



City Council Agenda
July 17, 2023
5:30 pm in the City Council Chambers

Invocation –Pastor Ali Haugerud, Hope Lutheran Church
Pledge of Allegiance

- A. Call to Order
- B. Roll Call
- C. Approval of the Agenda
- D. Public Hearings
 - 1. THC/Marijuana Sales Moratorium
- E. Awarding of Bids
 - 1. Resolution awarding the construction services contract for PI 5364, the 2023 mill and overlay improvement project to Mark Lee Asphalt & Paving in the amount \$253,442.50 and authorizing additional segments to the base contract in an amount not to exceed 25%
- F. Petitions, Communications and Open Forum
 - 1. Fire fighters badge ceremony
 - 2. Proclamation declaring July 23-29 as a week of celebration of the 150th anniversary of Daily Journal Media and rural local journalism
 - 3. Open forum
- G. Consent Agenda
 - 1. Motion approving the minutes from the July 3, 2023 City Council meeting and the July 12, 2023 Committee of the Whole meeting
 - 2. Motion approving licenses
 - 3. Motion appointing Aaliyah Helland to the Bicycle and Pedestrian Advisory Committee
 - 4. Resolution accepting a \$10,000 grant from First Children’s Finance Community childcare grant program to provide the funding to develop plans for a scalable cohort of physical childcare locations for pod-model style care
 - 5. Resolution accepting a grant for cross country ski groomers
- H. Ordinance and Resolutions
 - 1. Second reading of Ordinance 40, Eighth Series, Vacation of a portion of Oak Street
 - 2. Second reading of Ordinance 41, Eighth Series, Imposing a moratorium on the operation of a cannabis business
 - 3. Second reading of Ordinance 42, Eighth Series, Amending chicken ordinance
 - 4. Resolution approving and consenting to the issuance of a \$2,170,000 General Obligation Bonds, Series 2023A of the Fergus Falls Port Authority (Downtown Riverfront Phase II)
 - 5. Resolution approving a contract with AE2S Nexus for capital planning services and OptX deployment

6. Resolution authorizing Change Order No. 2 for PI 9767, Phase II of the Downtown Riverfront project

- I. Presentation of Claims \$2,269,368.17
- J. Board, Committee and Department Reports
- K. Reports from Staff and Administrative Officers
- L. Old Business/Unfinished Business
- M. New Business
- N. Miscellaneous Announcements
 - August 2 7:00 am Council Work Session: Streets, Funding and Capital Improvement Plan
 - August 7 4:30 pm Council work session: THC/Marijuana licensing
 - 5:30 pm City Council meeting
- O. Adjournment to a closed meeting to discuss threatened litigation per Minnesota Statutes Section 13D.05, subd 3(b)

If you have special needs for accommodations, please call 218-332-5436 or TDD 1-800-627-3529 (Minnesota Relay Service).



Council Action Recommendation

Meeting Date:

July 17, 2023 – City Council

Subject:

PI 5364 – 2023 Mill & Overlay Improvement Project

Recommendation:

- 1) Resolution Awarding the construction services contract to Mark Lee Asphalt & Paving in the amount \$253,442.50
- 2) Authorization to ADD street segments to the base contract in an amount not to exceed 25-percent

Background/Key Points:

On Tuesday, July 11, 2023, bids were due for the above referenced project. Three (3) bids were submitted at the time of the opening. Mark Lee Asphalt and Paving, Alexandria, MN was the apparent low bidder with a base bid amount of \$253,442.50. The Engineer’s Estimate for construction was \$276,721.00 Please refer to the attached Bid Tabulation for additional information.

City staff has tabulated the bid results and conducted the post bid interview with Mark Lee Asphalt and Paving. The total estimated project cost is as follows:

Item	Total Estimated Cost
Construction Base Contract: Mark Lee Asphalt	\$253,442.50
Construction Contract Increase (Max. 25%)	\$63,360.60
Construction Contingencies @ 5%	\$15,840.00
Engineering Design & Construction Administration	\$38,100.00
Soft costs (publications, printing, etc.)	\$2,000.00
Total Estimated Project Cost	\$372,743.10

Based on the favorable bid prices received, I am also requesting authorization to ADD additional street segments to the base contract in the amount of \$63,360.60 (25% threshold per bidding statues) if feasible. Although we do not have a specific segment identified at this moment, that is within this amount threshold, staff will continue to prepare estimates and plan accordingly if acceptable. All work is anticipated to be substantially completed by September 30, 2023.

Budgetary Impact:

The project funding source table:

Funding Source	Total Estimated Amount
2023 Annual Mill & Overlay Budget: Levy	\$296,140.00
2023 Annual Seal Coat: Levy	\$76,603.10
Total Estimated Available Funding	\$372,743.10

Following discussion with City Public Works, staff determined it would be more conducive to initiate street crack-filling on the proposed 2024 seal coat street candidates this fall and completing them in the spring for more significant 2024 Seal Coat area. All remaining 2023 seal coat maintenance funds will be carried forward to next year’s project.

Originating Department:

Engineering Department

Respectfully Submitted:

Brian Yavarow, P.E. – City Engineer

Attachments:

- PI 5364- Project Location Map (Title Sheet)
- PI 5364 – 2023 Mill & Overlay Bid Tabulation

CITY OF FERGUS FALLS, MINNESOTA

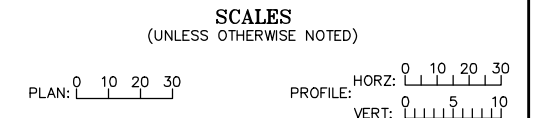
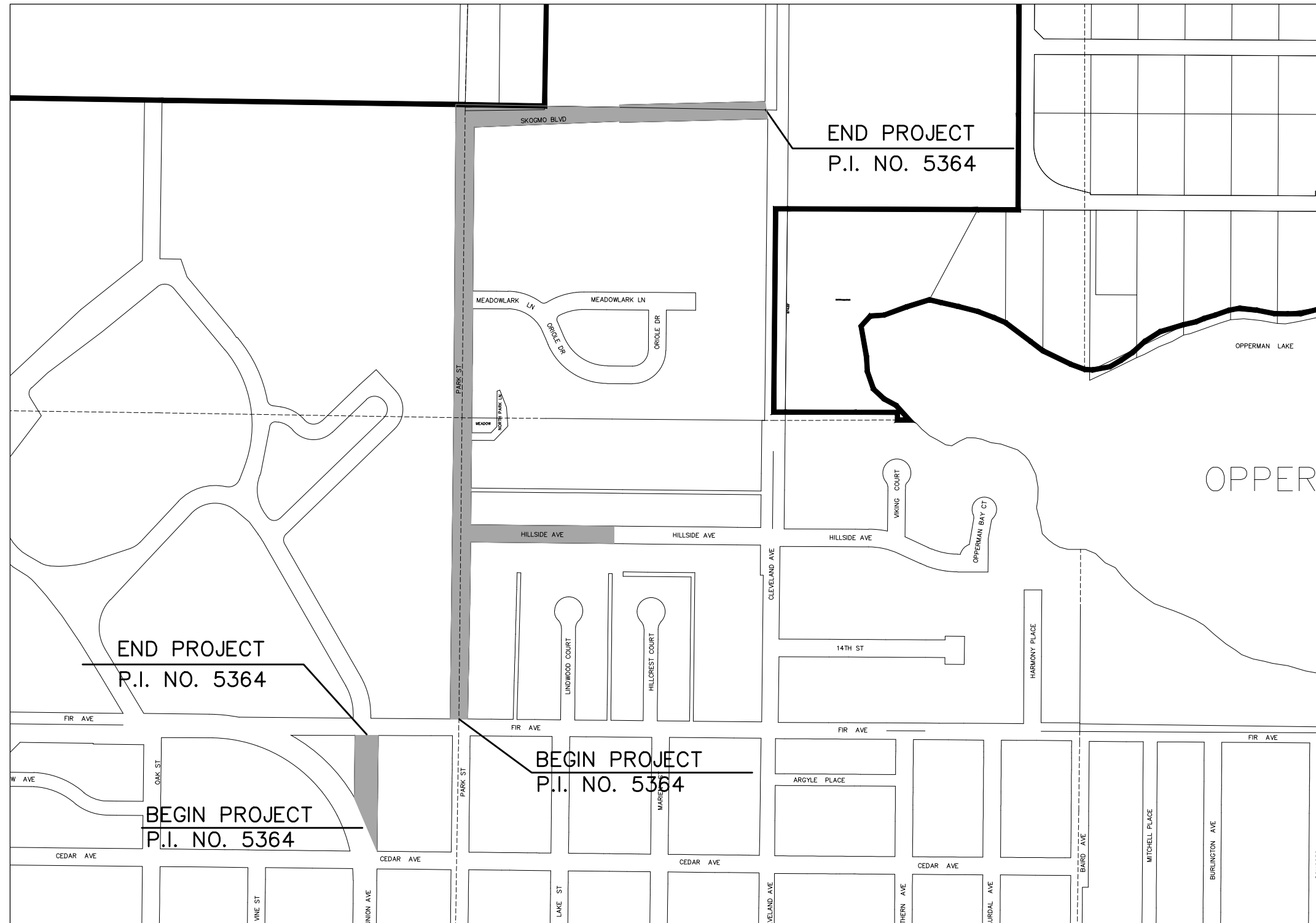
2023 MILL AND BITUMINOUS OVERLAY PROJECT

ENGINEERING DEPARTMENT CONSTRUCTION PLANS FOR MILL & BITUMINOUS PUBLIC IMPROVEMENT NO. 5364

SPECIFICATIONS REFERENCE

THE 2018 EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION" SHALL GOVERN.

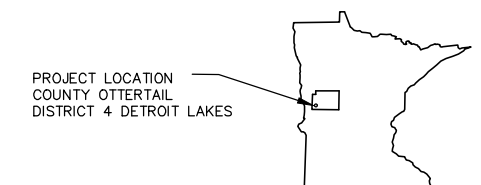
CITY ENGINEERS ASSOCIATION OF MINNESOTA (CEAM) STANDARD SPECIFICATION 2018 EDITION, SHALL GOVERN THE CONTRACT.



INDEX OF SHEETS		
P.I. NO.	DESCRIPTION	SHEET
5364	TITLE SHEET	1
5364	ESTIMATED QUANTITIES & STANDARD PLATES	2
5364	TYPICAL SECTION & TRAFFIC CONTROL SCHEDULE	3
5364	SWPPP NOTES & SHEETS	4
5364	MILL & OVERLAY PLAN SHEET	5-6

CONVENTIONAL SYMBOLS

- RIGHT OF WAY LINE
- PROPERTY LINE
- VACATED PROPERTY
- RAILROAD
- R.R. RIGHT OF WAY
- POWER POLE
- TELEPHONE POLE
- WATER VALVE BOX
- WIRE FENCE
- HEDGE
- WATER MAIN
- SANITARY SEWER IN PLACE
- STORM SEWER IN PLACE
- TREES
- MANHOLE
- FIRE HYDRANT
- STREET LIGHT
- GAS MAIN
- UNDERGROUND TELEPHONE
- UNDERGROUND POWER
- UNDERGROUND TELEVISION



I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE _____ 20__ REG. NO. 48363

**ENGINEERING DEPARTMENT, CITY OF FERGUS FALLS
TABULATION OF QUOTES**

Bid Opening Date: July 11th 2023 at 2:00 P.M.

Project Title: 2023 Mill and Overlay

Pub. Imp. No.: 5364

Project Type: Mill & Bituminous

Location: Park Str. - Fir Ave. to Skogmo Blvd., Skogmo Blvd. - Park Str. to Cleveland Ave.,
Hillside Ave. - Park Str. To E. Term. & Union Ave. - Union Ave. to Fir Ave.

0

P.I. 5364, 2023 Mill and Overlay Project

BASE BID

ITEM NO.	ITEM	UNIT	ESTIMATED QUANTITY	Mark Lee Excavating Inc.		Central Specialties Inc.		Mark Sand & Gravel Co.		Engineer's Estimate	
				UNIT COST	COST	UNIT COST	COST	UNIT COST	COST	UNIT COST	COST
2021.501	MOBILIZATION	LS	1	\$4,000.00	\$4,000.00	\$20,350.00	\$20,350.00	\$25,000.00	\$25,000.00	\$20,000.00	\$20,000.00
2104.505	REMOVE BITUMINOUS PAVEMENT 3"-5" TH.	S.Y.	1860	\$6.00	\$11,160.00	\$8.00	\$14,880.00	\$6.75	\$12,555.00	\$7.00	\$13,020.00
2232.501	MILL BITUMINOUS SURFACE (1.5")	S. Y.	19073	\$2.50	\$47,682.50	\$3.00	\$57,219.00	\$2.25	\$42,914.25	\$3.00	\$57,219.00
2357.502	BITUMINOUS MATERIAL FOR TACK COAT	GAL	959	\$4.00	\$3,836.00	\$3.00	\$2,877.00	\$5.00	\$4,795.00	\$2.00	\$1,918.00
2360.501	TYPE SP 9.5 WEARING COURSE MIX (SPWEA230B)	TON	1651	\$87.00	\$143,637.00	\$90.00	\$148,590.00	\$105.00	\$173,355.00	\$87.00	\$143,637.00
2360.502	TYPE SP 12.5 NON WEAR COURSE MIX (SPNWB230B)	TON	321	\$87.00	\$27,927.00	\$90.00	\$28,890.00	\$165.00	\$52,965.00	\$87.00	\$27,927.00
2504.602	ADJUST GATE VALVE & BOX	EACH	18	\$100.00	\$1,800.00	\$250.00	\$4,500.00	\$1,200.00	\$21,600.00	\$150.00	\$2,700.00
2506.522	ADJUST FRAME & RING CASTING, (Manhole)	EACH	16	\$400.00	\$6,400.00	\$850.00	\$13,600.00	\$1,500.00	\$24,000.00	\$300.00	\$4,800.00
2563.601	TRAFFIC CONTROL	LS	1	\$4,000.00	\$4,000.00	\$1,500.00	\$1,500.00	\$7,000.00	\$7,000.00	\$3,000.00	\$3,000.00
2573.533	Inlet Protection, Type B (Rock Log) (6 LF MIN.)	EACH	20	\$150.00	\$3,000.00	\$150.00	\$3,000.00	\$400.00	\$8,000.00	\$125.00	\$2,500.00

BASE BID

\$253,442.50

\$295,406.00

\$372,184.25

\$276,721.00

CELEBRATING 150 YEARS

Daily Journal media

WHEREAS, in 1873, the first edition of the Fergus Falls Journal was published by editor Adinoram J. Underwood out of his home and,

WHEREAS, the Fergus Falls Journal expanded to a daily newspaper in a downtown location 1883 and,

WHEREAS, in 1972 the Daily Journal moved into new headquarters on East Channing Avenue and,

WHEREAS, in 1985, the publication was sold by the Underwood family to Thomson Newspapers and,

WHEREAS, the Daily Journal was purchased by Boone Newspapers Inc. in 1992 and,

WHEREAS, Wick Communications acquired and renamed Daily Journal Media and in 2019 and,

WHEREAS, in 2020 Daily Journal Media relocated the publication to North Union Avenue and,

WHEREAS, Daily Journal Media marks their 150th anniversary by celebrating past and present Otter Tail County citizens, volunteers, elected officials, staff, athletes and all who strive to preserve the history of the town through local journalism and,

WHEREAS, Daily Journal Media dedicates 2023 as a year of celebration to honor our past, celebrate our present and embrace our future,

NOW THEREFORE, I, Benjamin Schierer, Mayor of the City of Fergus Falls do hereby proclaim the week of July 23-29 as a week of celebration of the 150th Anniversary of Daily Journal Media and local rural journalism, and I urge all citizens to join in this community celebration on July 28, at Spies Riverfront Pavilion, from 11:30 a.m.-1:30 p.m.

Benjamin Schierer, Mayor

City Council Minutes
July 3, 2023

The Fergus Falls City Council held a regular meeting on Monday July 3, 2023 at 5:30 pm in the City Council Chambers. Pastor Kate Bruns gave the invocation and the Pledge of Allegiance was recited. Mayor Schierer called the meeting to order at 5:32 pm and the following council members were in attendance: Job, Kvamme, Kremeier, Thompson, Rachels and Hicks. Fish and Rufer were absent.

Approval of the Agenda

A motion and second were made by Job and Rachels to approve tonight's agenda with the removal of the fee schedule amendment from the consent agenda and adding a discussion under old business related to signage for Farmer's Market and the motion carried.

Oak Street Vacation

On June 5 the council accepted a public right of way vacation petition and set a public hearing. The public hearing was opened at 5:34 pm and as no one appeared, the hearing was closed. A motion and second were made by Kremeier and Hicks directing the City Attorney to prepare an ordinance for the public right of way vacation petition-platted N-S Oak Street right of way (South of St. Charles Avenue, between Blocks 6 & 7 of the Nelson's 2nd Addition) and the motion carried.

Open Forum

Barbara Molter said she was told the council would be discussing the location of the new water park at tonight's meeting and asked why Roosevelt Park was chosen instead of the old state hospital grounds. Mayor Schierer said this topic was not a scheduled part of tonight's meeting and explained the aquatics committee recommended Roosevelt Park in 2019 and that was the location provided on the ballot of the 2022 General Election that was approved by the voters.

Consent Agenda

The following items were approved under **Resolution #126-2023** by Hicks: Motion approving the minutes from the June 20, 2023, City Council meeting and the June 28, 2023, Committee of the Whole meeting. Motion approving the following licenses: Paving/Sidewalk Ritchey's, Daniel J. Berge Concrete, Harrington Concrete. **Resolution #127-2023** restricting parking on the north side of Stanton Avenue from Vine Street to Union Avenue as a part of City Project 5959, the Stanton Avenue construction project. **Resolution #128-2023** designating diagonal parking on the south side of Stanton Avenue from Vine Street to Union Avenue as a part of City Project 5959, the Stanton Avenue construction project. **Resolution #129-2023** approving a purchase agreement for the parking lot adjacent to the former flour mill building. **Resolution #130-2023** approving the purchase of a garbage truck. Motion directing the City Attorney to amend City Code 91.52 to include quail as allowed poultry. **Resolution #131-2023** approving the State of Minnesota Joint Powers Agreement with the City of Fergus Falls on behalf of its Police Department regarding the Minnesota Internet Crimes Against Children Task Force. **Resolution #132-2023** supporting Otter Tail County to add a mental health social worker position. **Resolution #133-2023** approving a variance to erect an accessory structure with a footprint greater than 10% of the total lot size on a legally non-conforming lot at 647 W Stanton as requested by Tabitha Hallan. The resolution was seconded by Thompson and was adopted.

Fee Schedule Amendment

Kvamme asked for clarification on the sound system rental fee. The downtown pavilion has a simple sound system that is available along with the rental of this facility for no additional charge. Those that wish to use the sound system purchased with the mobile stage can rent the equipment for \$300 if the equipment is run by someone on the city approved list of qualified operators. The fee to the operator would be paid additionally. The mobile stage fee is \$500 and if someone wants to use the sound system, it would be an additional \$300 plus the operator fee. A motion and second were made by Kvamme and Kremeier to approve the addition of the sound system rental fee to the 2023 fee schedule and the motion carried.

Ordinance 40, Eighth Series

Ordinance 40, Eighth Series, Vacating of a portion of Oak Street was introduced by Rachels and declared to have its first reading.

Ordinance 41, Eighth Series

Ordinance 41, Eighth Series, Imposing a moratorium on the operation of a cannabis business was introduced by Hicks and declared to have its first reading.

Ordinance 42, Eighth Series

Ordinance 42, Eighth Series, Amending City Code 91.52 to include quail as allowed poultry was introduced by Kvamme and declared to have its first reading.

PI 9504, Aquatics Center

Thompson offered **Resolution #134-2023** accepting the project plans and specifications for PI 9504, the aquatics center improvement project and to authorize the advertising of bids, which was seconded by Kvamme and was adopted.

Development Agreement for Flour Mill Building

Hicks offered **Resolution #135-2023** approving a development agreement for the former flour mill building, which was seconded by Kremeier and was adopted.

Resolution of Accounts

Rachels offered a resolution authorizing the payments and claims in the amount of \$1,263,495.83, which was seconded by Job and was adopted.

Farmers Market Signage

A motion and second were made by Kvamme and Thompson allowing the Farmer's Market to place signage advertising their events at the Otter Tail County Historical Society site (with the property owner's permission) for the duration of the farmer's market season and the motion carried. The Planning Commission is considering amendments to the city's sign ordinances. A motion and second were made by Hicks and Rachels to include Council Member Scott Kvamme in the sign ordinance discussions and the motion carried.

The meeting adjourned at 5:47 pm

Lynne Olson

Committee of the Whole
July 12, 2023

The Fergus Falls City Council held a Committee of the Whole meeting on Wednesday July 12, 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: Fish, Job, Kvamme, Kremeier, Thompson, Rachels, and Hicks. Rufer was absent.

Capital Improvement Plan Services

Dedicating staff time to inputting information into the Capital Improvement Plan has been a hinderance to updating the plan. Staff have been searching for a better system to share the city's Capital Improvement Plan with the public through an interactive online map. AE2S Nexus provided a quote for the OptX application to provide capital planning services. They would input the initial information and the city provide the updates on street and infrastructure projects, cost estimates, revenue sources, inflation, and larger cost capital equipment such as fire trucks, and street equipment. The quote is \$30,000 for the initial development and importing of the capital improvement plan plus an annual hosting fee of \$1,500. Funding would come from the city's refuse, sewer, water and stormwater enterprise funds, equipment internal service fund and permanent improvement revolving fund. AE2S could start the work on August 1, 2023 with completion expected by the end of the year. A motion and second were made by Hicks and Rachels to recommend the council approve a contract with AE2S Nexus for capital improvement planning services and OptX deployment and the motion carried.

PI 9767, Downtown Riverfront Project Change Order

Grant Kuper from Bolton & Menk described the progress being made for the Phase II downtown riverfront project. Utility relocations and excavation work is done. They are drilling pilings to support the structures and foundations and utility work will happen next. Several change orders have been recommended. It has been advised to add an accessible sidewalk to serve the federal courthouse's ADA entrance/exit as well as providing a direct path for pedestrians crossing the alleyway to the splashpad for safety purposes. During the final design process, Bolton & Menk submitted permit applications to regulatory agencies to review. The Department of Health will not allow the use of limestone as the chemicals in the splash pad's recirculating water system may have an adverse impact on limestone. This would affect two areas of the project. The multi-level water feature limestone has been revised to include a concrete form liner that mimics the look of limestone, but is made of concrete, which is an approved material. The limestone block seat wall is not in direct contact with the system water, but due to its proximity to the splash pad and potential for overspray, this material would also be changed. The engineers have also proposed changing the layout in this area to add staircases which would enhance safety and prevent users from scaling down the seat wall. This project has received significant funding from both the Roger Dell Trust and the Frank Veden Trust. The original project scope included one donor plaque and this project has been fortunate enough to have received significant funding from both the Roger Dell Trust and the Frank Veden Trust. A second donor plaque has been proposed to acknowledge both generous donations. The proposed changes amount to an increase of \$71,994.11 which can be covered in the projects contingency budget. Hicks felt these changes should have incorporated into the original project plans and requested a project budget and proposed schedule. A motion and second were made by Fish and Thompson to recommend the council execute Change Order #2 for PI 9767, the Downtown Riverfront Project Phase II and the motion carried.

Grant Acceptance

The City of Fergus Falls is the recipient of a \$10,000 grant from First Children's Finance Community Child Care. They will work with PioneerCare to develop a building plan, site layout and leasing structure to create scalable pod model childcare solutions. PioneerCare will occupy the first model which can be adapted for other organizations or businesses interested in investing in solutions to the childcare shortage. A motion and second were made by Kvamme and Fish to recommend the council accept a \$10,000 grant from First Children's Finance Community childcare grant program to provide the funding to develop plans for a scalable cohort of physical childcare locations for pod-model style care and the motion carried.

The meeting adjourned at 7:31 am

Lynne Olson

FOR COUNCIL MEETING — JULY 17, 2023

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

Paving/Sidewalk

Lee Property Care

Mechanical License

The Crew Facility Maintenance

Food Truck Permit

Stony Brook Donut Company

Don Pablo's Mexican Restaurant



City Council Action Recommendation

Page 1 of 1

Meeting Date:

July 12, 2023- COW

Subject:

First Children's Finance Community Child Care Grant

Recommendation:

Accept a \$10,000 grant from First Children's Finance Community Child Care Grant Program to provide necessary funds to develop plans for a scalable cohort of physical childcare locations appropriate for pod-model style care.

Background/Key Points:

The City of Fergus Falls was chosen to participate in First Children's Finance Rural Child Care Innovation Program in the fall of 2022 and will continue its work through the program until April 2024. As a result of its efforts, the City of Fergus Falls is eligible for certain grant funding through First Children's Finance.

Over the next 12 months, the City of Fergus Falls and PioneerCare will partner to develop a cost-efficient plan for a physical cohort of buildings appropriate for pod-based care that can be situated on land with shared green space. Pod model care uses home-based licensing but allows the provider to work outside their home, offering better work-life balance and allowing employers like PioneerCare to support or supplement the programmatic work of providers through appropriate care space for their employee's children to enjoy.

The plan package, to be developed through this grant, will include a building plan, site layout, and leasing structure to guide the creation of a scalable pod model childcare solution. The building plans will be based upon a single system-built version of "The Munson" by DynamicHomes, a 1,232 sq ft rambler with up to 3 bedrooms and 1 bathroom. A leasing structure and other legal documents related to pod-based care will be developed by an attorney for the owners of the buildings to use for programming purposes.

The first scalable model with common green space will occupy land owned by PioneerCare and may then be adapted for use in other locations in Fergus Falls by other organizations or businesses interested in actively investing in solutions to the childcare shortage.

Originating Department:

Community Development

Respectfully Submitted:

Klara Beck



Council Action Recommendation

Page 1 of 1

**** UPDATED****

Meeting Date: February 1, 2023 July 17, 2023

Subject: ACCEPT "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.

7-17-23 Recommendation: Accept the grant award from the MN DNR "Federal Recreational Trail Equipment Grant" program.

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 grant award amount is \$19,011.00, the match from the Otter Tail Nordic Ski Association and individual donors is \$6,337.00, equaling \$25,348, which is the amount needed to purchase the 2 groomers.

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

Respectfully Submitted: Len Taylor, Public Works Dir.

ORDINANCE NO. 40, EIGHTH SERIES

AN ORDINANCE AMENDING CITY CODE TABLE OF
SPECIAL ORDINANCES VI VACATIONS, BY ORDERING
VACATION OF A PART OF OAK STREET
LOCATED IN THE CITY OF FERGUS FALLS, MINNESOTA.

THE CITY OF FERGUS FALLS DOES ORDAIN:

Section 1. Pursuant to due notice, the hearing was held on _____, 2023, upon the changes herein described and all parties desiring to be heard thereon were afforded such opportunity.

Section 2. That the following property should be and is hereby vacated:

That part of the Southwest Quarter of the Southwest Quarter (SW¹/₄ of SW¹/₄) of Section 33, Township 133 North, Range 43 West, NELSON'S SECOND ADDITION, Otter Tail County, Minnesota, described as follows:

Commencing at the Southwest corner of Lot 4, Block 6, of Nelson's Second Addition, thence South 88 degrees 52 minutes 30 seconds East (assumed Bearing) a distance of 158.22' +/- to a point on the West right-of-way line of Oak Street, also be the Point of Beginning. Thence North 00 degrees 08 minutes 04 seconds West a distance of 250.43' to the Northeast corner of Lot 1, Block 6, said point also being the intersection of the Oak Street and St Charles Avenue right-of-way lines; Thence North 89 degrees 51 minutes 56 seconds East along the South line St Charles Avenue right-of-way line a distance of 75.00' to the Northwest corner of Lot 10 Block 7; Thence South 00 degrees 08 minutes 04 minutes East along the East right-of-way line of Oak Street a distance of 252.08' to the Southwest corner of Lot 6, Block 7; Thence North 88 degrees 52 minutes 30 seconds West along the South right-of-way line of Oak Street a distance of 75.02' to the Point of beginning.

Containing: 18,844.367 Sq Ft or 0.43 Acres

Section 3. Duties of Abutting Property Owners. That after such vacation goes into force and effect, the abutting property owner shall assume and be responsible for the care of said area vacated consistent herein, and it is hereby made their bounden duty to fill any depression contained in said vacated area and remove any and all hazards therefrom, and in the event an action is brought against the City of Fergus Falls for damages or injuries regarding any matter involving said vacated area, the property owner or owners shall indemnify and hold harmless and be liable to the City of Fergus Falls for any damages suffered by it from any causes of action involving the vacated right-of-way safe from anyone who might be using same or traveling thereon. That the owner of said vacated right-of-way shall be responsible for all costs incidental to the closing of the vacated right-of-way.

Section 4. Recording. After all of the conditions and requirements of this ordinance have been fulfilled, the City Administrator of the City of Fergus Falls is hereby ordered to file for record in the office of the County Recorder of Otter Tail County, Minnesota, a certified copy of the within ordinance after the same has been published according to the correct copy of the original and in addition thereto setting forth in such certificate the date and newspaper in which said ordinance was published and the above filing shall be performed by the City Administrator when the benefited parties have paid the expenses of this proceeding.

Section 5. Effective date. The effective date of this ordinance shall be the _____ day of _____, 2023.

THIS ORDINANCE was introduced on _____, 2023, and adopted by the City Council of the City of Fergus Falls, Minnesota, on the _____ day of _____, 2023, by the following vote:

AYES:

NAYS:

ATTEST:

APPROVED:

City Administrator

Mayor

Published in the Fergus Falls Daily Journal on _____, 2023.

barb/clients/city/ordnacs/8th series/ord40

ORDINANCE NO. 41, EIGHTH SERIES

AN INTERIM ORDINANCE AUTHORIZING A STUDY AND IMPOSING A MORATORIUM ON THE OPERATION OF CANNABIS BUSINESSES

THE CITY COUNCIL OF THE CITY OF FERGUS FALLS ORDAINS:

Section 1. The following Ordinance is hereby added to City Code, Special Ordinances, Table IV, Miscellaneous.

ARTICLE I. Authority and Legislative Findings.

- A. The Minnesota Legislature recently enacted, and Governor signed, 2023 Minnesota Session Laws, Chapter 63 – H.F. No. 100 (“Act”), which is comprehensive legislation relating to cannabis including, but not limited to, the establishment of the Office of Cannabis Management (“OCM”), legalizing and limiting the possession and use of cannabis and certain hemp products by adults, providing for the licensing, inspection, and regulation of cannabis businesses and hemp businesses, taxing the sale of cannabis flower, cannabis products, and certain hemp products, establishing grant and loan programs, amending criminal penalties, providing for expungement of certain convictions and providing for the temporary regulation of certain edible cannabinoid products.
- B. The Act provides local units of government certain authority related to cannabis businesses, including the authority to (1) require local registration of certain cannabis businesses operating retail establishments, (2) adopt reasonable restrictions on the time, place, and manner of the operation of cannabis businesses, provided that such restrictions do not prohibit the establishment or operation of a cannabis businesses, (3) limit the number of certain cannabis businesses based on the population of the community and/or based on active registrations in the County, and (4) prohibit the operation of a cannabis business within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or an attraction within a public park that is regularly used by minors, including a playground or athletic field.
- C. The Act requires the OCM, which was established effective July 1, 2023, to work with local governments to develop model ordinances for reasonable restrictions on the time, place, and manner of the operation of cannabis businesses. The Act also requires the OCM to establish additional rules and regulations relating to the operation of cannabis businesses. The City will benefit from reviewing and analyzing the OCM’s model ordinances, rules, and regulations before making any decisions related to the regulation of cannabis businesses in the City.
- D. The Act (Minnesota Statutes, section 342.13(e)) expressly allows a local unit of government that is conducting studies or has authorized a study to be conducted or has held or scheduled a hearing for the purpose of considering adoption or amendment of reasonable restrictions on the time, place and manner of the operation of cannabis

businesses to adopt an interim ordinance applicable to all or part of its jurisdiction for the purpose of protecting the planning process and the health, safety, and welfare of its citizens. The interim ordinance may regulate, restrict, or prohibit the operation of cannabis businesses within the jurisdiction or a portion thereof until January 1, 2025.

- E. Given the uncertainty regarding the model ordinances to be developed by the OCM and the broad scope of the changes to Minnesota law brought about by the Act, the City desires to adopt an interim ordinance for the purpose of protecting the planning process and the health, safety, and welfare of its citizens.
- F. The City desires to conduct a study for the purpose of considering the adoption or amendment of reasonable restrictions on the time, place and manner of the operation of cannabis businesses as well as the other regulations local units of government may adopt under the Act.
- G. On July 17, 2023, after providing at least 10 days published notice, the City Council held a public hearing regarding the consideration and adoption of an interim ordinance prohibiting the operation of cannabis businesses within the City until January 1, 2025.

ARTICLE II. Definitions. For purposes of this Ordinance, the following terms shall have the meaning given them in this section.

- (a) “Act” means 2023 Minnesota Session Laws, Chapter 63 (H.F. No. 100).
- (b) “Cannabis Business” has the meaning given the term in Minnesota Statutes, section 342.01, subdivision 14.
- (c) “City” means the City of Fergus Falls.
- (d) “County” means the County of Otter Tail.
- (e) “Edible Cannabinoid Product” has the meaning given the term in Minnesota Statutes, section 151.72, subdivision 1(f).
- (f) “OCM” means the Office of Cannabis Management, established as set forth in Minnesota Statutes, section 342.02, subd. 1.
- (g) “Ordinance” means this interim ordinance, which is adopted pursuant to Minnesota Statutes, section 342.13(e).

ARTICLE III. Study Authorized. The City Council hereby authorizes and directs the City Administrator to have City staff conduct a study regarding the adoption or amendment of reasonable restrictions on the time, place, and manner of the operation of Cannabis Businesses, as well as the other potential local regulations allowed under the Act, and report to the City Council on the potential regulation of Cannabis Businesses. The study must include a review of the model ordinances the OCM is directed to draft under Minnesota Statutes, section 342.13(d), an analysis of potential setback regulations allowed under Minnesota Statutes, section 342.13(c),

and such other matters as staff may determine are relevant to the City Council's consideration of this matter. The report shall include the City staff's recommendations on whether the City Council should adopt regulations and, if so, the recommended types of regulations.

ARTICLE IV. Moratorium. A moratorium is hereby imposed regarding the operation of a Cannabis Business within the City. During the term of this Ordinance, no business, person, or entity may establish or operate a Cannabis Business within the jurisdictional boundaries of the City. The City shall not accept, process, or act on any application, site plan, building permit, zoning request, or other approval, including any requested confirmation, certification, approval, or other request from the OCM or other governmental entity requesting City review of any application or proposal for a business proposing to engage in the operation of a Cannabis Business.

ARTICLE V. Violation. During the term of the moratorium, it is a violation of this Ordinance for any business, person, or entity to establish or operate a Cannabis Business within the City.

ARTICLE VI. Exceptions. The moratorium imposed by this Ordinance does not apply to: (1) the continued operation of a business as part of the Medical Cannabis Program administered by the Minnesota Department of Health that was lawfully operating within the City prior to July 1, 2023; (2) the lawful sale of Edible Cannabinoid Products in compliance with Fergus Falls City Code, Chapter 120 and Minnesota Statutes, section 151.72; or (3) sales of Edible Cannabinoid Products at an exclusive liquor store in accordance with Minnesota Statutes, section 340A.412, subdivision 14. Nothing in this Article exempts a business, person, or entity that is selling Edible Cannabinoid Products from having to comply with all requirements and prohibitions of applicable laws and ordinances.

ARTICLE VII. Enforcement. Violation of this Ordinance is a misdemeanor. The City may also enforce this Ordinance by mandamus, injunction, or other appropriate civil remedy in any court of competent jurisdiction. A violation of this Ordinance is also subject to the City's administrative penalty in City Code and may result in the City reporting the violation to the OCM if relevant to OCM licensing. The City Council hereby authorizes the City Administrator in consultation with the City Attorney, to initiate any legal action deemed necessary to secure compliance with this Ordinance.

ARTICLE VIII. Duration. This Ordinance shall become effective on the first day of publication after adoption and shall remain in effect until January 1, 2025. This Ordinance may be repealed earlier upon the effective date of an ordinance adopting or amending reasonable restrictions on the time, place, and manner of the operation of a Cannabis Business within the City or by resolution of the City Council terminating this Ordinance prior to the expiration date.

ARTICLE IX. Severability. Every section, provision, and part of this Ordinance is declared severable from every other section, provision, and part thereof. If any section, provision, or part of this Ordinance is held to be invalid by a court of competent jurisdiction, such judgment shall not invalidate any other section, provision, or part of this Ordinance.

Section 2 Summary Publication. Pursuant to Minn. Stat. §412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance.

Ordinance No. 40, Eighth Series, adopted by the Fergus Falls City Council on the 17th day of July 2023, adopting an Interim Ordinance Authorizing a Study and Imposing a Moratorium on the Operation of Cannabis Businesses.

Section 3. Effective date. The effective date of this ordinance shall be the _____ day of 2023.

THIS ORDINANCE was introduced on the 3rd day of July 2023, and adopted by the City Council of the City of Fergus Falls, Minnesota, on the 17th day of July 2023, by the following vote:

AYES:

NAYS:

ATTEST:

APPROVED:

City Administrator

Mayor

Published in the Fergus Falls Daily Journal on _____.

ORDINANCE NO. 42, EIGHTH SERIES

**AN ORDINANCE OF THE CITY OF FERGUS
FALLS, MINNESOTA, AMENDING CITY CODE
CHAPTER 91.52, DEFINITIONS OF CHICKENS.**

THE CITY OF FERGUS FALLS DOES ORDAIN:

Section 1. The heading of City Code Chapter 91.52 is changed to read **CHICKENS AND QUAIL**

Section 2. City Code Chapter 91.52, paragraphs (A) and (B) are amended to read as follows:

(A) *Chickens and Quail permitted.* It is unlawful for any person to own, control, keep, maintain or harbor chickens or quail on any premises within the city unless issued a permit to do so as provided in this section. No permit shall be issued for the keeping or harboring of more than four female chickens or hens or quail on any premises. The keeping or harboring of male chickens or roosters is prohibited. Violations of this section are misdemeanors.

(B) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AT LARGE. A chicken or quail out of its chicken/quail run, off the premises or not under the custody and control of the owner.

CHICKEN. A female chicken or hen and includes quail of either sex. All references to chicken in this chapter also includes quail.

CHICKEN COOP. A structure for housing chickens or quail made of wood or other similar materials that provides shelter from the elements.

CHICKEN RUN. An enclosed outside yard for keeping chickens or quail.

PERSON. The resident, property owner, custodian or keeper or of any chicken or quail.

PREMISES. Any platted lot or group of contiguous lots, parcels or tracts of land and is located within the city.

Section 3. Summary Publication. Pursuant to Minn. Stat. §412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance.

Ordinance No. 42 adopted by the Fergus Falls City Council on the _____ day of _____, 2023, modifies City Code 91.52 by changing the definition of Chickens to Chickens and Quail.

Section 4. Effective date. The effective date of this ordinance shall be the _____ day of _____, 2023.

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 _____, 2023, by the following vote:

AYES:

NAYS:

ATTEST:

APPROVED:

City Administrator

Mayor

Published in the Fergus Falls Daily Journal on _____.

barb/acityoffergusfalls/ords/8thseries/Ord42



Council Action Recommendation

Page 1 of 1

Meeting Date: July 17, 2023

Subject: Downtown Riverfront Project - Phase 2 Bond Issuance

Recommendation: Resolution Approving and Consenting to the Issuance of a \$2,170,000 General Obligation Bonds, Series 2023A of the Fergus Falls Port Authority.

Background/Key Points:

The Fergus Falls Port Authority is issuing bonds in the amount of \$2,170,000 to finance the Downtown Riverfront Phase 2 improvement project. The bond principal is comprised of \$1,464,000 for construction, \$614,200 financing donations to be received from 2024-2027, and bond issuance costs.

Baker Tilly (City's municipal advisor) will be accepting competitive proposals for the bond issuance at 10:00 am on July 17, 2023. Doug Green (Baker Tilly) will be attending the Fergus Falls Port Authority and City Council meetings to share the results of the bond sale.

The Port Authority will be asked to approve the resolution issuing the bonds and the City Council will be asked to approve a resolution approving and consenting to the issuance of the bonds by the Port Authority.

Budgetary Impact: The proceeds of the bonds will provide funding for the Downtown Riverfront Phase 2 project and an estimated property tax levy of \$151,000 for debt service on the bonds will begin in 2024.

Originating Department: Finance

Respectfully Submitted: Bill Sonmor, Finance Director

Attachments:

City Council resolution approving and consenting to the issuance of bonds

Port Authority resolution (FYI only – the City Council resolution makes reference to the Port Authority resolution)

EXTRACT OF MINUTES OF A MEETING OF THE
CITY COUNCIL OF THE
CITY OF FERGUS FALLS, MINNESOTA

HELD: JULY 17, 2023

Pursuant to due call and notice thereof, a regular or special meeting of the City Council of the City of Fergus Falls, Otter Tail County, Minnesota, was duly called and held at the City Hall on July 17, 2023, at 5:30 P.M., for the purpose of approving and consenting to the issuance of a \$2,170,000 General Obligation Bonds, Series 2023A to be issued by the Fergus Falls Port Authority, Minnesota.

The following members were present:

and the following were absent:

Member _____ introduced the following resolution in writing and moved its adoption:

RESOLUTION NO. _____

RESOLUTION APPROVING AND CONSENTING TO THE ISSUANCE OF A
\$2,170,000 GENERAL OBLIGATION BONDS, SERIES 2023A OF THE FERGUS FALLS
PORT AUTHORITY, MINNESOTA

BE IT RESOLVED by the City Council of the City of Fergus Falls, Minnesota (the "City"), as follows:

1. RECITALS.

(a) At the request of the Fergus Falls Port Authority (the "Port Authority"), on July 19, 2021, the Council adopted and approved City Ordinance No. 16, Eighth Series and on November 7, 2022, the Council adopted and approved City Ordinance No. 33, Eighth Series (together, the "Ordinances"), authorizing the issuance of general obligation bonds of the City by the Port Authority in an aggregate principal amount not exceeding \$3,700,000. The Ordinances were duly adopted, after following all applicable procedures in relation to its approval prescribed by the laws of the State of Minnesota and/or the Home Rule Charter (the "Charter") of the City.

(b) City Ordinance No. 16, Eighth Series was duly published in the City's official newspaper on August 7, 2021 to take effect on August 22, 2021 and City Ordinance No. 33, Eighth Series was duly published in the City's official newspaper on November 26, 2022 to take effect on December 11, 2022. No petition for initiative or referendum, or otherwise questioning the validity of the Ordinances or seeking to annul or contravene its terms or intent, in whole or in part, under the Charter or any other applicable law, has been received or filed with the City. The Ordinances have not been repealed, suspended or amended and remains in full force and effect on the date hereof.

(c) It is necessary for the Authority to issue its \$2,170,000 aggregate principal amount of General Obligation Taxable Bonds, Series 2023A, dated August 17, 2023 (the "Bond") and the Bonds are found and determined by the Council to be within the authorization and limits prescribed by the Ordinances.

(d) The Port Authority is authorizing the issuance of the Bonds pursuant to a resolution (the "Port Authority Resolution"), subject to the approval of the Council, and the Port Authority Resolution sets the Bonds terms, form, other details of the Bonds and provides for revenues needed for the payment of the Bonds, including, the imposition of ad valorem property taxes on all of the taxable property in the City.

(e) Pursuant to Minnesota Statutes, Section 469.060, the Council is required to set the dated date, denomination, place of payment, form and details of the Bonds and approve its issuance.

(f) The Port Authority Resolution is hereby incorporated into this Resolution to the same extent as those set forth in full herein.

2. CONSENT AND APPROVAL. The Council hereby consents to and approves the issuance of the Bonds and hereby consents to, ratifies and approves the Port Authority Resolution, and all of its terms. Without limitation, the Council hereby approves the date of the Bonds, being the date upon which the Bonds are to be issued under the Port Authority Resolution, the place of its payment, its form and other details.

The Council hereby approves all details, pledges, and other matters respecting the Bonds, including the redemption provisions, as provided in the Port Authority Resolution.

The Council hereby determines that the issuance of the Bonds by the Port Authority is proper and that the aggregate amount of the Bonds which may be outstanding at any given time, being \$2,170,000, is appropriate in respect of the purposes for their issuance. Pursuant to the Ordinances, the Council has heretofore given specific consent to the pledge to the Bonds of the City's full faith, credit and resources, and the Council hereby restates and affirms said consent and specifically provides that the Bonds must and shall be secured by the pledge of the full faith, credit, and resources of the City, including its taxing powers.

As provided in Minnesota Statutes, Section 469.060, Subdivision 6, the Port Authority has, in connection with the issuance of the Bonds, levied a tax for each of specified years on the taxable property within the City for the payment of the Bonds. The Council hereby approves and ratifies said tax levies, together with the pledge in the Port Authority Resolution to levy additional ad valorem taxes in the City in the event of any deficiency of funds needed to pay in a timely and full manner the debt service coming due on the Bonds. As provided in said Subdivision 6, said tax levies must be used only to pay the debt service on the Bonds, when and as the same shall come due.

This Resolution shall constitute the City's approval and consent to the issuance of the Bonds provided and described in Minnesota Statutes, Section 469.060, and the City's approval of the issuance of the Bonds required by the Port Authority Resolution.

3. CONTINUING DISCLOSURE. The City and the Port Authority are obligated persons with respect to the Bonds. The City hereby agrees, in accordance with the provisions of Rule 15c2-12 (the "Rule"), promulgated by the Securities and Exchange Commission (the "Commission") pursuant to the Securities Exchange Act of 1934, as amended, and a Continuing Disclosure Undertaking (the "Undertaking") hereinafter described to:

(a) Provide or cause to be provided to the Municipal Securities Rulemaking Board (the "MSRB") by filing at www.emma.msrb.org in accordance with the Rule, certain annual financial information and operating data in accordance with the Undertaking. The City reserves the right to modify from time to time the terms of the Undertaking as provided therein.

(b) Provide or cause to be provided to the MSRB notice of the occurrence of certain events with respect to the Bonds in not more than ten (10) business days after the occurrence of the event, in accordance with the Undertaking.

(c) Provide or cause to be provided to the MSRB notice of a failure by the City to provide the annual financial information with respect to the City described in the Undertaking, in not more than ten (10) business days following such occurrence.

(d) The City agrees that its covenants pursuant to the Rule set forth in this paragraph and in the Undertaking is intended to be for the benefit of the Holders of the Bonds and shall be enforceable on behalf of such Holders; provided that the right to enforce the provisions of these covenants shall be limited to a right to obtain specific enforcement of the City's obligations under the covenants.

The Mayor and City Administrator of the City, or any other officer of the City authorized to act in their place (the "Officers") are hereby authorized and directed to execute on behalf of the City the Undertaking in substantially the form presented to the City Council subject to such modifications thereof or additions thereto as are (i) consistent with the requirements under the Rule, (ii) required by the Purchaser of the Bonds, and (iii) acceptable to the Officers.

Adopted this 17th day of July, 2023, by the Fergus Falls City Council.

Mayor

ATTEST:

City Administrator

The motion for the adoption of the foregoing resolution was duly seconded by member _____ and, after a full discussion thereof and upon a vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

Whereupon the resolution was declared duly passed and adopted.

STATE OF MINNESOTA
COUNTY OF OTTER TAIL
CITY OF FERGUS FALLS

I, the undersigned, being the duly qualified and acting City Administrator of the City of Fergus Falls, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council duly called and held on the date therein indicated, insofar as the minutes relate to approving and consenting to the sale of a \$2,170,000 General Obligation Bonds, Series 2023A by the Fergus Falls Port Authority.

WITNESS my hand on July 17, 2023.

City Administrator

EXTRACT OF MINUTES OF A MEETING OF THE
BOARD OF COMMISSIONERS OF THE
FERGUS FALLS PORT AUTHORITY, MINNESOTA

HELD: JULY 17, 2023

Pursuant to due call and notice thereof, a regular or special meeting of the Board of Commissioners of the Fergus Falls Port Authority, Otter Tail County, Minnesota, was duly called and held at the City Hall on July 17, 2023 at 4:30 p.m., for the purpose, in part, of authorizing the issuance and awarding the sale of \$2,170,000 General Obligation Bonds, Series 2023A.

The following members were present:

and the following were absent:

Commissioner _____ introduced the following resolution and moved its adoption:

RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF
\$2,170,000 GENERAL OBLIGATION BONDS, SERIES 2023A AND LEVYING TAXES
FOR THE PAYMENT THEREOF

A. WHEREAS, the Board of Commissioners of the Fergus Falls Port Authority, Minnesota (the "Authority"), hereby determines and declares that it is necessary and expedient to finance projects related to the construction of a downtown riverfront corridor improvement project (the "Project") in the City of Fergus Falls, Minnesota (the "City") in the exercise of its legal powers and in furtherance of its goals and purposes, and requires financing for the Project; and

B. WHEREAS, the Board of Commissioners hereby determines and declares that it is necessary and expedient to issue \$2,170,000 General Obligation Bonds, Series 2023A, pursuant to Minnesota Statutes, Chapter 475, Section 469.060 and 469.075, as amended, and by City Ordinance No. 16, Eighth Series and City Ordinance No. 33, Eighth Series (together, the "Ordinances"), to provide moneys to finance the Project; and

C. WHEREAS, the City has retained Baker Tilly Municipal Advisors, in St. Paul, Minnesota ("Baker Tilly MA"), as its independent municipal advisor for the sale of the Bonds and was therefore authorized to sell the Bonds by private negotiation in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9) and proposals to purchase the Bonds have been solicited by Baker Tilly MA; and

D. WHEREAS, the proposals set forth on Exhibit A attached hereto were received by the Treasurer, or designee, at the offices of Baker Tilly MA at 10:00 A.M. this same day pursuant to the Terms of Proposal established for the Bonds; and

E. WHEREAS, it is in the best interests of the Authority that the Bonds be issued in book-entry form as hereinafter provided; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Fergus Falls Port Authority, Minnesota, as follows:

1. Acceptance of Proposal. The proposal of _____, in _____, Minnesota (the "Purchaser"), to purchase the Bonds, in accordance with the Terms of Proposal, at the rates of interest hereinafter set forth, and to pay therefor the sum of \$ _____, plus interest accrued to settlement, is hereby found, determined and declared to be the most favorable proposal received, is hereby accepted and the Bonds are hereby awarded to the Purchaser.

2. Terms of Bonds.

(a) Original Issue Date; Denominations; Maturities; Term Bond Option. The Bonds shall be dated August 17, 2023, as the date of original issue and shall be issued forthwith on or after such date in fully registered form, shall be numbered from R 1 upward in the denomination of \$5,000 each or in any integral multiple thereof of a single maturity (the "Authorized Denominations") and shall mature on February 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2025	\$	2033	\$
2026		2034	
2027		2035	
2028		2036	
2029		2037	
2030		2038	
2031		2039	
2032			

As may be requested by the Purchaser, one or more term Bonds may be issued having mandatory sinking fund redemption and final maturity amounts conforming to the foregoing principal repayment schedule, and corresponding additions may be made to the provisions of the applicable Bond(s).

(b) Book Entry Only System. The Depository Trust Company, a limited purpose trust company organized under the laws of the State of New York or any of its successors or its successors to its functions hereunder (the "Depository") will act as securities depository for the Bonds, and to this end:

(i) The Bonds shall be initially issued and, so long as they remain in book entry form only (the "Book Entry Only Period"), shall at all times be in the form of a separate single fully registered Bond for each maturity of the Bonds; and for purposes of complying with this requirement under paragraphs 5 and 10 Authorized Denominations for any Bond shall be deemed to be limited during the Book Entry Only Period to the outstanding principal amount of that Bond.

(ii) Upon initial issuance, ownership of the Bonds shall be registered in a bond register maintained by the Bond Registrar (as hereinafter defined) in the name of CEDE

& CO., as the nominee (it or any nominee of the existing or a successor Depository, the "Nominee").

(iii) With respect to the Bonds neither the Authority nor the Bond Registrar shall have any responsibility or obligation to any broker, dealer, bank, or any other financial institution for which the Depository holds Bonds as securities depository (the "Participant") or the person for which a Participant holds an interest in the Bonds shown on the books and records of the Participant (the "Beneficial Owner"). Without limiting the immediately preceding sentence, neither the Authority, nor the Bond Registrar, shall have any such responsibility or obligation with respect to (A) the accuracy of the records of the Depository, the Nominee or any Participant with respect to any ownership interest in the Bonds, or (B) the delivery to any Participant, any Owner or any other person, other than the Depository, of any notice with respect to the Bonds, including any notice of redemption, or (C) the payment to any Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the principal of or premium, if any, or interest on the Bonds, or (D) the consent given or other action taken by the Depository as the Registered Holder of any Bonds (the "Holder"). For purposes of securing the vote or consent of any Holder under this Resolution, the Authority may, however, rely upon an omnibus proxy under which the Depository assigns its consenting or voting rights to certain Participants to whose accounts the Bonds are credited on the record date identified in a listing attached to the omnibus proxy.

(iv) The Authority and the Bond Registrar may treat as and deem the Depository to be the absolute owner of the Bonds for the purpose of payment of the principal of and premium, if any, and interest on the Bonds, for the purpose of giving notices of redemption and other matters with respect to the Bonds, for the purpose of obtaining any consent or other action to be taken by Holders for the purpose of registering transfers with respect to such Bonds, and for all purpose whatsoever. The Bond Registrar, as paying agent hereunder, shall pay all principal of and premium, if any, and interest on the Bonds only to the Holder or the Holders of the Bonds as shown on the bond register, and all such payments shall be valid and effective to fully satisfy and discharge the Authority's obligations with respect to the principal of and premium, if any, and interest on the Bonds to the extent of the sum or sums so paid.

(v) Upon delivery by the Depository to the Bond Registrar of written notice to the effect that the Depository has determined to substitute a new Nominee in place of the existing Nominee, and subject to the transfer provisions in paragraph 10, references to the Nominee hereunder shall refer to such new Nominee.

(vi) So long as any Bond is registered in the name of a Nominee, all payments with respect to the principal of and premium, if any, and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, by the Bond Registrar or Authority, as the case may be, to the Depository as provided in the Letter of Representations to the Depository required by the Depository as a condition to its acting as book-entry Depository for the Bonds (said Letter of Representations, together with any replacement thereof or amendment or substitute thereto, including any standard procedures or policies referenced therein or applicable thereto respecting the procedures

and other matters relating to the Depository's role as book-entry Depository for the Bonds, collectively hereinafter referred to as the "Letter of Representations").

(vii) All transfers of beneficial ownership interests in each Bond issued in book-entry form shall be limited in principal amount to Authorized Denominations and shall be effected by procedures by the Depository with the Participants for recording and transferring the ownership of beneficial interests in such Bonds.

(viii) In connection with any notice or other communication to be provided to the Holders pursuant to this Resolution by the Authority or Bond Registrar with respect to any consent or other action to be taken by Holders, the Depository shall consider the date of receipt of notice requesting such consent or other action as the record date for such consent or other action; provided, that the Authority or the Bond Registrar may establish a special record date for such consent or other action. The Authority or the Bond Registrar shall, to the extent possible, give the Depository notice of such special record date not less than 15 calendar days in advance of such special record date to the extent possible.

(ix) Any successor Bond Registrar in its written acceptance of its duties under this Resolution and any paying agency/bond registrar agreement, shall agree to take any actions necessary from time to time to comply with the requirements of the Letter of Representations.

(c) Termination of Book-Entry Only System. Discontinuance of a particular Depository's services and termination of the book-entry only system may be effected as follows:

(i) The Depository may determine to discontinue providing its services with respect to the Bonds at any time by giving written notice to the Authority and discharging its responsibilities with respect thereto under applicable law. The Authority may terminate the services of the Depository with respect to the Bond if it determines that the Depository is no longer able to carry out its functions as securities depository or the continuation of the system of book-entry transfers through the Depository is not in the best interests of the Authority or the Beneficial Owners.

(ii) Upon termination of the services of the Depository as provided in the preceding paragraph, and if no substitute securities depository is willing to undertake the functions of the Depository hereunder can be found which, in the opinion of the Authority, is willing and able to assume such functions upon reasonable or customary terms, or if the Authority determines that it is in the best interests of the Authority or the Beneficial Owners of the Bond that the Beneficial Owners be able to obtain certificates for the Bonds, the Bonds shall no longer be registered as being registered in the bond register in the name of the Nominee, but may be registered in whatever name or names the Holder of the Bonds shall designate at that time, in accordance with paragraph 10. To the extent that the Beneficial Owners are designated as the transferee by the Holders, in accordance with paragraph 10, the Bonds will be delivered to the Beneficial Owners.

(iii) Nothing in this subparagraph (c) shall limit or restrict the provisions of paragraph 10.

(d) Letter of Representations. The provisions in the Letter of Representations are incorporated herein by reference and made a part of the resolution, and if and to the extent any such provisions are inconsistent with the other provisions of this resolution, the provisions in the Letter of Representations shall control.

3. Purpose. The Bonds shall provide funds to finance the Project. The total cost of the Project, which shall include all costs enumerated in Minnesota Statutes, Section 475.65, is estimated to be at least equal to the amount of the Bonds. Work on the Project shall proceed with due diligence to completion. The Authority covenants that it shall do all things and perform all acts required of it to assure that work on the Project proceeds with due diligence to completion and that any and all permits and studies required under law for the Project are obtained.

4. Interest. The Bonds shall bear interest payable semiannually on February 1 and August 1 of each year (each, an "Interest Payment Date"), commencing August 1, 2024, calculated on the basis of a 360-day year of twelve 30-day months, at the respective rates per annum set forth opposite the maturity years as follows:

<u>Maturity Year</u>	<u>Interest Rate</u>	<u>Maturity Year</u>	<u>Interest Rate</u>
2025	%	2033	%
2026		2034	
2027		2035	
2028		2036	
2029		2037	
2030		2038	
2031		2039	
2032			

5. Redemption. All Bonds maturing on February 1, 2034, and thereafter, shall be subject to redemption and prepayment at the option of the City on February 1, 2033, and on any date thereafter at a price of par plus accrued interest. Redemption may be in whole or in part of the Bonds subject to prepayment. If redemption is in part, the maturities and the principal amounts within each maturity to be redeemed shall be determined by the City; and if only part of the Bonds having a common maturity date are called for prepayment, the specific Bonds to be prepaid shall be chosen by lot by the Bond Registrar. Bonds or portions thereof called for redemption shall be due and payable on the redemption date, and interest thereon shall cease to accrue from and after the redemption date. Mailed notice of redemption shall be given to the paying agent and to each affected registered holder of the Bonds.

To effect a partial redemption of Bonds having a common maturity date, the Bond Registrar prior to giving notice of redemption shall assign to each Bond having a common maturity date a distinctive number for each \$5,000 of the principal amount of such Bond. The Bond Registrar shall then select by lot, using such method of selection as it shall deem proper in its discretion, from the numbers so assigned to such Bonds, as many numbers as, at \$5,000 for each number, shall equal the principal amount of such Bonds to be redeemed. The Bonds to be redeemed shall be the Bonds to which were assigned numbers so selected; provided, however,

that only so much of the principal amount of each such Bond of a denomination of more than \$5,000 shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected. If a Bond is to be redeemed only in part, it shall be surrendered to the Bond Registrar (with, if the Authority or Bond Registrar so requires, a written instrument of transfer in form satisfactory to the Authority and Bond Registrar duly executed by the holder thereof or the Holder's attorney duly authorized in writing) and the Authority shall execute (if necessary) and the Bond Registrar shall authenticate and deliver to the Holder of such Bond, without service charge, a new Bond or Bonds of the same series having the same stated maturity and interest rate and of any Authorized Denomination or Denominations, as requested by such Holder, in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bond so surrendered.

6. Bond Registrar. Northland Trust Services, Inc., in Minneapolis, Minnesota, is appointed to act as bond registrar and transfer agent with respect to the Bonds (the "Bond Registrar"), and shall do so unless and until a successor Bond Registrar is duly appointed, all pursuant to any contract the Authority and Bond Registrar shall execute which is consistent herewith. The Bond Registrar shall also serve as paying agent unless and until a successor paying agent is duly appointed. Principal and interest on the Bonds shall be paid to the registered holders (or record holders) of the Bonds in the manner set forth in the form of Bond and paragraph 12.

7. Form of Bond. The Bonds, together with the Bond Registrar's Certificate of Authentication, the form of Assignment and the registration information thereon, shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MINNESOTA
OTTER TAIL COUNTY
FERGUS FALLS PORT AUTHORITY

R- _____ \$ _____

GENERAL OBLIGATION BOND, SERIES 2023A

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
%	February 1, 20__	August 17, 2023	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: _____ DOLLARS

THE FERGUS FALLS PORT AUTHORITY, OTTER TAIL COUNTY, MINNESOTA (the "Issuer"), certifies that it is indebted and for value received promises to pay to the registered owner specified above, or registered assigns, unless called for earlier redemption, in the manner hereinafter set forth, the principal amount specified above, on the maturity date specified above, and to pay interest thereon semiannually on February 1 and August 1 of each year (each, an "Interest Payment Date"), commencing August 1, 2024, at the rate per annum specified above (calculated on the basis of a 360-day year of twelve 30-day months) until the principal sum is paid or has been provided for. This Bond will bear interest from the most recent Interest Payment Date to which interest has been paid or, if no interest has been paid, from the date of original issue hereof. The principal of and premium, if any, on this Bond are payable upon presentation and surrender hereof at the principal office of Northland Trust Services, Inc., in Minneapolis, Minnesota (the "Bond Registrar"), acting as paying agent, or any successor paying agent duly appointed by the Issuer. Interest on this Bond will be paid on each Interest Payment Date by check or draft mailed to the person in whose name this Bond is registered (the "Holder" or "Bondholder") on the registration books of the Issuer maintained by the Bond Registrar and at the address appearing thereon at the close of business on the fifteenth day of the calendar month next preceding such Interest Payment Date (the "Regular Record Date"). Any interest not so timely paid shall cease to be payable to the person who is the Holder hereof as of the Regular Record Date, and shall be payable to the person who is the Holder hereof at the close of business on a date (the "Special Record Date") fixed by the Bond Registrar whenever money becomes available for payment of the defaulted interest. Notice of the Special Record Date shall be given to Bondholders not less than ten days prior to the Special Record Date. The principal of and premium, if any, and interest on this Bond are payable in lawful money of the United States of America. So long as this Bond is registered in the name of the Depository or its Nominee as provided in the Resolution hereinafter described, and as those terms are defined therein, payment of principal of, premium, if any, and interest on this Bond and notice with respect thereto shall be made as provided in Letter of Representations, as defined in the Resolution, and surrender of this Bond shall not be required for payment of the redemption price upon a partial redemption of this Bond. Until termination of the book-entry only system pursuant to the Resolution, Bonds may only be registered in the name of the Depository or its Nominee.

Optional Redemption. All Bonds of this issue (the "Bonds") maturing on February 1, 2034, and thereafter, are subject to redemption and prepayment at the option of the Issuer on February 1, 2033, and on any date thereafter at a price of par plus accrued interest. Redemption may be in whole or in part of the Bonds subject to prepayment. If redemption is in part, the maturities and the principal amounts within each maturity to be redeemed shall be determined by the Issuer; and if only part of the Bonds having a common maturity date are called for prepayment, the specific Bonds to be prepaid shall be chosen by lot by the Bond Registrar. Bonds or portions thereof called for redemption shall be due and payable on the redemption date, and interest thereon shall cease to accrue from and after the redemption date. Mailed notice of redemption shall be given to the paying agent and to each affected registered holder of the Bonds not more than sixty (60) days and not fewer than twenty (20) days prior to the date fixed for redemption.

Prior to the date on which any Bond or Bonds are directed by the Issuer to be redeemed in advance of maturity, the Issuer will cause notice of the call thereof for redemption identifying the Bonds to be redeemed to be mailed to the Bond Registrar and all Bondholders, at the addresses shown on the Bond Register. All Bonds so called for redemption will cease to bear interest on the specified redemption date, provided funds for their redemption have been duly deposited.

Selection of Bonds for Redemption; Partial Redemption. To effect a partial redemption of Bonds having a common maturity date, the Bond Registrar shall assign to each Bond having a common maturity date a distinctive number for each \$5,000 of the principal amount of such Bond. The Bond Registrar shall then select by lot, using such method of selection as it shall deem proper in its discretion, from the numbers assigned to the Bonds, as many numbers as, at \$5,000 for each number, shall equal the principal amount of such Bonds to be redeemed. The Bonds to be redeemed shall be the Bonds to which were assigned numbers so selected; provided, however, that only so much of the principal amount of such Bond of a denomination of more than \$5,000 shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected. If a Bond is to be redeemed only in part, it shall be surrendered to the Bond Registrar (with, if the Issuer or Bond Registrar so requires, a written instrument of transfer in form satisfactory to the Issuer and Bond Registrar duly executed by the Holder thereof or the Holder's attorney duly authorized in writing) and the Issuer shall execute (if necessary) and the Bond Registrar shall authenticate and deliver to the Holder of the Bond, without service charge, a new Bond or Bonds having the same stated maturity and interest rate and of any Authorized Denomination or Denominations, as requested by the Holder, in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bond so surrendered.

Issuance; Purpose; General Obligation. This Bond is one of an issue in the total principal amount of \$2,170,000, all of like date of original issue and tenor, except as to number, maturity, interest rate, denomination and redemption privilege, issued pursuant to and in full conformity with the Constitution and laws of the State of Minnesota and pursuant to a resolution adopted by the Board of Commissioners on July 17, 2023 (the "Resolution"), for the purpose of financing projects related to the construction of the downtown riverfront corridor improvement project in the City of Fergus Falls, Minnesota. This Bond is payable out of the Debt Service Account of the Issuer's General Obligation Bonds, Series 2023A Fund. This Bond is a valid and binding

obligation of the Issuer, secured by the pledge of the full faith, credit and taxing powers of the City.

Denominations; Exchange; Resolution. The Bonds are issuable solely in fully registered form in Authorized Denominations (as defined in the Resolution) and are exchangeable for fully registered Bonds of other Authorized Denominations in equal aggregate principal amounts at the principal office of the Bond Registrar, but only in the manner and subject to the limitations provided in the Resolution. Reference is hereby made to the Resolution for a description of the rights and duties of the Bond Registrar. Copies of the Resolution are on file in the principal office of the Bond Registrar.

Transfer. This Bond is transferable by the Holder in person or by the Holder's attorney duly authorized in writing at the principal office of the Bond Registrar upon presentation and surrender hereof to the Bond Registrar, all subject to the terms and conditions provided in the Resolution and to reasonable regulations of the Issuer contained in any agreement with the Bond Registrar. Thereupon the Issuer shall execute and the Bond Registrar shall authenticate and deliver, in exchange for this Bond, one or more new fully registered Bonds in the name of the transferee (but not registered in blank or to "bearer" or similar designation), of an Authorized Denomination or Denominations, in aggregate principal amount equal to the principal amount of this Bond, of the same maturity and bearing interest at the same rate.

Fees upon Transfer or Loss. The Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection with the transfer or exchange of this Bond and any legal or unusual costs regarding transfers and lost Bonds.

Treatment of Registered Owners. The Issuer and Bond Registrar may treat the person in whose name this Bond is registered as the owner hereof for the purpose of receiving payment as herein provided (except as otherwise provided herein with respect to the Record Date) and for all other purposes, whether or not this Bond shall be overdue, and neither the Issuer nor the Bond Registrar shall be affected by notice to the contrary.

Authentication. This Bond shall not be valid or become obligatory for any purpose or be entitled to any security unless the Certificate of Authentication hereon shall have been executed by the Bond Registrar.

Qualified Tax Exempt Obligations. The Bonds have been designated by the Issuer as "qualified tax exempt obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to happen and to be performed, precedent to and in the issuance of this Bond, have been done, have happened and have been performed, in regular and due form, time and manner as required by law, and that this Bond, together with all other debts of the Issuer outstanding on the date of original issue hereof and the date of its issuance and delivery to the original purchaser, does not exceed any constitutional or statutory limitation of indebtedness.

IN WITNESS WHEREOF, the Fergus Falls Port Authority, Otter Tail County, Minnesota, by its Board of Commissioners has caused this Bond to be executed on its behalf by the facsimile signatures of its President and its Secretary and countersigned by its Treasurer.

Date of Registration:

Registrable by: NORTHLAND TRUST SERVICES, INC.

Payable at: NORTHLAND TRUST SERVICES, INC.

BOND REGISTRAR'S
CERTIFICATE OF
AUTHENTICATION

FERGUS FALLS PORT AUTHORITY
OTTER TAIL COUNTY, MINNESOTA

This Bond is one of the Bonds described in the Resolution mentioned within.

/s/ Facsimile _____
President

NORTHLAND TRUST SERVICES, INC., Minneapolis, Minnesota, Bond Registrar

/s/ Facsimile _____
Secretary

By _____
Authorized Signature

COUNTERSIGNED:

Treasurer

8. Execution. The Bonds shall be in typewritten form, shall be executed on behalf of the Authority by the signatures of its President and Secretary, countersigned by its Treasurer and be sealed with the seal of the Authority; provided, as permitted by law, both signatures may be photocopied facsimiles and the corporate seal has been omitted. In the event of disability or resignation or other absence of either officer, the Bonds may be signed by the manual or facsimile signature of the officer who may act on behalf of the absent or disabled officer. In case either officer whose signature or facsimile of whose signature shall appear on the Bonds shall cease to be such officer before the delivery of the Bonds, the signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until delivery.

9. Authentication. No Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this resolution unless a Certificate of Authentication on the Bond, substantially in the form hereinabove set forth, shall have been duly executed by an authorized representative of the Bond Registrar. Certificates of Authentication on different Bonds need not be signed by the same person. The Bond Registrar shall authenticate the signatures of officers of the Authority on each Bond by execution of the Certificate of Authentication on the Bond and, by inserting as the date of registration in the space provided, the date on which the Bond is authenticated, except that for purposes of delivering the original Bonds to the Purchaser, the Bond Registrar shall insert as a date of registration the date of original issue of August 17, 2023. The Certificate of Authentication so executed on each Bond shall be conclusive evidence that it has been authenticated and delivered under this resolution.

10. Registration; Transfer; Exchange. The Authority will cause to be kept at the principal office of the Bond Registrar a bond register in which, subject to such reasonable regulations as the Bond Registrar may prescribe, the Bond Registrar shall provide for the registration of Bonds and the registration of transfers of Bonds entitled to be registered or transferred as herein provided.

Upon surrender for transfer of any Bond at the principal office of the Bond Registrar, the Authority shall execute (if necessary), and the Bond Registrar shall authenticate, insert the date of registration (as provided in paragraph 9) of, and deliver, in the name of the designated transferee or transferees, one or more new Bonds of any Authorized Denomination or Denominations of a like aggregate principal amount, having the same stated maturity and interest rate, as requested by the transferor; provided, however, that no Bond may be registered in blank or in the name of "bearer" or similar designation.

At the option of the Holder, Bonds may be exchanged for Bonds of any Authorized Denomination or Denominations of a like aggregate principal amount and stated maturity, upon surrender of the Bonds to be exchanged at the principal office of the Bond Registrar. Whenever any Bonds are so surrendered for exchange, the Authority shall execute (if necessary), and the Bond Registrar shall authenticate, insert the date of registration of, and deliver the Bonds which the Holder making the exchange is entitled to receive.

All Bonds surrendered upon any exchange or transfer provided for in this resolution shall be promptly cancelled by the Bond Registrar and thereafter disposed of as directed by the Authority.

All Bonds delivered in exchange for or upon transfer of Bonds shall be valid general obligations of the Authority evidencing the same debt, and entitled to the same benefits under this resolution, as the Bonds surrendered for such exchange or transfer.

Every Bond presented or surrendered for transfer or exchange shall be duly endorsed or be accompanied by a written instrument of transfer, in form satisfactory to the Bond Registrar, duly executed by the Holder thereof or his, her or its attorney duly authorized in writing.

The Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection with the transfer or exchange of any Bond and any legal or unusual costs regarding transfers and lost Bonds.

Transfers shall also be subject to reasonable regulations of the Authority contained in any agreement with the Bond Registrar, including regulations which permit the Bond Registrar to close its transfer books between record dates and payment dates. The Secretary is hereby authorized to negotiate and execute the terms of said agreement.

11. Rights Upon Transfer or Exchange. Each Bond delivered upon transfer of or in exchange for or in lieu of any other Bond shall carry all the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond.

12. Interest Payment; Record Date. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond is registered (the "Holder") on the registration books of the Authority maintained by the Bond Registrar and at the address appearing thereon at the close of business on the fifteenth day of the calendar month next preceding such Interest Payment Date (the "Regular Record Date"). Any such interest not so timely paid shall cease to be payable to the person who is the Holder thereof as of the Regular Record Date, and shall be payable to the person who is the Holder thereof at the close of business on a date (the "Special Record Date") fixed by the Bond Registrar whenever money becomes available for payment of the defaulted interest. Notice of the Special Record Date shall be given by the Bond Registrar to the Holders not less than ten days prior to the Special Record Date.

13. Treatment of Registered Owner. The Authority and Bond Registrar may treat the person in whose name any Bond is registered as the owner of such Bond for the purpose of receiving payment of principal of and premium, if any, and interest (subject to the payment provisions in paragraph 12) on, such Bond and for all other purposes whatsoever whether or not such Bond shall be overdue, and neither the Authority nor the Bond Registrar shall be affected by notice to the contrary.

14. Delivery; Application of Proceeds. The Bonds when so prepared and executed shall be delivered by the Authority to the Purchaser upon receipt of the purchase price, and the Purchaser shall not be obliged to see to the proper application thereof.

15. Fund and Accounts. For the convenience and proper administration of the moneys to be borrowed and repaid on the Bonds, and to make adequate and specific security to the Purchaser and holders from time to time of the Bonds, there is hereby created a special fund to be designated the "General Obligation Bonds, Series 2023A Fund" (the "Fund") to be

administered and maintained by the Treasurer as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the Authority. The Fund shall be maintained in the manner herein specified until all of the Bonds have been fully paid. There shall be maintained in the Fund the following separate accounts:

(a) Construction Account. To the Construction Account there shall be credited the proceeds of the sale of the Bonds. From the Construction Account there shall be paid all costs and expenses of the Project, including the cost of any construction contracts heretofore let and all other costs incurred and to be incurred of the kind authorized in Minnesota Statutes, Section 475.65. Moneys in the Construction Account shall be used for no other purpose except as otherwise provided by law; provided that the proceeds of the Bonds may also be used to the extent necessary to pay interest on the Bonds due prior to the anticipated date of the taxes herein levied or covenanted to be levied and if upon completion of the Project there shall remain any unexpended balance in the Construction Account, the balance shall be transferred to the Debt Service Account.

(b) Debt Service Account. To the Debt Service Account there is hereby pledged and irrevocable appropriated and there shall be credited: (i) any collections of all taxes hereafter levied for the payment of the Bonds and interest thereon; (ii) all investment earnings on funds held in the Debt Service Account; and (iii) any and all other moneys which are properly available and are appropriated by the governing body of the Authority to the Debt Service Account. The amount of any surplus remaining in the Debt Service Account when the Bonds and interest thereon are paid shall be used consistent with Minnesota Statutes, Section 475.61, Subdivision 4. The moneys in the Debt Service Account shall be used solely to pay the principal of and interest on the Bonds or any other bonds hereafter issued and made payable from the Fund.

No portion of the proceeds of the Bonds shall be used directly or indirectly to acquire higher yielding investments or to replace funds which were used directly or indirectly to acquire higher yielding investments, except (1) for a reasonable temporary period until such proceeds are needed for the purpose for which the Bonds were issued and (2) in addition to the above in an amount not greater than the lesser of five percent of the proceeds of the Bonds or \$100,000. To this effect, any proceeds of the Bonds and any sums from time to time held in the Construction Account or Debt Service Account (or any other Authority account which will be used to pay principal or interest to become due on the bonds payable therefrom) in excess of amounts which under then applicable federal arbitrage regulations may be invested without regard to yield shall not be invested at a yield in excess of the applicable yield restrictions imposed by the arbitrage regulations on such investments after taking into account any applicable "temporary periods" or "minor portion" made available under the federal arbitrage regulations. Money in the Fund shall not be invested in obligations or deposits issued by, guaranteed by or insured by the United States or any agency or instrumentality thereof if and to the extent that such investment would cause the Bonds to be "federally guaranteed" within the meaning of Section 149(b) of the Internal Revenue Code of 1986, as amended (the "Code").

16. Tax Levy; Coverage Test. To provide moneys for payment of the principal and interest on the Bonds there is hereby levied upon all of the taxable property in the City a direct annual ad valorem tax which shall be spread upon the tax rolls and collected with and as part of other general property taxes in the City for the years and in the amounts as follows:

Levy Years

Collection Years

Amount

See Attached Schedule

The tax levies are such that if collected in full they, together with other revenues herein pledged for the payment of the Bonds, will produce at least five percent in excess of the amount needed to meet when due the principal and interest payments on the Bonds. The tax levies shall be irrevocable so long as any of the Bonds are outstanding and unpaid, provided that the City reserves the right and power to reduce the levies in the manner and to the extent permitted by Minnesota Statutes, Section 475.61, Subdivision 3.

17. General Obligation Pledge. For the prompt and full payment of the principal and interest on the Bonds, as the same respectively become due, and pursuant to (1) Ordinance No. 16, Eighth Series, adopted and approved by the City Council on July 19, 2021, published on August 7, 2021, to take effect on August 22, 2021; (2) a resolution adopted by the City Council on September 7, 2021; (3) Ordinance No. 33, Eighth Series, adopted and approved by the City Council on November 21, 2022, published on November 26, 2022, to take effect on December 11, 2022; (4) a resolution adopted by the City Council on July 17, 2023, approving the issuance of the Bonds; and (5) Minnesota Statutes, Section 469.060, the full faith, credit and resources of the City, including its taxing powers, shall be and are hereby irrevocably pledged. If the balance in the Debt Service Account is ever insufficient to pay all principal and interest then due on the Bonds, the deficiency shall be promptly paid out of any other funds of the Authority which are available for such purpose, and such other funds may be reimbursed with or without interest from the Debt Service Account when a sufficient balance is available therein. To the extent that it shall ever be necessary to provide full and timely payment of the debt service on the Bonds, the Authority shall, pursuant to the authority therefor described in this paragraph, levy an ad valorem tax upon all taxable property within the City, sufficient for such purposes.

18. Certificate of Registration. The Secretary is hereby directed to file a certified copy of this resolution with the County Auditor of Otter Tail County, Minnesota, together with such other information as the County Auditor shall require, and to obtain the County Auditor's Certificate that the Bonds have been entered in the County Auditor's Bond Register.

19. Records and Certificates. The officers of the Authority are hereby authorized and directed to prepare and furnish to the Purchaser, and to the attorneys approving the legality of the issuance of the Bonds, certified copies of all proceedings and records of the Authority relating to the Bonds and to the financial condition and affairs of the Authority, and such other affidavits, certificates and information as are required to show the facts relating to the legality and marketability of the Bonds as the same appear from the books and records under their custody and control or as otherwise known to them, and all such certified copies, certificates and affidavits, including any heretofore furnished, shall be deemed representations of the Authority as to the facts recited therein.

20. Defeasance. When all Bonds have been discharged as provided in this paragraph, all pledges, covenants and other rights granted by this resolution to the registered holders of the Bonds shall, to the extent permitted by law, cease. The Authority may discharge its obligations

with respect to any Bonds which are due on any date by irrevocably depositing with the Bond Registrar on or before that date a sum sufficient for the payment thereof in full; or if any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Bond Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit. The Authority may also at any time discharge its obligations with respect to any Bonds, subject to the provisions of law now or hereafter authorizing and regulating such action, by depositing irrevocably in escrow, with a suitable banking institution qualified by law as an escrow agent for this purpose, cash or securities described in Minnesota Statutes, Section 475.67, Subdivision 8, bearing interest payable at such times and at such rates and maturing on such dates as shall be required, subject to sale and/or reinvestment, to pay all amounts to become due thereon to maturity or, if notice of redemption as herein required has been duly provided for, to such earlier redemption date.

21. Compliance With Reimbursement Bond Regulations. The provisions of this paragraph are intended to establish and provide for the Authority's compliance with United States Treasury Regulations Section 1.150-2 (the "Reimbursement Regulations") applicable to the "reimbursement proceeds" of the Bonds, being those portions thereof which will be used by the Authority to reimburse itself for any expenditure which the Authority paid or will have paid prior to the Closing Date (a "Reimbursement Expenditure").

The Authority hereby certifies and/or covenants as follows:

(a) Not later than 60 days after the date of payment of a Reimbursement Expenditure, the Authority (or person designated to do so on behalf of the Authority) has made or will have made a written declaration of the Authority's official intent (a "Declaration") which effectively (i) states the Authority's reasonable expectation to reimburse itself for the payment of the Reimbursement Expenditure out of the proceeds of a subsequent borrowing; (ii) gives a general and functional description of the property, project or program to which the Declaration relates and for which the Reimbursement Expenditure is paid, or identifies a specific fund or account of the Authority and the general functional purpose thereof from which the Reimbursement Expenditure was to be paid (collectively the "Project"); and (iii) states the maximum principal amount of debt expected to be issued by the Authority for the purpose of financing the Project; provided, however, that no such Declaration shall necessarily have been made with respect to: (i) "preliminary expenditures" for the Project, defined in the Reimbursement Regulations to include engineering or architectural, surveying and soil testing expenses and similar prefatory costs, which in the aggregate do not exceed 20% of the "issue price" of the Bonds, and (ii) a de minimis amount of Reimbursement Expenditures not in excess of the lesser of \$100,000 or five percent of the proceeds of the Bonds.

(b) Each Reimbursement Expenditure is a capital expenditure or a cost of issuance of the Bonds or any of the other types of expenditures described in Section 1.150-2(d)(3) of the Reimbursement Regulations.

(c) The "reimbursement allocation" described in the Reimbursement Regulations for each Reimbursement Expenditure shall and will be made forthwith following (but not prior to) the issuance of the Bonds, and not later than three years after the later of (i) the date of the

payment of the Reimbursement Expenditure, or (ii) the date on which the Project to which the Reimbursement Expenditure relates is first placed in service.

(d) Each such reimbursement allocation will be made in a writing that evidences the Authority's use of Bond proceeds to reimburse the Reimbursement Expenditure and, if made within 30 days after the Bonds are issued, shall be treated as made on the day the Bonds are issued.

Provided, however, that the Authority may take action contrary to any of the foregoing covenants in this paragraph upon receipt of an opinion of its Bond Counsel for the Bonds stating in effect that such action will not impair the tax-exempt status of the Bonds.

22. Continuing Disclosure. The Authority and the City are obligated persons with respect to the Bonds. The Authority hereby agrees, in accordance with the provisions of Rule 15c2-12 (the "Rule"), promulgated by the Securities and Exchange Commission (the "Commission") pursuant to the Securities Exchange Act of 1934, as amended, and a Continuing Disclosure Undertaking (the "Undertaking") hereinafter described:

(a) Provide or cause to be provided to the Municipal Securities Rulemaking Board (the "MSRB") by filing at www.emma.msrb.org in accordance with the Rule, certain annual financial information and operating data in accordance with the Undertaking. The Authority reserves the right to modify from time to time the terms of the Undertaking as provided therein.

(b) Provide or cause to be provided to the MSRB notice of the occurrence of certain events with respect to the Bonds in not more than ten (10) business days after the occurrence of the event, in accordance with the Undertaking.

(c) Provide or cause to be provided to the MSRB notice of a failure by the Authority to provide the annual financial information with respect to the Authority described in the Undertaking, in not more than ten (10) business days following such amendment.

(d) The Authority agrees that its covenants pursuant to the Rule set forth in this paragraph and in the Undertaking is intended to be for the benefit of the Holders of the Bonds and shall be enforceable on behalf of such Holders; provided that the right to enforce the provisions of these covenants shall be limited to a right to obtain specific enforcement of the City's obligations under the covenants.

The President and Secretary or any other officer of the Authority authorized to act in their place (the "Officers") are hereby authorized and directed to execute on behalf of the Authority the Undertaking in substantially the form presented to the Board of Commissioners subject to such modifications thereof or additions thereto as are (i) consistent with the requirements under the Rule, (ii) required by the Purchaser of the Bonds, and (iii) acceptable to the Officers.

23. Negative Covenant as to Use of Bond Proceeds and Project. The Authority hereby covenants not to use the proceeds of the Bonds or to use the Project, or to cause or permit them to be used, or to enter into any deferred payment arrangements for the cost of the Project, in such a manner as to cause the Bonds to be "private activity bonds" within the meaning of Sections 103 and 141 through 150 of the Code.

24. Tax-Exempt Status of the Bonds; Rebate. The City shall comply with requirements necessary under the Code to establish and maintain the exclusion from gross income under Section 103 of the Code of the interest on the Bonds, including without limitation (i) requirements relating to temporary periods for investments, (ii) limitations on amounts invested at a yield greater than the yield on the Bonds, and (iii) the rebate of excess investment earnings to the United States if the Bonds (together with other obligations reasonably expected to be issued and outstanding at one time in this calendar year) exceed the small-issuer exception amount of \$5,000,000.

For purposes of qualifying for the small issuer exception to the federal arbitrage rebate requirements for governmental units issuing \$5,000,000 or less of bonds, the City hereby finds, determines and declares that (i) the Bonds are issued by a governmental unit with general taxing powers; (ii) no Bonds are a private activity bond; (iii) 95% or more of the net proceeds of the Bonds are to be used for local governmental activities of the City (or of a governmental unit the jurisdiction of which is entirely within the jurisdiction of the City); and (iv) the aggregate face amount of all tax-exempt bonds (other than private activity bonds) issued by the City (and all entities subordinate to, or treated as one issuer with the City) during the calendar year in which the Bonds are issued and outstanding at one time is not reasonably expected to exceed \$5,000,000, all within the meaning of Section 148(f)(4)(D) of the Code.

25. Designation of Qualified Tax-Exempt Obligations. In order to qualify the Bonds as "qualified tax exempt obligations" within the meaning of Section 265(b)(3) of the Code, the Authority hereby makes the following factual statements and representations:

- (a) the Bonds are issued after August 7, 1986;
- (b) the Bonds are not "private activity bonds" as defined in Section 141 of the Code;
- (c) the Authority hereby designates the Bonds as "qualified tax exempt obligations" for purposes of Section 265(b)(3) of the Code;
- (d) the reasonably anticipated amount of tax exempt obligations (other than private activity bonds, treating qualified 501(c)(3) bonds as not being private activity bonds) which will be issued by the Authority (and all entities treated as one issuer with the Authority, and all subordinate entities whose obligations are treated as issued by the Authority) during this calendar year 2023 will not exceed \$10,000,000; and
- (e) not more than \$10,000,000 of obligations issued by the Authority during this calendar year 2023 have been designated for purposes of Section 265(b)(3) of the Code.

The Authority shall use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designation made by this paragraph.

26. Official Statement. The Official Statement relating to the Bonds prepared and distributed by Baker Tilly MA is hereby approved and the officers of the Authority are authorized in connection with the delivery of the Bonds to sign such certificates as may be necessary with respect to the completeness and accuracy of the Official Statement.

27. Payment of Issuance Expenses. The Authority authorizes the Purchaser to forward the amount of Bond proceeds allocable to the payment of issuance expenses to the Bond Registrar on the closing date for further distribution as directed by Baker Tilly MA.

28. Severability. If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

29. Headings. Headings in this resolution are included for convenience of reference only and are not a part hereof, and shall not limit or define the meaning of any provision hereof.

Adopted by the Board of Commissioners of the Fergus Falls Port Authority, Minnesota, on July 17, 2023.

The motion for the adoption of the foregoing Resolution was duly seconded by Commissioner _____ and, after a full discussion thereof and upon a vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon the Resolution was declared duly passed and adopted.

STATE OF MINNESOTA
COUNTY OF OTTER TAIL
FERGUS FALLS PORT AUTHORITY

I, the undersigned, being the duly qualified and acting Secretary of the Fergus Falls Port Authority, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the Board of Commissioners duly called and held on the date therein indicated, insofar as such minutes relate to providing for the issuance and sale of \$2,170,000 General Obligation Bonds, Series 2023A.

WITNESS my hand on July 17, 2023.

Secretary

EXHIBIT A
PROPOSALS

EXHIBIT B
TAX LEVY SCHEDULE



Council Action Recommendation

Page 1 of 1

Meeting Date: July 12, 2023

Subject: Capital Improvement Planning Platform

Recommendation: Approve a contract with AE2S Nexus (Advanced Engineering and Environmental Sciences) for capital planning services and OptX deployment.

Background/Key Points:

Through the City's strategic planning process, the message of a robust and public-facing capital planning process was indicated as a priority.

AE2S Nexus provides capital planning services to assist cities in forecasting future capital needs and related revenue requirements. The OptX application is a map-based infrastructure planning tool. OptX is a living document and will span multiple years. Through use of this application, the City will have the ability to project future infrastructure needs and the related financial impacts.

AE2S Nexus is proposing to assist the City in the initial development and import of the existing capital improvement plan. The City will have the ability to maintain the application in the future.

The anticipated start date for the services will be August 1, 2023, with completion expected by December 31, 2023. City staff will need to provide AE2S Nexus with complete, organized, and readily available project information. Engineering and Finance will need to spend considerable time dedicated to this project.

Budgetary Impact: The proposed cost of not to exceed \$30,000 would be allocated among the Enterprise funds (Refuse, Sewer, Water, & Stormwater), Equipment Internal Service fund, and Permanent Improvement Revolving Fund.

Originating Department: Finance

Respectfully Submitted: Bill Sonmor, Finance Director

Attachments:

AE2S OptX information flyer
AE2S Nexus letter of agreement

Having the right data at your fingertips that you can easily analyze is critical for a sustainable future. AE2S OptX is a flexible capital planning tool, tailored to your exact needs. It combines multiple data sources and leverages data analysis to deliver powerful insight to help make important decisions.



DYNAMIC CAPITAL PLANNING MADE EASY



Live Capital & Renewal Planning

- Optimization
- Risk Mitigation
- Prioritization



Operations Forecasting & Budgeting

- O&M Cost Projections
- Reserve Planning
- Cash Balance Tracking



Predictive Affordability Considerations

- Utility Rates
- Taxes & Fees
- Assessments

Easily Access Powerful Information - A visual dashboard helps guide future scenario planning, programming, and decision-making.

Keep Financial Tracking Up-to-Date - Integrates with financial / billing software to help manage utility cash flow requirements and forecast utility rate adjustments.

Discover Insight on Trends - Ongoing progress tracking provides insight into future planning scenarios.

Adapt to Changing Conditions - An Interactive CIP and maintenance planning tool enables easy updates as conditions change. Fluid and adaptable to help you navigate future uncertainty.

Understand Affordability Impacts - Affordability tracking enables you to understand planned financial impacts to your residents.

Simplified Asset Management - OptX provides an easy to use framework for performing basic asset management tasks that will help keep assets in optimum working order.

Interested in an online demo? Use the QR Code to the right or go to <https://bit.ly/3quzoKh>



FOR MORE INFORMATION

Jacob Strombeck, PE
763-463-5036
Jacob.Strombeck@ae2s.com





June 23, 2023

City of Fergus Falls
Attn: Bill Sonmor, Finance Director
112 W Washington Avenue
Fergus Falls, MN 56537

**RE: Letter Agreement between City of Fergus Falls and AE2S Nexus
Financial Planning Services and OptX Deployment**

Dear Mr. Sonmor:

Advanced Engineering and Environmental Services, LLC (d/b/a "AE2S Nexus") proposes to provide financial planning services and deployment of the OptX capital planning application (Assignment) to the City of Fergus Falls (CLIENT). This Agreement sets forth the terms and conditions under which the CLIENT and AE2S Nexus shall be governed regarding the services to be provided and shall take effect upon the CLIENT'S acceptance.

Scope of Services

AE2S Nexus will assist the CLIENT in improving its Capital Improvement Planning (CIP) and financial forecasting process for its water, wastewater, stormwater, refuse/landfill, streets, buildings, parks, and airport from a pro forma method to a more informed and data-driven approach by leveraging AE2S Nexus' financial planning services and deploying its OptX application. Specific tasks include:

Task 1.0: OptX Setup and Implementation

- Task 1.1 - Project Kickoff and Data Review: AE2S Nexus will assemble a list of data needs and once received, complete a review of provided information, including account fund structures and planned CIP projects. The AE2S Nexus team will hold a hybrid (in-person and virtual) kickoff meeting with the CLIENT to discuss the results and any questions which arose from this process.
 - Assumptions: Duration of the task will last two weeks; requested information will be complete, organized, and readily available for review
 - Deliverable: Information request; kickoff meeting
 - Estimated Fee: \$2,500

- Task 1.2 - OptX Setup and CIP Project Import: AE2S Nexus will import planned water, wastewater, stormwater, refuse/landfill, streets, buildings, parks, and airport CIP projects into OptX, including key details such as project name, description, estimated total cost, timeline, duration, and funding packages where clearly defined. When possible, AE2S Nexus will add spatial locations of CIP projects to the map. This task includes a one-year OptX hosting and data storage service fee originating on the date of this Agreement.
 - Assumptions: Duration of the task will last two weeks; the requested CIP project information will be complete, organized, and readily available, including a clear description of each item's physical location; an assumptive and streamlined cash vs. debt funding breakdown will be used in cases where funding is not clearly defined.
 - Deliverable: n/a
 - Estimated Fee: \$25,000

- Task 1.3 - OptX Delivery and Training: The AE2S Nexus project team will deliver OptX via a web link and hold a hybrid (in-person and virtual) one-hour training with staff to discuss OptX functionality and its update process.
 - Assumptions: Duration of task will last one-day
 - Deliverable: OptX portal with login information; tailored training with staff
 - Estimated Fee: \$2,500

Task 2.0: OptX Technical Support and Renewal

- Task 2.1 - Technical Support and Services: AE2S Nexus will complete varying on-call financial services to update, maintain, and optimize OptX upon request by the CLIENT. This item may include, but is not limited to, teleconferences, feature development, reporting, background financial data input, or in person CLIENT meetings.
 - Assumptions: Duration of task varies based on request
 - Deliverable: Varied based on request
 - Estimated Fee: Please see Additional Services for more information.
- Task 2.2 - OptX Hosting and Data Storage: Annual OptX hosting and data storage fee; waived for the first year of use (see Task 1.2).
 - Assumptions: n/a
 - Deliverable: Renewed OptX subscription, data storage, and continuation of service
 - Estimated Fee: \$1,500, annually.

Additional Services

Services resulting from significant changes in the general scope, extent, or character of the Assignment are not included as a part of the general Scope of Services. If authorized in writing by the CLIENT, AE2S Nexus will provide services beyond the scope of this Agreement on an hourly basis in accordance with the 2023 Hourly Fee and Expense Schedule attached as Exhibit A.

CLIENT's Responsibilities

CLIENT shall do the following in a timely manner, so as not to delay the services of AE2S Nexus:

1. Designate a person to act as CLIENT's representative with respect to the services to be rendered under this Agreement. Such person shall have complete authority to transmit instructions, receive information, and interpret and define CLIENT's policies and decisions with respect to services for the Assignment.
2. Provide all criteria and full information as to CLIENT'S requirements for the Assignment.

CLIENT shall bear all costs incident to compliance with its responsibilities pursuant to this section.

Fees

Task 1.0: OptX Setup and Implementation

AE2S Nexus shall render services under this Agreement on an hourly basis in accordance with the Hourly Fee Schedule attached as Exhibit A, not to exceed \$30,000 without written authorization from the CLIENT.

Bill Sommor – City of Fergus Falls

RE: Letter Agreement for City of Fergus Falls Financial Planning Services and OptX Deployment

June 23, 2023

Page 3 of 3

Task 2.0: OptX Technical Support and Renewal

The annual fee of \$1,500 for OptX Hosting and Data Storage will be billed one year after this agreement is signed and annually thereafter as long as AE2S Nexus and the CLIENT agree to continue the service.

Schedule

AE2S Nexus shall use commercially acceptable efforts to complete Basic Services within a reasonable time period. The anticipated start date for the project is August 1, 2023. The project is expected to be completed within five months of the start date.

Contract Documents

This Agreement includes the following documents, incorporated herein by reference:

1. Exhibit A - Hourly Fee and Expense Schedule.

There are no contract documents other than this Agreement and those documents listed above.

AE2S Nexus Designated Representative

Tyler Akerman
 Tyler.Akerman@ae2s.com
 701.402.0334
 4170 28th Avenue S.
 Fargo, ND 58104

Acceptance

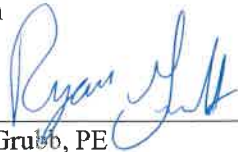
If this Agreement sets forth your understanding of our agreement, including the scope of work desired, fees, terms, and conditions, please sign in the space provided and return a copy to AE2S Nexus. Thank you for the opportunity to assist in this project, and we look forward to working with you.

Sincerely,



Tyler Akerman
 AE2S Nexus

By:



 Ryan Grubb, PE
 Operations Manager

Accepted this _____ day of _____, 202_____

By:

Signature

Name and Title

2023 Hourly Fee and Expense Schedule

Labor Rates*

Administrative 1	\$65.00	I&C Assistant	\$100.00
Administrative 2	\$79.00	I&C 1	\$148.00
Administrative 3	\$95.00	I&C 2	\$175.00
		I&C 3	\$198.00
Communications Specialist 1	\$105.00	I&C 4	\$210.00
Communications Specialist 2	\$122.00	I&C 5	\$220.00
Communications Specialist 3	\$141.00		
Communications Specialist 4	\$170.00	IT 1	\$130.00
Communications Specialist 5	\$187.00	IT 2	\$175.00
		IT 3	\$215.00
Construction Services 1	\$125.00		
Construction Services 2	\$153.00	Land Surveyor Assistant	\$95.00
Construction Services 3	\$170.00	Land Surveyor 1	\$115.00
Construction Services 4	\$188.00	Land Surveyor 2	\$139.00
Construction Services 5	\$208.00	Land Surveyor 3	\$157.00
		Land Surveyor 4	\$173.00
		Land Surveyor 5	\$190.00
Engineering Assistant 1	\$85.00		
Engineering Assistant 2	\$99.00	Operations Specialist 1	\$100.00
Engineering Assistant 3	\$125.00	Operations Specialist 2	\$125.00
Engineer 1	\$135.00	Operations Specialist 3	\$155.00
Engineer 2	\$162.00	Operations Specialist 4	\$177.00
Engineer 3	\$190.00	Operations Specialist 5	\$199.00
Engineer 4	\$220.00		
Engineer 5	\$235.00	Project Coordinator 1	\$116.00
		Project Coordinator 2	\$130.00
Engineering Technician 1	\$84.00	Project Coordinator 3	\$145.00
Engineering Technician 2	\$105.00	Project Coordinator 4	\$160.00
Engineering Technician 3	\$126.00	Project Coordinator 5	\$180.00
Engineering Technician 4	\$141.00		
Engineering Technician 5	\$161.00	Project Manager 1	\$205.00
		Project Manager 2	\$225.00
Financial Analyst 1	\$112.00	Project Manager 3	\$240.00
Financial Analyst 2	\$127.00	Project Manager 4	\$254.00
Financial Analyst 3	\$153.00	Project Manager 5	\$272.00
Financial Analyst 4	\$167.00	Project Manager 6	\$284.00
Financial Analyst 5	\$186.00		
GIS Specialist 1	\$105.00	Sr. Designer 1	\$178.00
GIS Specialist 2	\$127.00	Sr. Designer 2	\$198.00
GIS Specialist 3	\$150.00	Sr. Designer 3	\$212.00
GIS Specialist 4	\$168.00		
GIS Specialist 5	\$187.00	Sr. Financial Analyst 1	\$210.00
		Sr. Financial Analyst 2	\$230.00
		Sr. Financial Analyst 3	\$250.00
		Technical Expert 1	\$325.00
		Technical Expert 2	Negotiable

Reimbursable Expense Rates

Transportation	\$0.75/mile
Survey Vehicle	\$0.95/mile
Laser Printouts/Photocopies	\$0.30/copy
Plotter Printouts	\$1.00/s.f.
UAS - Photo/Video Grade	\$100.00/day
UAS – Survey	\$50.00/day
Total Station – Robotic	\$35.00/hour
Mapping GPS	\$25.00/hour
Fast Static/RTK GPS	\$50.00/hour
All-Terrain Vehicle/Boat	\$100.00/day
Cellular Modem	\$75.00/month
Web Hosting	\$26.00/month
Legal Services Reimbursement	\$250.00/hour
Outside Services	cost *1.15
Geotechnical Services	cost *1.30
Out of Pocket Expenses	cost*1.15
Rental Car	cost*1.20
Project Specific Equipment	Negotiable

**These rates are subject to adjustment each year on January 1.*

Position titles are for labor rate grade purposes only



Council Action Recommendation

Page 1 of 1

Meeting Date:

July 12, 2023 – Committee of the Whole
July 17, 2023 – City Council

Subject:

PI No. 9767 - Downtown & Riverfront (DTRF) Project Phase 2 – East Block Site
Improvements

Recommendation:

- Authorize the City Engineer to execute Change Order No. 1 for PI No. 9767

Background/Key Points:

Representative from Bolton & Menk will present a construction update and discussion about the work items associated with Downtown & Riverfront (DTRF) Project Phase 2 Change Order Number 1. Based on my review, I recommend the recommended action be approved.

Budgetary Impact:

The construction budget has sufficient contingency funds to approve this requested action.

Originating Department:

Engineering Department

Respectfully Submitted:

Brian Yavarow, P.E. – City Engineer

Attachments:

Bolton-Menk Memo w/Exhibits



**BOLTON
& MENK**

Real People. Real Solutions.

3168 41st Street South
Suite 2
Fargo, ND 58104

Ph: (701) 566-5339
Fax: (701) 566-5348
Bolton-Menk.com

MEMORANDUM

Date: July 12, 2023
To: Honorable Mayor Schierer and City Council Members
From: Kent Louwagie, PE, Principal Engineer
Grant J. Kuper, PE, CFM, Project Manager
Subject: Downtown Riverfront Improvements Phase 2
City of Fergus Falls, Minnesota
Project No.: OD1.125985

This memo provides an update on the Downtown Riverfront Improvements Phase 2 project, specifically items within proposed Change Order 2 which addresses ADA accessibility, permit requirements, and City requests. The following is a summary of each component of Change Order 2, which are: Courthouse Sidewalk Addition, Multi-Level Water Feature and Limestone Block Seat Wall Revision, and Donor Plaque Addition.

Federal Courthouse Sidewalk Addition

The Federal Courthouse building is directly east of the project area. It was brought to our attention that the only ADA compliant access to the Federal Courthouse building is at the southwest corner of the building. Our original design did not account for ADA access at this location. As requested by city staff, we designed an accessible sidewalk on the east side of the parking lot that connects directly to an ADA accessible door, and also connects to the splash pad area. This sidewalk also increases safety by providing a dedicated path for pedestrians traveling from the alleyway to the splash pad, for instance the Senior Citizen Center, Otter Cove, and other businesses.

Multi-Level Water Feature and Limestone Block Seat Wall Revision

As part of the final design process, which was completed in August of 2022, Bolton & Menk submitted several permit applications to regulatory agencies for review. One of the reviewing agencies was the Minnesota Department of Health (MDH) which reviewed the splash pad system. The review came back favorable, but MDH did not approve the use of limestone in direct contact with the splash pad system water. As you know, the splash pad is a recirculating system and requires chemical treatment. MDH recently had an issue with limestone adversely affecting the chemical levels of the water and are in the process of revising their code to prohibit soft stone (such as limestone) having direct contact with the water. This is a new requirement that is being implemented and required the design to be revised to comply.

This specifically affected two areas, the multi-level water feature and the limestone block seat wall directly north of the splash pad and south of the center plaza. The multi-level water feature limestone has been revised to include a concrete form liner construction method, which mimics the look of limestone, but is made of concrete which is an approved material. Although the limestone block seat wall is not in direct contact with the system water, due to the proximity to the splash pad and potential

Name: Honorable Mayor Schierer and City Council Members

Date: July 12, 2023

Page: 2

for overspray, we believe it necessary to change this material as well. There have also been some concerns that splash pad users would attempt to access the splash pad by climbing down the seat wall, rather than use the stairway by the bathroom. We developed a revised design for this central area which changes the limestone block seat wall to a concrete stairway. This satisfies the MDH requirement and also increases safety for those choosing to access the splash pad from the center plaza space.

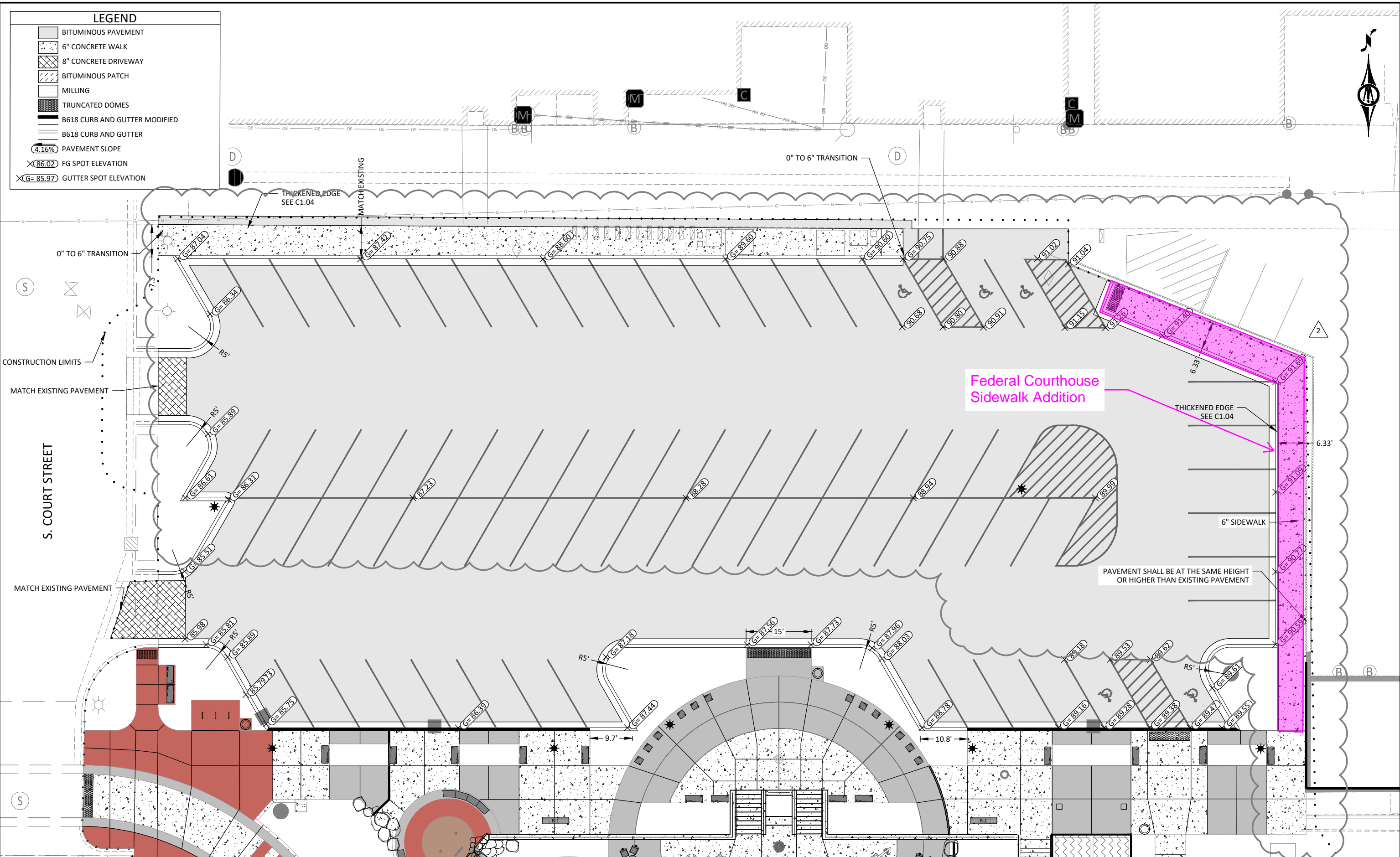
Donor Plaque Addition

The Phase 2 project has a significant amount of funding that has been pledged from the Roger Dell Trust and Frank Veden Trust. The original project scope included one donor plaque to honor one of the donors. At the direction of the Project Management Team, a second donor plaque was requested to be incorporated into the project to ensure both trusts would be honored for their generous donations.

Costs

Below is a table showing the increased/decreased costs resulting from the revisions discussed above.

	Price Increase/(Decrease)
Federal Courthouse Sidewalk Addition	(\$401.90)
Multi-Level Water Feature Revision Change	\$1,070.00
Limestone Block Seat Wall Revision	\$55,926.01
Donor Plaque Addition	\$15,400.00
Total	\$71,994.11



LEGEND

- BITUMINOUS PAVEMENT
- 6" CONCRETE WALK
- 8" CONCRETE DRIVEWAY
- BITUMINOUS PATCH
- MILLING
- TRUNCATED DOMES
- B618 CURB AND GUTTER MODIFIED
- B618 CURB AND GUTTER
- 4.16% PAVEMENT SLOPE
- FG SPOT ELEVATION
- GUTTER SPOT ELEVATION

Federal Courthouse
Sidewalk Addition

PAVEMENT SHALL BE AT THE SAME HEIGHT
OR HIGHER THAN EXISTING PAVEMENT

© Bolton & Menk, Inc. 2023. All Rights Reserved.
 C:\Users\jgoff\OneDrive\Desktop\B&M\Projects\2023\2023-2021 PH II\DWG\23-2021 PH II.dwg 5/2/2023 2:07:21 PM



I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Kent Louwagie
 KENT M. LOUWAGIE
 LIC. NO. 44252 DATE 08/03/2022

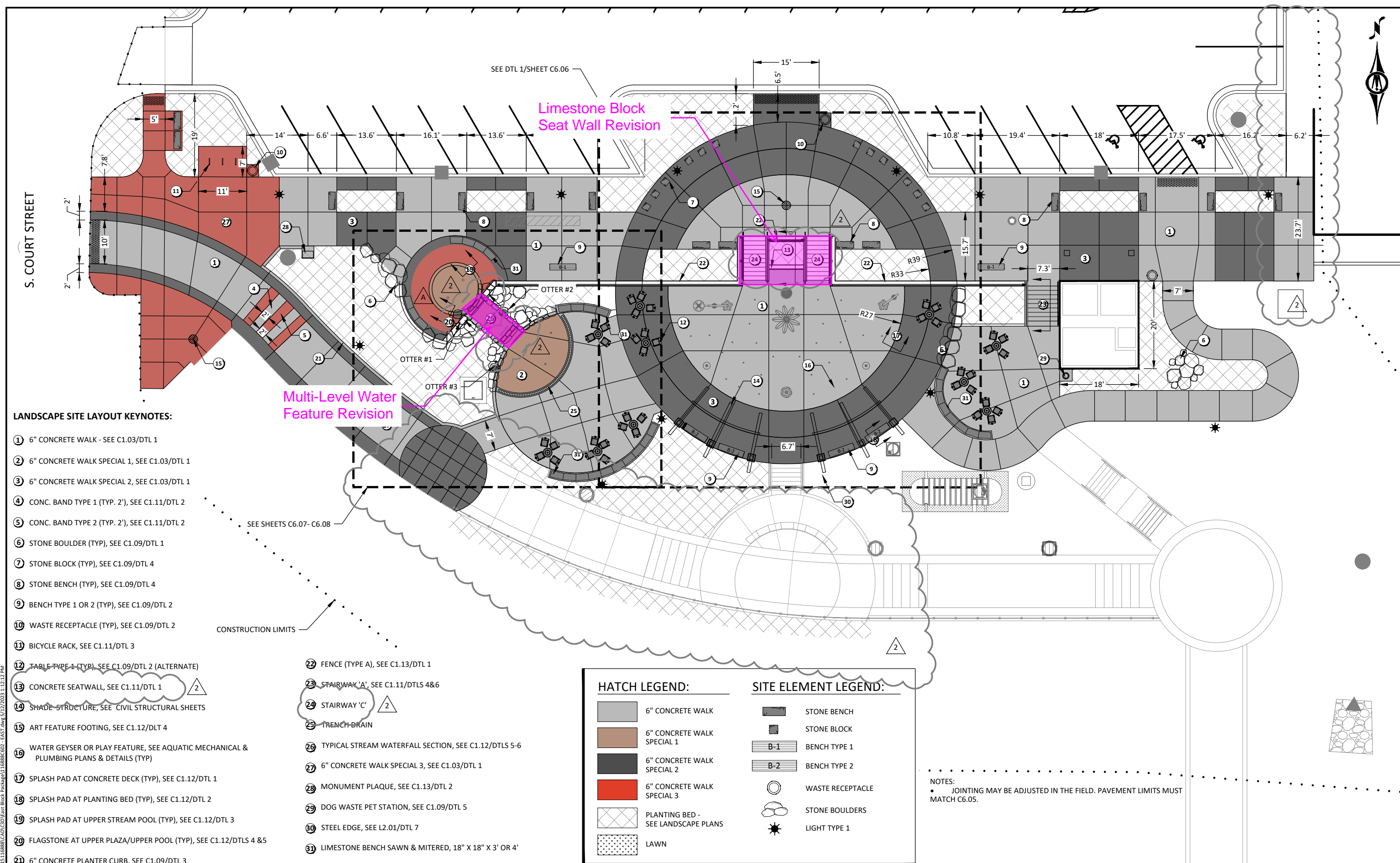


3168 41ST STREET SOUTH, SUITE 2
 FARGO, NORTH DAKOTA 58104
 Phone: (701) 566-5339
 Email: Fargo@bolton-menk.com
 www.bolton-menk.com

DESIGNED	NO.	REVISION FOR	DATE
JJD	1	CONST	10/19/2022
JJD	2	CO 1	09/21/2022
JJD	2	CO 2	05/11/2023
CHECKED			
GJK / KML			
CLIENT PROJ. NO.			

CITY OF FERGUS FALLS, MINNESOTA
 DOWNTOWN RIVERFRONT IMPROVEMENTS PH. II
 PARKING LOT PLAN
 PARKING LOT EAST

SHEET
C6.01



LANDSCAPE SITE LAYOUT KEYNOTES:

- ① 6" CONCRETE WALK - SEE C1.03/DTL 1
- ② 6" CONCRETE WALK SPECIAL 1, SEE C1.03/DTL 1
- ③ 6" CONCRETE WALK SPECIAL 2, SEE C1.03/DTL 1
- ④ CONC. BAND TYPE 1 (TYP. 2'), SEE C1.11/DTL 2
- ⑤ CONC. BAND TYPE 2 (TYP. 2'), SEE C1.11/DTL 2
- ⑥ STONE BOULDER (TYP), SEE C1.09/DTL 1
- ⑦ STONE BLOCK (TYP), SEE C1.09/DTL 4
- ⑧ STONE BENCH (TYP), SEE C1.09/DTL 4
- ⑨ BENCH TYPE 1 OR 2 (TYP), SEE C1.09/DTL 2
- ⑩ WASTE RECEPTACLE (TYP), SEE C1.09/DTL 2
- ⑪ BICYCLE RACK, SEE C1.11/DTL 3
- ⑫ TABLE TYPE 1 (TYP), SEE C1.09/DTL 2 (ALTERNATE)
- ⑬ CONCRETE SEATWALL, SEE C1.11/DTL 1
- ⑭ SHADE STRUCTURE, SEE CIVIL STRUCTURAL SHEETS
- ⑮ ART FEATURE FOOTING, SEE C1.12/DTL 4
- ⑯ WATER GEYSER OR PLAY FEATURE, SEE AQUATIC MECHANICAL & PLUMBING PLANS & DETAILS (TYP)
- ⑰ SPLASH PAD AT CONCRETE DECK (TYP), SEE C1.12/DTL 1
- ⑱ SPLASH PAD AT PLANTING BED (TYP), SEE C1.12/DTL 2
- ⑲ SPLASH PAD AT UPPER STREAM POOL (TYP), SEE C1.12/DTL 3
- ⑳ FLAGSTONE AT UPPER PLAZA/UPPER POOL (TYP), SEE C1.12/DTLS 4 & 5
- ㉑ 6" CONCRETE PLANTER CURB, SEE C1.09/DTL 3
- ㉒ FENCE (TYPE A), SEE C1.13/DTL 1
- ㉓ STAIRWAY 'A', SEE C1.11/DTLS 4&6
- ㉔ STAIRWAY 'C'
- ㉕ TRENCH DRAIN
- ㉖ TYPICAL STREAM WATERFALL SECTION, SEE C1.12/DTLS 5-6
- ㉗ 6" CONCRETE WALK SPECIAL 3, SEE C1.03/DTL 1
- ㉘ MONUMENT PLAQUE, SEE C1.13/DTL 2
- ㉙ DOG WASTE PET STATION, SEE C1.09/DTL 5
- ㉚ STEEL EDGE, SEE L2.01/DTL 7
- ㉛ LIMESTONE BENCH SAWN & MITERED, 18" X 18" X 3' OR 4'

HATCH LEGEND:

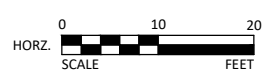
- 6" CONCRETE WALK
- 6" CONCRETE WALK SPECIAL 1
- 6" CONCRETE WALK SPECIAL 2
- 6" CONCRETE WALK SPECIAL 3
- PLANTING BED - SEE LANDSCAPE PLANS
- LAWN

SITE ELEMENT LEGEND:

- STONE BENCH
- STONE BLOCK
- BENCH TYPE 1
- BENCH TYPE 2
- WASTE RECEPTACLE
- STONE BOULDERS
- LIGHT TYPE 1

NOTES:
 • JOINTING MAY BE ADJUSTED IN THE FIELD. PAVEMENT LIMITS MUST MATCH C6.05.

© Bolton & Menk, Inc. 2023. All Rights Reserved.
 PLANS FOR: CITY OF FERGUS FALLS, MINN. DOWNTOWN RIVERFRONT IMPROVEMENTS PH. II.
 DATE: 08/03/2022. 11:21:12 AM.



I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

JOEL C. ODENS, PLA
 LIC. NO. 44689 DATE 08/03/2022



3168 41ST STREET SOUTH, SUITE 2
 FARGO, NORTH DAKOTA 58104
 Phone: (701) 566-5339
 Email: Fargo@bolton-menk.com
 www.bolton-menk.com

DESIGNED	NO.	ISSUED FOR	DATE
JDN	1	CONST	10/19/2022
DRAWN	1	CO 1	09/21/2022
CHECKED	2	CO 2	05/11/2023
JCO			
CLIENT PROJ. NO.			

CITY OF FERGUS FALLS, MINNESOTA
 DOWNTOWN RIVERFRONT IMPROVEMENTS PH. II
 RIVERFRONT PLAN
 RIVERFRONT SITE PLAN

SHEET
C6.05

RESOLUTION ALLOWING CLAIMS & ORDERING PAYMENT THEREOF

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

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

General

AT&T MOBILITY	DATA PLANS/FIRE CHIEF PHONE	49.67
AT&T MOBILITY	DATA PLANS/PREVENTION CHIEF	44.65
AT&T MOBILITY	DATA PLANS/TRAINING CHIEF	44.65
AT&T MOBILITY	IPADS & CELL PHONE DATA	356.91
ADMINISTRATOR'S CONTINGENCY FD	EMT CLASS CERTIFICATION-KRAMVI	500.00
ADMINISTRATOR'S CONTINGENCY FD	EMT CLASS CERTIFICATION-STADUM	500.00
ADMINISTRATOR'S CONTINGENCY FD	RECORD VARIANCE/647 STANTON	46.00
ADMINISTRATOR'S CONTINGENCY FD	REFUND/PAVILION DEPOSIT-DAVENP	100.00
ADMINISTRATOR'S CONTINGENCY FD	REFUND/PAVILION DEPOSIT-FM BAN	100.00
ADMINISTRATOR'S CONTINGENCY FD	REFUND/PLPS DEPOSIT-BRIMHALL	25.00
ADMINISTRATOR'S CONTINGENCY FD	REFUND/PLPS DEPOSIT-DUNWELL	25.00
ADMINISTRATOR'S CONTINGENCY FD	REFUND/PLPS DEPOSIT-GULBRANSON	25.00
ADMINISTRATOR'S CONTINGENCY FD	REFUND/PLPS DEPOSIT-HARRINGTON	25.00
ADS ON BOARDS	HOCKEY BOARD CLEANING/SEAL	1,200.00
ADVANCED CAPITAL GROUP INC	APRIL-JUNE 2023 INVESTMENT FEE	3,750.00
ARAMARK UNIFORM SERVICES	JUNE LINEN SUPPLY	1,472.15
ARAMARK	JUNE LINEN SUPPLY	36.46
AMERITAS	JULY DENTAL INSURANCE	3,712.44
SEAN ANDERSON	CLEANING WEEKS OF JUNE 19-26	455.04
AUTO VALUE - FERGUS FALLS	JULY MEDIUM HORSE-POW	18.99
AVENU INSIGHTS & ANALYTICS	PAYROLL-PAYMATE SSA SUPPORT	6,936.76
CARR'S TREE SERVICE, INC.	TRIMMING 802 E CHANNING	150.00
CHARTER COMMUNICATIONS	07/02-08/01/23 CABLE	44.88
CHARTER COMMUNICATIONS	07/04-08/03/23 CABLE	52.62
CLIMATE CONTROL INC	SERVICE-S2 DH UNIT,S1 MNB CONT	1,143.00
COLE PAPERS INC	JUNE CLOROX WIPES, SANITIZERS	264.50
COMMERCIAL REFRIGERATION SYS	BELT #RB136-5	385.00
COMMISSIONER OF REVENUE	LESS 2023 JUNE ESTIMATED TAX	58,500.00-
COMMISSIONER OF REVENUE	2023 JUNE SALES TAX	81,812.00
COOPERS TECHNOLOGY GROUP	JULY CHAIR-ICE ARENA	429.00
COOPERS TECHNOLOGY GROUP	JULY PUSH PIN STYLE MAGNETS	10.00

General

DACOTAH PAPER CO	BATTERY ,TOWEL ,TISSUE	474.40
DACOTAH PAPER CO	CAN LINER ,TISSUE ,SANITIZER	573.67
DACOTAH PAPER CO	JUNE CAN LINERS ,WIPES ,CLEANERS	1,188.34
DACOTAH PAPER CO	MOP , BATTERY 9V	163.12
EMPLOYEES INSURANCE TRUST FUND	JULY HEALTH INSURANCE	104,516.94
EMPLOYEES INSURANCE TRUST FUND	JULY LIFE INSURANCE	2,817.29
EQUIPMENT FUND	JUNE FUEL CHARGES #3002	154.55
EQUIPMENT FUND	JUNE FUEL CHARGES #3004	41.37
EQUIPMENT FUND	JUNE FUEL CHARGES #3006	86.36
EQUIPMENT FUND	JUNE FUEL CHARGES #3009	46.01
EQUIPMENT FUND	JUNE FUEL CHARGES #3013	81.55
EQUIPMENT FUND	JUNE FUEL CHARGES #3040	74.24
EQUIPMENT FUND	JUNE FUEL CHARGES #3041	59.89
EQUIPMENT FUND	JUNE REPAIRS/SERVICE #3002	582.92
EQUIPMENT FUND	JUNE REPAIRS/SERVICE #3004	115.67
EQUIPMENT FUND	JUNE REPAIRS/SERVICE #3009	309.32
EQUIPMENT FUND	JUNE REPAIRS/SERVICE #3022	109.59
4M FUND	JUN 2023 SERVICE CHARGE	53.28
FASTENAL COMPANY	JUL HVAC FILTERS (ARENA)	501.85
FASTENAL COMPANY	JUL U-BOLTS PARK AND REC	51.10
GENERAL FUND	JUNE COPIER USE	362.82
GENERAL FUND	JUNE LONG DISTANCE CHARGES	95.70-
GENERAL FUND	JUNE POSTAGE USE	417.05
GENERAL FUND	TRANSFER JUNE COPIER USE	573.20-
GENERAL FUND	TRANSFER JUNE POSTAGE USE	680.52-
GOODIN COMPANY	JUNE CPVC TEE SOC SCH80	16.40
GOODIN COMPANY	JUNE ELONGATED SEAT SLOW CLOSE	71.25
GOODIN COMPANY	JUNE PEX PRESS X FEM ADAPTER	15.14
GOODIN COMPANY	JUNE WATERFREE URINAL CARTRIDG	58.61
GOODIN COMPANY	JUNE 2CLAM SLIDER BRACKET	23.14
GOODIN COMPANY	MAY WATER HEATER ,ELBOWS ,STRAPS	502.39
GRAND FORKS FIRE EQUIPMENT LLC	JUNE SCBA COMPRESSOR REPAIR	609.00
GREAT PLAINS NATURAL GAS CO	JUNE NATURAL GAS EXPENSE	313.70
HIGH POINT NETWORKS LLC	HPN MONTHLY M365/GSUITE BACKUP	228.00
HIRERIGHT LLC	JUL BACKGROUND CHECK (DAVIS)	11.75
HOME DEPOT CREDIT SERVICES	JUL KLEAN STRIP XYLENE	98.24
HOME DEPOT CREDIT SERVICES	JULY BLEACH ,NOZZLE ,WIRE CONNEC	25.11
HOME DEPOT CREDIT SERVICES	JULY BROOMS ,PLUNGERS ,BRUSHES	120.05
HOME DEPOT CREDIT SERVICES	JULY DIGITAL MULTIMETER	69.97
HOME DEPOT CREDIT SERVICES	JULY DOUBLE FEMALE ADAPTER	5.96
HOME DEPOT CREDIT SERVICES	JULY DUSTER ,FLYSWATTERS ,PLUG	19.24
HOME DEPOT CREDIT SERVICES	JUNE DOUBLE BUCKET ,SCRUBBER	59.94
JB ELECTRIC	JUNE GFI REPLACEMENTS	1,182.00

General

LAKE REGION ELECTRIC COOP	JUNE ELECTRICITY EXPENSE	2,435.76
LAKE REGION ELECTRIC COOP	JUNE/SNOW REMOVAL/EQUIP BLDG	73.70
LAKEWAY EXPRESS LLC	JULY SMALL ENGINES FUEL	25.46
VICTOR LUNDEEN COMPANY	JUNE LASER CHECKS	849.25
M-R SIGN COMPANY INC	JUL YIELD/SQUARE POSTS ORDER	1,946.40
M-R SIGN COMPANY INC	PORTABLE SIGN,BASE,POST	365.00
MARCO TECHNOLOGIES LLC	06/27-07/27/23 COPIER RENT	677.47
MINN-DAKOTA/OTTER TAIL COACHES	SHUTTLE IN-TOWN/FAIRGROUNDS	95.12
MOBOTREX INC	JUL RED 12" LED TURN SIGNALS	168.00
NEW HORIZONS ENERGY	JUNE PROPANE-MAIN TERMINAL	582.60
NYCKLEMOE & ELLIG, P.A.	JULY PROSECUTING SERVICES	9,492.50
OTTER TAIL COUNTY HIGHWAY DEPT	CHAINSAW SAFETY TRAINING	51.44
OTTER TAIL COUNTY HIGHWAY DEPT	DECORATIVE LIGHT-ROUND A BOUT	16.89
OTC HUMANE SOCIETY INC	JUNE ANIMAL BOARDING	573.00
OTC HUMANE SOCIETY INC	MAY ANIMAL BOARDING	270.00
OTTER TAIL COUNTY TREASURER	SUMMERFEST TIPPING FEES	198.29
OTTER TAIL POWER COMPANY	JUNE ELECTRICITY EXPENSE	42,620.19
OTTER TAIL POWER COMPANY	MAY UTILITY BILL INSERT	411.19
OTTER TAIL TELCOM	JULY ADDITIONAL LISTING	10.00
OTTER TAIL TELCOM	JULY TELEPHONE EXPENSE	781.93
OTTER TAIL TELCOM	JULY TELEPHONE LINES	2,845.29
OTTER TAIL TELCOM	JUNE LONG DISTANCE	8.18
POLICE DEPT CONTINGENCY FUND	ONSTAD PSYCH EVAL	475.00
POSTAGE BY PHONE	POSTAGE BY MAIL	3,000.00
PAUL R. RATZ	2023 STRENGTH TRAINING	5,346.00
JESSE SCHNEEBERGER	TENNIS SESSION I	36.00
JESSE SCHNEEBERGER	TENNIS SESSION II	1,548.00
SERVICE FOOD SUPERVALU	JUNE TONY'S RETIREMENT CAKE	79.99
SKY CREW SERVICES, LLC	AUGUST MANAGEMENT FEES	3,500.00
STEIN'S INC	JUNE IMOP LITE SCRUBBER,NOBLES	1,983.32
STEIN'S INC	JUNE IMOP LX PLUS SCRUBBER	2,902.50
STERNBERG LIGHTING INC	JUL DOWNTOWN LIGHTPOLE (STK)	4,604.00
SWANSTON EQUIPMENT CO	JUL CRACK FILL MATERIAL PALLET	1,400.00
SWEDBERG NURSERY	MAY 2023 TREES	12,532.50
WADENA ASPHALT INC	JUL BIT MIX MARTIN STREET	700.00
WADENA ASPHALT INC	JUL BIT MIX UNION/ALCOTT	990.00
WADENA ASPHALT INC	JUL BIT MIX UNION/DOUGLAS/CECI	1,050.00
WADENA ASPHALT INC	JUL BIT MIX W SPRUCE	990.00
ROBERT E WALLINGTON	2023 SAFETY BOOT REIMBURSEMENT	199.99
WELLS FARGO - INVESTMENTS	PURCHASE OF INVEST/JUN 2023	1,832,130.58
WELLS FARGO - INVESTMENTS	PURCHASE OF INVEST/13063DMB1	46,110.57-
WELLS FARGO - INVESTMENTS	PURCHASE OF INVEST/4211104V6	82,471.00-
WELLS FARGO - INVESTMENTS	PURCHASE OF INVEST/47844PNZ4	85,236.67-

General

WELLS FARGO - INVESTMENTS	PURCHASE OF INVEST/83162CT60	120,000.00-
WELLS FARGO - INVESTMENTS	PURCHASE OF INVEST/91282CHC8	146,203.22-
WELLS FARGO - INVESTMENTS	PURCHASE OF INVEST/91282CHE4	436,043.83-
WEX	JULY ER ACH CONTRIBUTION	200.00
WEX	JULY ER HSA CONTRIBUTION	9,208.12
WEX	JUNE FLEX/HSA PART FEE	142.45
	F U N D T O T A L	1,191,527.34

P.A. General

ATLAS OUTDOOR SERVICES LLC	JULY CBHH SNOW/LAWN CARE	1,000.00
CAPITAL IMPROVEMENT FUND	TRANSFER DAIRY GRAVEL-PI 9761	60,000.00
EMPLOYEES INSURANCE TRUST FUND	JULY HEALTH INSURANCE	1,182.42
EMPLOYEES INSURANCE TRUST FUND	JULY LIFE INSURANCE	8.11
GENERAL FUND	JUNE COPIER USE	41.78
GENERAL FUND	JUNE LONG DISTANCE CHARGES	12.38
GENERAL FUND	JUNE POSTAGE USE	1.44
JOHNSON CONTROLS INC	EXHAUST FAN MOTOR #5	752.23
JOHNSON CONTROLS INC	METASYS SERVICE CALL REPAIR	1,092.80
JOHNSON CONTROLS INC	MONTHLY MAINT -HVAC JUN	931.04
MARCO TECHNOLOGIES LLC	06/27-07/27/23 COPIER RENT	51.88
OTTER TAIL TELCOM	JULY TELEPHONE LINES	7.57
SUMMIT COMPANIES	MONTHLY MONITORING -JUL	34.00
UGSTAD PLUMBING INC	BOILER/GEN CK 05/26/23-MONTHLY	135.00
UGSTAD PLUMBING INC	BOILER/GEN CK 06/16/23	90.00
UGSTAD PLUMBING INC	BOILER/GEN CK 06/23/23	90.00
WEX	JULY ER ACH CONTRIBUTION	50.00
WEX	JUNE FLEX/HSA PART FEE	3.30
	F U N D T O T A L	65,483.95

Regional Treatment Center-City Operated

HOME DEPOT CREDIT SERVICES	JUN MISC HARDWARE AT RTC	16.73
OTTER TAIL POWER COMPANY	JUNE ELECTRICITY EXPENSE	226.93
	F U N D T O T A L	243.66

Public Library

ARAMARK UNIFORM SERVICES	JUNE LINEN SUPPLY	5.81
BAKER & TAYLOR INC	BOOKS	877.42
BAKER & TAYLOR INC	FREIGHT SURCHARGE	8.78
BAKER & TAYLOR INC	PROCESSING	48.35
CENTER POINT LARGE PRINT	BOOKS	161.00
COLE PAPERS INC	JUNE ROBOTIC VACUUM, BATTERY	3,399.00
COLE PAPERS INC	VACUUM KIT, FILTER, BATTERY	88.41
EMPLOYEES INSURANCE TRUST FUND	JULY HEALTH INSURANCE	6,748.72
EMPLOYEES INSURANCE TRUST FUND	JULY LIFE INSURANCE	54.42
GENERAL FUND	JUNE LONG DISTANCE CHARGES	34.42
GREAT PLAINS NATURAL GAS CO	JUNE NATURAL GAS EXPENSE	24.00
HOOPLA	DIGITAL BOOKS	1,050.14
MIDWEST TAPE EXCHANGE	APRIL DVD'S	128.18
MIDWEST TAPE EXCHANGE	MAY DVD'S	33.73
OTTER TAIL POWER COMPANY	JUNE ELECTRICITY EXPENSE	1,876.17
OTTER TAIL TELCOM	JULY LIBRARY FAX LINE	35.17
OTTER TAIL TELCOM	JULY TELEPHONE EXPENSE	146.28
OTTER TAIL TELCOM	JULY TELEPHONE LINES	90.85
US BANK EQUIPMENT FINANCE	06/20-07/20/23 COPIER LEASE	614.40
WEX	JULY ER ACH CONTRIBUTION	1,187.50
WEX	JUNE FLEX/HSA PART FEE	15.26
	F U N D T O T A L	16,628.01

Bigwood Event Center

ARAMARK	JULY LINEN SUPPLY	523.54
EMPLOYEES INSURANCE TRUST FUND	JULY HEALTH INSURANCE	689.24
GENERAL FUND	JUNE LONG DISTANCE CHARGES	.12
MARCO TECHNOLOGIES LLC	06/29-07/29/23 COPIER RENT	126.20
OTTER TAIL POWER COMPANY	JUNE ELECTRICITY EXPENSE	2,647.67
OTTER TAIL TELCOM	JULY INTERNET ACCESS BW	91.64
OTTER TAIL TELCOM	JULY TELEPHONE LINES	202.11
TWEETON REFRIGERATION	JUNE ICE MACHINE RENTAL	180.00
WEX	JULY ER ACH CONTRIBUTION	250.00
WEX	JUNE FLEX/HSA PART FEE	2.75
	F U N D T O T A L	4,713.27

IRP Revolving Loan

GENERAL FUND	JUNE COPIER USE	8.24
	F U N D T O T A L	8.24

CDBG/HUD Revolving Loan

ADMINISTRATOR'S CONTINGENCY FD	RECORD MORTGAGE TAX/ROSENDAHL	115.00
ADMINISTRATOR'S CONTINGENCY FD	RECORD REGISTRATION TAX/ROSEND	46.00
GENERAL FUND	JUNE COPIER USE	7.58
IMRAYA PROPERTIES LLC	REIMBURSE FLOORING/LOAN #956	6,907.20
INDIGO SIGNWORKS, INC	SIGNAGE HOTEL 8 -LOAN #956	5,245.00
MARK LEE ASPHALT & PAVING, INC	PARKING LOT/310 N TOWER/#510	50,000.00
TREMOLO DESIGNS	RENOVATIONS HOTEL 8 -LOAN #509	11,690.33
	F U N D T O T A L	74,011.11

G.O. TIF Bonds, Series 2022 TIF 4-14

NORTHLAND TRUST SERVICES, INC.	SEMI-ANNUAL PAYMENT/INTEREST	57,909.84
	F U N D T O T A L	57,909.84

P.I.R. Bond and Interest 2019B

NORTHLAND TRUST SERVICES, INC.	ANNUAL PAYMENT/FEES	495.00
NORTHLAND TRUST SERVICES, INC.	SEMI-ANNUAL PAYMENT/INTEREST	13,125.00
	F U N D T O T A L	13,620.00

G.O. Port Authority Bonds, Series 2021A

G.O. Port Authority Bonds, Series 2021A

NORTHLAND TRUST SERVICES, INC.	ANNUAL PAYMENT/FEES	495.00
NORTHLAND TRUST SERVICES, INC.	SEMI-ANNUAL PAYMENT/INTEREST	7,213.75
	F U N D T O T A L	7,708.75

Capital Improvement

ADMINISTRATOR'S CONTINGENCY FD	PLAN REVIEW/WATER MAIN	150.00
BOLTON & MENK INC	AQUATIC TOPO SURVEY	7,818.50
BOLTON & MENK INC	DELAGOON PARK IMPROVEMENTS	19,051.50
BOLTON & MENK INC	DTRF MASTER PLAN	22,123.50
BOLTON & MENK INC	DTRF PHASE 2 PROF SERVICE	8,675.25
BOLTON & MENK INC	PROF SERV. 5/13/23 TO 6/9/23	1,116.00
CAPITAL IMPROVEMENT FUND	TRANSFER DAIRY GRAVEL-PI 9761	60,000.00-
JOEL CARLSON INC.	JULY LEGISLATIVE FEES	2,285.00
COMSTOCK CONSTRUCTION INC	PAY APP NO. 6	225,422.16
COSSETTE ELECTRIC LLC	JUL INSTALL RECEPTACLE ON POST	683.67
DAILY JOURNAL	JUNE BID NOTICE-AQUATIC CENTER	617.58
OTTER TAIL POWER COMPANY	MAY UTILITY BILL INSERT	176.22
STANTEC CONSULTING SERVICE INC	PROF SERV RTC STABILIZATION	7,688.18
TAFT STETTINIUS HOLLISTER LLP	2022 CONTRACT MATTER	17,895.50
TERRACON CONSULTANTS INC	DELAGOON GEOTECH ENG SERVICE	19,250.00
	F U N D T O T A L	272,953.06

Liquor Store

AL'S REFRIGERATION, INC.	JUNE DE-ICED WALK IN COOLER	285.00
AL'S REFRIGERATION, INC.	MAY INSTALL NEW DOOR TORK ROD	142.50
THE AMERICAN BOTTLING COMPANY	JULY/MIX	381.96
THE AMERICAN BOTTLING COMPANY	JUNE/MIX	343.20
ARAMARK UNIFORM SERVICES	JUNE LINEN SUPPLY	406.97
ARCTIC GLACIER USA INC	JULY/FREIGHT #3606318109	15.00
ARCTIC GLACIER USA INC	JULY/FREIGHT #3606318111	25.00
ARCTIC GLACIER USA INC	JULY/FREIGHT #3609318012	15.00
ARCTIC GLACIER USA INC	JULY/FREIGHT #3609318808	15.00
ARCTIC GLACIER USA INC	JULY/ICE #3606318109	350.14

Liquor Store

ARCTIC GLACIER USA INC	JULY/ICE	#3606318111	612.36
ARCTIC GLACIER USA INC	JULY/ICE	#3609318012	876.20
ARCTIC GLACIER USA INC	JULY/ICE	#3609318808	220.32
ARTISAN BEER COMPANY	JULY/BEER		2,092.50
ARTISAN BEER COMPANY	JULY/MIX		36.90
BEVERAGE WHOLESALERS INC	JULY/BEER		73,743.13
BEVERAGE WHOLESALERS INC	JULY/LIQUOR		2,686.00
BEVERAGE WHOLESALERS INC	JULY/MIX		467.75
BEVERAGE WHOLESALERS INC	JULY/WINE		627.20
BEVERAGE WHOLESALERS INC	JUNE/BEER		12,855.29
BRAUN VENDING INC	JULY WATER COOLER RENT		16.00
BREAKTHRU BEVERAGE MINNESOTA	JULY/FREIGHT		557.93
BREAKTHRU BEVERAGE MINNESOTA	JULY/LIQUOR		24,090.51
BREAKTHRU BEVERAGE MINNESOTA	JULY/MIX		527.19
BREAKTHRU BEVERAGE MINNESOTA	JULY/WINE		9,442.00
BREAKTHRU BEVERAGE MINNESOTA	JUNE/FREIGHT		4.35-
BREAKTHRU BEVERAGE MINNESOTA	JUNE/LIQUOR		81.18-
BREAKTHRU BEVERAGE MINNESOTA	JUNE/WINE		160.00-
CAYAN	JUNE 2023 CR CD FEES		21,216.92
VIKING COCA-COLA BOTTLING CO	JULY/MIX		297.15
COMMISSIONER OF REVENUE	2023 JUNE SALES TAX		49.21
D-S BEVERAGES, INC.	JULY/BEER		41,661.07
D-S BEVERAGES, INC.	JULY/LIQUOR		6,779.10
D-S BEVERAGES, INC.	JULY/MIX		1,126.95
D-S BEVERAGES, INC.	JULY/WINE		234.50
D-S BEVERAGES, INC.	JUNE/BEER		4,389.97
D-S BEVERAGES, INC.	JUNE/MIX		149.40
DACOTAH PAPER CO	JULY MISC PURCHASE-TUMBLERS		66.04
DACOTAH PAPER CO	JULY SUPPLIES-BAGS		179.80
EMPLOYEES INSURANCE TRUST FUND	JULY HEALTH INSURANCE		8,617.22
EMPLOYEES INSURANCE TRUST FUND	JULY LIFE INSURANCE		23.33
FERGUS BREWING COMPANY LLC	JULY/BEER		962.00
GENERAL FUND	JUNE LONG DISTANCE CHARGES		1.50
GREAT PLAINS NATURAL GAS CO	JUNE NATURAL GAS EXPENSE		32.97
HOME DEPOT CREDIT SERVICES	JUNE EXTENSION CORD, PADLOCK		94.45
JOHNSON BROTHERS LIQUOR CO	JULY/FREIGHT		197.66
JOHNSON BROTHERS LIQUOR CO	JULY/LIQUOR		4,264.50
JOHNSON BROTHERS LIQUOR CO	JULY/MIX		357.85
JOHNSON BROTHERS LIQUOR CO	JULY/WINE		3,908.00
JOHNSON BROTHERS LIQUOR CO	JUNE/FREIGHT		.50-
JOHNSON BROTHERS LIQUOR CO	JUNE/LIQUOR		117.00-
LPI	2023 AD-OUR LADY OF VICTORY		737.00
LIQUOR STORE	RECEIPT JULY RENT		358.00-

Liquor Store

OTTER TAIL POWER COMPANY	JUNE ELECTRICITY EXPENSE	4,156.08
OTTER TAIL TELCOM	JULY TELEPHONE EXPENSE	310.95
OTTER TAIL TELCOM	JULY TELEPHONE LINES	95.72
PHILLIPS WINE & SPIRITS CO	JULY/FREIGHT	238.09
PHILLIPS WINE & SPIRITS CO	JULY/LIQUOR	5,096.85
PHILLIPS WINE & SPIRITS CO	JULY/MIX	80.00
PHILLIPS WINE & SPIRITS CO	JULY/WINE	4,501.35
SIGNATURE HOME TECHNOLOGIES	JULY,AUGUST,SEPT MONITOR SVC	73.74
SOUTHERN GLAZER'S OF MN	JULY/FREIGHT	340.69
SOUTHERN GLAZER'S OF MN	JULY/LIQUOR	19,363.35
SOUTHERN GLAZER'S OF MN	JULY/MIX	81.00
SOUTHERN GLAZER'S OF MN	JULY/WINE	517.91
TOTAL REGISTER SYSTEMS	FTP MONTHLY SERVICE	32.21
VINOCOPIA INC	JULY/FREIGHT	1.00
VINOCOPIA INC	JULY/LIQUOR	128.10
WEX	JULY ER ACH CONTRIBUTION	1,306.25
WEX	JUNE FLEX/HSA PART FEE	20.49
	F U N D T O T A L	261,800.39

Refuse Disposal

ARAMARK UNIFORM SERVICES	JUNE LINEN SUPPLY	286.30
COMMISSIONER OF REVENUE	2023 JUNE SALES TAX	344.15
COMMISSIONER OF REVENUE	2023 JUNE SWMT	32,634.00
WASTE MANAGEMENT	06/16-06/30/23 PRO SERVICES	8,207.99
EMPLOYEES INSURANCE TRUST FUND	JULY HEALTH INSURANCE	15,180.25
EMPLOYEES INSURANCE TRUST FUND	JULY LIFE INSURANCE	64.21
GENERAL FUND	JUNE LONG DISTANCE CHARGES	.34
MARCO TECHNOLOGIES LLC	06/27-07/27/23 COPIER RENT	199.89
KEVIN OEHLER	2023 SAFETY BOOT REIMBURSEMENT	250.00
OTTER TAIL COUNTY TREASURER	JUNE TIPPING FEES	92,031.85
OTTER TAIL POWER COMPANY	JUNE ELECTRICITY EXPENSE	155.13
OTTER TAIL POWER COMPANY	MAY SERVICE-MAIL BILLS	77.16
OTTER TAIL TELCOM	JULY TELEPHONE EXPENSE	142.69
OTTER TAIL TELCOM	JULY TELEPHONE LINES	30.28
SIGELMAN STEEL & SALVAGE CO	JUL ROLLOFF REPAIR METAL	219.09
WASTEWATER TREATMENT FUND	JUNE ASH CELL LEACHATE	641.25
WASTEWATER TREATMENT FUND	JUNE DEMO CELL LEACHATE	4,398.75
WEX	JULY ER ACH CONTRIBUTION	1,690.64

Refuse Disposal

WEX	JUNE FLEX/HSA PART FEE	16.50
	F U N D T O T A L	156,570.47

Sewage Treatment

ARAMARK UNIFORM SERVICES	JUNE LINEN SUPPLY	228.00
EMPLOYEES INSURANCE TRUST FUND	JULY HEALTH INSURANCE	11,009.06
EMPLOYEES INSURANCE TRUST FUND	JULY LIFE INSURANCE	43.94
GENERAL FUND	JUNE LONG DISTANCE CHARGES	11.83
NAPA AUTO PARTS - FERGUS FALLS	JUNE ALUM ANTI-SEIZE LU	10.49
GOPHER STATE ONE CALL	JUNE BILLABLE TICKETS	90.00
GRAINGER INC	JULY BANDED COGGED V-BELT	495.92
GRAINGER INC	JULY CREDIT BANDED V-BELT	72.34-
HAWKINS INC	JUNE SULFUR DIOXIDE	1,699.00
HOME DEPOT CREDIT SERVICES	JUN MARCIA LOCATOR BATTERIES	71.35
KORBY CONTRACTING COMPANY INC	JUNE LIFT MIXERS AT WWTP	600.00
LAKE REGION ELECTRIC COOP	JUNE ELECTRICITY EXPENSE	186.56
LEITCH EXCAVATING INC	404 S BURLINGTON SEWER REPAIR	3,906.98
MARCO TECHNOLOGIES LLC	06/27-07/27/23 COPIER RENT	199.87
OTTER TAIL POWER COMPANY	JUNE ELECTRICITY EXPENSE	9,834.85
OTTER TAIL POWER COMPANY	MAY SERVICE-MAIL BILLS	77.16
OTTER TAIL TELCOM	JULY TELEPHONE EXPENSE	142.34
OTTER TAIL TELCOM	JULY TELEPHONE LINES	30.28
PLUNKETT'S PEST CONTROL INC.	JUNE SPRING/FALL EXTERIOR	21.40
PLUNKETT'S PEST CONTROL INC.	JUNE SPRING/FALL EXTERIOR SVC	383.06
RMB ENVIRONMENTAL LABORATORIES	JULY ANALYSIS	152.46
SPEE*DEE DELIVERY SERVICE INC	JUNE SHIPPING	68.78
WADENA ASPHALT INC	JUL BIT MIX N VINE/BURLINGTON	990.00
WASTEWATER TREATMENT FUND	RECEIPT TO JUNE LEACHATE	5,040.00-
WEX	JULY ER ACH CONTRIBUTION	1,568.14
WEX	JUNE FLEX/HSA PART FEE	13.75
	F U N D T O T A L	26,722.88

Water

Water

ARAMARK UNIFORM SERVICES	JUNE LINEN SUPPLY	199.87
COSSETTE ELECTRIC LLC	JULY INSTALL SERVICE BY DOCK	2,110.00
EMPLOYEES INSURANCE TRUST FUND	JULY HEALTH INSURANCE	8,010.15
EMPLOYEES INSURANCE TRUST FUND	JULY LIFE INSURANCE	57.46
GENERAL FUND	JUNE COPIER USE	152.78
GENERAL FUND	JUNE LONG DISTANCE CHARGES	12.96
GENERAL FUND	JUNE POSTAGE USE	262.03
GOIN' POSTAL FERGUS FALLS	JULY SHIPPING	14.34
GOPHER STATE ONE CALL	JUNE BILLABLE TICKETS	90.00
HOME DEPOT CREDIT SERVICES	JUL LEVEL/PEN LIGHT CHAD WTP	42.97
HOME DEPOT CREDIT SERVICES	JUL TEMP SERVICE LINE BALL VAL	24.68
MARCO TECHNOLOGIES LLC	06/27-07/27/23 COPIER RENT	280.23
MIDWEST PRINTING COMPANY	JULY ADDITIONAL DOORHANGERS	75.00
NORTHLAND TRUST SERVICES, INC.	SEMI-ANNUAL PAYMENT/INTEREST	24,125.00
OTTER TAIL COUNTY HIGHWAY DEPT	MAY CHAINSAW SAFETY TRAINING	25.72
OTTER TAIL POWER COMPANY	JUNE ELECTRICITY EXPENSE	8,799.90
OTTER TAIL POWER COMPANY	MAY SERVICE-MAIL BILLS	77.17
OTTER TAIL TELCOM	JULY TELEPHONE EXPENSE	160.77
OTTER TAIL TELCOM	JULY TELEPHONE LINES	30.28
WEX	JULY ER ACH CONTRIBUTION	1,323.13
WEX	JUNE FLEX/HSA PART FEE	22.00
	F U N D T O T A L	45,896.44

Storm Water

GOPHER STATE ONE CALL	JUNE BILLABLE TICKETS	90.00
MN POLLUTION CONTROL AGENCY	MPCA APO-INV 10000160113	9,900.00
NORTHLAND TRUST SERVICES, INC.	SEMI-ANNUAL PAYMENT/INTEREST	10,325.00
OTTER TAIL POWER COMPANY	JUNE ELECTRICITY EXPENSE	172.31
OTTER TAIL POWER COMPANY	MAY UTILITY BILL INSERT	117.48
	F U N D T O T A L	20,604.79

Equipment

ARAMARK UNIFORM SERVICES	JUNE LINEN SUPPLY	522.25
--------------------------	-------------------	--------

Equipment

AMERICAN WELDING & GAS, INC	JUL .035 SUPERGLAZE 4043 WIRE	13.84
AMERICAN WELDING & GAS, INC	JUL LENS COVERS (FAB SHOP)	76.08
AMERICAN WELDING & GAS, INC	JUL WELDING COAT/LENS COVERS	79.30
AMERICAN WELDING & GAS, INC	JUL WIRE BRUSH (FAB SHOP)	7.73
AMERICAN WELDING & GAS, INC	JUL 4.5" FLAP DISCS (SHOP)	43.99
ASHBY EQUITY ASSOCIATION	JUL ROTELLA ELC 50/50	536.25
AUTO VALUE - FERGUS FALLS	JUL AIR FILTER UNIT 238	105.18
AUTO VALUE - FERGUS FALLS	JUL CAB FILTER/REFRESHER U-1	16.48
AUTO VALUE - FERGUS FALLS	JUL CHECK VALVE UNIT 16	8.99
AUTO VALUE - FERGUS FALLS	JUL CHERRY BOMB HAND CLEANER	42.99
AUTO VALUE - FERGUS FALLS	JUL COTTER PINS (SHOP)	5.64
AUTO VALUE - FERGUS FALLS	JUL CREDIT RACK & PINION	1,061.10-
AUTO VALUE - FERGUS FALLS	JUL FILTERS FOR UNIT 238	92.39
AUTO VALUE - FERGUS FALLS	JUL GASKET MAKER (SHOP)	7.99
AUTO VALUE - FERGUS FALLS	JUL HYDRAULIC FILTER UNIT 239	115.30
AUTO VALUE - FERGUS FALLS	JUL RACK AND PINION UNIT 49	1,961.39
AUTO VALUE - FERGUS FALLS	JUL STOCK CABIN AIR FILTERS	39.39
AUTO VALUE - FERGUS FALLS	JUL STOCK FILTERS (SHOP)	78.15
AUTO VALUE - FERGUS FALLS	JUL STOCK HEADLAMP BULBS	29.98
AUTO VALUE - FERGUS FALLS	JUL STOCK HYD FILTER	30.97
AUTO VALUE - FERGUS FALLS	JUL STOCK OIL FILTERS	13.23
AUTO VALUE - FERGUS FALLS	JUL STOCK PARTS ORDER	87.64
AUTO VALUE - FERGUS FALLS	JUL STOCK 15 AMP FUSES	18.90
AUTO VALUE - FERGUS FALLS	JUL STOCK 9006XS HEADLAMP BULB	14.99
AUTO VALUE - FERGUS FALLS	JUL STOCKL PARTS ORDER	67.29
AUTO VALUE - FERGUS FALLS	JUL U-JOINTS UNIT 225	33.62
AUTO VALUE - FERGUS FALLS	JUL VACUUM CANISTER UNIT 16	44.99
AUTO VALUE - FERGUS FALLS	JUL 2 5/16 BALL HITCH U-55	20.99
BUY-MOR PARTS & SERVICE LLC	JUN DIAG MAIN FUSE SHORT U-226	2,489.35
BIG STATE INDUSTRIAL SUPPLY	JUL SORBENT PADS/GLOVES (SHOP)	646.00
COMMISSIONER OF REVENUE	2023 JUNE SPECIAL FUEL TAX	958.46
COMMISSIONER OF REVENUE	2023 JUNE SALES TAX	78.64
COSSETTE ELECTRIC LLC	JUL INSTALL POWER FEED SHED 2	1,006.47
EMPLOYEES INSURANCE TRUST FUND	JULY HEALTH INSURANCE	5,127.62
EMPLOYEES INSURANCE TRUST FUND	JULY LIFE INSURANCE	20.28
ENVIRONMENTAL EQUIP & SERVICES	JUL EYE BOLTS UNIT 238	58.99
EQUIPMENT FUND	JUNE FUEL USAGE	543.97-
EQUIPMENT FUND	JUNE REPAIRS/SERVICE	1,117.50-
JOHN DEERE FINANCIAL	JUL CREDIT RETURNED HOSE	256.30-
JOHN DEERE FINANCIAL	JUL DECK SPINDLE (STOCK)	237.58
JOHN DEERE FINANCIAL	JUL HOSE KIT UNIT 953	256.30
JOHN DEERE FINANCIAL	JUL WASHER/PLATES UNT 280	99.26
FASTENAL COMPANY	JUL SHOP SUPPLY STOCK ORDER	325.78

Equipment

FASTENAL COMPANY	JUN BODY GUARD OPEN CUFF GLOVE	23.32
GENERAL FUND	JUNE LONG DISTANCE CHARGES	20.78
NAPA AUTO PARTS - FERGUS FALLS	JUL AIR FILTER UNIT 238	55.98
GOIN' POSTAL FERGUS FALLS	JUL SEND MONITOR OUT FOR REPRO	16.22
GOODIN COMPANY	JUL 1" PEX PRESS FITTINGS	151.70
GRAINGER INC	JUL 1" FLAP WHEELS (SHOP)	24.84
GREAT PLAINS NATURAL GAS CO	JUNE NATURAL GAS EXPENSE	244.22
HOME DEPOT CREDIT SERVICES	JUL 5 SHELF WIRE UNIT (SHOP)	99.98
LAKEWAY EXPRESS LLC	JUL NON OXY FUEL (PARK)	86.17
LAKEWAY EXPRESS LLC	JUL NON OXYGEN FUEL (DELAGOON)	72.09
MTI DISTRIBUTING INC	JUL DOOR HANDLE/SCREW UNIT 954	32.63
MTI DISTRIBUTING INC	JUL DOOR STRUT UNIT 958	171.42
MTI DISTRIBUTING INC	JUL DRIVE BELTS UNIT 1190	141.97
MTI DISTRIBUTING INC	JUL REAR AXLE PARTS UNIT 1189	153.44
MACQUEEN EQUIPMENT INC	JUL LEADER HOSE UNIT 262	627.98
MARCO TECHNOLOGIES LLC	06/27-07/27/23 COPIER RENT	77.32
MEKALSON HYDRAULICS INC	JUL DIAG HYDRAULICS INOP U-225	500.00
MEKALSON HYDRAULICS INC	JUL REBUILD HYD CYLINDERS U493	800.70
MINNESOTA MOTOR COMPANY	MAY CAR WASHES	20.00
NELSON AUTO CENTER	JUL DIAG TRAC WARNING LIGHT	148.20
NELSON AUTO CENTER	JUN LF WHEEL BEARING U-2094	172.31
NORTHWEST TIRE INC	JUN CARLISLE TURF MASTER TIRES	259.84
OLSON OIL COMPANY INC	JUL DIESEL FUEL (AIRPORT)	1,548.46
OLSON OIL COMPANY INC	JUL DIESEL FUEL -- DELAGOON	1,841.71
OLYMPIC SALES INC	JUL GRIPPER HIGH PRESS SWITCH	53.96
OLYMPIC SALES INC	JUL HOPPER DOOR CLAMP U-228	281.78
OLYMPIC SALES INC	JUL MONITOR UNIT 228	1,048.07
O'REILLY AUTOMOTIVE INC	JUL OIL DYE (SHOP)	40.10
O'REILLY AUTOMOTIVE INC	JUL WINDSHIELD WASH FLUID	250.99
OTTER TAIL POWER COMPANY	JUNE ELECTRICITY EXPENSE	1,211.27
OTTER TAIL TELCOM	JULY TELEPHONE EXPENSE	35.77
OTTER TAIL TELCOM	JULY TELEPHONE LINES	68.14
SANITATION PRODUCTS INC	JUL HYDRAULIC PUMP UNIT 225	4,122.83
SIGELMAN STEEL & SALVAGE CO	JUL 3/16" SHEET METAL UNIT 498	93.72
STEIN'S INC	JUNE IMOP LITE SCRUBBER,NOBLES	1,983.32
W L CONSTRUCTION SUPPLY LLC	JUL 14" DIAMOND BLADE	418.86
WALLWORK TRUCK CENTER F.F.	JUN AIR DRYER UNIT 228	687.37
WEX	JULY ER ACH CONTRIBUTION	566.24
WEX	JUNE FLEX/HSA PART FEE	5.50
	F U N D T O T A L	30,600.99

Employees Insurance

EMPLOYEES INSURANCE TRUST FUND	RECEIPT JULY HEALTH INSURANCE	161,081.62-
EMPLOYEES INSURANCE TRUST FUND	RECEIPT JULY LIFE INSURANCE	3,089.04-
LAKES COUNTRY SVC COOP	JULY HEALTH INSURANCE	175,751.22
UNITED STATES TREASURY	2022 PCORI FEE (FORM 720)	662.88
	F U N D T O T A L	12,243.44

Flexible Benefit Agency

WEX	FLEX PLAN REIMB	5,366.90
	F U N D T O T A L	5,366.90

PEG Access

LIQUOR STORE	JULY RENT	358.00
OTTER TAIL POWER COMPANY	JUNE ELECTRICITY EXPENSE	113.47
OTTER TAIL TELCOM	JULY TELEPHONE EXPENSE	221.71
	F U N D T O T A L	693.18

Fergus Falls Convention and Visitor's Bureau, Inc.

ESULTANTS WEB SERVICES	ONLINE MARKETING & MAINTENANCE	2,500.00
GENERAL FUND	JUNE LONG DISTANCE CHARGES	1.37
MILES PARTNERSHIP LLC	2,000 EXPLOREMN.COM LEADS	900.00
OTTER TAIL TELCOM	JULY TELEPHONE LINES	22.71
RICHES PROPERTIES LLC	AUGUST RENT	525.00
VERIZON WIRELESS	JULY CELL PHONE EXPENSE	112.38
	F U N D T O T A L	4,061.46

T O T A L A L L F U N D S	2,269,368.17
-------------------------------	--------------

7/17/2023

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

BE IT FURTHER RESOLVED, THAT THE CITY ADMINISTRATOR BE, AND HE HEREBY IS AUTHORIZED AND DIRECTED TO DRAW WARRANTS FOR THE ABOVE CLAIMS FROM THE RESPECTIVE FUNDS AS HEREIN INDICATED, AND THAT THE MAYOR AND CITY ADMINISTRATOR BE, AND THEY HEREBY ARE, AUTHORIZED TO EXECUTE AND DELIVER SUCH WARRANTS.

THE ABOVE AND FOREGOING RESOLUTION WAS OFFERED AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE 17 DAY OF JULY 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

7/17/2023

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

COMMISSIONER OF REVENUE	57,376.46
4M FUND	53.28
MN POLLUTION CONTROL AGENCY	9,900.00
OTTER TAIL COUNTY HIGHWAY DEPT	94.05
OTTER TAIL COUNTY TREASURER	92,230.14
UNITED STATES TREASURY	662.88
AT&T MOBILITY	495.88
ADMINISTRATOR'S CONTINGENCY FD	1,657.00
ADS ON BOARDS	1,200.00
ADVANCED CAPITAL GROUP INC	3,750.00
AL'S REFRIGERATION, INC.	427.50
THE AMERICAN BOTTLING COMPANY	725.16
ARAMARK UNIFORM SERVICES	3,121.35
ARAMARK	560.00
AMERICAN WELDING & GAS, INC	220.94
AMERITAS	3,712.44
SEAN ANDERSON	455.04
ARCTIC GLACIER USA INC	2,129.02
ARTISAN BEER COMPANY	2,129.40
ASHBY EQUITY ASSOCIATION	536.25
ATLAS OUTDOOR SERVICES LLC	1,000.00
AUTO VALUE - FERGUS FALLS	1,794.38
AVENU INSIGHTS & ANALYTICS	6,936.76
BAKER & TAYLOR INC	934.55
BUY-MOR PARTS & SERVICE LLC	2,489.35
BEVERAGE WHOLESALERS INC	90,379.37
BIG STATE INDUSTRIAL SUPPLY	646.00
BOLTON & MENK INC	58,784.75
BRAUN VENDING INC	16.00
BREAKTHRU BEVERAGE MINNESOTA	34,372.10
JOEL CARLSON INC.	2,285.00
CARR'S TREE SERVICE, INC.	150.00
CAYAN	21,216.92
CENTER POINT LARGE PRINT	161.00
CHARTER COMMUNICATIONS	97.50
CLIMATE CONTROL INC	1,143.00
VIKING COCA-COLA BOTTLING CO	297.15
COLE PAPERS INC	3,751.91
COMMERCIAL REFRIGERATION SYS	385.00
COMSTOCK CONSTRUCTION INC	225,422.16
COOPERS TECHNOLOGY GROUP	439.00
COSSETTE ELECTRIC LLC	3,800.14
D-S BEVERAGES, INC.	54,340.99
DACOTAH PAPER CO	2,645.37
DAILY JOURNAL	617.58
WASTE MANAGEMENT	8,207.99
ENVIRONMENTAL EQUIP & SERVICES	58.99

7/17/2023

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

ESULTANTS WEB SERVICES	2,500.00
JOHN DEERE FINANCIAL	336.84
FASTENAL COMPANY	902.05
FERGUS BREWING COMPANY LLC	962.00
NAPA AUTO PARTS - FERGUS FALLS	66.47
GOIN' POSTAL FERGUS FALLS	30.56
GOODIN COMPANY	838.63
GOPHER STATE ONE CALL	270.00
GRAINGER INC	448.42
GRAND FORKS FIRE EQUIPMENT LLC	609.00
GREAT PLAINS NATURAL GAS CO	614.89
HAWKINS INC	1,699.00
HIGH POINT NETWORKS LLC	228.00
HIRERIGHT LLC	11.75
HOME DEPOT CREDIT SERVICES	748.67
HOOPLA	1,050.14
IMRAYA PROPERTIES LLC	6,907.20
INDIGO SIGNWORKS, INC	5,245.00
JB ELECTRIC	1,182.00
JOHNSON BROTHERS LIQUOR CO	8,610.51
JOHNSON CONTROLS INC	2,776.07
KORBY CONTRACTING COMPANY INC	600.00
LPI	737.00
LAKE REGION ELECTRIC COOP	2,696.02
LAKES COUNTRY SVC COOP	175,751.22
LAKEWAY EXPRESS LLC	183.72
MARK LEE ASPHALT & PAVING, INC	50,000.00
LEITCH EXCAVATING INC	3,906.98
VICTOR LUNDEEN COMPANY	849.25
M-R SIGN COMPANY INC	2,311.40
MTI DISTRIBUTING INC	499.46
MACQUEEN EQUIPMENT INC	627.98
MARCO TECHNOLOGIES LLC	1,612.86
MEKALSON HYDRAULICS INC	1,300.70
MIDWEST PRINTING COMPANY	75.00
MIDWEST TAPE EXCHANGE	161.91
MILES PARTNERSHIP LLC	900.00
MINN-DAKOTA/OTTER TAIL COACHES	95.12
MINNESOTA MOTOR COMPANY	20.00
MOBOTREX INC	168.00
NELSON AUTO CENTER	320.51
NEW HORIZONS ENERGY	582.60
NORTHLAND TRUST SERVICES, INC.	113,688.59
NORTHWEST TIRE INC	259.84
NYCKLEMOE & ELLIG, P.A.	9,492.50
KEVIN OEHLER	250.00
OLSON OIL COMPANY INC	3,390.17

7/17/2023

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

OLYMPIC SALES INC	1,383.81
O'REILLY AUTOMOTIVE INC	291.09
OTC HUMANE SOCIETY INC	843.00
OTTER TAIL POWER COMPANY	72,750.35
OTTER TAIL TELCOM	5,510.66
PHILLIPS WINE & SPIRITS CO	9,916.29
PLUNKETT'S PEST CONTROL INC.	404.46
POLICE DEPT CONTINGENCY FUND	475.00
POSTAGE BY PHONE	3,000.00
RMB ENVIRONMENTAL LABORATORIES	152.46
PAUL R. RATZ	5,346.00
RICHES PROPERTIES LLC	525.00
SANITATION PRODUCTS INC	4,122.83
JESSE SCHNEEBERGER	1,584.00
SERVICE FOOD SUPERVALU	79.99
SIGELMAN STEEL & SALVAGE CO	312.81
SIGNATURE HOME TECHNOLOGIES	73.74
SKY CREW SERVICES, LLC	3,500.00
SOUTHERN GLAZER'S OF MN	20,302.95
SPEE*DEE DELIVERY SERVICE INC	68.78
STANTEC CONSULTING SERVICE INC	7,688.18
STEIN'S INC	6,869.14
STERNBERG LIGHTING INC	4,604.00
SUMMIT COMPANIES	34.00
SWANSTON EQUIPMENT CO	1,400.00
SWEDBERG NURSERY	12,532.50
TWEETON REFRIGERATION	180.00
TAFT STETTINIUS HOLLISTER LLP	17,895.50
TERRACON CONSULTANTS INC	19,250.00
TOTAL REGISTER SYSTEMS	32.21
TREMOLO DESIGNS	11,690.33
UGSTAD PLUMBING INC	315.00
US BANK EQUIPMENT FINANCE	614.40
VERIZON WIRELESS	112.38
VINOCOPIA INC	129.10
W L CONSTRUCTION SUPPLY LLC	418.86
WALLWORK TRUCK CENTER F.F.	687.37
WADENA ASPHALT INC	4,720.00
ROBERT E WALLINGTON	199.99
WELLS FARGO - INVESTMENTS	916,065.29
TOTAL OTHER GOVERNMENT	160,316.81
TOTAL OTHER VENDORS	2,109,051.36

7/17/2023

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

TOTAL ALL VENDORS

2,269,368.17