



AGENDA
CLEARWATER CITY COUNCIL MEETING
MONDAY, MAY 11, 2020

1. **Call to Order: 7:00 p.m. via Zoom Web Conference**
2. **Approval of Agenda**
3. **Public Forum**
 - a. **Election Judge Pay – Donna Mae Heaton**
 - b. **Request for Ordinance Amendment – Chickens**
 - c. **Disc Golf Course – City Code Concerns**
4. **Consent Agenda**
 - a. **Claims/Accounts Payable in the Amount of \$63,139.38**
 - b. **Approval of 04-13-2020 Regular City Council Meeting Minutes**
 - c. **Res 2020-28 – Accepting Donation to Fire Department**
 - d. **Q1-2020 Financial Report**
5. **Wright County Sheriff Deputy Report**
6. **Old Business**
 - a. **Report - COVID-19 Budget Impact**
 - b. **Review Results of Desktop Hydrogeologic Study**
 - c. **Revisit Blaine Brothers Reimbursement**
 - d. **Res 2020-29 – Linn Street Vacation**
 - e. **Clarify 2019 Park Approval for Dugout Fencing – Spring Street Park**
 - f. **Consider Fire Contract Proposals**
 - g. **Code Enforcement Discussion for 420 Main Street**
7. **New Business**
 - a. **Public Hearing – Res 2020-30 – Modifying Enabling Resolution for Clearwater EDA**
 - b. **Res 2020-31 – Approving Site Plan for 630 County Road 75 NW**
 - c. **Discussion of 2020 Road Projects**
 - d. **Discussion of Fire Fundraising**
 - e. **Consider Purchase of a Tornado Siren for Cedar South Neighborhood**
8. **Committee Reports**
 - a. **Mayor and Council**
 - b. **Boards**
 - c. **Staff**
9. **Other Business**
 - a. **Next Meeting Date**
10. **Adjournment**



To: Honorable Mayor Lawrence and Members of the Clearwater City Council

From: Annita Smythe, City Administrator

Date: May 11, 2020

Re: City Council Meeting May 11, 2020

1. Call to Order: 7:00 p.m.
2. Approval of Agenda
3. Public Forum
 - a. Election Judge Pay – Donna Mae Heaton
Ms. Heaton wishes to address the City Council regarding election judge pay.
 - b. Request for Ordinance Amendment – Chickens
Several residents have submitted requests for the City Council to consider amending the Animal ordinance to remove the prohibition on keeping chickens in city limits. Ms. Katie Neuman, Ms. Sarah Tasa, and Mr. Daniel Morris each would like to address the City Council. Ms. Neumann has submitted a detailed proposal for allowing chickens based on materials from various other cities. These items are included in your agenda packet. If the Council wishes to amend the ordinance, a vote on the ordinance amendment would have to occur at a future meeting in order to comply with new state law posting periods.
 - c. Disc Golf Course – City Code Concerns
Mr. Cale Leiviska will attend the meeting to address City Code concerns related to the opening of the Airborne Disc Golf Preserve at the golf course property on Eagle Drive. I have attached my communications with Mr. Leiviska and the property owners to date. We have also had multiple phone conversations. He wishes to appeal to the City Council to be able to continue operations as we work to address the City Code issues.
4. Consent Agenda *(Please see attached Consent Agenda)*
 - a. Claims/Accounts Payable in the Amount of \$63,139.38
The claims amount includes my MCMA dues for \$106.41 – the invoice was received too late to get into the attached claims batch, but is due this month.
 - b. Approval of 04-13-2020 Regular City Council Meeting Minutes
 - c. Res 2020-28 – Accepting Donation to Fire Department
 - d. Q1-2020 Financial Report
5. Wright County Sheriff Deputy Report
6. Old Business
 - a. Report - COVID-19 Budget Impact
Please see attached memo from Finance Director Lindrud on the projected impact to the city budget from orders related to the COVID-19 shut downs.
 - b. Review Results of Desktop Hydrogeologic Study

Engineer Kannas will provide an overview of the results in the attached report from the desktop study ordered earlier this year.

c. Revisit Blaine Brothers Reimbursement

Blaine Brothers has asked the city to revisit their request for reimbursement from the project completed last year. The city had planned to provide a credit towards future assessments on the proposed County Road 75 Stormwater Project. However, the results of the desktop study make it unclear if that project will take place. In addition, Blaine Brothers believes they should not have to wait further to be reimbursed. If the Council is amenable to an immediate reimbursement, staff suggest making payment from reserves of the general fund, water fund, and sewer fund, since the stormwater fund does not have sufficient reserves to cover the reimbursement amount.

d. Res 2020-29 – Linn Street Vacation

Please see attached memo and resolution drafted by attorney David Anderson. I requested permission earlier this year for Mr. Anderson to review the documents related to last year's Linn Street vacation process, as there were irregularities in the process that raised concerns about its validity. The attached resolution would replace the one adopted last year and address the Council's desire to retain a drainage and utility easement as part of the vacation. In addition, the city does not have general authority to dictate how the vacated street is split, as that process is reserved to Wright County. If this resolution is adopted, staff will file the appropriate vacation documents with Wright County, and reimbursements will be provided to adjacent residents for any fees paid to date.

e. Clarify 2019 Park Approval for Dugout Fencing – Spring Street Park

Last summer, the City Council approved funding to make some changes to the dugout fencing at Sportsman's Park. However, there is a question about the specifics of the approval. Staff are under the impression that the fencing was simply to be repaired or replaced at the current height. The ball team would like the height lowered. Staff have safety concerns with lowering the fence height. We need the Council to clarify what the approval covered.

f. Consider Fire Contract Proposals

Please see the attached materials from the latest fire contract negotiations. These proposals are based on our last meeting with the townships, and further discussions I have had with the town clerks. I have also attached a proposed draft contract, along with a letter from the township's attorney outlining their desires. I believe we are very close to an agreement. I would like the Council to review the proposed documents and provide feedback for what we hope will be a final meeting on this topic. The townships have requested to meet the week of May 18 to hopefully finalize an agreement.

g. Code Enforcement Discussion for 420 Main Street

Member Kruchten has requested this item to be added to the agenda. He has asked for an update on the status of code enforcement activities at this property. Before I began working for the city, the Council had authorized the city attorney to begin court proceedings. Because of staff turnover, the attorney was unable to obtain the necessary affidavit to begin proceedings until this spring. Unfortunately, the COVID-19 then hit and caused courts to be shut down to everything except critical services, so our petition has not yet been filed. The attorney is checking to see when court services will resume, and will file this as soon as he is able.

7. New Business

a. Public Hearing – Res 2020-30 – Modifying Enabling Resolution for Clearwater EDA

A public hearing is necessary to make modifications to the city's EDA Enabling Resolution. The modifications will allow the City Council to serve as the EDA Board if desired. The EDA Board has not met since 2015 due to a lack of a sufficient number of Board members to constitute a quorum. The original enabling resolution limited the Board to having only two City Council members. This modification would address that issue and give the City Council more alternatives.

b. Res 2020-31 – Approving Site Plan for 630 County Road 75 NW

Please see attached resolution approving the Site Plan for the old hardware store building. The Planning Commission is recommending approval with the conditions outlined in the resolution.

c. Discussion of 2020 Road Projects

Please see attached memo outlining our discussion for proposed road improvements for 2020.

d. Discussion of Fire Fundraising

Member Kruchten requested that this item be added to the agenda. I'm not sure what content he wishes to discuss. The Fire Department is a department of the city and therefore does not have statutory authority to conduct fundraisers. The Fire Relief, a private organization, can conduct certain fundraising activities. I have asked representatives of the Fire Relief to attend the meeting to address any questions about their activities.

e. Consider Purchase of a Tornado Siren for Cedar South Neighborhood

Residents of the Cedar South neighborhood have requested that the city add a tornado siren in their area because they can't hear the main one that is on the north side of I94. I checked with some other Wright County cities and learned that the estimated cost as of a few years ago was about \$20,000, including electrical and installation. Staff are requesting direction from Council if they would like to proceed with a siren purchase/install.

8. Committee Reports

a. Mayor and Council

b. Boards

c. Staff

9. Other Business

a. Next Meeting Date

The next meeting is a special meeting scheduled for May 28, 2020 at 7:00 p.m.

10. Adjournment

Katie Neuman
625 Spring St.
Clearwater, MN 55320

May 4, 2020

Clearwater City Council
606 County Rd. 75 NW
Clearwater, MN 55320

Dear City of Clearwater Council,

I am writing to request to speak at the May 11, 2020 council meeting. I am requesting the council to amend the City Of Clearwater, City Code of Ordinance, Chapter 10, Article 1 Sec. 10-5. Other animals: It shall be unlawful for any owner to keep, harbor or confine within the limits of the city any wild animals, or any animal creating a nuisance or health hazard, or any horses, cows, sheep, pigs, goats, poultry or any other large domesticated animals. (Ord. No. 4.03, § 2.4, 3-21-1983.) It is my request and that of numerous responsible Clearwater residents to amend by omitting "poultry" from the list of unlawful animals; or amend by adding "(excluding chickens per guidelines)," following "poultry."

From our very own city website : "The natural beauty of the area, as well as the dedication of the residents, are what gives Clearwater the reputation of being one of the finest cities around... From its very beginning Clearwater has been an active and innovative town. Clearwater residents possess the qualities of hard work, dedication and perseverance to make the city a roaring success." These very same hard working and dedicated residents of Clearwater are faced with new challenges and experiences we are all aware of with food shortages, pandemic concerns, and uncertain futures. For centuries, chickens have been used by families all over the world for food source, pest control, gardening assets, companionship, education, and community building. Many urban, populated cities have been successful with allowing backyard chickens. There seems no merit to prohibit Clearwater residents from the opportunity to grow our own food, to practice animal husbandry, and to teach our community and children about food source responsibility by allowing residents to raise chicken in their yards. As with any animal, there should be guidelines to follow.

Guidelines could say no more than 5 chickens for lots under 1/2 acre, 10 chickens for lots greater than 1/2 acre. Chickens will have recommended 1 square foot of shelter space, to be constructed of home building material. Chickens will be allowed free range in fenced area or run space only. No roosters allowed. No egg sales from residence. Chicken shelter must be kept clean and orderly.

Chickens can eat as many as two pounds of bugs per day! Maybe we can eliminate some mosquito spraying! Some families have chosen to raise chickens outside of city ordinance, by creating guidelines we are offering our community the opportunity desired by many. There have been minimal, if any complaints for the chickens already being raised in town, let's build community and partnership with historical agriculture to improve the city! Due to added responsibilities or possible complaints, there must be a plan in place if any complaints arise.

I request your vote to appoint volunteer Chicken Ordinance Overseers. I nominate myself, and Ms.Sara Tasa to serve a 12 month term beginning immediately.

The Chicken Ordinance Overseer would be responsible to have council members approve ordinance guidelines for residents to follow. It is not in our opinion that our amazing Clearwater residents need to be micro-managed, aside from a small filing fee for consented agreement, residents will comply with expectations set forth. In the event that complaints are received, the Chicken Ordinance Overseer (COO) will visit property within 1-48 hours to determine necessary action. Actions would include first a warning with required remedy to be met within 5 days. Upon refusal and or non-compliance, a fine (deemed appropriate by Council/COO and disclosed in permit) will be assessed. In the event non-compliance continues, per application/ permit agreement, removal of chickens may be necessary. The COO will assume ownership of removed chickens, any payment for such belonging to City of Clearwater. Ms.Sara Tasa and I, have full trust in our awesome Clearwater neighbors that these worse case scenarios will be non-existent, but want to assure Council members there is accountability and plans for any nuisances chickens my bring. Fees may be \$100 first offense if not corrected, \$250 second offense, and a \$500 removal fee; the amount shall be high enough to discourage disobedience and also cushion the City in the event a judgment or legal filing of amount owed is necessary.

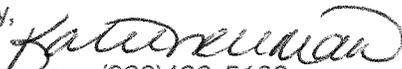
Please understand that the community desires for chickens to be allowed and we as a city need to encourage law abidance, health and wellness, and environmentally sound practices for sustainability, innovation, and perseverance. Abby Neu Schuft, lead for MN Extension Office Poultry Division (320-235-0726 x2019) is able to offer any information about the practical ways cities are successful with allowing chickens. Please contact her if there are additional questions beyond materials included.

Materials included: basic bullets for why chickens are an asset to communities, "Small and Backyard Poultry" on developing regulations for keeping urban chickens which includes expensive research and sources, an article with the top 6 objections debunked from mypetchicken.com, the Big Lake and Ramsey chicken ordinances for example, the Vandais Heights Chicken Permit Form for example, a page of resident viewpoints, and mini biographies for self-nominated COO volunteers.

While there may have been a time and a place when Clearwater chose to forbid chickens, today demands reconsideration and a change that gives responsible and able Clearwater residents the right to be more self-sufficient, experience agriculture, and eat better tasting food. Please review the materials and vote for the rights of Clearwater residents to improve their wellness! Thank you for your consideration, trust the people of Clearwater with chickens and we all can reap rewards!

Please personally reach out to me if you feel there are additional resources or information that would assist you in voting in favor of proposed actions to 1) allow chickens, and 2) appoint OCC to immediately create guideline language, associated fees, and complaint management plan. I look forward to discussing this further and urge each of you to vote yes for chickens, even if only for a pilot trial year. There is flexibility, as the City can do as it wishes; however, the voters and residents desire your trust and permission for a valuable and important ability.

Sincerely,


Katie Neuman (320)420-5189

VOLUNTEER CHICKEN ORDINANCE OVERSEER NOMINEES
MINIMUM ONE YEAR TERM MAY 11, 2020
EXPIRING BY TRANSFER TO WILLING CLEARWATER RESIDENT

Katie Neuman

I have lived at 625 Spring Street for over 13 years. I was born and raised in Cambridge, MN and graduated from SCSU with a major in Criminal Justice Studies with a double minor in Political Science and International Relations. I am a substitute teacher for ISD 742, an online English teacher for VIPKID, and a Zumba instructor for the YMCA. My husband Luke and I have 12 children (5 adopted, 5 biological, 2 his,) and a second grand-baby on the way. I am an adoption support group facilitator, chair lead for multiple year summer Mexico mission trips, an active congregant of my church, and an advocate for special needs. I see great value in the ability for Clearwater residents to have the freedom to raise chickens. I am willing to serve as a volunteer chicken ordinance overseer. I look forward to being active within our community in any way I can help the city with ordinance establishment, management, and enforcement. I have full confidence that allowing chickens will be a community building and supporting change, and am committed to doing my part in making that happen.

Sara Tasa

I have lived in the city of Clearwater for 13 years and on Isabella Avenue for the past 11 years. I was raised on Long Lake located on Cty. Rd. 8 in Clear Lake. I have tried to leave a few times, but always gravitate back to this area that I love so much. I graduated from Annandale High School in 2002 and went on to study Biology at Crown Collage. After some family struggles, I came home and became a Certified Massage Therapist at Sister Rosalind's School of Massage in Sauk Rapids. I worked at area Chiropractic offices for 13 years until I was blessed to become a work from home mom for my 3 boys (8, 5, 4), 3 years ago. I currently run a successful social marketing business online that focuses on overall health and wellness. I am active in church and on the leadership committee for the St. Cloud chapter of MOPS (Mothers of Preschoolers). My friends would describe me as driven, reliable, and honest.

I am always looking for ways to help my family and my friends improve the quality of food they encounter each and every day. That journey led me to backyard poultry. In times like this, I believe the value of allowing our residents to provide a resource of food, responsibility, and companionship for their families is immeasurable. I am willing and able to serve as a volunteer to our city when it comes to assisting in establishing an ordinance for our great city and managing and enforcing said ordinance. You have my full commitment.

April 29, 2020
Sarah Tasa
915 Isabella Ave
Clearwater, MN 55320

City Of Clearwater City Council
Clearwater Planning & Zoning Committee
605 County Road 75
Clearwater, MN 55320

Reference: Zoning ordinance change to allow for urban / backyard chickens

Dear City Council and Planning & Zoning Committee Members,

Our food supply chain is changing. The desire to know where our food is coming from is growing. And all over our gorgeous country, municipalities are asking their zoning ordinances to allow people to raise chickens, quails and ducks in their backyards. A pertinent example of a larger municipality that allows this type of regulated zoning can be found in Madison, Wisconsin. Considering the population difference between Clearwater, MN (1,760) and Madison, Wisconsin (258,054) it becomes readily apparent that the residents of Clearwater live in a much more rural setting, and zoning laws should certainly be at least as amenable to this type of activity as the zoning committee of Madison was.

With this in mind, I am requesting the members of the Clearwater City Council and Zoning Committee to consider whether such a change in regulated zoning could benefit our citizenry by allowing them to raise poultry on their residential properties. Furthermore, I ask you to approve the volunteer appointment of myself and Mrs. Katie Neuman as poultry ordinance overseers, as we will gladly serve our city. Thank you for your time and consideration.

Respectfully,

Sarah Tasa

Sarah Tasa

Viewpoints from Clearwater residents:

"My family and I would like to have a few backyard chickens. Just enough to have some eggs for our family. I hope you consider allowing the residents of Clearwater to do this.

Here is some reasons why I think it is important for this to happen: 1)Chickens are fun, friendly pets with educational value for children about where food like eggs comes from. 2) They can provide food security for families which is especially important during this pandemic. 3) They control flies and other pests, not add to them, and dispose of weeds and kitchen scraps that otherwise might end up in the landfill. A small flock of 10-12 chickens will poop about as much as an average dog, and their coop won't smell if it is kept clean. If the law only allows chickens in a "well-maintained coop," then a chicken owner with a messy, filthy, smelly coop is out of compliance and can be cited under the law. Hens quietly cluck throughout the day and once the sunsets they go to sleep for the night. Hens will not be a noise nuisance. Thank you."

-Maci Hill, Pine Street

"I think chickens are a great animal to have. They provide eggs and help keep the kids busy and from us running to the store to buy eggs."

-Andrew and Khala Geyen, Cedar South

"Chickens are allowed in the metro area, with rules. If chickens are well maintained they aren't a problem as they are natural pest killer sand afford a family a cheaper source of organic eggs."

-Ann Johnson, Clearwater Estates

"Backyard gardening & poultry etc. used to be a staple in past generations. We should renew those practices. (I think we should have goats too: less lawn pollution 😊) Animal husbandry is a good educational tool too."

-Sue Lehman, Main Street

"The benefits of fresh organic eggs and chickens are no trouble, people should be able to produce their own food. We have wanted chickens for a long time."

-Ron and Grazyna Johnson, Bluff Street

"I want chickens to teach my kids how to care for animals and for healthier eggs."

-Courtney Worbel, Lauren Court

"As long as we're not having roosters, I would love for our community to have chickens."

-Sam Stawski, Kelsey Avenue

"I grew up with chickens and they were a great family pet and taught us responsibility in caring for animals."

-Nicole Acker, Kelsey Avenue

BASIC REASONS TO ALLOW CITY CHICKENS

- The number 1 reason people like chickens: Chickens provide a valuable low-cost food source.
- Chickens provide value as a pet, teaching kids about responsibility through caring for an animal who can love them back.
- Chickens divert waste from landfills. Up to 50% of all household waste is compostable and chickens are happy to eat much of that waste. Introducing chickens reduces the cost of disposing of waste.
- Chicken manure is recommended by the US Extension Colleges for use in composting when it is aged for 6 months prior to application as an effective means of eliminating the risk of disease.
- A dog's bark is 90 decibels and our city allows 4 dogs which has a cumulative maximum possible noise level of 100 decibels (sound pressure is a logarithmic scale).
- A hen's laying song is 60 decibels so it would take 12 hens producing noise at the exact same time to produce more noise than 1 dog.
- If chicken food is not properly kept it can attract unwanted animals (e.g. mice). However, a homeowner can also make mistakes that attract mice by doing a bad job of composting, putting out birdseed, or putting out dog or catfood and yet most cities do not regulate those activities.
- A chicken's manure should not smell if processed properly. Cat and dog manure are generally advised not to add to a compost bin because of the risk of spreading disease to a garden.
- It takes 10 chickens to make as much poop as 1 large dog.
- Backyard Chickens present a health risk to humans from salmonella infections. However, wild birds (like geese) also present this risk as do reptiles like turtles. Dogs transfer diseases to humans such as worms that can cause blindness and even death. Dog-to-human worm infections occur at a very high rate, but we are so used to dogs in our lives that we do not judge it as a surprising risk.

SMALL AND BACKYARD POULTRY

DEVELOPING REGULATIONS FOR KEEPING URBAN CHICKENS

Written by: *Dr. Jacquie Jacob, University of Kentucky and Dr. Ken Anderson, North Carolina State University*

There is a growing interest in keeping chickens in urban areas in North America. Whether a family can keep poultry in the backyard depends on the state, county, and city ordinances. Community regulations might also come into play – current regulations vary from city to city. The main benefit of a backyard flock stems from the human-animal bond, as well as the production of a food item, primarily eggs. However, many individual's have concerns related to public health and community well-being. These include the spread of disease, waste management, poultry pests, predators, noise, and odor. The validity of the proposed benefits and negative effects are not currently supported by any published research. Polluck et al. (2012) suggest that the issue be approached much like concerns over keeping dogs.

Raising chickens in an urban backyard is not much different having a companion animal such as a cat or dog. In a recent USDA survey, Garber et al. (2007) noted that the most common reason for having backyard flocks was for fun or as a hobby. Additional reasons included family tradition, lifestyle, and food production, as well as the desire to expose children to food production, general affection for birds, and insect control.

There is research to support the idea that improved emotional well-being results from keeping companion animals (Wells, 2009). Emotional benefits include increased social interaction and reduced feelings of loneliness, isolation, and depression. If backyard chickens are considered companion animals, keeping them will likely have the same positive effects

Eggs are the main food item produced by backyard flocks. The local production allows families to have some control over their food production. Given the economies of scale, however, it is rarely possible for the keeper of a backyard flock to produce eggs at a lower cost than those available in the grocery store. Chickens can eat some kitchen scraps, but it is still necessary to feed them a complete feed in order to sustain egg production. When chickens are fed household waste, there is an environmental benefit to raising backyard chickens. An additional environmental effect is the supply of chicken manure, which when properly handled, is a good garden fertilizer, reducing the need for commercial fertilizers.

When the chickens are allowed to roam in the yard, they may eat garden pests and weeds, serving as biological control. Unfortunately, chicken foraging behavior can have negative impacts on the plants themselves.

Some believe that eggs produced at home are more nutritious than store-bought eggs, but the research does not support this belief (Anderson, 2011; Kasrten et al. 2010). Eggs, whatever the source, are an excellent source of protein.

Sources of disease transmission to commercial poultry operations

Smith and Dunipace (2011) reviewed the literature on the role of backyard poultry flocks in past avian influenza outbreaks and concluded that the role is very small. They indicate that the small flock size and limited contact with commercial operations reduced the likelihood that backyard flocks are a risk to transmit the disease to commercial poultry operations. They back up this opinion with several case studies. For example, in the 2004 outbreak of avian influenza (H7N3) in British Columbia, Canada, the odds of infection were 5.6 greater for commercial flocks (>1,000 birds) than for backyard flocks. In addition, backyard flocks were always discovered by surveillance of nearby backyard flocks. In addition, backyard flocks were always discovered by surveillance of nearby backyard flocks after nearby commercial flocks had been infected. Similarly, in the 2002 avian influenza (H7N2) outbreak in Virginia, not a single backyard flock was reported to be infected.

Public Health Issues

The public health issues of concern are the spread of infectious disease from birds to humans and food poisoning from consumption of food items produced (meat or eggs). There are a number of hypothetical means through which people can be exposed to poultry diseases from backyard flocks. These include direct contact, waste handling, and egg consumption. There are a number of avian diseases that are zoonotic. The spread of avian diseases, however, is primarily associated with other poultry and wild birds rather than with chickens. Avian influenza and salmonellosis are two exceptions. Avian influenza has received a lot of attention because of the outbreaks of avian

influenza among humans in Asia, but the concerns are restricted to Asian backyard flocks. There has not been a single case of H5N1 (the strain of Asian avian influenza) anywhere in the United States.

Salmonellosis and campylobacteriosis can pose an ongoing threat to human health in North America. A New Zealand study (Anderson et al., 2012) reported that Campylobacter exposure in people. When dogs are kept in the same area as chickens, the dog may eat the fecal material and could hypothetically transmit salmonellosis to household members. While there have been a few cases of salmonellosis in humans keeping backyard flocks, salmonellosis is not typically a problem in properly maintained flocks.

Waste management

Proper manure management is essential for controlling disease risk, odors, and flies. Most concerns regarding poultry waste are related to the quantities produced on large-scale farms. Small-scale operations, as well as backyard flocks, can also contribute to environmental pollution if they have high bird density and poor manure management. Most city ordinances restrict the number of birds allowed in a backyard flock. It is also rare for urban centers to be situated near important water reservoirs. This dramatically reduces the risk of environmental pollution from backyard flocks. The weight of fresh manure output is about 115% of the total dry feed intake. So, to estimate the amount of manure a flock will produce, you can multiply the flock's total feed consumption and multiply by 1.15. A hen typically eats a quarter pound of feed a day. Fresh manure is 75% water, and some of the moisture will evaporate from manure accumulating in a poultry house. It is important to keep the manure dry. By keeping the litter dry, only about one-third of the calculated weight of the fresh manure will remain. Composting the used bedding produces an excellent fertilizer for vegetable or flower gardens.

Pest populations

The main pests of concern for poultry include external parasites such as mites, lice, bedbugs, fleas, and soft ticks. Additional pests of concern include darkling beetles, flies, moths, cockroaches, and rodents. There is very little research to reach any conclusions about the effects of pests on backyard flocks. Rodents, especially mice, will eat feed and contaminate it with salmonella. In addition to transmitting disease, rodents can also spread lice, fleas, and mites. Health risks from backyard flocks depend on the cleanliness and security of the chicken coop, as well as the nature of waste management and feed storage.

Noise

Most city ordinances do not allow roosters because of the crowing. It is not feasible to prevent a rooster from crowing, and roosters will crow throughout the day. Some city ordinances allow for the temporary keeping of roosters for breeding purposes, but that is rare.

Hens have also been accused of being a noise nuisance. A hen will squawk during egg-laying. The squawking can continue for up to five minutes but varies considerably. The city of Pleasanton, California, recorded the noises from a squawking hen at a distance of two feet and obtained a 63 dBA. By comparison, dogs are considered a noise disturbance when barking exceeds 100 dBA (Coopala et al., 2006). Minimizing the number of hens allowed in a backyard flock will minimize the nuisance.

Odor

Keeping chicken coops clean and properly disposing of waste will minimize any odors from backyard poultry flock. Composting of used poultry bedding dramatically reduces any risk of odors. For more information on composting, see the article on [composting poultry litter in your backyard](#) from the University of Kentucky.

A large portion of the urban population has very little contact with food animals, purchasing their meat, eggs, and milk from the grocery store. This disconnection results in limited knowledge about how to care for livestock such as poultry. A survey of Madsen et. (2013) identifies gaps in the disease prevention and biosecurity practices of backyard flocks.

Per a review of some of the current city ordinances related to backyard poultry flocks, the following questions need to be addressed in the establishment of new city ordinances.

- **What species of poultry will be allowed?** Most urban areas allow only chickens, though some do not restrict the kind of poultry that can be raised. Waterfowl can produce a lot of wet manure and tend to be more of an odor problem.
- **What is the maximum number of adult birds that are backyard can have?** Most ordinances allow between five and six.
 - What factors should you consider to limit the number of birds? Factors include land size, for example.
 - Will there be exceptions for community flocks?
- **Are roosters allowed?** Most urban areas do not allow roosters because of the noise. Some city ordinances do allow roosters because roosters are required for breeding a poultry flock. Some allow roosters to be kept temporarily for breeding purposes.
- **Will a permit be required?** Several cities require flock owners to get a permit in order to keep chickens in the backyard, but permit requirements are rare. In communities that do require a permit, requirements differ on several key points.
 - Will there be a fee for a permit?
 - What does the application involve?
 - Do prospective owners have to get neighbor approval?
 - Will prospective owners be required to take a course before they can get a permit? If so, who will provide the training?

- Will there be inspections of the facilities to verify the correct application of the rules? And if so, what are the consequences of violations?
- How often does the permit need to be renewed?
- **Will there be coop restrictions?** These could include requirements that a coop is set back from neighboring properties. ‘Setback’ regulations are very common, but not universal.
- **Will the chickens have to be tagged for identification?** This is rare, and in some places strongly opposed.

Anderson, J., B.J. Horn, and B.J. Gilpin. 2012. The prevalence and genetic diversity of *Campylobacter* spp. in domestic ‘backyard’ poultry in Canterbury, New Zealand. *Zoonoses Public Health* 59:52-60.

Anderson, K.E. 2011. Comparison of fatty acid, cholesterol, and vitamin A and E composition in eggs from hens housed in conventional cage and range production facilities. *Poultry Sci.* 90: 1600-1609.

City of Pleasanton. 2005. Planning commission staff report. Pleasanton, CA.

Coppola, C. L., Enns, R. M., & Grandin, T. 2006. Noise in the animal shelter environment: Building design and the effects of daily noise exposure. *Journal of Applied Animal Welfare Science*, 9(1), 1-7.

Frame, D.D. 2009. Considerations in raising small backyard flocks of poultry in population-dense communities.

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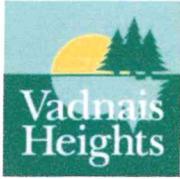
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CHICKEN PERMIT FORM

The City of Vadnais Heights
800 East County Road E • Vadnais Heights, MN 55127
Phone: 651.204.6000 • Fax: 651.204.6100
www.cityvadnaisheights.com

Owner: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: ____ - ____ - ____ Cell: ____ - ____ - ____ E-mail: _____

Zoning of Property: _____ Lot Dimensions: _____ Acres: _____

Number of chickens proposed for property: _____

For properties less than two (2) acres, the maximum number of chickens allowed is five (5). For properties two (2) acres or greater, an additional five (5) chickens per additional acre are allowed, up to a maximum of twenty (20) chickens.

Site Plan Submitted: Yes No

A site plan is required of property showing the proposed location of chicken coop, including coop setbacks to property boundary lines and adjacent principle structures (neighboring). Chicken coop shall be a maximum of 120 sq. ft. and maximum height of twelve (12) feet.

Owner Acknowledgement:

I acknowledge that I have been provided with the applicable regulations regarding keeping chickens on my property and I assume all responsibility for compliance. Furthermore, I understand that non-compliance with the regulations may result in revocation of the permit.

Owner Signature

Date

Approved: _____
Planning/Community Development Director

Date

CITY OF VADNAIS HEIGHTS
Backyard Chicken Consent Form

Owner/Applicant Name: _____ Date: _____

Street Address: _____

Adjacent Property Owners

Your neighbor is applying for a permit to keep backyard chickens per Ordinance 702. For properties less than one-half acre in size, the property owner is required to obtain written consent from 75% of the adjacent property owners. Adjacent property is defined as any parcel of property that shares a common boundary line with the Owner/Applicant.

By signing your name to this form, you are providing written consent for the owner/applicant to house chickens.

Name:
Address:

**CITY OF VADNAIS HEIGHTS
COUNTY OF RAMSEY
STATE OF MINNESOTA**

ORDINANCE NO. 702

**AN ORDINANCE AMENDING CHAPTERS 5 AND 20 OF THE
CITY ZONING CODE, PERTAINING TO KEEPING OF CHICKENS IN
RESIDENTIAL ZONING DISTRICTS**

The City Council of the City of Vadnais Heights does hereby ordain:

I.

Chapter 5 (Definitions) of the City Zoning Code is hereby amended to read as follows (strikethrough indicates deletions; underline indicates additions):

- 5.132 Chicken. A domesticated bird of the species *Gallus gallus domesticus*, or other related birds, that serves as a source of eggs and/or meat.
- 5.134 Chicken Coop. A structure for the keeping or housing of chickens.

II.

Chapter 20.210 (General Building and Performance Standards) of the City Zoning Code is hereby amended to read as follows (strikethrough indicates deletions; underline indicates additions):

20.210 Chickens.

- (1) Chickens are permitted as an accessory use on single-family residential properties one-half (0.5) acre in size or greater located in the Residence One (R-1) Zoning District, in compliance with the following conditions:
 - (a) Neighbor Consent. For properties less than one-half (0.5) acre in size, the property owner shall be required to obtain written consent from seventy-five (75%) percent of the abutting property owners, excluding right-of-way and city-owned property, to be included with the permit application.
 - (b) A principal building shall be located on the lot and the owner of the chickens shall occupy the premises.
 - (c) Number of chickens:
 - (i) Properties less than two (2) acres in size shall be allowed a maximum of five (5) chickens.
 - (ii) Properties two (2) acres in size or greater shall be allowed an additional five (5) chickens per additional acre of land, up to a maximum of twenty (20) chickens.
 - (d) Roosters are prohibited.
 - (e) Raising of chickens for breeding purposes is prohibited.
 - (f) Slaughtering of chickens outdoors is prohibited.

- (g) Chickens shall be fully-contained on the property at all times by fencing in compliance with the applicable Code standards, unless appropriately monitored by the property owner so as not to cause a public nuisance.
 - (h) A chicken coop shall be provided in compliance with applicable zoning and building codes, including the following standards:
 - (i) The subject property may contain a maximum of two (2) coops and shall not exceed the maximum number of accessory structures allowed in the R-1 District.
 - (ii) The coop shall not be located within front or side yards and not within any drainage and utility easements.
 - (iii) The coop shall have minimum setbacks of fifty (50) feet from an adjacent principal dwelling and twenty (20) feet from all property boundary lines.
 - (iv) The interior floor area shall provide a minimum of four (4) square feet for each chicken and shall not exceed one hundred twenty (120) square feet in area, unless a Special Use Permit is obtained under the applicable code requirements.
 - (v) The coop shall not exceed twelve (12) feet in height.
 - (vi) The coop shall be architecturally-compatible or made with similar exterior materials as the principal building.
 - (i) Food materials stored outside shall be within closed containers with lids.
 - (j) All containment areas and structures shall be maintained in a clean, sanitary, and odor-free environment and shall be free from the presence of rodents or vermin at all times.
 - (k) The use must not constitute a public nuisance and shall be in compliance with the applicable code requirements.
 - (l) Feces, discarded feed, and dead chickens shall not be composted or buried upon the subject property.
 - (m) Dead chickens shall be properly disposed of within seventy-two (72) hours in accordance with the Minnesota Board of Animal Health rules regarding disposal of carcasses.
 - (n) Chickens shall not be raised or kept for fighting.
 - (o) Chickens shall not be kept inside any residential dwelling or garage.
 - (p) Eggs produced on the property shall be for personal use and consumption by the owners of the premises and shall not be sold or offered for sale.
 - (q) Any use and/or structure permitted under this Section may be inspected at any reasonable time by the animal control officer, or other agent of the city, to verify compliance with the applicable performance standards.
- (2) Permit Required.
- (a) Any person keeping chickens on property within the city shall obtain a permit on forms provided by the city to be issued administratively.
 - (b) A permit approved in accordance with this Section shall not be transferrable to another owner upon sale and change of ownership of the property.
 - (c) A violation of any provision of this Section shall constitute grounds for revocation of a permit.

Chapter 10 - ANIMALS

Footnotes:

--- (1) ---

Editor's note— Ord. No. 15-12, § 2, adopted July 14, 2015, amended chapter 10 in its entirety to read as herein set out. Former chapter 10, §§ 10-1, 10-2, 10-23, 10-24, 10-52—10-70, 10-95 and 10-119—10-128, pertained to similar material. See the Code Comparative Table for the chapter's history.

State Law reference— General authority relative to animals, Minn. Stats. §§ 410.33, 412.221, subd. 21; animal health, Minn. Stats. ch. 35; dogs and cats, Minn. Stats. ch. 347; cruelty to animals, Minn. Stats. § 343.20 et seq.; stray animals and companion animals, Minn. Stats. ch. 346.

ARTICLE I. - IN GENERAL

Sec. 10-1. - Keeping of certain animals, livestock and poultry.

(a) *Animals on less than three acres.* None of the following animals shall be maintained on any parcel of land in the city that is not at least 3.0 acres (130,680 square feet) in size: llamas, cows, mules, donkeys, burros, goats, pigs, sheep, lambs, turkey, geese and ducks. EXCEPTION: Chickens (hens only, no roosters or crowing hens) may be maintained on parcels less than three acres. The following chart prescribes the number of chickens that can be maintained on lots of record to which the animal owner has fee title and desires to maintain chickens:

Lot Size	Number of Chickens Permitted (no roosters or crowing hens)
0.00 to 0.24 Acres	6
0.25 to 0.49 Acres	8
0.50 to 0.74 Acres	12
0.75 to 0.99 Acres	16
1.00 to 1.24 Acres	20
1.25 to 1.49 Acres	24
1.50 to 1.74 Acres	28
1.75 to 1.99 Acres	32

2.00 to 2.24 Acres	36
2.25 to 2.49 Acres	40
2.50 to 2.74 Acres	44
2.75 to 2.99 Acres	48

(b) *Reserved.*

(c) *Animal unit.* Animal unit is defined as a measure used to compare differences in production of animal wastes. The following chart establishes the number of animal units assigned to certain livestock and poultry:

Animal	Number of Units
Cow	1.5
Llama, alpaca	1.0
Goat, pig, sheep, lamb	0.5
Turkey, goose	0.1
Chicken, duck	0.04

(d) *Permitted animals.*

(1) The following chart prescribes the number of animal units that can be maintained on lots of record to which the animal owner has fee title and desires to maintain a mix of livestock, poultry, or fowl (refer to [section 10-24](#) for regulations for maintaining horses):

Parcel Size	Number of Animal Units Allowed
3 acres (130,680 square feet)	2
5 acres (217,800 square feet)	3

example:
Big Lake, MN

Chicken Regulations

Can I keep chickens at my house in Big Lake?

Residents of Big Lake who live in City limits are permitted to keep chickens if they live on a residential zoned property in either a single-family home, a duplex or a twin-home. Chickens are not permitted on properties with three (3) or more dwelling units. Big Lake Township residents seeking to keep chickens should contact Sherburne County as Big Lake Township has its own separate animal ordinance which the City has no control over.

City residents who want to keep chickens at their homes must have a coop to house the chickens and chicken run where the chickens may roam unsupervised.

Do I need a permit?

Yes, a permit is required before a chicken coop can be installed on your property. Chicken coops of **ANY** size are considered detached accessory buildings. This includes all small pre-built coops. City Code *requires* a zoning permit for any detached accessory building which is 200 square feet or less. Buildings which are larger than 200 square feet *require* a building permit.

A permit is not required for the ongoing keeping of chickens, only for installing the coop. All chicken keeping must follow the rules laid out in the City's animal ordinance, *Section 390.04 Chickens*. These rules will be enforced in response to complaints. Please note: this ordinance may not be found on our City website until late December 2019.

To obtain a permit, contact the inspections department at 763-251-2971 or tindahl@biglakemn.org.

What are the rules for the chickens themselves?

1. Up to six (6) chickens may be kept on one (1) property.
2. Roosters and crowing hens are prohibited.
3. Chickens can only free range if the yard is completely fenced in. Chickens are not allowed to roam at large, meaning they are not permitted to leave the owner's property.
4. Slaughtering and processing of chickens is NOT allowed in City limits.
5. Chickens may not be kept inside the house except for chickens under 6 weeks of age which are inside the house for brooding purposes.
6. Food material must be stored in a closed metal container.
7. Manure must be removed from the property at least once per week. When it is on the property, it must be properly stored.
8. The enclosure and surrounding are must be maintained in a clean and sanitary condition and kept in good repair. Flies, rodents, and noxious odors shall be controlled.
9. Deceased chickens must be disposed of according to Minnesota Board of Animal Health rules. This would include on-site burial or off-site disposal.

What are the rules for my coop and run?

1. The coop must follow the Zoning code's rules for exterior materials. This means that sheet metal and corrugated metal are not permitted for siding or roofing. Accessory buildings which are larger than 200 square feet must architecturally match the house.
2. The coop must be fully enclosed to prevent escape by chickens or attacks by predators.
3. The run must either have protective overhead netting or roofing with an approved material.
4. Coops and runs cannot be greater than six (6) feet in height.
5. Coops and runs can only be located in rear yards.
6. Coops and runs must be at least ten (10) feet from all property lines AND must be at least thirty (30) feet from any inhabited structure on a neighbor's property.

7. Coops and runs must be at least six (6) feet away from the house of the person who owns the chickens.
8. Coops and runs must meet the setback and buffer requirements for a structure if they are near a lake or a wetland. This usually means at least a 30-foot setback from wetlands and at least a 50-foot setback from lakes.
9. Small coops, those which are 30 square feet or less, are exempted from SOME parts of the Zoning code but still require zoning permits:
 - Chicken coops and covered runs which total 30 square feet or less do not count as an impervious surface when calculating the property's total impervious surface coverage. Note: *Properties located within 1,000 feet of a lake or 300 feet of a river are limited to 25% coverage by impervious surfaces (buildings, driveways, patios, etc.) Most other residential properties are limited to 35% coverage by impervious surfaces.*
 - *A chicken coop which is 30 square feet or less does not count towards the limit on the total number of accessory buildings a property can have or the limit on total square footage of detached accessory buildings.*

CONTACT US

Is there anything else I should be aware of?

The City encourages residents to talk with their neighbors before getting chickens to ensure that everyone understands the ordinance. This allows for many minor issues to be

1. "Chickens are smelly!"

Chickens don't smell bad any more than other pets do. A [properly clean chicken coop](#) has no objectionable odors. While it's certainly true that if your chicken coop is seldom or never cleaned, it will begin to smell, the same is true of a cat box that is never cleaned, or a dog kennel that is never cleaned. There are laws against animal cruelty, animal neglect, animal abuse, and so on that apply to all pets. The bottom line is that responsible people give their pets proper care and provide them with a clean environment.

Chalk this argument up to a lack of common sense. Chickens are no different from other pets in this regard.

2. "Laying hens are loud!"

The truth is that a flock of laying hens is actually quiet, far [more quiet than dogs are](#). A hen will cackle or squawk when she lays an egg. That occurs once a day—or less, depending on the breed and age of the hen, as well as the season.

... and the payoff is this. Just TRY to find eggs like this in the grocery store. [Eggs laid by hens raised on pasture](#) have 67% more vitamin A, 200% more Omega-3s, 300% more Vitamin E, 700% more Beta carotene... and 33% LESS cholesterol and 25% LESS saturated fat.

We eat eggs many ways, but one of my husband's favorites is over leftover pizza for breakfast. Just LOOK at the healthy color of those yolks. Those sickly yellow store bought eggs don't compare.

The noise level for the squawk after egg laying is up to [70 decibels](#) at its very loudest, or about the same volume as a normal conversation between two people... and in the same range of noise volume made by an air conditioner, a washer, or a flushed toilet. That's as loud as they get. [Lawn mowers and barking dogs](#) register at around 90 -100 decibels, much louder than a few hens. And roosters can be loud, sure—about as loud as a barking dog—but roosters are not required for egg production.

The noise argument is based on basic ignorance about chickens and biology. Many uneducated people think they will hear crowing if their neighbors keep hens for eggs, because they think a rooster is required for egg production... but he's not. Human women ovulate regardless of whether a male is around or not, and so does a hen. Remember, roosters are only required if you want your hen's eggs to be fertile!

3. "Chicken flocks produce a lot of poop and waste!"

Very little solid waste is produced by chickens, and what IS produced can be [composted](#) to [make great fertilizer](#).

Squash love composted chicken manure

By way of comparison, an average dog will produce around a pound of poop in a day, whereas a flock of four hens will only produce less than half that, about [1.5 ounces of waste per hen](#). Four chickens produce less waste than a medium house cat, too. Plus, [composted chicken manure](#) can eventually be used for

your garden (another reason why people who have hobbies like gardening are often interested in keeping chickens, and vice versa).

Here's a photo of some future tomatoes... I mean, compost
Normally you don't compost dog or cat poo, since manure is more nutritious for plants if it has been produced by animals that get most of their nutrition from plants (including cows, sheep, goats, horses... and [chickens](#)).

The worry about chickens producing too much poop comes a lack of common sense—forgetting that ALL pets produce waste—paired with ignorance that small flocks of chickens actually produce less waste than most other single pets.

4. "Chickens will attract wild animals to my neighborhood!"

Don't be silly! Presuming you keep everything clean and tidy with your pet chickens just as you would when keeping a pet cat or dog, raising chickens doesn't make rodents or other pests magically appear from thin air. While it IS true that if there are any pests already in your neighborhood, they might be attracted to chicken feed if you spill it or don't keep it secured, they would be just as attracted to spilled or unsecured cat or dog food, wild bird feed, a koi pond, or even to your family's food waste discarded in unsecured outdoor garbage cans or compost piles—and all of those probably already exist in most neighborhoods, anyway. Chicken food is no different from any other pet food in that respect.

If you do have small rodents in your area, a flock of chickens can actually reduce their number, since [some breeds](#) will catch and eat small mice and moles like cats do—chickens will eat small snakes, too. Plus, they eat other pests like ticks, mosquitos, grasshoppers and the like.

These pretty chickens are helping to keep down the bug population
Chickens are generally more vulnerable to attack by smaller predators than dogs are... but even so, small dogs and cats can be attacked by hungry wild animals, too. That said, stories like [this one](#) don't mean that dachshunds or other small dogs are likely to "attract" predators to the neighborhood. This is another argument demonstrating a basic lack of common sense.

5. "Legalizing chickens will negatively affect property values"

Not true. Take a few moments to read some old news stories about the legalization of backyard chickens, and you'll notice that no actual evidence indicating that property values drop due to backyard chickens is EVER cited. Instead, the media will report that opponents simply have a "fear" of reduced property values. It seems to me that reporters should follow that claim up with actual data... but there is none to be had (and you know the media these days). So this argument is like a bogeyman: it's not real, but is frequently employed to frighten people into a position of compliance and fear. We've heard stories about realtors like [this one](#) who feel that the right to keep a small flock of chickens could attract people to buy.

Rather than driving neighbors apart, chickens are usually conversation starters, particularly unusual breeds like [Polish](#) with their huge crests, or [Silkies](#) with their fur-like feathers. And today's [small flock chicken coops](#) are boutique, high-end items designed to look pretty in the yard. Remember, neighbors who want to keep chickens are just that: your neighbors. They care about the value of their homes and the quality of life in their community just as much as opponents of backyard chickens do—maybe more. People who keep backyard chickens are often involved in many other hobbies that add value to your neighborhood, including flower or vegetable gardening, beekeeping, growing fruit trees or berry bushes and so on. Think about it: this is exactly the sort of thing that can enhance community feeling and friendship in your neighborhood. Imagine a neighborhood where your neighbors share berries, fresh eggs, zucchini and tomatoes with you... and you might “lend” a cup of sugar or share a mug of coffee. That’s what good neighbors do.

Brandywines and Mr. Stripeys grown in soil rich with composted chicken manure. That’s why some of the most expensive and exclusive communities in the country [allow small flocks](#) of laying chickens. For example, New York, Portland, Chicago and Boulder—cities with some of the highest property values in the country—allow hens. If keeping chickens negatively affected the property values of the communities that permitted them, surely the communities would be taking steps to repeal them based on this mounting evidence, right? This is not happening. Instead, in some areas with high property values, the regulations are actually becoming more permissive with regard to backyard chickens, presumably because these places have found that the quality of life has improved. For example, in 2010, Seattle went from allowing families 3 hens to [allowing 8 hens](#), a much more reasonable number if your family eats lots of eggs, especially if you don’t want to be limited to getting only the breeds with the highest egg production.

The “property value” argument is typically based on emotions and other evidence-less prejudices. There is zero evidence that legalizing pet chickens has affected property values.

6. “People who want to keep chickens should just move to the country!”

This is probably the most ridiculous “argument” of all, if it can even be termed an argument. In the United States, no matter where you live, you have basic rights that allow you to enjoy your own property... but that means your neighbors have the same rights to enjoy their property, as disappointing as some may find that to be. If YOU are unduly bothered by your neighbors—when their activities don’t affect property values, produce foul odors, loud noise, excess waste or present other actual problems—then YOU are the one who’ll need to consider moving out of town and into the country.

Some people would be happier with a buffer zone around them so that it will be easier for them to mind their own business and be less invasive of the privacy of others who live nearby. If you are that type of person, then just purchase a reasonable amount of acreage and put your house in the middle, so interaction

with your neighbors will be minimal. Out in the country with plenty of space around you, you'll be happier and less stressed out by what any of your neighbors might be doing on their own property.

Wait, you're thinking that telling someone to move out of their home doesn't seem like a real, workable solution to a problem? Really? Yeah, that's right. It's really stupid. The sensible thing would be for everyone to live and let live, and to stop worrying so much about [what's happening on your neighbor's side](#) of the fence.

HEALTHY FAMILIES AND FLOCKS

Live poultry, such as chickens, ducks, geese, and turkeys, often carry harmful germs such as *Salmonella*. While it usually doesn't make the birds sick, *Salmonella* can cause serious illness when it is passed to people.

HANDWASHING PROTECTS YOU FROM GERMS



- Always wash your hands with soap and water right after touching live poultry or anything in the area where they live and roam.
- Adults should supervise handwashing for young children.
- Use hand sanitizer if soap and water are not readily available.

HANDLE BIRDS SAFELY



- Children younger than 5 years, adults older than 65 years, and people with weakened immune systems should not handle or touch chicks, ducklings, or other live poultry.
- Do not bring chicks, ducklings and other live poultry to schools, childcare centers, or nursing homes.
- Do not snuggle or kiss the birds, touch your mouth, or eat or drink around live poultry.

SAFELY CLEAN COOPS

- Clean any equipment used to care for live poultry outside, such as cages or feed or water containers.
- Set aside a pair of shoes to wear while taking care of poultry and keep those shoes outside of the house.



POULTRY BELONG OUTSIDE

- Do not let live poultry inside the house, especially in kitchens.
- Do not let live poultry in areas where food or drink is prepared, served, or stored.



U.S. Department of
Health and Human Services
Centers for Disease
Control and Prevention

Have a Backyard Flock? Don't Wing it.
Visit www.cdc.gov/features/salmonellapoultry
for more information

From: [Annita Smythe](#)
To: [Cale Leiviska](#)
Cc: [Deb Petty](#)
Subject: Disc Golf Course
Date: Tuesday, April 7, 2020 5:20:00 PM

Hello, Cale.

Thank you for meeting with our staff today to discuss your planned Disc Golf project at the current golf course property on Main Street.

I thought it would be helpful to quickly summarize what we discussed.

The primary focus of our discussion was whether or not an amendment would be needed to the PUD/CUP for this proposed project. We discussed the property's needs as to parking, equipment storage, maintenance access/driveway access, how usage fees would be collected, and what structures would be allowed on the property. These questions came about because the current clubhouse property which supported these items for the golf course has been recently sold to a third party. This has resulted in the golf course itself being a stand-alone property without any buildings or driveway access.

Per our discussion, we understand that you are in negotiations with the new owner of the clubhouse property to address several of these items. If you have a lease agreement with both parties, we believe that will address the majority of our concerns related to the items above. We also discussed the ability to place accessory structures on the property. We believe accessory structures would be allowed under the PUD/CUP as they relate to providing amenities to the golf course. Again, this is dependent on also leasing at least part of the clubhouse property, as accessory structures are only allowed when a principal structure already exists.

The use as a disc golf course is not substantially dissimilar from a traditional golf course as to constitute a change in use. The PUD/CUP requires an 18 hole golf course. It is our understanding that you will continue to use at least 18 holes and possibly more for your disc golf project, which would comply with the PUD/CUP.

Our understanding is that you are working with an online vendor to accommodate the payment of usage fees electronically.

Please let me know if you disagree with this summary, or have additional information to add. Please provide the city with copies of both of your lease agreements once they are executed so that we can document for our records your compliance with the PUD/CUP requirements.

Thank you, and best wishes for a successful venture.

Annita M. Smythe, City Administrator

From: [Annita Smythe](#)
To: [Cale Leiviska](#)
Cc: [Deb Petty](#); ["Murphy, Wayne"](#)
Subject: Disc Golf Course Code Violations
Date: Tuesday, April 21, 2020 12:57:00 PM

Hello, Cale and Wayne.

I think we need to have some follow-up to our earlier discussion. I understand that your disc golf course opened up this weekend, much to my surprise. When we had met previously, we discussed several areas of concern with your ability to comply with conditions of the existing CUP/PUD. We were given assurances in several of these areas, however, have not received any of the required documentation we discussed to show that you would be able to comply. I have also received a lot of feedback from various people that visited the property this past weekend, which raised additional concerns, as outlined below.

1. As we discussed, there is presently NO APPROVED USE for the golf course property, including as a disc golf course. We told you that you likely could comply with the requirements of the CUPO/PUD but ONLY IF you ALSO leased the clubhouse property. We required you to provide the city with copies of both lease agreements as evidence of compliance. To date, we have not received those items.
2. We discussed parking and traffic concerns. We were told that your patrons would be using the clubhouse property for parking, the same as the old golf course did. I have learned that, in fact, your patrons are not parking at the clubhouse. They are driving all the way through the private development, and in some cases, parking on the golf course itself. In addition, I am being told that the disc golf course traffic is many times higher than the traffic generated by the old golf course. This is not permitted under the CUP/PUD as written. These private roads were not intended to have these amounts of vehicle traffic, and were not allowed with the operations of the golf course. In addition, parking on unimproved surfaces is prohibited in city limits. If your patrons will be using roadways or parking anywhere outside of the main clubhouse entrance and parking lot, it is a CHANGE IN USE which requires an amendment to the CUP/PUD.
3. I am being told that overnight camping is taking place. Overnight camping is not allowed under the CUP/PUD. This again is a CHANGE IN USE requiring a hearing before the Planning Commission and approval by the City Council.
4. Your patrons are bypassing the exit gate and exiting on the left side of the roadway, creating safety hazards. Patrons MUST use the proper exit gate and follow the rules of the road. The gate is on a timer that requires users to proceed at a low rate of speed to trigger the opening mechanism. This is by design, and is for the purpose of slowing down the traffic through the neighborhood.
5. You also told us that disc golf user fees would be received via an online tool and would not require any face to face contact. A visitor from this weekend told me that you had someone collecting fees directly from users at the golf course. How is that being accomplished without violating social distancing orders? I fail to see how someone can hand over fees from six feet away. This is not consistent with what you told us, and doesn't comply with the governor's executive orders. It is also not consistent with the conditions in the CUP/PUD.

6. I am hearing rumors about a possible tournament scheduled for May 9. Under the governor's current orders, tournaments are not allowed. Unless those orders are lifted (and all other issues listed above are addressed), there will not be a tournament on May 9.

I think you have jumped the gun a bit on opening when you have not yet complied with the conditions we discussed. **As it stands, you are operating a commercial enterprise without the proper permits from the city and in violation of City Code.** I suggest you take immediate action to bring your operations into compliance. Also, as an FYI, the property owner is liable under statute and city ordinances for violations, so the owner will also be responsible for any code enforcement fees that result from the non-compliance.

Thank you.

Annita

From: [Annita Smythe](#)
To: [Cale Leiviska](#)
Cc: [Murphy, Wayne](#); [Larry Huhn](#); [Deb Petty](#)
Subject: Disc Golf and Code Violations
Date: Monday, May 4, 2020 4:25:00 PM
Attachments: [1 Eagle Dr - 05-04-20.pdf](#)

Hi, Cale.

I noticed you have tried to call a couple of times. Due to the number and nature of complaints I have been receiving, and given the other unresolved issues we have discussed, I thought it was better if I provide a formal letter from the city outlining our position and noting the code sections that apply to some of the code violations.

I know you are excited about your new venture, and the response from your disc golf community has been great. I only wish our discussions had happened much earlier in the year to give us time to address code concerns before they became a problem. That being said, we both have to follow the policies and ordinances adopted by the city council. I am not only responsible to the business community – I have to also address concerns raised by our residents.

I think the best way to address things at this point is for you to attend Monday's council meeting on May 11, and address these issues on the record with the council. Unless they disagree, you are going to need to go through the process of amending the PUD/CUP. It's only too bad that it wasn't amended previously to provide a broader array of business uses. You should also be prepared to address the code violations noted in the letter.

Let me know if you wish to attend so I can add you to the agenda.

Thanks,
Annita



May 4, 2020

Dear Mr. Leiviska,

I am writing to re-affirm the city's position as it relates to your proposed disc-golf business to be located at 1 Eagle Drive, Clearwater, MN 55320 and to make you aware of the City Code sections that are applicable. In addition, I am writing to make you aware of the numerous complaints the city has received and the applicable city code sections that apply to these code violations.

We have spoken many times over the last several weeks about your proposed disc-golf business. During each of those discussions, the primary question has been whether your proposed disc-golf business complies with the terms of the zoning district of this property. The property is zoned Planned Unit Development (PUD) and has an accompanying required Conditional Use Permit (CUP). The property owners are aware of the zoning classification and have had numerous discussions with city officials about possible uses of the property. ***At all times, the city has made it clear that operations of the golf course are dependent upon also having reasonable use of the adjacent clubhouse property.*** Since the property owners separately sold the clubhouse property to a third party, there is currently no approved use of the golf course property (or the clubhouse property). ***Prior to any use, an amendment to the PUD and CUP will be required.***

In early April, you spoke with our team and attempted to show that your use would comply with the existing zoning. You gave assurances that you had access to and use of both properties. You provided proposals to address various other areas of concern. These included our questions about user parking, volume of traffic, equipment storage, use of accessory buildings or temporary structures, maintenance and driveway access, ability of users to pay online since in-person transactions are currently prohibited, and other concerns about social distancing under the governor's orders. Following that discussion, which I summarized in my email message on April 7, 2020, you were required to provide the city with copies of lease agreements for both properties, which may show your ability to address the items above.

While we were awaiting the requested documents that were necessary to prove compliance with the PUD/CUP, the governor lifted some of his restrictions on golf courses. You responded by promptly opening your planned business. You did not provide the city with any notice of the planned opening. You originally told us your planned opening date would be May 1. You also did not provide the city with any of the documents that you thought would show compliance with the provisions of the PUD/CUP.

What the city did receive was numerous complaints about your operations. I outlined the majority of these in my email message dated April 21, 2020. The property owner was copied. You later

attempted to assure me that these issues would be addressed, however, you neglected to address the primary issue. **The primary issue is that you do not currently have an approved use of this property.** Until you either get an approved amendment to the PUD/CUP or you get a letter from my office stating that your documentation is sufficient so that an amendment is not needed, you do not have any approved use of the property. In addition, and despite your assurances, I continue to receive complaints. **You are therefore directed to cease all operations immediately.**

Your code violations are outlined as follows:

You are operating a business which constitutes a change in use of the property, however, you have not applied for site plan approval or for an amendment to the PUD/CUP to allow this change in use. In addition, since the disc golf course opened without authorization, there have been several additional code violations at the property. These are outlined below:

- a. **Change in Use** - The PUD/CUP specifically allows as a permitted use “an 18 hole golf course, a clubhouse, swimming pool and other amenities . . .”. Your proposed use is as a disc-golf course. Disc-golf, while similar to traditional golf, is not the same use. The overall use of the property has changed from traditional golf.
- b. **Visitor Volume** – Users of the golf course were primarily from the local area and limited in numbers. In your press releases, Facebook page, and other write-ups of the disc-golf course, it is obvious that the volume of visitors to the area is several multiples higher than the traditional golf course generated. While this may be an indication that you will have business success, it is also an indication that use of the property has changed from the past. In addition, visitors are coming from a large area, not just the local area. That is a violation of the governor’s COVID-19 orders for people to stay at home or use amenities close to home. It potentially brings the virus into town from other areas of the state or country, and potentially puts our residents at risk.
- c. **Parking** - Users of the golf course parked at the clubhouse and primarily accessed the course via use of golf carts. Users of the disc golf do not have use of the clubhouse parking lot. They are parking on the actual course in some areas and on the dirt roads in other areas. *City Code Section 117-1164(a)* requires parking areas in the city to be improved with a durable surface such as asphalt or concrete. Parking on grassy areas is not permitted. In addition, parking on the actual course rather than at the clubhouse constitutes a change in use.
- d. **Traffic Volumes** – Users of the golf course parked at the clubhouse and used golf carts to access the course. Users of the disc golf do not have access to the clubhouse parking areas, so are driving through private roadways and dirt roads to access the course. This has significantly increased the amount of vehicle traffic on private roads through the residential neighborhood. In addition, constant travel via the dirt roads is increasing the amount of dirt and other debris being left on the paved surfaces. The increased vehicle traffic constitutes a change in use of the property.
- e. **Accessory Structures** – The golf course utilized structures on the clubhouse property for storage of equipment and maintenance vehicles. The disc golf course currently has prohibited accessory structures on the golf course property to address these needs. *City Code Section 117-1104* prohibits accessory structures without first having a primary structure. So, there are no accessory structures allowed on the golf course property without use of the “principal” property, which is the clubhouse property. To date, there is not sufficient evidence allowing your use of a principal structure to permit any accessory structures.

- f. **Overnight camping** – *City Code Section 117-1031(a)* prohibits overnight camping on any property in city limits except under certain circumstances where approved by the city. In addition, the MN Dept. of Health and MN DNR both regulate campgrounds and uses of property within the Wild & Scenic River program. To date, there have been no approvals issued either by the city, MDH, or DNR allowing any overnight camping to take place at this property. In spite of this, you have not only used the property for this purpose, you are actively marketing camping as an amenity to members of your disc golf club. Camping is not allowed on this property.
- g. **Tournaments** – The owners disc golf Facebook page is actively marketing a tournament planned for May 9. The governor’s social distancing orders do not allow tournaments at this time. Further, since there is currently no approved use of the property, a tournament will not take place on May 9. You are hereby directed to stop marketing the tournament immediately. Further, if a tournament is held in violation of this notice, **the property owner WILL BE RESPONSIBLE for any code enforcement fines that will follow along with any associated liability from any spread of COVID-19 that can be traced back to any such tournament.**
- h. **Unleashed Animals** – Users of the disc golf have allowed their pets to run free without leashing. *City Code Chapter 10* addresses the keeping of animals in city limits. The PUD/CUP does not have a provision which allows unleashed animals on the property, so this is a change in use. In addition, city code has limits on the number of animals an owner can keep without a kennel license, which this property does not have. In addition, leashing of animals is required in areas open to the public. So, pets running loose violate several sections of city code and the terms of the PUD/CUP.

To date, I have not received sufficient documentation to show that an amendment to the PUD/CUP is not needed. The lease agreements that were finally provided on May 1 do not show that you have reasonable access to the clubhouse property to address our concerns about parking, traffic volumes, or accessory structures. In addition, the city will require assurances that the code violations outlined above will be addressed, which can be done via amending the PUD/CUP.

At this time, you are hereby directed to submit your application for a PUD/CUP amendment. You will need to temporarily close the disc golf operations until such time as your application is approved.

If you wish to appeal this determination, you may do so by attending the City Council meeting scheduled for May 11, 2020. Let me know if you wish to attend, and I will send you the meeting credentials.

Sincerely,



Annita M. Smythe, City Administrator

Cc: Wayne Murphy, Larry Huhn

***Check Detail Register©**

April 2020 to May 2020

			Check Amt	Invoice	Comment
10100 LAKE CENTRAL BANK					
Paid Chk#	011449E	4/3/2020	ANNANDALE STATE BANK		
E	600-49400-182	Bank Fees	\$198.33	213899	PSN SERVICE FEES
E	601-49450-182	Bank Fees	\$198.33	213899	PSN SERVICE FEES
E	100-49000-182	Bank Fees	\$76.01	213904	PSN SERVICE FEES
	Total	ANNANDALE STATE BANK	\$472.67		
Paid Chk#	011451E	4/30/2020	ANNANDALE STATE BANK		
E	600-49400-322	Postage	\$7.50	APRIL 2020 C	WATER SAMPLES
E	100-41100-331	Travel Expenses	(\$258.48)	APRIL 2020 C	MCMA CONF MAY 2020
E	230-42200-123	Operating Supplies	\$14.01	APRIL 2020 C	AMAZON FD
E	100-41000-433	Dues and Subscriptions	\$16.16	APRIL 2020 C	ZOOM
E	230-42200-123	Operating Supplies	\$155.88	APRIL 2020 C	FD TN PARTS
	Total	ANNANDALE STATE BANK	(\$64.93)		
Paid Chk#	022453	5/11/2020	ALTERNATIVE GARAGE DOOR REPAIR		
E	100-43200-307	Repair & Maintenance Charges	\$79.60	3381	NYLON ROLLERS
	Total	ALTERNATIVE GARAGE DOOR REPAIR	\$79.60		
Paid Chk#	022454	5/11/2020	ASTECH		
E	100-43100-327	Street Patching & Sweeping	\$370.15	20-081	PATCH GRIT
	Total	ASTECH	\$370.15		
Paid Chk#	022455	5/11/2020	BEUNING, LLC		
E	100-45200-126	Rental/Lease	\$1,390.00	2105	LIBRARY RENT
E	100-45200-205	Taxes and Assessments	\$232.31	2106	TAXES
E	100-45200-362	Property Ins	\$119.91	2106	INSURANCE
E	100-45200-382	Utilities	\$22.31	2106	UTILITIES
	Total	BEUNING, LLC	\$1,764.53		
Paid Chk#	022456	5/11/2020	CENTRAL MCGOWAN		
E	100-43200-123	Operating Supplies	\$9.00	00078070	CYLINDER RENTAL INVOICE
	Total	CENTRAL MCGOWAN	\$9.00		
Paid Chk#	022457	5/11/2020	CHRISTINE OSWALD		
E	240-45300-906	Contractual Reimb Fine/Fee	\$180.90	061320	REFUND LIONS BLDG RENTAL FEE/DEPOSIT
	Total	CHRISTINE OSWALD	\$180.90		
Paid Chk#	022458	5/11/2020	CITIZEN TRIBUNE		
E	100-41410-351	Legal Notices Publishing	\$252.20	135079	PUBLIC HEARING NOTICE
	Total	CITIZEN TRIBUNE	\$252.20		
Paid Chk#	022459	5/11/2020	CLEARWATER PARTS CITY AUTO		
E	240-45300-307	Repair & Maintenance Charges	\$40.68	62-443914	BATTERY CABLES
E	240-45300-123	Operating Supplies	\$6.99	62-444647	MISC PARTS FUSION
E	100-41000-307	Repair & Maintenance Charges	\$317.98	62-444753	COMM BATTERIES CITY HALL GENERATOR
E	100-43200-123	Operating Supplies	\$32.99	62-444755	RATCHET 4 PK
E	240-45300-123	Operating Supplies	\$59.90	62-444829	XTRA GREASE
E	100-43200-123	Operating Supplies	\$81.80	62-445097	ARGON/C02
E	100-43200-123	Operating Supplies	\$3.18	62-445513	CHIP BRUSH
E	230-42200-230	Repairs & Maint - Bldg	\$52.99	62-445574	MOTOR TREATMENT SMALL ENGINES
E	600-49400-307	Repair & Maintenance Charges	\$27.96	62-445719	BACK UP GENERATOR TUNE UP
E	600-49400-307	Repair & Maintenance Charges	\$22.99	62-445722	BACK UP GENERATOR WIRE SET
E	600-49400-307	Repair & Maintenance Charges	\$7.87	62-445734	BACK UP GENERATOR FUEL HOSE
E	100-43210-418	05 Dodge 1/2 Ton	\$13.58	62-446342	MISC PARTS
E	100-43200-123	Operating Supplies	\$5.29	62-446732	SPLICE ASSORTMENT

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April 2020 to May 2020

			Check Amt	Invoice	Comment
E 100-43210-420	Kubota 75XVL		\$86.86	62-447566	HYD HOSE/MEGA CRIMP
Total CLEARWATER PARTS CITY AUTO			\$761.06		
Paid Chk# 022460	5/11/2020	CLEARWATER TRAVEL PLAZA			
E 100-43200-212	Motor Fuels		\$113.30	APRIL 2020	PW FUEL
Total CLEARWATER TRAVEL PLAZA			\$113.30		
Paid Chk# 022461	5/11/2020	CLEARWATER TRUCK CENTER			
E 100-43210-414	02 Sterling Plow Truck		\$30.34	480430	AIRLINE/STRIAT UNION
Total CLEARWATER TRUCK CENTER			\$30.34		
Paid Chk# 022462	5/11/2020	COORDINATED BUSINESS SYSTEMS			
E 100-41000-200	Office Supplies		\$108.38	INV80930	COPIES QTR 1 2020
E 600-49400-200	Office Supplies		\$14.45	INV80930	COPIES QTR 1 2020
E 601-49450-200	Office Supplies		\$14.45	INV80930	COPIES QTR 1 2020
E 603-43200-200	Office Supplies		\$7.23	INV80930	COPIES QTR 1 2020
Total COORDINATED BUSINESS SYSTEMS			\$144.51		
Paid Chk# 022463	5/11/2020	DYNA SYSTEMS			
E 100-43200-123	Operating Supplies		\$604.17	23535095	NYLON NUT,WASHERS/CONNECTORS
Total DYNA SYSTEMS			\$604.17		
Paid Chk# 022464	5/11/2020	FACETIME BUSINESS RESOURCES			
E 601-49450-200	Office Supplies		\$231.00	13969	WATER BILLS
E 600-49400-200	Office Supplies		\$231.00	13969	WATER BILLS
E 603-43200-200	Office Supplies		\$99.00	13969	WATER BILLS
E 603-49500-200	Office Supplies		\$99.00	13969	WATER BILLS
Total FACETIME BUSINESS RESOURCES			\$660.00		
Paid Chk# 022465	5/11/2020	FIDELITY SECURITY LIFE			
E 100-41400-131	Employer Paid Health		\$4.32	2501572	VISION PREMIUM DP
E 100-43200-131	Employer Paid Health		\$41.25	2501572	VISION PREMIUM PW
E 100-41100-131	Employer Paid Health		\$11.23	2501572	VISION PREMIUM AS
Total FIDELITY SECURITY LIFE			\$56.80		
Paid Chk# 022466	5/11/2020	GOPHER STATE ONE-CALL			
E 600-49400-151	W/S Locates		\$28.35	0040293	FAX TICKETS
E 601-49450-151	W/S Locates		\$28.35	0040293	FAX TICKETS
Total GOPHER STATE ONE-CALL			\$56.70		
Paid Chk# 022467	5/11/2020	GRANITE WATER WORKS INC.			
E 230-42200-230	Repairs & Maint - Bldg		\$188.00	116849	2" BALL VALVE
E 600-49400-307	Repair & Maintenance Charges		\$47.00	116857	2" BALL VALVE
Total GRANITE WATER WORKS INC.			\$235.00		
Paid Chk# 022468	5/11/2020	GUARDIAN FLEET SAFETY			
E 230-42200-230	Repairs & Maint - Bldg		\$94.00	20-0134	UNIT 11 REPAIR
Total GUARDIAN FLEET SAFETY			\$94.00		
Paid Chk# 022469	5/11/2020	HANDYMANS, INC			
E 230-42200-230	Repairs & Maint - Bldg		\$73.69	186221	GALV PLUGS TENDER 11 REPAIR
Total HANDYMANS, INC			\$73.69		
Paid Chk# 022470	5/11/2020	JANE GOHMAN			
E 240-45300-906	Contractual Reimb Fine/Fee		\$153.94	052320	REFUND LIONS RENTAL
Total JANE GOHMAN			\$153.94		

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April 2020 to May 2020

			Check Amt	Invoice	Comment
Paid Chk#	022471	5/11/2020	KENNEDY & GRAVEN, CHARTERED		
E	100-41600-304	Legal Fees	\$1,019.00	154471	GENERAL MATTERS
	Total	KENNEDY & GRAVEN, CHARTERED	\$1,019.00		
Paid Chk#	022472	5/11/2020	KENNETH V. YAGER		
E	100-41420-344	ASSESSOR	\$11,414.00	1042001	ASSESSABLE PARCELS -
	Total	KENNETH V. YAGER	\$11,414.00		
Paid Chk#	022473	5/11/2020	KIRVIDA FIRE, INC.		
E	230-42200-307	Repair & Maintenance Charges	\$5,384.72	8688	PUMP ASSY 2005 FREGHTLINER TANKER
	Total	KIRVIDA FIRE, INC.	\$5,384.72		
Paid Chk#	022474	5/11/2020	LASER ETCH TECHNOLOGIES		
E	230-42200-123	Operating Supplies	\$54.00	4835	FACE SHIELDS
	Total	LASER ETCH TECHNOLOGIES	\$54.00		
Paid Chk#	022475	5/11/2020	MARKLOWITZ, BECKY		
E	100-41000-125	Cleaning Service-Uniform	\$300.00	900866	CITY HALL CLEANING SVC
E	100-45200-125	Cleaning Service-Uniform	\$120.00	900866	LIBRARY CLEANING SVC
E	240-45300-125	Cleaning Service-Uniform	\$150.00	900866	LIONS PARK CLEANING SVC WINDOWS
E	230-42200-125	Cleaning Service-Uniform	\$50.00	900866	FIRE DEPT CLEANING SVC
	Total	MARKLOWITZ, BECKY	\$620.00		
Paid Chk#	022476	5/11/2020	MCDONALD HOPKINS LLC		
E	100-41600-304	Legal Fees	\$987.75	1382370	MISSING FILES INCIDENT
	Total	MCDONALD HOPKINS LLC	\$987.75		
Paid Chk#	022477	5/11/2020	MENARDS - ST.CLOUD		
E	100-43200-123	Operating Supplies	\$22.75	37999	TIRE INFLATOR/STAPLES
	Total	MENARDS - ST.CLOUD	\$22.75		
Paid Chk#	022478	5/11/2020	MIDWAY IRON		
E	600-49400-307	Repair & Maintenance Charges	\$504.66	453957	EXTENSIONS FOR GATE VALVE ON WATER MAIN
	Total	MIDWAY IRON	\$504.66		
Paid Chk#	022479	5/11/2020	MIKE MCSHANE		
E	240-45300-906	Contractual Reimb Fine/Fee	\$180.90	041320	REFUND LIONS BLDG RENTAL/CANCELLED
	Total	MIKE MCSHANE	\$180.90		
Paid Chk#	022480	5/11/2020	MN RURAL WATER ASSN		
E	600-49400-433	Dues and Subscriptions	\$622.60	MARCH 2020	MEMBERSHIP MARCH 2020- 2021
	Total	MN RURAL WATER ASSN	\$622.60		
Paid Chk#	022481	5/11/2020	NCPERS		
G	100-21708	Life Insurance	\$96.00	MAY 2020	LIFE INS PREM MAY
	Total	NCPERS	\$96.00		
Paid Chk#	022482	5/11/2020	NELSON SANITATION & RENTAL INC		
E	601-49450-305	Contracted Services	\$614.10	B-53929	LIFT STATION CLEANING
	Total	NELSON SANITATION & RENTAL INC	\$614.10		
Paid Chk#	022483	5/11/2020	NORTHERN TOOL & EQUIPMENT		
E	100-43200-123	Operating Supplies	\$36.57	4161247820	SOCKET/O-RINGS/LED 3/4"
	Total	NORTHERN TOOL & EQUIPMENT	\$36.57		
Paid Chk#	022484	5/11/2020	NORTHLAND SECURITIES		
E	100-41500-305	Contracted Services	\$5,800.00	6112	MISSISSIPPI RIDGE TIF

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April 2020 to May 2020

		Check Amt	Invoice	Comment
Total NORTHLAND SECURITIES		\$5,800.00		
Paid Chk#	022485	5/11/2020	NORTHLAND TRUST SERVICES, INC	
E	316-47000-610	Interest	\$26,951.66	CLEARW19A GO IMPROVEMENT SERIES 2019A
Total NORTHLAND TRUST SERVICES, INC		\$26,951.66		
Paid Chk#	022486	5/11/2020	PEARSON BROS., INC.	
E	100-43100-327	Street Patching & Sweeping	\$2,064.39	5008 SPRING STREET SWEEPING
Total PEARSON BROS., INC.		\$2,064.39		
Paid Chk#	022487	5/11/2020	QUILL CORPORATION	
E	100-41000-200	Office Supplies	\$118.44	6537173 OFFICE SUPPLIES/MULTIFOLD TOWELS
Total QUILL CORPORATION		\$118.44		
Paid Chk#	022488	5/11/2020	SANITATION SERVICES	
E	240-45300-383	Sanitation	\$141.50	HANDICAP RESTROOMS PARKS
Total SANITATION SERVICES		\$141.50		
Paid Chk#	022489	5/11/2020	SCOTT ZIWICKI	
E	230-42200-120	Reimbursement	\$147.20	EMT REFRES EMT REFRESHER MILEAGE
Total SCOTT ZIWICKI		\$147.20		
Paid Chk#	022490	5/11/2020	TRAUT WELLS, INC	
E	600-49400-902	Water or WW Testing Fee	\$25.00	323891 CLEARWATER LIONS BLDG #200406
E	600-49400-902	Water or WW Testing Fee	\$25.00	324032 PETRO #200446
Total TRAUT WELLS, INC		\$50.00		
Paid Chk#	022491	5/11/2020	TRI-COUNTY LUMBER	
E	270-41000-305	Contracted Services	\$155.10	004-604284 DISC GOLF COURSE BASKET & BENCHES
Total TRI-COUNTY LUMBER		\$155.10		
10100 LAKE CENTRAL BANK		\$63,032.97		

Fund Summary

10100 LAKE CENTRAL BANK

100 GENERAL FUND	\$25,742.74
230 FIRE AND RESCUE	\$6,214.49
240 PARKS AND RECREATION	\$914.81
270 LOCAL OPTION SALES TAX	\$155.10
316 GO IMP BOND 2019	\$26,951.66
600 WATER FUND	\$1,762.71
601 SEWER FUND	\$1,086.23
603 REFUSE (GARBAGE) FUND	\$205.23
	<hr/>
	\$63,032.97

City of Clearwater, Minnesota

Unaudited Cash Balances by Fund

Cash Balance as of May 7th, 2020

Fund	Balance 12/31/2019	5/7/2020	YTD Change from 12/31/2019
100 General Fund	\$ 992,487.95	\$ 772,695.06	\$ (219,792.89)
200 Park Dedication Fee	227.71	229.91	2.20
230 Fire and Rescue	102,765.18	(19,121.58)	(121,886.76)
240 Parks and Recreation	2,901.97	1,470.55	(1,431.42)
250 Economic Dev. Authority	104,595.38	63,993.58	(40,601.80)
260 Small Cities Aid	32,549.65	32,866.16	316.51
270 Local Option Sales Tax	1,179,192.66	1,232,193.72	53,001.06
306 GO Imp Bond 2006-Refund 2012	1,262.29	-	(1,262.29)
309 GO Equip Certificates 2009	(36,466.92)	-	36,466.92
315 GO Imp Bond 2015	153,972.04	138,039.71	(15,932.33)
316 GO Imp Bond 2019	-	31,791.41	31,791.41
415 Streets Curbs	0.25	0.25	-
416 SE Area Project	139,698.18	106,725.70	(32,972.48)
420 Fire Capital Fund	(52,675.75)	0.48	52,676.23
430 Public Works Reserve Fund	308,688.63	311,665.31	2,976.68
600 Water Fund	676,509.50	644,603.78	(31,905.72)
601 Sewer Fund	710,042.74	790,253.56	80,210.82
603 Refuse (Garbage) Fund	(4,064.68)	(2,449.46)	1,615.22
651 Storm Sewer	45,468.95	40,986.20	(4,482.75)
Total	\$ 4,357,155.73	\$ 4,145,944.34	\$ (211,211.39)

CLEARWATER CITY COUNCIL MEETING MINUTES
REGULAR CITY COUNCIL MEETING
APRIL 13, 2020

1. Call to Order: 7:00 p.m. via Zoom Web Conference

- Mayor Lawrence called the Clearwater City Council to order Monday, April 13, 2020 at 7:00 p.m. via Zoom Web Conference. Members present were Mayor Lawrence, Council Members Petty, Scott, Crandall, and Kruchten. Also present were members of the Public, Staff and Press.

2. Approval of Agenda

- Staff requested two changes to agenda: 1) pull Public Forum item 3.a. as the requestor is unable to attend the meeting and 2) change claims amount to \$215,384.48, as there is a Fire Department item that needs to be removed (paid by Fire Relief), and additional claims paid with the addition of the EFT batch.
- **MOTION** by Crandall to approve the agenda with the two requested changes, seconded by Petty, all voted aye. **MOTION CARRIED.**

Mayor Lawrence skipped down to the Sheriff's Report so Deputy Linn would not have to wait.

3. Public Forum

a. Election Judge Pay – Donna Mae Heaton

- Pulled from agenda.

b. 2019 City Audit Review

- Christopher Hall from the city's auditing firm Bergan KDV gave an overview of the 2019 audit report. There were some questions from Member Petty. In response to these, Hall explained that the city's Library Fund is not considered a Fiduciary Fund under new accounting standards, so it is being absorbed into the city's General Fund with its own department code. The debt service for the sewer fund is not shown as an expense on our financial statements, as these payments reduce the recorded debt on our accrual statements. However, this payment can be seen in the actual cash statements. Regarding the audit finding on segregation of accounting duties, we will likely always have this finding. The city would need to add 3-4 accounting staff to be able to sufficiently segregate accounting duties to eliminate this finding. For cities our size, the costs for the additional staff are simply not feasible. Our best practice is to segregate as much as we can and to have as many layers of oversight as we can.

c. City Engineer Memo – Spring Street

- Engineer Kannas summarized the update in the newsletter related to the SE Area Street Project, which has been sent out to residents. There are still some punch list items to be completed this spring and the city has retainage to cover those costs.
- In response to complaints this spring about standing water, Kannas is working with Public Works to see if there are specific areas of concern. After ice came out of the ground this spring, most areas of standing water had drained. They will revisit the area after rain events. If there is still standing water a couple of days after rain events, they will look at specific problem areas to see what other mitigation might help address those issues.
- He also noted that this neighborhood does not have a storm sewer system. The council opted not to add storm sewer in this area due to costs. He suggested that to add storm sewer along with

the necessary downstream infrastructure could cost an estimated \$500,000. Council Member Kruchten questioned this amount, as he recalled the Council being given a number closer to \$200,000 during the original project discussion. Kannas explained that the \$500,00 is an estimate based on other similar projects. To give a better estimate, he would need to conduct additional measurements and analysis, which the council has not yet asked for. He was unsure about the amount given by the previous engineer but stated it likely did not include the downstream connections, but just the piping for this neighborhood. There was additional discussion among members about the costs of the project, but the overall consensus was that the council and residents that were present during the initial discussion were in agreement that the cost to add storm sewer to the project were more than they wanted to spend at the time.

- Kannas stated that residents who continue to have issues should contact him or Public Works Supervisor Schmidt, and they will work with the resident to address the issues.

4. Consent Agenda

- Claims/Accounts Payable in the Amount of \$182,949.72**
- Approval of 03-09-2020 Regular City Council Meeting Minutes**
- Approval of 03-18-2020 Emergency City Council Meeting Minutes**
- Approval of 04-06-2020 Special City Council Meeting Minutes**
- Res 2020-25 – Approving 3.2 Off Sale Liquor License for Coborn’s, Inc.**
- Approval of 2019 City Audit**
- Res 2020-27 – Approving Reclassification of Library Fund**
 - Item a pulled due to changes – considered below.
 - **MOTION** to approve items b-g by Petty, seconded by Crandall, all vote aye. **MOTION CARRIED.**
 - Item a. was amended by removing one claim payment of \$434.00 and adding two EFT batches of \$701.78 and \$32,166.98. New claims total is \$215,384.48.
 - **MOTION** to approve claims in the amount of \$215,384.48 was made by Crandall, seconded by Scott, all voted aye. **MOTION CARRIED.**

5. Wright County Sheriff Deputy Report

- Deputy’s report given after item 2 above so Deputy Linn could get back to his regular duties.
- Deputy Linn provided a review of the monthly calls report. Member Scott asked what was happening a few nights earlier when there were spotlights out late at night. Deputy Linn was not aware of any details. Members did not have any other questions.

6. Old Business

- COVID-19 Emergency Team Update**
 - Mayor Lawrence updated that the COVID-19 Emergency Team had met via TEAMS to test the software. We had also discussed how working remotely is going and were awaiting updates from the governor.
 - Smythe explained that the governor had issued additional orders following our TEAMS meeting. The new orders extend the Stay at Home orders until May 4. Given that the original Council emergency staffing measures were to be revisited after updates from the governor, Smythe would like Council to consider options for extending our remote working plans. Right now, we have some staff that are paid on call when not in the office due to remote working limitations.
 - Members had questions about the current process. Smythe explained that Public Works are working staggered schedules in order to comply with social distancing. Office staff are working remotely and stopping in weekly to check mail, messages, etc. Some work done by part-time staff

must be done in the office, as they don't have remote access, and we alternate schedules so we're not all there the same days. One staffer is "paid-on-call" when not at work because they don't have a remote connection that works well with our accounting system. This was intended to be a temporary measure for the first couple of weeks, but now the shut-down has been extended.

- Members had concerns about paying workers to not work. However, they would also like to maintain our staffing and keep good employee relations. There was some question of whether part-time employees who are paid on call would prefer a temporary furlough for financial reasons rather than having hours cut. Council would like to give the employee the option.
- **MOTION** by Kruchten to give part-time employee option to be paid for actual hours worked, but end paid-on-call, or request to be temporarily furloughed, and refer any necessary negotiations to Emergency Team, seconded by Scott, all vote aye. **MOTION CARRIED.**
- Smythe also noted that there will be further discussions at the May meeting about how the shut-down is impacting our city finances.

b. Discuss Growth Incentive Program/Economic Assistance Program

- Smythe informed the council that staff had questions about the application of the Growth Incentive Program also known as the Economic Assistance Program. It is currently providing a credit on all new home building permits of approximately \$2,700. The funds are being pulled from the EDA fund on an annual basis during the audit. Because of the large number of new homes being built, the EDA fund balance continues to decline each year. Staff question whether this is being applied according to the original intent of the program. The last meeting minutes on this topic do not have all details of the program that were approved by the council, and audio of the meeting is no longer available as it is past its retention period.
- There was some discussion about our current lack of an EDA Board and what amounts had been budgeted through the EDA budget for the program. Finance Director Lindrud explained that the program ran over budget for 2019. Member Kruchten was concerned about what incentive the program provides and suggested we would be better served to eliminate the program and reconsider the total fee amounts for WAC/SAC.
- **MOTION** by Kruchten to suspend the program. **MOTION FAILED FOR LACK OF A SECOND.**
- Some members thought the program was no longer needed, as we have had a fair number of new homes built over the last several years. There were also questions about the equity of the program, as it only applies to residential permits.
- **MOTION** by Scott to suspend the program and leave the WAC/SAC fees as shown on the fee schedule, seconded by Kruchten.
- Discussion on the motion included questions about the 2020 budgeted amount, whether a dollar cap should apply, if we have sufficient data to end the program, and what other cities are doing with their incentive programs. Smythe noted that Cokato had ended theirs for 2020 but did not have data on other cities. Some members thought this program was something the EDA, when reconvened, should consider and make a recommendation to the council.
- **VOTE ON THE MOTION** – voting aye were Scott and Kruchten. Voting nay were Lawrence, Petty, and Crandall. **MOTION FAILS 3-2.**
- **MOTION** by Petty to keep the program for 2020, cap the amount of total incentive at the amount allocated in the 2020 EDA budget for the program, and have the EDA revisit/make a recommendation for 2021, seconded by Crandall. Voting aye were Lawrence, Petty, Crandall, and Scott. Voting nay was Kruchten. **MOTION CARRIES 4-1.**

c. Authorization to Bid I94 Water Main Loop Project

- Given uncertainty about city finances because of the COVID-19 shut-down, there was consideration given to deferring this project.

- Engineer Kannas explained that the project was ready to be bid, and our application for funding to PFA has been submitted. He explained that, if approved by PFA, but the project is deferred, we would still be on the project list (IUP List) to be funded next year.
- **MOTION** by Lawrence to defer decision on bidding the project until August 2020, seconded by Kruchten, all voted aye. **MOTION CARRIED.**
- Lawrence stated for the record that she is not opposed to the project, just concerned about how COVID-19 may impact city finances.

7. New Business

a. Cancellation – City Clean-up Day

- **MOTION** by Scott to cancel the city clean-up day scheduled for April 25, 2020 and reschedule for fall, seconded by Crandall, all voted aye. **MOTION CARRIED.**

b. Res 2020-26 – Calling for Public Hearing TIF District 1-1

- Member Scott had questions about the TIF proposal for the Mississippi Ridge apartments project. He wanted to know if the project will have to meet a “but-for” test, will it require low-income apartments, and how long will the district go. Smythe explained that it does have to meet statutory but-for requirements for TIF assistance, it does not require low income apartments, and the length of the district will be determined by the city council. Petty noted that this resolution is only calling the public hearing, and that project-specific questions will be addressed at the public hearing.
- **MOTION** by Crandall to approve Resolution 2020-26 calling a public hearing, seconded by Petty, all voted aye. **MOTION CARRIED.**

c. Authorizing 2019 City Contribution to Clearwater Fire Relief Association

- The 2019 budgeted contribution amount was \$12,000, and making the payment in 2020 will result in this account being over budget for 2020.
- **MOTION** to approve the 2019 payment to the Fire Relief Association was made by Crandall, seconded by Kruchten, all voted aye. **MOTION CARRIED.**

d. Animal Ordinance Discussion

- Members have received some questions from residents about having chickens in city limits during COVID-19. Our current ordinance does not allow farm animals in city limits. Members discussed pros and cons to changing ordinance. Some had concerns about making long-term ordinance amendments in response to a short-term emergency. Others are concerned about enforcement. Member Petty pointed out that we perform enforcement on a complaint basis. The overall consensus was that it was premature to consider an amendment in this situation unless a resident brings a request for an amendment to the city council.

8. Committee Reports

a. Mayor and Council

- Mayor Lawrence noted that there had been some Zoom meetings, such as CVBC, but most meetings have been cancelled for now.
- Member Kruchten stated that he had some agenda item requests to add at the end of the meeting. Mayor Lawrence stated that was fine, but also pointed out that members can reach out to staff to request agenda additions at any time.

b. Boards

- Member Petty noted that the attached minutes were from the March meeting and that April’s meeting was cancelled.

i. FYI - Draft Minutes from March 9, 2020 Park Commission Meeting

c. Staff

- Administrator Smythe informed the council that staff are working on several new development projects, including a small plat that just came in, along with a couple of business site plans.

9. Other Business

a. Next Meeting Date

- The next regular meeting is scheduled for May 11, 2020 at 7:00 p.m.
- There will be a special meeting on May 28, 2020 at 7:00 p.m. for the TIF Public Hearing.

b. Other Items

- Member Kruchten asked that the following items be added to the May agenda for discussion: 1) Fire Department Fundraising, 2) Ash Street and Main Street Road Conditions, 3) Pesola Code Enforcement Status. Smythe responded that the road projects are already on the agenda, as staff have been in discussions to get cost estimates for some repairs. We expect to have that data for the next meeting. Smythe asked if the Fire Chief needed to come to the May meeting. Petty noted it might be better to have someone from Fire Relief, as they would be the ones to lead any fundraising efforts due to restrictions on cities. Smythe noted that the Pesola matter is with the city attorney. She will try to get a status update.
- Member Petty asked about potholes on Main Street near the golf course. Smythe stated that this stretch is also on our road project list for the May meeting. He also wanted to know if there was a Right-of-Way permit pulled by Arvig for work being done near the TO Plastics building. They have equipment parked on the bike trail. He also noted that TO Plastics has been parking vehicles on the trail. Staff will check on Arvig’s permit, and TO Plastics is on our code enforcement list.

10. Adjournment

- **MOTION** to adjourn by Kruchten, seconded by Scott, all voted aye.
- Meeting adjourned at 9:25 p.m.

ATTEST

APPROVED

Annita M. Smythe, City Administrator

Andrea Lawrence, Mayor

**CITY OF CLEARWATER
WRIGHT AND STEARNS COUNTIES, MINNESOTA**

A regular meeting of the City Council of the City of Clearwater, Minnesota, was called to order by Mayor Lawrence at 7:00 p.m. via Zoom Web Conference on Monday, May 11, 2020.

The following Council Members were present:

The following Council Members were absent:

A motion to adopt the following resolution was made by _____ and seconded by _____ .

.....

**RESOLUTION 2020-28
ACCEPTING DONATION TO FIRE DEPARTMENT**

WHEREAS, the City of Clearwater has received a donation in the amount of \$50 from a private citizen for the City's Fire Department.

NOW, THEREFORE, BE IT RESOLVED, that the Clearwater City Council and the Clearwater Fire Department express their thanks and appreciation for the donated funds.

Council members voting in favor:

Opposed or Abstained:

Adopted by the City Council this 11th day of May, 2020.

ATTEST:

APPROVED BY:

Annita M. Smythe, City Administrator

Andrea Lawrence, Mayor



1st Quarter 2020 Quarter Report

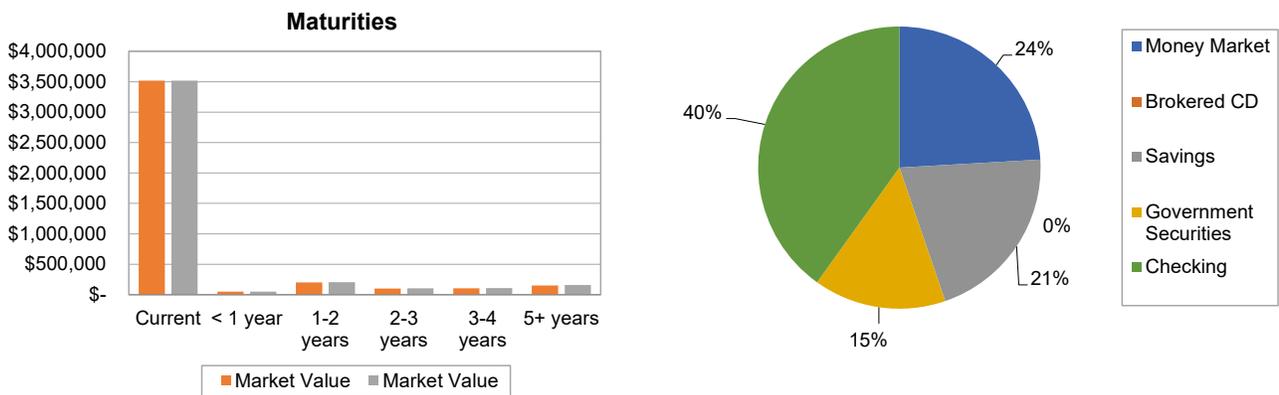
Cash and Investments

The City's cash and investment balances are as follows:

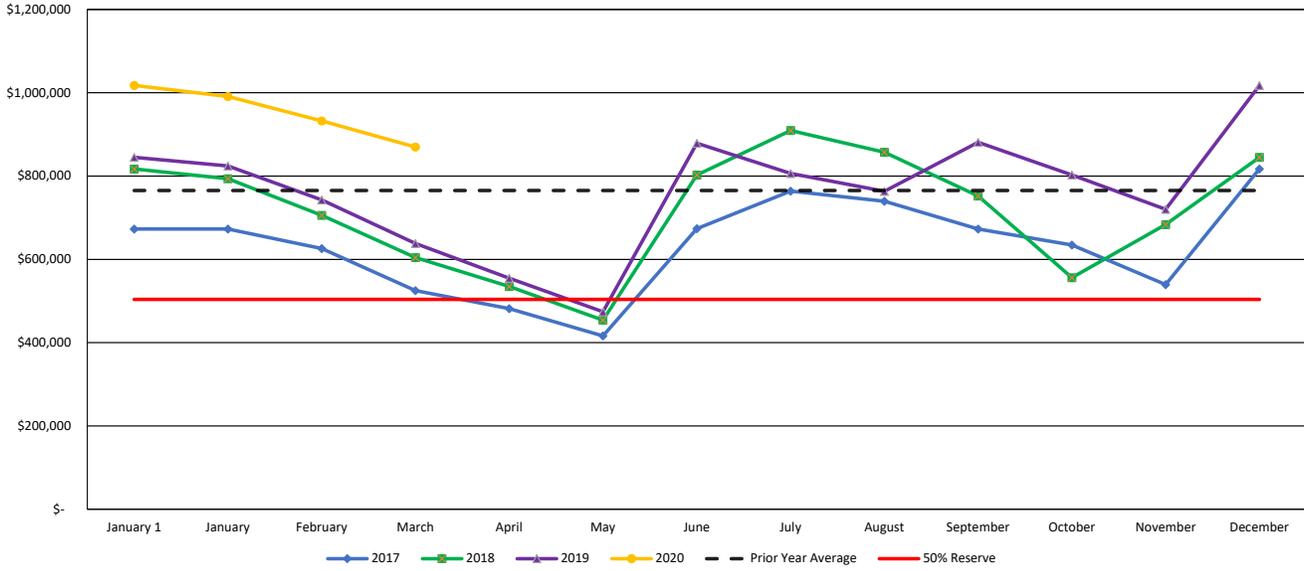
	<u>3/31/2020</u>	<u>12/31/2019</u>	<u>Increase/(Decrease)</u>
Checking and Savings	2,519,724	1,977,409	542,315
Investments (at Market Value)	1,628,799	2,558,892	(930,092)
Total Cash and Investments	<u>4,148,523</u>	<u>4,536,300</u>	<u>(387,777)</u>

<u>Investment Type</u>	<u>3/31/2020</u>	<u>12/31/2019</u>	<u>Increase/(Decrease)</u>
Checking and Savings	2,519,724	1,977,409	542,315
Money Market	999,469	1,823,209	(823,740) *
Negotiable CDs	-	-	-
Municipal Bond	-	-	-
Government Agency Securities	629,330	735,683	(106,353)
Total Investments	<u>4,148,523</u>	<u>4,536,300</u>	<u>(387,777)</u>

* Bond Proceeds from the SE Area Street Project were deposited into the 4M Money Market account in 2019. Payments these funds were moved from the money market account to reimburse the Checking account for payments made on the project throughout 2019.



General Fund Cash Balances 2017 - 2020



General Fund

	YTD Budget	YTD Actual	Percent of YTD Budget		YTD Budget	YTD Actual	Percent of YTD Budget		
Receipts					Disbursements				
Taxes	\$ 128,347	\$ 5,773	4% %	↓	General government	\$ 9,084	\$ 13,594	149.6 %	↓
Special Assessments	2,500	834	33.3	↓	City Administrator	19,762	12,373	62.6	↑
Cable franchise fees	4,009	2,695	67.2	↓	Mayor/Council	8,953	409	4.6	↑
Licenses and permits	13,969	12,220	87.5	↓	City Clerk	21,404	18,716	87.4	↑
Library	8,644	-	0.0	↓	Elections	1,625	1,871	115.1	↓
Intergovernmental	88,380	-	0.0	↓	Assessor	2,781	-	0.0	↓
Charges for services	3,202	8,726	272.5	↑	Finance Director	10,893	17,470	160.4	↓
Fines and forfeitures	375	1,763	470.2	↑	Accounting/Auditing	6,875	17,150	249.5	↓
Interest on Investments	1,750	8,470	484.0	↑	Legal Services	3,000	2,484	82.8	↑
Sale of Fixed Assets	-	-	N/A	N/A	Engineering	3,750	5,607	149.5	↓
Miscellaneous revenue	750	20,408	2721.1	↑	Mosquito Control	2,375	-	0.0	↑
	<u>\$ 251,925</u>	<u>\$ 60,888</u>	<u>24.2 %</u>	↓	Planning and Zoning	2,404	2,088	86.9	↑
					Police	58,449	39,024	66.8	↑
					Building Inspection	10,133	30,457	300.6	↓
					Animal Control	88	-	-	↓
					Streets and highways	37,837	20,993	55.5	↑
					Maintenance	28,236	30,619	108.4	→
					Equipment Maintenance	2,918	4,282	146.8	↓
					Library	15,059	8,464	56.20	↑
					CAB	265	-	-	↓
					Miscellaneous	173	715	414.4	↓
					Insurance	5,437	-	0.0	↑
						<u>\$ 251,498</u>	<u>\$ 226,316</u>	<u>90.0 %</u>	↑

Key
 ↑ Varies more than 10% than budget positively
 ↓ Varies more than 10% than budget negatively
 → Within 10% of budget

Current short-term rates being offered by financial institutions are very low as evidenced by the table of the U.S. Treasury rates below. The U.S. Treasury rates provide a benchmark perspective for rate of return.

Treasury Yields

Date	1 mo	3 mo	6 mo	1 yr	2 yr	3 yr	5 yr	7 yr	10 yr
12/30/2011	0.01	0.02	0.06	0.12	0.25	0.36	0.83	1.35	1.89
12/31/2012	0.02	0.05	0.11	0.16	0.25	0.36	0.72	1.18	1.78
12/31/2013	0.01	0.07	0.10	0.13	0.38	0.78	1.75	2.45	3.04
12/31/2014	0.03	0.04	0.12	0.25	0.67	1.10	1.65	1.97	2.17
12/31/2015	0.14	0.16	0.49	0.64	1.06	1.31	1.76	2.09	2.27
12/31/2016	0.44	0.51	0.62	0.85	1.20	1.47	1.93	2.25	2.45
03/31/2017	0.74	0.76	0.91	1.03	1.24	1.50	1.93	2.22	2.40
06/30/2017	0.84	1.03	1.14	1.24	1.38	1.55	1.89	2.14	2.31
09/30/2017	0.96	1.03	1.20	1.31	1.47	1.62	1.92	2.16	2.33
12/29/2017	1.28	1.39	1.53	1.76	1.89	1.98	2.20	2.33	2.40
03/29/2018	1.63	1.73	1.93	2.09	2.27	2.39	2.56	2.68	2.74
06/30/2018	1.77	1.93	2.11	2.33	2.52	2.63	2.73	2.81	2.85
09/30/2018	2.12	2.19	2.36	2.59	2.81	2.88	2.94	3.01	3.05
12/31/2018	2.44	2.45	2.56	2.63	2.48	2.46	2.51	2.59	2.69
03/29/2019	2.43	2.40	2.44	2.40	2.27	2.21	2.23	2.31	2.41
06/29/2019	2.18	2.12	2.09	1.92	1.75	1.71	1.76	1.87	2.00
09/30/2019	1.91	1.88	1.83	1.75	1.63	1.56	1.55	1.62	1.68
12/31/2019	1.48	1.55	1.60	1.59	1.58	1.62	1.69	1.86	1.92
03/31/2020	0.05	0.11	0.15	0.17	0.23	0.29	0.37	0.55	0.70

City of Clearwater, Minnesota
Statement of Revenue and Expenditures -
Budget to Actual -
General Fund (Unaudited)
For the Three Months Ended March 31, 2020

	Annual Budget	Budget through 03/31/2020	Actual Through 03/31/2020	Variance - Favorable (Unfavorable)	Percent Received or Expended Based on Budget through 03/31/2020
Revenues					
Taxes	\$ 513,388	\$ 128,347	\$ 5,773	\$ (122,574)	4.5 % *
Special assessments	10,000	2,500	834	(1,666)	33.3 *
Cable franchise fees	16,036	4,009	2,695	(1,314)	67.2
Licenses and permits	55,875	13,969	12,220	(1,749)	87.5
Library	34,574	8,644	-	(8,644)	-
Intergovernmental	353,520	88,380	-	(88,380)	-
Charges for services	12,808	3,202	8,726	5,524	272.5
Fines and forfeitures	1,500	375	1,763	1,388	470.2
Interest on investments	7,000	1,750	8,470	6,720	484.0
Sale of Fixed Assets	-	-	-	-	N/A
Miscellaneous Revenue	3,000	750	20,408	19,658	2,721.1 (1)
Total Revenues	1,007,701	251,925	60,888	(191,037)	24.2
Expenditures					
General government	36,337	9,084	13,594	(4,510)	149.6
City Administrator	79,046	19,762	12,373	7,389	62.6
Mayor/Council	35,813	8,953	409	8,544	4.6
City Clerk	85,615	21,404	18,716	2,688	87.4
Elections	6,500	1,625	1,871	(246)	115.1
Assessor	11,124	2,781	-	2,781	-
Finance Director	43,573	10,893	17,470	(6,577)	160.4
Accounting/Auditing	27,500	6,875	17,150	(10,275)	249.5
Legal Services	12,000	3,000	2,484	516	82.8
Engineering	15,000	3,750	5,607	(1,857)	149.5
Mosquito control	9,500	2,375	-	2,375	-
Planning and zoning	9,615	2,404	2,088	316	86.9
Police	233,795	58,449	39,024	19,425	66.8 (2)
Building Inspection	40,530	10,133	30,457	(20,325)	300.6 (3)
Animal control	350	88	-	88	-
Streets and highways	151,347	37,837	20,993	16,844	55.5 (4)
Maintenance	112,942	28,236	30,619	(2,384)	108.4
Equipment maintenance	11,670	2,918	4,282	(1,365)	146.8
Library	60,235	15,059	8,464	6,595	56.2
CAB	1,061	265	-	265	-
Miscellaneous	690	173	715	(542)	414.4
Insurance	21,748	5,437	-	5,437	-
Total Expenditures	\$ 1,005,991.00	\$ 251,497.75	\$ 226,316.02	\$ 25,181.73	90.0
Excess Revenues (Expenditures)	\$ 1,710.00	\$ 427.50	\$ (165,427.70)	\$ (165,855.20)	N/A %

* Property taxes, assessments, and local government aids are only paid twice a year.

Item Explanation of items percentage received/expended less than 80% or greater than 120% and \$ variance greater than \$15,000.

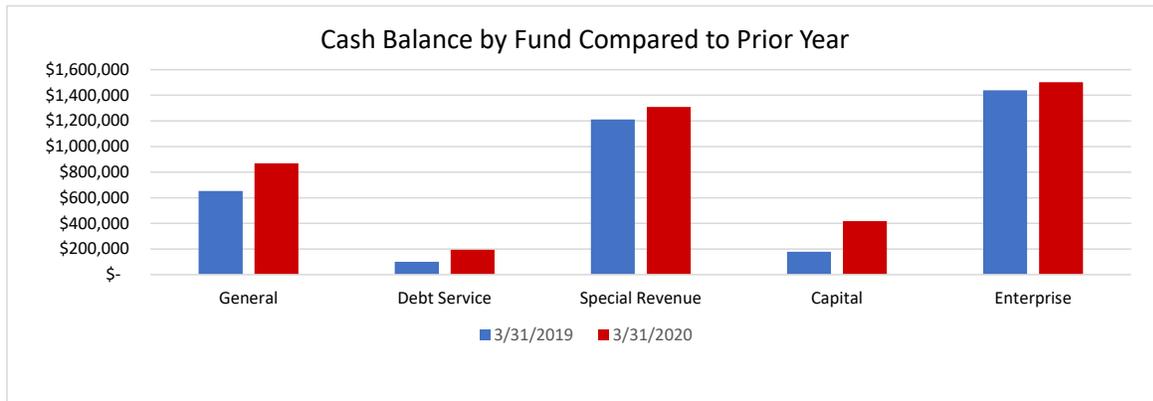
- (1) Increase due to moving Library Fund to General Fund.
- (2) Police expenditures are under budget because the March monthly service invoice was not paid until April.
- (3) Inspection expenditures for 1st quarter include finalized permits from the year 2019, the offsetting revenues were collected in the year 2019.

City of Clearwater, Minnesota
Unaudited Cash Balances by Fund
March 31, 2019, December 31, 2019, March 31, 2020

		Balance 3/31/2019	Balance 12/31/2019	Balance 3/31/2020	YTD Change from 12/31/2019
100	General Fund	\$ 652,155	\$ 1,041,638	\$ 869,656	\$ (171,981)
200	Park Dedication Fee	227	228	230	2
230	Fire and Rescue	13,096	14,763	(4,762)	(19,526)
240	Parks and Recreation	10,407	2,903	(236)	(3,139)
250	Economic Dev. Authority	92,077	64,322	63,994	(329)
260	Small Cities Aid	32,382	32,570	32,866	297
270	Local Option Sales Tax	1,063,159	1,180,049	1,216,767	36,718
306	GO Imp Bond 2006-Refund 2012	2,261	-	-	-
309	GO Equip Certificates 2009	(36,467)	-	-	-
315	GO Improvement Bond 2015	134,450	154,270	160,927	6,657
316	GO Improvement Bond 2019	-	32,552	32,849	296
415	Streets Curbs	0	0	0	-
416	SE Area Project	-	105,903	106,867	964
420	Fire Capital Fund	20,230	0	0	-
430	Public Works Reserve Fund	157,754	308,853	311,665	2,813
600	Water Fund	686,615	688,504	672,220	(16,284)
601	Sewer Fund	710,161	685,481	791,213	105,732
603	Refuse (Garbage) Fund	1,831	(0)	(3,423)	(3,422)
651	Storm Sewer	40,732	45,497	41,431	(4,066)
	Total	\$ 3,581,070	\$ 4,357,532	\$ 4,292,265	\$ (65,267)

Item Explanation of changes with a \$ variance greater than \$50,000

- (1) 1st half property taxes are not received until late June early July, it is typical to see a decrease in the General Fund in the 1st Quarter.
- (2) 1st Bond Principal payment is not made until December.



Fund	
<ul style="list-style-type: none"> ↑ General ↑ Debt Service → Special Revenue 	<ul style="list-style-type: none"> ↑ Capital → Enterprise

Key	
<ul style="list-style-type: none"> ↑ Balance increased more than 10% over prior year ↓ Balance decreased more than 10% over prior year → Balance within 10% of prior year 	

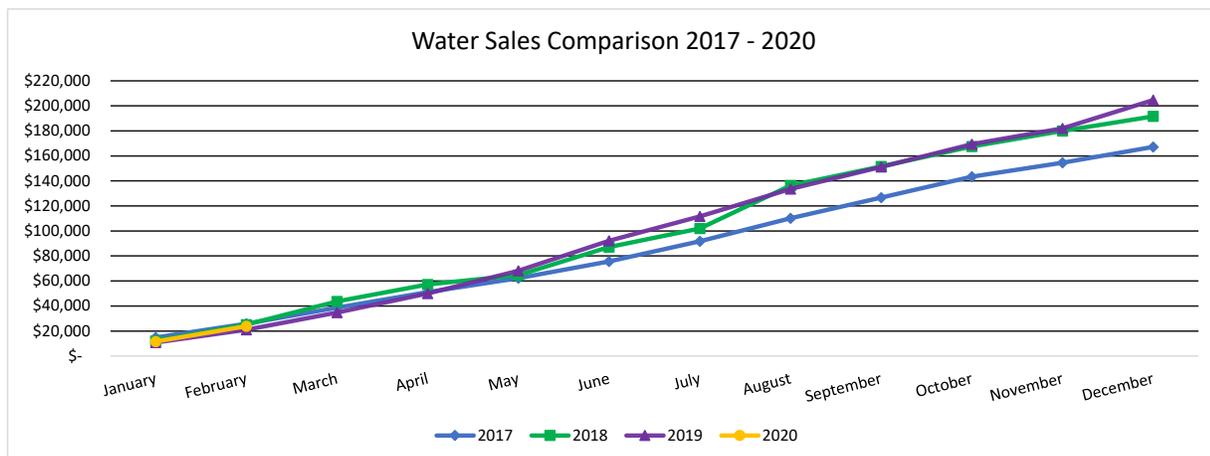
City of Clearwater, Minnesota
 Statement of Revenue and Expenditures -
 Budget to Actual -
 Water Fund (Unaudited)
 For the Three Months Ended March 31, 2020

WATER FUND

	Annual Budget	Budget through 03/31/2020	Actual Through 03/31/2020	Variance - Favorable (Unfavorable)	Percent Received or Expended Based on Budget through 03/31/2020
Revenues					
Charges for Services	\$ 162,836	\$ 40,709	\$ 35,405	\$ (5,304)	87.0 %
Connect Fees	19,757	4,939	583	(4,357)	11.8
Interest Earnings	3,000	750	6,163	5,413	821.8
Miscellaneous	5,286	1,322	1,546	225	117.0
Total Revenues	190,879	47,720	43,697	(4,023)	91.6
Expenses					
Salaries and benefits	123,923	30,981	27,368	3,612	88.3
Supplies	31,170	7,793	14,050	(6,258)	180.3
Other services and charges	62,400	15,600	18,519	(2,919)	118.7
Capital Outlay	12,000	3,000	-	3,000	-
Bond Payment	35,000	8,750	-	8,750	-
Bond Interest	19,562	4,891	-	4,891	-
Total Expenses	284,055	71,014	59,938	11,076	84.4
Excess Revenues Over (Under) Expenses	(93,176)	(23,294)	(16,241)	(15,098)	69.7

Item Explanation of items percentage changed less than 80% or greater than 120% and \$ variance greater than \$15,000.

None



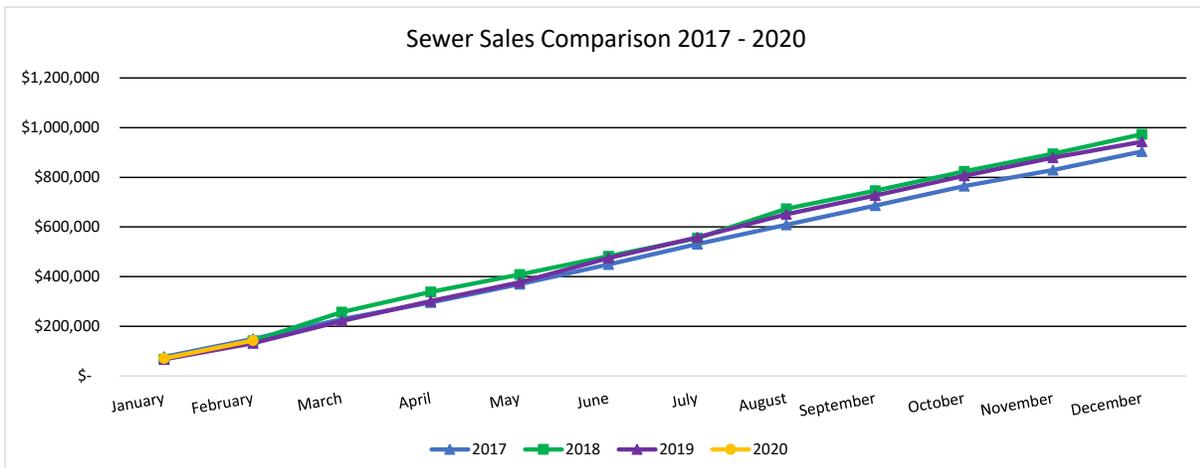
City of Clearwater, Minnesota
 Statement of Revenue and Expenditures -
 Budget to Actual -
 Sewer Fund (unaudited)
 For the Three Months Ended March 31, 2020

SEWER FUND

	<u>Annual Budget</u>	<u>Budget through 03/31/2020</u>	<u>Actual Through 03/31/2020</u>	<u>Variance - Favorable (Unfavorable)</u>	<u>Percent Received or Expended Based on Budget through 03/31/20</u>
Revenues					
Charges for Services	\$ 961,269	\$ 240,317	\$ 214,108	\$ (26,209)	112.2 %
Connect Fees	32,951	8,238	2,000	(6,238)	411.9
Interest Income	1,500	375	6,443	6,068	N/A
Miscellaneous	10,000	2,500	-	(2,500)	N/A
Total Revenues	<u>1,005,720</u>	<u>251,430</u>	<u>222,551</u>	<u>(28,879)</u>	<u>113.0</u>
Expenses					
Salaries and benefits	124,123	31,031	27,368	3,662	113.4
Supplies	7,985	1,996	1,278	718	156.2
Other services and charges	5,600	1,400	-	1,400	N/A
Repair and maintenance	338,879	84,720	58,525	26,195	144.8 (1)
Utilities	8,975	2,244	2,543	(300)	88.2
Capital Outlay	214,000	53,500	-	53,500	N/A (2)
Insurance	2,475	619	-	619	-
Bond Principal	43,300	10,825	-	10,825	N/A
Bond Interest	55,034	13,759	31,191	(17,432)	44.1 (3)
Total Expenses	<u>800,371</u>	<u>200,093</u>	<u>120,906</u>	<u>79,187</u>	<u>165.5</u>
Transfers In	-	-	-	-	-
Transfers Out	-	-	-	-	-
Excess Revenues Over (Under) Expenses	<u>\$ 205,349</u>	<u>\$ 51,337</u>	<u>\$ 101,645</u>	<u>\$ (108,066)</u>	<u>50.5 %</u>

Item Explanation of items percentage received/expended less than 80% or greater than 120% and \$ variance greater than \$15,000.

- (1) December and January Sewer Authority Invoices were paid in 1st Quarter, February and March will be paid in 2nd Quarter.
- (2) Capital budgeted for future lift pump replacement that has not yet been replaced.
- (3) Bond interest is paid twice a year in February and December.

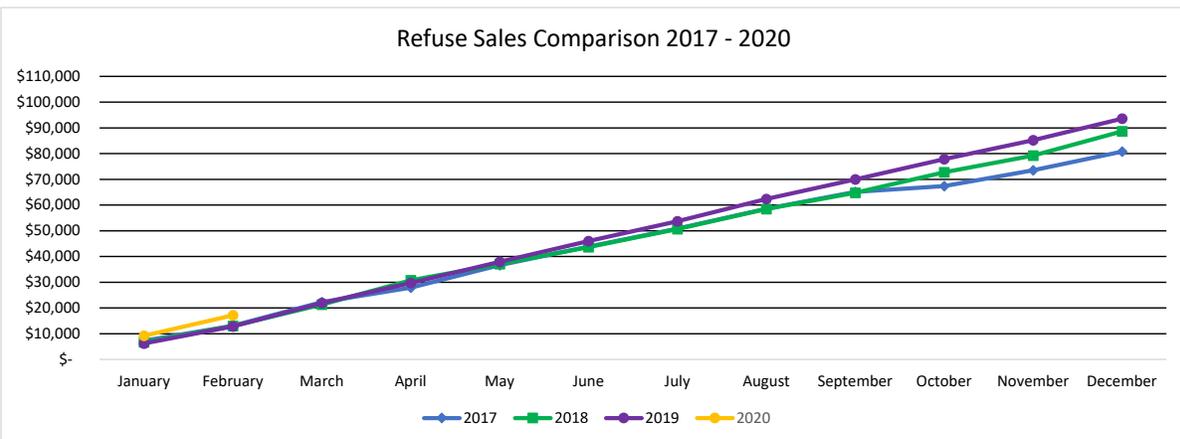


City of Clearwater, Minnesota
 Statement of Revenue and Expenditures -
 Budget to Actual -
 Refuse Fund (Unaudited)
 For the Three Months Ended March 31, 2020

REFUSE FUND

	Annual Budget	Budget through 03/31/2020	Actual Through 03/31/2020	Variance - Favorable (Unfavorable)	Percent Received or Expended Based on Budget through 03/31/20
Revenues					
Charges for Services	\$ 106,131	\$ 26,533	\$ 29,081	\$ 2,548	109.6 %
Interest Earnings	50	13	3	(10)	23.6
Intergovernmental	4,000	1,000	773	(227)	77.3
Special Assessments	1,800	450	-	(450)	-
Miscellaneous	-	-	-	-	-
Total Revenues	111,981	27,995	29,857	1,862	106.7
Expenses					
Salaries and benefits	28,307	7,077	5,864	1,213	82.9
Supplies	7,325	1,831	2,076	(244)	113.3
Other services and charges	91,852	22,963	21,315	1,648	92.8
Total Expenses	127,484	31,871	29,254	2,617	-
Transfers In	-	-	-	-	N/A
Transfers Out	-	-	-	-	N/A
Excess Revenues Over (Under) Expenses	\$ (15,503)	\$ (3,876)	\$ 603	\$ (755)	-15.6 %

Item Explanation of items percentage received/expended less than 80% or greater than 120% and \$ variance greater than \$15,000.
 None



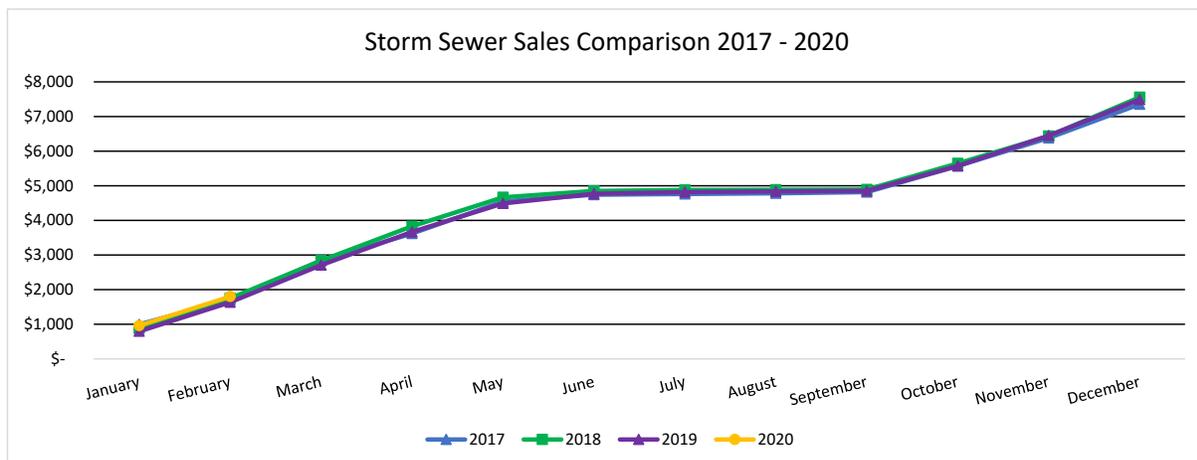
City of Clearwater, Minnesota
 Statement of Revenue and Expenditures -
 Budget to Actual -
 Storm Water Fund (Unaudited)
 For the Three Months Ended March 31, 2020

STORM WATER FUND

	Annual Budget	Budget through 03/31/2020	Actual Through 03/31/2020	Variance - Favorable (Unfavorable)	Percent Received or Expended Based on Budget through 03/31/20
Revenues					
Charges for Services	\$ 7,200	\$ 1,800	\$ 2,828	\$ 1,028	157.1 %
Interest Earnings	50	13	385	373	3,083.0
Intergovernmental	-	-	-	-	-
Special Assessments	-	-	-	-	-
Miscellaneous	-	-	-	-	-
Total Revenues	<u>7,250</u>	<u>1,813</u>	<u>3,214</u>	<u>1,401</u>	<u>177.3</u>
Expenses					
Salaries and benefits	-	-	-	-	-
Supplies	-	-	-	-	N/A
Other services and charges	-	-	7,280	(7,280)	-
Total Expenses	<u>-</u>	<u>-</u>	<u>7,280</u>	<u>(7,280)</u>	<u>-</u>
Transfers In	-	-	-	-	-
Transfers Out	-	-	-	-	-
Excess Revenues Over (Under) Expenses	<u>\$ 7,250</u>	<u>\$ 1,813</u>	<u>\$ (4,066)</u>	<u>\$ 8,681</u>	<u>-224.3 %</u>

Item Explanation of items percentage received/expended less than 80% or greater than 120% and \$ variance greater than \$5,000.

(1) Expenditures were not budgeted for 2020.





Wright County Sheriff's Office

Sheriff Sean Deringer

3800 Braddock Ave. NE, Buffalo, MN 55313
1-800-362-3667 Fax: 763-682-7610



Clearwater Monthly Report 2020

Printed on May 1, 2020

Incident Start Date/Time	Initial Call	CFS #	Final Incident	Case Number	How Reported
911 Open Line Total: 2					
04/07/20 10:46	911 Open Line	2020026437			911
04/12/20 00:55	911 Open Line	2020027466	Domestic Disturbance	WP20010305	911
Alarm Total: 1					
04/22/20 22:18	Alarm	2020029700	Alarm	WP20011074	911
Animal Total: 4					
04/07/20 13:00	Animal	2020026462	Animal	WP20009907	911
04/15/20 18:26	Animal	2020028189			Phone
04/24/20 19:11	Animal	2020030125			911
04/25/20 12:13	Animal	2020030249			Phone
Check Welfare Total: 2					
04/11/20 19:09	Check Welfare	2020027415	Check Welfare	WP20010281	Phone
04/21/20 13:28	Check Welfare	2020029340	Check Welfare	WP20010944	Phone
Citizen Aid Total: 3					
04/01/20 23:45	Citizen Aid	2020025356	Citizen Aid	WP20009480	Phone
04/14/20 11:47	Citizen Aid	2020027906	Citizen Aid	WP20010444	Phone
04/14/20 21:54	Citizen Aid	2020028004	Citizen Aid	WP20010480	Phone
Civil Complaint Total: 7					
04/03/20 15:12	Civil Complaint	2020025651	Civil Child Custody	WP20009600	Phone
04/07/20 16:21	Civil Complaint	2020026527	Civil Complaint	WP20009933	Phone
04/08/20 08:06	Civil Complaint	2020026658	Civil Complaint	WP20009976	Phone
04/15/20 11:12	Civil Complaint	2020028089	Civil Complaint	WP20010508	Phone
04/17/20 15:40	Civil Complaint	2020028547	Harassment	WP20010680	Phone
04/21/20 15:37	Civil Complaint	2020029370	Civil Complaint	WP20010955	Phone
04/21/20 19:35	Civil Complaint	2020029427	Civil Complaint	WP20010976	Phone
Civil Process Total: 2					
04/08/20 15:12	Civil Process	2020026753			Officer
04/09/20 16:02	Civil Process	2020026960			Officer
Commercial General Alarm Total: 2					
04/12/20 09:08	Commercial General	2020027489	Commercial General Alarm	WP20010314	Phone
04/13/20 20:17	Commercial General	2020027785	Commercial General Alarm	WP20010402	Phone
Court Order Violation Total: 1					
04/13/20 15:08	Court Order Violation	2020027722	Court Order Violation	WP20010379	Phone
Domestic Disturbance Total: 1					

Incident Start Date/Time	Initial Call	CFS #	Final Incident	Case Number	How Reported
04/11/20 22:59	Domestic Disturbance	2020027458	Noise	WP20010298	911
Executive Order Total: 1					
04/22/20 11:52	Executive Order	2020029534			Phone
Fire - Structure Total: 1					
04/18/20 16:55	Fire - Structure	2020028769	Fire - Structure	WP20010762	911
Found Person Total: 1					
04/29/20 15:39	Found Person	2020031144	Found Person	WP20011609	Phone
Harassment Total: 1					
04/11/20 09:52	Harassment	2020027284	Harassment	WP20010231	Phone
Info Total: 1					
04/22/20 13:28	Info	2020029557	Suspicious - Circumstances	WP20011013	911
Intoxicated Person Total: 1					
04/12/20 02:40	Intoxicated Person	2020027470	DUI	WP20010306	
Lost - Found Property Total: 1					
04/27/20 10:03	Lost - Found Property	2020030623	Lost - Found Property	WP20011424	
Medical - Carbon Monoxide Inhalation Total: 1					
04/10/20 05:12	Medical - Carbon	2020027053			911
Medical - Seizure Total: 1					
04/22/20 19:41	Medical - Seizure	2020029673	Medical - Seizure	WP20011063	911
Medical - Stroke Total: 1					
04/19/20 03:39	Medical - Stroke	2020028861			911
Missing Person Total: 1					
04/25/20 14:51	Missing Person	2020030283	Missing Person	WP20011293	Phone
Motorist Aid Total: 2					
04/06/20 15:33	Motorist Aid	2020026282			Phone
04/11/20 00:26	Motorist Aid	2020027253			Officer
MVA - No Injuries Total: 2					
04/02/20 14:20	MVA - No Injuries	2020025444	MVA - No Injuries	WP20009512	
04/02/20 16:20	MVA - No Injuries	2020025466	MVA - Injuries	WP20009522	
Neighborhood Dispute Total: 1					
04/11/20 21:48	Neighborhood Dispute	2020027448	Neighborhood Dispute	WP20010294	
Noise Total: 1					
04/10/20 22:59	Noise	2020027237	Noise	WP20010215	
Off-Road Vehicle Complaint Total: 1					
04/28/20 20:16	Off-Road Vehicle	2020030982	Off-Road Vehicle Complaint	WP20011544	Phone

Incident Start Date/Time	Initial Call	CFS #	Final Incident	Case Number	How Reported
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Phone Call Total: 2

04/01/20 18:12	Phone Call	2020025314			911
04/28/20 16:30	Phone Call	2020030934			Phone

SIA Area Watch Total: 33

04/01/20 17:56	SIA Area Watch	2020025308			
04/01/20 20:00	SIA Area Watch	2020025334			
04/01/20 22:43	SIA Area Watch	2020025351			
04/03/20 18:58	SIA Area Watch	2020025707			
04/03/20 19:52	SIA Area Watch	2020025719			
04/03/20 22:36	SIA Area Watch	2020025736			
04/06/20 00:51	SIA Area Watch	2020026150			
04/09/20 17:31	SIA Area Watch	2020026979			
04/09/20 21:14	SIA Area Watch	2020027015			
04/10/20 00:20	SIA Area Watch	2020027038			
04/10/20 18:03	SIA Area Watch	2020027174			
04/11/20 18:23	SIA Area Watch	2020027407			
04/12/20 18:43	SIA Area Watch	2020027556			
04/12/20 23:09	SIA Area Watch	2020027604			
04/17/20 17:37	SIA Area Watch	2020028567			
04/17/20 21:13	SIA Area Watch	2020028613			
04/18/20 23:05	SIA Area Watch	2020028838			
04/18/20 23:44	SIA Area Watch	2020028844			
04/19/20 16:37	SIA Area Watch	2020028955			
04/19/20 17:23	SIA Area Watch	2020028964			
04/19/20 23:16	SIA Area Watch	2020029020			
04/20/20 21:50	SIA Area Watch	2020029235			
04/20/20 22:35	SIA Area Watch	2020029239			
04/25/20 22:10	SIA Area Watch	2020030377			
04/25/20 23:01	SIA Area Watch	2020030381			
04/26/20 18:18	SIA Area Watch	2020030505			
04/26/20 19:08	SIA Area Watch	2020030517			
04/26/20 22:08	SIA Area Watch	2020030547			
04/27/20 00:12	SIA Area Watch	2020030566			
04/27/20 18:28	SIA Area Watch	2020030733			
04/27/20 19:37	SIA Area Watch	2020030747			
04/27/20 22:50	SIA Area Watch	2020030778			
04/27/20 23:27	SIA Area Watch	2020030783			

SIA Business Walk Through Total: 9

04/03/20 20:29	SIA Business Walk	2020025724			
04/11/20 20:30	SIA Business Walk	2020027437			
04/13/20 08:14	SIA Business Walk	2020027633			
04/18/20 20:40	SIA Business Walk	2020028816			
04/19/20 21:33	SIA Business Walk	2020029009			
04/21/20 00:38	SIA Business Walk	2020029249			
04/26/20 00:20	SIA Business Walk	2020030391			

Incident Start Date/Time	Initial Call	CFS #	Final Incident	Case Number	How Reported
04/26/20 22:38	SIA Business Walk	2020030553			
04/28/20 00:09	SIA Business Walk	2020030788			

SIA City Council - City Hall Total: 1

04/13/20 18:00	SIA City Council - City	2020027766			Officer
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SIA Parks Total: 7

04/02/20 08:04	SIA Parks	2020025378			
04/06/20 08:01	SIA Parks	2020026177			
04/06/20 16:16	SIA Parks	2020026292			
04/08/20 20:17	SIA Parks	2020026812			
04/09/20 16:21	SIA Parks	2020026965			
04/20/20 11:43	SIA Parks	2020029110			
04/24/20 16:06	SIA Parks	2020030085			

Sign - Signal Repair Total: 1

04/26/20 01:37	Sign - Signal Repair	2020030402	Sign - Signal Repair	WP20011340	Phone
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Stolen - Vehicle Total: 1

04/09/20 09:20	Stolen - Vehicle	2020026882	Stolen - Vehicle	WP20010064	Phone
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Surveillance Total: 1

04/09/20 22:09	Surveillance	2020027021			
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Suspicious - Person - Vehicle Total: 8

04/08/20 09:50	Suspicious - Person -	2020026680	Suspicious - Person - Vehicle	WP20009984	Phone
04/09/20 10:57	Suspicious - Person -	2020026895	Suspicious - Person - Vehicle	WP20010077	Phone
04/10/20 13:49	Suspicious - Person -	2020027129	Suspicious - Person - Vehicle	WP20010162	Phone
04/12/20 19:58	Suspicious - Person -	2020027566	Suspicious - Person - Vehicle	WP20010334	Phone
04/13/20 12:33	Suspicious - Person -	2020027685	Suspicious - Person - Vehicle	WP20010371	Phone
04/13/20 14:14	Suspicious - Person -	2020027708			Phone
04/15/20 22:18	Suspicious - Person -	2020028229	Disorderly	WP20010564	911
04/21/20 01:41	Suspicious - Person -	2020029254	Suspicious - Person - Vehicle	WP20010917	Phone

Theft - From Vehicle Total: 1

04/27/20 14:26	Theft - From Vehicle	2020030681	Theft - From Vehicle	WP20011453	Phone
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Theft - Gas Drive Off Total: 2

04/14/20 15:00	Theft - Gas Drive Off	2020027945			Phone
04/21/20 12:30	Theft - Gas Drive Off	2020029329			Phone

Theft - Shoplifting Total: 1

04/21/20 14:36	Theft - Shoplifting	2020029355	Theft - Shoplifting	WP20010950	Phone
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Traffic - Complaint Total: 1

04/29/20 10:39	Traffic - Complaint	2020031062	Traffic - Complaint	WP20011569	Phone
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Traffic Stop Total: 5

04/02/20 21:34	Traffic Stop	2020025529	Traffic Stop	WP20009551	Officer
04/09/20 23:07	Traffic Stop	2020027031	Traffic Stop	WP20010126	Officer
04/13/20 20:23	Traffic Stop	2020027787			Officer

Incident Start Date/Time	Initial Call	CFS #	Final Incident	Case Number	How Reported
04/16/20 16:44	Traffic Stop	2020028367			Officer
04/25/20 18:30	Traffic Stop	2020030330	Traffic Stop	WP20011309	Officer
Trespass Total: 1					
04/28/20 19:30	Trespass	2020030971	Trespass	WP20011542	
Unwanted Person Total: 2					
04/14/20 16:35	Unwanted Person	2020027961	Unwanted Person	WP20010465	911
04/16/20 12:40	Unwanted Person	2020028321	Unwanted Person	WP20010594	Phone
Warrant - Arrest Total: 3					
04/11/20 17:11	Warrant - Arrest	2020027396	Warrant - Arrest	WP20010275	Officer
04/19/20 09:47	Warrant - Arrest	2020028891	Warrant - Arrest	WP20010797	Officer
04/30/20 14:09	Warrant - Arrest	2020031359	Warrant - Arrest	WP20011691	Officer
Warrant - Attempt Total: 1					
04/21/20 10:30	Warrant - Attempt	2020029309			Officer
Total Records: 123					



To: Honorable Mayor Lawrence and Members of the Clearwater City Council

From: Elizabeth Lindrud, Finance Director

Date: May 11, 2020

Re: Update on Budget Impacts of COVID-19

Background

Due to the reduction in workforce as related to the COVID-19 pandemic and the Stay at Home order, there is uncertainty around the amount of Local Government Aid (LGA) and Property Taxes the City will receive in July.

The Wright County Board of Commissioners has approved a reduced penalty for late payments for first half taxes. The City typically receives the first half tax settlement in early July. If there are late payments for first half taxes, they are then typically distributed to the City in the second half tax settlement in November.

The Minnesota Management and Budget office (MMB) released an updated May 2020 Interim Budget projection on May 5th. The State is now projecting a deficit of \$2.426 billion. During the May 5th press conference officials stated they will be working with the legislature to eliminate the deficit. At this point there have not been any decisions regarding cuts to Local Government Aid, however that is an area that could be reduced. The City of Clearwater currently has \$334,237 budgeted in LGA revenue.

There are also several bills being introduced at the federal level requesting federal aid to local units of government. The League of Minnesota Cities stated that the hope is for some of the provisions and appropriations to be included in a fourth COVID-19 spending package.

Budget Analysis

Governmental Funds

The City's largest revenue sources are levied property taxes in the amount of \$513,388 and LGA in the amount of \$334,227. The general fund also has \$869,656 in general fund reserves.

The 2020 budgeted expenditures total \$1,005,991. The largest budgeted expenditure categories are staff payroll and benefits of \$356,085 and Police Contract costs of \$233,795. Additionally, the Fire Department expenditure budget is \$328,860. The largest sources of revenue for the Fire Department are the levied property taxes of \$147,105 and the fire contracts with Lynden and Clearwater Townships.

The City received funding from the Small Cities Assistance Program in 2018, and there is a balance of \$32,866 that needs to be used by 2020. Per the program these funds can only be used for the construction and maintenance of roads located within the city. There is \$10,000 budgeted for crack filling and \$15,000 budgeted for chip sealing and pothole repairs for 2020. The remaining balance of the Small Cities Aid can be used for these two projects. This will allow the City to save \$25,000 from the general fund to help if there are property tax or LGA shortfalls.

The City appears to have sufficient resources to cover the budgeted costs for 2020. However, these items will need to be carefully reviewed as the 2021 budget is prepared and we learn more about the impact of the state's projected deficit.

Enterprise Funds

The Water and Sewer revenues through April 2020 are listed below. Commercial demand revenue has decreased as expected with businesses being closed to the public. The water sales are not broken out by commercial vs. residential but appear to be holding steady compared to this time last year.

Water and Sewer Revenue Comparison			
	2019	2020	Variance
Water Sales	45,026	45,692	666
Total	47,045	47,712	666
	2,019	2,020	Variance
Commercial - Demand	79,960	74,073	(5,888)
Commercial - Base	31,413	31,543	129
Residential - Demand	89,243	90,348	1,105
Residential - Base	90,054	88,649	(1,406)
Total	290,670	284,612	(6,059)

At this point in time, staff recommends going forward with budgeted water and sewer projects but will continue to analyze the situation as events change.



April 2, 2020

Justin Kannas, P.E.
Principal Engineer
Bolton & Menk, Inc.
2040 Highway 12 East
Wilmar, MN 56201-5818

RE: Desktop Hydrogeologic Assessment
City of Clearwater
Clearwater, MN

Dear Justin,

This correspondence provides Bolton & Menk, Inc. (BMI) with the results of LRE Water's (LRE) desktop hydrogeologic assessment (Assessment) of the unconsolidated sand and gravel aquifers adjacent to, and east-southeast of the City of Clearwater's (City) drinking water supply management area (DWSMA). The Assessment was partially funded using an implementation grant provided by the Clean Water Land & Legacy Amendment. The Assessment study area (Study Area) and DWMSA are shown on **Figure 1**.

PROJECT UNDERSTANDING AND OBJECTIVES

Based on our discussions, LRE understands BMI and the City are in the process of evaluating alternatives and proposed locations(s) for an existing large stormwater infiltration basin located on the northeast corner of the I-94 and highway 24 intersection near the Clearwater Truck Center. Guidance from the Minnesota Pollution Control Agency (MPCA) requires that such a structure cannot exist or be built in DWSMAs that overlie highly vulnerable aquifers, which is the case for the area of the City's DWSMA where the basin is located. This vulnerability was determined by the MDH per the procedures described in Minnesota Rules, Part 4720.5210, subpart 3. The information from this Assessment will assist BMI and the City in determining if there are any areas within the Study Area where the underlying aquifers are not considered highly vulnerable, which is beneficial for either relocating the basin, or possibly relocating the City's well field outside of the current DWSMA.

The two primary objectives completed for the Assessment were as follows:

1. Assessed the hydrogeology in the Study Area to determine if there are aquifers that have the potential to be developed into a new well field; and,
2. Evaluated the vulnerability of the aquifers that underlie the Study Area.

DATA SOURCES AND TASKS

The following activities were completed by LRE to meet the objectives of the Assessment:

- Obtained and reviewed the Wright County Geologic Atlas Parts A and B (Atlas) by Robert Tipping and the Minnesota Geological Survey [MGS] (MGS, 2013) and John Barry and the Minnesota Department of Natural Resources [DNR,] (DNR, 2018), respectively, and the City's wellhead protection plan (WHP)(MDH, 2007 and 2020), including the vulnerability of the aquifer within the DWSMA.
- Obtained and reviewed geologic logs from Minnesota Department of Health's (MDH) Minnesota Well Index Database (MWI) within the Study Area, and well logs from the existing City wells.
- Reviewed high-capacity permitted wells from the DNR's Water Permitting and Reporting System database (MPARS) within and near the Study Area.
- Created two hydrogeologic cross sections through the Study Area, and in connection with existing cross sections from the City's 2007 WHP Plan.
- Completed an aquifer vulnerability evaluation of the aquifers using all wells across the Study Area, and immediately adjacent, that have available geologic logs. The analysis followed the method used by the MDH for completing these analyses as part of the Part 1 WHP planning process per Minnesota Rules noted above.
- Utilized well logs from the MWI and existing studies obtained in Task 1 to map the thickness and approximate extent of the lower sand and gravel aquifer in the Study Area.
- Provided this summary report of the Assessment results including assumptions, data gaps, and recommendations to address data gaps.

HYDROGEOLOGIC SETTING

Background

The area around the City, including the Study Area, consists of unconsolidated Quaternary-age sands, gravels and till, underlain by Precambrian-age granite bedrock. The surficial geology northwest of the City is characterized by terrace sands, east and southeast by alluvial deposits associated with the Mississippi River, and to the south by glacial outwash sand and gravel deposits. These units are underlain by varying thicknesses of other sands and gravels, and glacial till over decomposed granite (marl) or granite bedrock. The total thickness of the unconsolidated deposits ranges from approximately 100 feet in the northeast part of the Study Area to approximately 245 feet in the south-central part of the Study Area where a buried bedrock valley exists. The

hydrogeology within and near the Study Area is shown on cross sections A-A' and B-B' on **Figures 2 through 4**, and on cross sections from the City's 2007 WHP Plan in **Appendix A**. Additional information on the hydrogeology near the City and Study Area is provided in the City's Part 1 WHP Plan (MDH, 2007) and in the Atlas by the MGS (2013) and DNR (2018).

POTENTIAL GROUNDWATER SOURCES

In general, there are three sand and gravel aquifers that have been identified for this Assessment and used across the Study Area as a source for groundwater supply. These include the surficial water-table aquifer, the upper-confined aquifer, and the lower-confined aquifer.

A brief description of each aquifer is provided below; however, given the purpose of this Assessment, the focus will be on the lower-confined aquifer since the surficial and upper-confined aquifers have been characterized as highly vulnerable based on work completed for this Assessment and other published reports (MDH, 2007; and, MGS, 2013). More detail on the vulnerability evaluation is provided in the following section of this Assessment report.

Surficial Aquifer

The uppermost sand and gravel unit across the Study Area makes up the water-table aquifer, and although used in places for domestic water supplies, is highly vulnerable to potential contaminant sources on the land surface because of very thin or absent overlying low-permeable clay or glacial till. As a result, this aquifer is not used nor considered a potential groundwater source for the City.

Upper-Confined Aquifer

The upper-confined aquifer north of the Study Area is currently used by the City for its water supply, as well as by domestic wells across the Study Area. This aquifer has been characterized by the MDH (2007) as a semi-confined or leaky aquifer, meaning the overlying low-permeable unit (i.e., semi-confining unit) that separates this aquifer from the surficial aquifer allows water to move downward through it. As a result, the upper-confined aquifer can be recharged from the surficial aquifer, making it highly vulnerable near the City wells and across the DWSMA and Study Area.

Lower-Confined Aquifer

Extent and Thickness

The extent and thickness of the lower-confined aquifer across the Study Area are partially defined by wells completed in this aquifer in the south-central part of the Study Area. Based on available aquifer extent and thickness information shown on **Figure 5**, and on cross section on **Figures 3 and 4**, it appears the lower confined aquifer has the potential to be 10 to 20 feet thick, or greater in the south-central part of the Study Area,

as well as immediately south of the Study Area. The aquifer appears more laterally extensive to the south based on the MGS (2013), and could be connected to the upper-confined aquifer based on the information observed on cross section A-A' on **Figure 3**.

Some of the well logs do not indicate if the aquifer was fully penetrated by the borehole. These areas are identified by "?" on cross section in **Figures 3 and 4**, and with a "+" on **Figure 5** next to the apparent thickness of the deepest sand and gravel unit that was recorded on the well log. These areas define data gaps that would need to be addressed before this aquifer is considered for potential well field development.

Regulatory Water-Level Threshold

The lower aquifer in the Study Area is under confined conditions with greater than 150 feet of available head, or water column, above the top of the aquifer in some places. DNR requires that in a confined aquifer, groundwater levels during pumping may not be lowered below 50 percent of the total available head in a compliance well located near the pumping well. Therefore, the amount of available drawdown, based on the DNR's 50 percent threshold requirement and total available head, is approximately 75 feet. Depending on site specific aquifer parameters, this amount of available drawdown would be beneficial for a potential groundwater source.

Aquifer Parameters

Aquifer parameters (transmissivity [T] and storativity [S]) used to evaluate how water levels in an aquifer will respond to pumping are currently unavailable for the lower-confined aquifer in the Study Area, but evidence exists that the aquifer may be able to support a high-capacity supply well. One permitted private well (Unique MWI No. 785570) used for agricultural irrigation purposes is located approximately 0.4 miles south of the Study Area, and is shown as the southeastern most well location on **Figure 5**. Based on information available from the DNR's MPARS database, this well is permitted for a withdrawal rate of 350 gallons per minute (gpm) and 24.4 million gallons per year (MGY). The MPARS database indicates that the reported withdrawal volumes from this well typically range from approximately 16 to 23 MGY.

Data Gaps and Exploration Area

The primary data gaps associated with the lower-confined aquifer, and information needed to determine whether the aquifer can be developed into a sustainable, low-vulnerable groundwater source for the City, include the following:

- Groundwater quality of the lower-confined aquifer is unknown in the Study Area, as there are no known wells located in the Study Area that are completed in this aquifer that have available published chemistry data.
- Aquifer parameters are unknown for the deep buried aquifer. Some specific capacity (Q/s) data exists, and is shown on **Figure 5** for domestic wells. However, specific capacity data from smaller diameter

domestic wells often do not provide reliable values due to well construction, partial aquifer penetration, and poorly completed capacity tests. Considering this information, a potential capacity of a supply well completed in the lower-confined aquifer is not provided as part of this Assessment.

- The ability to determine potential well interference between hypothetical City supply wells, or between supply wells and nearby private wells is difficult to determine without representative values for the aquifer parameters noted above.
- Although some information, including well logs and the generalized thickness and extent information provided on **Figure 5**, show the lower-confined aquifer exists in the Study Area, the full extent and thickness is not well defined.

LOWER-CONFINED AQUIFER VULNERABILITY EVALUATION

The results of the vulnerability evaluation are included on **Figure 6**. The evaluation followed the process used by the MDH for completion of these types of analysis for Part 1 WHP Plans. One component, and the primary component used for this evaluation, is referred to as geologic sensitivity. The evaluation of geologic sensitivity is a useful metric when estimating the relative vertical downward travel time of contaminants from grade level to the source aquifer. A Level-3 DNR geologic sensitivity evaluation was used for wells across the Study Area because the purpose of the evaluation was to determine if the lower-confined aquifer has sufficient overlying low-permeable material to protect the aquifer from downward migration of potential contaminants.

The Level-3 DNR geologic sensitivity rating is an empirical value determined by dividing the cumulative thickness of low permeability units above the aquifer by 10 (DNR, 1991). The resulting score is termed the "L-score". A higher L-score indicates more low-permeability material above the aquifer, and therefore a lower vulnerability. A low L-score represents higher vulnerability. For example, a rating of L-1 has a higher vulnerability than L-9, because there is less low-permeability material present above the aquifer.

Review of site-specific data from the MWI, the cross sections, and the Atlas (MGS, 2013) indicate that the thicknesses of low permeability clay-rich material vary across the Study Area (**Figures 2 through 4 and Appendix A**). These low-conductivity materials, when approximately 10-feet thick or greater, provide some protection against the potential vertical migration of contaminants. As a result of the varied thicknesses, the geologic sensitivity is very low for the lower-confined aquifer within and south of the Study Area.

Considering the results of the above analysis, there appears to be an area in the south-central part of the Study Area where the lower-confined aquifer has sufficient low-permeable material present above the formation to categorize the aquifer in this area as having a low vulnerability. A potential well field exploration area is shown on **Figure 7**, where the low-permeable unit (confining layer) separates the surficial and upper-confined aquifers as shown in Cross Sections A-A' and B-B' on **Figures 3 and 4**, respectively.

ALTERNATE INFILTRATION BASIN LOCATION

The part of the Study Area southeast and outside of the current DWSMA, and along I-94 may provide the City with an option for relocating the current stormwater infiltration basin located on the northeast corner of the I-94 and highway 24 intersection. Based on the aquifer information shown on cross sections A-A' and B-B' on **Figures 3 and 4**, the surficial and upper-confined aquifers both appear present, and are also likely highly vulnerable. However, being outside the City's current DWSMA, and not a likely location for the City to relocate and develop a future well field in the surficial or upper-confined aquifers due to their high vulnerability, this area may be an option. If the City considers this area for relocating the basin, site specific discussion with the MPCA will be necessary. Additional information regarding the siting of a stormwater infiltration basin can be obtained by visiting the following MPCA website:

[https://stormwater.pca.state.mn.us/index.php?title=Stormwater_infiltration_and_setback_\(separation\)_distances](https://stormwater.pca.state.mn.us/index.php?title=Stormwater_infiltration_and_setback_(separation)_distances)

CONCLUSIONS AND SUMMARY OF DATA GAPS

Based on the results of this Assessment, LRE's conclusions and identified data gaps are as follows:

- The surficial and upper-confined sand and gravel aquifers are both highly vulnerable to potential contamination sources from activities on the land surface in the Study Area, and would not provide the City with an alternate low vulnerability well field location.
- The lower-confined aquifer appears present at thicknesses of approximately 20 feet or more in the south-central part of the Study Area, and may have the potential to provide some or all of the City's required demand; however the Study Area-specific thicknesses, aquifer parameters (T and S), and grain size are unknown. Therefore, a subsurface exploration plan is recommended to better characterize the thickness of this potential aquifer, particularly in the area shown on **Figure 7**. If present, further exploration to evaluate well yields will be necessary.
- A high-capacity permitted private well located approximately 0.4 miles south of the Study Area indicates that higher yields are possible from the lower-confined aquifer.
- If the lower-confined aquifer is developed, there is potential for interference on private wells from the well field pumping.
- The lower-confined aquifer has a low vulnerability ranking based on this Assessment, meaning the potential for to the downward migration of potential contaminants is reduced. Further chemistry analysis will be valuable to confirm the residence time of the groundwater in the lower-confined aquifer.
- The results of the evaluation for siting a potential infiltration basin indicate that there is an area in the northeastern portion of the Study Area (northeast of I-94) where the underlying aquifers appear to have high vulnerability to activities on the land surface, but is not a likely location to relocate the

City's well field. Therefore, this area could provide the City an option for relocating the stormwater infiltration basin currently located on the northeast corner of the I-94 and highway 24 intersection.

- The target area for well field exploration is shown on **Figure 7** for the lower-confined aquifer. This area was selected by comparing the sand thickness information included on cross section on **Figures 3 and 4** and posted on **Figure 5**, and the sand thickness grid from the Atlas (MGS, 2013) shown on **Figure 5**.

RECOMMENDATIONS

Based on the Assessment, LRE provides the following step-wise recommendations to further evaluate the unconsolidated sand and gravel aquifers in the Study Area.

- Discuss the results of this Assessment and data gaps with BMI, the City, and with the DNR, MPCA, and MDH to verify no potential up-front concerns based on the primary target aquifer of interest for either siting an infiltration basin or future City well field.
- If the area selected for an alternative stormwater infiltration basin is determined, prepare a work plan to better characterize the soil and underlying aquifers in the area if interest.
- Approach several private well owners of wells completed in the lower-confined aquifer to request that the City be allowed to sample groundwater in the wells to determine if the water is of sufficient quality to be considered a viable source, in addition to further defining the potential vulnerability of the lower-confined aquifer. Recommended wells for sampling include the following unique MWI Nos., which are also included on **Figure 7**.

271909	505474	550002	583094	610058
710265	742482	772601	782423	785570

- Pending the groundwater sampling results, prepare a subsurface investigation work plan that will address the data gaps outlined in this Assessment.
- The work plan will include a test hole drilling phase to advance borings through the surficial sand and gravel, through the first confining or semi-confining sandy clay till, and then through any subsequent sand and gravel and low permeable till layers to bedrock to better characterize aquifer and confining layer extents and thicknesses at strategic target locations. The test hole drilling will confirm areas where there is sufficient low permeability material to inhibit the downward migration of potential surface contaminants that could impact a future City well field. The results of test hole drilling will also provide information for areas where the lower-confined aquifer material is thickest. It is possible that a surface geophysical survey could also be considered prior to the test hole drilling to further narrow the efforts of the drilling program.

- Communicate with the City's DNR area hydrologist regarding the City's interest in developing a new groundwater source outside the current DWSMA in the area shown on **Figure 7**. If recommended by the DNR, complete the online MPARS Preliminary Well Construction Application. This will allow the DNR an opportunity to provide their opinion regarding the potential for the target aquifer to provide a sustainable high-quality groundwater source to the City.
- Pending test hole drilling results, install a test well(s) and complete an aquifer pumping test on the lower-confined aquifer to collect site-specific aquifer parameters T and S. Complete a well interference evaluation given site specific T and S data.

Thank you for the opportunity to assist BMI and the City on this project, and LRE is available to discuss and assist on the recommendations. If you have any questions regarding this report, please contact Roscoe at 651-341-8199.

Sincerely,

LRE WATER



Roscoe Sopiwnik, GISP
Senior Environmental Scientist



David S. Hume, PG
Vice President Midwest Operations

Job Number: 5014BOL07
RFS/dsh

REFERENCES

Barry, J.D., 2018, Geologic Atlas of Wright County, Minnesota (Part B): Minnesota Department of Natural Resources, County Atlas Series C-30, Report and Plates 7–9, (http://www.dnr.state.mn.us/waters/programs/gw_section/mapping/platesum/wrigcga.html).

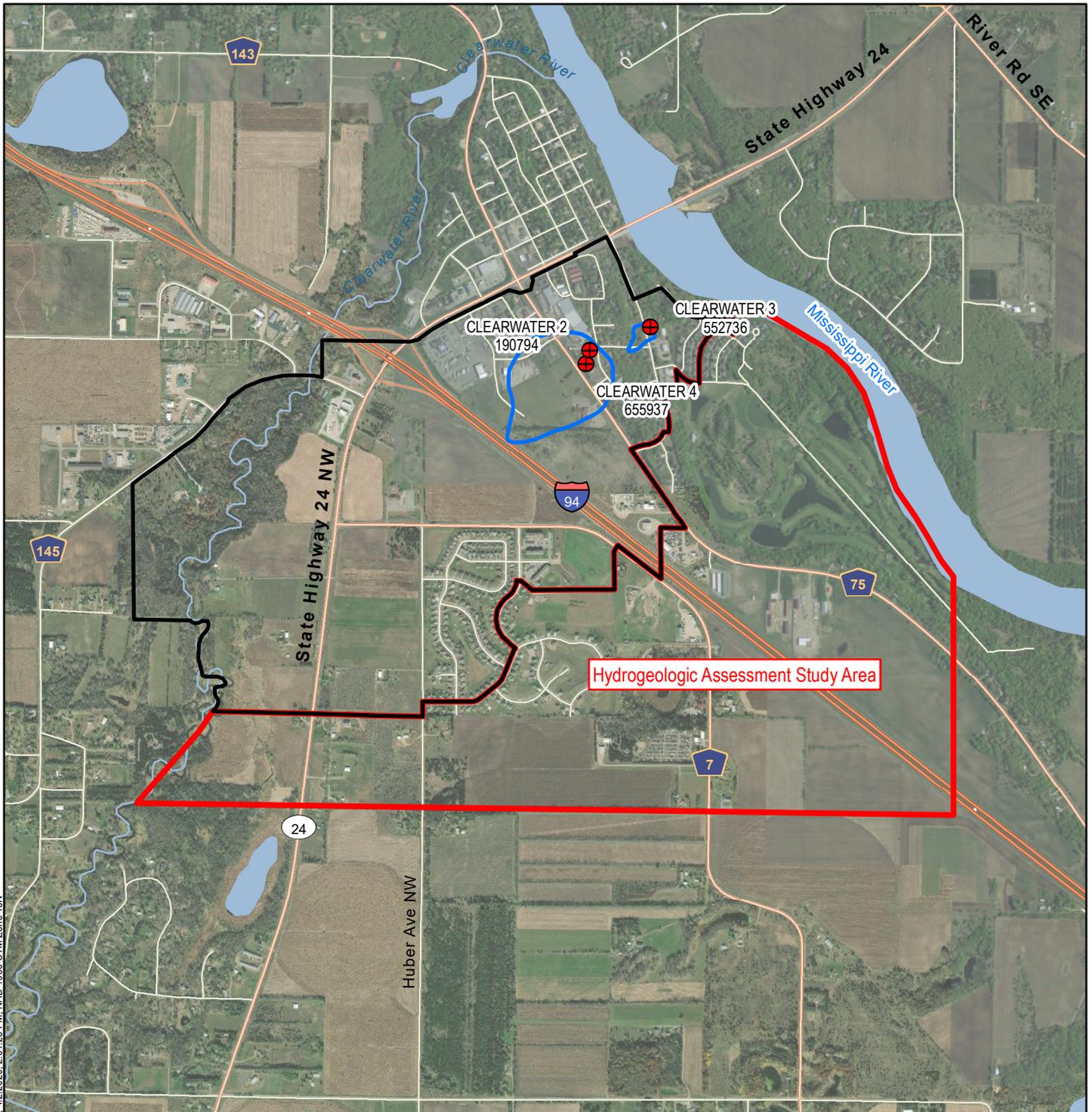
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Minnesota Department of Natural Resources, 1991. Geologic Sensitivity Project Workgroup, Criteria and Guidelines for Assessing Geologic Sensitivity of Ground Water Resources in Minnesota, Minnesota Department of Natural Resources, Division of Waters, St. Paul, Minn., 122 p.

Minnesota Department of Natural Resources, 2019. Water Permitting and Reporting System Database (MPARS). July 2019, V. 10.4. <https://www.dnr.state.mn.us/mpars/index.html>.

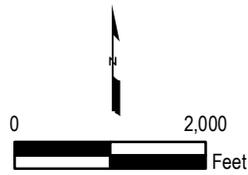
Tipping, Robert G. 2013. C-30 Geologic Atlas of Wright County, Minnesota [Part A]. Retrieved from the University of Minnesota Digital Conservancy, <http://hdl.handle.net/11299/159422>.

FIGURES



E:\GIS\GIS\BML - Clearwater.MN - Vulnerability\maps\clearwater_vuln_01a.mxd, 4/2/2020, 2:01:28 PM, NAD, 1983 UTM Zone 15N

-  City Well
 -  ERA (Emergency Response Area equal to 1-year time-of-travel WHP capture area)
 -  Study Area
 -  Drinking Water Supply Management Area (2007 and 2020 WHP Plan Part 1)
- Clearwater 2 ——— City Well Number
 190794 ——— Unique MWI Number



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 (303) 455-9589

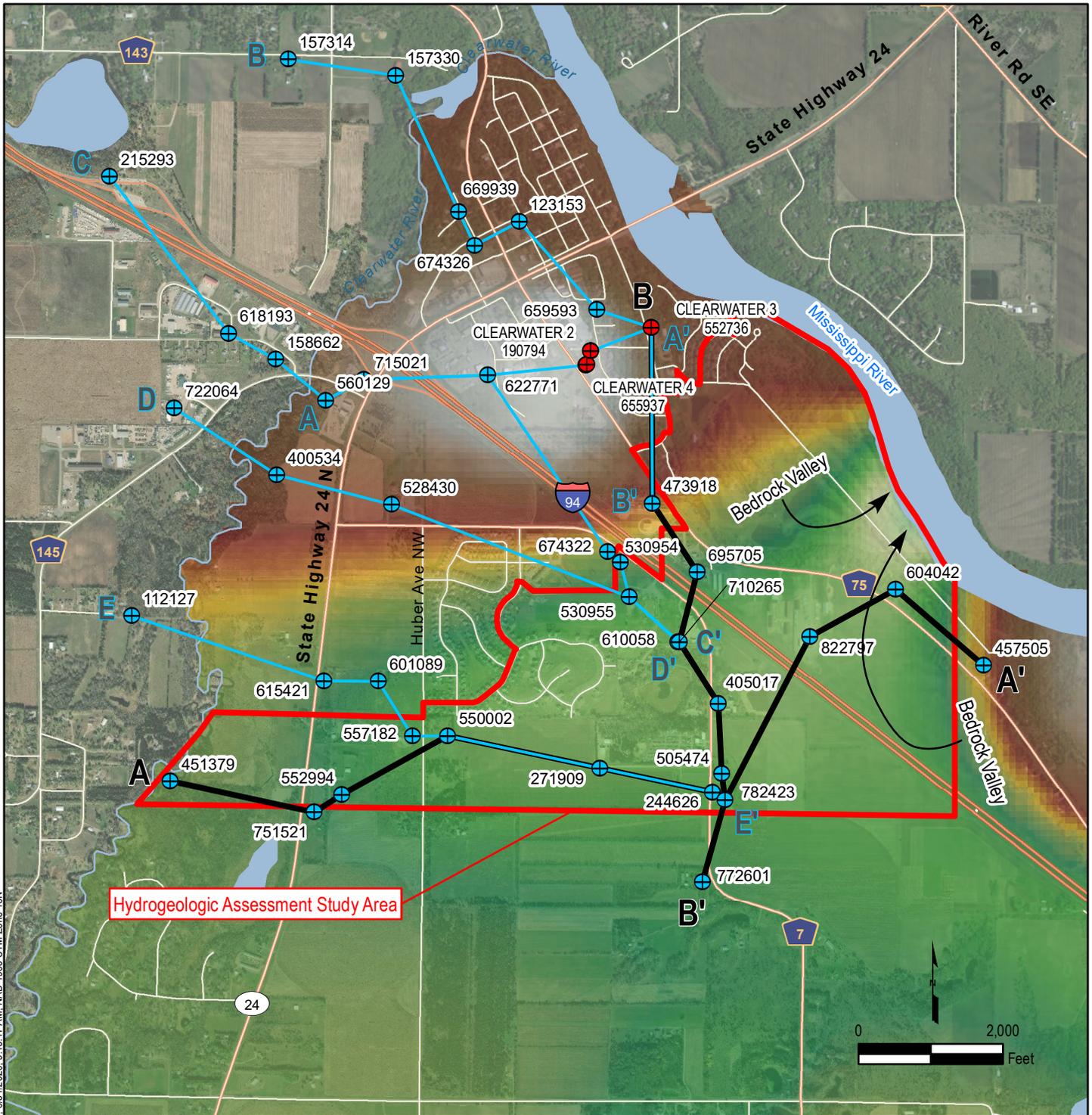
CITY OF CLEARWATER
 CLEARWATER, MINNESOTA

**HYDROGEOLOGIC ASSESSMENT STUDY AREA AND
 EXTENT OF EXISTING DWSMA**

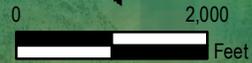
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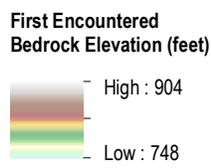
FIGURE: 1



Hydrogeologic Assessment Study Area



- City Well
- Study Area
- Hydrogeologic Cross Section (2007 WHP Plan)
- Hydrogeologic Cross Section (2020 LRE)
- Clearwater 2 190794
- City Well Number
- Unique MWI Number



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 Copyright: © 2013 National Geographic Society
 Source: MWI wells database. Bedrock surface from Tipping, 2013 (Wright Co. Geologic Atlas C-30, Part A.)

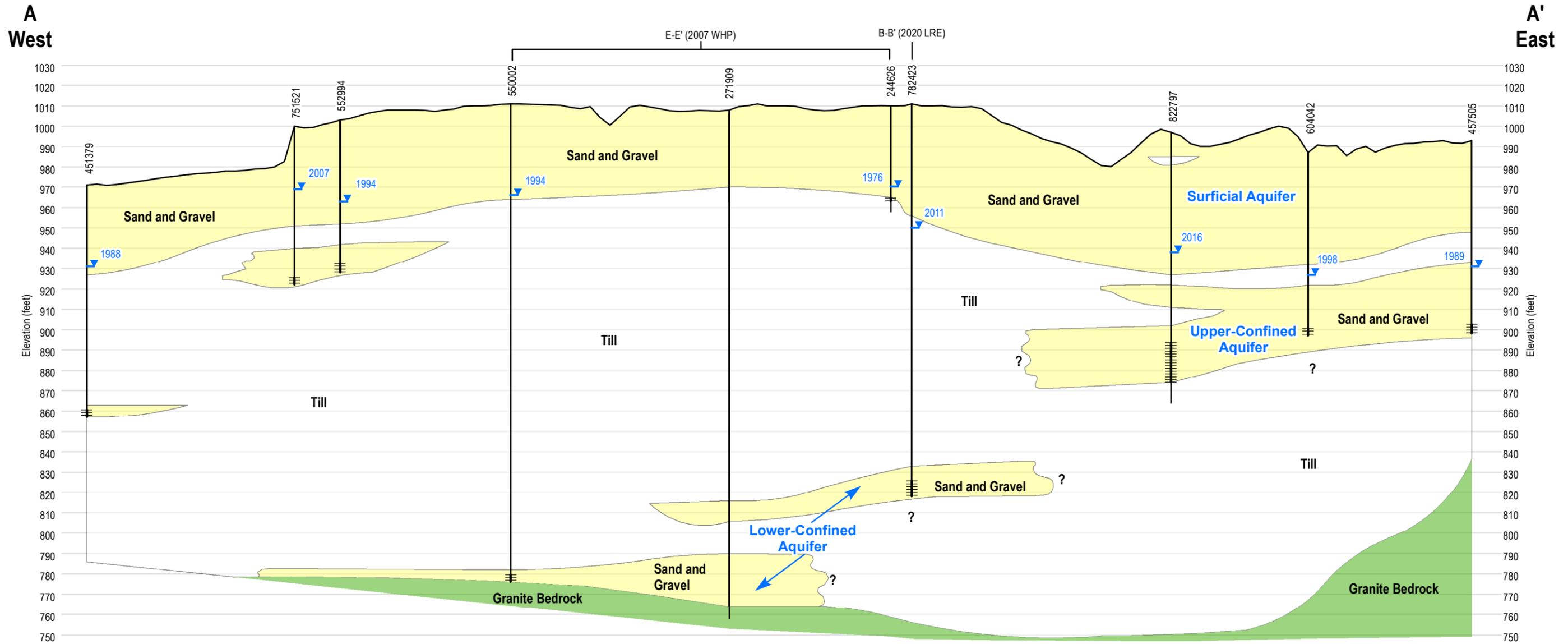


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CITY OF CLEARWATER		
CLEARWATER, MINNESOTA		
HYDROGEOLOGIC CROSS SECTION LOCATIONS AND FIRST ENCOUNTERED BEDROCK SURFACE ELEVATION		
FILE: clearwater_vuln_01b.MXD	DATE: 3/31/2020	FIGURE: 2

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WSP Office: St. Paul, MN | Source: E:\GIS\GIS\BWI_Clearwater\MN_Vulnerability\map\clearwater_vuln_01d_xsect_A-A.mxd, 4/17/2020, 11:42:38 AM, NAD 1983 StatePlane Minnesota South FIPS 2203 Feet

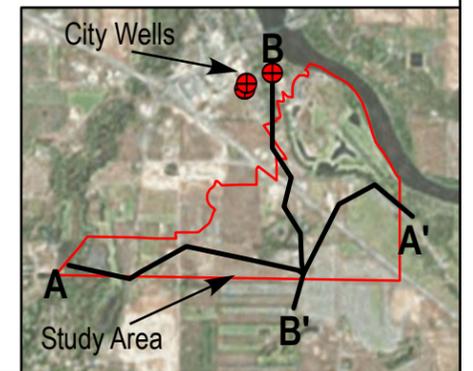


1 inch = 1,000 feet horizontal
 1 inch = 50 feet vertical (10 scale on engineer's ruler)
 451379 Minnesota Well Index (MWI) Unique Well ID Number

Potentiometric Surface (Measured at Installation Date)
 Casing
 Screen or Open Hole

? Bottom of sand and gravel not noted on geologic log or contact unknown.

— Geologic Contact (all contacts are inferred)
 □ Till (Undifferentiated)
 □ Sand and Gravel (Undifferentiated)
 □ Granite Bedrock



Drawn: 4/1/2020
 Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community Minnesota Well Index Database.



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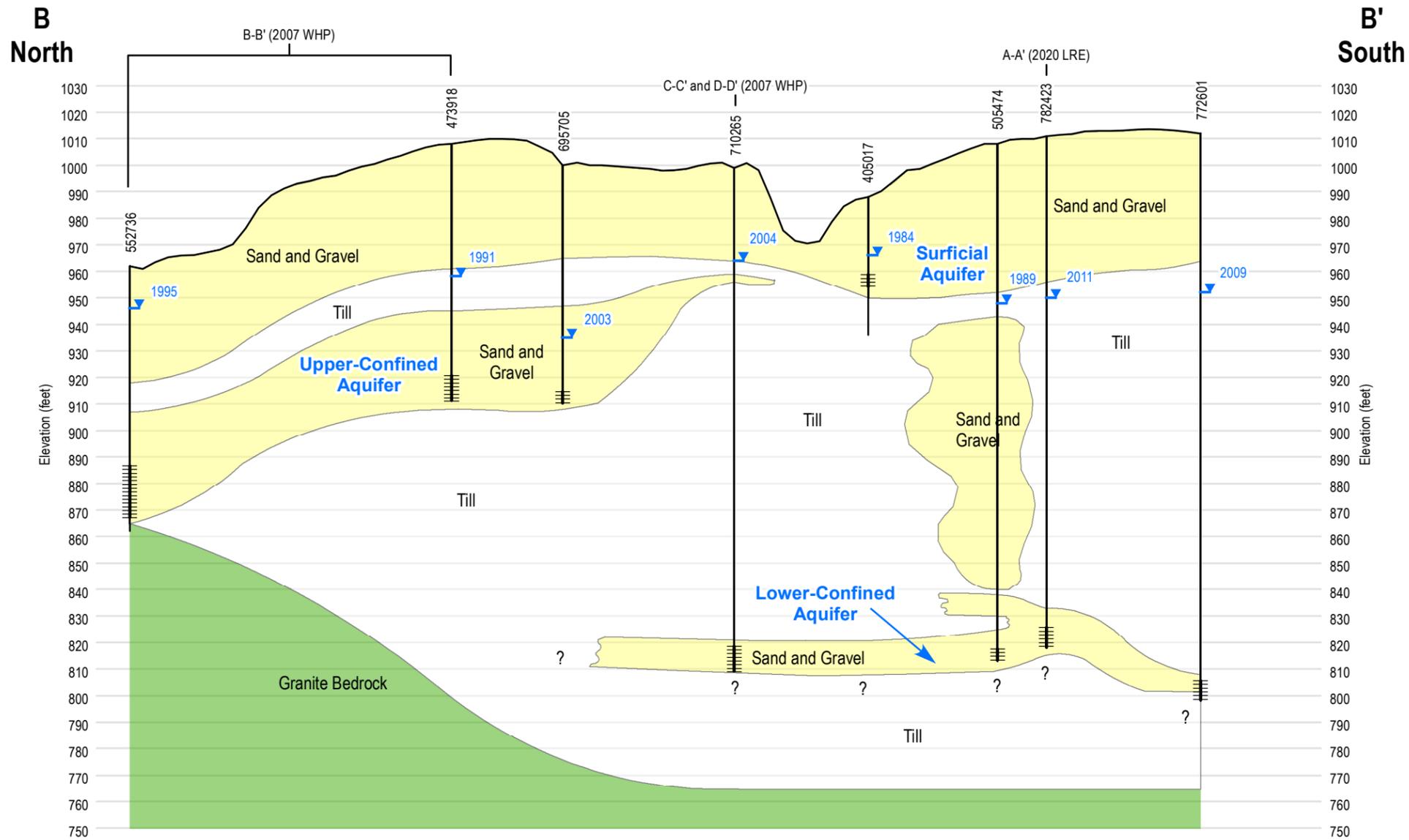
HYDROGEOLOGIC CROSS SECTION A-A'

FILE: clearwater_vuln_01d_xsect_A-A.MXD

DATE: 4/1/2020

FIGURE: 3

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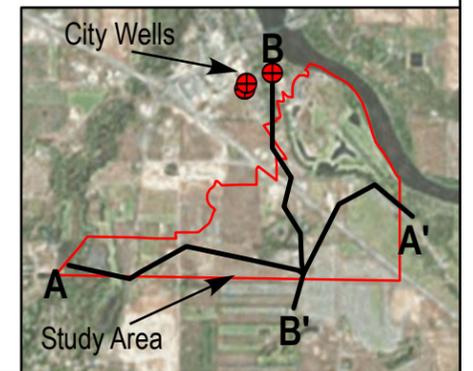


1 inch = 1,000 feet horizontal
 1 inch = 50 feet vertical (10 scale on engineer's ruler)
 451379 Minnesota Well Index (MWI) Unique Well ID Number

Potentiometric Surface (Measured at Installation Date)
 Casing
 Screen or Open Hole
 ? Bottom of sand and gravel not noted on geologic log or contact unknown.

— Geologic Contact (all contacts are inferred)
 □ Till (Undifferentiated)
 □ Sand and Gravel (Undifferentiated)
 □ Granite Bedrock

Drawn: 4/1/2020
 Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community Minnesota Well Index Database.

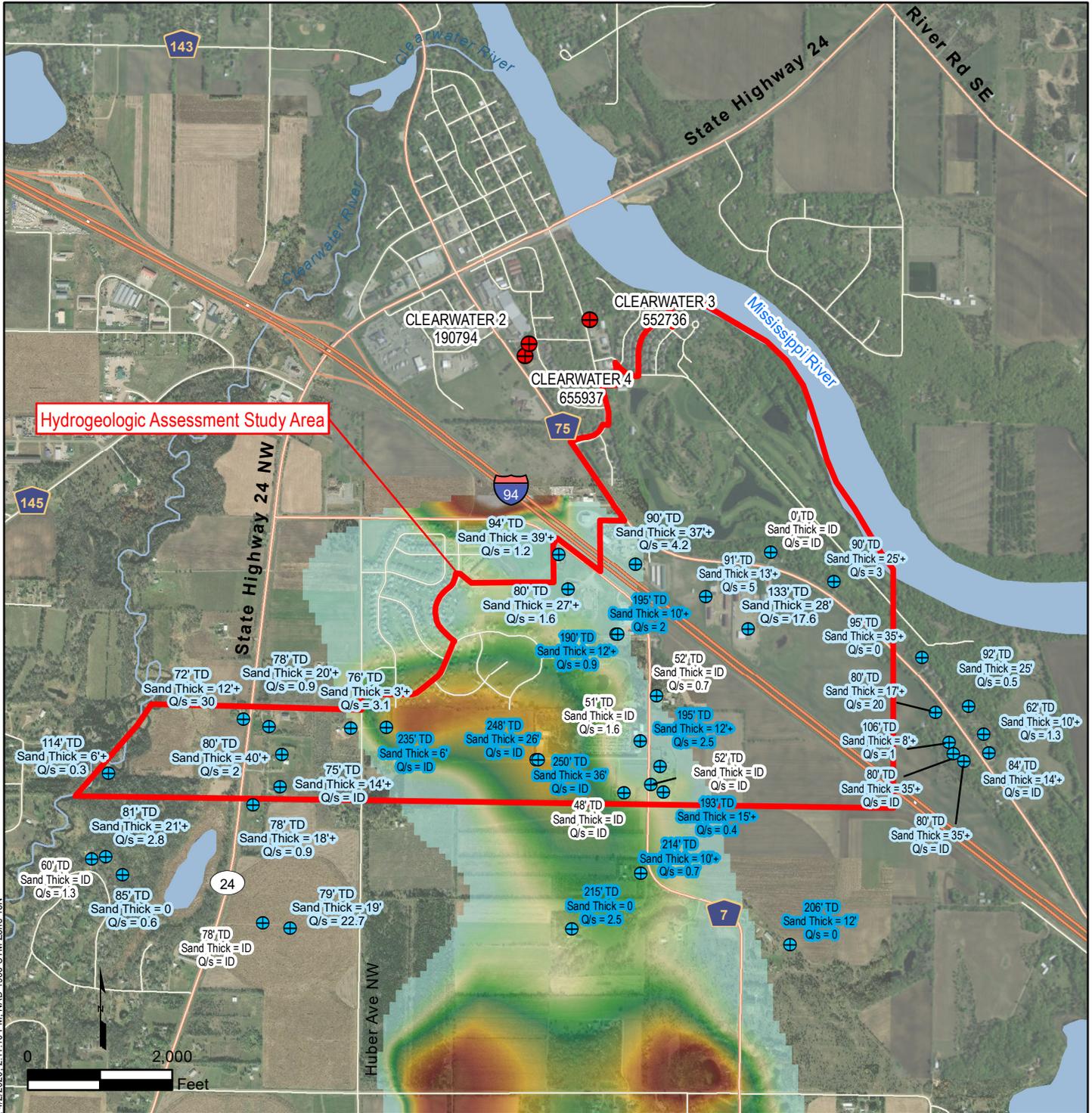


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HYDROGEOLOGIC CROSS SECTION B-B'

FILE: clearwater_vuln_01e_xsect B-B.MXD | DATE: 4/1/2020 | FIGURE: 4



Hydrogeologic Assessment Study Area

E:\GIS\GIS\BML - Clearwater.MN - Vulnerability\maps\clearwater_vuln_01f.mxd, 4/2/2020, 2:11:10 PM, NAD, 1983 UTM Zone 15N

- ⊕ City Well
- ⊕ MWI Well Location
- Study Area
- ID = Insufficient Data

- 79' TD
Sand Thick = 19'
Q/s = 22.7
- Total Depth (feet)
- Confined Aquifer Thickness (feet)
- Specific Capacity (gpm/ft)
- Well Completed in Upper-Confining Aquifer
- Well Completed in Lower Confining Aquifer

**Lower-Confining Aquifer
Approximate
Extent and Thickness (feet)**

High : 31
Low : 0

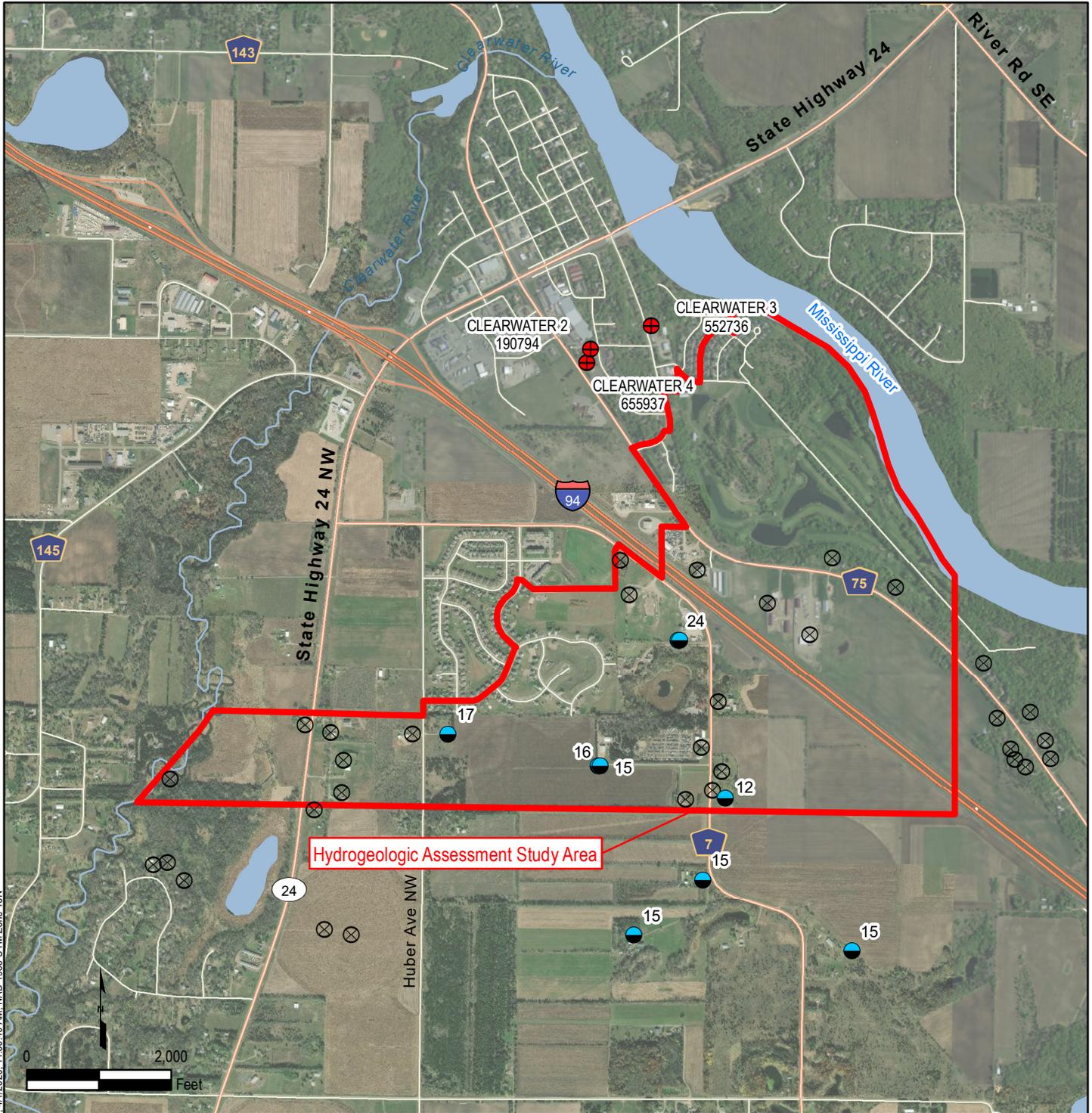


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 Copyright: © 2013 National Geographic Society
 Source: MWI wells database. Bedrock surface from Tipping, 2013 (Wright Co. Geologic Atlas C-30, Part A).



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CITY OF CLEARWATER		
CLEARWATER, MINNESOTA		
THICKNESSES AND SPECIFIC CAPACITIES OF UPPER-CONFINING AND LOWER-CONFINING SAND AND GRAVEL AQUIFERS		
FILE: clearwater_vuln_01f.MXD	DATE: 4/2/2020	FIGURE: 5



Hydrogeologic Assessment Study Area

- City Well
- Insufficient Data
- Domestic Well
- Study Area

Clearwater 2 City Well Number
190794 Unique MWI Number

**Aquifer Vulnerability - Lower-Confined Aquifer
(As Determined by Geologic Sensitivity)**

- High (L-score: 0)
- Moderate (L-score: 0)
- Low (L-score: 1-3)
- Low (L-score: 4-7)
- Very Low (L-score: 8-11)
- Very Low (L-score: >11)



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Copyright © 2013 National Geographic Society Source: MWI wells database.



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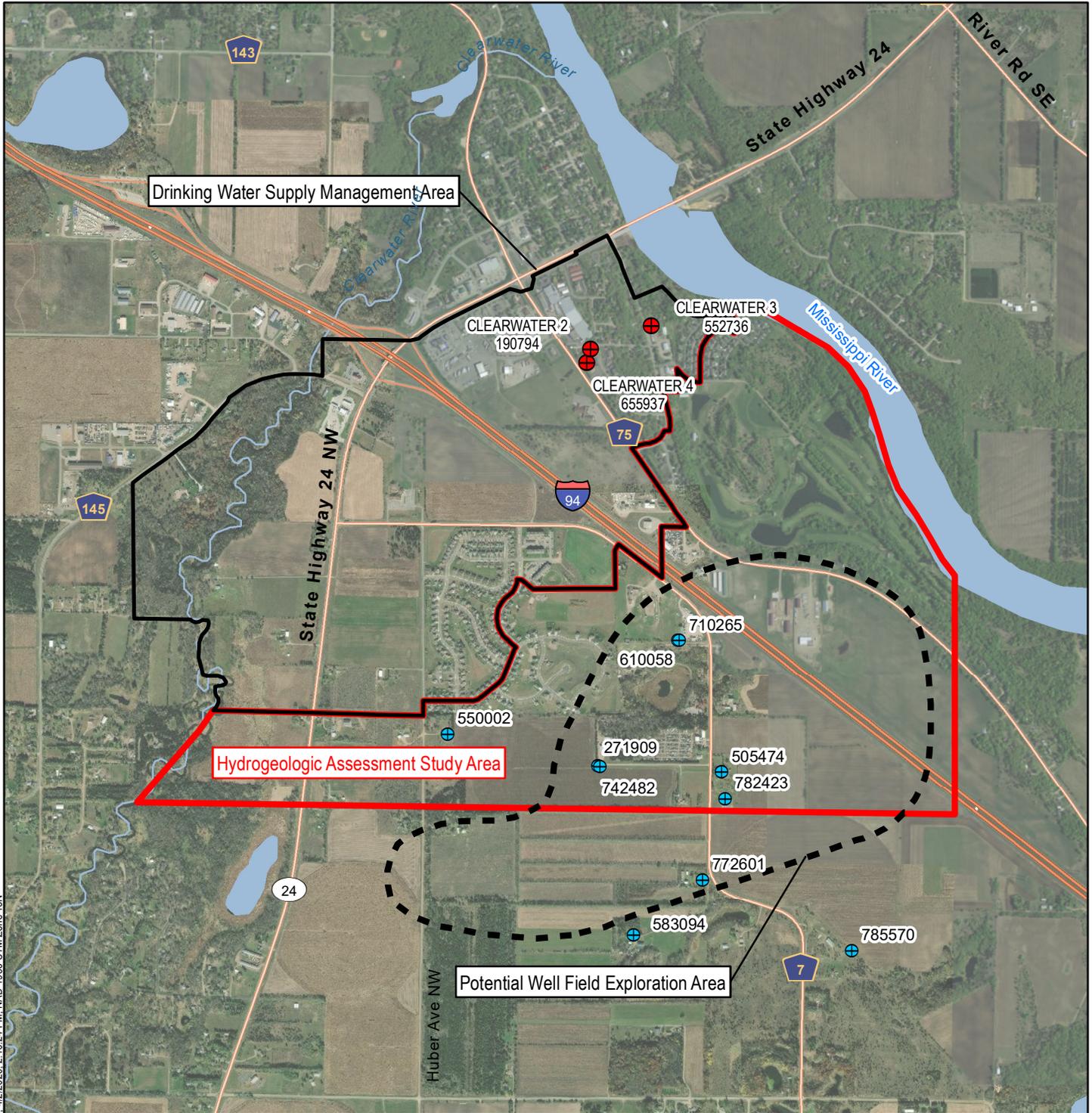
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CLEARWATER, MINNESOTA

AQUIFER VULNERABILITY AS DETERMINED BY GEOLOGIC SENSITIVITY
LOWER-CONFINED AQUIFER

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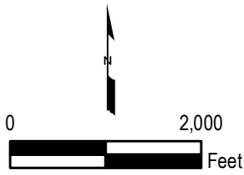
DATE: 4/1/2020

FIGURE: 6



E:\GIS\GIS\BIML\CLEARWATER\MN_Vulnerability\maps\clearwater_vuln_01g.mxd, 4/2/2020, 2:16:24 PM, NAD, 1983 UTM Zone 15N

- City Well
 - ⊕ Lower-Confining Aquifer Well Recommended for Sampling
 - Study Area
 - Potential Well Field Exploration Area (Lower-Confining Sand and Gravel Aquifer)
 - Drinking Water Supply Management Area (2007 and 2020 WHP Plan Part 1)
- | | | |
|--------------|---|-------------------|
| CLEARWATER 4 | — | City Well Name |
| 655937 | — | MWI Unique Number |



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 Source: MWI wells database.



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CITY OF CLEARWATER
 CLEARWATER, MINNESOTA

POTENTIAL WELL FIELD EXPLORATION AREA AND WELLS COMPLETED IN THE LOWER-CONFINING AQUIFER RECOMMENDED FOR SAMPLING

FILE: clearwater_vuln_01g.MXD

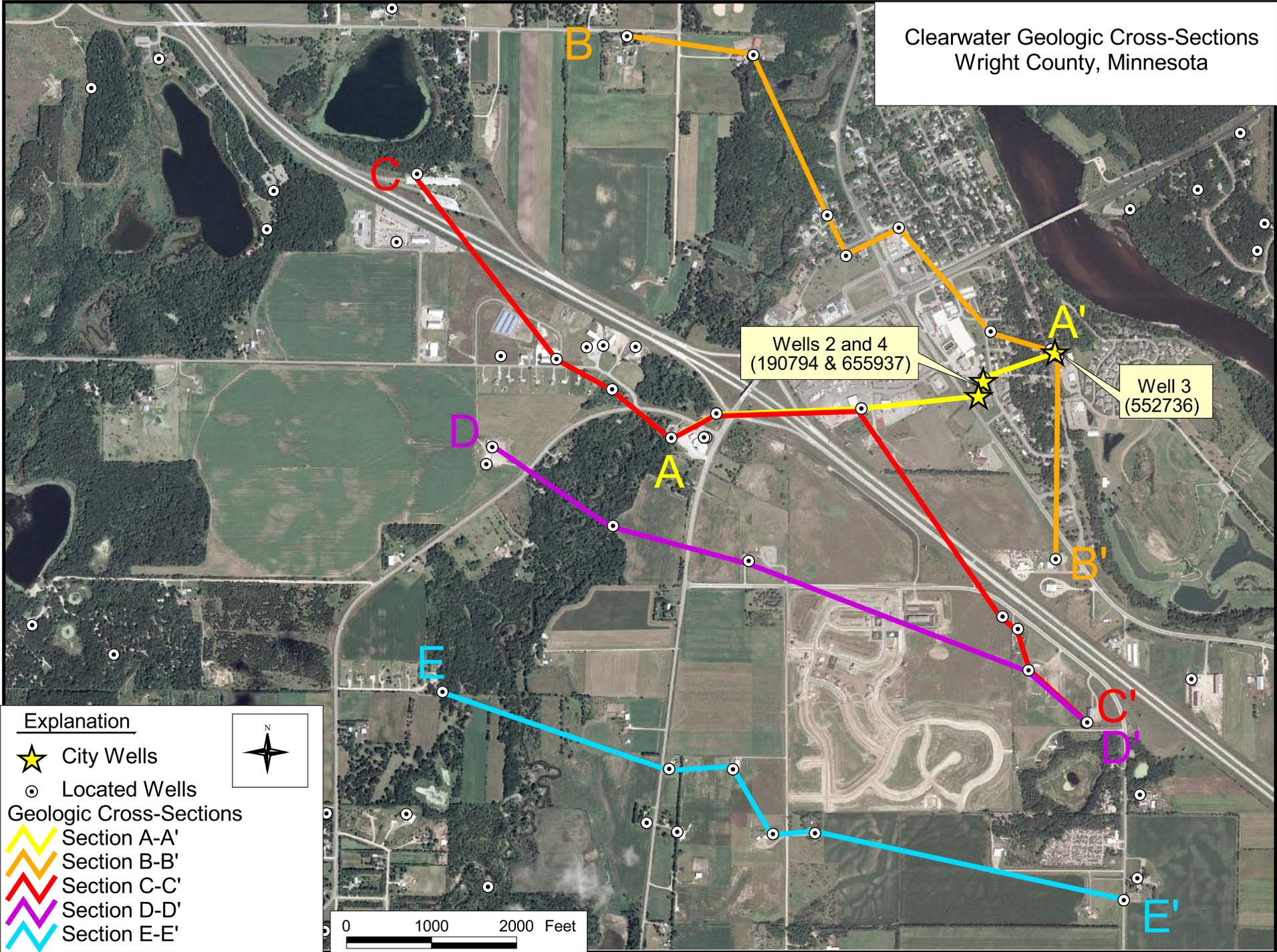
DATE: 4/2/2020

FIGURE: 7

APPENDIX A

HYDROGEOLOGIC CROSS SECTIONS – 2007 WHP PLAN

Clearwater Geologic Cross-Sections
Wright County, Minnesota



Wells 2 and 4
(190794 & 655937)

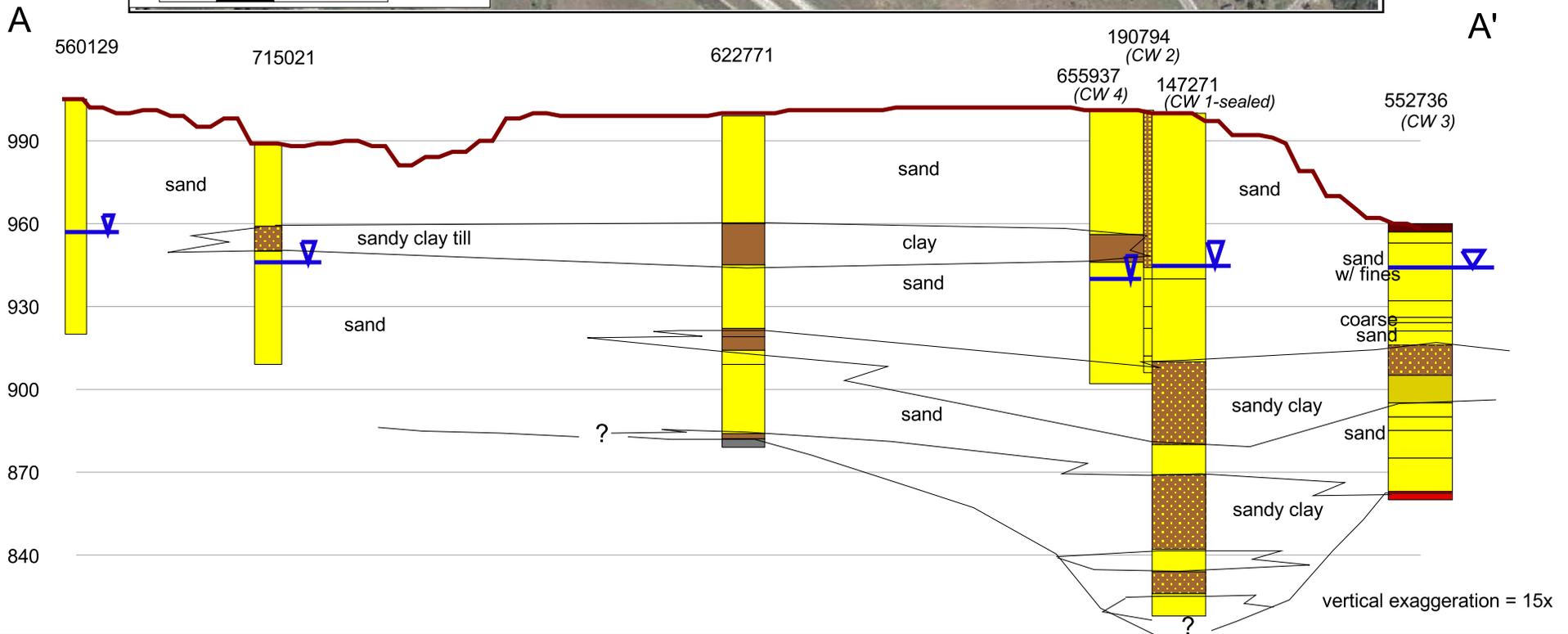
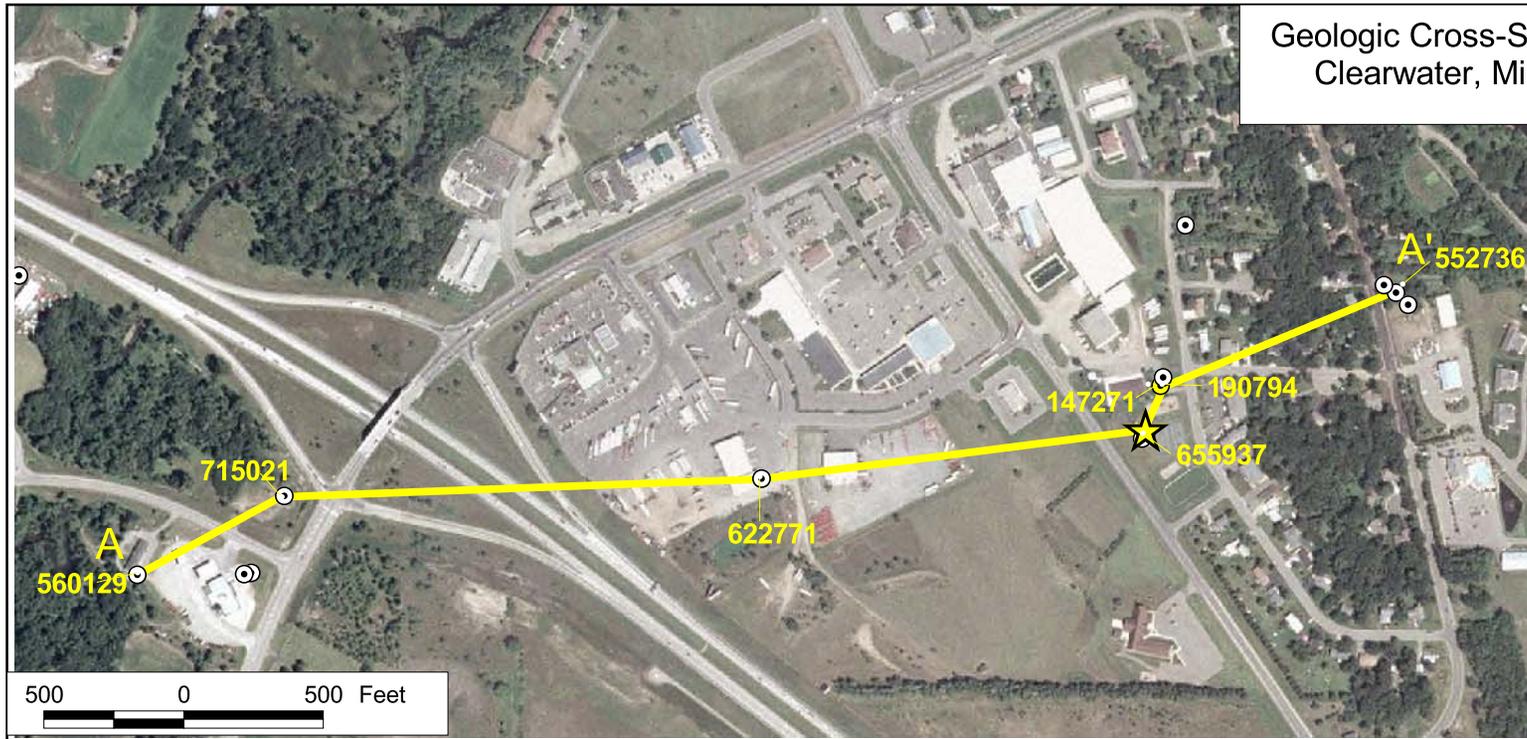
Well 3
(552736)

Explanation

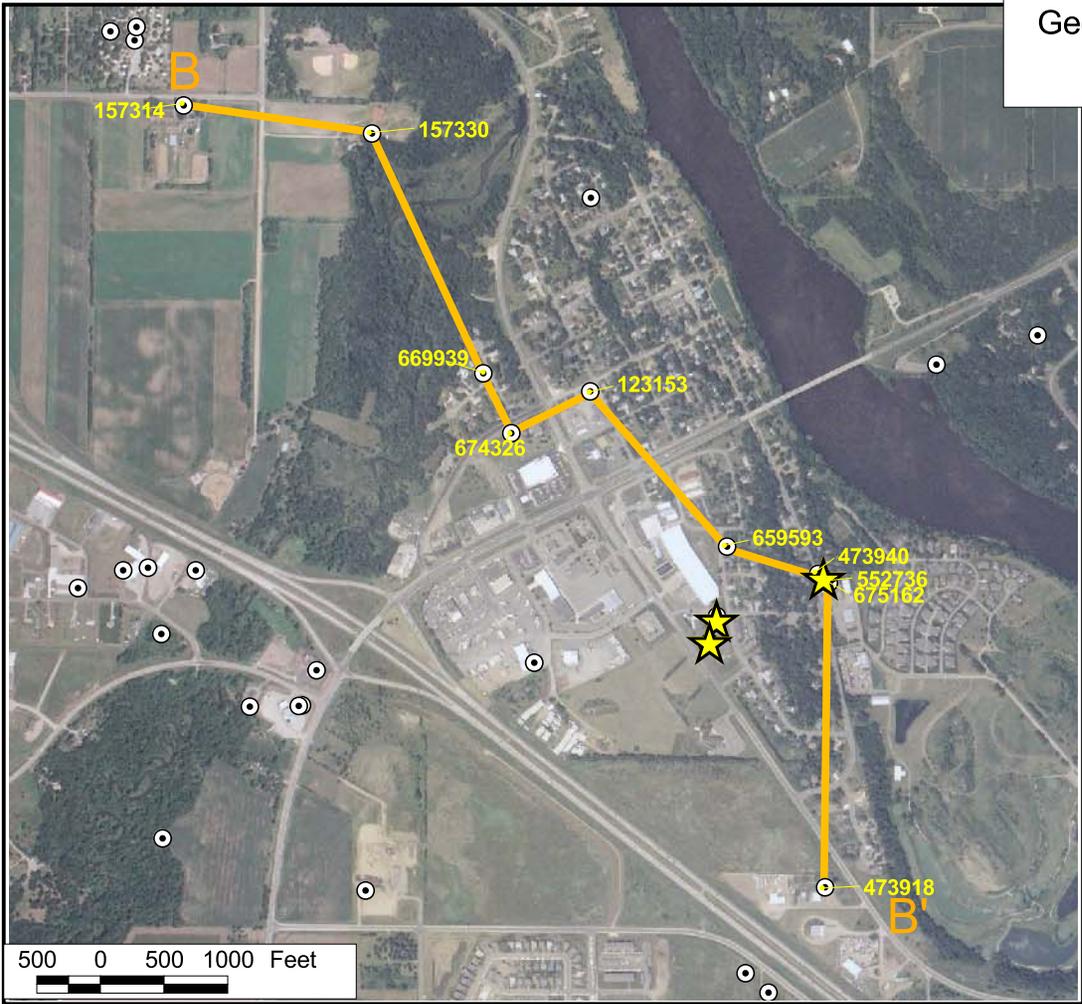
- ★ City Wells
- Located Wells
- Geologic Cross-Sections
 - Section A-A'
 - Section B-B'
 - Section C-C'
 - Section D-D'
 - Section E-E'



Geologic Cross-Section A-A'
Clearwater, Minnesota

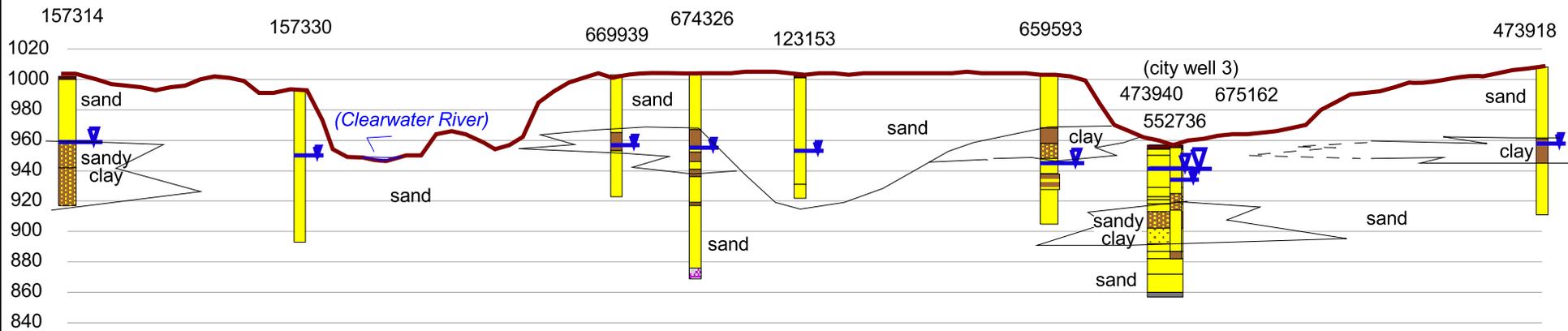


Geologic Cross-Section B-B'
Clearwater, Minnesota



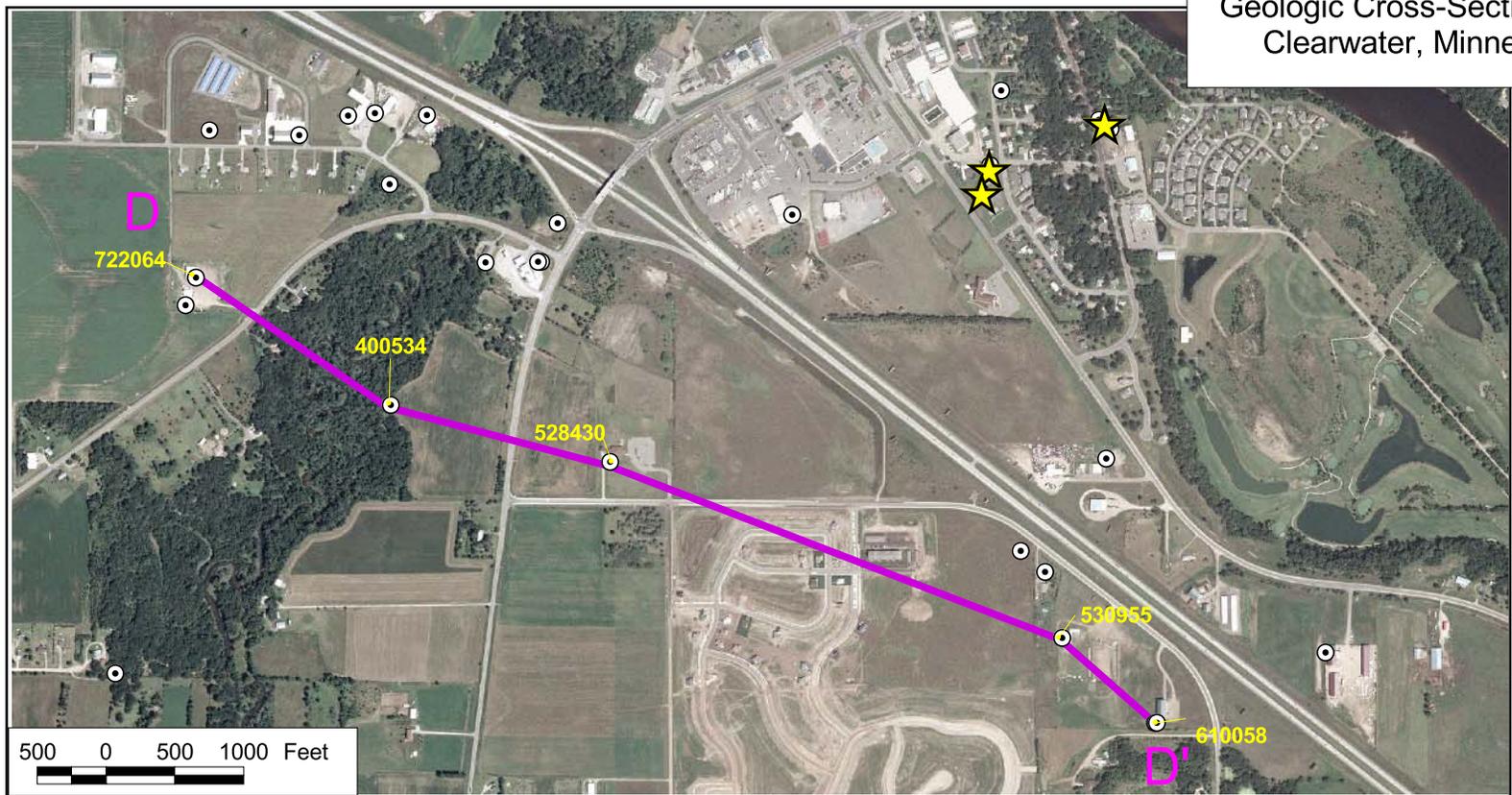
B

B'



vertical exaggeration = 10X

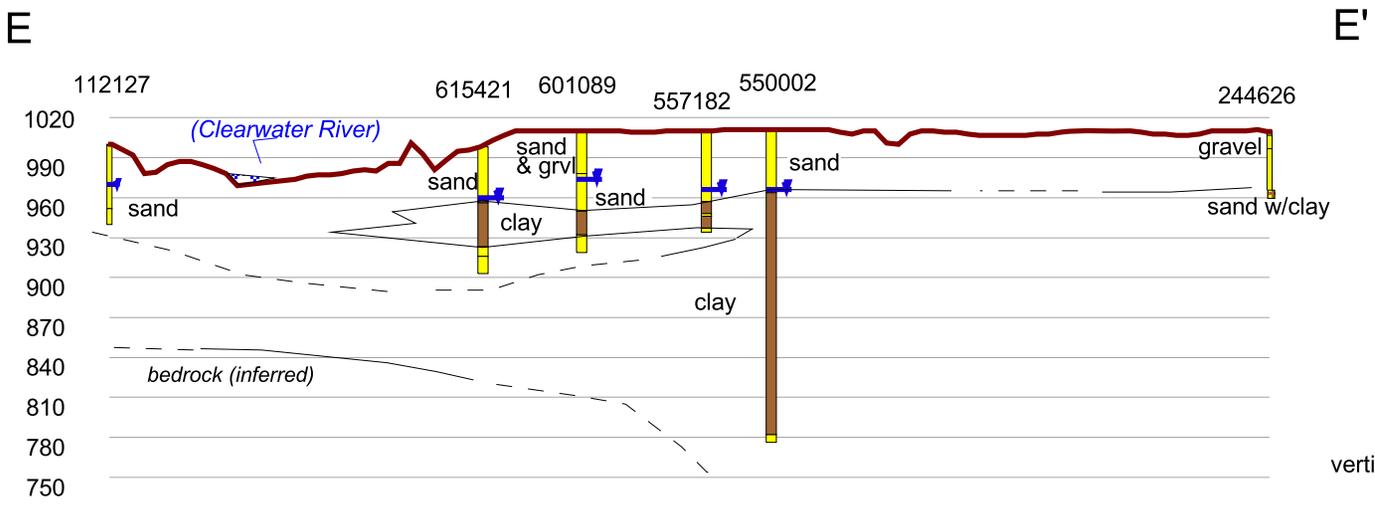
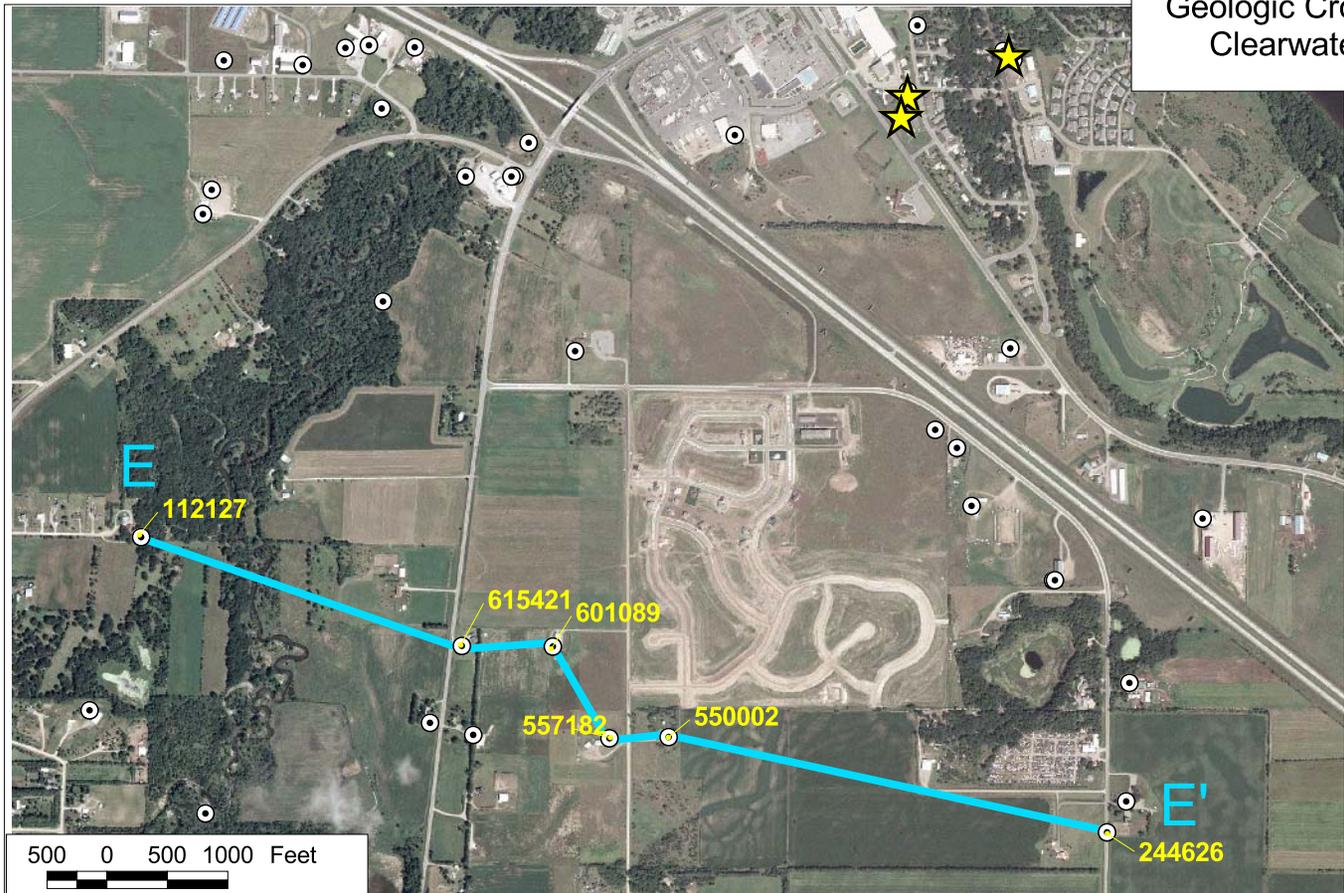
Geologic Cross-Section D-D'
Clearwater, Minnesota



D 722064 400534 528430 530955 610058 D'



Geologic Cross-Section E-E'
Clearwater, Minnesota



vertical exaggeration = 10X



Real People. Real Solutions.

7533 Sunwood Drive NW
Suite 206
Ramsey, MN 55303-5119

Ph: (763) 433-2851
Fax: (763) 427-0833
Bolton-Menk.com

MEMORANDUM

Date: November 7, 2019
To: Kevin Kress, City Administrator
From: Joseph D. Pelawa, P.E.
Subject: Proposed Blaine Brothers – Extra Cost Items
Clearwater, Minnesota
Project No.: R16.117597

We have reviewed the submitted Extra Cost Items dated October 28, 2019 and have the following comments and attached Opinion of Additional Project Costs (attached):

1. Trunk Storm:
 - a. Looking over the site pipe network I would split the storm sewer needed to convey the storm water from the site into two pipe sizes, 604 LF of 18” and 267 LF of 24”.
 - b. Increased structure size due to the larger pipe diameter, 3 structures increased from 48 inch to 60 inch.
 - c. Extra depth to avoid watermain. Upon excavation the existing watermain was installed in 2002 deeper than expected. This conflict required lowering of the storm trunk line for clearance and increasing the structure depths accordingly.
 - d. We do agree some of the extra trunk line cost is justified for oversizing the pipe. Based upon the above items we come up with \$77,150.00 for the Additional Extra Costs for the Trunk Storm Sewer Line, see attached cost breakdown sheet.

2. Trunk Watermain
 - a. A requirement for development sites in the City is that utilities are extended to the property line to provide service to adjacent parcels.
 - b. A basic 8 inch watermain extended to the property line with hydrant would be required.
 - c. We requested that a 12 inch watermain for looping be installed and oversizing costs amount to the extra cost above placement of a 8 inch line.
 - d. We do agree some of the extra trunk line cost is justified for oversizing the pipe. Based upon the above items we come up with \$6,450.00 for the Additional Extra Costs for the Trunk Watermain Line, see attached cost breakdown sheet.

3. Stormwater Basin Modifications:
 - a. The City did make a concession to allow use of this basin area in the interim, such that the site improvements could proceed this year and not be placed on hold till the storm trunk line and facilities were constructed (targeted for 2021).
 - b. This basin modification is for accommodating additional stormwater generated from your site in the interim, until the trunk line connection is constructed.
 - c. The cost submitted do appear much higher than what would be expected to perform the minor excavation work to enlarge the basin volume as outlined by your engineer’s drawings.

- d. The Truck Center went thru determinations in 2011 to verify that the existing basin was sufficiently sized.
 - e. If the Owner feels this is from actions of previous owners for filling the basin they can pursue this privately.
 - f. We do not agree this extra cost claimed by the Contractor and Owner should be burdened by the City.
4. Watermain:
- a. This was the Utility Contractor's decision to not test against the valve.
 - b. We do acknowledge that this valve may not have been operated as frequently as desired over the past 17 years.
 - c. We do place new valves on projects in scenarios like this to be assured that waterline testing is accurate.
 - d. We agree that this cost is justified for installing a valve adequate to test against. Based upon the above items we come up with \$4,015.00 for the Additional Extra Costs, see attached cost breakdown sheet.
5. Hydrant Relocation Entrance:
- a. The existing hydrant lead did not have a valve. When this trunk line was constructed in 2002-2003 the City should have installed a valve at that time.
 - b. We agree that this cost is justified for cutting in a valve. Based upon the above items we come up with \$9,625.00 for the Additional Extra Costs, see attached cost breakdown sheet.

Additional Extra Cost:

- 1. \$77,150.00
- 2. \$ 6,450.00
- 3. \$ 0.00
- 4. \$ 4,015.00
- 5. \$ 9,625.00

Total **\$97,240.00** for City consideration, see attached Opinion of Additional Project Costs for breakdown.

OPINION OF ADDITIONAL PROJECT COST

BLAINE BROTHERS, CLEARWATER, MN
 CITY OF CLEARWATER, MINNESOTA
 BMI PROJECT NO. R16.117597

DATE: 11/7/2019

ITEM NO.	ITEM	QTY	UNIT	UNIT PRICE	TOTAL COST	OWNER PROJECT COST	COST TO OVERSIZE ADDITIONAL WORK	ADDITIONAL EXTRA COST	TOTAL ADDITIONAL EXTRA COST	
					TOTAL	QTY	COST	QTY	COST	COST
TRUNK STORM SEWER LINE: Oversize Trunk Line										
1	18" RC PIPE SEWER CLASS III	604	LIN FT	\$55.00	\$33,220.00	604	\$33,220.00			
1	24" RC PIPE SEWER CLASS III	267	LIN FT	\$65.00	\$17,355.00	267	\$17,355.00			
1	36" RC PIPE SEWER CLASS III	871	LIN FT	\$120.00	\$104,520.00			871	\$104,520.00	\$53,945.00
2	CONSTRUCT DRAINAGE STRUCTURE DESIGN 4020-48	3	EACH	\$2,400.00	\$7,200.00	3	\$7,200.00			
2	CONSTRUCT DRAINAGE STRUCTURE DESIGN 4020-60	3	EACH	\$5,835.00	\$17,505.00			3	\$17,505.00	\$10,305.00
3	EXTRA DEPTH TO AVOID WATERMAIN CONFLICT	1	LUMP SUM	\$9,000.00	\$9,000.00			1	\$9,000.00	\$9,000.00
4	CONSTRUCT DRAINAGE STRUCTURE EXTRA DEPTH	12	VERT FEET	\$325.00	\$3,900.00			12	\$3,900.00	\$3,900.00
5	INLET ROCK PROTECTION ON 36 INCH STORM TRUNK LINE	1	LUMP SUM	\$930.00	\$930.00	1	\$930.00			
6	COMPACTOR FOR TRENCH	3	HOURS	\$150.00	\$375.00	2.5	\$375.00			
										\$77,150.00

TRUNK WATER LINE: Oversize Trunk Line

1	8" C900 PVC WATERMAIN	430	LIN FT	\$25.00	\$10,750.00	430	\$10,750.00			
1	12" C900 PVC WATERMAIN	430	LIN FT	\$40.00	\$17,200.00			430	\$17,200.00	\$6,450.00
2	HYDRANT/VALVE ASSEMBLY	1	EACH	\$6,250.00	\$6,250.00	1	\$6,250.00			
3	HYDRANT EXTENSION	3	FOOT	\$454.00	\$1,362.00	3	\$1,362.00			
										\$6,450.00

STORMWATER BASIN MODIFICATION

1	STORMWATER VOLUME EXCAVATIONS	1	LUMP SUM	\$17,570.00	\$17,570.00	1	\$17,570.00			
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WATER VAVLE REPLACEMENT

1	12" GATE VALVE & BOX	1	EACH	\$4,015.00	\$4,015.00			1	\$4,015.00	\$4,015.00
										\$4,015.00

HYDRANT RELOCATION

1	INSERTION VALVE & BOX	1	EACH	\$9,625.00	\$9,625.00			1	\$9,625.00	\$9,625.00
										\$9,625.00

TOTAL ADDITIONAL EXTRA COST \$97,240.00



David T. Anderson, Attorney at Law
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Minneapolis MN 55402-1458

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Affirmative Action, Equal Opportunity Employer

MEMORANDUM

Date: May 6, 2020
To: Honorable Mayor Lawrence and Members of the Clearwater City Council
From: David T. Anderson
Re: Linn Street Vacation

On September 9, 2019, the City Council held a public hearing and adopted Resolution 2019-36, A Resolution Vacating a Portion of Linn Street, for the purpose of effectuating a City-initiated vacation of the unimproved portion of Linn Street lying west of Bluff Street and east of County Road 75 (the "Street Segment"). Assuming that the City Council still maintains that vacating the Street Segment is in the public interest, then for the reasons below, it is recommended that the City Council adopt an amended and restated resolution containing some additional language.

Although the record clearly establishes that the City Council's intent during these proceedings was to reserve and retain a drainage and utility easement over a portion of the vacated Street Segment, Resolution 2019-36 does not include any language to that effect. That language should be expressly contained in both the resolution and the notice of completion. Therefore, a new resolution has been prepared to include language that accomplishes the City's original intent of retaining the requisite drainage and utility easement.

Additionally, it appears that the City Council intended for certain portions of the vacated Street Segment to be combined with the three parcels of property abutting the Street Segment, which are located at 105 Bluff Street, 205 Bluff Street, and 405 Overlook Circle. However, there is no indication that the City holds underlying fee ownership of the land located within the Street Segment, nor does a street vacation result in the City acquiring such an ownership interest. In other words, because the City has only right-of-way authority over the Street Segment, which extinguishes upon vacation, the City lacks any authority or ability to decide or determine which parcels of property will combine with the vacated Street Segment, whether via quit claim deed or otherwise. Rather, the county is charged with making that determination pursuant to an application of applicable law following the City's completion of the statutory vacation process.

The City's vacation of the Street Segment has not yet been finalized, which requires notice to the county auditor and recordation of a notice of completion with the county recorder. Accordingly, it is recommended that the City Council consider adopting Resolution 2020-29, An Amended and Restated Resolution Regarding the Vacation of a Portion of Linn Street and Retention of Drainage and Utility Easement. Following the adoption of said resolution, City staff may file and record a notice of completion with the county. At that point, the City's role in the vacation process is done.

If there are any additional questions or concerns regarding this matter, please feel free to contact me.

**CITY OF CLEARWATER
STEARNS AND WRIGHT COUNTIES, MINNESOTA**

RESOLUTION NO. 2020-29

**AN AMENDED AND RESTATED RESOLUTION REGARDING
THE VACATION OF A PORTION OF LINN STREET AND
RETENTION OF DRAINAGE AND UTILITY EASEMENT**

WHEREAS, the City of Clearwater (the “City”) is a municipal corporation, organized and existing under the laws of Minnesota; and

WHEREAS, pursuant to Minn. Stat. § 412.851, the City scheduled a public hearing on September 9, 2019 to consider vacating that portion of Linn Street legally described on the attached Exhibit A and depicted on the attached Exhibit B (the “Street Segment”); and

WHEREAS, notice of the public hearing was posted, published in the City’s official newspaper, and mailed to all owners of affected properties, as required by state statute; and

WHEREAS, on September 9, 2019, the City held a public hearing on the proposed vacation during which all interested parties were heard; and

WHEREAS, the City has the authority, pursuant to Minn. Stat. § 412.851, to vacate city streets or any portion thereof if it appears in the interest of the public to do so; and

WHEREAS, on September 9, 2019, following the public hearing, the City Council adopted Resolution No. 2019-36, A Resolution Vacating a Portion of Linn Street, which did not include language regarding the retention of a drainage and utility easement over a portion of the Street Segment and therefore did not properly accomplish the Council’s intent; and

WHEREAS, the vacation of the Street Segment has not yet been finalized, notice has not been provided to the county auditor, and a notice of completion has not yet been recorded; and

WHEREAS, the City has determined that there is no continuing public need for the Street Segment and that vacating said Street Segment is in the public interest so long as the City retains a drainage and utility easement over a portion thereof.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Clearwater, Minnesota as follows:

1. **Findings.** The recitals set forth in this resolution above are incorporated into and made a part of this resolution and, where applicable, constitute the express findings of the Clearwater City Council.

2. **Vacation.** The City hereby declares that the Street Segment, as legally described on Exhibit A attached hereto and depicted on Exhibit B attached hereto, is vacated, subject to the drainage and utility easement reserved and retained below.
3. **Drainage and Utility Easement.** The City hereby reserves and retains a public drainage and utility easement (the “Easement”) over, under, and across that area of the Street Segment legally described on Exhibit C attached hereto and depicted on Exhibit D attached hereto.
4. **Authorization for Staff Action.** The City Administrator, or her designee, is hereby authorized and directed to prepare and present to the Wright County Auditor a notice that the City has completed these vacation proceedings and record said notice with the Wright County Recorder pursuant to state law. City staff is hereby authorized and directed to take any additional steps necessary to effectuate the intent of this resolution.
5. **Supersedes Previous Resolution.** This amended and restated resolution constitutes the operative resolution pertaining to the vacation of the Street Segment and supersedes Resolution 2019-36.

Adopted by the Clearwater City Council this 11th day of May, 2020.

Andrea Lawrence-Wheeler, Mayor

ATTEST:

Annita Smythe, City Administrator

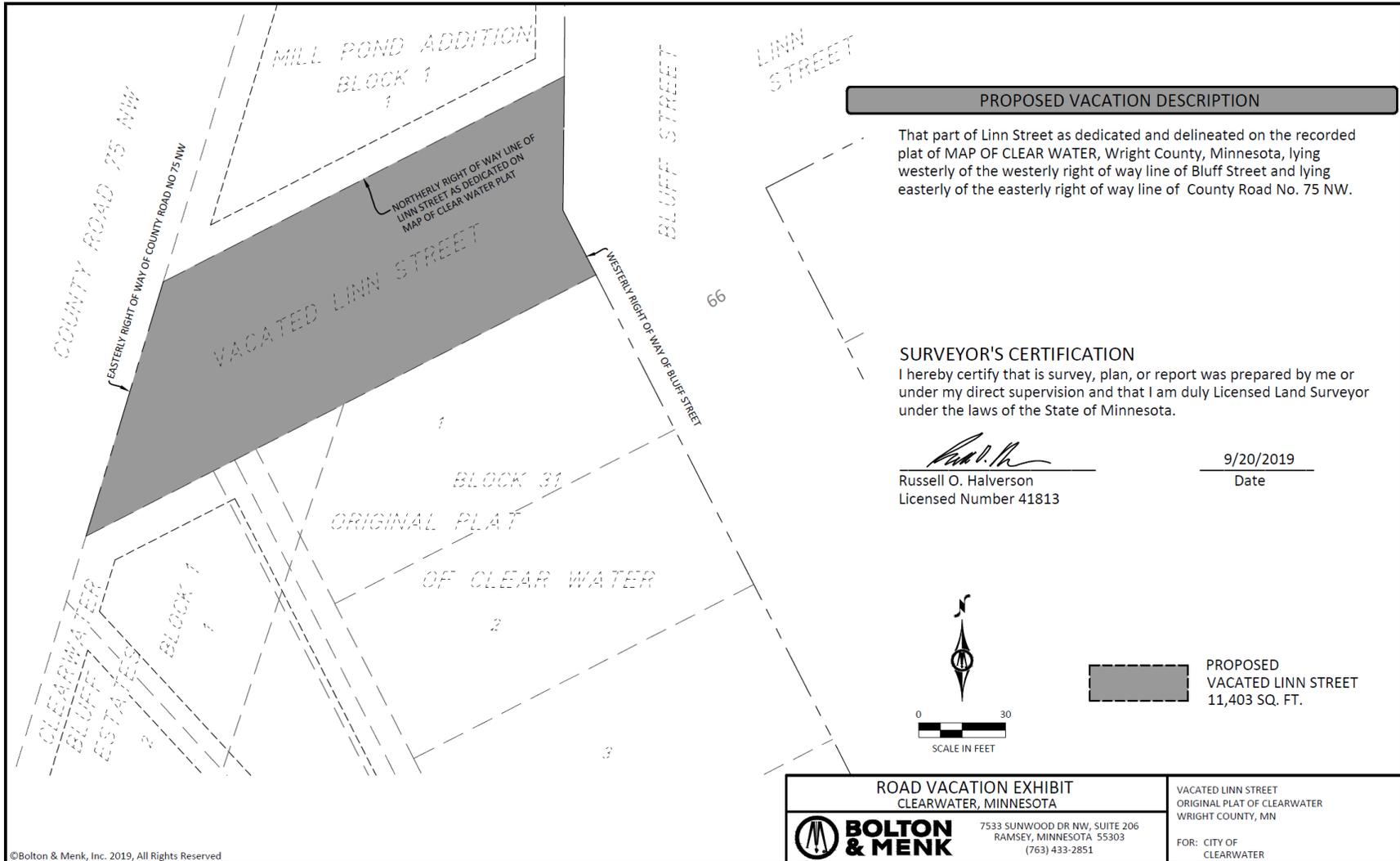
EXHIBIT A

Legal Description of Vacated Street Segment

That part of Linn Street as dedicated and delineated on the recorded plat of MAP OF CLEARWATER, Wright County, Minnesota, lying westerly of the westerly right of way line of Bluff Street and lying easterly of the easterly right of way line of County Road No. 75 NW.

EXHIBIT B

Depiction of Vacated Street Segment



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JOB NUMBER: FIELD BOOK: DRAWN BY: ASE

EXHIBIT C

Legal Description of Retained Drainage and Utility Easement

A perpetual easement for drainage and utility purposes over, under and across that part of vacated Linn Street as dedicated and delineated on the recorded plat of VILLAGE OF CLEARWATER, Wright County, Minnesota, described as follows:

The northerly 17.50 feet of the southerly half said vacated Linn Street lying westerly of the westerly right of way of Bluff Street and lying easterly of the easterly right of way line of County Road No. 75 NW.

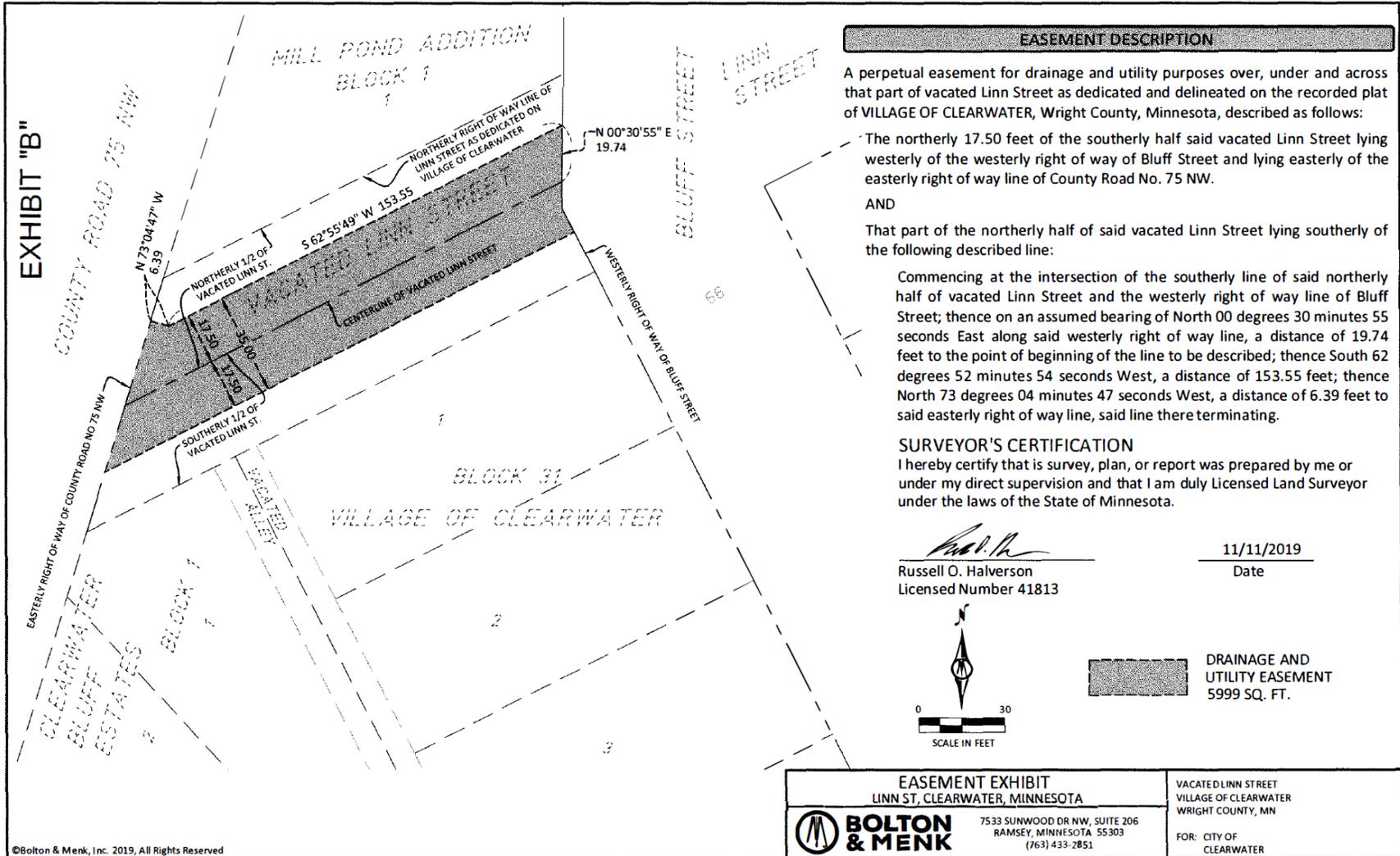
AND

That part of the northerly half of said vacated Linn Street lying southerly of the following described line:

Commencing at the intersection of the southerly line of said northerly half of vacated Linn Street and the westerly right of way line of Bluff Street; thence on an assumed bearing of North 00 degrees 30 minutes 55 seconds East along said westerly right of way line, a distance of 19.74 feet to the point of beginning of the line to be described; thence South 62 degrees 52 minutes 54 seconds West, a distance of 153.55 feet; thence North 73 degrees 04 minutes 47 seconds West, a distance of 6.39 feet to said easterly right of way line, said line there terminating.

EXHIBIT D

Depiction of Retained Drainage and Utility Easement



Fire Contract Proposed Split Formula - 2020 Budget - Method 1

2020 Budget	300,960
--------------------	----------------

Calculation - Part I

Budget 300,960 33% 99,316.80 33% is taken off the top and split between the 3 entities - this is based on the old formula

1/3 33,105.60 This is the 1/3 amount for each entity.

Calculation - Part II

Budget Remainder 201,643.20

Calls for Last 5 Years

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>Total</u>	<u>5 Yr Avg</u>	<u>% Share</u>	<u>Amount</u>
Clearwater	124	133	134	137	161	689	138	52.04%	104,933.66
Clearwater Twp	62	63	55	50	87	317	63	23.94%	48,278.62
Lynden Twp	59	45	71	65	78	318	64	24.02%	48,430.92
Total	245	241	260	252	326	1,324	265	100.00%	201,643.20

Total Cost Split

	<u>Part I</u>	<u>Part II</u>	<u>Total</u>	<u>Share</u>
Clearwater	33,105.60	104,933.66	138,039.26	45.87%
Clearwater Twp	33,105.60	48,278.62	81,384.22	27.04%
Lynden Twp	33,105.60	48,430.92	81,536.52	27.09%
	99,316.80	201,643.20	300,960.00	

Fire Contract Proposed Split Formula - 2021 Budget - Method 1

2021 Budget **350,000** ***estimate only - this has not yet been reviewed*

Calculation - Part I

Budget 350,000 33% 115,500.00 33% is taken off the top and split between the 3 entities - this is based on the old formula

1/3 38,500.00 This is the 1/3 amount for each entity.

Calculation - Part II

Budget Remainder 234,500.00

Calls for Last 5 Years

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>Total</u>	<u>5 Yr Avg</u>	<u>% Share</u>	<u>Amount</u>
Clearwater	124	133	134	137	161	689	138	52.04%	122,032.10
Clearwater Twp	62	63	55	50	87	317	63	23.94%	56,145.39
Lynden Twp	59	45	71	65	78	318	64	24.02%	56,322.51
Total	245	241	260	252	326	1,324	265	100.00%	234,500.00

Total Cost Split

	<u>Part I</u>	<u>Part II</u>	<u>Total</u>	<u>Share</u>
Clearwater	38,500.00	122,032.10	160,532.10	45.87%
Clearwater Twp	38,500.00	56,145.39	94,645.39	27.04%
Lynden Twp	38,500.00	56,322.51	94,822.51	27.09%
	115,500.00	234,500.00	350,000.00	

**CITY OF CLEARWATER
FIRE SERVICES CONTRACT**

This contract is made and entered into this ____ day of _____, 20____ between the City of Clearwater, Minnesota, ("City"), Clearwater Township, Minnesota and Lynden Township, Minnesota ("Towns").

In consideration of the mutual promises and agreements hereinafter set forth the parties do hereby agree as follows:

1. **Fire Service.** Towns agree to purchase from City, and City agrees to provide Towns, the following fire services:

- | | |
|--|---|
| <ul style="list-style-type: none"><input type="checkbox"/> Structural Firefighting<ul style="list-style-type: none"><input type="checkbox"/> External Structural Firefighting<input type="checkbox"/> Interior Structural Firefighting<input type="checkbox"/> Grass/Forest Firefighting<input type="checkbox"/> General Firefighting<ul style="list-style-type: none"><input type="checkbox"/> Vehicles & Equipment<input type="checkbox"/> Carbon Monoxide Calls<input type="checkbox"/> Other Non-Structural Firefighting<input type="checkbox"/> Rescue<ul style="list-style-type: none"><input type="checkbox"/> Vehicle & Equipment Extrication<input type="checkbox"/> General Search & Rescue<input type="checkbox"/> Confined Space Rescue<input type="checkbox"/> High Level Rescue<input type="checkbox"/> Water Rescue<input type="checkbox"/> Diving/Recovery<input type="checkbox"/> Emergency Medical Services<ul style="list-style-type: none"><input type="checkbox"/> Fire Scenes<input type="checkbox"/> Rescue Scenes | <ul style="list-style-type: none"><input type="checkbox"/> General Medicals<ul style="list-style-type: none">Level of Emergency Medical Response<ul style="list-style-type: none"><input type="checkbox"/> First Responder<input type="checkbox"/> Emergency Medical Technician<input type="checkbox"/> Paramedic<input type="checkbox"/> Fire Code Enforcement<input type="checkbox"/> Hazardous Materials Response<ul style="list-style-type: none">Level of Hazardous Materials Response<ul style="list-style-type: none"><input type="checkbox"/> First Responder, Awareness<input type="checkbox"/> First Responder, Operations<input type="checkbox"/> HAZMAT Technician<input type="checkbox"/> HAZMAT Specialist<input type="checkbox"/> Disaster Response<input type="checkbox"/> _____ |
|--|---|

The services indicated above are further explained, or limited, as follows:

- a. **Allocation of Resources.** The parties understand the fire department officer in charge of the particular scene shall exercise judgment to determine, in consideration of all the established policies, guidelines, procedures, and practices, how best to allocate the available resources of the fire department under the circumstances of a given situation. Failure to provide fire services because of poor weather conditions or other conditions beyond the control of City shall not be deemed a breach of this contract.

- b. **No Guarantee.** The parties understand and agree City will endeavor to provide the services indicated above to the best of its ability given the circumstances, but City makes no guarantees that the services it actually provides in a given situation will meet any particular criteria or standard.

2. **Payment.** Towns agree to pay City during the term of this contract the Payment Amount determined annually according to the formula as set forth in Exhibit A which is attached hereto and made a part of this contract. Half of the Payment Amount owed shall be remitted to the City on July 15 and December 15 of each year of this contract. City shall invoice Towns for each payment owed,

but failure to submit invoices does not void requirement for Towns to remit the Payment Amount.

3. **Fire Advisory Committee.** Towns and City shall hold at least one joint meeting annually during the term of this contract to calculate the Payment Amount for the upcoming year, discuss Towns' satisfaction with the services provided during the year, and to discuss such other issues as each party deems relevant to this contract. The meeting shall be held separately from any regular Town or City meeting and shall be attended by at least one appointed representative from each party's governing body. The meeting shall also be attended by the City's Fire Chief or designee. The representative appointed by the City shall act as Chair at the meeting, and minutes shall be taken by a City Staff representative. The Fire Advisory Committee meeting shall comply with open meeting law requirements.
4. **Emergency Service Charge.** Towns, in their sole discretion, may exercise their authority to impose and collect an emergency service charge on those receiving emergency services, including fire services, within Town's Service Territory. City shall have no right to, or interest in, any service fees collected by Towns. If Towns impose an emergency service charge they shall provide City a list of the specific types of information needed in order to successfully impose and collect the charge. City shall make a good faith effort to collect the requested information for each service call to the Service Territory and promptly provide Towns with the information it collected.
5. **Service Territory.** City shall provide fire services as indicated in this contract to the area in each Town as indicated on the map shown on Exhibit B which is attached hereto and made part of this contract. The identified area shall constitute the Town's Service Territory for the purposes of this contract.
6. **Term.** This contract shall commence on January 1, 2021 and terminate on December 31, 2025 unless otherwise extended by agreement of the parties or otherwise terminated in accordance with Section 7 of this contract.
7. **Termination.** This contract may be terminated at any time during its term by mutual agreement of the parties. Any party may terminate this contract by providing written notice of termination to the other parties via first class mail to the following mailing address:

City of Clearwater
Attn: City Administrator
PO Box 9
Clearwater, MN 55320

Clearwater Township
Attn: Town Clerk
PO Box xx
Clearwater, MN 55320

Upon receipt of such notice, this contract will terminate at 11:59 p.m. on December 31 of the year following the year in which notice was received.

8. **Ownership.** City owns the buildings and equipment associated with the Fire Department and the amounts paid by Towns do not give rise to any ownership interest in, or responsibility toward, those items.
9. **City's Responsibilities.** In addition to any other obligations described herein, City shall:

- a. Authorize and direct the City fire department to provide the fire services described herein to Town's Service Territory;
- b. Develop a detailed annual operational budget for the fire department for each year during the term of this contract and present it to the Fire Advisory Committee for consideration;
- c. Upon Town's request, provide Towns access to financial and cost data related to the fire department for any years prior to the current service year for which the City has data pursuant to its Data Practices Retention Schedule;
- d. Disclose to Towns any proposed action City or the fire department intends to take that can reasonably be expected to effect the Insurance Services Office Fire Protection Grade in the Service Territory or City's ability to provide the fire services indicated above; and
- e. Promptly disclose to Town any information City can reasonably anticipate will directly affect its ability to perform its obligations under this contract.

10. Town's Responsibilities. In addition to any other obligations described herein, Towns shall:

- a. Promptly pay City the Payment Amount as outlined above for the year of service;
- b. Present a budget and levy proposal to the town electors at each annual town meeting during the term of this contract seeking authority to levy funds as needed to pay the Payment Amount; and
- c. Promptly disclose to City any information Towns can reasonably anticipate will directly affect its ability to perform its obligations under this contract.

It is understood and agreed Towns shall have no responsibility whatsoever toward the fighters or other emergency personnel including any employment related issues such as training, supervision, performance reviews, discipline, compensation, benefits, insurance coverages, compliance with any employment related federal, state, and local laws and rules such as OSHA, ERISA, RLSA, FMLA, or any other employment related issues. It is further agreed Towns have no responsibility, beyond paying the agreed upon Payment Amount, for acquiring, operating, maintaining, housing, or replacing equipment as needed to provide the fire services described herein.

11. Insurance Requirements. City shall maintain general liability insurance for its services and shall include Towns as additional insureds for the term of this contract and any extensions thereof. City shall also maintain inland marine, automobile, and property insurance coverages. City shall provide Towns proof of such insurance coverages and the additional insured endorsement naming the Towns annually at the time of insurance renewal.

12. Indemnification. City agrees to defend and indemnify Towns against any claims brought or actions filed against Towns or any officer, employee, or volunteer of Towns for injury to, death of, or damage to the property of any third person or persons, arising from City's performance under this contract for services. Under no circumstances, however, shall City be required to pay on behalf of itself and Towns, any amounts in excess of the limits on liability established in Minnesota Statutes Chapter 466 applicable to any one party. The limits of liability for Towns and City may not be added together to determine the maximum amount of liability for City. The intent of this subdivision is to impose on City a limited duty to defend and indemnify Town for claims arising out of the performance of this contract subject to the limits of liability under Minnesota Statutes Chapter 466. The purpose of creating this duty to defend and indemnify is to simplify the defense of claims by eliminating conflicts between the parties and to permit

liability claims against both parties from a single occurrence to be defended by a single attorney.

- 13. **No Waiver.** Nothing herein shall be construed to waive or limit any immunity from, or limitation on, liability available to either party, whether set forth in Minnesota Statutes Chapter 466 or otherwise.
- 14. **Modification.** This writing contains the entire agreement between the parties and no alterations, variations, modifications, or waivers of the provisions of this agreement are valid unless reduced to writing, signed by both City and Towns, and attached hereto.
- 15. **Subcontracting & Assignment.** City shall not subcontract or assign any portion of this contract to another without prior written permission from Towns. Services provided to Towns pursuant to a mutual aid agreement City has, or may enter into, with another entity does not constitute a subcontract or assignment requiring prior approval of Towns so long as City remains primarily responsible for providing fire services to Town’s Service Territory.
- 16. **Service Contract.** This is a service contract. The parties do not intend to undertake or create, and nothing herein shall be construed as creating, a joint powers agreement, joint venture, or joint enterprise between the parties.
- 17. **Minnesota Law Governs.** This contract shall be governed by and construed in accordance with the internal laws of the State of Minnesota. All proceedings related to this contract shall be venued in the State of Minnesota.
- 18. **Severability.** The provisions of this contract shall be deemed severable. If any part of this contract is rendered void, invalid, or otherwise unenforceable, such rendering shall not affect the validity and enforceability of the remainder of this contract.

IN WITNESS WHEREOF, the parties have executed this contract effective on the date indicated above.

CITY OF CLEARWATER

CLEARWATER TOWNSHIP

LYNDEN TOWNSHIP

Mayor

Board Chair

Board Chair

City Administrator

Town Clerk

Town Clerk

Date

Date

Date

Exhibit A – Payment Amount Calculation

The City shall account for Fire Department revenues and expenditures in a Special Revenue Fund designated for Fire and Rescue operations. Any donations to the Fire Department or grants received by the Fire Department shall be booked as revenues to the Fire Department Fund for operations of the department and not used by the City for other purposes. Any proceeds from the sale of Fire Department equipment shall be booked as revenues to the Fire Department Fund and shall not be considered a contribution or payment from any party. The City shall not transfer any money out of the Fire Department Fund unless specifically used for Fire Department purposes, such as bond payments made for the purchase of Fire Department assets.

Any surplus or deficit in the Fund at the end of each calendar year following completion of the City audit shall be split among the parties based on their share of the Payment Amount for the year during which the surplus or deficit occurred. The credit or deficit shall be reflected on the invoice for the first half payment due the year following the fiscal year. For example, a surplus from 2019 would be credited to the first half payment due July 15, 2020.

Each year, the City shall calculate a budget for the Fire Department's operations, debt service, and capital needs for the upcoming fiscal year. The budget shall be reviewed by the Fire Advisory Committee and presented to each party's governing Board. In addition, the City's Fire Department will provide an annual report outlining the call activity for the previous year. The departmental budget and calls will be used to calculate the Payment Amount for each year.

Payment Amount Calculation:

(Insert Chosen Method)

Townships Prefer Method 1 as outlined in calculation proposals, with some adjustments.

Exhibit B – Service Territory Map

Insert Service Territory Maps that outlines parcels and area of highways included in each.

COURI & RUPPE, P.L.L.P

Attorneys at law

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St. Michael, MN 55376-0369

(763) 497-1930

(763) 497-2599 (FAX)

www.couriruppe.com

Michael C. Couri*
Robert T. Ruppe**

**Also Licensed in Illinois*

***Also Licensed in California*

May 7, 2020

Annita Smythe
City Administrator
City of Clearwater
P.O. Box 9
Clearwater, MN 55320

Re: Clearwater and Lynden Townships; Fire Contract.

Dear Ms. Smythe:

The Lynden and Clearwater Township Boards have met to discuss the terms of a fire contract with the City of Clearwater and have agreed that the Townships are willing to enter into a fire contract for 2021 that encompass the following terms:

- 1/3rd of the annual fire budget to be split evenly between the three parties.
- 2/3^{rds} of the annual fire budget to be allocated based on the percentage of calls for each jurisdiction over a five-year moving average. This is the same formula shown as “M1 2021” on the “2021 Fire Contract Options” spreadsheet that Anita and Jean discussed in March.
- The first year debt service for the new fire truck to be allocated based on the percentage of calls for each jurisdiction over a five-year moving average.
- \$50,000 be included in each year’s budget as a capital reserve for future equipment purchases.
- After the close of each year a budget to actual “true up” be performed, with a corresponding credit back to the Townships if less than the budgeted amount was spent or an additional check cut to the City from the Townships if more than the budgeted amount was spent.
- The City provides the Township with quarterly or monthly budget reports.
- The City provides the Township with quarterly or monthly run reports summarizing all fire department runs, the nature of the call (medical, fire, car accident, etc.), the address or location responded to, and the time and date of the response.

Annita Smythe

May 7, 2020

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- A fire advisory commission be established that meets at least annually to facilitate the free flow of information between the Townships and the City regarding fire service issues.

A contract on this basis can be approved in time for the City's 2021 budgeting process and before the Townships set their levies (the Townships continued their annual meetings to set the levy until late summer) and will ensure that all parties are able to adequately plan and budget for fire service in 2021. Please confirm that these points are acceptable for a 2021 fire service contract, at which point a draft document can be prepared for the parties to consider.

Sincerely,



Michael C. Couri
Couri & Ruppe, P.L.L.P.

Cc: Jenny Schmidt
Jean Just

**CITY OF CLEARWATER
WRIGHT AND STEARNS COUNTIES, MINNESOTA**

A regular meeting of the City Council of the City of Clearwater, Minnesota, was called to order by Mayor Lawrence at 7:00 p.m. in the Council Chambers at City Hall on Monday, May 11, 2020.

The following Council Members were present: Lawrence, Petty, Scott, Crandall, and Kruchten.

The following Council Members were absent: None.

A motion to adopt the following resolution was made by _____ and seconded by _____.

.....

**RESOLUTION 2020-30
A RESOLUTION MODIFYING THE ENABLING RESOLUTION REGARDING
THE ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF CLEARWATER**

WHEREAS, the Clearwater City Council on April 3, 2006 adopted Resolution 2006-22, an enabling resolution establishing an Economic Development Authority (“EDA”) pursuant to Minnesota Statutes, sections 469.090 through 469.1081 (“Act”); and

WHEREAS, enabling Resolution 2006-22 was modified by Resolution 2012-33, adopted November 5, 2012; and

WHEREAS, the EDA was not granted the powers of a housing and redevelopment authority under Minnesota Statutes, sections 469.001 through 469.047 or of a city under Minnesota Statutes, sections 469.124 through 469.134; and

WHEREAS, it is found and determined by the City council that the encouragement and financial support of economic development and redevelopment in the City is vital to the orderly development of the City and in the best interests of the health, safety, prosperity and general welfare of the citizens of the City;

WHEREAS, it is further found and determined that the economic development and redevelopment of the City can best be accomplished by the establishment of an economic development authority imbued with the full range of powers authorized by the Act; and

WHEREAS, given the past difficulties in recruiting and sustaining EDA commissioners, it is further found and determined that that it is in the best interests of the City and its residents to allow for more than two members of the City Council to serve on the EDA; and

WHEREAS, for the reasons outlined above, and pursuant to Minnesota Statutes, section 460.093, subd. 2, the City Council has determined that it is beneficial to amend the EDA enabling resolution; and

WHEREAS, a duly noticed public hearing related to the proposed modification of the enabling resolution was held on Monday, May 11, 2020, as required by the Act; and

WHEREAS, following the public hearing, the City Council has determined to proceed with the amendment contained herein.

NOW, THEREFORE, BE IT RESOLVED by the Clearwater City Council the following:

Section 1. Background; Findings.

1.01. The City is authorized by Minnesota Statutes, Chapter 469 (“Act”) to establish an Economic Development Authority (“EDA”) to coordinate and administer economic development and redevelopment plans and programs of the City.

1.02. It is found and determined by the City Council that the encouragement and financial support of economic development and redevelopment in the City is vital to the orderly development and financing of the City and in the best interests of the health, safety, prosperity and general welfare of the citizens of the City.

1.03. It is further found and determined that the economic development and redevelopment of the City can best be accomplished by the establishment of an EDA as authorized by the Act.

1.04. The City Council has in accordance with the Act provided public notice and conducted a public hearing on May 11, 2020 concerning the establishing of an EDA at which all persons wishing to be heard expressed their views.

Section 2. Enabling Resolution; Organization.

2.01. The Economic Development Authority of the City of Clearwater (“EDA”) is hereby established by this Resolution (the “Enabling Resolution”). The EDA is a public body corporate and politic and a political subdivision of the State of Minnesota.

2.02. The EDA shall have all the powers of an economic development authority under the Act, and the powers of a housing and redevelopment authority under Minnesota Statutes, sections 469.001 to 469.047 and of a city under Minnesota Statutes, sections 469.124 to 469.134, as such laws may be amended from time to time, except as limited by this Enabling Resolution.

2.03. The EDA shall consist of a governing body of five commissioners with a quorum consisting of any three members. At least two of the commissioners shall be members of the City Council. Any commissioner that is not also a member of the City Council shall be either a resident of the City of Clearwater or conduct their primary business activities in the City. All commissioners shall be appointed by the Mayor with the approval of the City Council.

2.04. Commissioners shall be appointed for six-year terms, except that those initially appointed shall be appointed for staggered terms of up to six years. The City Council may set the term of the commissioners who are members of the City Council to coincide with their term of office as members of the City Council. A vacancy is created in the membership of the commission when a commissioner’s term expires or a member resigns their position. A vacancy may be filled for the balance of the unexpired term in the manner in which the original appointment was made.

2.05. Each commissioner shall be paid for attending each regular or special meeting of the EDA, in an amount determined by the City Council. A commissioner shall also be entitled to reimbursement for actual expenses incurred in the course of official business of the EDA, as approved by the EDA.

Section 3. Limitations.

The following limits apply to the EDA and its operation:

3.01. The sale of bonds or other obligations of the EDA must be approved by the City Council.

3.02. The EDA must follow the budget process for City departments in accordance with City policies, ordinances, and resolutions.

3.03. Development and redevelopment actions of the EDA must be in conformance with the City comprehensive plan and official controls implementing the comprehensive plan.

3.04. The administrative structure and management practices and policies of the EDA must be approved by the City Council.

3.05. Except when previously pledged by the EDA, the City Council may by resolution require the EDA to transfer any portion of the reserves generated by its activities that the City Council determines is not necessary for the successful operation of the EDA to the debt service fund of the City to be used solely to reduce tax levies for bonded indebtedness of the City.

3.06. As provided in the Act it is the intention of the City Council that nothing in this Enabling Resolution nor any activities of the EDA are to be construed to impair the obligations of the City under any of its contracts or to affect in any detrimental manner the rights and privileges of a holder of a bond or other obligation heretofore issued by the City.

Section 4. Audit.

4.01. The financial statements of the EDA must be prepared, audited, filed, and published or posted in the manner required for the financial statements of the City.

4.02. The report must be filed with the state auditor by June 30th of each year.

Section 5. Bonds.

5.01. The EDA may issue its general obligation bonds in the principal amounts authorized by two-thirds majority vote of the City Council.

a. The bonds may be issued in anticipation of income from any source and used to secure funds needed to pay for acquired property or for other purposes authorized by the Act.

b. The bonds must be in the amount and form and bear interest at the rate set by the City Council.

c. The first installment shall be due in not more than 3 years and the last in not more than 30 years from the date of issuance.

d. The bonds shall not impose any personal liability on a member of the EDA.

- e. The bonds shall be secured by the full faith, credit and resources of the City only if the City Council specifically authorizes the EDA to do so.

5.02. The EDA may issue revenue bonds for such purposes and following such procedures as are specified in the Act.

Section 6. Tax Levy.

6.01. The City may, at the request of the EDA, levy a tax in any year for the benefit of the EDA in an amount not more than 0.01813 percent of taxable market value of property within the City or such other amount as allowed by the Act. The levy may be increased by resolution of the City Council following a public hearing and published notice in accordance with the Act.

6.02. The EDA may, when exercising its powers as a housing and redevelopment authority, levy a tax in accordance with Minnesota Statutes, section 469.033. The levy shall be in an amount approved by the City Council but shall not exceed 0.0185 percent of taxable market value of property within the City or such other amount as authorized by law.

Section 7. Implementation.

7.01. The City Council will from time to time and at the appropriate time adopt such ordinances and resolutions as are required and permitted by the Act to give full effect to this Enabling Resolution.

7.02. The Mayor, the City Administrator, and other appropriate City officials and staff are authorized and directed to take the actions and execute and deliver the documents necessary to give full effect to this Enabling Resolution.

7.03. Nothing in this Enabling Resolution is intended to prevent the City from modifying this Enabling Resolution to impose new or different limitations or authorizations on the EDA as otherwise authorized by the Act.

Section 8. Supersedes Previous Authorizations.

8.01. This modified Enabling Resolution constitutes the operative enabling resolution of the EDA as of the date of its adoption and supersedes Resolution 2006-22 and Resolution 2012-33.

PASSED AND DULY ADOPTED by the City Council of the City of Clearwater, Minnesota this 11th day of May, 2020.

CITY OF CLEARWATER

ATTEST:

Andrea Lawrence-Wheeler, Mayor

Annita M. Smythe, City Administrator

**CITY OF CLEARWATER
WRIGHT AND STEARNS COUNTIES, MINNESOTA**

A regular meeting of the City Council of the City of Clearwater, Minnesota, was called to order by Mayor Lawrence at 7:00 p.m. via Zoom Web Conference on Monday, May 11, 2020.

The following Council Members were present:

The following Council Members were absent:

A motion to adopt the following resolution was made by _____ and seconded by _____.

.....

**RESOLUTION 2020-31
APPROVING SITE PLAN
630 COUNTY RD 75 NW**

WHEREAS, Mr. Dean Trongard has submitted an application for Site Plan review due to a change in use of the principal structure from retail to general office business and the continuation of a Food Truck as a secondary principal use on the property located at 630 County Road 75 NW; and

WHEREAS, the City Council in 2017 approved Ordinance 2017-05 (Establishing Licensing and Regulations for Mobile Food Units and Food Carts) which allows Food Trucks to become a secondary principal use on the property as a permanent structure; and

WHEREAS, the City has not received any complaints or concerns in regards to the operation of the Food Truck since it was put in place; and

WHEREAS, the applicant has provided 47 parking spaces, which is more than the total 18 required spaces needed under City Code, so the applicant complies with the requirements for total parking spaces; and

WHEREAS, the Planning Commission reviewed the current Site Plan application at their meeting conducted on May 5, 2020 and recommends approval of the Site Plan with the conditions noted below.

NOW, THEREFORE, BE IT RESOLVED that the Clearwater City Council hereby approves the Site Plan at the property located at 630 County Road 75 NW with the following conditions:

- Compliance with licensing and regulations of City Ordinance 2017-05 regulating Food Trucks. This includes the parking of the Food Truck on either concrete or bituminous surfacing.
- Waiving Sec. 117-1037 - Outside storage/display, (C) 3- Parking of commercial vehicles. Based off Ordinance 2017- 05 Regulations of Food Trucks.
- Waiving Sec. 117-1037 - Outside storage/display, (D) 1- stating that no vehicle may be used for business. Based off Ordinance 2017-05.
- No other vehicles associated with the Food Truck business shall remain parked on the property

during non-business hours.

- The Food Truck will not be operated as a drive-thru or drive-up window.
- Continue to maintain 9 living shrubs as illustrated on the Site Plan.

Council members voting in favor:

Opposed or Abstained:

Adopted by the City Council this 11th day of May, 2020.

ATTEST:

APPROVED BY:

Annita M. Smythe, City Administrator

Andrea Lawrence, Mayor



To: Honorable Mayor Lawrence and Members of the Clearwater City Council

From: Annita M. Smythe, City Administrator

Date: May 11, 2020

Re: 2020 Road Project Plans

Background

Staff and City Council members have been reviewing road conditions this spring as is done every year. For various reasons, it has become apparent that certain roads require repairs beyond the normal patching and chip sealing that occurs each year. There are plans in place to complete some large-scale patching in areas of Cedar South, along with the annual patching and chip sealing program. We have funding resources built into the 2020 budget for these projects. However, there are not any capital funds allocated in the 2020 budget for the larger road repairs that are under consideration. Staff are requesting direction from the City Council on how you would like to proceed for these areas.

Projects for Consideration

Below are the road repairs under consideration and some estimated costs. These estimates are based on material/labor costs for other similar projects done over the last year or two – they are not engineered estimates. These costs also do not include project design costs.

Ash Street from County Road 24 to Main Street
Propose to mill/overlay this stretch of road.
\$48/ft * 3,000 ft = \$144,000

Main Street from Eagle Drive to County Road 75
Propose to mill/overlay this stretch of road.
\$48/ft * 1,400 ft = \$67,200

Smith Street from Coborn's driveway to Ash Street
Propose to mill/overlay this stretch of road.
\$48/ft * 450 ft = \$21,600

Smith Street from Coborn's driveway to County Road 24
Propose to place concrete for this stretch of road. This is to help address the chemical runoff from the adjacent car wash, which continues to erode the asphalt surface.
250 ft of concrete = \$80,000 plus costs for the base (if needed)

Total estimated costs for all 4 roadways = \$312,800 (plus base if needed, and design)

Issues/Concerns

These proposals were developed to get an estimated cost for reasonable repairs that could be completed quickly. While a mill/overlay will address the road conditions, it does not take into consideration the condition of any underlying utilities. Some of these areas have water and/or sewer lines that are also nearing the time when they should be replaced. Replacing the lines underneath would require a reconstruction of the roads at a much higher cost. In addition, the project timeline is also much longer, which would make it difficult to complete these projects in 2020.

Funding is also a concern. The initial hope was that the costs might be low enough to cash-flow some of these roads. After reviewing the budget and the city's cash position with the Finance Director, it is apparent that the city could not cash-flow these projects without a significant spend-down of general fund reserves. Given the concerns about the potential financial impact of the COVID-19, it is not advisable to spend down our reserves at this time.

The Finance Director also researched some available grant resources but determined that these roadways did not qualify for assistance under the programs available. In addition, the majority of the grant programs available require a full reconstruct, as they do not fund maintenance projects such as mill and overlay.

Options

There are several possible options to consider.

<u>Project Plan</u>	<u>Funding Source</u>
1) Mill/Overlay all in 2020	Spend Down Reserves
2) Mill/Overlay all in 2020	Bonds
3) Mill/Overlay spread over 2-3 Years	CIP plan in budget/levy
4) Reconstruct all in 2020, including utilities	Bonds/Assessments
5) Reconstruct over 2-3 years, including utilities	CIP plan in budget/Bonds/Assmts
6) Patch and chip seal these roads in 2020 and build future long-term repairs into a city-wide pavement management program.	

Action Requested

Staff are requesting that the City Council consider the available road repair options and direct staff on which direction is preferred.

Recommendation

Based on the alternatives and available resources, my recommendation is that we patch Ash Street and Main Street as best we can for now and consider a funding plan during the budget cycle for a future reconstruct, including utilities, for these roads. I would utilize available reserves to complete the proposed repairs for Smith Street, possibly by using short-term loans from other funds if necessary.