



City Council Agenda
October 2, 2023
5:30 pm in the City Council Chambers

Invocation –Pastor Duane Smith, Abundant Life Church
Pledge of Allegiance

- A. Call to Order
- B. Roll Call
- C. Approval of the Agenda
- D. Public Hearings
- E. Awarding of Bids
 - 1. Resolution awarding the bid for PI 9502, Demolition of former wastewater treatment plant project to Rachel Contracting LLC for Phase I and II combined in the amount of \$643,135
 - 2. Resolution authorizing the execution of two Purchase Agreements (approximately 0.3 acres and \$150 each) with Otter Tail Power Company for a property exchange with the city
- F. Petitions, Communications and Open Forum
- G. Consent Agenda
 - 1. Motion approving the minutes from the September 18, 2023 City Council meeting and the September 27, 2023 Committee of the Whole meeting
 - 2. Motion approving licenses
 - 3. Resolution combining polling places for the March 5, 2024, Presidential Nominating Primary Election and the August 13, 2024, Primary Elections
 - 4. Resolution accepting Olson & Nesvold Engineers (ONE) professional services proposal for final design in the amount of \$138,820 for PI 9013, the Union Avenue Bridge project
 - 5. Resolution accepting the petition for bituminous street improvements in the Abundant Life Addition and Pebble Lakes Estates Addition, initiate Public Improvement 5373 and order the preparation of the preliminary engineering feasibility report
 - 6. Resolution accepting the plans and specifications and authorizing the advertising of bids for PI 5327, the Broadway Avenue: Fir to Lincoln & Randolph: Friberg to Springen resurfacing project
 - 7. Motion directing the City Attorney to draft an ordinance repealing City Code Chapter 31.25 and amending City Charter Chapters 2.07 and 4.01
 - 8. Motion directing the City Attorney to draft an ordinance extending the Cannabis Moratorium (Ordinance 41, Eighth Series) to THC edible products sales, to establish a council committee to provide recommendations on how the city should proceed with the process of locally regulating cannabis products and amending the B-2 zone to allow tobacco usage
 - 9. Resolution nominating Jim Fish to serve on the Lakes Country Service Cooperative Board of Directors
- H. Ordinance and Resolutions

1. First Reading of Ordinance 49, Eighth Series, Repealing City Code Chapter 31.25 and Amending City Charter Chapters 2.07 & 4.01
2. Resolution approving the Elected Officials Code of Conduct

I. Presentation of Claims \$1,495,156.14

J. Board, Committee and Department Reports

K. Reports from Staff and Administrative Officers

L. Old Business/Unfinished Business

M. New Business

N. Miscellaneous Announcements

October 11	7:00 am	Special City Council Meeting to hear an appeal of a denied THC license to Lincoln Vapors immediately followed by the Committee of the Whole Meeting
October 16	5:30 pm	City Council Meeting

O. Adjournment

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



Council Action Recommendation

Meeting Date:

October 2, 2023 – City Council

Subject:

PI 9502 –Old Wastewater Treatment Plant Demolition Project

Recommendation:

- Accept bid of Rachel Contracting, LLC for Phase I and Phase 2 combined in the amount of \$643,135.00
- Authorize City staff to execute two Purchase Agreements (approx. 0.3 acres and \$150.00 each) with Otter Tail Power Company for property exchange with City

Background/Key Points:

Four (4) bids were received, publicly opened, and read aloud on September 12, 2023 at 2:00 PM. **The apparent low bidder was Rachel Contracting, LLC. with a Phase 1 bid amount of \$374,500.00, Phase 2 bid of \$268,635.00, and an Alternate of \$8,000.00 for a total combined bid of \$651,135.00.** The Estimated Probable Construction Cost for Phase 1 was \$582,590.00 and Phase 2 was \$614,770.00. The total combined estimated demolition estimate was \$1,197,360.00.

If you recall, due to estimated demolition costs prior to accepting bids, the project was bid with two phases. Phase 1 consisted of demolishing only what is needed to facilitate Otter Tail Power’s (OTP’s) space needs for their new electrical substation and Phase 2 consisted of demolishing all the abandoned facility. OTP is planning to start the new substation construction in spring, 2024. Please refer to the attached exhibit for further detail.

I recommend Rachels Contracting Phase 1 & 2 bid be accepted.

I am also requesting authorization for staff to execute two purchase agreements with OTP consisting of OTP acquisition of approximately 0.3 acres of land on the old WWTP site and the City acquisition of approximately 0.3 acres of land beneath the Buse Street electrical substation, once decommissioned and removed.

Budgetary Impact:

	Phase 1	Phase 2	Estimated Total Cost (Phase 1 + Phase 2)
Construction Contract - Phase 1	\$ 374,500.00	\$ -	\$ 374,500.00
Construction Contract - Phase 2	\$ -	\$268,635.00	\$ 268,635.00
Construction Contingency	\$ 93,625.00	\$ 67,200.00	\$ 160,825.00
Eng. Final Design & CA - Interstate	\$69,473.65	\$25,000.00	\$ 94,473.65
City Engineering Admin.	\$ 19,000.00	\$ 13,500.00	\$ 32,500.00
Estimated Total Cost	\$ 556,598.65	\$ 360,835.00	\$ 917,433.65

The project costs are proposed to be funded thru the Sanitary Sewer Enterprise Fund.

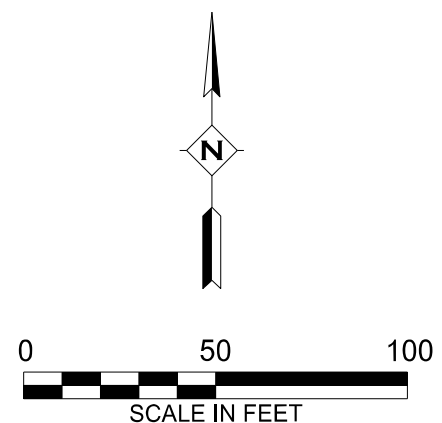
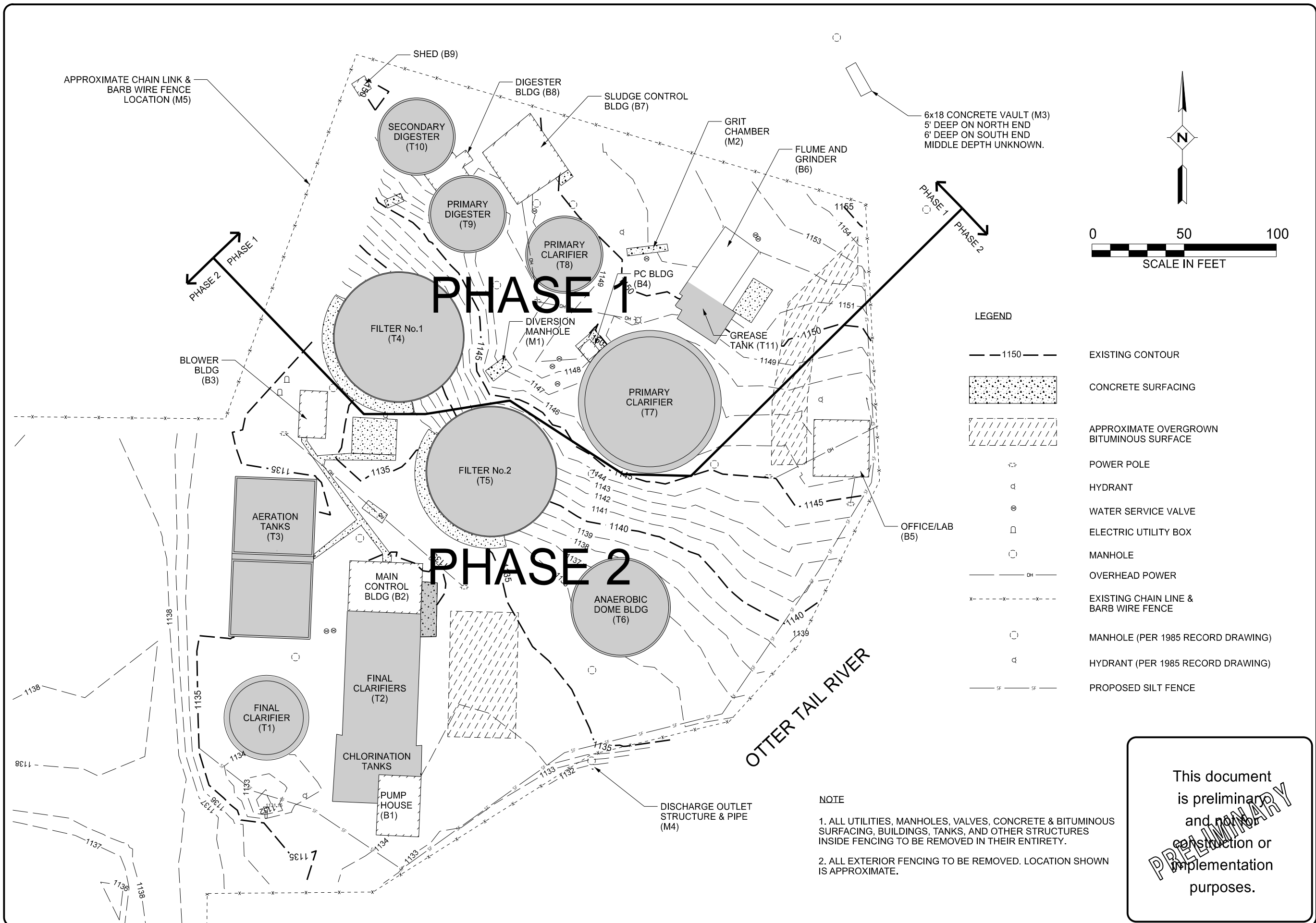
Originating Department:
Engineering Department

Respectfully Submitted:
Brian Yavarow, P.E. – City Engineer

Attachments:
Exhibit Phase 1 & Phase 2 Bid
Bid Abstract
Purchase Agreement: City selling to OTP (Old WWTP Site)
Purchase Agreement: OTP selling to City (Buse Street Substation)



Old Waste Water Treatment Plant, Aerial Dated: Oct. 2009



LEGEND

	1150	EXISTING CONTOUR
		CONCRETE SURFACING
		APPROXIMATE OVERGROWN BITUMINOUS SURFACE
		POWER POLE
		HYDRANT
		WATER SERVICE VALVE
		ELECTRIC UTILITY BOX
		MANHOLE
		OVERHEAD POWER
		EXISTING CHAIN LINE & BARB WIRE FENCE
		MANHOLE (PER 1985 RECORD DRAWING)
		HYDRANT (PER 1985 RECORD DRAWING)
		PROPOSED SILT FENCE

NOTE

1. ALL UTILITIES, MANHOLES, VALVES, CONCRETE & BITUMINOUS SURFACING, BUILDINGS, TANKS, AND OTHER STRUCTURES INSIDE FENCING TO BE REMOVED IN THEIR ENTIRETY.
2. ALL EXTERIOR FENCING TO BE REMOVED. LOCATION SHOWN IS APPROXIMATE.

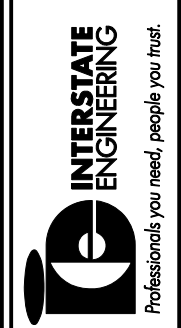
This document
is preliminary
and not for
construction or
implementation
purposes.

Rev No	Date	By	Description

WASTE WATER TREATMENT FACILITY FERGUS FALLS, MINNESOTA	
DEMO & TEMPORARY EROSION CONTROL	Project No: F1800121 Date: JANUARY 2019
Drawn By: JW	Surveyed By: AS
Checked By: WIS	Designed By: AS

Interstate Engineering, Inc.
P.O. Box 316
116 East Washington Avenue
Fergus Falls, MN 56538-0316
Ph (218) 739-5345
Fax (218) 739-4814
www.interstateeng.com

Offices in North Dakota, Minnesota, Montana and South Dakota



**OLD WWTF DEMOLITION
PI NO. 9502
CITY OF FERGUS FALLS, MN
F1800121**

**ABSTRACT OF BIDS RECEIVED
SEPTEMBER 12, 2023**



PHASE 1

					ENGINEERS OPINION OF PROBABLE COST FOR CONSTRUCTION	RACHEL CONTRACTING, LLC	LANDWEHR CONSTRUCTION	VEIT & COMPANY, INC.	LINNCO, INC.
ITEM NO.	SPEC. REF.	ITEM DESCRIPTION	UNITS	EST. QUAN.	AMOUNT BID	AMOUNT BID	AMOUNT BID	AMOUNT BID	AMOUNT BID
1	01	GENERAL REQUIREMENTS	LUMP SUM	1	\$ 75,000.00	\$ 100,000.00	\$ 35,400.00	\$ 44,490.00	\$ 46,000.00
2	02	EXISTING CONDITIONS	LUMP SUM	1	\$ 317,940.00	\$ 198,500.00	\$ 261,030.00	\$ 160,400.00	\$ 456,000.00
3	31	EARTHWORK	LUMP SUM	1	\$ 146,500.00	\$ 45,000.00	\$ 131,000.00	\$ 238,860.00	\$ 216,000.00
4	32	EXTERIOR IMPROVEMENTS	LUMP SUM	1	\$ 23,150.00	\$ 11,000.00	\$ 17,250.00	\$ 19,720.00	\$ 10,000.00
5	ALLOW	TESTING LABORATORY SERVICES	LUMP SUM	1	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00

TOTAL PHASE 1 BID	\$ 582,590.00	\$ 374,500.00	\$ 464,680.00	\$ 483,470.00	\$ 748,000.00
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PHASE 2

					ENGINEERS OPINION OF PROBABLE COST FOR CONSTRUCTION	RACHEL CONTRACTING, LLC	LANDWEHR CONSTRUCTION	VEIT & COMPANY, INC.	LINNCO, INC.
ITEM NO.	SPEC. REF.	ITEM DESCRIPTION	UNITS	EST. QUAN.	AMOUNT BID	AMOUNT BID	AMOUNT BID	AMOUNT BID	AMOUNT BID
1	01	GENERAL REQUIREMENTS	LUMP SUM	1	\$ 75,000.00	\$ 18,000.00	\$ 26,400.00	\$ 41,830.00	\$ 20,000.00
2	02	EXISTING CONDITIONS	LUMP SUM	1	\$ 332,770.00	\$ 153,000.00	\$ 264,700.00	\$ 143,360.00	\$ 445,000.00
3	31	EARTHWORK	LUMP SUM	1	\$ 162,000.00	\$ 62,635.00	\$ 186,500.00	\$ 368,440.00	\$ 254,000.00
4	32	EXTERIOR IMPROVEMENTS	LUMP SUM	1	\$ 25,000.00	\$ 15,000.00	\$ 14,500.00	\$ 17,840.00	\$ 11,000.00
5	ALLOW	TESTING LABORATORY SERVICES	LUMP SUM	1	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00

TOTAL PHASE 2 BID	\$ 614,770.00	\$ 268,635.00	\$ 512,100.00	\$ 591,470.00	\$ 750,000.00
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ALTERNATE A

					ENGINEERS OPINION OF PROBABLE COST FOR CONSTRUCTION	RACHEL CONTRACTING, LLC	LANDWEHR CONSTRUCTION	VEIT & COMPANY, INC.	LINNCO, INC.
ITEM NO.	SPEC. REF.	ITEM DESCRIPTION	UNITS	EST. QUAN.	AMOUNT BID	AMOUNT BID	AMOUNT BID	AMOUNT BID	AMOUNT BID
1	01	GENERAL REQUIREMENTS	LUMP SUM	1	\$ 15,000.00	\$ 8,000.00	\$ 15,200.00	\$ 49,140.00	\$ 6,000.00

TOTAL ALTERNATE A BID	\$ 15,000.00	\$ 8,000.00	\$ 15,200.00	\$ 49,140.00	\$ 6,000.00
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SUMMARY OF RESULTS

		ENGINEERS OPINION OF PROBABLE COST FOR CONSTRUCTION	RACHEL CONTRACTING, LLC	LANDWEHR CONSTRUCTION	VEIT & COMPANY, INC.	LINNCO, INC.
TOTAL BID		\$1,212,360.00	\$651,135.00	\$991,980.00	\$1,124,080.00	\$1,504,000.00

PURCHASE AGREEMENT

1. PARTIES. This purchase agreement (“Agreement”) is executed on the day and date below, by and between the **City of Fergus Falls**, a **Minnesota** municipal corporation, 112 Washington Avenue, Fergus Falls, MN 56537 (“Seller”), and **Otter Tail Power Company**, a **Minnesota corporation**, of 215 South Cascade Street, Fergus Falls, MN 56537 (“Buyer”).

2. OFFER/ACCEPTANCE. Buyer offers to purchase, and Seller agrees to sell real property with a deeded access legally described as:

Exhibit A

(the “Property”).

3. PERSONAL PROPERTY AND FIXTURES INCLUDED IN THE SALE. The following items of personal property and fixtures owned by Seller and currently located on the Property are included in this sale: None

4. ACCEPTANCE DEADLINE. This offer to purchase, unless accepted sooner, shall be null and void at 11:59 pm, October 15, 2023, and in such event, any earnest money shall be refunded to the Buyer.

5. PRICE AND TERMS. The price for the Property and personal property included in this sale is five hundred and 00/100 Dollars (\$500.00) per acre, which tract is estimated at 110 feet long by 110 feet wide, for an approximate 0.3 acres in total, for a total sale price of one hundred and fifty and 00/100 Dollars (\$150.00) and shall be adjusted as determined by survey.

6. DEED/MARKETABLE TITLE. Upon performance by Buyer, Seller shall execute and deliver a warranty deed conveying marketable title, subject to:

- A. Building and zoning laws, ordinances, state and federal regulations;
- B. Restrictions relating to use or improvements of the Property without effective forfeiture provisions;
- C. Reservations of any mineral rights by the State of Minnesota;
- D. Utility and drainage easements which do not interfere with existing improvements;
- E. Exceptions to title which constitute encumbrances, restrictions, or easements which have been disclosed to Buyer and accepted by Buyer in this Agreement (must be specified in writing).

7. **DAMAGES TO REAL PROPERTY.** If the Property is substantially damaged prior to closing, this Agreement shall terminate. If the Property is damaged materially but less than substantially prior to closing, Buyer may rescind this Agreement by notice to Seller within twenty-one (21) days after Seller notifies Buyer of such damage, during which twenty-one (21)-day period Buyer may inspect the Property, and in the event of such rescission, the earnest money shall be refunded to the Buyer. The Seller shall maintain property insurance upon the Property until and through the date of closing.
8. **SELLER'S ACCESS, RESTRICTIONS AND LIEN WARRANTIES.** Seller warrants that there is a right of access to the Property from a public right-of-way. Seller warrants that there has been no labor or material furnished to the Property for which payment has not been made prior to possession by the use or improvement of the Property. These warranties shall survive the delivery of the deed. Further, Seller agrees to indemnify, defend, and hold harmless Buyer from any and all liens and costs associated with resolving such liens, including, but expressly not limited to, attorneys' fees, that encumber the Property based upon improvements to the Property prior to the Closing Date.
9. **CONDITION OF PROPERTY.** Buyer shall have the right to have inspections for the property conducted prior to the closing. Unless otherwise agreed, the Seller does not plan to have the Property inspected.
10. **DISCLOSURE OF NOTICES.** Seller represents and warrants Seller has not received any notice from any governmental authority as to violation of any law, ordinance or regulation. If the Property is subject to restrictive covenants, Seller represents and warrants Seller has not received any notice from any person as to breach of the covenants.
11. **CLOSING AND POSSESSION.** The Closing Date on the sale of the Property shall occur on Buyer's receipt of a signed, registered, and stamped plat for subdivision of the Property, or such other date as agreed upon by the parties.

Seller shall deliver possession of the Property not later than Closing Date. All interest, fuel oil, liquid petroleum gas, and all applicable charges for city water, city sewer, electricity, and natural gas shall be prorated between the parties as of Closing Date.
12. **NOTICES.** All notices required herein shall be in writing and delivered personally or mailed to the address as shown in paragraph 1 above, and if mailed are effective as of the date of mailing.
13. **APPLICABLE LAW.** This Agreement shall be governed by the laws of the State of

Minnesota.

14. REQUIRED DISCLOSURES. Seller attests that there is not a well or sewage treatment system on the Property, and Seller will provide any associated or otherwise required disclosures to Buyer at Closing.

15. ELECTRIC FACILITY FENCE. Buyer will fence the Electric Facility according to NERC/FERC standard fencing requirements for a facility of this type and size. If Seller requires any additional fencing or screening for the benefit of neighboring land uses, Seller will reimburse to Buyer the difference in cost for any necessary upgrades to Buyer’s fence. This condition shall survive delivery of the warranty deed.

16. ENTIRE AGREEMENT. This Agreement, any attached exhibits and any addenda or amendments signed by the parties, shall constitute the entire agreement between Seller and Buyer, and supersedes any other written or oral agreements between Seller and Buyer. THIS AGREEMENT CAN BE MODIFIED ONLY IN WRITING SIGNED BY THE SELLER AND THE BUYER.

The right of enforcing the specific performances of this Agreement exists for the Buyer and the Seller, unless this Agreement shall be terminated as above, and provided that the action to enforce such specific performance shall be commenced within six (6) months after the date of this Agreement.

The City of Fergus Falls, MN agrees to sell the Property for the price and terms and conditions set forth above.

By Ben Schierer
Its Mayor

By Andrew Bremseth
Its City Administrator

Otter Tail Power Company, a Minnesota corporation, agrees to purchase the property for the price and terms and conditions set forth above.

Otter Tail Power Company

By: _____

Its: _____

By: _____

Its: _____

THIS INSTRUMENT IS DRAFTED BY:

Otter Tail Power Company
P.O. Box 496
Fergus Falls, MN 5653-0496
218-739-8200

Draft

EXHIBIT A: Switch Station Property and Ingress/Egress Easement in Fergus Falls in Section 5, T132, R43W, Otter Tail County, Minnesota

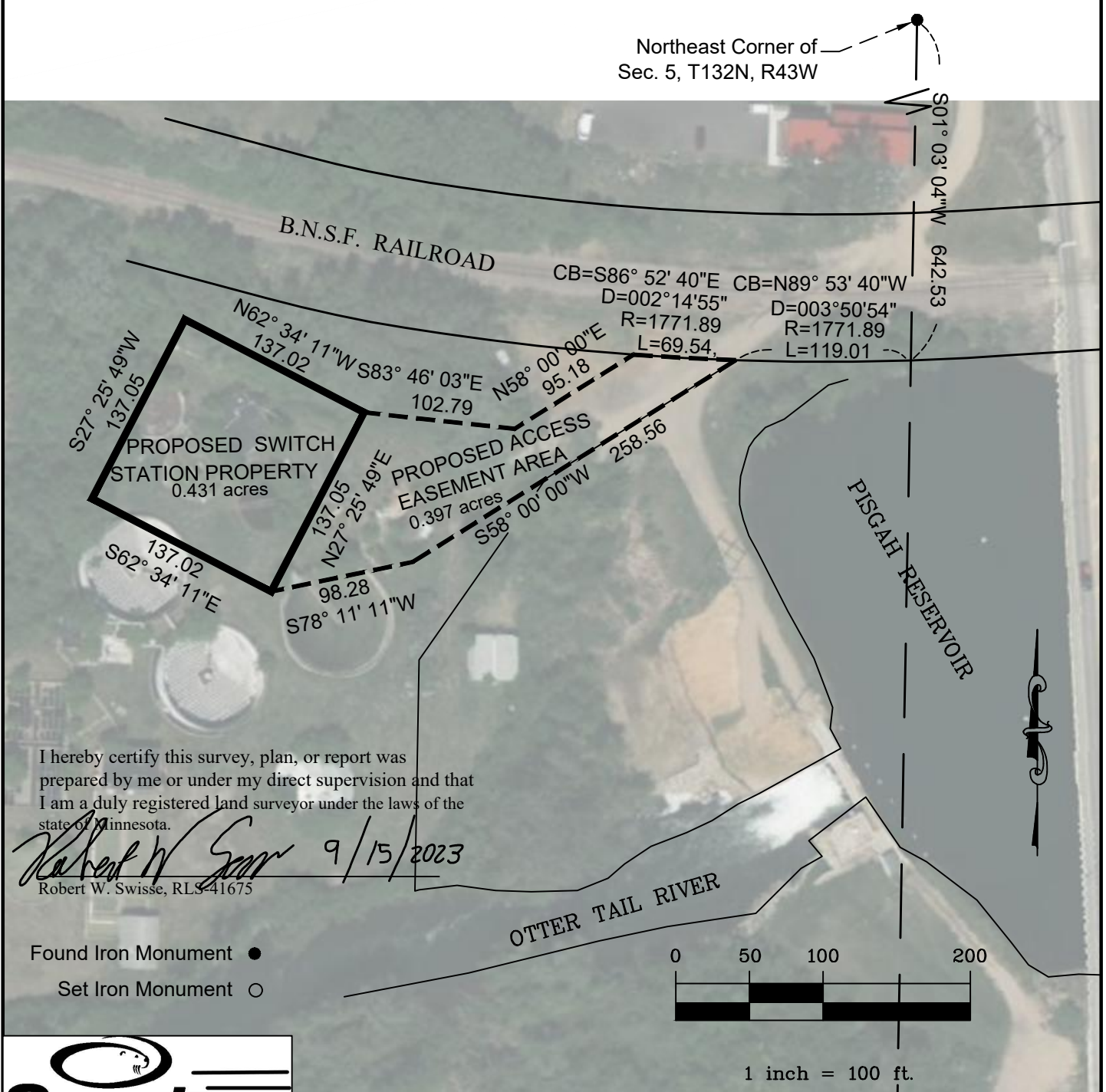
SWITCH STATION PROPERTY DESCRIPTION

A tract of land in Government Lot 1 of Section 5, Township 132 North, Range 43 West, Otter Tail County, Minnesota described as follows:

Commencing at the northeast corner of said Section 5; thence on an assumed bearing of South 01 degrees 03 minutes 04 seconds West along the east line of said Section 5 a distance of 642.53 feet to a point on the southerly right of way line of Burlington Northern Santa Fe (B.N.S.F.) Railroad; thence 119.01 feet westerly along the southerly right of way line of B.N.S.F. Railroad on a curve with a radius of 1771.89 feet, a central angle of 3 degrees 50 minutes 54 seconds, and a chord bearing of North 89 degrees 53 minutes 40 seconds West; thence South 58 degrees 00 minutes 00 seconds West a distance of 258.56 feet; thence South 78 degrees 11 minutes 11 seconds West a distance of 98.28 feet to the Point of Beginning of the tract to be described; thence North 27 degrees 25 minutes 49 seconds East a distance of 137.05 feet; thence North 62 degrees 34 minutes 11 seconds West a distance of 137.02 feet; thence South 27 degrees 25 minutes 49 seconds West a distance of 137.05 feet; thence South 62 degrees 34 minutes 11 seconds East a distance of 137.02 feet to the Point of Beginning. Containing 0.431 acres.

Together with an ingress/egress easement across part of said Government Lot 1 described as follows:

Commencing at the Point of Beginning of the above described tract which is also the Point of Beginning of the ingress/egress easement to be described; thence North 27 degrees 25 minutes 49 seconds East a distance of 137.05 feet; thence South 83 degrees 46 minutes 03 seconds East a distance of 102.79 feet; thence North 58 degrees 00 minutes 00 seconds East a distance of 95.18 feet to a point on the southerly right of way line of B.N.S.F. Railroad; thence 69.54 feet easterly along the southerly right of way line of B.N.S.F. Railroad on a curve with a radius of 1771.89 feet, a central angle of 2 degrees 14 minutes 55 seconds and a chord bearing of South 86 degrees 52 minutes 40 seconds East; thence South 58 degrees 00 minutes 00 seconds West a distance of 258.56 feet; thence South 78 degrees 11 minutes 11 seconds West a distance of 98.28 feet to the Point of Beginning. Containing 0.397 acres.



PURCHASE AGREEMENT

1. **PARTIES.** This purchase agreement is made on _____, 20____, by and between **Otter Tail Power Company, a Minnesota corporation, of 215 South Cascade Street, Fergus Falls, MN 56537**, SELLER, and **City of Fergus Falls**, a Minnesota municipal corporation, 112 West Washington Avenue, Fergus Falls, MN 56537BUYER.

2. **OFFER/ACCEPTANCE.** Buyer offers to purchase and Seller agrees to sell real property legally described as:

TRACT 20' X 60' IN G L 1 (SUB F7151)

Exhibit A

3. **PERSONAL PROPERTY AND FIXTURES INCLUDED IN SALE.** The following items of personal property and fixtures owned by Seller and currently located on the property are included in this sale: None

4. **PRICE AND TERMS.** The price for the Property and personal property included in this sale is five hundred and 00/100 Dollars (\$500.00) per acre, which tract is estimated at 110 feet long by 110 feet wide, for an approximate 0.3 acres in total, for a total sale price of one hundred and fifty and 00/100 Dollars (\$150.00) and shall be adjusted as determined by survey.

5. **DEED/MARKETABLE TITLE.** Upon performance by Buyer, Seller shall execute and deliver a Warranty Deed, conveying marketable title, subject to:

- A. Building and zoning laws, ordinances, state and federal regulations;
- B. Restrictions relating to use or improvement of the property without effective forfeiture provisions;
- C. Reservation of any mineral rights by the State of Minnesota.
- D. Utility and drainage easements which do not interfere with existing improvements;
- E. Easements, restrictions and reservations of record.

6. **REAL ESTATE TAXES AND SPECIAL ASSESSMENTS.** Real estate taxes due and payable in and for the year of closing shall be paid as follows:

SELLER SHALL PAY ON THE DATE OF CLOSING all installments of special assessments certified for payment with the real estate taxes due and payable in the year of closing, prorated to the date of closing.

BUYER SHALL ASSUME all other special assessments levied as of the date of this agreement.

Buyer shall pay real estate taxes due and payable in the year following closing and thereafter and any unpaid special assessments payable therewith and thereafter, the payment of which is not otherwise provided for herein. Seller makes no representation concerning the amount of future real estate taxes or of future special assessments.

7. DAMAGES TO REAL PROPERTY. If the real property is substantially damaged prior to closing, this Agreement shall terminate. If the real property is damaged materially but less than substantially prior to closing, Buyer may rescind this Agreement by notice to Seller within 21 days after Seller notifies Buyer of such damage, during which 21-day period Buyer may inspect the real property, and in the event of such rescission, the earnest money shall be refunded to Buyer.

8. SELLER'S BOUNDARY LINE, ACCESS, RESTRICTIONS AND LIEN WARRANTIES. Seller warrants that the buildings, if any, are entirely within the boundary lines of the property. Seller warrants that there is a right of access to the real property from a public right of way. Seller warrants that there has been no labor or material furnished to the property for which payment has not been made. Seller warrants that there are no present violations of any restrictions relating to the use or improvement of the property. These warranties shall survive the delivery of the deed or contract for deed.

9. CONDITION OF PROPERTY. The property is being sold "as is" with no express or implied representation or warranties by seller as to physical condition, quality of construction, workmanship or fitness for any particular purpose.

10. POSSESSION. Seller shall deliver possession of the property not later than **date of closing**. All interest, fuel oil, liquid petroleum gas, and all charges for city water, city sewer, electricity, and natural gas shall be prorated between the parties as of **date of closing**. Closing is tentatively scheduled for _____, 20_____, subject to change by mutual agreement of the parties.

11. NOTICES. All notices required herein shall be in writing and delivered personally or mailed to the address as shown at Paragraph 1. above and, if mailed, are effective as of the date of mailing.

12. SUBDIVISION OF LAND. If this sale constitutes or requires a subdivision of land owned by Seller, Seller shall pay all subdivision expenses and obtain all necessary governmental approvals. Seller warrants that the legal description of the real property to be conveyed has been or will be approved for recording as of the date of closing.

15. MINNESOTA LAW. This contract shall be governed by the laws of the State of Minnesota.

16. DISCLOSURES.

- The Seller (Grantor) certifies that the Seller does not know of any wells on the described real property.
- A Well Disclosure Certificate accompanies this document.
- I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed Well Disclosure Certificate.
- The property does not have an individual sewer treatment system.
- An Individual Sewer Treatment System Disclosure is attached as an Addenda.
- The property has not been used in methamphetamine production.

Otter Tail Power Company, a Minnesota corporation, agrees to sell the property for the price and terms and conditions set forth above.

Otter Tail Power Company,
a Minnesota corporation

By _____

Seller

City of Fergus Falls, a Minnesota municipal corporation agrees to purchase the property for the price and terms and conditions set forth above.

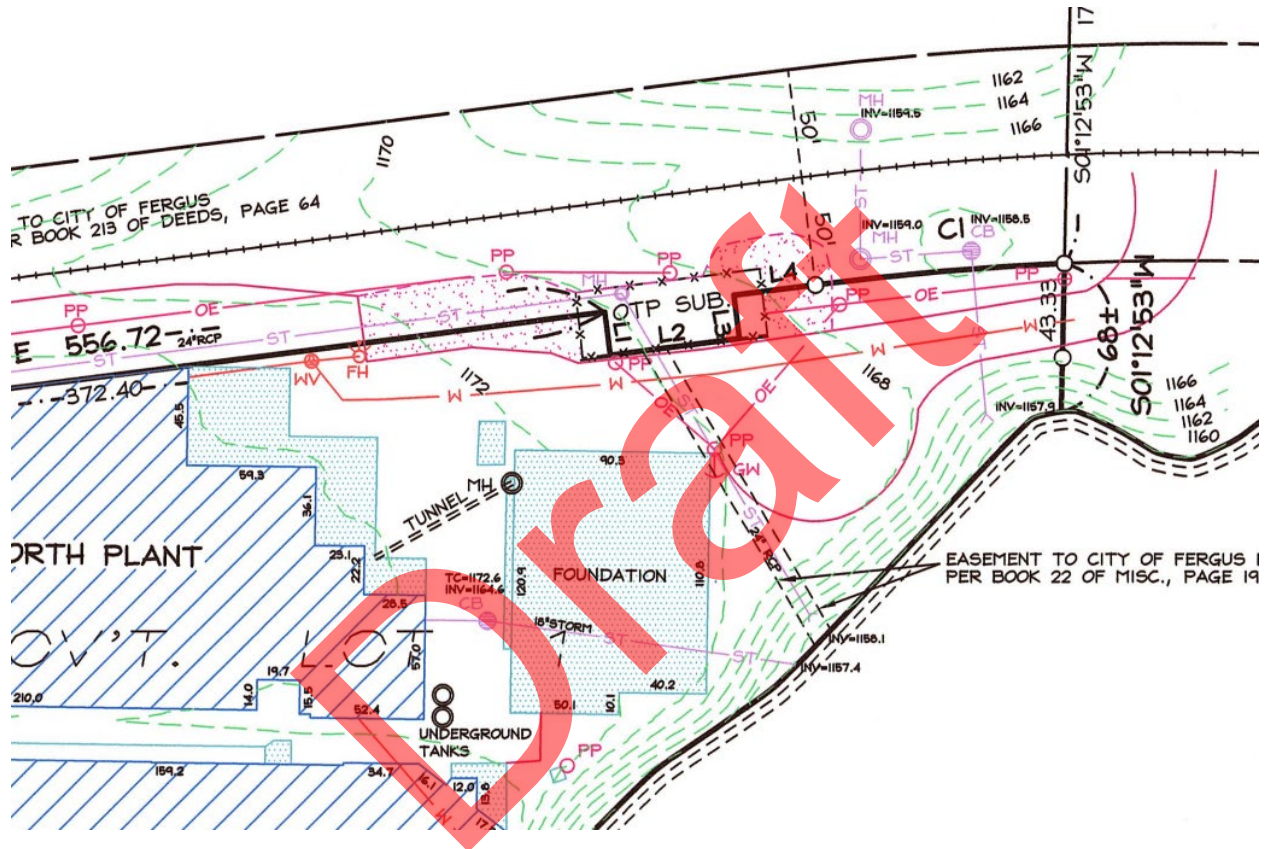
By Ben Schierer
Its Mayor

By Andrew Bremseth
Its City Administrator

This instrument was drafted by:

Otter Tail Power Company
P.O. Box 496
Fergus Falls, MN 56538-0496
Telephone No. 218-739-8200

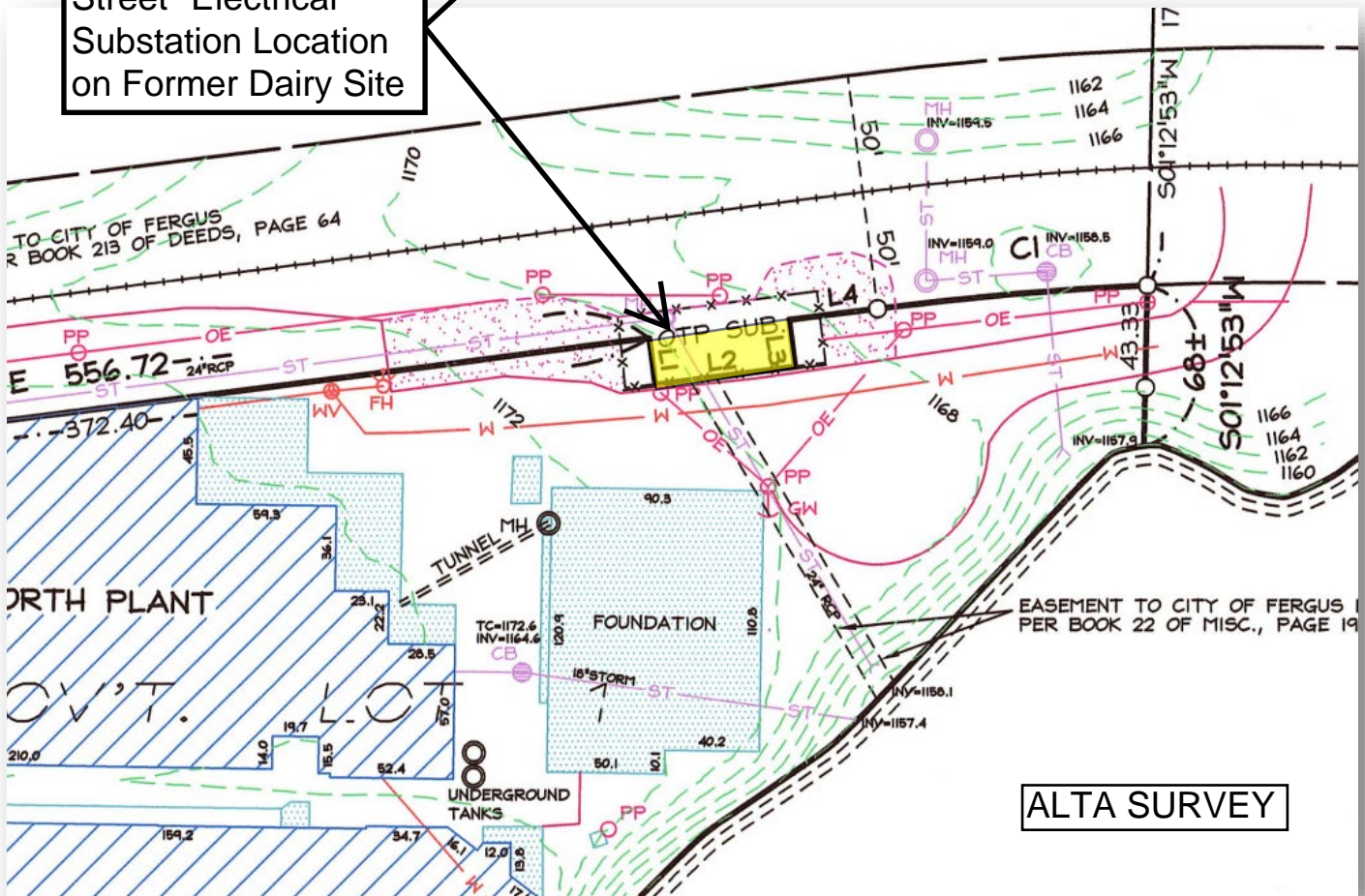
Revised 9/2017





AERIAL

Existing OTP "Buse Street" Electrical Substation Location on Former Dairy Site



ALTA SURVEY

City Council Minutes
September 18, 2023

The Fergus Falls City Council held a regular meeting on Monday September 18, 2023, at 5:30 pm in the City Council Chambers. Bill Sonmor gave the invocation, and the Pledge of Allegiance was recited. Mayor Schierer called the meeting to order at 5:33 pm and the following council members were in attendance: Thompson, Rachels, Fish, Job, Kvamme, Rufer, Kremeier. Hicks was absent.

Approval of Agenda

A motion and second were made by Fish and Kvamme approving tonight's agenda with the addition of a resolution restricting water usage (new business) and the motion carried.

Final Cost Hearing: City Project 5959 Stanton Avenue

City Project 5959 is the reconstruction of the sanitary sewer, water main, storm sewer, sewer and water services and bituminous street surface on Stanton Avenue from Union Avenue to Broadway. The total project cost is \$2,398,771.13 which is a reduction from the estimates at the preliminary hearing. The project financing includes \$265,325.37 in special assessments to be spread over 15 years at a 5.25% interest rate. The public hearing was opened at 5:37 pm. Duwayne Cookman, 543 W Stanton Avenue asked about the status of the proposed trail. The first block of the trail would be incorporated into the project from Union to Vine, but the remainder is being negotiated separately with the railroad and is no longer a part of this project. Mr. Cookman asked if there would be a disruption of services during construction. Private utility companies will be notified of the construction and minor service interruptions are possible. The hearing was closed. Kvamme offered **Resolution #162-2023** adopting the final assessment for City Project 5959 contingent upon awarding the construction services contract for City Project 5959 to C&L Excavating Inc., which was seconded by Rufer and was adopted.

City Project 5959 Construction Contract

Bids were compiled for City Project 5959, the Stanton Avenue reconstruction project. The low bid was from C&L Excavating in the amount of \$1,776,867.50. New water and sanitary sewer service are planned for installation with the old mill redevelopment this fall, and the remaining work will begin in the spring of 2024. Rachels offered **Resolution #163-2023** awarding the construction services contract to C&L Excavating Inc. in the amount of \$1,776,867.50, which was seconded by Thompson and was adopted.

Open Forum. There were no participants in the open forum.

Consent Agenda

The following items were approved under **Resolution #164-2023** by Rufer: Motion approving the minutes from the September 5, 2023, City Council meeting and the September 13, 2023 Committee of the Whole meeting. **Resolution #165-2023** accepting SEH's construction administration amendment in the amount of \$28,000 and authorizing the execution of the state grant agreement for PI 9350, the Airport Automated Weather Observation System project. **Resolution #166-2023** initiating Public Improvements 5363, 7219 & 8235; combining them into City Project 5961; ordering the Preliminary Engineering Report for the project and accepting Interstate Engineering's professional services proposal in the amount of \$20,000 for the reconstruction of Junius Avenue: Union to Cascade. The resolution was seconded by Thompson and was adopted.

PERA Requirements for Part-Time Police Offices

Kremeier asked an item to be removed from the consent agenda. The city offered a part-time position to an officer to act as a School Resource Officer at the elementary schools. Since this is not a 12-month position, a resolution must be adopted to make the position eligible for benefits through the Public Employee Retirement Association (PERA). Fish offered **Resolution #167-2023** affirming the City of Fergus Falls satisfies the requirements of the Public Employees Retirement Association for future qualifying part-time police officers, which was seconded by Kremeier and was adopted.

FM Bank TIF Development Agreement

In April of 2023 the council approved the creation of a Tax Increment Financing (TIF) District for the former ShopKo site. The Development Agreement with FM Bank outlines the timeline and obligations of the developer to demolish the existing blighted building. The principal amount to be paid by the city shall not exceed \$286,000. The project must begin by April 15, 2024, and be substantially completed by June 1, 2025. Rufer offered **Resolution #168-2023** approving a Tax Increment Financing Development Agreement with FM Bank for the demolition of the former Shopko building, which was seconded by Fish and was adopted on a 5-2 vote. Voting in opposition were Job and Kremeier.

Fee Schedule

Job offered **Resolution #169-2023** adopting the 2024 fee schedule which was seconded by Kvamme and was adopted.

2024 Preliminary Budget

At the September 13 Committee of the Whole meeting, Finance Director Bill Sonmor presented the city's 2024 preliminary budget of \$71,121,218. The budget is higher than prior years due to projects within the city's capital outlay. Voters approved a \$10.8 million aquatics center and \$5.2 million of improvements in DeLagoon Park. These projects will begin in the spring along with their bond issuance. The city received \$4 million from the state legislature for the dairy project and the city is planning for nearly \$11 million in street improvement projects which also contribute to the increase. Rising inflationary costs required increases in wages and equipment costs. The Tax Levy Committee started with a 10% increase in fixed costs and worked to get the budget to a 8.67% increase which is lower than peer cities within the region. Public comment will be taken at the December 4 meeting and council members wishing to offer suggestions were encouraged to reach out to members of the Tax Levy Committee. These members were commended for their extensive work in the budget process and Fish recommended council members Job and Rachels serve in this capacity again next year. Rachels offered **Resolution #170-2023** approving the 2024 preliminary budget in the amount of \$71,121,218, which was seconded by Job and was adopted with Kremeier voting in opposition.

2024 Preliminary Levy

Fish offered **Resolution #171-2023** approving the 2024 preliminary budget in the amount of \$8,300,000, which was seconded by Job and was adopted with Kremeier voting in opposition.

2024 Budget and Levy Public Hearing

Rachels offered **Resolution #172-2023** setting the 2024 budget and levy public meetings for December 4, 2023, at 6:00 pm (or later) in the City Council Chambers, which was seconded by Rufer and was adopted.

Conditional Use Permit for 1603 Pebble Lake Road

At the September 5 meeting a resolution approving a Conditional Use Permit (CUP) authorizing the Little Chief Outpost to sell hemp-derived THC products in a B-2 zone failed to get 5 votes. The rules of a CUP require reasons if it is not approved. The council has four options: approve the CUP, approve it with conditions, deny it while stating the reasons for the denial or extend the timeframe an additional 60 days. If the council fails to take any of these actions, the permit is automatically approved. Staff recommend approving the conditional use permit with the conditions the applicant must comply with all ordinances of the city. This would include only allowing these sales in an area separate from the main store restricted to those 21+ years of age and ensuring all transactions are conducted by someone age 21 or older. Rachels offered **Resolution #173-2023** approving a Conditional Use Permit for hemp-derived THC sales in a B-2 zone at 1603 Pebble Lake Road, which was seconded by Rufer and was adopted with Kremeier voting in opposition.

Active Transportation Grant

The city was notified they were awarded \$391,960 for four projects. After being awarded the funding, the city was informed they needed to come up with \$71,250 in funding. MnDOT agreed to allow the city to proceed with only one project reducing the city's share is now \$26,466. The school district agreed to pay half of the cost since the project will benefit students. The Tax Levy Committee did not find any additional funding other than the unused portion of the 2022 sidewalk funds. Kvamme felt the city would not get a better deal on getting all four projects at a fraction of the cost but understood the budget constraints. Katrina Johnson spoke as a member of the Bicycle and Pedestrian Advisory Committee said the mistake in not letting the city know there was a matching fund requirement should be put aside and the city should be financially responsible to invest in all four projects since they are safety project that need to be addressed. She felt turning away grant money would adversely impact the city in future funding requests and requested the city reconsider their recommendation and pursue all four projects. Thompson offered **Resolution #174-2023** authorizing MnDOT to prepare the final Active Transportation Grant Agreement for Option 3 that was seconded by Rachels and was adopted.

Resolution of Accounts

Fish offered a resolution authorizing the payments and claims in the amount of \$2,639,100.91, which was seconded by Rufer and was adopted.

Watering Restrictions

The Minnesota DNR notified cities within the Red River watershed they must impose water restrictions due to the drought conditions. The restrictions would not be applicable for gardens, flowers, newly planted trees, and shrubs or newly sodded or seeded lawns. It would restrict lawn watering between the hours of 8 pm and 8 am and limit lawn watering and car washing to a schedule corresponding to addresses and calendar dates as well as restrict the filling of swimming pools. Rufer offered **Resolution #175-2023** restricting water usage for lawn watering, car washing and the filling of swimming pools which was seconded by Fish and was adopted.

Kremeier announced the upcoming town hall meeting will feature the CEO of Perham's KLN Company and the meeting adjourned at 6:17 pm.

Lynne Olson

Committee of the Whole Meeting
September 27, 2023

The Fergus Falls City Council held a Committee of the Whole meeting on September 27, 2023, at 7:00 am in the City Council Chambers. Mayor Schierer called the meeting to order, and the following members were in attendance: Thompson, Hicks, Fish, Job, Kvamme, Rufer and Kremer. Rachels was absent.

Combined Polling Places for 2024 Primary Elections

A motion and second were offered by Hicks and Fish to recommend combining polling places for the March 5, 2024, Presidential Nominating Primary Election and the August 5, 2024, State Primary Election and the motion carried.

Union Avenue Bridge

The Union Avenue Bridge was built in 1938 and no longer meets the capacity for today's vehicles including the Fire Department's 37-ton ladder truck. The Olson & Nesvold Engineering Firm developed a preliminary engineering approach to "surgically" ensure the capacity of the bridge while keeping the historic qualities. Engineer Steve Olson reviewed each bridge section noting the existing pilings can be maintained without additional pilings and they submitted the 30% bridge plans which have been approved by the state. The estimated project cost is \$3 million (\$2.5 million for the bridge work and \$500,000 for the roadway work). The engineering design work is \$138,200 and potential funding for the project is a 50/50 split of state aid and bridge bonding. A motion and second were made by Hicks and Thompson to recommend the council accept Olson & Nesvold Engineers professional services proposal for final design of PI 9013, the Union Avenue Bridge rehabilitation project in the amount of \$138,820 and the motion carried.

THC and Edible Product Sale Update

Police Chief Kile Bergren commented on the everchanging aspects of the new THC, edible product, and cannabis laws. Due to the uncertainty of the rules and regulation of the industry at the state and local levels, and he recommended extending the moratorium adopted earlier this year for cannabis sales to THC edible products as well. This would not adversely impact the four existing businesses conducting these sales, but it would prevent the influx of new businesses trying to establish themselves for a cannabis license and give the Planning Commission more time to iron out the zoning issues. Bergren reminded the council these are controlled substances and advocated taking a slower approach to focus on safety and keeping these products out of the hands of minors. He encouraged establishing a committee of council members to look at the new rules and regulations and advising staff how they would like to proceed once the Office of Cannabis Management is functional and businesses are able to legally sell the products. A motion and second were made by Rufer and Fish to recommend the council adopt an ordinance amending the moratorium on cannabis products to extend to edible THC product sales and establish a council committee to provide recommendations on how the city should proceed with the process of regulating cannabis products locally and the motion carried.

Charter Commission Recommendations

The Charter Commission was asked to review the Charter language regarding the order of events at the first council meeting of the year following an election and council pay raises. They recommended changing Charter Section 4.01, so the "old" council starts the meeting and receiving recognition. The new council would then be sworn in and conduct the business of the city. Making these changes

would require repealing City Code 31.25. They recommended continuing the same process for council compensation. If the council votes to give themselves an increase, it would not be in effect until after the next election. The commission members also cleaned up language in section 2.07 under the Mayor to make the term gender inclusive. The commission recommended the council not take official city action at a Committee of the Whole meeting unless a special meeting of the City Council was called. A motion and second were made by Kvamme and Job to recommend the council direct the City Attorney to make amendments to Charter Section 4.01 and 2.07 and to repeal City Code 31.25, and the motion carried.

Code of Conduct

Council members Job, Rachels, Kvamme and Rufer comprised the council sub-committee charged with drafting language pertaining to an Elected Officials Code of Conduct. Rufer reviewed changes to the proposed language and the rationale for the amendments. This is a self-enforcing document for the council to administer and council members would be asked to sign the document showing their intention of following the code of conduct. Kremeier felt it was unnecessary for council members to sign this document as they already sign the Oath of Office upon being sworn in. A motion and second were made by Rufer and Job to recommend the council adopt the Code of Conduct for Elected Officials and the motion carried.

PI 5373, Shoreview Drive Petition

The city received a petition for bituminous street improvements from 58% of property owners along Shoreview Drive. The petition meets standards of State Statute, Section 429, and City Code 151.035. A Preliminary Engineering Report including an estimated cost, neighborhood appraisal and method of special assessments will be drafted. A motion and second were made by Fish and Thompson to recommend the council accepting the petition for street improvements in the Abundant Life Addition & Pebble Lake Estates Addition; to initiate PI 5373 and order the preparation of the Preliminary Engineering Report and the motion carried.

PI 5327, Broadway Resurfacing Project

Project plans and specifications are substantially complete for the resurfacing project on Broadway: Fir Avenue to Lincoln Avenue and Randolph Avenue: Friberg to Springen Avenue. The estimated cost is \$1,780,000 of which 80% of the funding would come from federal funds while the remaining 20%, including 100% of the engineering design and contract administration would be paid from the state aid shares. A motion and second were made by Hicks and Thompson to recommend the council accept the project plans and specifications and to authorize the advertising of bids and the motion carried.

Code Updates

On September 5, five residents shared their concerns with City Code issues.

- The owner of the property at 104 S Lakeside Drive requested a reclassification of the property making it exempt from the rental registration program. The county is the only entity that can change classifications for homesteads. If they consent to the status change, the city will agree to the exemption.
- The situation with the property owner at 421 Friberg Avenue has been resolved and she has been told she can have up to four operable/insured and licensed vehicles on her property if they are parked in the driveway or on gravel.

- The resident of 349 Friberg Avenue said the city served a nuisance violation to the property inhabited by his grandkids (at an undisclosed address) regarding outside storage concerns. The property remains in violation.
- The owner of the property at 723 E Cherry Avenue had seven vehicles parked at the property including a tractor/trailer. He is attempting compliance as some vehicles have been moved to the street where the code requires them to be moved every 24 hours. His semi is still out of compliance and the sign on his building has been deemed decorative and is allowed to remain. The property owner felt he should be grandfathered with the code language to have as many vehicles as he wishes. Grandfathering only applies to land use, not nuisance violations. Rufer said he has heard from several property owners in this area asking the city to enforce the code language and limit the number of allowed vehicles as they want a clean look that shows pride in their neighborhood.
- The rental property owner of 1206 N Cleveland Avenue has been informed their renter has an excessive number of vehicles parked at the property. The renter has made some attempts to move vehicles to the street, but they are not being moved every 24 hours as the code language requires. This property remains in violation.

99% of the violations received by the city are complaint driven and the code enforcement department deals with issues from the curb to the house and parking issues are the responsibility of the police department. Thompson remarked on the excessive number of complaints he hears about too many vehicles parked on properties and vehicles not moving every 24 hours.

The meeting adjourned at 8:07 am

Lynne Olson

FOR COUNCIL MEETING — OCTOBER 2, 2023

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

Paving/Sidewalk

B & D Concrete

Woessner Construction

Mechanical

Johnson Sheet Metal

Tobacco

Lakeway Express-2024

Olson Oil Company-2024

Hemp-Derived THC License

Sugar High Cannabis Consulting & Dispensary LLC-2024



Council Action Recommendation

Page 1 of 1

Meeting Date: September 27, 2023 Committee of the Whole
October 2, 2023 City Council

Subject: Combining Polling Places for March and August 2024 Primary Elections

Recommendation:
Resolution combining polling precincts for the March 5, 2024 and the August 13, 2024 primary elections

Background/Key Points:

There are three planned elections for 2024: A Presidential Nominating Primary on March 5; the State Primary Election on August 13 and the General Election on November 5.

Minnesota Statute 204B.14 allows cities to combine precinct polling places by resolution by November 1 of the prior year. To seek efficiency and lower staffing costs, I am recommending combining precincts for both the March 5 and August 13 elections. The average voter turnout for the city is 10% and each election sees a greater number of people voting absentee.

Our election judges are loyal, but it is difficult to recruit judges for the March election as we have many snowbirds, or they are uncomfortable driving during unpredictable Minnesota weather conditions. We also struggle with the recruitment of judges that prefer to not serve during the summer months.

All four of the city's polling places would continue to operate, but combining the precincts would reduce staffing needs by half and the city would see savings in labor by only setting up one precinct per polling location.

The November 2024 General Election would have all eight precincts open and fully staffed with the expected large voter turnout.

Budgetary Impact: Savings of an estimated \$6,000 per primary election

Originating Department: Administration/Elections

Respectfully Submitted: Lynne Olson

Attachments: None



Council Action Recommendation

Page 1 of 1

Meeting Date:

September 27, 2023 – Committee of the Whole
October 2, 2023 – City Council

Subject:

PI No. 9013- Union Avenue Bridge (BR No. 5453) Rehabilitation Project

Recommendation:

- Accept Olson & Nesvold Engineers (ONE) professional services proposal for final design in the amount of \$138,820.00

Background/Key Points:

Steve Olson from Olson & Nesvold Engineers (ONE) will be in attendance for a presentation about the Union Avenue Bridge, BR No. 5453, rehabilitation project. If acceptable, Olson & Nesvold will begin the final design process with Interstate Engineering, MnDOT, and the State Historical Society.

Budgetary Impact:

This fee is proposed to be funded thru future project costs and reimbursed thru State funding. Based on correspondence with the State the outlook for funding for this bridge project is appealing. Potential funding is a 50/50 split of State Aid and Bridge Bonding. Given the bridge's historical significance, SHPO will likely contribute funds and perhaps engineering costs as well.

Originating Department:

Engineering Department

Respectfully Submitted:

Brian Yavarow, P.E. – City Engineer

Attachments:

Union Bridge Power Point

Rehabilitation of the Union Avenue Bridge

City of Fergus Falls

September 27, 2023



Update on Engineering

- Introduction to the Bridge and the load capacity issue
- Engineering Approach (Surgical)
- Fieldwork Findings
 - Geotech Work
 - Asbestos and Regulated Waste Assessment
 - Laser Scanning
- Preliminary Design

Historic Bridge Report

- Eligible for the National Register
- Contributes to:
 - Railroads in MN
 - StP&P St. Vincent Extension / StPM&M / GN / BN Railroad Corridor Historic District.

Minnesota Department of Transportation (MnDOT) Local Historic Bridge Report

Executive Summary

Bridge Number: 5453

Bridge 5453 was constructed in 1938 and carries Union Avenue (Old U.S Highway 52; currently MSAS 104) over the Otter Tail Valley Railroad in Fergus Falls, Otter Tail County. It is owned by the City of Fergus Falls. Bridge 5453 is significant for its aesthetics as applied to a bridge built by a New Deal agency and on a grade separation structure. Additionally it is significant as an example of MHD's design applied to bridges on trunk highways and the aesthetic effort to enhance the railroad corridor. Bridge 5453 is considered a contributing element to the determined-eligible StP&P St. Vincent Extension/ StPM&M/ GN/ BN Railroad Corridor Historic District.

Bridge 5453 is a five-span, cast-in-place, concrete slab-span structure, about 125 feet in total length. The two end spans are 19 feet in length and the three main spans are 29 feet in length. The bridge substructures are placed on an approximate 25-degree skew to align parallel to the railroad. The north span flares to the east at the intersection with Church Street. The bridge has a 40-foot-wide roadway and 6-foot-wide sidewalks on each side. Railings are cast-in-place concrete, featuring an open balustrade design with arched openings. There are intermediate and end pilasters. The abutments and piers are cast-in-place concrete.

Bridge 5453 is in good to fair condition and appears to adequately serve its purpose of carrying vehicular and pedestrian traffic. With proper maintenance, stabilization, and preservation activities, it is believed Bridge 5453 could continue to serve in its present capacity for the 20 years or longer.

Any work on Bridge 5453 should proceed according to the Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards) [36 CFR part 67] and *The Secretary's Standards with Regard to Repair, Rehabilitation, and Replacement Situations*, as adapted by the Virginia Transportation Research Council (Guidelines).



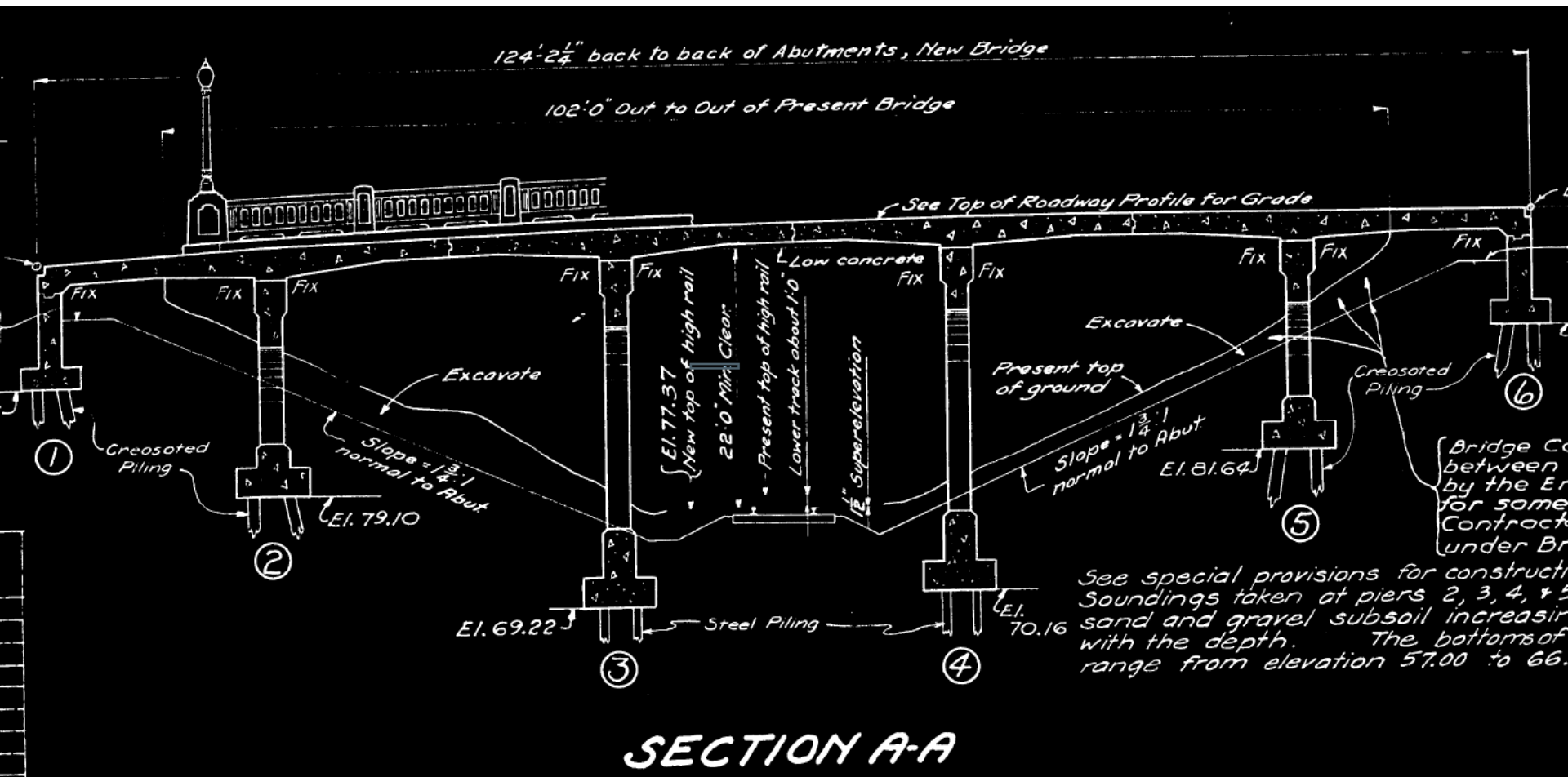
Railing and Setting are Important Historically



Preliminary Engineering Approach

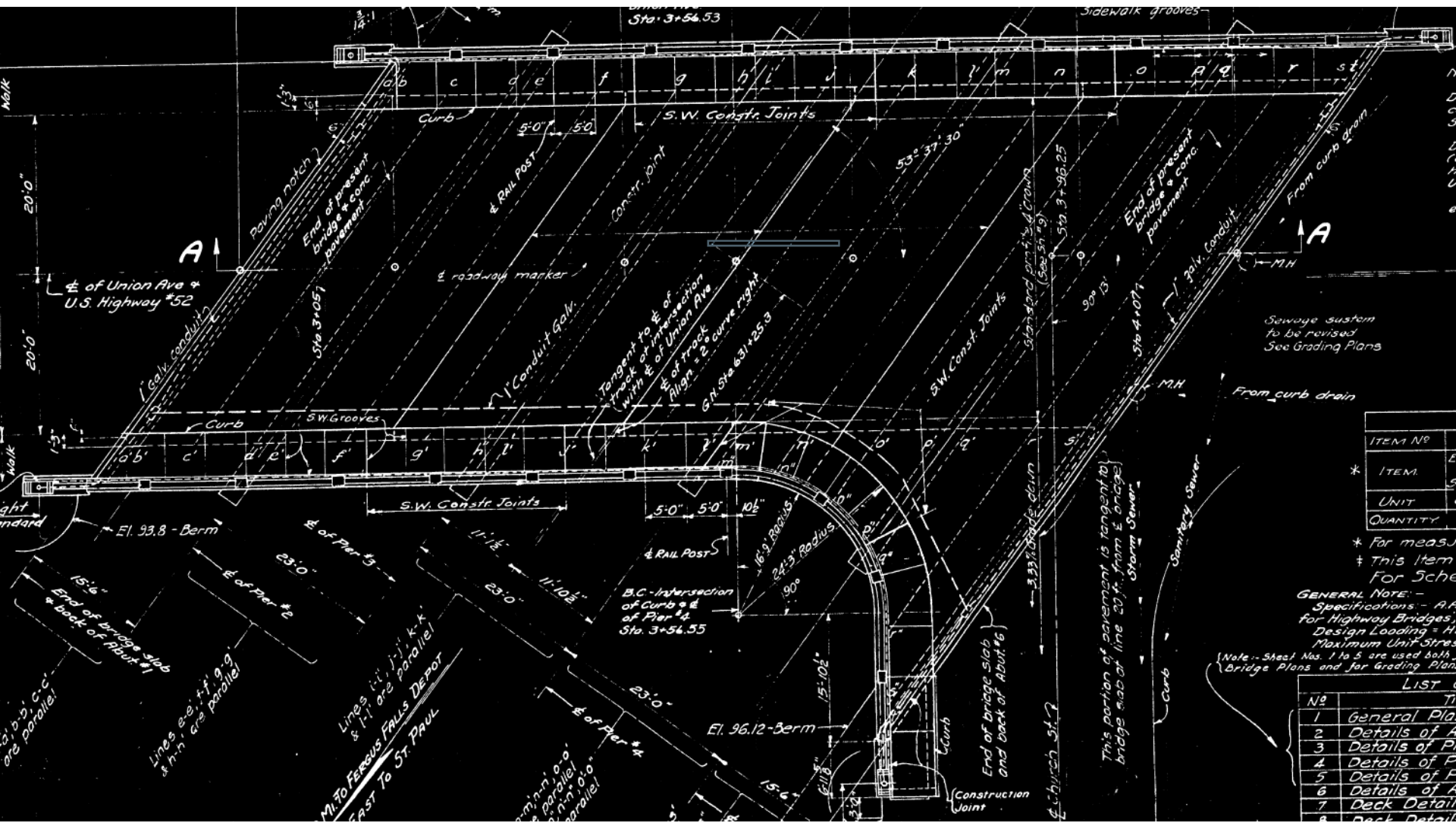
- Address the load capacity issue as “surgically” as possible.
 - Make sure the piling has capacity to carry today’s loads
 - Make sure the piers and abutments have capacity to carry today’s loads
 - Keep the sidewalk and railing
 - Replace the bridge slab between sidewalks with a higher capacity bridge slab.

Union Avenue Bridge – Bridge 5453

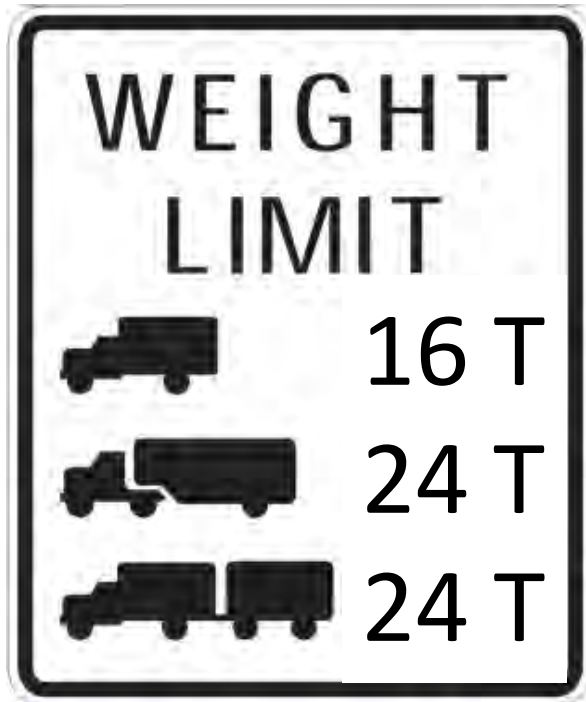


SECTION A-A

Plan View of the Bridge



Load Capacity Issue



To: Nathan Gannon
Brian Yavarow

From: Alex Schwarzhoff

Date: July 16, 2019

Re: Union Avenue Bridge over Otter Tail Valley Railroad
Rehabilitation
Fergus Falls, MN

In 2016 Bridge No. 5453 on Union Ave over the Otter Tail Valley Railroad in Fergus Falls Minnesota was inspected. As part of this process the existing bridge rating from 2008 was reviewed and it was discovered that a couple of non-conservative assumptions were made. At the time of the inspection in 2016 Bridge No. 5453 had advanced warning signs showing a single tonnage of 45 tons. As part of the review of the bridge rating it was determined that a safer, more conservative approach would be to post the bridge for 16-24 tons based on the Minnesota rating trucks. This determination was based on past experience and the condition of the bridge.

This reduced posting has created an inconvenience for the traveling public as well as the City of Fergus Falls as emergency vehicles, refuse trucks, and semi-trucks have had to be rerouted off of Union Ave a main thoroughfare through the City of Fergus Falls. Due to this inconvenience the City of Fergus Falls has started to explore options to rehabilitate or replace Bridge No. 5453.

The bridge is a 125 foot 5 span concrete slab span with a 25 degree skew carrying two lanes of traffic and two raised sidewalks. The bridge meets current geometric criteria but the deck has significant deterioration and the pier caps are showing shear cracking reducing the sufficiency rating to a 41.2

In beginning to explore options to rehabilitate Bridge No. 5453 we have been in contact with MN/DOT Bridge Office partially because Bridge No. 5453 has been identified as a historic bridge. In discussing the project with the staff about the options and requirements for rehabilitating or replacing the bridge it is our understanding the City has a few options:

1. Complete the project with exclusively Local Funds which because the bridge is not on the National Register of Historic Places would not require the City to meet any historical standards.
2. Using state funds such as Bridge Bonding would require the City to work within the State preservations standards working largely with the State Historical Preservation Office. This option could include a legislative request to obtain bonding money specifically for this project.

Professionals you need, people you trust

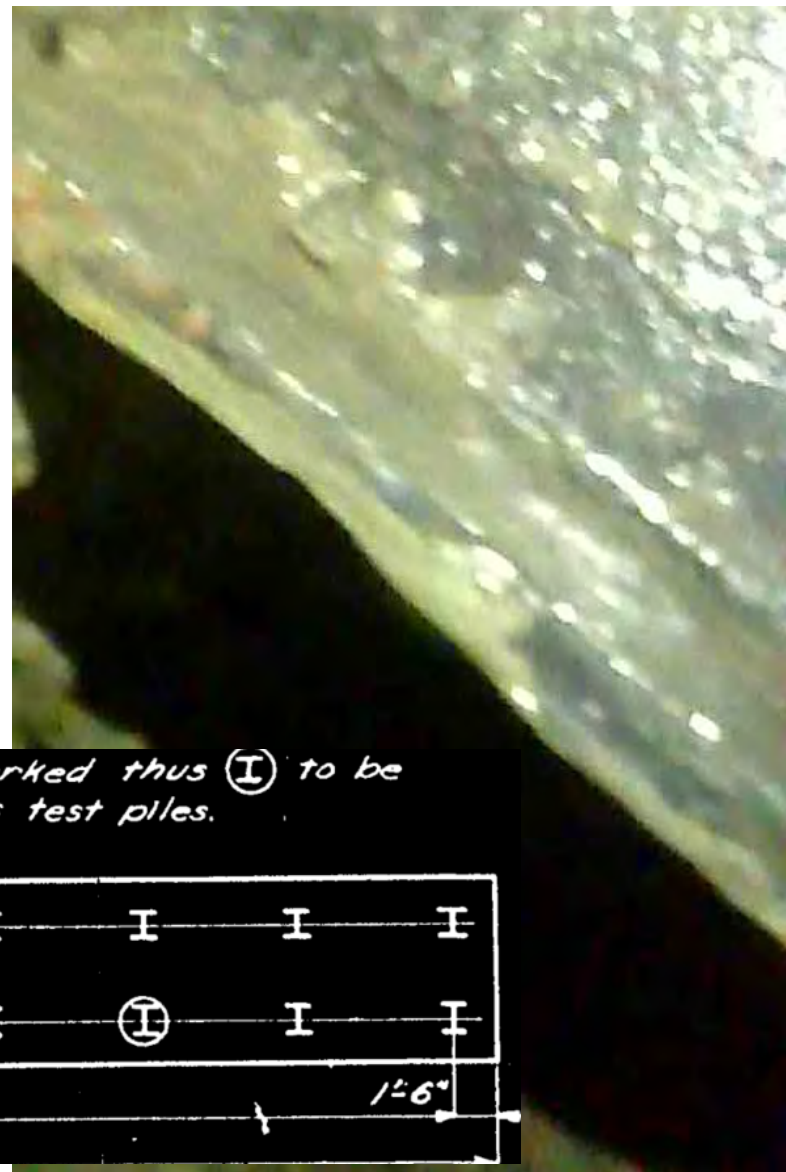
P.O. Box 216 • 116 East Washington Avenue • Fergus Falls, MN 56528-0216 • P: 218-739-5545 • F: 218-739-4814 • www.interstateeng.com

Offices in: North Dakota • Montana • Minnesota • South Dakota

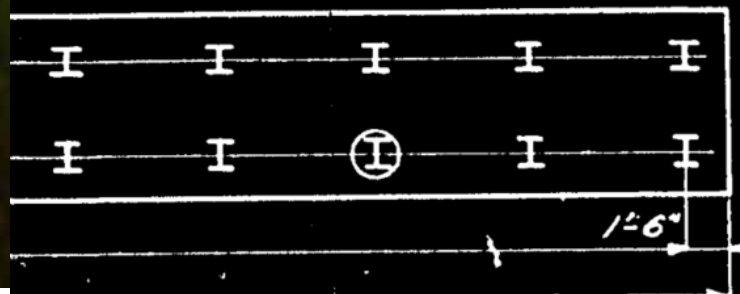
Q:\2018\18-00\F18 00 124 PER Union Ave Bridge Administrative Correspondence\Memo 07162019.docx

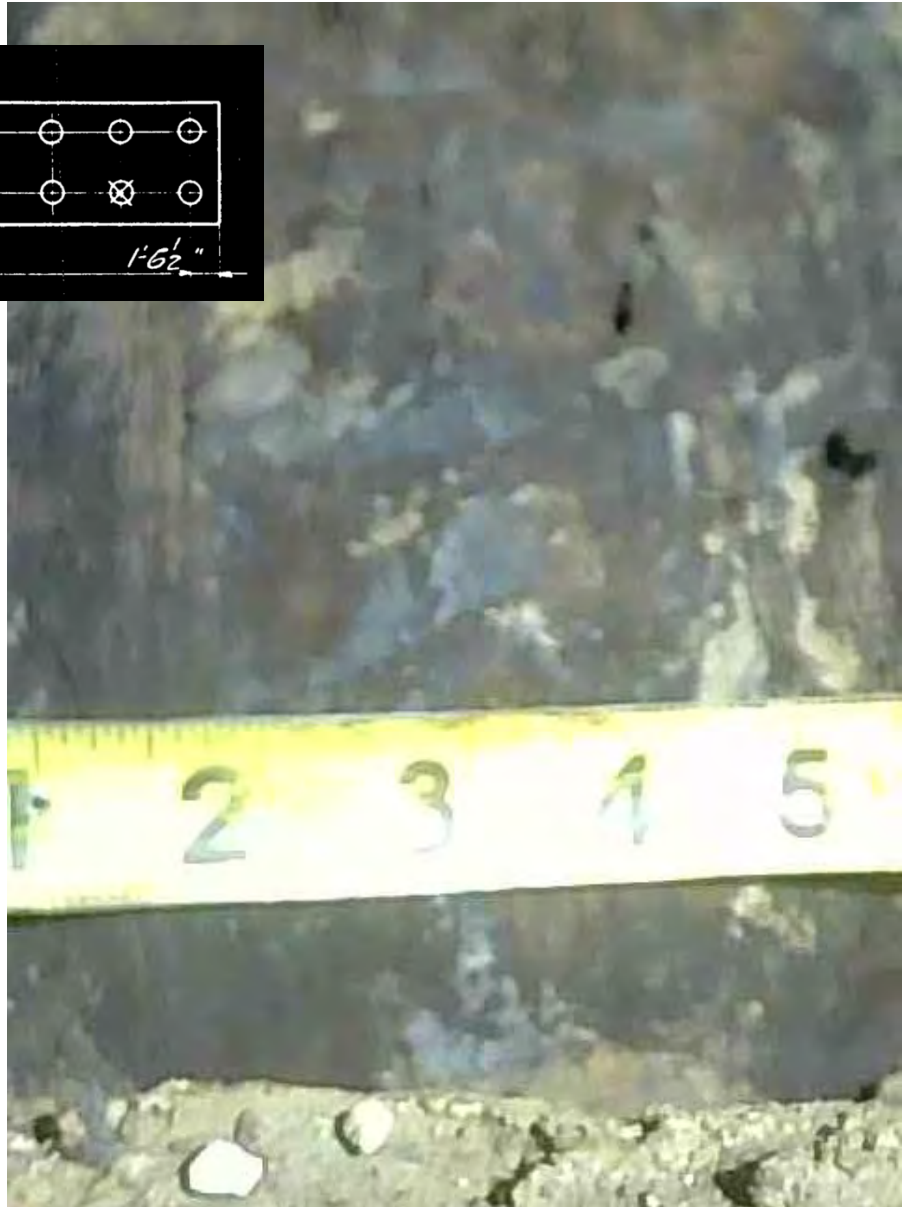
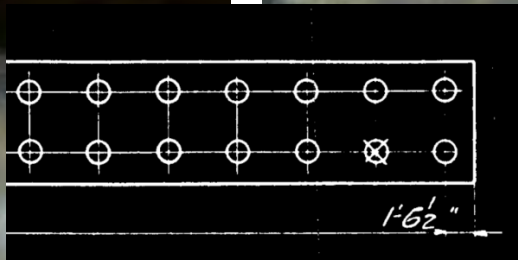
The Largest Fergus Falls Fire truck weighs about 37 tons





Piling marked thus (I) to be driven as test piles.





33% increase in capacity

- 13% increase in pile loads due to “current” design loads compared to 1938

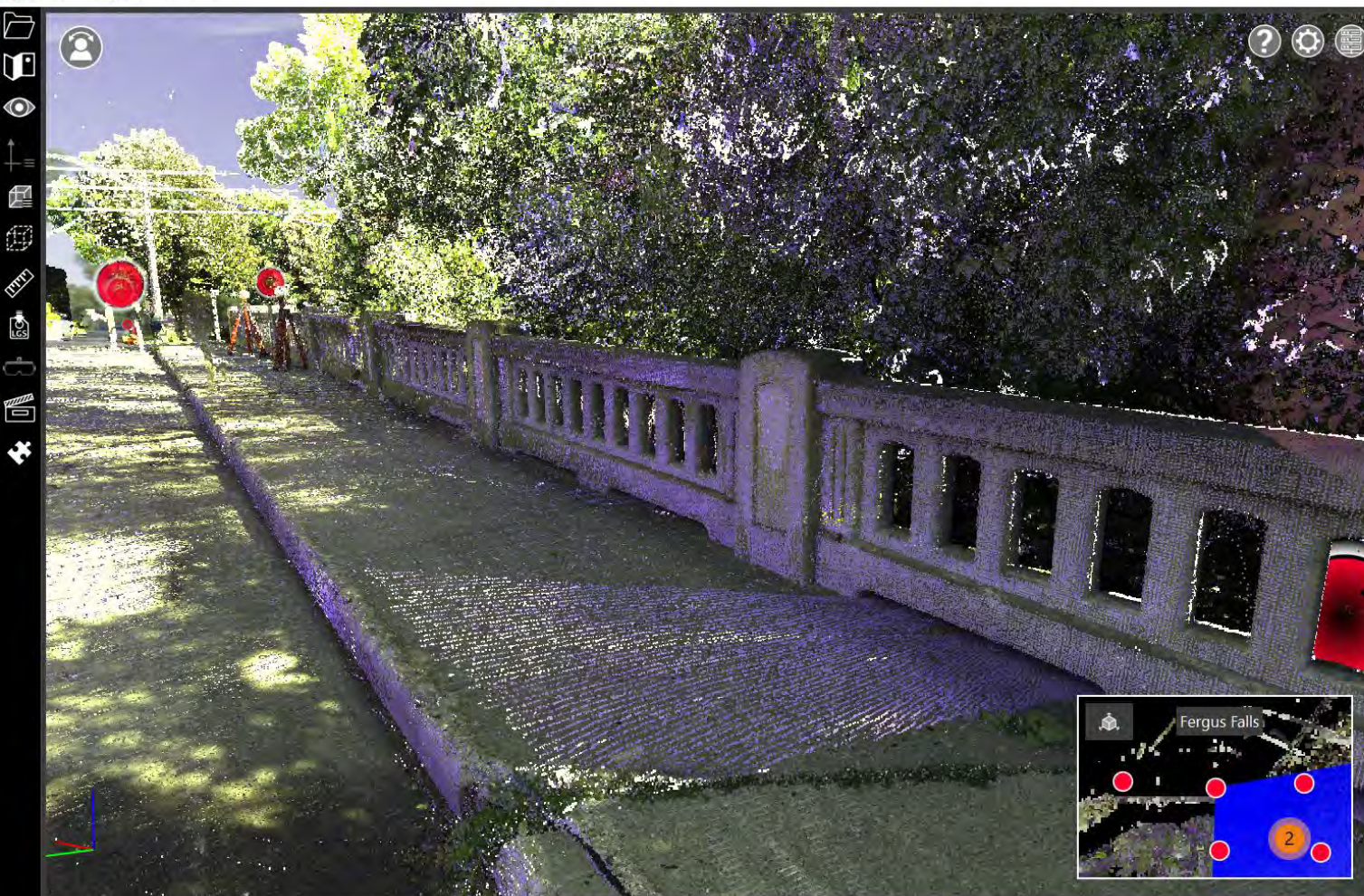


Good News

- No need to add additional piling to support the bridge to carry larger modern truck loads.

Laserscan – 1.6 billion survey points

TruView - Fergus Fall - Final 1*

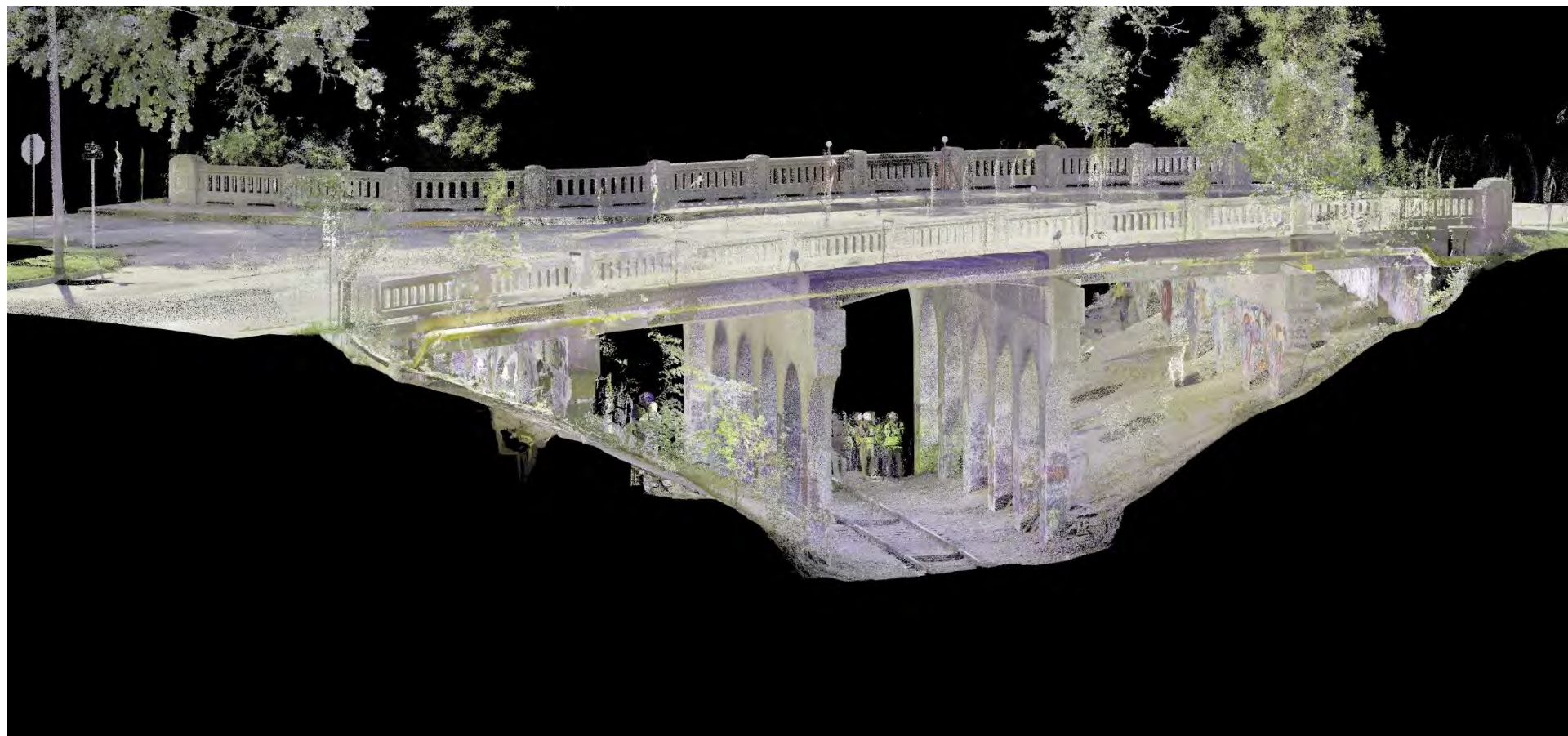


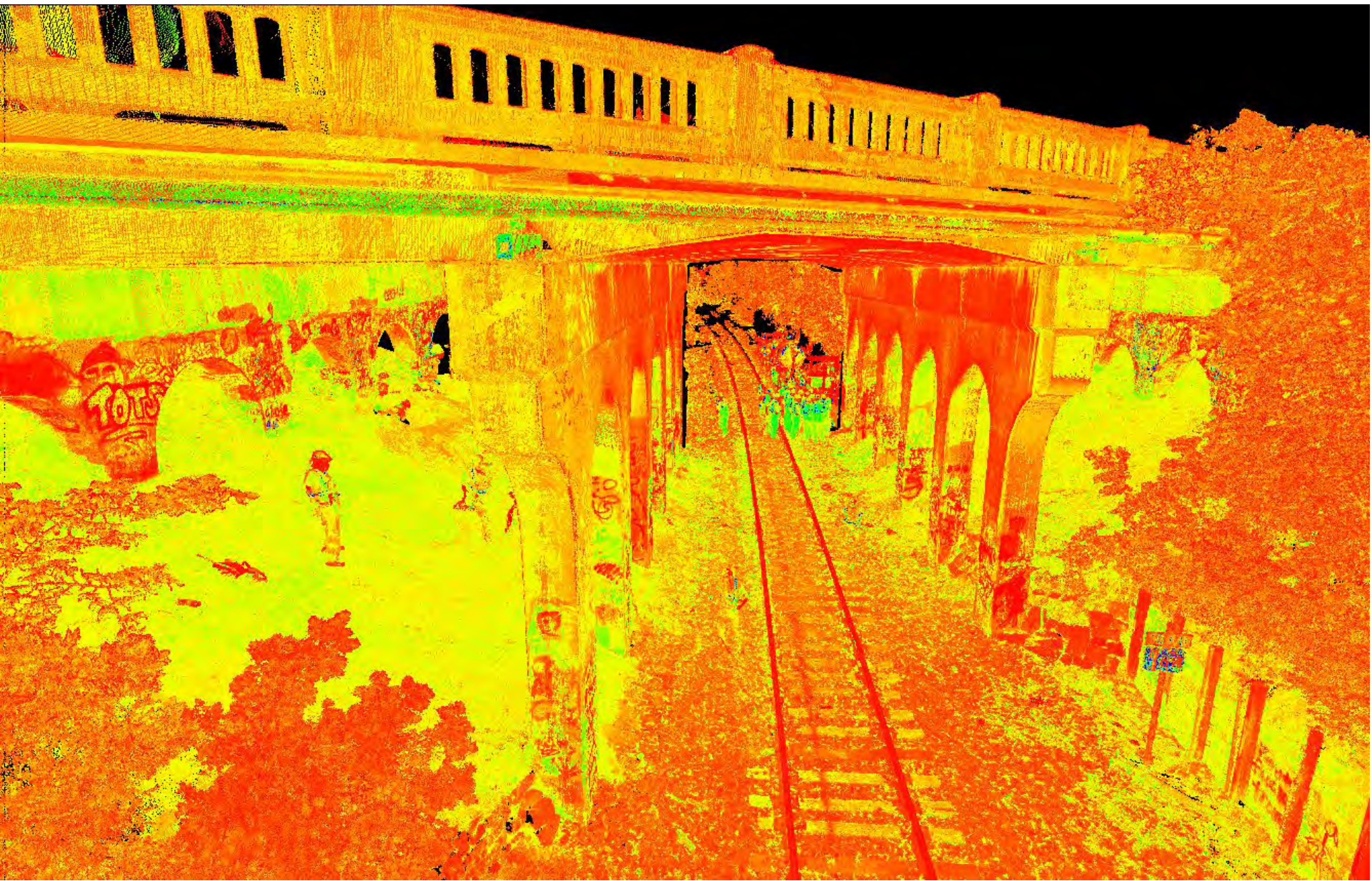
Fergus Fall - Final 1

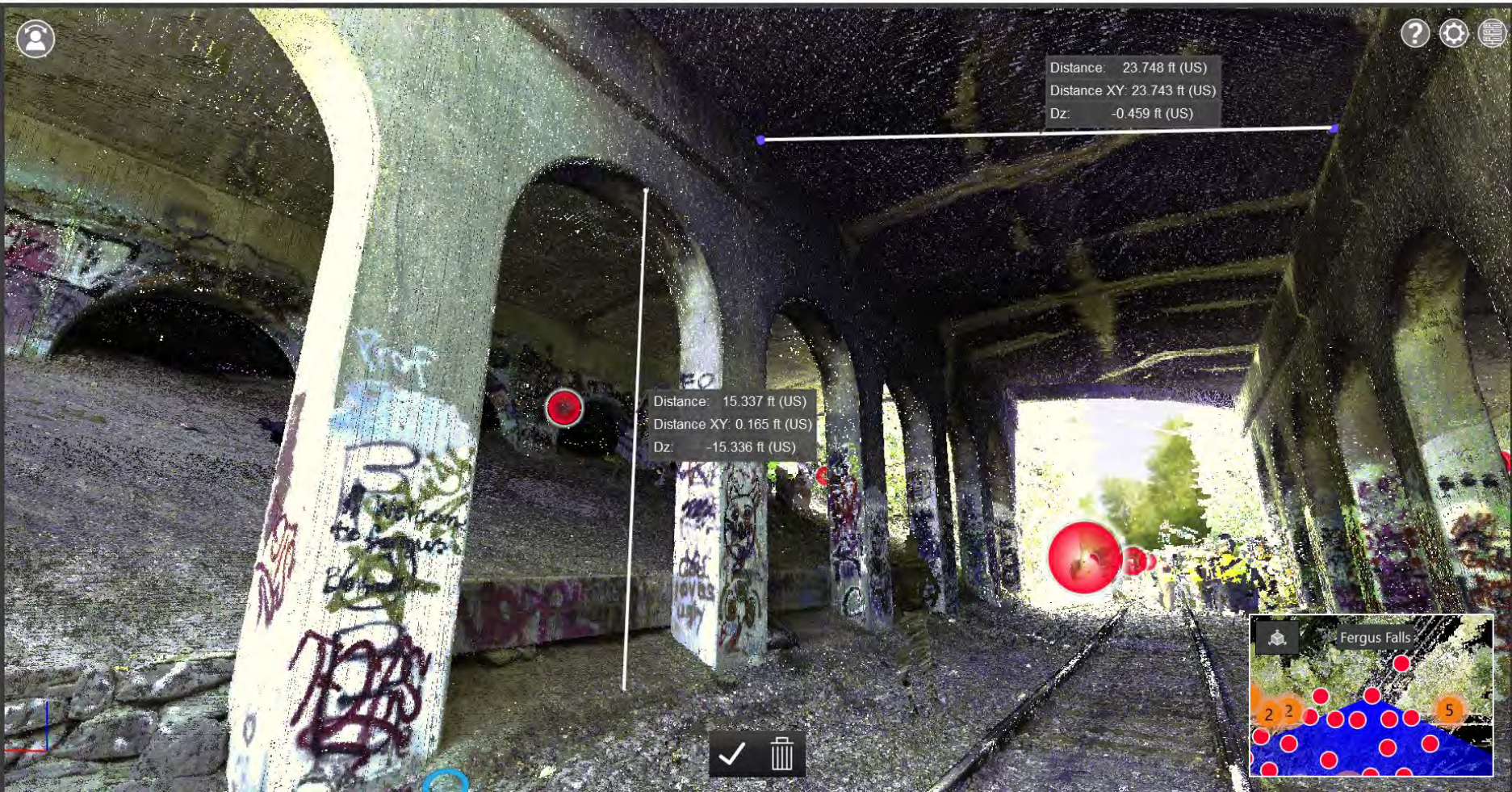
Description
No Description.

Information

Creation Time	Tue Apr 12 12:55:40 2022
Creating Application	Cyclone REGISTER 360 2022.0.0
Publishing License	Cyclone PUBLISHER Pro
Supports Models	Yes
Supports VR	Yes
Schema version	2022.0.0
SiteMaps	1
Assets	5
Point Cloud Points	1635729009 (1635.7 million)
HDR Point Cloud	Yes
Setups	62
Setups with RGB Images	62
Setups with HDR Images	62
Setups with IR Images	0
Coordinate Systems	0
Control	No

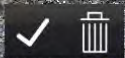
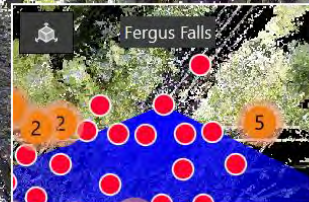




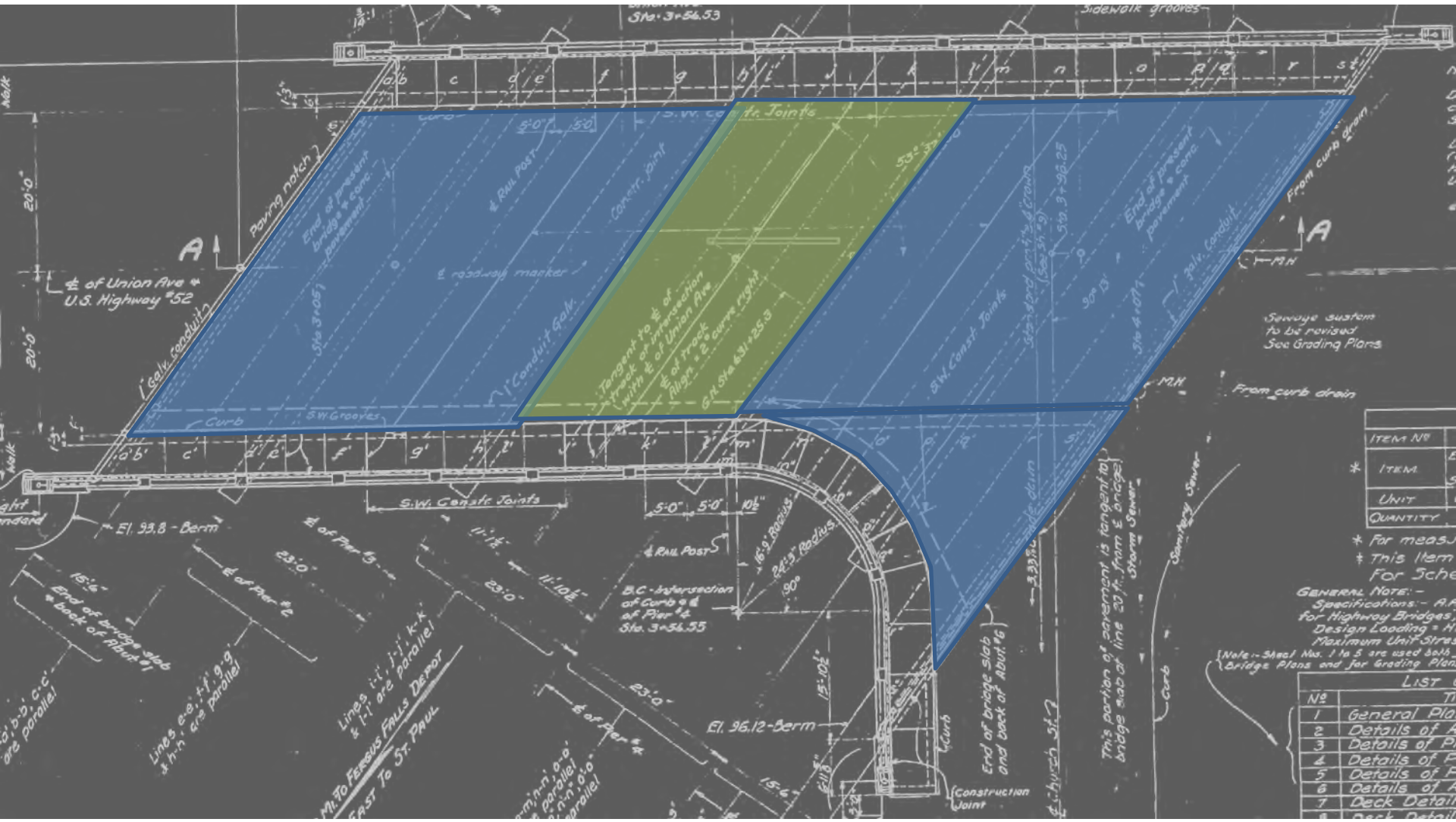


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Distance XY: 23.743 ft (US)
Dz: -0.459 ft (US)

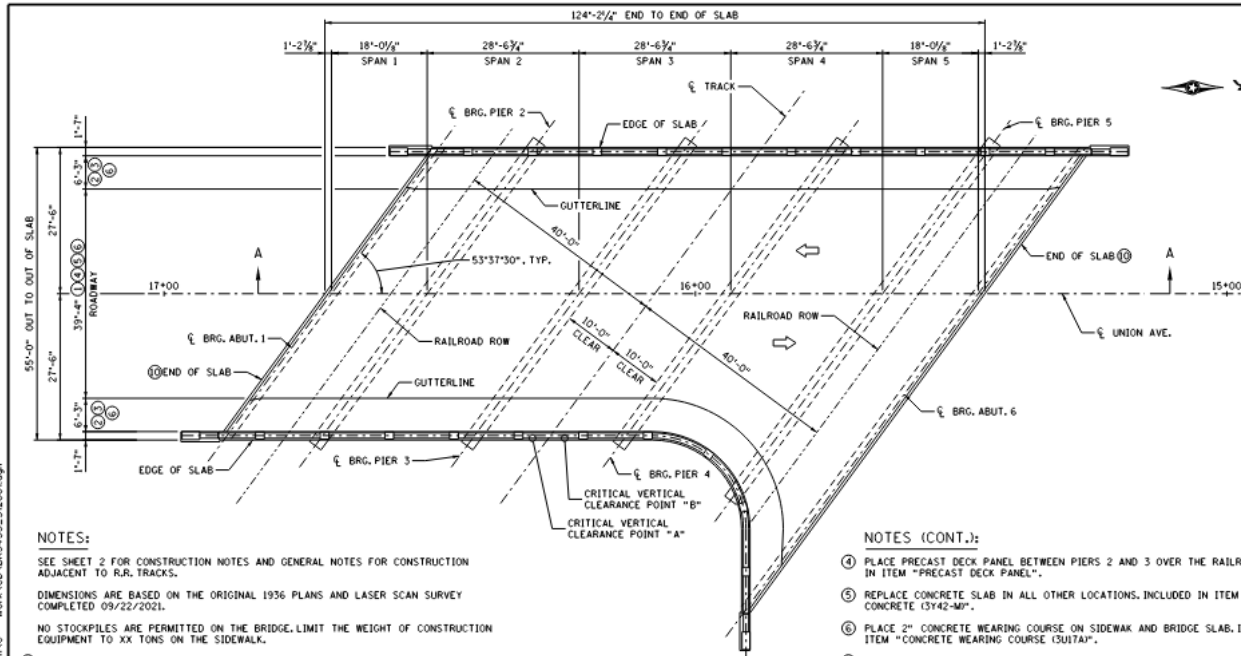
Distance: 15.337 ft (US)
Distance XY: 0.165 ft (US)
Dz: -15.336 ft (US)



Replace the Blue and Green Areas with Stronger Components



30% Bridge Plans Assembled



DESIGN DATA

DESIGNED IN ACCORDANCE WITH 2020 AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS.

HL 93 LIVE LOAD

MATERIAL DESIGN PROPERTIES:

REINFORCED CONCRETE:

f'c = 4 K.S.I. CONCRETE

Fy = 60 K.S.I. PLAIN AND EPOXY COATED BARS

n = 8 FOR REINFORCEMENT

DECK AREA = 7332 SQ. FT

DESIGN SPEED:

OVER = 30 M.P.H.

HL 93 LRFD BRIDGE OPERATING RATING FACTOR RF = X.XX

Olson & Nesvold Engineers, P.S.C.
8000 West 78th Street, Suite 410
Bdina, MN 55439

30% SUBMITTAL

LIST OF SHEETS

NO.	DESCRIPTION
1	GENERAL PLAN AND ELEVATION
2	GENERAL NOTES & SCHEDULE OF QUANTITIES
3	TRANSVERSE SECTION
4	REMOVALS

BRIDGE NO. 5453

UNION AVE. OVER
OTY RAILROAD
IN FERGUS FALLS

5 - SPAN CONCRETE DECK SLAB
36" SKEW

IDENTIFICATION NO. 209/509

GENERAL PLAN AND ELEVATION

SEC 34 T 133 N R 43 W

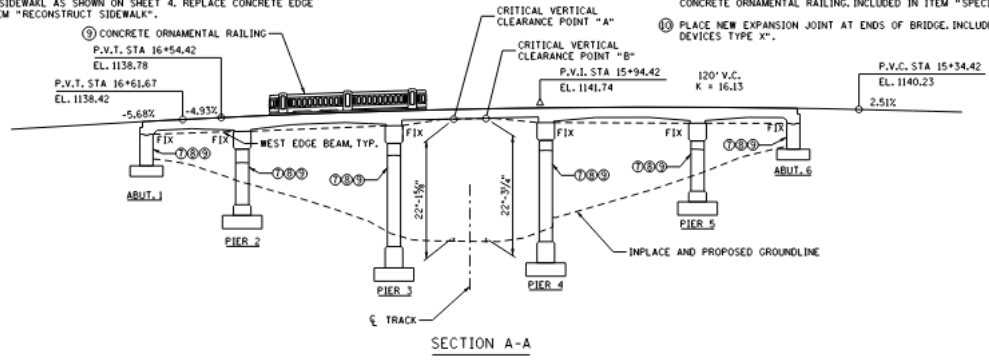
FERGUS FALLS OTTERTAIL COUNTY

DES: SLN	DR: DPS
CHK:	CHK:

SHEET NO. 1 OF XX SHEETS

- NOTES:**
- SEE SHEET 2 FOR CONSTRUCTION NOTES AND GENERAL NOTES FOR CONSTRUCTION ADJACENT TO R.R. TRACKS.
- DIMENSIONS ARE BASED ON THE ORIGINAL 1936 PLANS AND LASER SCAN SURVEY COMPLETED 09/22/2021.
- NO STOCKPILES ARE PERMITTED ON THE BRIDGE, LIMIT THE WEIGHT OF CONSTRUCTION EQUIPMENT TO XX TONS ON THE SIDEWALK.
- REMOVE CONCRETE SLAB BETWEEN GUTTERLINES AS SHOWN ON SHEET 4, INCLUDED IN ITEM "REMOVE CONCRETE SLAB".
 - MILL 2" FROM TOP OF SIDEWALKS, INCLUDED IN ITEM "MILL CONCRETE SURFACE (2.0")".
 - REMOVE 2" FROM EDGE OF SIDEWALK AS SHOWN ON SHEET 4. REPLACE CONCRETE EDGE AS SHOWN, INCLUDED IN ITEM "RECONSTRUCT SIDEWALK".

- NOTES (CONT.):**
- PLACE PRECAST DECK PANEL BETWEEN PIERS 2 AND 3 OVER THE RAILROAD, INCLUDED IN ITEM "PRECAST DECK PANEL".
 - REPLACE CONCRETE SLAB IN ALL OTHER LOCATIONS, INCLUDED IN ITEM "BRIDGE SLAB CONCRETE (3742-MP)".
 - PLACE 2" CONCRETE WEARING COURSE ON SIDEWALK AND BRIDGE SLAB, INCLUDED IN ITEM "CONCRETE WEARING COURSE (3UITA)".
 - REMOVE UNSOUND CONCRETE FROM INPLACE ABUTMENTS AND PIERS AND REPAIR WITH SHOTCRETE, INCLUDED IN ITEM "CONCRETE SURFACE REPAIR".
 - REPAIR CRACKS ON PIERS AND ABUTMENTS, INCLUDED IN ITEM "CRACK REPAIR TYPE 1".
 - APPLY SPECIAL SURFACE FINISH TO ALL EXPOSED FACES OF THE ABUTMENTS, PIERS, AND CONCRETE ORNAMENTAL RAILING, INCLUDED IN ITEM "SPECIAL SURFACE FINISH (INPLACE)".
 - PLACE NEW EXPANSION JOINT AT ENDS OF BRIDGE, INCLUDED IN ITEM "EXPANSION JOINT DEVICES TYPE X".



Plotted by: Don Straeter
Printed on: 9/15/2022 at 2:14:40 PM
File path: \\noserver\public\PROJECTS\1187-1\Fergus Falls 5453.dwg - Production\CD\BR5453_S12001.dgn

Minimal Accident History

- 1 accident in the past 22 year history
- Non-reportable accident
- No impact with the railings

Railroad Pier Protection

- Not needed per MnDOT's Bridge Preservation and Improvement Guidelines

Asbestos & Regulated Waste

- Lead Gaskets
- Mercury Street Light
- Treated Timber
- Solid Waste

Asbestos and Regulated Waste Assessment Report

Bridge ID: 5453
Union Avenue (MSAS 104) over the Otter Tail Valley (OTV) Railroad
Fergus Falls, Minnesota

Prepared for

Olson & Nesvold Engineers, P.S.C.



Prepared By:

Braun Intertec Corporation
11001 Hampshire Avenue South
Bloomington, MN 55438

December 16, 2019

Estimated Costs & Design Fees

- Construction (~\$3 million)
 - Bridge Work ~\$2.5 million
 - Roadway Work ~0.5 million
- Design
 - ONE - \$98,820
 - Bridge Plans, Specifications, MnDOT & SHPO reviews
 - Interstate - \$40,000
 - Roadway, Traffic Control, Watermain Relocation

Next Steps

- Complete Bridge Design
- Complete Roadway Design
- Coordinate with State Aid Bridge
- Coordinate with State Historic Preservation Office
- Coordinate with the MnDOT District Office

Questions?



Council Action Recommendation

Page 1 of 1

Meeting Date:

September 27, 2023 – Committee of the Whole
October 2, 2023 – City Council

Subject:

PI 5373 – Shoreview Drive Street Improvement

Recommendation:

- 1) Accept the Petition for Bituminous Street Improvement in the Abundant Life Addition & Pebble Lakes Estates Addition
- 2) Initiate Public Improvement No. 5373
- 3) Order preparation of the Preliminary Engineering Report – Feasibility Report (PER) for PI No. 5373

Background/Key Points:

A petition has been received for a bituminous street improvement in the Abundant Life Addition & Pebble Lakes Estates Addition. I have attached a copy of the petition along with a map of the location illustrating the proposed improvement.

This petition, representing 58% of the abutting property owners, meets the requirements set forth under the local improvement code of Minnesota Statute, Section 429 and City Codes Chapter 151.035.

After initiation of the project the Engineering Department will prepare a report on the estimated project design and cost, neighborhood appraisal, and method of special assessment for consideration during a future preliminary project hearing.

Budgetary Impact:

The estimated construction cost and preliminary special assessment rates will be included in the PER. Currently the budgetary impact is undetermined. Due to the nature of the proposed improvements most costs should be covered using Permanent Improvement Revolving (PIR) Fund Bonds allocated for special assessments under Chapter 429.

Originating Department:

Engineering Department

Respectfully Submitted:

Brian Yavarow, P.E. – City Engineer

Attachments:

PI 5373 – Project Petition



1:2,400

SHOREVIEW DRIVE

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

DO HEREBY PETITION, the Council of the City of Fergus Falls, Minnesota to proceed with and make the following described improvement:

FOR: Grade, Gravel and Bituminous Surface

LOCATION: Shoreview Drive ABUNDANT LIFE ADDITION & PEBBLE LAKE ESTATES

TERMINI: Pebble Lake Road TO: Cul-De-Sac

AND TO ASSESS the benefits against the real estate benefitted thereby, in the manner prescribed by the City Charter and as provided by law.

No.	Registered Owner	Part Lot	Lot	Blk.	Frontage
-----	------------------	----------	-----	------	----------

SEE ATTACHED PARCEL REPORTS:

Signed Petitions represent 58% of property frontage adjacent to the proposed improvement. Minimum of 35% is required to initiate project by Petition so request should proceed to City Council for action.

STATE OF MINNESOTA


COUNTY OF OTTER TAIL

Paul S. Jensen (Petitioner), being first
duly sworn on oath says that he or she is one of the petitioners who
signed the foregoing petition and that he or she circulated the petition
and personally states that the signatures on this petition, which appear
on page one, were made in his or her presence and that he or she
personally knows that each who signed the petition is, in fact, a petitioner
and that person signing the same was shown the petition and given an
opportunity to read the contents thereof, and that affiant has read the
foregoing petition and knows the contents thereof, and that the same
is true of his own knowledge except as to matters therein stated on
information and belief and as to those matters, he believes it to be true.

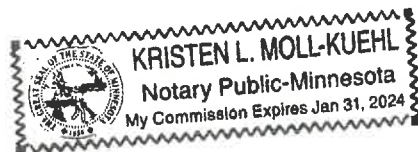
 (Petitioner Signature)

Subscribed and sworn to before me

this 8th day of June, 2023

 (Notary Signature)

My commission expires 1/31/2024



OTTER TAIL COUNTY ASSESSOR

Assessor Hub provided by Vanguard Appraisals, Inc

Parcel Number: 71-001-99-0947-000
Deed Holder: CARR FAMILY REV LVG TST
Property Address: 1810 SHOREVIEW DR
 FERGUS FALLS, MN 56537-0000 [MAP THIS ADDRESS](#)
Mailing Address: 1810 SHOREVIEW DR
 FERGUS FALLS, MN 56537-4212 USA
PDF Name: FERGUS FALLS CITY
Subdivision: 01766-PEBBLE LAKE ESTATES
Sec-Twp-Rng: 14-132-043
Legal Description: LOT 1 BLK 1
Minnesota Water: PEBBLE 56082900



Prior Year Value Information

Year	Land Value	Dwelling Value	Improvement Value	Total Value
2024			\$0	
2023			\$0	
2022			\$0	

Land Front Foot Information

Lot	Front	Rear	Side 1	Side 2
Main Lot	100.00	100.00	250.00	250.00
Main Lot	12.00	12.00	250.00	250.00
Main Lot	44.00	44.00	250.00	250.00

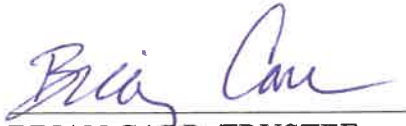
Land Information

Lot Type	Square Feet	Acres
----------	-------------	-------

Signed Petition

[SIGNATURE PAGE TO PETITION FOR IMPROVEMENT]

I, undersigned, owner(s) of the following described parcel(s) abutting or served by Shoreview Drive hereby join the Petition for Improvement, and respectfully request that the City Council consider our request for bituminous road surfacing upon Shoreview Drive.



BRIAN CARR, TRUSTEE
CARR FAMILY REVOCABLE TRUST
PIN: 71001990947000

Date: 6-22-23

OTTER TAIL COUNTY ASSESSOR

Assessor Hub provided by Vanguard Appraisals, Inc 

Parcel Number: 71-001-50-0095-003
Deed Holder: KEVYN B HECK & ANGELA F BOWMAN
Property Address: 1765 SHOREVIEW DR
 FERGUS FALLS, MN 56537-0000 [MAP THIS ADDRESS](#)
Mailing Address: 1765 SHOREVIEW DR
 FERGUS FALLS, MN 56537 USA
PDF Name: FERGUS FALLS CITY
Subdivision: N/A
Sec-Twp-Rng: 14-132-043
Legal Description: PT GL 1 & W1/2 NE1/4 E OF HWY R/W EX TRS EX HWY EX PLATTED



Prior Year Value Information

Year	Land Value	Dwelling Value	Improvement Value	Total Value
2024				
2023				
2022				

Land Information

Lot Type	Square Feet	Acres
Acres x Rate	174,240	4.000
Acres x Rate	43,560	1.000
Total	217,800	5.000

Residential Building Information

Occupancy	Style	Year Built
Single-Family / Owner Occupied	1 1/2 Story Frame	2021

Signed Petition

[SIGNATURE PAGE TO PETITION FOR IMPROVEMENT]

We, undersigned, owner(s) of the following described parcel(s) abutting or served by Shoreview Drive hereby join the Petition for Improvement, and respectfully request that the City Council consider our request for bituminous road surfacing upon Shoreview Drive.



KEVYN HECK
PIN: 71001500095003

Date: 6-10-23



ANGELA BOWMAN
PIN: 71001500095003

Date: 6-10-23

6/6/23, 4:01 PM

Otter Tail County

OTTER TAIL COUNTY ASSESSOR

Assessor Hub provided by Vanguard Appraisals, Inc

Parcel Number: 71-001-50-0095-014
Deed Holder: ALT FAMILY REV LIV TST
Property Address: 1802 SHOREVIEW DR
 FERGUS FALLS, MN 56537-0000 [MAP THIS ADDRESS](#)
Mailing Address: 1802 SHOREVIEW DR
 FERGUS FALLS, MN 56537-4212 USA
PDF Name: FERGUS FALLS CITY
Subdivision: N/A
Sec-Twp-Rng: 74-132-043
Legal Description: PT GL 1 COM SW COR GL 1 SEC 14S 89° E 341.82' N 14° W 655.93' N
 66° E 46.53' NELY
Minnesota Water: PEBBLE 56082900



Prior Year Value Information

Year	Land Value	Dwelling Value	Improvement Value	Total Value
2024			\$0	

<https://ottertail.minnesotaassessors.com/parcel.php?parcel=71001500095014>

Signed Petition

PETITION FOR IMPROVEMENT

The undersigned, being not less than thirty five percent (35%) in frontage of the real property abutting and liable to be assessed for this improvement and whose names, residences, and descriptions of the real estate to be benefited (see attached) are respectively as follows: Property that is jointly owned, requires all listed owners signatures.

NAME	RESIDENCE, STREET NO.	CITY
MICHAEL A. ALT JR	1802 Shoreview Dr	Fergus Falls, MN 56537
	1729 Shoreview Dr.	FERGUS FALLS, MN 56537
	1729 Shoreview Dr	Fergus Falls MN 56537

[SIGNATURE PAGE TO PETITION FOR IMPROVEMENT]

We, undersigned, owner(s) of the following described parcel(s) abutting or served by Shoreview Drive hereby join the Petition for Improvement, and respectfully request that the City Council consider our request for bituminous road surfacing upon Shoreview Drive.



MIKE ALT, TRUSTEE
ALT FAMILY REVOCABLE LIVING TRUST
PIN: 71001500095014

Date: JUNE 11, 2023

6/6/23, 4:09 PM

Otter Tail County

OTTER TAIL COUNTY ASSESSOR

Assessor Hub provided by Vanguard Appraisals, Inc

Parcel Number: 71-001-99-1027-000
Deed Holder: PAUL S & SARAH B JENSEN
Property Address: 1729 SHOREVIEW DR
 FERGUS FALLS, MN 56537-0000 [MAP THIS ADDRESS](#)
Mailing Address: 1729 SHOREVIEW DR
 FERGUS FALLS, MN 56537-4253 USA
PDF Name: FERGUS FALLS CITY
Subdivision: 02437-ABUNDANT LIFE ADDN
Sec-Twp-Rng: 14-132-043
Legal Description: LOT 2 BLK 1



Prior Year Value Information

Year	Land Value	Dwelling Value	Improvement Value	Total Value
2024				
2023				
2022				

Land Front Foot Information

Lot	Front	Rear	Side 1	Side 2
Main Lot	100.00	100.00	259.00	259.00
Main Lot	60.00	60.00	259.00	259.00

Residential Building Information

Occupancy	Style	Year Built
Single-Family / Owner Occupied	1 1/2 Story Frame	2020

Signed Petition

[SIGNATURE PAGE TO PETITION FOR IMPROVEMENT]

We, undersigned, owner(s) of the following described parcel(s) abutting or served by Shoreview Drive hereby join the Petition for Improvement, and respectfully request that the City Council consider our request for bituminous road surfacing upon Shoreview Drive.



PAUL JENSEN
PIN: 71001991027000

Date: 6-8-23



SARAH JENSEN
PIN: 71001991027000

Date: 6-8-23

OTTER TAIL COUNTY ASSESSOR

Assessor Hub provided by Vanguard Appraisals, Inc 

Parcel Number: 71-001-99-0948-000
Deed Holder: WERNER FAMILY REV LVG TST
Property Address: 1814 SHOREVIEW DR
 FERGUS FALLS, MN 56537-0000 [MAP THIS ADDRESS](#)
Mailing Address: 1814 SHOREVIEW DR
 FERGUS FALLS, MN 56537-4212 USA
PDF Name: FERGUS FALLS CITY
Subdivision: 01766-PEBBLE LAKE ESTATES
Sec-Twp-Rng: 14-132-043
Legal Description: LOT 2 BLK 1
Minnesota Water: PEBBLE 56082900



Prior Year Value Information

Year	Land Value	Dwelling Value	Improvement Value	Total Value
2024				
2023				
2022				

Land Front Foot Information

Lot	Front	Rear	Side 1	Side 2
Main Lot	100.00	100.00	250.00	250.00
Main Lot	50.00	50.00	250.00	250.00

Land Information

Lot Type	Square Feet	Acres
1.00 Unit	0	0.000

Signed Petition

PETITION FOR IMPROVEMENT

The undersigned, being not less than thirty five percent (35%) in frontage of the real property abutting and liable to be assessed for this improvement and whose names, residences, and descriptions of the real estate to be benefited (see attached) are respectively as follows: Property that is jointly owned, requires all listed owners signatures.

NAME	RESIDENCE, STREET NO.	CITY
Cerrufelmer	1845 Shorewood Dr	Jersey Falls
Cezzykiewicz	1814 Shorewood Drive	Jersey Falls

[SIGNATURE PAGE TO PETITION FOR IMPROVEMENT]

We, undersigned, owner(s) of the following described parcel(s) abutting or served by Shoreview Drive hereby join the Petition for Improvement, and respectfully request that the City Council consider our request for bituminous road surfacing upon Shoreview Drive.

Werner Family Revocable Living Trust

Perry Werner
PERRY WERNER, TRUSTEE
WERNER TRUST
PIN: 71001990948000

Peggy Werner
Trustee

Date: June 24, 2023

OTTER TAIL COUNTY ASSESSOR



Parcel Number: 71-001-99-0952-000
Deed Holder: WILLIAM J & KARLA K ZANDER
Property Address: 1817 SHOREVIEW DR
 FERGUS FALLS, MN 56537-0000 [MAP THIS ADDRESS](#)
Mailing Address: 1793 SHOREVIEW DR
 FERGUS FALLS, MN 56537-4253 USA
PDF Name: FERGUS FALLS CITY
Subdivision: 01766-PEBBLE LAKE ESTATES
Sec-Twp-Rng: 14-132-043
Legal Description: LOT 6 BLK 1

No image to display

Prior Year Value Information

Year	Land Value	Dwelling Value	Improvement Value	Total Value
2024				
2023				
2022				

Land Front Foot Information

Lot	Front	Rear	Side 1	Side 2
Main Lot	100.00	100.00	268.00	268.00
Main Lot	50.00	50.00	268.00	268.00

Signed Petition

OTTER TAIL COUNTY ASSESSOR



Parcel Number: 71-001-99-0953-000
Deed Holder: WILLIAM J & KARLA K ZANDER
Property Address: 1793 SHOREVIEW DR
 FERGUS FALLS, MN 56537-0000 [MAP THIS ADDRESS](#)
Mailing Address: 1793 SHOREVIEW DR
 FERGUS FALLS, MN 56537-4253 USA
PDF Name: FERGUS FALLS CITY
Subdivision: 01766-PEBBLE LAKE ESTATES
Sec-Twp-Rng: 14-132-043
Legal Description: LOT 7 & 8 BLK 1



Prior Year Value Information

Year	Land Value	Dwelling Value	Improvement Value	Total Value
2024				
2023				
2022				

Land Front foot Information

Lot	Front	Rear	Side 1	Side 2
Main Lot	100.00	100.00	276.00	276.00
Main Lot	100.00	100.00	276.00	276.00
Main Lot	0.00	160.00	260.00	308.00

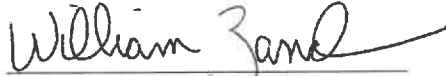
Residential Building Information

Occupancy	Style	Year Built
Single-Family / Owner Occupied	1 Story Frame	2021

Signed Petition

[SIGNATURE PAGE TO PETITION FOR IMPROVEMENT]

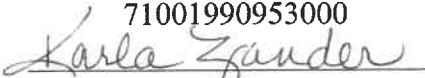
We, undersigned, owner(s) of the following described parcel(s) abutting or served by Shoreview Drive hereby join the Petition for Improvement, and respectfully request that the City Council consider our request for bituminous road surfacing upon Shoreview Drive.



WILLIAM ZANDER

PIN: 71001990952000

71001990953000



KARLA ZANDER

PIN: 71001990952000

71001990953000

Date: 6-20-2023

Date: 6/20/2023

OTTER TAIL COUNTY ASSESSOR

Assessor Hub provided by Vanguard Appraisals, Inc

Parcel Number: 71-001-99-0950-000
Deed Holder: SHERRI E MONEY REV LIV TST
Property Address: 1822 SHOREVIEW DR
 FERGUS FALLS, MN 56537-0000 [MAP THIS ADDRESS](#)
Mailing Address: 1822 SHOREVIEW DR
 FERGUS FALLS, MN 56537-4212 USA
PDF Name: FERGUS FALLS CITY
Subdivision: 01766-PEBBLE LAKE ESTATES
Sec-Twp-Rng: 14-132-043
Legal Description: LOT 4 AND LOT 5 BLK 1
Minnesota Water: PEBBLE 56082900



Prior Year Value Information

Year	Land Value	Dwelling Value	Improvement Value	Total Value
2024				
2023				

Land Front Foot Information

Lot	Front	Rear	Side 1	Side 2
Main Lot	100.00	100.00	300.00	300.00
Main Lot	52.00	52.00	300.00	300.00
Main Lot	100.00	100.00	285.00	285.00
Main Lot	50.00	50.00	285.00	285.00

Land Information

Lot Type	Square Feet	Acres
1.00 Unit	0	0.000

Signed Petition

[SIGNATURE PAGE TO PETITION FOR IMPROVEMENT]

I, undersigned, owner(s) of the following described parcel(s) abutting or served by Shoreview Drive hereby join the Petition for Improvement, and respectfully request that the City Council consider our request for bituminous road surfacing upon Shoreview Drive.

 trustee

SHERRI E. MONEY, TRUSTEE

SHERRI E. MONEY REVOCABLE LIVING TRUST


PIN: 71001990950000

PIN: 71001990951000

Date: 6/14/23



OTTER TAIL COUNTY ASSESSOR

Assessor Hub provided by Vanguard Appraisals, Inc 

Parcel Number: 71-001-50-0095-015
Deed Holder: STEPHEN A & SARAH E MOLINE
Property Address: 1827 PEBBLE LAKE GOLF DR
 FERGUS FALLS, MN 56537-0000 [MAP THIS ADDRESS](#)
Mailing Address: 1827 PEBBLE LAKE GOLF DR
 FERGUS FALLS, MN 56537-8526 USA
PDF Name: FERGUS FALLS CITY
Subdivision: N/A
Sec-Twp-Rng: 14-132-043
Legal Description: PT NW1/4 NE1/4 & PT GL 1 & PT SW1/4 NE1/4 BG SW COR GL 1 E 341.82' N
 15°W 665.62' S 68

No image to display


Prior Year Value Information

Year	Land Value	Dwelling Value	Improvement Value	Total Value
2024			\$0	
2023			\$0	
2022			\$0	

Land Information

Lot Type	Square Feet	Acres
Acres x Rate	43,560	1.000
Acres x Rate	455,202	10.450
Total	498,762	11.450

OTTER TAIL COUNTY ASSESSOR

Assessor Hub provided by Vanguard Appraisals, Inc 

Parcel Number: 71-001-99-0949-000
Deed Holder: TODD J & JENNIFER S KAMPSTRA
Property Address: 1818 SHOREVIEW DR
 FERGUS FALLS, MN 56537-0000 [MAP THIS ADDRESS](#)
Mailing Address: 1818 SHOREVIEW DR
 FERGUS FALLS, MN 56537-4212 USA
PDF Name: FERGUS FALLS CITY
Subdivision: 01766-PEBBLE LAKE ESTATES
Sec-Twp-Rng: 14-132-043
Legal Description: LOT 3 BLK 1
Minnesota Water: PEBBLE 56082900



Prior Year Value Information

Year	Land Value	Dwelling Value	Improvement Value	Total Value
2024				
2023				
2022				

Land Front Foot Information

Lot	Front	Rear	Side 1	Side 2
Main Lot	100.00	100.00	250.00	250.00
Main Lot	51.00	51.00	250.00	250.00

Land Information

Lot Type	Square Feet	Acres
1.00 Unit	0	0.000

OTTER TAIL COUNTY ASSESSOR



Parcel Number: 71-001-99-1028-000
Deed Holder: ARLAN & NANCY SYMENS
Property Address: 1743 SHOREVIEW DR
 FERGUS FALLS, MN 56537-0000 [MAP THIS ADDRESS](#)
Mailing Address: 1743 SHOREVIEW DR
 FERGUS FALLS, MN 56537-4253 USA
PDF Name: FERGUS FALLS CITY
Subdivision: 02437-ABUNDANT LIFE ADDN
Sec-Twp-Rng: 14-132-043
Legal Description: LOT 3 BLK 1



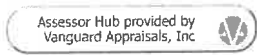
Prior Year Value Information

Year	Land Value	Dwelling Value	Improvement Value	Total Value
2024				
2023				
2022				

Land Front Foot Information

Lot	Front	Rear	Side 1	Side 2
Main Lot	100.00	100.00	275.00	275.00
Main Lot	21.00	21.00	275.00	275.00
Main Lot	79.00	79.00	275.00	275.00
Main Lot	47.00	47.00	275.00	275.00

Residential Building Information



Parcel Number:
71-001-99-1026-000

Deed Holder:
ASSEMBLY OF GOD CHURCH

Property Address:
0

Mailing Address:
2929 PEBBLE LAKE RD

FERGUS FALLS, MN 56537-4244 USA

PDF Name:
FERGUS FALLS CITY

Subdivision:
02437-ABUNDANT LIFE ADDN

Sec-Twp-Rng:
14-132-043

Legal Description:
LOT 1 BLK 1

**No image
to display**

Prior Year Value Information

Year	Land Value	Dwelling Value	Improvement Value	Total Value
2024				
2023				
2022				



Council Action Recommendation

Page 1 of 2

Meeting Date:

September 27, 2023 – Committee of the Whole
October 2, 2023 – City Council

Subject:

PI 5327 – Broadway Avenue from Fir Avenue to Lincoln Avenue & Randolph Avenue
from Friberg Avenue to Springen Avenue Resurfacing Project
State Transportation Improvement Program (STIP) SFY 2023
(MSAS 105 & 135)

Recommendation:

- Accept project plans and specifications
- Authorization to Advertise for Bids

Background/Key Points:

The project plans and specifications are substantially complete for the above referenced project. The Estimated Probable Construction Cost is \$1,780,000.00. The City must publicly advertise for bids pursuant to the “Competitive Bidding Requirements” monetary thresholds. MnDOT Central Office has completed their review and approved the bidding documents. The bid opening is scheduled for **October 26, 2023, at 2:00PM.**

The project work scope consists of street resurfacing (mill & overlay), base patching, and ADA improvements as required throughout the project limits. Traffic control will be utilized to facilitate traffic during construction. Please refer to the attached exhibit for additional detail.

Construction is scheduled to occur next summer. Interim progress dates will apply in the contract. Additionally, work on Randolph Avenue occur and be completed while school is out for summer break.

Budgetary Impact:

This project is proposed be funded thru Federal and State Aid funds. The preliminary cost shares are:

Federal Share: 80-percent for construction only (max. rate)

State Aid Share: 20-percent construction, 100-percent for engineering design and contract administration

\$1,542,400 in federal funds have been authorized to date for this project.

Originating Department:

Engineering Department

Respectfully Submitted:

Brian Yavarow, P.E. – City Engineer

Attachments:

PI 5327 – Title Sheet

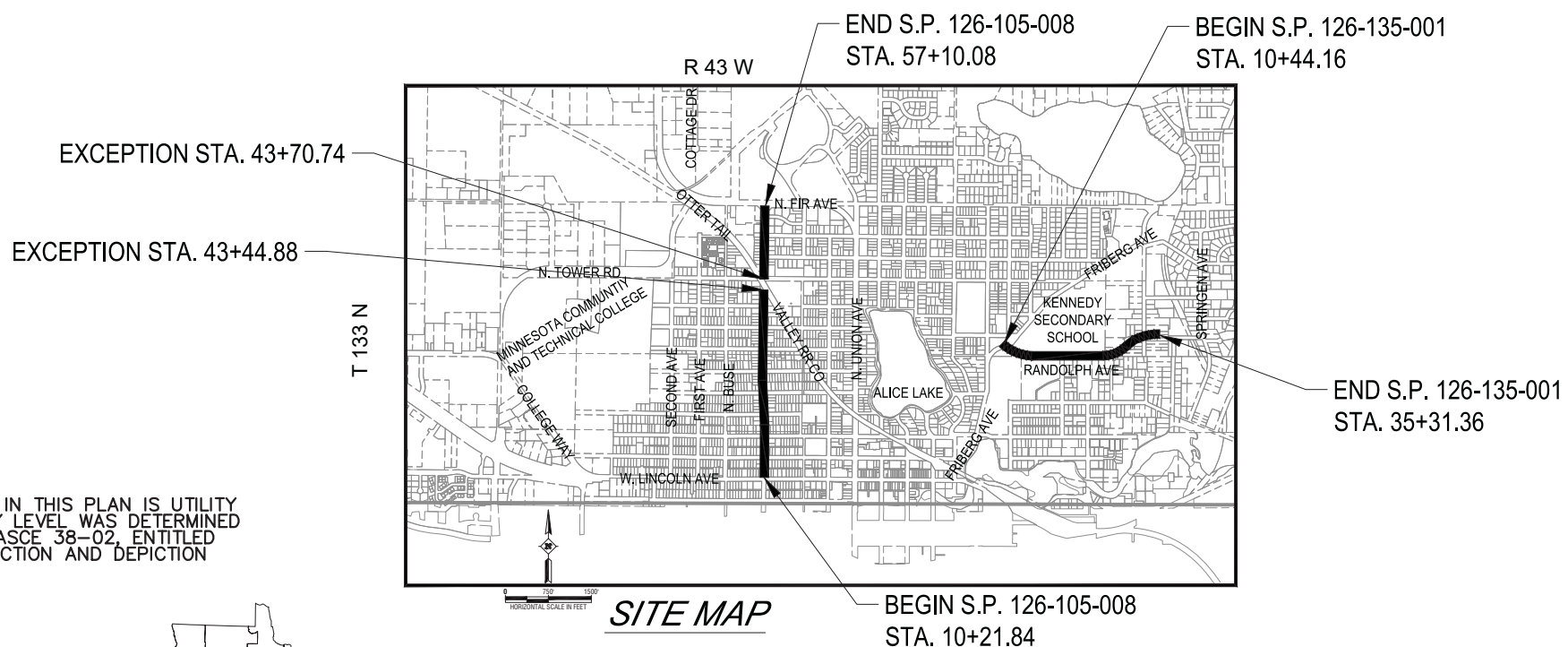
MINNESOTA DEPARTMENT OF TRANSPORTATION CITY OF FERGUS FALLS

CONSTRUCTION PLAN FOR
BITUMINOUS MILLING AND BITUMINOUS SURFACING,
CONCRETE SIDEWALK, CURB RAMPS & RETAINING WALL

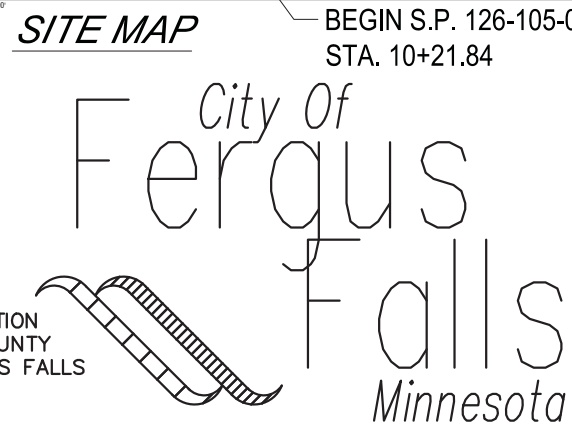
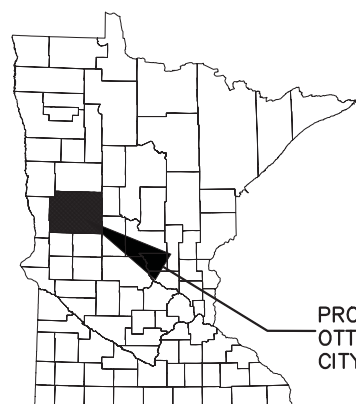
LOCATED ON S.P. 126-105-008 NORTH BROADWAY FROM WEST LINCOLN AVE TO NORTH FIR AVE (GEOGRAPHIC DESCRIPTION)
FROM 148' NORTH AND 2000' EAST OF THE SOUTHWEST CORNER OF SEC. 34 T 133, R 43 (LEGAL DESCRIPTION)
TO 43' SOUTH AND 1872' EAST OF THE NORTHWEST CORNER OF SEC. 34 T 133, R 43 (LEGAL DESCRIPTION)

LOCATED ON S.P. 126-135-001 RANDOLPH AVENUE FROM FRIBERG AVENUE TO SPRINGEN AVENUE (GEOGRAPHIC DESCRIPTION)
FROM 2833' NORTH AND 936' EAST OF THE SOUTHWEST CORNER OF SEC. 35 T 133, R 43 (LEGAL DESCRIPTION)
TO 3002' NORTH AND 3397' EAST OF THE SOUTHWEST CORNER OF SEC. 35 T 133, R 43 (LEGAL DESCRIPTION)

S.P. 126-105-008	S.P. 126-135-001
GROSS LENGTH <u>4688.24ft</u> <u>0.888</u> mi	GROSS LENGTH <u>2487.20ft</u> <u>0.471</u> mi
BRIDGES-LENGTH _____ ft _____ mi	BRIDGES-LENGTH _____ ft _____ mi
EXCEPTIONS-LENGTH <u>25.86</u> ft <u>0.005</u> mi	EXCEPTIONS-LENGTH _____ ft _____ mi
NET LENGTH <u>4662.38ft</u> <u>0.883</u> mi	NET LENGTH <u>2487.20ft</u> <u>0.471</u> mi
EQUATIONS _____	EQUATIONS _____



THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL D. THIS UTILITY QUALITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF C/ASCE 38-02, ENTITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA"



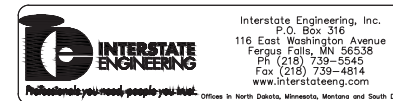
REMOVALS 40 FT

SURFACING 40 FT

CURB RAMPS 20 FT

MILL AND OVERLAY, TRAFFIC MARKINGS 40 FT

BROADWAY AVE. TRAFFIC CONTROL 50 FT



S.P. 126-105-008
S.P. 126-135-001

MINN. PROJ. NO. STBG 5623(243)

GOVERNING SPECIFICATIONS
THE 2020 EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION" AND THE "SUPPLEMENTAL SPECIFICATIONS" DATED SEPTEMBER 2022 SHALL GOVERN.

INDEX OF SHEETS		
SHEET NO.	TITLE SHEET	TITLE
1	G1.1	TITLE SHEET
2	G1.2	LEGEND
3	G1.3	ESTIMATED QUANTITIES
4-5	G1.4 - G1.5	TYPICAL SECTIONS
6	G1.6	GENERAL DETAILS
7-18	G2.1 - G2.12	STANDARD PLAN DETAILS
19-20	C1.1 - C1.2	BROADWAY AVE. TABULATIONS
21-25	C2.1 - C2.5	BROADWAY AVE. REMOVAL PLANS
26-30	C3.1 - C3.5	BROADWAY AVE. SURFACING PLANS
31-42	C4.1 - C4.12	BROADWAY AVE. ADA IMPROVEMENTS
43-48	C5.1 - C5.6	BROADWAY AVE. EROSION CONTROL PLANS
49-60	C6.1 - C6.12	BROADWAY AVE. TRAFFIC CONTROL PLANS
61	D1.1	RANDOLPH AVE. TABULATIONS
62-66	D2.1 - D2.5	RANDOLPH AVE. REMOVAL PLANS
67-71	D3.1 - D3.5	RANDOLPH AVE. SURFACING PLANS
72	D4.1	RANDOLPH AVE. CURB RAMPS
73-77	D5.1 - D5.5	RANDOLPH AVE. EROSION CONTROL
78-90	D6.1 - D6.13	RANDOLPH AVE. TRAFFIC CONTROL PLANS
91-95	D7.1 - D7.5	RANDOLPH AVE. STRIPING PLAN

THIS PLAN SET CONTAINS 95 SHEETS
DESIGN DESIGNATION

	S.P. 126-105-008	S.P. 126-135-001
	PRESENT ADT	2023 = 2450
FUTURE ADT	2043 = 2690	2043 = 2630
TON DESIGN	9 TON	9 TON
CLASSIFICATION	URBAN MAJOR COLLECTOR	URBAN MAJOR COLLECTOR
NO. OF TRAFFIC LANES	2	2
NO. OF PARKING LANES	2	2
DRIVING LANE WIDTH	12'	12'
PARKING LANE WIDTH	10'	8'
POSTED SPEED	30 MPH	30 MPH
SOIL FACTOR	120	120
HCADT	145	142

BASED ON STOPPING SIGHT DISTANCE
3.5' HEIGHT OF EYE. 2.0' HEIGHT OF OBJECT.
DESIGN SPEED NOT ACHIEVED AT: N/A

Alex Schwarzhoff
ALEX SCHWARZHOFF INTERSTATE ENGINEERING

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: 3-14-2023 LICENSE NUMBER: 47119

APPROVED BY *Brian Yavarow*
BRIAN YAVAROW PE CITY ENGINEER

DATE: 3-18-2023 LICENSE NUMBER: 48363

DISTRICT STATE AID ENGINEER: REVIEWED FOR COMPLIANCE WITH STATE-AID AND/OR FEDERAL AID RULES/POLICY.

APPROVED FOR STATE AID AND/OR FEDERAL AID FUNDING
STATE AID ENGINEER



Council Action Recommendation

Page 1 of 2

Meeting Date: September 27, 2023 Committee of the Whole Meeting
October 2, 2023 City Council Meeting

Subject: Charter Commission recommendations for changes to the City Charter

Recommendation:

- Approve changes to Charter Section 4.01 Council Meetings
- Approve the repeal of City Code 31.25 (relating to council meetings)
- Approve changes to Charter Section 2.07 The Mayor
- No changes recommended to Charter Section 2.05 Council Salaries

Background/Key Points:

The Charter Commission was asked to look at the process on how to transfer from the old council to a new council after an election year. We first looked at when the soonest a new council could be sworn in after the election. Canvassing and certifying the election results along with candidates turning in their required paperwork brought us to the middle of December. The Commission felt leaving the first scheduled meeting of the year as the transfer point giving the old council time to finish the year.

One important part of this review was that there would always be an active council in case an emergency would occur. The old council is still active until the new council is sworn in. At the first meeting the commission felt it was important that the old council could call the meeting to order. At this time, any outgoing council members could be publicly thanked, and any awards presented. No other business could be conducted.

If for some reason there is not enough old members present for a quorum, the new council could be sworn in and proceed with the meeting.

The commission is recommending the repeal of City Code 31.25 to avoid any future confusion.

The Charter Commission was asked to look at any change to the process for setting council members salaries, specifically if a raise could be tied to the raise percentage of the employee groups. The commission felt it was important that the council's salaries remained separate and public, not an automatic change. No change to the charter section 2.05 is recommended.

During our discussions two more items came up. One of the members noticed section 2.07 referenced the Mayor as "he or him". To make it gender neutral, "he" was replaced by "The Mayor".

The other item was the council taking "official" action at the committee of the whole meetings. Even though the meeting is posted, the commission felt the committee of the

whole meeting was a time for information gathering and any items should forward to the Monday night council meetings. The public expects the council will only taking official action at the council meetings and this gives them time to gather more information before any action taken. However, there are times that the council needs to act sooner than the next scheduled council meeting. If those instances arise, the council then should call a special meeting giving the public proper notice an official action could occur.

** since this discussion, the desired process has been followed.

Budgetary Impact: None

Respectfully Submitted: Mark Hovland, Chair of the City of Fergus Falls Charter Commission

Attachments:

- Charter Section 4.01
- City Code 31.25
- Charter Section 2.07
- Charter Section 2.05

SEC. 4.01. COUNCIL MEETINGS. ~~Elected members of the Council shall assume their duties after being qualified and sworn in at the first regular meeting of the Council in January following a regular municipal election.~~ At its first regular meeting in January following a municipal election, the sitting Council may call a meeting to order only to recognize and issue awards to sitting or outgoing council members. No other business items shall be discussed or acted on and the council meeting shall adjourn sine die. All qualified new Council members shall be sworn in and seated. The new Council must assume their duties and select a Mayor pro tem and a Secretary of the Council. The Secretary of the Council may be the City Administrator. The new Council shall then take such other organizational acts, functions and business items as may be permitted or required.

Thereafter, the Council shall meet at such time or times each month as may be prescribed by ordinance or resolution; provided, that the Council shall hold at least one regular meeting each month. The Mayor, or any three members of the Council, may call special meetings of the Council upon such notice as is provided by ordinance or statute. Notice of such meeting shall be given to the members of the Council by any means provided in its rules which must be consistent with any applicable statutory provision. All meetings of the Council shall be public, except as otherwise provided by statute, and any citizen shall have access to the minutes and records thereof at all reasonable times. (Ord. 77, Seventh Series, eff. 1-26-19)

~~§ 31.25 COUNCIL REORGANIZATION.~~

~~At its first regular meeting in January, the Council shall, in the order herein stated and prior to commencing its regular order of business, reorganize by:~~

- ~~—(A) Having all new officers and officials take and subscribe their oath of office;~~
 - ~~—(B) Seat all new members of the Council;~~
 - ~~—(C) Select a Mayor pro tem;~~
 - ~~—(D) Select a Secretary of the Council who may be the City Administrator; and~~
 - ~~—(E) Perform other organizational acts or functions as may be permitted or required.~~
- ~~(2002 Code, § 2.50)~~

SEC. 2.05. SALARIES.

The members of the Council shall serve with reasonable compensation. The Council, by ordinance, may change the annual salary of its members, and such ordinance shall take effect after the regular City election next following adoption of such ordinance.

SEC. 2.07. THE MAYOR. The Mayor shall be the presiding officer of the Council. The Mayor shall have a vote as a member of the Council only in the case of a tie. ~~The Mayor He~~ shall exercise all powers and perform all duties conferred and imposed ~~upon him~~ by this Charter, the ordinances of the City, and the laws of the State. ~~The Mayor-He~~ shall be recognized as the official head of the City for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the Governor for the purpose of martial law SEC.



Council Action Recommendation

Page 1 of 1

Meeting Date: October 2, 2023 City Council Meeting

Subject: Appointment to Lakes Country Service Cooperative Board of Directors

Recommendation: Resolution nominating Jim Fish to another term (February 1, 2024-December 31, 2027) on the Lakes Country Service Cooperative Board of Directors

Background/Key Points: Lakes Country Service Cooperative is seeking a board member from their membership of a city, county and other governmental agency member organization with full membership.

Jim Fish has been serving in this capacity for many years and has expressed interest in continuing in this role.

A nominating petition from the City of Fergus Falls and Mr. Fish's resume must be submitted by October 28, 2023.

Budgetary Impact: None

Respectfully Submitted: Lynne Olson, Assistant to the City Administrator

Attachments: Lakes Country Service Cooperative Letter and Nominating Petition



Lakes Country Service Cooperative

Jeremy Kovash, Executive Director

1001 E. Mount Faith - Fergus Falls, MN 56537

Phone: (218) 739-3273 - Fax: (218) 739-2459 - Web: www.lcsc.org

TO: City, County, and Other Governmental Agency (CCOGA) Members

FROM: Jeremy Kovash, Executive Director

DATE: September 25, 2023

RE: Annual LCSC Board Election

Lakes Country Service Cooperative (LCSC) is accepting a minimum of three nominations to serve four-year board member terms, beginning February 1, 2024 and ending December 31, 2027. In accordance with the LCSC Bylaws, these terms are for City, County, and Other Governmental Agency (CCOGA) members of LCSC member organizations with full membership. All board members shall be active members of the unit they represent.

Enclosed is the nomination notice for the LCSC annual board election.

If your agency wishes to nominate one of your board members to run for a position on the LCSC Board of Directors, please take the appropriate action on the petition and return the petition, **along with a resume of the candidate**, on or before October 28, 2023.

LCSC ballots will be mailed to our membership by November 8, 2023.

The LCSC Board meets the second Thursday of each month at 11:30 a.m. In general, meetings last approximately two hours. Meetings are held at the LCSC office in Fergus Falls.

If you have any questions regarding the enclosed nomination form or the election, please contact me at jkovash@lcsc.org or 218-737-6504.

Regards,

Jeremy Kovash
Executive Director, Lakes Country Service Cooperative

LAKES COUNTRY SERVICE COOPERATIVE

Nomination Petition

PLEASE RETURN BY OCTOBER 28, 2023

Be it hereby resolved that:

(Organization Name)

nominates _____

(Name of Individual)

to serve as a board of directors nominee of the Lakes Country Service Cooperative and authorizes this individual's name to be placed on the ballot to be submitted to LCSC voting members. Members voting in favor of this nomination are:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date

Official Signature for the Organization

Send this petition and a **RESUME** from the candidate by **October 28, 2023** to:

Siri Livdahl
Executive Assistant
Lakes Country Service Cooperative
1001 E. Mt. Faith
Fergus Falls, MN 56537
slivdahl@lsc.org

ORDINANCE NO. 49, EIGHTH SERIES

**AN ORDINANCE OF THE CITY OF FERGUS
FALLS, MINNESOTA, REPEALING CITY CODE
CHAPTER 31.25 AND AMENDING CITY CHARTER
CHAPTERS 2.07 AND 4.01.**

THE CITY OF FERGUS FALLS DOES ORDAIN:

Section 1. City Code Chapter 31.25, Council Reorganization, is hereby repealed in its entirety.

Section 2. Section 2.07, The Mayor, of the City Charter is hereby amended to read as follows:

SEC. 2.07. THE MAYOR. The Mayor shall be the presiding officer of the Council. The Mayor shall have a vote as a member of the Council only in the case of a tie. The Mayor shall exercise all powers and perform all duties conferred and imposed upon by this Charter, the ordinances of the City, and the laws of the State. The Mayor shall be recognized as the official head of the City for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the Governor for the purpose of martial law.

Section 3. Section 4.01, Council Meetings, of the City Charter is hereby amended to read as follows:

SEC. 4.01. COUNCIL MEETINGS. At its first regular meeting in January following a municipal election, the sitting Council may call a meeting to order only to recognize and issue awards to sitting or outgoing council members. No other business items shall be discussed or acted on and the council meeting shall adjourn sine die. All qualified new Council members shall be sworn in and seated. The new Council must assume their duties and select a Mayor pro tem and a Secretary of the Council. The Secretary of the Council may be the City Administrator. The new Council shall then take such other organizational acts, functions and business items as may be permitted or required. Thereafter, the Council shall meet at such time or times each month as may be prescribed by ordinance or resolution; provided, that the Council shall hold at least one regular meeting each month. The Mayor, or any three members of the Council, may call special meetings of the Council upon such notice as is provided by ordinance or statute. Notice of such meeting shall be given to the members of the Council by any means provided in its rules which must be consistent with any applicable statutory provision. All meetings of the Council shall be public, except as otherwise provided by statute, and any citizen shall have access to the minutes and records thereof at all reasonable times.

Section 4. Summary Publication. Pursuant to Minn. Stat. §412.191 a summary of the Ordinance 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. 49 adopted by the Fergus Falls City Council on the _____ day of _____, 2023, repeals City Code Chapter 31.25 and amends City Charter Chapters 2.07 and 4.01.

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

THIS ORDINANCE was introduced on the _____ day of _____, 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 _____.

barb/acityoffergusfalls/ords/8thseries/Ord49

RESOLUTION ALLOWING CLAIMS & ORDERING PAYMENT THEREOF

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

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

General

ARC DOCUMENT SOLUTIONS LLC	MAINTENANCE GIS PRINTER	217.19
ADMINISTRATOR'S CONTINGENCY FD	CANCEL PAVILION RENTAL/MUCHOW	180.00
ADMINISTRATOR'S CONTINGENCY FD	REFUND CUP FOR THC LICENSE	700.00
ADMINISTRATOR'S CONTINGENCY FD	REFUND THC LICENSE FEE	500.00
ADMINISTRATOR'S CONTINGENCY FD	REFUND/PLPS DEPOSIT-PRAIRIE CO	25.00
ADMINISTRATOR'S CONTINGENCY FD	REFUND/PLPS DEPOSIT-UNINVITED	25.00
ARAMARK	JULY LINEN SUPPLY	36.46
ARAMARK	SEPTEMBER LINEN SUPPLY	36.46
SEAN ANDERSON	CLEANING SEPT 10-17	455.04
ANYTIME PLUMBING LLC	SEPTEMBER STOOL REPAIR	100.00
ARENA WAREHOUSE LLC	ICE MARKING KIT, PAINT SERVICE	957.50
ARENA WAREHOUSE LLC	WHT BASE COAT, RED ICE PAINT	1,017.00
AUTO VALUE - FERGUS FALLS	SEP FUL-THANE SNOW BOX PAINT	234.10
AUTO VALUE - FERGUS FALLS	SEPTEMBER MISC EQUIPMENT PARTS	43.98
AVESIS THIRD PARTY ADMIN INC	OCTOBER VISION INSURANCE	30.14
BECKER ARENA PRODUCTS INC	BAP 6.0 DASHER GATE PANEL	9,899.00
BMO FINANCIAL GROUP	AMAZON RETURN	16.00-
BMO FINANCIAL GROUP	AMAZON/PERSONAL USE BY ACCIDEN	33.21
BMO FINANCIAL GROUP	ANNUAL DUES AMEM	100.00
BMO FINANCIAL GROUP	AUG BLUETOOTH & WIRELESS MOUSE	124.56
BMO FINANCIAL GROUP	AUG EXTENSION CORDS, SPLITTER	228.10
BMO FINANCIAL GROUP	AUG FIRE MARSHALS ASSN OF MN	165.00
BMO FINANCIAL GROUP	AUG LEADERSHIP GROWTH REGISTRA	150.00
BMO FINANCIAL GROUP	AUG REGISTER-MNCPA LOCAL GOV'T	325.00
BMO FINANCIAL GROUP	AUG ROUND STRING TRIMMER LINE	44.97
BMO FINANCIAL GROUP	AUGUST AIRFARE	374.40
BMO FINANCIAL GROUP	AUGUST BPAC EXPENSES	10.93
BMO FINANCIAL GROUP	AUGUST BURN CREAM, TAPE, GLOVES	131.98
BMO FINANCIAL GROUP	AUGUST DEFIBRILLATION PADS	123.05
BMO FINANCIAL GROUP	AUGUST IMAGER BATTERIES E5	295.60
BMO FINANCIAL GROUP	AUGUST LEADERSHIP GROWTH REGIS	150.00

General

BMO FINANCIAL GROUP	AUGUST REFUND ICMA REGISTRATIO	790.00-
BMO FINANCIAL GROUP	AUGUST REGISTRATION-RESERVES	35.00
BMO FINANCIAL GROUP	AUGUST R3 HEADSETS	269.00
BMO FINANCIAL GROUP	AUGUST SENSORS, ELECT REMOTE	449.41
BMO FINANCIAL GROUP	AUGUST SUCTION CUPS	3.21
BMO FINANCIAL GROUP	AUGUST TRANSFER PUMP	139.99
BMO FINANCIAL GROUP	AUGUST TRAVEL INSURANCE	24.34
BMO FINANCIAL GROUP	BINDERS FOR MAINT.LOGS	38.64
BMO FINANCIAL GROUP	BRUSVEN UNIFORM PURCHASE	134.85
BMO FINANCIAL GROUP	BUS TICKET/23026324	91.21
BMO FINANCIAL GROUP	BUSHINGS PUMP HOUSE SOCCER FLD	19.88
BMO FINANCIAL GROUP	CELL/AIR CARDS 7/2-8/1 VERIZON	1,035.85
BMO FINANCIAL GROUP	CONCESSION SUPPLIES	51.35
BMO FINANCIAL GROUP	CONSTANTCONTACT.COM ADVERTISE	35.00
BMO FINANCIAL GROUP	CONT. ED J.SCHUETZLE	45.00
BMO FINANCIAL GROUP	COPY PAPER	136.44
BMO FINANCIAL GROUP	EVENSON UNIFORMS	153.80
BMO FINANCIAL GROUP	EXAM FEE D.REGER	50.00
BMO FINANCIAL GROUP	EXT.SPRING.MAIN HANGAR DOOR	55.00
BMO FINANCIAL GROUP	FOREMAN DMT RECERTIFICATION	75.00
BMO FINANCIAL GROUP	FRIDGE WATER FILTER	47.38
BMO FINANCIAL GROUP	JULY CGMC MTG-LODGING, MEAL	276.46
BMO FINANCIAL GROUP	JULY CHEMICAL SPREADER	96.61
BMO FINANCIAL GROUP	JULY GRUB KILLER	45.03
BMO FINANCIAL GROUP	JULY PREVENTION/OUTREACH TRAIN	751.80
BMO FINANCIAL GROUP	JULY SPRING LINK 7/16X4-3/4 SS	29.76
BMO FINANCIAL GROUP	KIDS KAMP-HISTORICAL SOCIETY	100.00
BMO FINANCIAL GROUP	KITCHEN SUPPLIES	22.99
BMO FINANCIAL GROUP	LAMINATOR MACHINE	126.57
BMO FINANCIAL GROUP	LIEN UNIFORM PURCHASE	51.81
BMO FINANCIAL GROUP	LODGING MIAMA CONFERENCE	611.66
BMO FINANCIAL GROUP	LODGING,CONF.REG. P.MUXFELDT	836.66
BMO FINANCIAL GROUP	MIAMA FALL CONF. REGISTRATION	225.00
BMO FINANCIAL GROUP	MINNEAPOLIS CASE INVEST MEAL	12.71
BMO FINANCIAL GROUP	MN FIRE SVC RECERTIFICATIONS	288.75
BMO FINANCIAL GROUP	MOBILE MOULTRIE MONTHLY	9.99
BMO FINANCIAL GROUP	MONTHLY ADOBE MEMBERSHIP	10.73
BMO FINANCIAL GROUP	NEULEIB UNIFORMS	131.94
BMO FINANCIAL GROUP	NUISANCE IMAGE STORAGE	9.99
BMO FINANCIAL GROUP	OFFICE SUPPLIES	79.00
BMO FINANCIAL GROUP	ONSTAD UNIFORM PURCHASE	17.17
BMO FINANCIAL GROUP	PARKING FEE	6.00
BMO FINANCIAL GROUP	POSTAGE RETURN SIGHTS	23.49

General

BMO FINANCIAL GROUP	RIGGLE UNIFORMS	244.29
BMO FINANCIAL GROUP	SCHOOL SAFETY SUPPLIES	53.99
BMO FINANCIAL GROUP	SIGHT BATTERIES	17.98
BMO FINANCIAL GROUP	SONSTEBO UNIFORM PURCHASE	45.20
BMO FINANCIAL GROUP	SQUAD SUPPLIES	11.99
BMO FINANCIAL GROUP	TASER CARTRIDGES	208.25
BMO FINANCIAL GROUP	TONER BACK PRINTER	217.54
BMO FINANCIAL GROUP	TONER-BACK PRINTER	139.89
BMO FINANCIAL GROUP	TOURNIQUET FOR SQUADS	89.99
BMO FINANCIAL GROUP	08/02-09/01/23 CREATIVE CLOUD	39.99
BMO FINANCIAL GROUP	2023 WEST CENTRAL MN COLLEGE	75.00
A CENTER FOR THE ARTS	4TH QTR 2023 BUDGET ALLOCATION	1,875.00
CENTURYLINK	CENTURYLINK POLE RENTAL DUES	8.14
CHARTER COMMUNICATIONS	CABLE 9/18-10/17	26.78
CHARTER COMMUNICATIONS	09/04-10/03/23 CABLE	52.62
CHARTER COMMUNICATIONS	09/13-10/12/23 INTERNET	129.99
CHARTER COMMUNICATIONS	09/13-10/12/23 IP ADDRESS	19.99
CHRISTIANS CUSTOM LLC	SEPT SERVICE STATION GENERATOR	435.00
COMMISSIONER OF TRANSPORTATION	SAMPLING, TESTING, INSP., TOOLS	13,638.42
COOPERS TECHNOLOGY GROUP	SEPT PAPER ROLLS, DRY ERASERS	209.03
COOPERS TECHNOLOGY GROUP	SEPTEMBER FOOT REST	52.01
COSSETTE ELECTRIC LLC	MINI SPLIT STAFF OFFICE	722.98
COSSETTE ELECTRIC LLC	SEP LED FIXTURES WESTERN AVE	613.34
DR POWER EQUIPMENT	LEAF VAC DECK BOOT, HOSE KIT	3,502.47
DACOTAH PAPER CO	BATTERY, FILTER, LINERS, KLEENEX	921.63
DACOTAH PAPER CO	FOAM PLATE, CANLINER, ROLL TOWEL	471.99
DACOTAH PAPER CO	LINER CAN 17 X 17	26.08
DACOTAH PAPER CO	PAD, SUPER POLISH CASE	18.98
DACOTAH PAPER CO	SEPT FINISH FLOOR ON AN' ON	72.34
DAILY JOURNAL	SEPT CUP/THC HEARING	125.05
CHAD DAVIS	2023 SAFETY BOOT REIMBURSEMENT	64.98
EQUIPMENT FUND	OCTOBER EQUIPMENT RENT	114,157.90
FASTENAL COMPANY	SEP PARK SAFETY VENDING	55.63
FASTENAL COMPANY	SEP STREET SAFETY VENDING	55.63
FERGUS FALLS CONVENTION &	JUL 2023 LODGING TAX	22,146.50
FERGUS FALLS CONVENTION &	JUL 2023 LODGING TAX ADMIN	664.40-
FINNLYTECH INC	FACILITY SCHEDULING CONFIGURAT	3,148.00
GALLS LLC	ONSTAD UNIFORM PURCHASE	192.88
NAPA AUTO PARTS - FERGUS FALLS	SEPT FUEL/OIL MIX, OIL DRY	40.84
GOODIN COMPANY	SEPT RETURN SEAT & BRACKET	80.23-
GRANITE ELECTRONICS	SEPT PORTABLE RADIO REPAIR	15.00
GREAT PLAINS FIRE	SEPT ISO PUMP TESTS	1,400.00
GREAT PLAINS NATURAL GAS CO	CREDIT JUNE NATURAL GAS EXPENS	839.69-

General

GREAT PLAINS NATURAL GAS CO	SEPTEMBER NATURAL GAS EXPENSE	1,821.26
HOME DEPOT CREDIT SERVICES	SEPT PLYWOOD, TAPCON, FILTER	86.15
HOME DEPOT CREDIT SERVICES	SEPT POWERMOP, PADS & REFILL	69.84
HOME DEPOT CREDIT SERVICES	SEPT RUBBER HOSE, FLEX SHUTOFF	59.98
HOME DEPOT CREDIT SERVICES	SEPT SCREWS, TOGGLE BOLTS	14.20
HOME DEPOT CREDIT SERVICES	SEPT SPREADER, BLADE SET, TORCH	213.91
INTERSTATE ENGINEERING INC.	UNION BRIDGE SOILS REPORT	400.00
INTOXIMETERS	DRYGAS FOR PBTS	125.00
JEFFERSON FIRE & SAFETY INC	SEPTEMBER FIRE FIGHTING FOAM	900.00
KREKELBERG LAW FIRM	SEPTEMBER LEGAL FEES	480.00
LAKE REGION HEALTHCARE CORP	AUGUST PRE-EMPLOY DRUG SCREEN	37.50
LAKE REGION HEALTHCARE CORP	BLOOD DRAW/FREITAG 22042423	80.00
BRAD LEITCH	2023 SAFETY BOOT REIMBURSEMENT	125.00
M-R SIGN COMPANY INC	NO PKG/LOADING 901 N CLEVELAND	27.81
M-R SIGN COMPANY INC	SEP PED XING/ARROW SIGNS	511.48
MACQUEEN EMERGENCY	FF #3 SCBA MASK REPAIR	317.50
MARCO TECHNOLOGIES LLC	COPIER CONTRACT 9/10-10/10	355.61
MCMASTER-CARR SUPPLY CO	SEP LEVEL MOUNT THREADED STUD	22.03
METRO SALES, INC	08/18-09/17/23 COPIER RENT	152.98
METRO SALES, INC	08/18-09/17/23 COPIER USAGE	33.07
MIDWEST PRINTING COMPANY	SEPT/BUSINESS CARDS-CAPOUCH	60.00
MINNKOTA ENVIROSERVICES INC	SEPTEMBER SHREDDING SERVICE	100.35
MONTANA-DAKOTA UTILITIES CO	REPAIR GAS SERVICE LINE GROTTO	632.09
MOTION INDUSTRIES INC	SHEAVES, BUSHING, V-BELT,	166.77
NATURES GARDEN WORLD	6.5 YD NATURAL MULCH	357.50
NYCKLEMOE & ELLIG, P.A.	OCTOBER RETAIN FEE/OFFICE ALLO	7,245.83
OFFICE OF MNIT SERVICES	SEPT. INTERNET USAGE FOR CITY	338.62
OTTER TAIL COUNTY HIGHWAY DEPT	ELEC DECOR LIGHTS ON ALCOTT	11.91
OTTER TAIL CO. HISTORICAL SOC.	4TH QTR 2023 BUDGET ALLOCATION	2,875.00
OTC HUMANE SOCIETY INC	AUG ANIMAL BOARDING	1,031.00
PPI CONSULTING LLC	PSYCH EVAL-HABERER	475.00
PERRIN MOBILE MEDICAL SERVICES	SEPTEMBER RANDOM DRUG SCREEN	90.00
POLICE DEPT CONTINGENCY FUND	HABERER PSYCH EVAL	475.00
PRODUCTIVE ALTERNATIVES INC.	4TH QTR 2023 BUDGET ALLOCATION	12,500.00
PRO-WEST & ASSOCIATES, INC	SEPT GIS TECHNICAL SUPPORT	3,631.68
PUBLIC UTILITIES DEPARTMENT	SEPT UTILITIES/522 E HAMPDEN	36.64
PUBLIC UTILITIES DEPARTMENT	SEPTEMBER PUBLIC UTILITIES	6,152.75
REDSTONE TECHNOLOGIES INC	AS400 TECH SUPPORT 20HRS	3,000.00
SIGELMAN STEEL & SALVAGE CO	SEP 1.5"X3/16X20' ADAM ARENA	50.00
SIGELMAN STEEL & SALVAGE CO	SEP 3/16" FLAT METAL (ADAM)	26.20
SIGELMAN STEEL & SALVAGE CO	1/2 AL ROUOND	5.00
STEIN'S INC	SEP SQUEEGEE TOOL/BLADE ARENA	165.18
STREICHER'S INC	ONSTAD UNIFORM PURCHASE	168.95

General

SWANSTON EQUIPMENT CO	SEP CRACKFILL PALLET (TODD)	1,400.00
SWEDBERG NURSERY	CRAB,JAPANESE LILAC TREES	975.00
TNC INDUSTRIES INC	SEPT PLYMOVENT EXHAUST SYSTEM	316.00
USABLE LIFE	OCTOBER LIFE INSURANCE	77.00
VERIZON WIRELESS	SEPTEMBER CELL PHONE EXPENSE	1,507.49
WESTMOR INDUSTRIES LLC	ANNUAL FILTER CHANGE JET	4,682.13
WIMACTEL INC	SEPTEMBER TELEPHONE EXPENSE	99.00
	F U N D T O T A L	240,806.54

P.A. General

UGSTAD PLUMBING INC	BOILER/GEN CK 08/11/23	90.00
UGSTAD PLUMBING INC	BOILER/GEN CK 08/18/23	90.00
UGSTAD PLUMBING INC	BOILER/GEN CK 08/25/23	90.00
UGSTAD PLUMBING INC	MONTHLY MAINT -PLB & HTG AUG	90.00
UGSTAD PLUMBING INC	OCTOBER RETAINER FEE	125.00
	F U N D T O T A L	485.00

Public Library

ARAMARK UNIFORM SERVICES	SEPTEMBER LINEN SUPPLY	38.52
BAKER & TAYLOR INC	BOOKS	1,474.36
BAKER & TAYLOR INC	FREIGHT SURCHARGE	14.92
BAKER & TAYLOR INC	PROCESSING	152.34
BMO FINANCIAL GROUP	AUGUST BOOKS	198.02
BMO FINANCIAL GROUP	AUGUST DIGITAL MATERIALS	783.98
BMO FINANCIAL GROUP	AUGUST DVD'S	769.54
BMO FINANCIAL GROUP	AUGUST NAME TAGS	6.00
BMO FINANCIAL GROUP	AUGUST OPERATING SUPPLIES	96.41
BMO FINANCIAL GROUP	ZOOM.COM ANNUAL SUBSCRIPTION	149.90
DACOTAH PAPER CO	SEPT SWEEPER,CAN LINER,GLOVES	1,466.63
DAILY JOURNAL	AUGUST ADVERTISING	314.25
GOODIN COMPANY	SEPT ROYAL FLUSH VALVES	352.72
HOME DEPOT CREDIT SERVICES	SEP WASHER/SCREWS (JUSTIN K)	6.99
LAKE REGION HEALTHCARE CORP	AUGUST PRE-EMPLOY DRUG SCREEN	37.50

Public Library

LEAGUE OF MN CITIES INS TRUST	JAN 2023/INDEMNITY 486993	362.00
VICTOR LUNDEEN COMPANY	PAPER	31.95
MEDTOX LABORATORIES INC	AUGUST PRE-EMPLOY DRUG SCREEN	33.40
PUBLIC EMPL. RETIREMENT ASSOC.	OMITTED DED INT-HAUGE	10.92
PUBLIC UTILITIES DEPARTMENT	SEPTEMBER PUBLIC UTILITIES	529.99
VIKING LIBRARY SYSTEM	BARCODES	51.60
	F U N D T O T A L	6,881.94

Bigwood Event Center

ARAMARK	SEPTEMBER LINEN SUPPLY	394.38
BMO FINANCIAL GROUP	AUGUST FOOD-08/02/23	65.55
BMO FINANCIAL GROUP	AUGUST FOOD-08/10/23	165.60
CLOVER	SEPT POS MONTHLY CHARGE	160.96
GREAT PLAINS NATURAL GAS CO	SEPTEMBER NATURAL GAS EXPENSE	30.60
PUBLIC UTILITIES DEPARTMENT	SEPTEMBER PUBLIC UTILITIES	570.42
TWEETON REFRIGERATION	SEPTEMBER ICE MACHINE RENTAL	180.00
VERIZON WIRELESS	SEPTEMBER CELL PHONE EXPENSE	48.89
	F U N D T O T A L	1,616.40

T.I. 4-14 Prairie View Development

TAFT STETTINIUS HOLLISTER LLP	TIF 4-14 HOUSING DISTRICT	650.00
	F U N D T O T A L	650.00

Small Cities Development Program

FERGUS FALLS HRA	CDAP-18-0049-O-FY19 #7	69,736.00
	F U N D T O T A L	69,736.00

CDBG/HUD Revolving Loan

IMRAYA PROPERTIES LLC	FLOORING/2454 COLLEGE WAY/#509	6,423.88
JB ELECTRIC	ELECTRIC WORK/1005 PL RD-#507	1,980.00
	F U N D T O T A L	8,403.88

Capital Improvement

BOLTON & MENK INC	DOWNTOWN RIVERFRONT PHASE 2	62,080.15
JOEL CARLSON INC.	OCTOBER LEGISLATIVE FEES	2,285.00
COMSTOCK CONSTRUCTION INC	PAY APP NO. 7	688,481.66
DELZER CONSTRUCTION	FRIBERG WATER PAY REQUEST #5	20,000.00
HOME DEPOT CREDIT SERVICES	SEP ORANGE DIAMOND BARRIER	37.65
INTERSTATE ENGINEERING INC.	PROF SERV 8/20/23 TO 9/16/23	4,639.12
INTERSTATE ENGINEERING INC.	PROF SERVICE 7/9/23 TO 8/19/23	889.90
JOE RILEY CONSTRUCTION INC	PAY ESTIMATE NO. 1	214,695.73
STANTEC CONSULTING SERVICE INC	RTC PHASE 3 ENDING 9/1/2023	97.69
TAFT STETTINIUS HOLLISTER LLP	BOND COUNSEL G.O. 2023A BONDS	17,000.00
	F U N D T O T A L	1,010,206.90

Airport Capital Improvement

SIGNWORKS SIGNS & BANNERS INC	SIGNS KFFM CORNER OF BUILDING	859.00
	F U N D T O T A L	859.00

Liquor Store

ALEX GLASS & GLAZING	SEPT SHIM HINGES ON DOOR W LIQ	375.00
THE AMERICAN BOTTLING COMPANY	SEPTEMBER/MIX	738.66
ARTISAN BEER COMPANY	SEPTEMBER/BEER	2,796.70
ARTISAN BEER COMPANY	SEPTEMBER/MIX	161.50
BELLBOY CORPORATION	SEPTEMBER/FREIGHT	19.72
BELLBOY CORPORATION	SEPTEMBER/LIQUOR	1,869.50

Liquor Store

BELLBOY CORPORATION	SEPTEMBER/MISC PURCHASES	72.00
BELLBOY CORPORATION	SEPTEMBER/MIX	38.40
BEVERAGE WHOLESALERS INC	SEPTEMBER/BEER	57,562.44
BEVERAGE WHOLESALERS INC	SEPTEMBER/LIQUOR	2,623.72
BEVERAGE WHOLESALERS INC	SEPTEMBER/MIX	590.05
BEVERAGE WHOLESALERS INC	SEPTEMBER/WINE	269.10
BLUE CLOUD OF BURNSVILLE, MN	JANUARY/BEER	2,827.50-
BLUE CLOUD OF BURNSVILLE, MN	JUNE/BEER	1,040.00
BLUE CLOUD OF BURNSVILLE, MN	MAY/BEER	1,273.00
BLUE CLOUD OF BURNSVILLE, MN	SEPTEMBER/BEER	3,816.00
BMO FINANCIAL GROUP	AUGUST MOOD PANDORA	57.86
BMO FINANCIAL GROUP	AUGUST/MISC PURCHASES	1,871.13
BMO FINANCIAL GROUP	AUGUST/MIX	34.50
PATRICIA DILLON	SEPTEMBER SUPPLIES-ORGANIZERS	31.10
BREAKTHRU BEVERAGE MINNESOTA	SEPTEMBER/BEER	34.40-
BREAKTHRU BEVERAGE MINNESOTA	SEPTEMBER/FREIGHT	517.85
BREAKTHRU BEVERAGE MINNESOTA	SEPTEMBER/LIQUOR	18,536.07
BREAKTHRU BEVERAGE MINNESOTA	SEPTEMBER/MIX	570.87
BREAKTHRU BEVERAGE MINNESOTA	SEPTEMBER/WINE	11,505.10
CAYAN	SEPT 2023 MONTHLY SERVICE FEE	160.37
VIKING COCA-COLA BOTTLING CO	SEPTEMBER/MIX	858.85
BRANDON CURRIE	JANUARY-JUNE MILEAGE	579.02
D-S BEVERAGES, INC.	SEPTEMBER/BEER	29,706.95
D-S BEVERAGES, INC.	SEPTEMBER/LIQUOR	4,848.50
D-S BEVERAGES, INC.	SEPTEMBER/MIX	744.10
D-S BEVERAGES, INC.	SEPTEMBER/WINE	100.50
MARGO DENBROOK	JANUARY-JUNE MILEAGE	204.36
MARGO DENBROOK	SEPTEMBER GLOVES, FLY SWATTER	19.18
FERGUS BREWING COMPANY LLC	SEPTEMBER/BEER	500.00
GREAT PLAINS NATURAL GAS CO	SEPTEMBER NATURAL GAS EXPENSE	24.70
HOME DEPOT CREDIT SERVICES	SEPTEMBER PAINT	43.97
JOHNSON BROTHERS LIQUOR CO	SEPTEMBER/FREIGHT	452.91
JOHNSON BROTHERS LIQUOR CO	SEPTEMBER/LIQUOR	14,220.21
JOHNSON BROTHERS LIQUOR CO	SEPTEMBER/MIX	247.65
JOHNSON BROTHERS LIQUOR CO	SEPTEMBER/WINE	8,478.79
JUNKYARD BREWING COMPANY LLC	SEPTEMBER/BEER	351.00
MAVERICK WINE LLC	SEPTEMBER/FREIGHT	45.00
MAVERICK WINE LLC	SEPTEMBER/LIQUOR	1,197.00
MAVERICK WINE LLC	SEPTEMBER/WINE	540.00
PHILLIPS WINE & SPIRITS CO	SEPTEMBER/FREIGHT	324.65
PHILLIPS WINE & SPIRITS CO	SEPTEMBER/LIQUOR	10,942.31
PHILLIPS WINE & SPIRITS CO	SEPTEMBER/MIX	312.00
PHILLIPS WINE & SPIRITS CO	SEPTEMBER/WINE	5,906.13

Liquor Store

PUBLIC EMPL. RETIREMENT ASSOC.	OMITTED DED INT-SCHNEEBERGER	10.80
PUBLIC UTILITIES DEPARTMENT	SEPTEMBER PUBLIC UTILITIES	670.28
SOUTHERN GLAZER'S OF MN	SEPTEMBER/FREIGHT	64.43
SOUTHERN GLAZER'S OF MN	SEPTEMBER/LIQUOR	3,798.57
SOUTHERN GLAZER'S OF MN	SEPTEMBER/MIX	27.00
SOUTHERN GLAZER'S OF MN	SEPTEMBER/WINE	532.62
TOTAL REGISTER SYSTEMS	FTP MONTHLY SERVICE	32.21
VERIZON WIRELESS	SEPTEMBER CELL PHONE EXPENSE	120.54
	F U N D T O T A L	189,572.97

Refuse Disposal

COSSETTE ELECTRIC LLC	TROUBLE SHOT PUMP N LANDFILL	92.00
WASTE MANAGEMENT	09/01-09/15/23 PRO SERVICES	6,223.02
EQUIPMENT FUND	OCTOBER EQUIPMENT RENT	42,700.75
FASTENAL COMPANY	SEP REFUSE SAFETY VENDING	55.63
LEAGUE OF MN CITIES INS TRUST	JULY 2023/INDEMNITY 494014	1,271.81
METRO SALES, INC	08/18-09/17/23 COPIER RENT	16.56
METRO SALES, INC	08/18-09/17/23 COPIER USAGE	9.54
PUBLIC UTILITIES DEPARTMENT	SEPTEMBER PUBLIC UTILITIES	1,617.50
VERIZON WIRELESS	SEPTEMBER CELL PHONE EXPENSE	25.98
	F U N D T O T A L	52,012.79

Sewage Treatment

AMCON CONCRETE PRODUCTS	SEP 80# SM MORTAR TYPE S	231.00
SEAN ANDERSON	SEPT FLOOR MAINT.-CONTROL BLDG	1,293.00
BMO FINANCIAL GROUP	AUG PVC,FITTINGS	69.42
BMO FINANCIAL GROUP	AUG RETURN BD EDG	12.98-
BMO FINANCIAL GROUP	AUG SHIPPING	25.20
BMO FINANCIAL GROUP	AUG 18V BATTERY,TIMER,EDG BL	123.96
BMO FINANCIAL GROUP	AUG 8" REPLACEMENT BLADE	14.97
BMO FINANCIAL GROUP	JULY MWOA CONF LODGING SNELSON	549.05
COSSETTE ELECTRIC LLC	SEP REPLACE BAD HOUR METER COL	351.40
COSSETTE ELECTRIC LLC	SEP REPLACE FIXTURE PEBBLE SHO	177.22

Sewage Treatment

COSSETTE ELECTRIC LLC	SEPT SITE WORK,ROTO PRESS	138.00
ELECTRIC PUMP INC	SEPT LIFT PUMP 1530 WSIDE DR	12,681.00
EQUIPMENT FUND	OCTOBER EQUIPMENT RENT	12,335.41
FASTENAL COMPANY	SEP SEWER SAFETY VENDING	55.63
GREAT PLAINS NATURAL GAS CO	SEPTEMBER NATURAL GAS EXPENSE	332.34
HOLCIM-MWR INC	SEP 404 S BURLINGTON (SERVICE)	797.00
LOCATORS & SUPPLIES INC	SEP BLUE/WHITE MARKING PAINT	163.97
LOCATORS & SUPPLIES INC	SEP MANHOLE LADDER (TRAVIS)	614.68
METRO SALES, INC	08/18-09/17/23 COPIER RENT	16.55
METRO SALES, INC	08/18-09/17/23 COPIER USAGE	9.54
PERRIN MOBILE MEDICAL SERVICES	SEPTEMBER RANDOM DRUG SCREEN	90.00
PUBLIC UTILITIES DEPARTMENT	SEPTEMBER PUBLIC UTILITIES	4,649.17
RMB ENVIRONMENTAL LABORATORIES	SEPT ANALYSIS	1,259.76
SPEE*DEE DELIVERY SERVICE INC	SEPT SHIPPING	104.85
USA BLUEBOOK	SEPT POWDER FREE NITRATE GLOVE	382.89
VERIZON WIRELESS	SEPTEMBER CELL PHONE EXPENSE	117.45
	F U N D T O T A L	36,570.48

Water

ADMINISTRATOR'S CONTINGENCY FD	REFUND/SHOULD BE JETTING SVC	244.00
BMO FINANCIAL GROUP	GFOA RENEWAL FEE	150.00
BMO FINANCIAL GROUP	2023 MNGFOA ANNUAL CONFERENCE	250.00
COSSETTE ELECTRIC LLC	SEP REPLACE SOCKETS WATER TOWE	318.64
EQUIPMENT FUND	OCTOBER EQUIPMENT RENT	4,712.58
FASTENAL COMPANY	SEP WATER SAFETY VENDING	55.63
FERGUSON WATERWORKS #1657	SEP 2" RPZ (TRAVIS)	787.15
GREAT PLAINS NATURAL GAS CO	SEPTEMBER NATURAL GAS EXPENSE	1,180.34
HAWKINS INC	SEPT AMMONIA ANHYDROUS	823.20
HAWKINS INC	SEPT CYLINDER	10.00
HAWKINS INC	SEPT FERRIC SULFATE	2,068.64
HAWKINS INC	SEPT HYDROLOUOSILICIC ACID	1,406.10
HAWKINS INC	SEPT LPC-5	1,455.30
HOME DEPOT CREDIT SERVICES	SEP 1&3/4" PIPE BENDERS	149.94
METRO SALES, INC	08/08-09/07/23 COPIER RENT	63.68
METRO SALES, INC	08/08-09/07/23 COPIER USAGE	5.94
METRO SALES, INC	08/18-09/17/23 COPIER RENT	16.56
METRO SALES, INC	08/18-09/17/23 COPIER USAGE	9.54
MIDWEST PRINTING COMPANY	SEPT WATER METER SLIPS 2 PT	120.00

Water

MIDWEST PRINTING COMPANY	SEPT/BUSINESS CARDS-DRECHSEL	60.00
PUBLIC UTILITIES DEPARTMENT	SEPTEMBER PUBLIC UTILITIES	233.87
RMB ENVIRONMENTAL LABORATORIES	SEPT 2ND HALF BACT.MONITORING	223.25
VERIZON WIRELESS	SEPTEMBER CELL PHONE EXPENSE	447.70
	F U N D T O T A L	14,792.06

Storm Water

AMCON CONCRETE PRODUCTS	SEP 80# SM MORTAR TYPE S	231.00
EQUIPMENT FUND	OCTOBER EQUIPMENT RENT	11,236.00
HOLCIM-MWR INC	SEP CONCRETE VERNON/PEBBLE LAK	952.00
VERIZON WIRELESS	SEPTEMBER CELL PHONE EXPENSE	35.01
	F U N D T O T A L	12,454.01

Equipment

AMERICAN WELDING & GAS, INC	SEP GLAZE/CUT OFF WHEEL (ADAM)	42.29
AMERICAN WELDING & GAS, INC	SEP PLASMA CUTTER REPAIR	175.00
AUTO VALUE - FERGUS FALLS	SEP AIR FILTER (STOCK)	20.79
AUTO VALUE - FERGUS FALLS	SEP AIR FILTER UNIT 285	42.82
AUTO VALUE - FERGUS FALLS	SEP ATF+4 (SHOP)	8.49
AUTO VALUE - FERGUS FALLS	SEP BRAKE LIGHT SWITCH U-45	17.92
AUTO VALUE - FERGUS FALLS	SEP CREDIT RETURNED FAN	23.99-
AUTO VALUE - FERGUS FALLS	SEP CREDIT RETURNED PARTS	237.92-
AUTO VALUE - FERGUS FALLS	SEP FUEL PUMP UNIT 31	235.99
AUTO VALUE - FERGUS FALLS	SEP FUL-BASE REDUCER (SHOP)	63.95
AUTO VALUE - FERGUS FALLS	SEP HEADLIGHT BULB CONNECTOR	8.98
AUTO VALUE - FERGUS FALLS	SEP LANDFILL FUEL PUMP FILTER	21.32
AUTO VALUE - FERGUS FALLS	SEP MECHANICS WIRE (SHOP)	14.99
AUTO VALUE - FERGUS FALLS	SEP NYLON TUBING 3/8&1/2 (STK)	224.00
AUTO VALUE - FERGUS FALLS	SEP O2 SENSOR UNIT 43	47.99
AUTO VALUE - FERGUS FALLS	SEP SAE30W AIR COMPRESSOR OIL	103.98
AUTO VALUE - FERGUS FALLS	SEP STARTING FLUID/BRAKE CLEAN	99.36
AUTO VALUE - FERGUS FALLS	SEP STOCK FILTER ORDER PARK SH	64.65
AUTO VALUE - FERGUS FALLS	SEP STOCK OIL FILTER	6.60

Equipment

AUTO VALUE - FERGUS FALLS	SEP STOCK PARTS ORDER	218.97
AUTO VALUE - FERGUS FALLS	SEP U-JOINTS UNIT 226	110.92
AUTO VALUE - FERGUS FALLS	SEP WHEEL WEIGHT PLIERS	12.99
AUTO VALUE - FERGUS FALLS	SEP WIRE LOOM (STOCK)	64.50
BMO FINANCIAL GROUP	AUG FORTLIFT LIFT TRUCK STARTE	116.47
BMO FINANCIAL GROUP	AUG PUMP REPAIR PACKING KIT	30.05
BMO FINANCIAL GROUP	AUGUST AIR NEEDLE SCALER CHIEF	114.98
BMO FINANCIAL GROUP	AUGUST AIRLESS SPRAY PUMP #495	22.32
BMO FINANCIAL GROUP	AUGUST BATTERY FOR SHOP AED	187.75
BMO FINANCIAL GROUP	AUGUST CONN RCPT, SOCKET	9.46
BMO FINANCIAL GROUP	AUGUST ENGINE TURNING TOOL	89.00
BMO FINANCIAL GROUP	AUGUST FOG LIGHT BULBS	12.89
BMO FINANCIAL GROUP	AUGUST LED BULBS-REFUSE TRUCKS	29.99
BMO FINANCIAL GROUP	AUGUST LED FOG LIGHT BULBS	25.98
BMO FINANCIAL GROUP	AUGUST LED HEADLIGHT BULBS	41.85
BMO FINANCIAL GROUP	AUGUST LED LIGHT BULBS	149.95
BMO FINANCIAL GROUP	AUGUST MINI LED REPLACE BULBS	15.88
BMO FINANCIAL GROUP	AUGUST RETURN ACTUATORS	604.59-
BMO FINANCIAL GROUP	AUGUST 2.5" FAUX WOOD BLINDS	59.03
BMO FINANCIAL GROUP	JULY ACTUATORS	687.95
BRAUN INTERTEC CORPORATION	PROF SERV. FABRIC BLDG	3,554.00
CERTIFIED LABORATORIES	SEP PREMALUBE GREASE (SHOP)	391.95
ENVIRONMENTAL EQUIP & SERVICES	SEP DUO SKID PLATES U-262	2,409.42
EQUIPMENT FUND	OCTOBER EQUIPMENT RENT	1,666.69
EQUIPMENT FUND	RECEIPT OCTOBER EQUIPMENT RENT	186,809.33-
FARGO FREIGHTLINER	SEP SEAL/BEARING UNIT 226	280.20
FARGO FREIGHTLINER	SEP TAPERED BEARINGS UNIT 226	289.99
JOHN DEERE FINANCIAL	SEP FUEL FILTERS (STOCK)	183.66
JOHN DEERE FINANCIAL	SEP HYDRAU XR 5 GAL PAIL U-285	212.90
JOHN DEERE FINANCIAL	SEP LOW VISC HY-GARD	133.22
FASTENAL COMPANY	SEP SHOP SUPPLY VENDING	98.85
NAPA AUTO PARTS - FERGUS FALLS	SEP A/C CONDENSER/SEALS UNIT 4	241.98
GRAINGER INC	SEP QUICK COUPLING UNIT 262	13.29
GRAINGER INC	SEP SDS BINDER (CITY SHOP)	39.39
INTERSTATE BATTERY SYSTEM	SEP MTP-94R BATTERY	160.95
LITTLE FALLS MACHINE INC.	SEP WING BOOM UNIT 299	1,200.39
NELSON INTERNATIONAL	SEP DIPSTICK TUBE UNIT 214	206.20
OLSON OIL COMPANY INC	SEP UNLEADED FUEL (SHOP)	28,389.66
OLYMPIC SALES INC	SEP BUMPER/PACK CYL SEAL KIT	526.12
OLYMPIC SALES INC	SEP EXT NUT ASL GARBAGE TRUCKS	140.43
OLYMPIC SALES INC	SEP TAG AXLE SOLENOID U-227	124.66
PRODUCTIVITY PLUS ACCOUNT	AUGUST MISC EQUIPMENT PARTS	81.75
PRODUCTIVITY PLUS ACCOUNT	SEP SEAT PARTS UNIT 283	264.50

Equipment

PUBLIC UTILITIES DEPARTMENT	SEPTEMBER PUBLIC UTILITIES	1,414.76
SANITATION PRODUCTS INC	SEP FLOAT BALL CAGES U-262	862.99
SIGELMAN STEEL & SALVAGE CO	SEP FRAME STEEL UNIT 810	571.40
SIGELMAN STEEL & SALVAGE CO	SEP 8.05 LBS SHEET (ADAM)	55.30
SNAP-ON TOOLS CORPORATION	SEP AXLE NUT SOCKET (SHOP)	74.25
SNAP-ON TOOLS CORPORATION	SEP 4X IMPACT GLOVE (CODY)	74.00
UNLIMITED AUTOGLASS LLC	SEP DRIVER WINDSHIELD U-214	255.00
UNLIMITED AUTOGLASS LLC	SEP LEFT CAB GLASS UNIT 477	250.00
VERIZON WIRELESS	SEPTEMBER CELL PHONE EXPENSE	82.40
WALLWORK TRUCK CENTER F.F.	SEP BRAKE DRUM/SHOES U-227	610.16
WALLWORK TRUCK CENTER F.F.	SEP BRAKE SHOES UNIT 227	337.08
WALLWORK TRUCK CENTER F.F.	SEP CLEVIS KITS (STOCK)	48.72
WALLWORK TRUCK CENTER F.F.	SEP CREDIT RETURNED DRUM/SHOES	610.16-
WALLWORK TRUCK CENTER F.F.	SEP S-CAM SHIMS UNIT 803	2.40
WALLWORK TRUCK CENTER F.F.	SEP SLACK ADJUSTER U-803	192.44
WALLWORK TRUCK CENTER F.F.	SEP SLACK ADJUSTERS/AIR BAGS	539.78
WALLWORK TRUCK CENTER F.F.	SEP SPRING-AIR UNIT 803	378.66
WALLWORK TRUCK CENTER F.F.	SEP TAG AXLE FENDERS U-244	676.76
WALLWORK TRUCK CENTER F.F.	SEP WHEEL SEAL UNIT 227	43.77
	F U N D T O T A L	138,005.87-

Employees Insurance

SUN LIFE FINANCIAL	OCTOBER LIFE INSURANCE	3,091.85
	F U N D T O T A L	3,091.85

Flexible Benefit Agency

WEX	2023 FLEX PLAN REIMB	2,078.53
WEX	2023 FLEX PLAN REIMB	256.28
	F U N D T O T A L	2,334.81

PEG Access

PEG Access

BCBS OF MN & BLUE PLUS	DECEMBER HEALTH INSURANCE	491.38
BCBS OF MN & BLUE PLUS	NOVEMBER HEALTH INSURANCE	491.38
BCBS OF MN & BLUE PLUS	OCTOBER HEALTH INSURANCE	491.38
CHARTER COMMUNICATIONS	07/26-08/25/23 CABLE	8.85
CHARTER COMMUNICATIONS	08/26-09/25/23 CABLE	8.83
CHARTER COMMUNICATIONS	09/26-10/25/23 CABLE	8.83
CINCINNATI INSURANCE COMPANY	2023 WORKERS' COMP INSTALLMENT	107.00
DAILY JOURNAL	AUGUST/KIDS SCOOP-FFSP	100.00
DAILY JOURNAL	JULY/KIDS SCOOP-FFSP	125.00
DAILY JOURNAL	JUNE/KIDS SCOOP-FFSP	100.00
	F U N D T O T A L	1,932.65

Fergus Falls Convention and Visitor's Bureau, Inc.

ADVENTURE CYCLING ASSOCIATION	MARKET PLACE ADVERTISER	312.00
ADVENTURE CYCLING ASSOCIATION	SEPTEMBER/OCTOBER WEB AD	736.00
BCBS OF MINNESOTA	OCTOBER HEALTH INSURANCE	990.06
BMO FINANCIAL GROUP	AUGUST INTERNET ON TABLET	5.55
BMO FINANCIAL GROUP	HOSTING & MAINTENANCE UPGRADE	148.23
BMO FINANCIAL GROUP	08/28-09/28/23 INTERNET	44.99
FERGUS FALLS CONVENTION &	JUL 2023 LODGING TAX	22,146.50-
FERGUS FALLS CONVENTION &	JUL 2023 LODGING TAX ADMIN	664.40
	F U N D T O T A L	19,245.27-

T O T A L A L L F U N D S 1,495,156.14

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 02 DAY OF OCTOBER BY ALDERMAN WHO MOVED ITS ADOPTION, WAS SECONDED BY ALDERMAN AND ADOPTED BY THE FOLLOWING VOTE:

AYES:

NAYS:

ABSTAIN:

ABSENT:

WHEREUPON THE ABOVE RESOLUTION WAS DULY DECLARED ADOPTED.

ATTEST:

APPROVED:

CITY ADMINISTRATOR

MAYOR

10/02/2023

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

COMMISSIONER OF TRANSPORTATION	13,638.42
FERGUS FALLS HRA	69,736.00
OTTER TAIL COUNTY HIGHWAY DEPT	11.91
ARC DOCUMENT SOLUTIONS LLC	217.19
ADMINISTRATOR'S CONTINGENCY FD	1,674.00
ADVENTURE CYCLING ASSOCIATION	1,048.00
ALEX GLASS & GLAZING	375.00
AMCON CONCRETE PRODUCTS	462.00
THE AMERICAN BOTTLING COMPANY	738.66
ARAMARK UNIFORM SERVICES	38.52
ARAMARK	467.30
AMERICAN WELDING & GAS, INC	217.29
SEAN ANDERSON	1,748.04
ANYTIME PLUMBING LLC	100.00
ARENA WAREHOUSE LLC	1,974.50
ARTISAN BEER COMPANY	2,958.20
AUTO VALUE - FERGUS FALLS	1,405.38
AVESIS THIRD PARTY ADMIN INC	30.14
BAKER & TAYLOR INC	1,641.62
BECKER ARENA PRODUCTS INC	9,899.00
BELLBOY CORPORATION	1,999.62
BEVERAGE WHOLESALERS INC	61,045.31
BCBS OF MN & BLUE PLUS	1,474.14
BCBS OF MINNESOTA	990.06
BLUE CLOUD OF BURNSVILLE, MN	3,301.50
BMO FINANCIAL GROUP	15,805.22
BOLTON & MENK INC	62,080.15
PATRICIA DILLON	31.10
BRAUN INTERTEC CORPORATION	3,554.00
BREAKTHRU BEVERAGE MINNESOTA	31,095.49
JOEL CARLSON INC.	2,285.00
CAYAN	160.37
A CENTER FOR THE ARTS	1,875.00
CENTURYLINK	8.14
CERTIFIED LABORATORIES	391.95
CHARTER COMMUNICATIONS	255.89
CHRISTIANS CUSTOM LLC	435.00
CINCINNATI INSURANCE COMPANY	107.00
CLOVER	160.96
VIKING COCA-COLA BOTTLING CO	858.85
COMSTOCK CONSTRUCTION INC	688,481.66
COOPERS TECHNOLOGY GROUP	261.04
COSSETTE ELECTRIC LLC	2,413.58
BRANDON CURRIE	579.02
DR POWER EQUIPMENT	3,502.47
D-S BEVERAGES, INC.	35,400.05
DACOTAH PAPER CO	2,977.65

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

DAILY JOURNAL	764.30
WASTE MANAGEMENT	6,223.02
CHAD DAVIS	64.98
DELZER CONSTRUCTION	20,000.00
MARGO DENBROOK	223.54
ELECTRIC PUMP INC	12,681.00
ENVIRONMENTAL EQUIP & SERVICES	2,409.42
FARGO FREIGHTLINER	570.19
JOHN DEERE FINANCIAL	529.78
FASTENAL COMPANY	377.00
FERGUS BREWING COMPANY LLC	500.00
FERGUSON WATERWORKS #1657	787.15
FINNLYTECH INC	3,148.00
GALLS LLC	192.88
NAPA AUTO PARTS - FERGUS FALLS	282.82
GOODIN COMPANY	272.49
GRAINGER INC	52.68
GRANITE ELECTRONICS	15.00
GREAT PLAINS FIRE	1,400.00
GREAT PLAINS NATURAL GAS CO	2,549.55
HAWKINS INC	5,763.24
HOLCIM-MWR INC	1,749.00
HOME DEPOT CREDIT SERVICES	682.63
IMRAYA PROPERTIES LLC	6,423.88
INTERSTATE BATTERY SYSTEM	160.95
INTERSTATE ENGINEERING INC.	5,929.02
INTOXIMETERS	125.00
JB ELECTRIC	1,980.00
JEFFERSON FIRE & SAFETY INC	900.00
JOHNSON BROTHERS LIQUOR CO	23,399.56
JUNKYARD BREWING COMPANY LLC	351.00
KREKELBERG LAW FIRM	480.00
LAKE REGION HEALTHCARE CORP	155.00
LEAGUE OF MN CITIES INS TRUST	1,633.81
BRAD LEITCH	125.00
LITTLE FALLS MACHINE INC.	1,200.39
LOCATORS & SUPPLIES INC	778.65
VICTOR LUNDEEN COMPANY	31.95
M-R SIGN COMPANY INC	539.29
MACQUEEN EMERGENCY	317.50
MARCO TECHNOLOGIES LLC	355.61
MAVERICK WINE LLC	1,782.00
MCMASTER-CARR SUPPLY CO	22.03
MEDTOX LABORATORIES INC	33.40
METRO SALES, INC	333.96
MIDWEST PRINTING COMPANY	240.00
MINNKOTA ENVIROSERVICES INC	100.35

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

MONTANA-DAKOTA UTILITIES CO	632.09
MOTION INDUSTRIES INC	166.77
NATURES GARDEN WORLD	357.50
NELSON INTERNATIONAL	206.20
NYCKLEMOE & ELLIG, P.A.	7,245.83
OFFICE OF MNIT SERVICES	338.62
OLSON OIL COMPANY INC	28,389.66
OLYMPIC SALES INC	791.21
OTTER TAIL CO. HISTORICAL SOC.	2,875.00
OTC HUMANE SOCIETY INC	1,031.00
PPI CONSULTING LLC	475.00
PERRIN MOBILE MEDICAL SERVICES	180.00
PHILLIPS WINE & SPIRITS CO	17,485.09
POLICE DEPT CONTINGENCY FUND	475.00
PRODUCTIVE ALTERNATIVES INC.	12,500.00
PRODUCTIVITY PLUS ACCOUNT	346.25
PRO-WEST & ASSOCIATES, INC	3,631.68
PUBLIC EMPL. RETIREMENT ASSOC.	21.72
PUBLIC UTILITIES DEPARTMENT	15,875.38
RMB ENVIRONMENTAL LABORATORIES	1,483.01
REDSTONE TECHNOLOGIES INC	3,000.00
JOE RILEY CONSTRUCTION INC	214,695.73
SANITATION PRODUCTS INC	862.99
SIGELMAN STEEL & SALVAGE CO	707.90
SIGNWORKS SIGNS & BANNERS INC	859.00
SNAP-ON TOOLS CORPORATION	148.25
SOUTHERN GLAZER'S OF MN	4,422.62
SPEE*DEE DELIVERY SERVICE INC	104.85
STANTEC CONSULTING SERVICE INC	97.69
STEIN'S INC	165.18
STREICHER'S INC	168.95
SUN LIFE FINANCIAL	3,091.85
SWANSTON EQUIPMENT CO	1,400.00
SWEDBERG NURSERY	975.00
TNC INDUSTRIES INC	316.00
TWEETON REFRIGERATION	180.00
TAFT STETTINIUS HOLLISTER LLP	17,650.00
TOTAL REGISTER SYSTEMS	32.21
UGSTAD PLUMBING INC	485.00
UNLIMITED AUTOGLASS LLC	505.00
USABLE LIFE	77.00
USA BLUEBOOK	382.89
VERIZON WIRELESS	2,385.46
VIKING LIBRARY SYSTEM	51.60
WALLWORK TRUCK CENTER F.F.	2,219.61
WESTMOR INDUSTRIES LLC	4,682.13
WEX	2,334.81

10/02/2023

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

TOTAL OTHER GOVERNMENT	83,386.33
TOTAL OTHER VENDORS	1,411,769.81
TOTAL ALL VENDORS	1,495,156.14

City of Fergus Falls Code of Conduct for Elected Officials, Adopted _____

The Three Rs of Fergus Falls Government Leadership: Roles, Responsibilities and Respect

The Home Rule Charter of the City of Fergus Falls and the Fergus Falls City Code provide information on the more formal duties of Councilmembers, the Mayor and the Acting Mayor. The city's Code of Ethics Policy (adopted as Ordinance 14, Eighth Series in 2021) provides guidance related to conflicts of interest. To further clarify the conduct expectations of Councilmembers and the Mayor, the Council in 2023 adopted a Code of Conduct for Fergus Falls' elected officials. After careful review of the Code of Conduct, the Council has determined that it is in the public interest to amend it as noted herein.

This Code of Conduct is designed to describe the manner in which the Mayor and Councilmembers should treat one another, city staff, consultants, constituents, and others they come into contact with in representing the City of Fergus Falls. It reflects the work of the Mayor and City Council in defining more clearly the behavior, manners, and courtesies that are suitable for various occasions. In concert with this document, the Mayor and City Council may wish to consider policy changes and clarifications designed to make public meetings and the process of governance run more smoothly.

The contents of this Code of Conduct includes:	Page
Overview of Roles & Responsibilities	2
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The constant and consistent theme through all of the conduct guidelines is "respect." The Mayor and Councilmembers experience stress in making decisions that impact the lives of the citizens. At times, the impacts of the entire community must be weighed against the impact of only a few. Despite these pressures, elected officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each individual through words and actions is the touchstone that can help guide the Mayor and Councilmembers to do the right thing in even the most difficult situations.

Overview of Roles & Responsibilities

Other resources that are helpful in defining the roles and responsibilities of elected officials are the Home Rule Charter of the City of Fergus Falls, Fergus Falls City Code, and League of Minnesota Cities resources for elected officials, including the *Handbook for Minnesota Cities* and the *Minnesota Mayors Handbook*, among many other publications.

MAYOR

- Elected “at-large” for a four year term
- Presiding officer of the council (Fergus Falls City Charter, Section 2.07)
- Votes in the event of a tie vote by the City Council (Fergus Falls City Charter, Section 4.03)
- Executes and authenticates ordinances and resolutions (Fergus Falls City Charter, Section 4.04)
- Leads the Council into an effective, cohesive working team

ACTING MAYOR

- Elected by the City Council at their first meeting in January of each year
- (Fergus Falls City Charter, Section 2.08)
- Performs the duties of the Mayor if the Mayor is absent or disabled (Fergus Falls City Charter, Section 2.08)

ALL COUNCIL MEMBERS

All members of the City Council, including the Acting Mayor have equal votes. No Councilmember has more power than any other Councilmember, and all should be treated with equal respect.

All Councilmembers should:

- Fully participate in City Council meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others
- Prepare in advance of meetings and be familiar with issues on the agenda
- Represent the City at ceremonial functions at the request of the Mayor
- Be respectful of other people’s time
- Stay focused and act efficiently during public meetings.
- Serve as a model of leadership and civility to the community
- Inspire public confidence in Fergus Falls city government
- Demonstrate honesty and integrity in every action and statement
- Participate in scheduled activities

Policies & Protocol Related To Conduct

Ceremonial Events

Requests for a City representative at ceremonial events will be directed to the Mayor. The Mayor will serve as the designated City representative. If the Mayor is unavailable, the Mayor will determine if event organizers would like another representative from the Council. If yes, then the Acting Mayor will be recommended to serve as the substitute. Invitations received at City Hall are presumed to be for official City representation.

Correspondence Signatures

The Mayor and Councilmembers do not need to acknowledge the receipt of correspondence relating to City business, or copies of such correspondence, during Council meetings. City staff will prepare official letters in response to public inquiries and concerns. These letters will carry the signature of the Mayor or the appropriate City staff. If correspondence is addressed only to the Mayor or to one Councilmember, that correspondence will be shared with the rest of the Council.

Endorsement of Candidates and Ballot Initiatives

The Mayor and Councilmembers have the right to endorse candidates for all Council seats, other elected offices, and ballot initiatives by other government bodies. It is inappropriate to include such items on any Council agenda or to mention those endorsements during Council meetings or other official City meetings or functions.

Intergovernmental Relations

The Mayor and Council value intergovernmental relations with neighboring communities and other entities. As a result, the Mayor and Councilmembers should make a concerted effort to attend scheduled meetings with other entities to further promote intergovernmental relations.

Legislative Process

The procedural rules adopted by the City Council will be the governing guide for council proceedings.

Public Meeting Hearing Protocol

The Mayor will determine the meeting protocol on a case-by-case basis, taking into account any legally-required protocols that may apply in certain circumstances. Generally, the Mayor will open the public hearing, and staff will then make an initial presentation. After the staff presentation, the applicant or appellant, if any, shall be given the opportunity to speak first, followed by those with opposing views. In situations where there is no applicant or appellant, members of the public will be invited to speak in any order deemed appropriate by the Mayor. If deemed necessary by the Mayor, any speaker who has already spoken may be given the opportunity to respond to comments made by others. The Mayor has the responsibility to run an efficient public meeting and has the discretion to modify the public hearing process in order to make the meeting run smoothly. This includes determining how much time will be allowed for each speaker, with 3 to 5 minutes the standard time granted. The Mayor may also limit presentations of viewpoints that are repetitive of comments that have already been made and may exclude any person who exhibits disorderly conduct or other inappropriate or unlawful behavior. The Mayor may ask the Council if any issues need clarification before the public hearing is closed. The Mayor and

Councilmembers will not express opinions during the public hearing portion of the meeting except to ask pertinent questions of the speaker or staff. "I think" and "I feel" comments by the Mayor and Councilmembers are not appropriate until after the close of the public hearing. The Mayor and Councilmembers should refrain from arguing or debating with the public during a public hearing and shall always show respect for different points of view. Once the Mayor is satisfied that all information that could be gathered during the public hearing has been gathered, the Mayor shall close the public hearing and resume the Council meeting.

EEO, Discrimination, Harassment and Respectful Workplace

The Mayor and all councilmembers shall be familiar with and adhere to the City's equal employment opportunity, discrimination, sexual and other harassment and respectful workplace policies.

Mayor and Council Conduct with One Another

Councils are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even as the Mayor and Council may "agree to disagree" on contentious issues.

IN PUBLIC MEETINGS

• Practice civility, professionalism and decorum in discussions and debate

Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, the Mayor and Councilmembers to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threats will be tolerated. The Mayor and Councilmembers should always conduct themselves in a professional manner.

• Honor the role of the Mayor in maintaining order

It is the responsibility of the Mayor to keep the comments of Councilmembers on track during public meetings. Councilmembers should honor efforts by the Mayor to focus discussion on current agenda items. If there is disagreement about the agenda or the Mayor's actions, those objections should be voiced politely and with reason, following procedures outlined in the procedural rules adopted by the Council.

• Avoid personal comments that could offend other Councilmembers

~~If a Councilmember is personally offended by the remarks of another Councilmember, the offended Councilmember should note their concerns during the meeting and make notes of the actual words used and follow the Council's procedural rules to request the other Councilmember to justify or apologize for the language used. The Mayor will maintain control of this discussion. Care should be taken to avoid personal comments that could offend the Mayor or other Councilmembers, city staff, or members of the public.~~

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• **Demonstrate effective problem-solving approaches**

The Mayor and Councilmembers have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

• **Be punctual and keep comments relative to topics discussed**

The Mayor and Councilmembers have made a commitment to attend meetings and participate in discussions. Therefore, it is important that the Mayor and Councilmembers be punctual and that meetings start on time. It is equally important that discussions on issues be relative to the topic at hand to allow adequate time to fully discussed scheduled issues.

IN PRIVATE ENCOUNTERS

• **Continue respectful behavior in private**

The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.

• **Be aware of the insecurity of written notes, voicemail messages, e-mail, text messages, “tweets,” and social media**

Technology allows words written or said without much forethought to be distributed wide and far. Before recording or putting something in writing, consider:

- Would you feel comfortable to have this note faxed to others?
- How would you feel if this voicemail message was played on a speaker phone in a full office?
- What would happen if this e-mail or text message was forwarded to others?
- How would you feel if this comment, image, video, “tweet,” or social media post went “viral” for the world to see and read?
- Written notes, voicemail messages, email and social media posts should be treated as potentially “public” communication. It is the responsibility of the City Council to be aware of and follow the City’s Data Practices Policy and the Minnesota Government Data Practices Act (“MGDPA”).
- If the communication is between Councilmembers, could this conversation or written exchange, including emails, text messages, and other forms of electronic communication violate Minnesota’s Open Meetings Law?

• **Even private conversations can have a public presence**

Elected officials are always on display – their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations will be eavesdropped upon, parking lot debates and arguments will be watched, and casual comments between individuals before and after public meetings noted. ~~Before Council meetings are opened and after they are closed, Councilmembers should avoid any pre- and post meeting discussions amongst themselves, as such conversations could violate Minnesota’s Open Meetings Law, or at least be perceived as a violation. Councilmembers should use care when communicating among themselves, as such conversations or communications could violate Minnesota’s Open Meetings Law, or at least be perceived as a violation.~~ ¹¹⁷ _{SEP}

Mayor and Council Conduct with City Staff

Governance of a City relies on the cooperative efforts of elected officials, who set policy, and City staff, who implement and administer the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

- **Treat all staff as professionals**

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

- **Limit contact to specific City staff**

Questions of City staff and/or requests for additional background information should be directed to the City Administrator, Mayor, or Department Heads. ~~The City Administrator should be copied on or informed of any request.~~

Requests for follow-up or directions to staff should be made only through the City Administrator. When in doubt about what staff contact is appropriate, Councilmembers should ask the City Administrator or Mayor for direction. Materials supplied to a Councilmember in response to a request will be made available to the Mayor and all members of the Council so that all have equal access to information.

- **Do not disrupt City staff from their jobs**

The Mayor and Councilmembers should not disrupt City staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met. As a matter of courtesy and effective time management, Councilmembers should schedule appointments with staff in advance.

- **Never publicly criticize an individual employee**

The Mayor and Council should never express concerns about the performance of a City employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the City Administrator through private correspondence or conversation. Councilmembers must respect the City's employees' right to data privacy under the MGDPA.

- **Do not get involved in administrative functions**

The Mayor and Councilmembers must not attempt to influence City staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of City licenses and permits.

- **Check with City staff on correspondence before taking action**

Before sending correspondence, the Mayor and Councilmembers should check with City staff to see if an official City response has already been sent or is in progress.

- **Do not attend meetings with City staff unless requested by staff.**

Even if the Mayor and/or Councilmember does not say anything, the Mayor and/or Councilmember's presence implies support, shows partiality, intimidates staff, and hampers staff's

ability to do their job objectively.

- **Limit requests for staff support**

Requests for additional staff support – even in high priority or emergency situations – should be made to the City Administrator who is responsible for allocating City resources in order to maintain a professional, well-run City government.

- **Do not solicit political support from staff**

The Mayor and Councilmembers should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from City staff. City staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

Mayor and Council Conduct with the Public

IN PUBLIC MEETINGS

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of the Mayor or individual Councilmembers toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony or comment.

- **Be welcoming to speakers and treat them with care and gentleness**

Speaking in front of the Mayor and Council can be a difficult experience for some people. Some issues the Council undertakes may affect people's daily lives and homes. Some decisions are emotional. The way that the Mayor and Council treats people during public hearings can do a lot to make them relax or to push their emotions to a higher level of intensity. Deescalating a situation will lead to a more productive outcome for all involved and the community as whole.

- **Give the appearance of active listening**

~~It is disconcerting to speakers to have the Mayor and Council members not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time or gazing around the room gives the appearance of disinterest. Be aware of facial expressions, especially those that could be interpreted as "smirking," disbelief, anger or boredom.~~

- **Ask for clarification, but avoid debate and argument with the public**

Only the Mayor – not individual Councilmembers – may interrupt a speaker during a presentation. However, using the Council's rules of procedure, a Councilmember may ask the Mayor to address the situation if the speaker is off the topic or exhibiting behavior or language the Councilmember finds disturbing.

If speakers become flustered or defensive by Council questions, it is the responsibility of the Mayor to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Councilmembers to members of the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Council members' personal opinions or inclinations about upcoming votes should not be revealed until after the public

hearing is closed.

- **No personal attacks of any kind, under any circumstance**

~~The Mayor and Councilmembers should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.~~

- **Follow the Council's rules of procedure in conducting public meetings**

The City Attorney serves as advisory parliamentarian for the City and is available to answer questions or interpret situations according to the Council's rules of procedure. Final rulings on procedural issues are made by the Mayor, subject to the Council's rules of procedure.

MAYOR AND COUNCIL CONDUCT IN UNOFFICIAL SETTINGS

- **Make no promises on behalf of the Council**

The Mayor and Councilmembers will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to express personal feelings or positions on an issue or to give a brief overview of City policy and to refer to City staff or Council for further information. It is inappropriate to overtly or implicitly promise Council action, or to promise City staff will do something specific (fix a pothole, remove a library book, plant new flowers, approve a license or permit, install a traffic sign, etc.).

- **Make no personal comments about the Mayor or other Councilmembers**

It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about the Mayor or other Councilmembers, their opinions and actions.

- **Remember that despite its continued growth, Fergus Falls is a small community at heart**

The Mayor and Councilmembers are constantly being observed by the community every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the City of Fergus Falls. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by the Mayor and Councilmembers, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

Mayor and Council Conduct with Other Public Agencies

- **Be clear about representing the City or personal interests**

If the Mayor or a Councilmember appears before another governmental agency or organization to give a statement on an issue, the Mayor or Councilmember must clearly state:

- 1) If his or her statement reflects personal opinion or is the official stance of the City;
- 2) Whether this is the majority or minority opinion of the Council, if the Council has taken a position on the matter. Even if the Mayor or Councilmember is representing his or her own personal opinions, remember that this still may reflect upon the Council as an organization and the City as a whole.

If the Mayor or Councilmember is representing the City, the Mayor or Councilmember must support and advocate the official City position on an issue, not a personal viewpoint even if the Councilmember may personally disagree with the City's official position.

If the Mayor or Councilmember is representing another organization whose position is different from the City, the Mayor or Councilmember should withdraw from voting on the issue if it significantly impacts or is detrimental to the City's interest. The Mayor and Councilmembers should be clear about which organizations they represent and inform the Mayor and Council of their involvement.

- **Correspondence also should be equally clear about representation**

City letterhead may be used when the Mayor or Councilmember is representing the City and the City's official position. A copy of official correspondence should be given to the City Administrator to be filed as part of the permanent public record.

City letterhead may not be used for correspondence of the Mayor and Councilmembers representing a personal point of view, or a dissenting point of view from an official Council position.

Mayor and Council Conduct with Boards, Committees and Commissions

The City has established several Boards, Committees, and Commissions as a means of gathering more community input. Citizens who serve on Boards and Commissions become more involved in government and serve as advisors to the Mayor and City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect.

- **If attending a Board or Commission meeting of which the Councilmember is not a member, be careful to only express personal opinions** The Mayor and Councilmembers may attend any Board or Commission meeting, which are always open to any member of the public. ~~However, if the Board or Commission is conducting a public hearing, the Mayor or Councilmember shall remove themselves from the proceedings.~~ The Mayor and Councilmembers should be sensitive to the way their participation – especially if it is on behalf of an individual, business or developer – could be viewed as unfairly affecting the process. Any public comments by the Mayor or a Councilmember at a Board or Commission meeting should be clearly made as individual opinion and not a representation of the feelings of the entire City Council. Also, the Mayor or a Councilmember's presence may affect the conduct of the Board or Commission and limit their role and function. In addition, Councilmembers must be cognizant of how their presence impacts any potential quorum of the Council and, therefore, the resulting implications under Minnesota's Open Meeting Law.

- **Limit contact with Board and Commission members**

It is inappropriate for the Mayor or a Councilmember to contact a Board or Commission member to lobby on behalf of an individual, business, or developer. The Mayor and Councilmembers should contact staff in order to clarify a position taken by the Board or Commission.

- **Remember that Boards and Commissions serve the community, not the Mayor or individual Councilmembers**

The Mayor and City Council appoint individuals to serve on Boards and Commissions, and it is the

responsibility of Boards and Commissions to follow policy established by the Council. But Board and Commission members do not report to the Mayor or individual Councilmembers, nor should the Mayor or Councilmembers feel they have the power or right to threaten Board and Commission members with removal if they disagree about an issue. Appointment and re- appointment to a Board or Commission should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. A Board or Commission appointment should not be used as a political "reward."

•Be respectful of diverse opinions

A primary role of Boards and Commissions is to represent many points of view in the community and to provide the Mayor and Council with advice based on a full spectrum of concerns and perspectives. The Mayor and Councilmembers must be fair and respectful of all citizens serving on Boards and Commissions.

• Keep political support away from public forums

Board and Commission members may offer political support to the Mayor or a Councilmember, but not in a public forum while conducting official duties. Conversely, the Mayor or Councilmembers may support Board and Commission members who are running for office, but not in an official forum in their capacity as the Mayor or a Councilmember.

• Inappropriate behavior can lead to removal

Inappropriate behavior by a Board or Commission member should be noted to the Mayor, and the Mayor should counsel the offending member. If inappropriate behavior continues, the Mayor should bring the situation to the attention of the Council which shall decide the appropriate action, which may include removal from the Board or Commission.

Mayor and Council Conduct with the Media

The Mayor and Councilmembers may be contacted by the media for background and quotes.

• The best advice for dealing with the media is to never go "off the record"

Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word. But one bad experience can be catastrophic. Words that are not said cannot be quoted. Words that are said cannot be unsaid.

• The Mayor is the official spokesperson for the representative on City position

The Mayor is the designated representative of the Council to present and speak on the official City position. If an individual Councilmember is contacted by the media, the Councilmember should be clear about whether their comments represent the official City position or a personal viewpoint.

• Choose words carefully and cautiously

Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, c u r s i n g or word play. When talking to the media, consider the same issues noted in the **In Private Encounters** ~~section~~-[Section \(page 5\)](#) above.

Sanctions

• Public Disruption

Members of the public who do not follow proper conduct after a warning in a public hearing may be barred from further testimony at that meeting or removed from the Council Chambers.

• Inappropriate Staff Behavior

Council members should refer to the City Administrator any City staff who do not follow proper conduct in their dealings with Council members, other City staff, or the public. These employees may be disciplined in accordance with standard City procedures for such actions.

• Council members Behavior and Conduct

The Mayor or City Council members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council. Serious infractions of the Code of Ethics or Code of Conduct could lead to other sanctions as deemed appropriate by Council.

1. If the Mayor or a Councilmember believes that another Councilmember or the Mayor has violated this Code of Conduct or the City's Code of Ethics during a meeting of the Council, s/he should call the matter to the offending person's attention at that or a subsequent Council meeting. If the problem continues, it shall be referred to the Mayor (or the Acting Mayor if the complaint is against the Mayor) who will attempt to resolve the matter in private. If the dispute is between the Mayor and the Acting Mayor, the Council shall select one of its other members to attempt to privately resolve the matter. The Mayor (or Acting Mayor or Council's designee, if any) may involve the City Administrator and/or City Attorney to investigate and make recommendations about the dispute. If these private efforts do not resolve the matter, then the Mayor or any member of the Council may bring it before the Council at a duly noted public meeting, at which time the Council shall decide whether or not to proceed with further action as noted in section 3 below.
2. If the Mayor or a Councilmember believes that another Councilmember or the Mayor has violated this Code of Conduct or the City's Code of Ethics at a time other than a meeting of the Council, s/he should call the matter to the offending person's attention and attempt to resolve it privately. If the problem is not resolved or continues after that informal discussion, it may be called to the attention of the Mayor (or the Acting Mayor if it is the Mayor's actions that are being challenged) who shall attempt to privately resolve the matter. If the dispute is between the Mayor and the Acting Mayor, then it shall be referred to the City Attorney who shall attempt to privately resolve the matter. The City Administrator shall be included in these efforts to privately resolve the matter. If these private efforts do not resolve the matter, then the elected official who initiated the complaint may raise it with the City Council at a duly noted public meeting, at which time the Council shall decide whether or not to proceed with further action as noted in section 3 below.
3. If a Code of Conduct or Code of Ethics complaint is raised with the City Council after informal efforts to resolve it have failed as described in 1 or 2 above, then the Council shall, at a duly noted public meeting, consider all available evidence and decide whether sanctions

are warranted, and if so, which sanction(s) to impose. Prior to making this decision, the Council may authorize the City Attorney, City Administrator, and/or other designee to investigate the matter further and to report his or her findings to the Council. The Council may also form an ad hoc committee to look into the matter. If, after considering all evidence presented, the Council determines that sanctions are warranted, the Council may take any and all lawful action it deems appropriate, including: requiring the offending member to undergo training or other appropriate education intended to fix the problem, censure, or terminating appointments to boards, committees and commissions.

Principles of Proper Conduct/Statement of Values

The proper operation of democratic government requires that decision-makers must be independent, impartial and accountable to the people they serve. All elected and appointed officials, City employees and volunteers shall subscribe to the statement below, understand how it applies to their specific responsibilities and practice this conduct and express these values in their work.

Representatives of the City of Fergus Falls.....

- Serve the public interest
- Fulfill the duties and responsibilities of holding public office
- Are forward thinking
- Keep promises
- Are dependable
- Build a solid reputation
- Participate and are available
- Demonstrate patience
- Practice fiscal responsibility
- Show empathy
- Hold onto ethical principles under stress
- Listen attentively
- Study thoroughly
- Keep integrity intact
- Overcome discouragement
- Go above and beyond, time and time again
- Model a professional manner

Proper conduct IS NOT ...

- Showing antagonism or hostility
- Deliberately lying or misleading
- Speaking recklessly
- Spreading rumors
- Stirring up divisiveness or controversy
- Acting in a self-righteous manner

It all comes down to respect

Respect for one another as individuals . . . respect for the validity of different opinions . . . respect for the democratic process . . . respect for the community that we serve.

Checklist for Monitoring Conduct/Values

- ✓ Will my decision/statement/action violate the trust, rights or good will of others?
- ✓ What are my interior motives and the spirit behind my actions?
- ✓ If I have to justify my conduct in public tomorrow, will I do so with pride or shame?
- ✓ How would my conduct be evaluated by people whose integrity and character I respect?
- ✓ Even if my conduct is not illegal or unethical, is it done at someone else's expense? Will it destroy their trust in me? Will it harm their reputation?
- ✓ Is my conduct fair? Just? Morally right? If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?
- ✓ Does my conduct give others reason to trust or distrust me?
- ✓ Am I willing to take an ethical stand when it is called for? Am I willing to make my ethical beliefs public in a way that makes it clear what I stand for?
- ✓ Do I exhibit the same conduct in my private life as I do in my public life?
- ✓ Can I take legitimate pride in the way I conduct myself and the example I set?
- ✓ Do I listen and understand the views of others?
- ✓ Do I question and confront different points of view in a constructive manner?
- ✓ Do I work to resolve differences and come to mutual agreement?
- ✓ Do I support others and show respect for their ideas?

Will my conduct cause public embarrassment to someone else or my community?

(add the following at end of document)

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As an expression of the standards of conduct for Elected officials expected by the city/Town, the Code of Conduct is intended to be self-enforcing. It therefore becomes most effective when Elected officials are thoroughly familiar with it and embrace its provisions. For this reason,

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· Newly elected or appointed officials shall acknowledge the receipt and commitment to this document prior to being sworn in. Additionally, at the first regular meeting of a new council, all incumbent council members shall review, and be given the opportunity to sign and return the Code to the City Administrator.

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· The City Council will dedicate an annual meeting agenda item to the review of the Code of Ethics and Conduct for Elected and Appointed Officials, in an effort to address questions.

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Failure to comply with the items outlined above could result in disciplinary action outlined in section titled Sanctions, Page 11.