER	JAN CREDIT RETURNED DEF LINE	141.41-
FARGO FREIGHTLINER	JAN CREDIT RETURNED GASKETS	84.43-
FARGO FREIGHTLINER	JAN CREDIT RETURNED V CLAMP	85.18-
FARGO FREIGHTLINER	JAN OIL COOLER/SEALS U-215	1,071.63
FARGO FREIGHTLINER	JAN STR THREADED CONNECTOR	12.67
JOHN DEERE FINANCIAL	DEC REPAIRS TO UNIT 280 TRACK	9,660.83
JOHN DEERE FINANCIAL	JAN CREDIT DEDUCTIBLE FROM	200.00-
JOHN DEERE FINANCIAL	JAN SPROCKET/CREDIT RETURNED	730.52-
FASTENAL COMPANY	JAN FLEET SAFETY VENDING	59.71
FASTENAL COMPANY	JAN SHOP SAFETY VENDING	30.44
FASTENAL COMPANY	JAN SHOP SUPPLY VENDING	80.65
FASTENAL COMPANY	JAN STOCK HARDWARE ORDER	133.04
GENERAL FUND	JANUARY LONG DISTANCE CHARGES	26.11
NAPA AUTO PARTS - FERGUS FALLS	JAN CALIPER BRACKET U-65	155.21
NAPA AUTO PARTS - FERGUS FALLS	JAN HYD FITTINGS (SHOP)	50.99
NAPA AUTO PARTS - FERGUS FALLS	JAN KEY STOCK (SHOP)	3.69
GRAINGER INC	JAN PRESS REGULATOR FOR PRESSU	60.13

Equipment

GRAINGER INC	JAN SPLIT RING KEY CHAINS	16.45
H & L MESABI COMPANY INC	JAN JOMA CUTTING EDGES	1,516.00
H & L MESABI COMPANY INC	JAN SNOW BUCKET CUTTING EDGES	1,959.00
HANSEN SERVICE	JAN TOW U-500 NCI ALEXANDRIA	420.00
HOME DEPOT CREDIT SERVICES	JAN SHOP PLUMBING PARTS	40.20
INTERSTATE BATTERY SYSTEM	JAN MTP-48 STOCK BATTERY	142.95
INTERSTATE BATTERY SYSTEM	JAN PRO RATE MTP-65HD	100.00-
INTERSTATE BATTERY SYSTEM	JAN STOCK BATTERIES ORDER	357.28
LAKES COUNTRY SERVICE COOP	NOV RANDOM DRUG SCREEN	35.00
LAKEWAY EXPRESS LLC	DEC COKE 2 LITER BOTTLE UTILIT	12.84
M-B COMPANIES INC	JAN LH SWING ARM UNIT 500	258.11
M-B COMPANIES INC	JAN PLOW PARTS UNIT 500	1,015.16
MARCO TECHNOLOGIES LLC	MARCH NETWORKS-PROF SERVICES	493.71
MINNESOTA MOTOR COMPANY	MAY HAIL DAMAGE REPAIR #59	3,733.84
MITCHELL 1	JAN SCAN TOOL SUBSCRIPTION	3,180.00
NELSON AUTO CENTER	JAN VALVE STEM KIT (STOCK)	14.76
NORTHWEST TIRE INC	REPAIR TIRE UNIT 2098	33.78
NORTHWEST TIRE INC	2097 TIRES	759.16
OLSON OIL COMPANY INC	JAN #1 OFF ROAD DIESEL (SHOP)	12,477.07
OLSON OIL COMPANY INC	JAN PREM RED #1 DIESEL (SHOP)	21,055.01
OLSON OIL COMPANY INC	JAN PREM RED #2 DIESEL (SHOP)	7,192.88
OLSON OIL COMPANY INC	JAN 3/4" BREAKAWAYS	109.98
OLYMPIC SALES INC	JAN REEVING CABLE (RERA LOADS)	551.80
OLYMPIC SALES INC	JAN SWEEP CYLINDER PIN/BUSHING	330.94
OTTER TAIL POWER COMPANY	JANUARY ELECTRICITY EXPENSE	2,604.19
OTTER TAIL POWER COMPANY	2012 GMC SIERRA EXTENDED CAB	6,000.00
OTTER TAIL TELCOM	FEB. TELEPHONE LINES	56.94
PAUL'S SMALL ENGINE LLC	DEC 821R-C SNOW BLOWER (WWTP)	679.20
POLICE DEPT CONTINGENCY FUND	JANUARY HEININ SCHOOL-FUEL	41.65
PRODUCTIVITY PLUS ACCOUNT	JAN CAB FILTER UNIT 287	307.49
PRODUCTIVITY PLUS ACCOUNT	JAN RETURN CAB FILTER	295.00-
PRODUCTIVITY PLUS ACCOUNT	JAN SNOW PUSHER EDGES/BELT	337.00
PRODUCTIVITY PLUS ACCOUNT	JAN 3/4" HD ARCTIC EDGES	275.00
PUBLIC UTILITIES DEPARTMENT	JANUARY PUBLIC UTILITIES	674.14
R & R PETROLEUM EQUIPMENT CO.	JAN 3/4" DIESEL NOZZLE/SWIVEL	264.72
ROYAL TIRE INC	DEC CREDIT RETURNED TIRES	3,563.34-
ROYAL TIRE INC	DEC FS DEST X/T LT245/70R17	853.80
ROYAL TIRE INC	DEC MT/DISMT 255 ETS TIRES	82.76
ROYAL TIRE INC	DEC STOCK TIRE ORDER	2,269.05
ROYAL TIRE INC	JAN BD BRM CAP TIRES 11R22.5	1,164.60
SANITATION PRODUCTS INC	JAN WINCH CABLE UNIT 216	354.00
SNAP-ON TOOLS CORPORATION	JAN SNAP-ON MULTI TOOL (CODY)	175.00
SUPERIOR FENDERS INC	JAN MOTOR GRADER FENDERS	840.00

Equipment

SWANSTON EQUIPMENT CO	JAN AIR FILTERS UNIT 477	213.97
VERIZON WIRELESS	JANUARY CELL PHONE EXPENSE	82.28
WALLWORK TRUCK CENTER F.F.	JAN AIR FILTERS (STK)	192.72
WALLWORK TRUCK CENTER F.F.	JAN CREDIT RETURNED SENSOR	204.00-
WALLWORK TRUCK CENTER F.F.	JAN CREDIT RETURNED SOLENOID	107.44-
WALLWORK TRUCK CENTER F.F.	JAN CREDIT RETURNED STARTER	387.40-
WALLWORK TRUCK CENTER F.F.	JAN CREDIT RETURNED VALVE	47.49-
WALLWORK TRUCK CENTER F.F.	JAN ENGINE PLUG U-267	136.95
WALLWORK TRUCK CENTER F.F.	JAN OIL PAN GASKET UNIT 267	88.62
WALLWORK TRUCK CENTER F.F.	JAN OIL SEAL UNIT 498	25.21
WALLWORK TRUCK CENTER F.F.	JAN PRS TEMP SENSOR	102.05
WALLWORK TRUCK CENTER F.F.	JAN PURGE VALVE UNIT 3019	111.31
WALLWORK TRUCK CENTER F.F.	JAN SINGLE CHECK VALVE U-3042	39.04
WALLWORK TRUCK CENTER F.F.	JAN TEMP PRESSURE SENSOR U-255	74.62
WALLWORK TRUCK CENTER F.F.	JAN 36/36 BRAKE CHAMBER U-228	200.76
WALLWORK TRUCK CENTER F.F.	JAN 3636 BRAKE CHAMBER U-228	200.76
ZARNOTH BRUSH WORKS INC	JAN STOCK BROOM BRUSHES POLY	1,477.64
ZIEGLER INC.	JAN PRESS SWITCH UNIT 294	117.60
ZIEGLER INC.	JAN QUALEX 2000 FLOOR CLEANER	98.88
ZIEGLER INC.	JAN SEALS UNIT 294	12.20
	F U N D T O T A L	85,468.12-

Employees Insurance

EMPLOYEES INSURANCE TRUST FUND	RECEIPT JANUARY HEALTH INS	169,506.30-
EMPLOYEES INSURANCE TRUST FUND	RECEIPT JANUARY LIFE INSURANCE	3,073.18-
LAKES COUNTRY SVC COOP	FEBRUARY HEALTH INSURANCE	178,704.06
SUN LIFE FINANCIAL	FEBRUARY LIFE INSURANCE	3,065.37
	F U N D T O T A L	9,189.95

Flexible Benefit Agency

MII LIFE INCORPORATED	2022 FLEX PLAN REIMB	529.66
WEX	2023 FLEX PLAN REIMB 1/11/23	17.15
WEX	2023 FLEX PLAN REIMB 1/12/23	55.57

Flexible Benefit Agency

WEX	2023 FLEX PLAN REIMB 1/14/23	54.00
WEX	2023 FLEX PLAN REIMB 1/15/23	20.94
WEX	2023 FLEX PLAN REIMB 1/18/23	35.98
WEX	2023 FLEX PLAN REIMB 1/21/23	23.48
WEX	2023 FLEX PLAN REIMB 1/23/23	142.60
WEX	2023 FLEX PLAN REIMB 1/26/23	1,557.95
WEX	2023 FLEX PLAN REIMB 1/29/23	1,257.45
WEX	2023 FLEX PLAN REIMB 1/30/23	89.28
WEX	2023 FLEX PLAN REIMB 1/4/23	82.08
WEX	2023 FLEX PLAN REIMB 1/8/23	426.86
	F U N D T O T A L	4,293.00

Landfill Escrow Agency

REFUSE DISPOSAL FUND	2021 POSTCLOSURE CARE COSTS	69,070.42
	F U N D T O T A L	69,070.42

PEG Access

BCBS OF MN & BLUE PLUS	FEBRUARY HEALTH INSURANCE	491.38
BCBS OF MN & BLUE PLUS	MARCH HEALTH INSURANCE	491.38
CHARTER COMMUNICATIONS	01/26-02/25/23 CABLE	8.85
CHARTER COMMUNICATIONS	12/26/22-01/25/23 CABLE	8.85
COMMISSIONER OF REVENUE	2022 SALES TAX	14.00
DAILY JOURNAL	DECEMBER/KIDS SCOOP-FFSP FFSS	125.00
OTTER TAIL POWER COMPANY	JANUARY ELECTRICITY EXPENSE	168.00
	F U N D T O T A L	1,307.46

Fergus Falls Convention and Visitor's Bureau, Inc.

ACUITY INSURANCE	ADD'L 2023 WORKERS' COMP INSUR	25.00
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2/06/2023

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

Fergus Falls Convention and Visitor's Bureau, Inc.

BANKCARD CENTER	DECEMBER ZOOM.US	16.09
BANKCARD CENTER	MEDIA COMPOSER SUBSCRIPTION	205.09
BANKCARD CENTER	01/06/23-01/05/24 PHOTO PLAN	119.40
BCBS OF MINNESOTA	FEBRUARY HEALTH INSURANCE	990.06
BCBS OF MINNESOTA	JANUARY HEALTH INSURANCE	990.06
COMMISSIONER OF REVENUE	2022 SALES TAX	49.00
EVOLVE CREATIVE	WEBSITE DESIGN & DEVELOPMENT	3,300.00
F.F. AREA CHAMBER OF COMMERCE	ANNUAL MEMBERSHIP INVESTMENT	350.00
FERGUS FALLS CONVENTION &	NOV 2022 LODGING TAX	11,997.90-
FERGUS FALLS CONVENTION &	NOV 2022 LODGING TAX ADMIN	359.94
GENERAL FUND	JANUARY LONG DISTANCE CHARGES	3.19
MN TRAILS	2023 AD ON MN TRAILS WEBSITE	2,227.30
MINNESOTA UC FUND	4TH QUARTER UNEMPLOYMENT TAX	2.00
OTTER TAIL TELCOM	FEB. TELEPHONE LINES	18.98
PINE TO PRAIRIE BIRD TRAIL	2023 COMMUNITY CONTRIBUTION	1,000.00
VERIZON WIRELESS	FEBRUARY CELL PHONE EXPENSE	116.72
	F U N D T O T A L	2,225.07-
	T O T A L A L L F U N D S	1,211,586.90

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 06 DAY OF FEBRUARY 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

2/06/2023

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

COMMISSIONER OF REVENUE	107,031.03
COMMISSIONER OF TRANSPORTATION	7,954.59
DEPT. OF MOTOR VEHICLE	435.00
MN DEPT. OF EMPLOYMENT AND	63,417.14
MN DEPT OF PUBLIC SAFETY	1,412.88
MINNESOTA UC FUND	2.00
OTTER TAIL COUNTY HIGHWAY DEPT	41.43
OTTER TAIL COUNTY TREASURER	103,833.20
STATE TREASURER	3,679.09
A-1 LOCK & KEY LLC	1,697.86
ARC DOCUMENT SOLUTIONS LLC	217.19
ACUITY INSURANCE	25.00
ADMINISTRATOR'S CONTINGENCY FD	756.59
THE AMERICAN BOTTLING COMPANY	630.32
ARAMARK UNIFORM SERVICES	2,760.47
ARAMARK	866.52
AMERICAN WELDING & GAS, INC	591.16
SEAN ANDERSON	891.12
AQUAFIX INC	3,721.58
ARCTIC GLACIER USA INC	110.78
ARTISAN BEER COMPANY	3,365.67
AUTO VALUE - FERGUS FALLS	3,072.24
AVESIS THIRD PARTY ADMIN INC	30.14
BAKER & TAYLOR INC	880.09
BAKER TILLY MUNICIPAL	1,600.00
BANKCARD CENTER	23,395.14
BELLBOY CORPORATION	1,038.65
BEVERAGE WHOLESALERS INC	67,041.62
BIG AXX LLC	156.26
BJORN'S HEATING & AIR COND INC	8,696.50
BLACKSTONE PUBLISHING	34.95
BCBS OF MN & BLUE PLUS	982.76
BCBS OF MINNESOTA	1,980.12
BOLTON & MENK INC	5,481.46
PATRICIA DILLON	113.75
BRAUN VENDING INC	37.00
BRAUN INTERTEC CORPORATION	4,657.00
BREAKTHRU BEVERAGE MINNESOTA	30,700.93
CARLOS CREEK WINERY	2,244.00
JOEL CARLSON INC.	4,570.00
CARR'S TREE SERVICE, INC.	11,781.94
CAYAN	160.37
CERTIFIED LABORATORIES	358.95
CHARTER COMMUNICATIONS	190.65
MARK CHRISTOPHERSON	2,150.00
CLOVER	144.85
VIKING COCA-COLA BOTTLING CO	1,012.12

2/06/2023

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

COLE PAPERS INC	546.53
COMSTOCK CONSTRUCTION INC	17,517.35
COOPERS TECHNOLOGY GROUP	93.73
CORE & MAIN LP	1,245.77
COSSETTE ELECTRIC LLC	2,058.64
CUMMINS SALES AND SERVICE	142.42
BRANDON CURRIE	552.50
D-S BEVERAGES, INC.	66,529.23
DACOTAH PAPER CO	1,213.08
DAILY JOURNAL	1,195.00
DAKOTA HOSE & FITTINGS LP	55.29
WASTE MANAGEMENT	5,046.04
DELZER CONSTRUCTION	750.00
MARGO DENBROOK	195.00
ETHANOL PRODUCTS, LLC	2,657.60
EVOLVE CREATIVE	3,300.00
EZ OPEN GARAGE DOOR	208.00
FARGO FREIGHTLINER	773.28
JOHN DEERE FINANCIAL	8,730.31
FASTENAL COMPANY	666.71
FERGUS BREWING COMPANY LLC	220.00
FERGUS CARE CENTER LLC	5,090.30
F.F. AREA CHAMBER OF COMMERCE	350.00
FERGUSON WATERWORKS #1657	439.16
FLEXIBLE PIPE TOOL COMPANY	1,175.00
FRIENDS OF THE FERGUS FALLS	50.00
THOMAS GARDING	168.55
NAPA AUTO PARTS - FERGUS FALLS	209.89
GOODIN COMPANY	215.08
GOPHER STATE ONE CALL	50.00
GRAINGER INC	102.78
GRANICUS LLC	4,961.25
GRAYMONT (WI) LLC	7,121.69
GREAT PLAINS NATURAL GAS CO	15,698.19
H & L MESABI COMPANY INC	3,475.00
HANSEN SERVICE	420.00
SHAWN HAUGE	243.00
HAWKINS INC	1,535.00
HEPPNER CONSULTING, INC.	9,278.21
HOME DEPOT CREDIT SERVICES	340.93
INDEPENDENT EMERGENCY SERVICES	258.48
ISD #544	20.00
INNOVATIVE OFFICE SOLUTIONS	481.46
INTEGRITY EMPLOYEE BENEFITS	6,062.00
INTERSTATE BATTERY SYSTEM	400.23
INTERSTATE ENGINEERING INC.	22,333.00
JB ELECTRIC	1,234.40

2/06/2023

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

J.P. COOKE COMPANY	331.60
JOHNSON BROTHERS LIQUOR CO	31,375.82
JOHNSON CONTROLS INC	3,304.26
LAKE REGION ELECTRIC COOP	2,815.53
LAKE REGION HEALTHCARE CORP	104.00
LAKES COUNTRY SERVICE COOP	175.00
LAKES COUNTRY SVC COOP	178,704.06
LAKEWAY EXPRESS LLC	12.84
LEAGUE OF MINNESOTA CITIES	2,420.00
LEAGUE OF MN CITIES INS TRUST	1,000.00
LIBERTY TIRE SERVICES LLC	812.35
LOCATORS & SUPPLIES INC	176.86
VICTOR LUNDEEN COMPANY	113.19
M-B COMPANIES INC	1,273.27
MII LIFE INCORPORATED	535.16
MN SOCIETY OF CERTIFIED PUBLIC	355.00
M-R SIGN COMPANY INC	223.32
MAGAZINE SUBSCRIPTION SERVICE	19.97
MARCO TECHNOLOGIES LLC	849.32
THE MCKINNON COMPANY INC	77.38
MEDTOX LABORATORIES INC	66.80
METRO SALES, INC	319.22
MIDWEST PRINTING COMPANY	395.00
MIDWEST TAPE EXCHANGE	164.14
MILLER ROOFING	10,744.00
MINNESOTA MOTOR COMPANY	3,733.84
MN TRAILS	2,227.30
MINNKOTA ENVIROSERVICES INC	82.60
MITCHELL 1	3,180.00
MOBOTREX INC	528.00
NELSON AUTO CENTER	14.76
NICE THREADS CUSTOM EMBROIDER	815.00
NORTHSTAR BEHAVIORAL HEALTH	18,783.92
NORTHWEST TIRE INC	792.94
NYCKLEMOE & ELLIG, P.A.	9,492.50
OFFICE OF MNIT SERVICES	274.48
OLSON OIL COMPANY INC	40,834.94
OLYMPIC SALES INC	882.74
OTIS ELEVATOR COMPANY	1,249.08
OTTER ELECTRIC LLC	2,260.13
OTC HUMANE SOCIETY INC	1,022.00
OTTERTAIL GLASS COMPANY	1,977.76
OTTER TAIL POWER COMPANY	76,150.62
OTTER TAIL TELCOM	2,910.31
OUTSTATE BREWING COMPANY	410.00
OVERHEAD DOOR CO	321.30
PAUSTIS WINE COMPANY	738.00

2/06/2023

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

PAUL'S SMALL ENGINE LLC	679.20
PEPSI BEVERAGE COMPANY	274.41
PHILLIPS WINE & SPIRITS CO	17,844.56
PINE TO PRAIRIE BIRD TRAIL	1,000.00
POLICE DEPT CONTINGENCY FUND	937.69
PRECISION CATERING MINNESOTA	6,212.70
PRODUCTIVITY PLUS ACCOUNT	624.49
PRO-WEST & ASSOCIATES, INC	596.89
PUBLIC UTILITIES DEPARTMENT	7,557.85
RMB ENVIRONMENTAL LABORATORIES	1,965.01
R & R PETROLEUM EQUIPMENT CO.	264.72
RICOH USA INC	2,446.66
ROASTED	87.50
ROYAL TIRE INC	806.87
SHI INTERNATIONAL CORP	1,923.87
SANITATION PRODUCTS INC	354.00
SERVICE FOOD SUPERVALU	103.34
SHERWIN WILLIAMS CO	19.19
SHORT ELLIOTT HENDRICKSON INC	8,510.00
SIGN GUYS LLC	134.79
SMALL LOT MN	1,897.92
SNAP-ON TOOLS CORPORATION	175.00
SOUTHERN GLAZER'S OF MN	39,696.12
SPECIALTY SOLUTIONS LLC	2,553.24
SPEE*DEE DELIVERY SERVICE INC	206.90
STANTEC CONSULTING SERVICE INC	891.37
SUMMIT COMPANIES	4,093.75
SUN LIFE FINANCIAL	3,065.37
SUPERIOR FENDERS INC	840.00
SWANSTON EQUIPMENT CO	213.97
TWEETON REFRIGERATION	180.00
UGSTAD PLUMBING INC	1,611.45
ULINE	16.50
USABLE LIFE	79.20
USA BLUEBOOK	100.97
U S BANK	123.00
VERIZON WIRELESS	3,063.28
VESSCO INC.	220.00
WSB & ASSOCIATES INC	967.57
WALLWORK TRUCK CENTER F.F.	425.71
WELLS FARGO BANK MINNESOTA NA	13,599.81
WEX	3,763.34
WIMACTEL INC	132.00
WINE MERCHANTS INC	3,207.87
ZARNOTH BRUSH WORKS INC	1,477.64
TOTAL OTHER GOVERNMENT	287,806.36

2/06/2023

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

TOTAL OTHER VENDORS 923,780.54

TOTAL ALL VENDORS 1,211,586.90



Council Action Recommendation

Page 1 of 2

Meeting Date:

October 12, 2022 Committee of the Whole/ October 17, 2022 Council

Subject:

Letter of Interest from Fergus Falls Public Schools for Kirkbride Park

Recommendation:

Resolution accepting Letter of Interest (LOI) and directing staff to develop a purchase agreement with the School District contingent on a successful school referendum

Background/Key Points:

Fergus Falls Public Schools is interested in Kirkbride Park as their preferred site for a proposed elementary school location. They have submitted a Letter of Interest (attached) indicating their interest in this property. The area they would be interested in acquiring is two parcels to the south of the Kirkbride building, totaling approximately 14.83 acres.

The City currently operates and maintains this property as part of our parks system. If the Council is in favor of moving forward with this, staff will work with the School District on a proposed purchase agreement laying out the terms of a potential transaction. The School District would need to hold a successful bond referendum to construct the school and would only be interested in moving forward with this purchase if that referendum was successful.

The City would continue to own and maintain the park until a transaction took place or if the referendum was unsuccessful.

Budgetary Impact:

Purchase proceeds will likely need to be returned to the State of MN. Maintenance and operation costs for this park would be eliminated.

Originating Department:

Administration

Respectfully Submitted:

Andrew Bremseth, City Administrator

Attachments:

LOI submitted by Fergus Falls Public Schools

FERGUS FALLS PUBLIC SCHOOLS
SUPERINTENDENT JEFF DRAKE
jdrake@fergusotters.org
601 Randolph Avenue, Fergus Falls MN 56537
218-988-0544 , Ext. 9010



*Committed
To
Excellence!*

09/30/2022

City of Fergus Falls
112 W Washington Ave
Fergus Falls, MN 56537

RE: Letter of Interest

City of Fergus Falls,

This letter is intended to formally express the Fergus Falls Public School District's interest in acquiring the Kirkbride Park parcels presently owned and maintained by the City of Fergus Falls for the purpose of constructing a new elementary school. The parcels are identified as:

Parcel: 71003991874000
E-911 ADDRESS: 1515 N UNION AVE
ACRES: 13.51
OWNER: CITY OF FERGUS FALLS
TOWNSHIP: 133
SECTION: 27
RANGE: 043
JURISDICTION: FERGUS FALLS/544/HRA

Parcel: 71003991879000
E-911 ADDRESS: 1515 N UNION AVE
ACRES: 1.32
OWNER: CITY OF FERGUS FALLS
TOWNSHIP: 133
SECTION: 27
RANGE: 043
JURISDICTION: FERGUS FALLS/544/HRA



If the city is supportive of this proposal an agreeable purchase price for the Kirkbride Park parcels would be negotiated between the City of Fergus Falls and the Fergus Falls Independent School District.

The acquisition of the property by the school district could be made contingent on the passage of a voter-approved bond supporting the construction of a new elementary school.

Respectfully submitted,

A handwritten signature in black ink that reads "Jeffrey D. Drake". The signature is written in a cursive style.

Jeff Drake, Superintendent
Fergus Falls Public Schools

Memo

To: Mayor Ben Schierer, City Council, City Administrator Andrew Bremseth
From: Chris Schuelke, Chair, Fergus Falls Heritage Preservation Commission
Date: February 6, 2023
Re: HPC Duties & Responsibilities

At its February 1, 2023 meeting, the Heritage Preservation Commission (HPC) approved a motion to remind city council members of HPC duties and responsibilities as outlined in City Ordinance Section 32.25 HERITAGE PRESERVATION COMMISSION.

While Section 32.25 is far too lengthy to summarize in this memo, Commission members wanted to highlight several of the HPC's most salient responsibilities:

1. Designation for Preservation. The ultimate purpose of the HPC is the preservation of buildings, lands, areas, districts or other objects deemed locally historic. As such, one of its main duties is to recommendation to the Council buildings, lands, areas, districts or other objects as historically significant.

2. Review of Permits. The HPC shall review any building permits issued by the city for work on or in a building, area or district designated for historic preservation within the city. Although the decision on permits is ultimately the responsibility of the council, it does add another layer of review for historic properties.

This reminder comes in anticipation of a council response to ISD 544's LOI to purchase historic city property on the Fergus Falls State Hospital campus. The Fergus Falls State Hospital is considered historically significant by the National Park Service through its National Register of Historic Places program. It is appropriate for the HPC to provide comment or support to decisionmakers in any matter concerning this historic property.

Sincerely,
Chris Schuelke
Chair, HPC