



**CITY OF NEWPORT
COUNCIL WORKSHOP MEETING
NEWPORT CITY HALL
NOVEMBER 3, 2016
IMMEDIATELY FOLLOWING THE REGULAR CITY COUNCIL MEETING**

MAYOR: Tim Geraghty
COUNCIL: Tom Ingemann
Bill Sumner
Tracy Rahm
Dan Lund

City Administrator:
Supt. of Public Works:
Fire Chief:
Asst. to the City Admin:

Deb Hill
Bruce Hanson
Steven Wiley
Renee Eisenbeisz

AGENDA

1. ROLL CALL
2. BUDGET DISCUSSION
3. DISCUSSION REGARDING PROPOSED CODE AMENDMENTS
4. ADJOURNMENT



MEMO

TO: Newport City Council
FROM: Deb Hill, City Administrator
DATE: November 3, 2016
SUBJECT: 2017 Initial Budget

General Assumptions:

- Step increases in July 2017
- 7.5% health increase
- 0% dental increase
- 0% life increase
- 85% family co-pay (from 88%)
- Additional entry level maintenance employee (parks)
- Closure of Loveland warming house and rink

Revenue

- Ad valorem taxes up \$217,587
- LGA up \$545
- Fire relief contribution \$54,807
- Fiscal Disparities down \$6622
- Total revenue up \$218,132

Expenses

General Government

- Mayor and Council up \$664
- Administration down \$3217
- Elections down \$3490
- Professional Services down \$10,485
- Planning/Zoning up \$7000 – comp plan expenses
- Library up \$2347
- Total Government down \$6418

Public Safety

- Police down \$38,798
- Fire up \$10,585
- Total Public Safety down \$28,213

Streets up \$2206

Total PW up \$6033

Park and Recreation up \$31,173

Misc. – Includes money for hydrant painting

Total expenses down \$3800

Transfers up \$113,000 – an extra \$35,000 to parks for fishing pier and added costs for rink lighting at Lions Park, \$61,000 for CIP fund

Debt Service down \$172,009 (estimate)

2016 Levy - \$2,280,416

Initial 2017 Levy - \$2,326,024

Initial levy increase – 2.0%

Debt Service	2017	2016
2011A	\$88,358	\$85,313
2010A	\$0	\$128,962
2013A	\$72,616	\$68,364
2014A	\$148,765	\$286,449
2016A	\$90,340 – estimate for street projects	



MEMO

TO: Mayor and City Council
 Deb Hill, City Administrator

FROM: Renee Eisenbeisz, Assistant to the City Administrator

DATE: October 27, 2016

SUBJECT: Proposed Maintenance Aid Position

BACKGROUND

At the August 4, 2016 City Council budget workshop, staff recommended adding an entry level position for Public Works that would concentrate on routine maintenance. Please find attached a proposed job description for that position.

DISCUSSION

Based on Sprintsted's class evaluation system, this position would be in grade 5 of the City's pay grid for both full-time and part-time. The steps are below.

Full-Time									
Grade	1	2	3	4	5	6	7	8	9
5	\$39,147	\$40,224	\$41,330	\$42,466	\$43,634	\$44,834	\$46,067	\$47,334	\$48,636
	\$18.82	\$19.34	\$19.87	\$20.42	\$20.98	\$21.55	\$22.15	\$22.76	\$23.38
Part-Time									
5	\$29,360	\$30,167	\$30,997	\$31,849	\$32,725	\$33,625	\$34,550	\$35,500	\$36,476
	\$14.12	\$14.50	\$14.90	\$15.31	\$15.73	\$16.17	\$16.61	\$17.07	\$17.54

Due to the increased difficulty of finding and retaining quality seasonal summer maintenance, staff is recommending that we hire for this as a full-time position in April 2017. Assuming family insurance, this position would range from \$62,000 - \$73,150 with full benefits. 10% of the salary would be allocated to water, 10% to sewer, 5% to storm water, and 75% to the general fund.

If we hired as seasonal, this position would range from \$9,000 - \$11,170. Please note that if we hired a seasonal summer maintenance employee, we could be liable for paying unemployment for up to six months if they file, which could range from \$6,600 - \$8,200.

**CITY OF NEWPORT, MINNESOTA
JOB DESCRIPTION**



POSITION: Maintenance Aid
DEPARTMENT: Public Works
REVISED: *October 2016*
FLSA: Non-Exempt

PRIMARY OBJECTIVE OF THE POSITION:

Performs a variety of unskilled and semi-skilled work assisting in the maintenance and repair of public parks, buildings, grounds, streets, and utilities. Work is performed under the limited supervision of the Superintendent - Public Works.

QUALIFICATION REQUIREMENTS:

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

ESSENTIAL FUNCTIONS:

Assists with maintaining parks and recreational areas including mowing, edging, seeding, snow removal, ice rink maintenance, repairs, cultivating, fertilizing, sod laying and hedge trimming, sweeping, picking and raking of litter, and emptying of trash receptacles.

Assists with maintaining and repairing City streets and pedestrian walkways including snow and ice removal.

Assists with maintaining City buildings and grounds including mowing, trimming, and snow removal as required, cleaning, painting, carpentry and other work as necessary.

Assists with maintaining and repairing the sanitary sewer system, storm sewers, drainage lines, utilities, and facilities; checks and maintains lift stations; cleans manholes and cleans and/or repairs sewer lines annually or as necessary.

Operates all City owned equipment in the performance of duties as assigned, including but not limited to mowing equipment, sewer rodders, roller, hoists, welders, plasma cutters and a variety of hand and power tools.

Performs other related tasks as required.

KNOWLEDGE, SKILLS AND ABILITIES:

General knowledge of the safe use, operation and preventive maintenance of the equipment, hand/power tools, and vehicles required for this position; knowledge of horticulture; knowledge of the maintenance of water and/or sewer systems; ability to communicate clearly and professionally, both verbally and in writing; ability to understand and follow specific oral instructions; ability to handle complaints and unpleasant customers; ability to perform manual tasks for extended periods, often under unfavorable weather conditions; ability to read and write; ability to establish and maintain effective working relationships with associates and the general public.

EDUCATION AND EXPERIENCE

High school diploma or GED and moderate experience, or equivalent combination of education and experience.

PHYSICAL REQUIREMENTS:

This work requires the regular exertion of up to 25 pounds of force, frequent exertion of up to 50 pounds of force and occasional exertion of over 100 pounds of force; work regularly requires standing, walking, speaking

or hearing, using hands to finger, handle or feel, reaching with hands and arms, tasting or smelling, pushing or pulling and lifting, frequently requires sitting, climbing or balancing and stooping, kneeling, crouching or crawling and occasionally requires repetitive motions; work requires close vision, distance vision, ability to adjust focus, depth perception, color perception, night vision and peripheral vision; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using of measuring devices, assembly or fabrication of parts within arms-length, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work regularly requires working near moving mechanical parts and exposure to outdoor weather conditions, frequently requires exposure to wet, humid conditions (non-weather), exposure to fumes or airborne particles, exposure to extreme heat (non-weather) and exposure to vibration and occasionally requires working in high, precarious places, exposure to toxic or caustic chemicals, exposure to extreme cold (non-weather), exposure to the risk of electrical shock, wearing a self-contained breathing apparatus, exposure to blood-borne pathogens and may be required to wear specialized personal protective equipment and perform confined space work; work is generally in a loud noise location (e.g. grounds maintenance, heavy traffic).

SPECIAL REQUIREMENTS:

Valid Driver's License

Within one year of hire:

Safety training

Ongoing job-related training

REVENUE	2012 ACTUAL	2013 ACTUAL	2014 ACTUAL	2015 ACTUAL	2016 BUDGET	2017 DRAFT
Property Taxes						
Current ad valorem	\$ 1,825,793	1,798,043	\$ 1,780,332	1,546,785	1,301,137	1,526,508
Fiscal disparities	286,461	254,961	288,232	358,965	354,222	347,600
Fire relief	1,000	65,000	63,897	56,833	55,969	54,807
Special Assessments/debt service	0					
Total Property Taxes	2,113,254	2,118,004	2,132,461	1,962,583	1,711,328	1,928,915
Intergovernmental Revenue						
Local governmental aid	589,106	589,360	627,489	654,481	634,880	635,425
Market Value & other tax credits	0	0		0		
Police town aid	45,308	47,653	53,312	55,829		
Police training reimbursement	2,325	2,771	2,314	2,332		
State fire relief aid	12,577	13,776	17,656	24,973	12,500	12,500
Other/miscellaneous grants	42,820	21,262	18,625	33,004	30,000	30,000
Total Intergovernmental Revenue	692,136	674,822	719,396	770,619	677,380	677,925
Licenses and Permits						
Conditional use permits	2,100	2,050	2,950	2,450	-	-
Licenses and permits	1,180	1,650	1,450	975	11,750	11,750
Liquor licenses	8,430	10,690	8,660	8,660	8,600	8,600
Cigarette licenses	250	1,250	500	1,000	500	500
Building permit fees	58,387	70,217	60,321	56,758	50,000	50,000
Animal licenses/citations	2,305	1,810	2,255	2,220	2,000	2,000
Recycling/sanitation	3,000	2,100	1,500	3,300	2,400	2,400
Total Licenses and Permits	75,652	89,767	77,636	75,363	75,250	75,250
Charges for Services						
Planning and zoning	0	0	0		1,000	1,000
Special assessment search	0	0	0	0	-	-
Accident reports	153	150	197	289	100	100
Antenna franchise fees	80,591	81,904	80,869	79,222	83,000	83,000
Miscellaneous	12,595	16,875	11,839	14,446	250	250
Total Charges for Services	93,339	98,929	92,905	93,957	84,350	84,350
Other Revenue						
Fines and forfeits	58,234	68,193	66,381	61,850	52,000	52,000
Interest earned on investments	7,937	5,598	24,376	23,478	8,000	8,000
Rent or sale of property	2,138	5,279	5,611	0	-	-
Donations	48,884	6,045	4,757	10,669	8,000	8,000
Other	135,116	69,286	45,511	49,352	14,000	14,000
Total Other Revenue	252,309	154,401	146,636	145,349	82,000	82,000
TOTAL REVENUE	3,226,690	3,135,923	3,169,034	3,047,871	2,630,308	2,848,440

EXPENDITURES: GENERAL GOVERNMENT	2012 ACTUAL	2013 ACTUAL	2014 ACTUAL	2015 ACTUAL	2016 BUDGET	2017 DRAFT
Mayor and Council						
Personnel services	\$ 20,481	\$ 19,550	\$ 19,550	19,550	19,550	22,560
PERA	228	218	218	534	326	690
FICA/Medicare	1,567	1,495	1,508	1,495	1,496	1,726
Workers Comp	42	75	91	75	50	90
Travel/conferences	492	0	312	755	300	750
Memberships	65	15	75	50	100	100
Education	194	95	325	1,050	1,000	1,000
Miscellaneous	0	0	0	291	0	0
Total Mayor and Council	23,069	21,448	22,079	23,800	22,822	26,916
Administration						
Personnel services (2.3)	170,150	152,859	157,206	161,699	174,472	173,416
PERA	10,312	9,637	11,350	8,416	12,415	13,006
FICA/Medicare	11,970	11,815	12,701	11,923	13,415	13,266
Health Insurance	52,235	21,280 *	24,335	30,176	27,395	28,591
Workers Comp	1,443	2,449	2,113	1,763	2,400	2,000
Office supplies	4,655	6,247	4,933	3,603	8,000	8,000
Computer & phone services	761	2,394	1,167	489	2,500	5,500
Equipment repairs & maintenance	0	0	0	0	14,000	0
Travel & mileage	1,344	1,281	2,297	3,036	3,000	3,200
Printing and publishing	9,176	6,200	7,657	3,842	9,000	8,000
Postage	4,309	4,795	3,648	3,069	4,400	4,400
Dues and subscriptions	6,597	7,619	6,988	7,207	6,600	7,500
Education	2,791	2,718	2,521	2,938	3,500	4,000
Contractual services	3,368	7,365	1,833	7,949	10,000	16,000
Capital outlay	9,474	0	0	0	2,000	2,000
Miscellaneous	9,063	12,055 *	7,209	5,640	5,000	6,000
Total Administration	297,648	248,714	245,958	251,750	298,097	294,880
Elections						
Temporary employees	2,884	960	2,774	944	3,250	1,210
Operating supplies	612	0	474	0	800	100
Travel and conferences	0	0	0	300	250	-
Printing and publishing	0	0	0	16	500	-
Miscellaneous	1,045	564	563	0	500	500
Total Elections	4,541	1,524	3,811	1,260	5,300	1,810
Rental Inspections						
Part-time employees				1,074		1,360
FICA/Medicare				83		104
Total Inspections				1,157	0	1,464

EXPENDITURES: GENERAL GOVERNMENT	2012 ACTUAL	2013 ACTUAL	2014 ACTUAL	2015 ACTUAL	2016 BUDGET	2017 DRAFT
Professional services						
Accounting/audit	40,925	40,721	33,377	34,849	33,000	35,000
Engineering	19,959	17,534	2,888	36,785	28,000	28,000
Legal	62,626	66,790	65,414	74,343	72,000	72,000
IT, phone support & hardware	44,949	34,349	34,710	38,403	37,961	18,000
Financial/Assessment services	26,240	23,533	28,183	25,358	28,000	28,000
Building inspection	12,315	27,352	19,254	15,782	16,000	16,000
Insurance	62,956	70,963	70,937	66,924	66,524	68,000
Misc. contracted services	12,663	12,973	11,722	23,753	12,000	18,000
Total Professional Services	282,633	294,215	266,485	316,197	293,485	283,000
Planning and Zoning						
Personnel services	25,257	26,165	(735)	0	0	0
Part time - planning com.		1,050	1,170	1,410	1,800	1,800
PERA	1,805	1,892	(53)	0	0	0
FICA/Medicare	1,967	2,114	33	107	138	138
Health Insurance	4,017	3,532	249	0	0	0
Workers Comp	139	278	0	0	0	0
Operating supplies	0	412	18	20	500	500
Professional services	30,906	21,133	37,447	33,988	38,000	45,000
Travel and conferences	0	0	0	23	1,000	1,000
Printing and publishing	0	0	0	0	0	0
Education	0	0	0	0	0	0
Miscellaneous	2,103	1,265	316	0	0	0
Total Planning & Zoning	66,194	57,841	38,445	35,548	41,438	48,438
Government Buildings						
City Hall						
Operating supplies	659	318	165	696	500	700
Repairs and maintenance	1,491	2,014	156	4,291	4,100	4,100
Utilities	6,987	8,269	8,333	6,654	9,100	8,200
Capital outlay	4,161	1,301	670	5,297	4,000	4,000
Total City Hall	13,298	11,902	9,324	16,938	17,700	17,000
Library						
Personnel	13,253	15,477	10,976	8,552	13,000	15,370
FICA			680	531	805	953
Medicare			159	124	190	223
PERA			630	488	957	1,153
Supplies		808	717	539	750	750
Computer and phones		1,374	1,619	1,853	1,600	1,900
Repairs and maintenance	727	903	26	237	750	750
Utilities	3,425	2,605	2,330	2,158	3,200	2,500
Capital outlay	11,378	4,051	519	1,111	3,500	3,500
Total Library	28,783	25,218	17,656	15,593	24,752	27,099
Railroad Tower						
Repairs and maintenance	33	0	0	0	200	200
Utilities	579	573	380	359	600	600
Total Railroad Tower	612	573	380	359	800	800
Total Government Buildings	42,693	37,693	27,360	32,890	43,252	44,899
Total General Government	716,778	661,435	604,138	662,602	704,394	701,406

EXPENDITURES: PUBLIC SAFETY	2012 ACTUAL	2013 ACTUAL	2014 ACTUAL	2015 ACTUAL	2016 BUDGET	2017 DRAFT
Police Department						
Personnel services (7)	516,562	493,574	508,890	654,262	696,498	710,594
PERA	71,139	70,300	81,538	82,938		
FICA/Medicare	7,782	3,189 *	8,244	8,866		
Workers' Compensation	15,927	26,762	26,189	22,056		
Health insurance	94,173	74,688 *	86,940	76,823		
Overtime	0	13,033	22,325	39,857		
CSO	0	12,020	11,055	5,080		
Animal control	0	0	778	119		4,800
Office supplies	4,141	5,250	3,243	5,507		
Cell phones and pagers	3,387	3,374	4,070	6,938		
Vehicle supplies	1,864	5,876	3,040	4,270		
Tools and equipment	820	807	941	452		
Fuel (8000 gal. per year)	26,738	26,818	26,155	16,199		
Uniforms	6,060	7,501	6,156	9,115		
Travel	30	0	264	0		
Departmental services	258	7,257	7,348	3,587	67,024	9,330
Memberships & conferences	445	207	275	481		
Education	2,621	5,203	5,811	4,170		
Vehicle repair and maintenance	2,142	5,080	2,976	5,159		
Dispatch	38,720	32,042	32,640	33,772		
MDC lease - Wash. Co.	3,375	5,625	6,000	7,000		
Radios 800 MHz - 15 radios @ \$400/yr	0	0	7,501	6,181		
Capital outlay	0	0	7,598	4,394		
Total Police Department	796,184	798,606	859,977	997,226	763,522	724,724

EXPENDITURES: PUBLIC SAFETY	2012 ACTUAL	2013 ACTUAL	2014 ACTUAL	2015 ACTUAL	2016 BUDGET	2017 DRAFT
Fire Protection						
Personnel services (28)	36,393	30,461	28,597	52,095	58,275	61,200
Fica/Medicare		2,260	2,101	3,985	4,460	4,682
Workers' comp. insurance	3,693	8,309	8,068	6,762	7,000	9,000
Office supplies	1,739	826	173	748	2,000	2,000
Vehicle supplies	8,499	1,375	771	1,923	2,000	2,000
Tools and equipment	4,055	1,588	3,258	1,846	4,200	4,200
Fuel	1,722	5,656	3,236	2,385	3,000	3,000
Uniforms	1,026	0	195	2,430	2,000	2,100
Computers & phones (1-cell)	1,524	1,507	1,596	1,250	1,250	4,850
Radios - 800 MHz (27) * \$400/yr	0	12,383	9,302	12,353	12,600	12,600
Travel and conferences	758	587	389	1,450	800	800
Memberships & subscriptions	753	809	534	754	800	2,600
Education	5,262	6,691	2,280	11,620	8,900	10,000
Repairs & maintenance	265	315	25	291	850	850
Contractual	11,425	2,869	8,060	6,584	7,000	7,000
Fire Relief	65,438	69,213	63,897	56,833	55,969	54,807
State Fire Relief Aid	12,577	19,687	20,656	38,979	13,000	13,000
Fire Marshall	0	0	0	0		
Civil Defence	4,622	0	0	0	300	300
Capital outlay	10,000	21,172	14,808	0	15,000	15,000
Total Fire Protection	169,751	185,708	167,946	202,288	199,404	209,989
Fire Station No. 1						
Operating supplies	0	0	0	157	500	500
Repairs and maintenance	187	1,251	971	1,151	1,000	1,000
Utilities	6,359	8,167	8,391	6,617	7,500	7,500
Capital outlay	0	6,539	0	0	1,200	1,200
Total Fire Station No. 1	6,546	15,957	9,362	7,925	10,200	10,200
Fire Station No. 2						
Operating supplies	0	63	0	0	500	500
Repairs and maintenance	0	0	0	0	0	0
Utilities	1,946	2,489	2,542	1,866	2500	2500
Capital outlay	0	0	185	0	0	0
Total Fire Station No. 2	1,946	2,552	2,727	1,866	3,000	3,000
Total Public Safety	974,427	1,002,823	1,040,012	1,209,305	976,126	947,913

EXPENDITURES: OPERATIONS & MAINTENANCE	2012 ACTUAL	2013 ACTUAL	2014 ACTUAL	2015 ACTUAL	2016 BUDGET	2017 DRAFT
Streets						
Personnel services (1.94)	245,250	113,612	113,405	109,656	112,140	114,650
PERA	17,933	8,585	8,371	8,210	9,200	9,394
FICA/Medicare	18,841	9,296	9,145	8,052	9,250	9,582
Workers' compensation	18,880	18,192	23,933	13,260	19,000	17,000
Health insurance	31,962	26,757 *	32,067	29,354	32,100	33,170
Full-time overtime	0	3,205	9,035	1,860	4,500	4,600
Part-time personnel	0	4,394	4,330	2,118	6,000	6,000
Education		1,074	836	681	500	500
Operations and supplies	26,980	52,545	46,904	51,151	50,000	50,000
Vehicle supplies	14,094	10,805	13,450	12,791	15,500	15,500
Small tools and equipment	459	1,114	2,752	0	2,000	2,000
Fuel	14,547	17,745	14,010	9,305	17,000	17,000
Uniforms	2,414	1,496	1,014	1,858	4,000	4,000
Computer (2) & phone (5) services	4,861	1,385	1,551	1,789	6,000	6,000
Travel and milage		0	0	0	500	500
Street maintenance	80,818	96,731	79,379	79,739	82,000	82,000
Repairs & maint.-vehicles	3,734	231	3,942	3,069	5,200	5,200
Rentals		51	0	171	3,000	3,000
Dues & Subscriptions		297	0	347	400	400
Contracted services		6,213	9,233	5,496	10,000	10,000
Capital Outlay	202	11,060	0	0	2,000	2,000
Miscellaneous	9,399	1,672	19	655	3,500	3,500
Total Streets	490,374	386,460	373,376	339,562	393,790	395,996
Composting						
Personnel services	4,528	4,364	3,900	4,580	4,290	4,600
FICA			383	284	280	285
Medicare			90	66	75	67
PERA				344	325	345
Operating supplies	685	30	80	244	50	50
Contracted Services	0	0	0	0	600	600
Miscellaneous contractual	513	4,483	473	433	-	-
Total Composting	5,726	8,877	4,926	5,951	5,620	5,947
Public Works Garage						
Operating supplies	374	4,046	2,076	1,965	1,200	2,000
Repairs and maintenance	1,930	1,702	1,399	2,683	1,500	2,000
Utilities	10,578	19,140	18,475	14,677	12,800	15,000
Capital outlay	636	0	10,776	0	2,000	2,000
Total Public Works Garage	13,518	24,888	32,726	19,325	17,500	21,000
Total Public Works	509,618	420,225	411,028	364,838	416,910	422,943

EXPENDITURES: OPERATIONS & MAINTENANCE	2012 ACTUAL	2013 ACTUAL	2014 ACTUAL	2015 ACTUAL	2016 BUDGET	2017 DRAFT
Parks						
Personnel services (2.6)	144,470	226,392	179,060	216,842	181,900	211,375
Overtime		1,242	4,929	1,586	2,300	2,400
PERA	10,247	15,764	13,339	14,101	14,000	16,033
FICA/Medicare	12,114	30,814	15,094	15,750	15,600	17,425
Health insurance	33,357	31,104 *	30,203	29,082	30,580	41,611
Workers' compensation	11,027	13,474	12,208	9,516	11,000	11,000
Part-time personnel services	10,695	23,349 *	18,029	18,923	19,000	14,000
Education			1,253	2,737		
Operating supplies	7,968	4,415	5,454	7,102	10,000	10,000
Vehicle supplies	2,925	4,731	4,088	4,867	5,200	5,200
Tools and minor equipment	1,880	0	1,636	2,419	3,000	3,000
Fuels	8,601	5,586	7,906	5,730	8,500	8,500
Uniforms	1,231	2,690	1,205	1,990	1,500	1,500
Rental	34	0	0	0	1,500	1,500
Phones (2) - warming houses	1,370	743	572	344	1,500	300
Miscellaneous contractual	8,199	8,790	9,681	9,353	10,000	10,000
Capital outlay	15,167	8,018	3,609	10,148	17,000	17,000
Miscellaneous	0	1,525	464	571	500	500
Total Parks	269,285	378,637	308,730	351,061	333,080	371,343
Recreation						
Personnel services	2,062	2,733	2,486	1,954	2,700	3,000
Supplies	392	342	311	296	500	500
Capital outlay	0	0	0	0	0	0
Total Recreation	2,454	3,075	2,797	2,250	3,200	3,500
Parks Buildings - Warming Houses						
Part time employees		1,220	6,755	6,300	7,500	3,750
Fica		76	419	391	465	233
Medicare		18	98	91	110	54
PERA			0	124	205	103
Operating supplies	0	0	0	0	500	250
Repairs and maintenance	0	1,871	467	0	500	250
Utilities	3,542	4,963	5,636	3,726	5,000	2,500
Capital outlay	0	0	0	0	0	0
Total Parks Buildings	3,542	8,147	13,375	10,632	14,280	7,140
Special Contributions						
Athletic Association	2,913	1,621	309	153	750	500
Total Special Projects	2,913	1,621	309	153	750	500
Total Parks and Recreation						
	278,194	391,480	325,211	364,096	351,310	382,483
Miscellaneous						
Contingency	0	4,200	9,150	7,463	22,500	10,000
TOTAL EXPENDITURES	2,479,017	2,480,163	2,389,539	2,608,304	2,471,240	2,464,745

EXPENDITURES: OPERATIONS & MAINTENANCE	2012 ACTUAL	2,013 ACTUAL	2014 ACTUAL	2015 ACTUAL	2016 BUDGET	2017 DRAFT
Excess (Deficiency) of Revenue over Expenditures	747,673	655,760	779,495	439,567	159,068	383,695
Other Financing Sources (uses) net						
Economic Dev. Authority	(150,000)	(246,250)	(218,500)	(361,000) *	(25,000)	(75,000)
Heritage Preservation Fund	(7,200)	(7,200)	(7,200)	(9,000)	(9,000)	(9,000)
Parks Fund	(11,800)	(57,000)	(32,000)	(40,000) *	(50,000)	(85,000)
Public Works Building Fund			0			
Buy Forfeiture Fund			0			
Fire Engine Fund			0			
Equipment Fund	(50,000)	(75,000)	(278,000)	(65,000) *	(74,000)	(110,000)
Buildings Fund		(40,000)	(70,000)	(85,000) *	(85,000)	(102,000)
Streetlight Enterprise Fund						
Total Other Financing Sources	<u>(219,000)</u>	<u>(425,450)</u>	<u>(605,700)</u>	<u>(560,000)</u>	<u>(243,000)</u>	<u>(381,000)</u>
Other Financing Sources (uses) net	(219,000)	(425,450)	(605,700)	(560,000)	(243,000)	(381,000)
Net change in fund balance	528,673	230,310	173,795	(120,433)	(83,932)	2,695
Fund Balance: Beginning of Year	1,160,102	1,688,775	1,919,091	2,092,886	1,972,453	1,888,521
Fund Balance: End of Year	<u>\$ 1,688,775</u>	<u>\$ 1,919,085</u>	<u>\$ 2,092,886</u>	<u>1,972,453</u>	<u>1,888,521</u>	<u>1,891,215</u>
Ratio: Fund balance to expenditures	62.6%	66.0%	69.9%	62.3%	69.6%	66.5%

* \$275,500 of these fund transfers were moved in January 2016. They will reflect back into the 2015 audit once the 2016 audit is completed.

\$180,500 for EDA, \$20,000 for Parks, \$32,500 for Equipment, and \$42,500 for Building were input on January 1, 2016 to be placed in 2015 numbers during 2016 audit.

CITY OF NEWPORT, MINNESOTA

2012-2023 BUILDINGS CIP
2017 DRAFT BUDGET

REVENUE	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Transfer from General Fund	\$ 40,000	\$ 70,000	\$ 85,000	\$ 85,000	\$ 102,000	\$ 100,000	\$ 50,000	\$ 35,000	\$ 75,000	\$ 28,000	\$ -
Investment earnings	\$ 10										
TOTAL REVENUE	\$ 40,010	\$ 70,000	\$ 85,000	\$ 85,000	\$ 102,000	\$ 100,000	\$ 50,000	\$ 35,000	\$ 75,000	\$ 28,000	\$ -
EXPENDITURES											
City Hall											
Upgrade HVAC in Police Department				-	-	-	-	-	-	-	-
Carpet Council Chambers/Offices			17,000								
Paint interior and exterior				5,000							
Replace roof									100,000		
Reconstruct parking lot											23,000
Fire Hall No.1											
Replace HVAC throughout building			-	-							
Tuck point all brink on building				20,000							
Paint exterior of building			7,500								
Paint interior of building			4,000								
Upgrade lighting throughout building			5,500								
Carpet upstairs level											
Reconstruct all driving surfaces							30,000				
Upgrade garage doors & openers								10,000			
Concrete work for aprons & sidewalk								15,000			
Replace roof on east site									50,000		
Replace roof on west side											
Fire Hall No.2											
Renovate exterior of building		-	-			12,000	-	-	-	-	-
Replace HVAC throughout building (201	-					-	-	-	-	-	-
Upgrade lighting & garage doors	-		-			6,000	-	-	-	-	-
Upgrade insulation, interior, and roof						11,000					
Reconstruct all driving surfaces							16,000				
Library & Community Center											
Upgrade entry doors											
Foundation repair			8,000								
Install new roof			7,000								
Paint exterior			5,000								
Upgrade lighting					5,000						
Carpeting					5,000						
Public Works											
Paint interior of maint. Shop & exterior							16,500				
Tiling of floor repair		4,630									
Security system					6,000						
Upgrade garage doors & openers									8,000		
New floor hoists for heavy equipment									55,000		
Reroof building										85,000	
Update HVAC for office area									10,000		
Upgrade garage HVAC to radiant heat									20,000		
Reconstruct all asphalt driving surfaces											
Railroad Club											
Exterior upgrades to siding											
Install new roof			7,000								
Upgrade windows and doors											
Upgrade electrical system & lighting					6,000						
Upgrade HVAC									8,000		
Railroad Tower - roof											
			4,000								
TOTAL EXPENDITURES	\$ -	\$ 4,630	\$ 65,000	\$ 31,000	\$ 16,000	\$ 29,000	\$ 62,500	\$ 25,000	\$ 151,000	\$ 185,000	\$ 23,000
Excess (Deficiency) of Revenue over Expenditures	\$ 40,010	\$ 65,370	\$ 20,000	\$ 54,000	\$ 86,000	\$ 71,000	\$ (12,500)	\$ 10,000	\$ (76,000)	\$ (157,000)	\$ (23,000)
Fund Balance: Beginning of Year	-	40,010	105,380	125,380	179,380	265,380	336,380	323,880	333,880	257,880	100,880
Fund Balance: End of Year	\$ 40,010	\$ 105,380	\$ 125,380	\$ 179,380	\$ 265,380	\$ 336,380	\$ 323,880	\$ 333,880	\$ 257,880	\$ 100,880	\$ 77,880

**2012-2023 EQUIPMENT CIP
2017 DRAFT BUDGET**

Fund 401

REVENUE	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Transfer from General Fund	\$ 50,000	\$ 75,000	\$ 278,000	\$ 65,000	\$ 74,000	\$ 61,000	\$ 23,000	\$ 32,000	\$ -	\$ 40,000	\$ 40,000	\$ 40,000
Investment Earnings	\$ 841	\$ 162	\$ 197									
TOTAL REVENUE	\$ 50,841	\$ 75,162	\$ 278,197	\$ 65,000	\$ 74,000	\$ 110,000	\$ 23,000	\$ 32,000	\$ -	\$ 40,000	\$ 40,000	\$ 40,000

EXPENDITURES

General

11	I-Pad replacement				5,500							
	Administration computers	Life span			1,000		1500	750				

Public Works

12	GMC Canyon - Bruce	10	18,702									30,000
00	Wacker asphalt roller one-ton	20										25,000
03	Ford 550 Utility Truck w&s	15										
99	S-10 Chev Pickup (parks)	15							35,000			
99	Chev 2500 3/4 ton (parks)	15				35,000						
05	Chev 2500 3/4 ton	15							35,000			
09	Chev 2500 Pickup	15										
82	Ford 555 Backhoe	40										
68	Cat 12 Motor Grader	50										
98	John Deere Front End Loader	20										200,000
81	Elgin Pelican Sweeper	20		65,000								
66	Layton Pull Type Paver	30						26,000				
91	Vermeer Chipper	30								25,000		
13	Bob Cat Skid Steer	15		31,562								
13	Tool Cat 5600 Bobcat	15										
12	Mower -Farris	10		19,092								
04	Mower - Farris Mower	10			15,000							
07	Mower - John Deere	10					35,000					
08	JD 1565 Front Mount Mower	15							23,000			
80	Allis Chalmers Tractor	40										
71	Ford 2000 Tractor	50										
14	International Dump Truck	20		146,372								
11	International Dump Truck	20										
01	Dump Truck - Sterling	20										
00	Chev HD Dump Truck	15				45,000						
87	Sreco Sewer Rodder	40										
09	Towmaster tandem trailer	20										
95	24' Tandem Trailer	25										
90	Stepp asphalt trailer	30										
93	Lerol Diesel air compressor	30										

Police Department

13	Ford Explorer squad	5	41,284									
09	Ford CV squad	5										
14	Ford Explorer squad	5		42,629								
09	Ford Explorer Investigator	5										
03	Chevey Tahoe											
15	Ford Explorer squad	5			43,000							
	Squad computers											
	Portable Radios											

Fire Department

70	F-1 GMC 4x4 Grass Rig											
82	F-2 Ford 8000 Tanker/Tender							225,000				
13	F- , Emax Typhoon Pumper											
88	F-2 Ford L9000 Pumper											
88	F-1 Ford Crew Grass Rig						65,000					
04	F-1 Sterling Pumper											
05	F-1 Crown VicChief's Vehicle											
67	F-1 10Kw Generator				1,700							
	Portable Radios									75,000		
	Structural Firefighting Gear	10			17,300	23000		4,000	10,000	22,000		

TOTAL EXPENDITURES	\$ 59,986	\$ 197,026	\$ 107,629	\$ 58,000	\$ 60,500	\$ 68,000	\$ 101,500	\$ 255,750	\$ 103,000	\$ 122,000	\$ -	\$ 255,000
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Excess (Deficiency) of Revenue over Expenditures	\$ (9,145)	\$ (121,864)	\$ 170,568	\$ 7,000	\$ 13,500	\$ 42,000	\$ (78,500)	\$ (223,750)	\$ (103,000)	\$ (82,000)	\$ 40,000	\$ (215,000)
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Fund Balance: Beginning of Year	218,803	209,658	87,794	258,362	265,362	278,862	320,862	242,362	18,612	(84,388)	(166,388)	(126,388)
Fund Balance: End of Year	<u>\$ 209,658</u>	<u>\$ 87,794</u>	<u>\$ 258,362</u>	<u>\$ 265,362</u>	<u>\$ 278,862</u>	<u>\$ 320,862</u>	<u>\$ 242,362</u>	<u>\$ 18,612</u>	<u>\$ (84,388)</u>	<u>\$ (166,388)</u>	<u>\$ (126,388)</u>	<u>\$ (341,388)</u>

CITY OF NEWPORT, MINNESOTA

2012-2023 PARKS CIP
2017 DRAFT BUDGET

REVENUE	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Transfer from General Fund	\$ 11,800	\$ 57,000	\$ 32,000	\$ 40,000	\$ 50,000	\$ 85,000	\$ 50,000	\$ 50,000		\$ 23,300	\$ 21,300	\$ 24,000
Investments	\$ 170	\$ 20	\$ 41									
Donations	\$ 1,212	\$ 600	\$ 4,528									
TOTAL REVENUE	\$ 13,182	\$ 57,620	\$ 36,568	\$ 40,000	\$ 50,000	\$ 85,000	\$ 50,000	\$ 50,000	\$ -	\$ 23,300	\$ 21,300	\$ 24,000
EXPENDITURES												
Bailey School Forest												
Install 45' gazebo	25,697											
Parkinglot and trail maintenance									5,000			
Busy Beaver Park												
Build shelter with table						15,000						
Fencing												
Fishing Pier						95,000						
Lions Park												
New lighting for skating								30,000				
Asphalt hockey rink									30,000			
Parkinglot overlay									10,000			
Rink Repair							20,000					
Install new play structure									50,000			
Loveland Park												
Repair warming house			2,817									
Lighting of the skating rink					30,000							
Finish tennis courts		67,200										
Parkinglot overlay	33,144											
Replace 2 ADA drinking fountains							7,500					
New fencing for backstops				16,000								
Springler system on ball fields										15,000		
Pioneer Park												
Veteran's Memorial		7,347	2,702									
Install class 5 parking with bituminous						8,500						
Install ADA swing & hard surface							5,000					
Upgrade park lighting												
Run water to large pavilion						5,000						
TOTAL EXPENDITURES	\$ 58,841	\$ 74,547	\$ 5,519	\$ 16,000	\$ 131,000	\$ 28,500	\$ 32,500	\$ 30,000	\$ 95,000	\$ 15,000	\$ -	\$ -
Excess (Deficiency) of Revenue over Expenditures	\$ (45,659)	\$ (16,927)	\$ 31,049	\$ 24,000	\$ (81,000)	\$ 56,500	\$ 17,500	\$ 20,000	\$ (95,000)	\$ 8,300	\$ 21,300	\$ 24,000
Fund Balance: Beginning of Year	73,994	28,335	11,408	42,457	66,457	-14,543	41,957	59,457	79,457	-15,543	-7,243	14,057
Fund Balance: End of Year	\$ 28,335	\$ 11,408	\$ 42,457	\$ 66,457	\$ (14,543)	\$ 41,957	\$ 59,457	\$ 79,457	\$ (15,543)	\$ (7,243)	\$ 14,057	\$ 38,057



MEMO

TO: Mayor and City Council
Deb Hill, City Administrator

FROM: Renee Eisenbeisz, Assistant to the City Administrator

DATE: September 29, 2016

SUBJECT: Items for Council Consideration

BACKGROUND

In 2015, the City Council approved a contract with Municode to go through a recodification process and place the City Code online through them. City staff, consultants, and Councilman Sumner recently reviewed the first draft of the City Code from Municode and have sent some changes to Municode on items such as outdated or duplicative language or rearranging sections. However, there are some items that need to be discussed by the City Council. Those items are outlined below.

DISCUSSION

Municode has reorganized the code into 19 chapters (see attached). The items for Council discussion are in Chapters 10, 14, 18, 24 and 26 and are listed below.

Chapter 10, Businesses

- **Games of Skill**
 - Pg. 92 - Councilman Sumner would like the Council to discuss the requirement stating that no game of skill license can be issued within 1,000 feet of any church or school. Councilman Sumner would like to discuss what would happen if a church or school opened up with 1,000 feet of a business that already obtains this license. Currently, Cloverleaf Bar and Grill is the only business that receives a game of skill license for six machines.
 - Pg. 92 - Section 415.04, Item B, states that no person under the age of 19 shall be permitted to play any game of skill. Staff is wondering if you would like to change this to 18 or remove it altogether. St. Paul Park does not have an age limit. Cottage Grove, Inver Grove Heights, South St. Paul, and Woodbury, do not regulate games of skill.
 - Pg. 92 - Section 415.04, Item C, states that no more than ten games of skill shall be allowed at one location. Councilman Sumner would like the Council to discuss removing this limit. St. Paul Park does not have a limit.
- **House Sewer Contractors and Gas Contractor's License, Pgs. 92-95** - City staff would like the Council to discuss removing these two sections and replacing it with one section regarding contractor's licenses in general. The City does not currently follow these procedures for House Sewer Contractors or Gas Contractors. Staff is recommending the attached language for this section, which was taken from Cottage Grove, Inver Grove Heights, and St. Paul Park.
- **Bingo**
 - Pg. 97 - Section 445.04 requires that a non-profit organization have at least 30 members and be in existence for at least three years. Councilman Sumner would like the Council to discuss this section. The

City's gambling ordinance requires 1/3 of the members to reside in the immediate trade area and be in existence for at least one year.

- Pg. 98 - Section 445.06, Subd. 3, requires an unanimous vote by the City Council to waive the bond required for bingo organizations. Councilman Sumner would like to change this to a majority of the City Council.
- **Massage Therapy Business and Massage Therapist Licenses**
 - Pg. 113 - Section 475.04, Subd. 1, requires background checks on the massage therapy business and all persons or entities that have a 5% financial interest in the massage therapy business. Councilman Sumner would like to discuss changing this to any financial interest.
 - Pg. 116 - Item D(2) on this page allows for a massage therapy business license to go to a foreign corporation. Councilman Sumner would like to discuss whether or not the Council wants to allow foreign corporations to obtain a massage therapy business license.
- **Tobacco**
 - Pg. 132 - Section 750.12, Subd. 2, allows for minors to request a hearing before the City Council if they are accused of violating this section. Councilman Sumner would like to discuss whether or not the Council wants minors to be able to request a hearing before them.

Chapter 14, Fire Prevention

- **Section 720.10, Item 2** - Councilman Sumner would like to add language prohibiting smouldering of fires. Staff is recommending the following language be added to the end of this section:

"Recreational fires shall be attended to at all times and extinguished completely before being left unattended."

Chapter 18, Nuisances

- Section 800.03(D) states that all unnecessary noises and annoying vibrations are considered a nuisance. City staff is wondering if the City Council would like to add a timeframe to this section such as from 9:00 p.m. to 7:00 a.m. Please note that our current solid waste ordinance prohibits garbage collection from 6:00 p.m. - 6:00 a.m. Monday - Saturday. Nearby cities have the following noise restrictions:
 - Cottage Grove:
 - Party - Prohibited from 10:00 p.m. - 7:00 a.m.
 - Repair of motor vehicles - Prohibited from 10:00 p.m. - 7:00 a.m.
 - Construction - Prohibited from 7:00 p.m. - 7:00 a.m. Monday - Friday and 7:00 p.m. - 9:00 a.m. on Saturdays
 - South St. Paul:
 - Power tools - Prohibited from 10:00 p.m. - 7:00 a.m.
 - Construction - Prohibited from 10:00 p.m. - 7:00 a.m. Monday - Friday and 9:00 p.m. - 9:00 a.m. Saturday - Sunday
 - Woodbury: Noises is prohibited from 10:00 p.m. - 6:00 a.m.

Chapter 24, Solid Waste

- Section 440.09, Subd. 4, states that only yard waste can be composted. Councilman Sumner is wondering if the Council would like to allow other materials to be composted such as food.

Chapter 26, Streets, Sidewalks, and Other Public Places

- **Section 310.04, Street sprinkling, street flushing, tree care** - City staff is recommending that this section be removed since it is not currently done and outdated.

RECOMMENDATION

It is recommended that the City Council provide direction on the above discussion points.

Reorganization

- **Chapter 1—General Provisions**
 - Existing Chapter 1, Code Introduction
- **Chapter 2—Administration**
 - Existing Chapter 2, Administration and Operations
- **Chapter 4—Alcoholic Beverages**
 - Existing Chapter 5, Alcoholic Beverages
- **Chapter 6—Animals**
 - Existing Chapter 6, Animals
 - Existing sec. 405 (Kennels) from Chapter 4, Licensing
 - Existing sec. 760 (Archery Deer Hunting) from Chapter 7, General Regulations and Offenses
- **Chapter 8—Buildings and Construction**
 - Existing Chapter 11, Housing and Building, except sec. 1120 (Fire Code) and sec. 1150.01 (Heritage Preservation)
 - Existing sec. 465 (Blasting, Guarding Excavations, etc.) from Chapter 4, Licensing
- **Chapter 10—Businesses**
 - Existing sections from Chapter 4, Licensing:
 - Sec. 400, General
 - Sec. 415, Games of Skill
 - Sec. 420, House Sewer Contractors
 - Sec. 425, Gas Contractors
 - Sec. 430, Christmas Tree Sales
 - Sec. 445, Bingo
 - Sec. 450, Gambling
 - Sec. 455, Peddlers, Solicitors and Transient Merchants
 - Sec. 475, Massage Therapy
 - Existing sec. 750 (Tobacco) from Chapter 7, General Regulations and Offenses
 - Existing sec. 770 (Pawn Shops) from Chapter 7, General Regulations and Offenses
- **Chapter 12—Environment**
 - Sec. 1035
 - Sec. 1040
 - Sec. 1030/1371.11
- **Chapter 14—Fire Prevention, Protection and Control**
 - Existing sec. 1120 (Fire Code) Chapter 11, Housing and Buildings
 - Existing sec. 720 (Open Burning) from Chapter 7, General Regulations and Offenses
- **Chapter 16—Heritage Preservation**
 - Existing sec. 1150.01 (Heritage Preservation) Chapter 11, Housing and Buildings
- **Chapter 18—Nuisances**
 - Existing Chapter 8, Nuisances
- **Chapter 20—Offenses**
 - The following existing sections from Chapter 7, General Regulations and Offenses:
 - Sec. 700, Curfew
 - Sec. 710, Weapons
 - Sec. 730, False Alarms
 - Sec. 740, Graffiti
 - Sec. 780, Social Host
- **Chapter 22—Parks and Recreation**
 - Existing sec. 300 (Park System) and sec. 320 (Park Board) from Chapter 3, City Property
- **Chapter 24—Solid Waste**
 - Existing sec. 440 (Solid Waste and Recyclables Collection) from Chapter 4, Licensing
- **Chapter 26—Streets, Sidewalks and Other Public Places**
 - Existing sec. 310 (Other Property), 315 (Right-of-Way Management) from Chapter 3, City Property
- **Chapter 28—Subdivisions**
 - Existing Chapter 12, Subdivisions
- **Chapter 30—Taxation**
 - Existing sec. 470 (Local Lodging Tax) from Chapter 4, Licensing
- **Chapter 32—Traffic and Vehicles**
 - Existing Chapter 9, Traffic and Motor Vehicles
- **Chapter 34—Utilities**
 - Existing Chapter 10, Public Utilities and Stormwater
- **Chapter 36—Zoning**
 - Existing Chapter 13

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*Omitted chapter numbers will be reserved chapters.
All chapters, articles, divisions and sections will be renumbered uniformly during editing.*

180 (Code 1997, § 400.09)

181

182 **400.10. Transfer.**

183

184 No license or permit shall be transferrable, unless specifically provided by this Code.

185 (Code 1997, § 400.10)

186

187 **400.11. Renewals.**

188

189 Except as otherwise provided, the renewal of a license or permit shall be treated in the same manner as
190 the initial application, except that unless otherwise required by law, no new hearing or investigation shall
191 be held or conducted.

192 (Code 1997, § 400.11)

193

194 **ARTICLE II. ADDITIONAL REGULATIONS FOR SPECIFIC BUSINESSES**

195

196 **DIVISION 1. GENERALLY**

197

198 **DIVISION 2. GAMES OF SKILL**

199

200 **415.01. Definition.**

201

202 "Game of Skill" includes any device played by manipulating special equipment by hand or mechanically
203 to propel balls, figures or numbers across a board, screen or other field, into respective positions, the
204 object of which is to secure a special number or numbers or high total score, or to place the figures or
205 numbers in a special position, which game may be played by the public generally at a price paid either
206 directly or indirectly for such privilege, whether a prize is offered for the game or not, and whether known
207 as a pinball game or by any other name.

208 (Code 1997, § 415.01)

209

210 **415.02. Transfers.**

211

212 A game of skill license may not be transferred from one location to another.

213 (Code 1997, § 415.02)

214

215 **415.03. Eligibility.**

TEXT SOURCE KEY:

Underlined text is suggested for addition. ~~Stricken text~~ is original text recommended for deletion. Text without underline or strike-through is original text. See history note at the end of the section for the source of original text.

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216

217 No license for any game of skill shall be issued within 1,000 feet of any church or school.

218 (Code 1997, § 415.03)

219

220 **415.04. Restrictions.**

221

222 A. Gambling. No person shall use any game of skill as a gambling device. No agency shall permit
223 any game of skill to be used as a gambling device.

224

225 B. Age. No person under the age of 19 shall be permitted to play any game of skill.

226

227 C. Quantity. No more than ten games of skill shall be allowed at any location.

228 (Code 1997, § 415.04)

229

230 **415.05. Mandating Revocation.**

231

232 Upon conviction for any violation of any State law relating to gambling involving any game of skill, the
233 license shall be revoked.

234 (Code 1997, § 415.05)

235

236 **DIVISION 3. HOUSE SEWER CONTRACTORS**

237

238 **420.01. Definitions.**

239

240 The following words, terms and phrases, when used in this division, shall have the meanings
241 ascribed to them in this section, except where the context clearly indicates a different meaning:

242

243 1 House Sewer Contractor. "House Sewer Contractor" means any person engaged in the business of
244 building and repairing that portion of a house or building sewer extended from the property line to the
245 main sewer or other outlet. A licensed house sewer contractor under the supervision of a licensed master
246 plumber may also build and repair that portion of the house or building upon the property.

247

248 2 Board. "Board" means the Board of Examiners, appointed pursuant to this Section.

249 (Code 1997, § 420.01)

250

251 **420.02. Board of Examiners.**

TEXT SOURCE KEY:

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252

253 1 Composition. There shall be a Board of Examiners consisting of the clerk-administrator, the city
254 Engineer, and the Public Works Superintendent.

255

256 2 chairperson. The clerk-administrator shall serve as chairperson and shall call a meeting of the Board
257 whenever in his opinion there is a sufficient number candidates for examination.

258

259 3 Eligibility. A house sewer contractor's license may be issued to any person who meets the following
260 qualifications:

261

262 A. Has at least three years experience in responsible charge of minor sewer work involving a
263 knowledge of trenching, bracing, tunnel work, pipe laying in public streets, and all other matters
264 pertaining to and incidental to sewer work;

265

266 B. Has been examined by the Board as to his practical knowledge of the work incidental to the
267 construction of house sewers, and has been recommended by the Board to be licensed; provided that no
268 examination shall be required of any duly licensed master plumber who has carried on this trade as a
269 master plumber for three years;

270

271 C. Has complied with the requirements of this Section; and

272

273 D. Has provided a surety bond in the amount of \$10,000.00, conditioned that such work as the house
274 sewer contractor is permitted to perform shall be done in accordance with the standards provided by this
275 Code, and rules and regulations of the city Engineer; and further conditioned to protect and save harmless
276 the city from any and all liability, damage, and expenses which the city may sustain by reason of granting
277 this license, or the performance of any work permitted under the license. The surety shall be approved to
278 form by the city Attorney.

279 (Code 1997, § 420.02)

280

281 **420.03. Renewals.**

282

283 Any license may be renewed by the licensee on or before the expiration date upon payment of the annual
284 fee. An expired license may be renewed without examination by the Board if application for renewal is
285 made and the fee paid.

286 (Code 1997, § 420.03)

287

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288 **420.04. Transferability.**

289

290 House sewer contractor licenses shall not be transferable. No licensee shall allow his name to be used by
291 any other person for the purpose of doing house sewer work.

292 (Code 1997, § 420.04)

293

294 **420.05. Revocation.**

295

296 Any house sewer contractor's license, which is revoked pursuant to 400.05, shall be not reinstated for a
297 period of six months.

298 (Code 1997, § 420.05)

299

300 **420.06. Exception.**

301

302 No person shall be required to obtain a license or provide a bond in order to perform house sewer work on
303 his own property; provided that any person exempted from licensing by this Section shall comply with all
304 statutes, ordinances, regulations, and rules regulating the manner and quality of workmanship for house
305 sewer work.

306 (Code 1997, § 420.06)

307

308 **DIVISION 4. GAS CONTRACTOR'S LICENSE**

309

310 **425.01 Definitions.**

311

312 The following words, terms and phrases, when used in this division, shall have the meanings
313 ascribed to them in this section, except where the context clearly indicates a different meaning:

314

315 1 Gas Contractor. "Gas Contractor" means any person or company engaged in the business of installing,
316 servicing or repairing gas lines within the city.

317 (Code 1997, § 425.01)

318

319 **425.02. Eligibility requirements.**

320

321 A Gas Contractor's license may be may be issued to any person or company who meets the
322 following qualifications:

323

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- 324 A. Has provided a certificate of insurance or equivalent, to the city (in minimum amounts as set by
325 the city from time to time), along with application for license form.
326
327 B. Has complied with the requirements of this Chapter regarding licensing.
328
329 C. Has at least one year of experience in responsible charge of gas piping installation and related gas
330 servicing or repairs.
331
332 D. Agrees to comply with building code regulations and performance standards for gas work; and in
333 securing permits and inspections.
334 (Code 1997, § 425.02)
335

336 **425.03. Renewals.**
337

338 Any license may be renewed on or before the expiration date upon payment of the annual fee.
339 (Code 1997, § 425.03)
340

341 **425.04. Transferability.**
342

343 Gas contractor's licenses shall not be transferable. No licensee shall allow his name to be used by any
344 other person for the purpose of doing gas work.
345 (Code 1997, § 425.04)
346

347 **425.05 Reinstatement after revocation.**
348

349 Any gas contractor's license that is revoked by the city, shall not be reinstated for a period of six months.
350 (Code 1997, § 425.05)
351

352 **425.06. Exceptions.**
353

354 No person shall be required to obtain a license in order to perform gas work on his own property;
355 provided that any person exempted from licensing by this Section, shall comply with all statutes,
356 ordinances, regulation, and rules regulating the manner and quality of workmanship for gas installation,
357 servicing or repair work, including securing gas permits.
358 (Code 1997, § 405.06)
359

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Proposed Language Contractors

Section 1 - License Required

- A. No person shall engage in the following businesses or work, except in accordance with State statutes, this Code and other applicable ordinances of the City, without first obtaining a State or City license to do so.
1. General contracting in the business of building construction and remodeling.
 2. Masonry
 3. Roofing and siding (includes soffit, fascia and/or gutters)
 4. Heating, ventilation and refrigeration
 5. Gas piping, gas services and gas equipment installation
 6. Blacktopping
 7. Sewer and water supply system installation and construction
 8. Excavation, including excavation for footings, basements, sewer and water line installation
 9. Demolition or moving of buildings
 10. Sign erection, construction and repair, including billboards and electrical signs
 11. Fire suppression systems
 12. Swimming pool installers
 13. Framing
 14. Landscape contractors
 15. Antennae/tower construction or maintenance
 16. Right of way
- B. For each of the businesses or occupations listed in subsection A of this Section for which the State of Minnesota provides for the registration thereof, permits shall be granted only to holders of a State or City license; except, that the owner of any property may perform work when work is performed in accordance with the codes and ordinances of the city, and for such purpose, a permit may be granted to such owner without a license obtained.

Section 2 - Application and Insurance Requirements

- A. All contractor's license applications shall be filed with the city on forms furnished by the city. The fee for each license is established by resolution of the city council.
- B. Any person holding a license hereunder shall file with the city policies of public liability and property damage insurance which shall remain and be in force and effect during the entire term of said license and which shall contain a provision that they shall not be canceled without ten (10) days' written notice to the city. Public liability insurance shall not be less than one hundred thousand dollars (\$100,000.00) for injuries, including accidental death to any one person, and, subject to the same limit for each person, in an amount of not less than five hundred thousand dollars (\$500,000.00) on account of any one accident, and property damage insurance in the amount of not less than fifty thousand dollars (\$50,000.00) for each accident or mishap. Said policies of insurance shall further provide for indemnity and security to the city against any liability and/or responsibility for the acts, actions, or omissions of the licensee or of any of the agents or servants of such licensee subject, however, to the limitations as to amount herein stated. No work shall be done under any license hereunder until said insurance policies shall have been filed and approved by the city.

Section 3 - Term of license

- A. All licenses shall expire on December 31 immediately following the date of issuance unless sooner revoked or forfeited. If a license granted hereunder is not renewed previous to its expiration, then all rights granted by such license shall cease, and any work performed after the expiration of the license shall be in violation of this chapter.

Section 4 - Suspension and Revocation

- A. The city council may suspend or revoke any license granted under this section upon the recommendation of the findings of the building inspector. Procedure for suspending or revoking a license under this section shall be as follows:
1. The licensee shall be provided with notice of the reasons for any proposed suspension or revocation.
 2. The licensee shall be notified in advance of the date, time, place and purpose of the council meeting where the action on the license will be considered. The licensee shall have an opportunity to be heard at the meeting. After making appropriate findings, the council may continue the license in effect, impose conditions upon the license, suspend the license or revoke the license.

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396 **445.01. Purpose.**

397

398 The purpose of this Section shall be to closely regulate and control the conduct of bingo and to prohibit
399 commercialization of bingo.

400 (Code 1997, § 445.01)

401

402 **445.02. Adoption by Reference.**

403

404 The provisions of M.S.A. § 349.11 - 349.23 are adopted by reference and made a part of this Section as if
405 set out here in full.

406 (Code 1997, § 445.02)

407

408 **445.03. Licensing.**

409

410 Subd. 1 License Required. No bingo occasion shall be conducted except by an organization, which has
411 been issued a bingo, license by the State, or if exempt from State licensing, by a permit issued by the city.

412

413 Subd. 2 Term. A bingo permit shall be valid for one year from the date of issuance.

414

415 Subd. 3 Fee. The annual bingo permit fee shall be established from time to time by the city Fee Schedule.

416

417 Subd. 4 Exception. A permit shall not be required for the conduct of bingo in connection with a county
418 fair or civic celebration recognized by council resolution, or for the conduct of bingo by an organization,
419 which conducts fewer than five bingo occasions during a year.

420 (Code 1997, § 445.03)

421

422 **445.04. Eligibility.**

423

424 Bingo may be conducted only by a non-profit organization, which has been in existence for at least three
425 years and has at least 30 members.

426 (Code 1997, § 445.04)

427

428 **445.05. Applications.**

429

430 An application for a bingo permit shall be signed by a duly authorized officer of the organization and by
431 the organization's bingo manager, and shall state the name, address, age and place of birth of the officer

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432 and the bingo manager, whether either has ever been convicted of a crime other than a traffic offense, the
433 location, date and time of the organization's regular meetings, the purpose of the organization, how long
434 the organization has been in existence, the number of members, the places, dates and times when bingo
435 will be played, the maximum number of players allowed, the prizes to be offered, the names and
436 addresses of any persons who will be paid for services in connection with bingo, and such other
437 information as the council may require. No permit shall be issued until at least 30 days after the
438 application.

439 (Code 1997, § 445.05)

440

441 **445.06. Requirements.**

442

443 Subd. 1 Conduct. All bingo operations shall be conducted in accordance with Minn. Stat. 349.15, 349.17,
444 and 349.18.

445

446 Subd. 2 Records and Reports. All organizations conducting bingo shall keep such records and submit
447 such reports as shall be required by Minn. Stat. 349.20 and 349.21.

448

449 **Subd. 3 Bond.** The bingo manager shall give a fidelity bond of \$10,000 in favor of the organization,
450 conditioned on faithful performance of his duties, provided the council may by unanimous vote waive the
451 bond requirement.

452 (Code 1997, § 445.06)

453

454 **445.07. Suspension or Revocation.**

455

456 The council may suspend for a period not exceeding 60 days or revoke any bingo permit for any violation
457 of this Section or any applicable State law. Except as provided below, any supervision or revocation shall
458 be preceded by 60 days' written notice and a hearing. The notice shall state the time, place and purpose of
459 the hearing and the nature of the charges against the organization. The council may without prior notice
460 of hearing suspend a permit for a period not exceeding 10 days, pending a hearing.

461 (Code 1997, § 445.07)

462

463

DIVISION 7. GAMBLING

464

465 **450.01. Statement of Policy.** The city deems it desirable to regulate lawful gambling within its
466 jurisdiction as authorized by M.S.A. § 349.213. The city finds that, for the purposes of greater
467 supervision and access of information, a more restrictive requirement for the location of licensed

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950 Subd. 4 License period and renewal. A license issued under this chapter shall be an annual license,
951 expiring on December 31 of each year. A license may be annually renewed, provided the licensee
952 complies with the renewal application process as follows:

953

954 A. The licensee shall complete the renewal application on a form provided by the city;

955

956 B. The completed renewal application, along with the license fee, shall be filed with the city Clerk
957 no later than November 15 each year;

958

959 C. The massage therapy business licensee shall provide all information regarding ownership interest
960 if different than the prior applications. If ownership interests have changed, an additional investigation
961 fee is required.

962

963 Subd. 5 License and investigation fees.

964

965 The license and investigation fees shall be determined by the city council. All required license fees shall
966 be paid on a prorated quarterly basis. In the case of a massage therapy business that is wholly owned and
967 operated by the massage therapist licensed under this chapter and does not have any employee or
968 contracted person other than the massage therapist licensed owner providing massage therapy services for
969 or through the massage therapy business, the massage therapy business license fees shall not be required
970 and only the massage therapist license fees shall be required. If it is found at any time during the term of
971 the license period that the massage therapy business is not wholly owned and operated by the massage
972 therapist licensed under this chapter or it has an employees or contracted persons other than the massage
973 therapist licensed owner providing massage therapy services for or through the massage therapy business,
974 then the massage therapy business license fees shall be required to be paid on a prorated basis for the
975 remaining term of the massage therapy business license.

976 (Code 1997, § 475.03)

977

978 **475.04. License Application**

979

980 Subd. 1 Massage therapy business license application. An application for a license to operate a massage
981 therapy business shall be filed, along with all required fees, with the city Clerk. The investigation fee is
982 applied to the city's costs of the background investigation of the massage therapy business and all persons
983 or entities that have a 5% financial interest in the massage therapy business. An investigation by the
984 building inspector shall be conducted of all premises proposed to be licensed before consideration by the
985 city. The police department shall conduct the background investigation before consideration by the city.

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- 986 All applications shall thereafter be considered and approved or denied by the city Clerk. The application
987 shall provide:
- 988
- 989 A. All applicants:
- 990
- 991 1. Whether the applicant/owner is an individual, corporation, partnership, or other form of
992 organization;
- 993
- 994 2. Full name, address, date and place of birth, and telephone number of the applicant, all owners and
995 operators, including the designated on-site manager or agent of the applicant;
- 996
- 997 3. The address of the premises where the massage therapy business is to be located if proposed to
998 have a fixed location in which the services are provided and if the applicant does not own the premises, a
999 copy of the lease agreement to occupy the premises;
- 1000
- 1001 4. Statement of whether all taxes and special assessments due and owing on the premises on which
1002 the applicant proposes to operate the massage therapy business are current, and if taxes are delinquent, the
1003 years for which the taxes on the premises are delinquent (this information is required by the applicant
1004 only if the applicant or other entity in which the applicant has an interest has the legal duty to pay the
1005 property taxes or assessments due and owing);
- 1006
- 1007 5. The name of the business if the business is to be operated under a name or designation other than
1008 the name of the applicant. This shall be accompanied by a certified copy of the certificate required by
1009 M.S.A. §§ 333.01 and 333.02;
- 1010
- 1011 6. Proof of general liability insurance coverage in effect as required in this chapter;
- 1012
- 1013 7. The applicant shall produce at time of filing application the applicant's proof of identification
1014 which may be established only by one of the following:
- 1015
- 1016 a. A valid driver's license or identification card issued by Minnesota, another state, or a province of
1017 Canada, and including the photograph and date of birth of the licensed person;
- 1018
- 1019 b. A valid military identification card issued by the federal department of defense;
- 1020
- 1021 c. A valid passport issued by the United States: or

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- 1022
1023 d. In the case of a foreign national, by a valid passport.
1024
1025 For purposes of proof of identification, the applicant means the on-site manager or agent for a massage
1026 therapy business filing application and the natural person signing the application for a massage therapy
1027 business license;
1028
1029 8. The application shall identify the full name, address, date and place of birth, and telephone
1030 number of the natural person, designated by the applicant as the massage therapy business's on-site
1031 manager or agent, who shall be a resident as of the date of application of the State of Minnesota or the
1032 following Wisconsin counties: Pierce, St. Croix, Pepin, Dunn, Polk, along with the notarized written
1033 consent of such a person to:
1034
1035 a. Take full responsibility for the conduct of the licensed premises and operation; and
1036
1037 b. Serve as agent for service of notices and other process relating to the license;
1038
1039 9. With respect to the owner, operator, or any person who has a 5% financial interest in the
1040 proposed licensed massage therapy business and the appointed on-site manager or agent of the applicant,
1041 information as to any and all criminal convictions of any state, county, or local law or regulation;
1042
1043 10. Proof of Workers' Compensation insurance as required by Minnesota law; and
1044
1045 11. Such other information as the city shall require.
1046
1047 B. Individuals:
1048
1049 1. The full name, address, date and place of birth, and telephone number of the applicant;
1050
1051 2. Whether the applicant and on-site manager or agent have ever used or have been known by a
1052 name other than his name on the application, and if so, the name or names used and information
1053 concerning dates and places where used;
1054
1055 3. Whether the applicant is a United States citizen or is legally permitted to be in the United States
1056 and providing proof thereof;
1057

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- 1058 4. The street and City addresses at which the applicant and on-site manager or agent lived during the
1059 preceding ten years;
1060
- 1061 5. Names, addresses, and dates of the applicant's and on-site manager's or agent's employers for the
1062 preceding ten years;
1063
- 1064 6. Whether the applicant and on-site manager or agent have ever been engaged in the operation of
1065 massage services. If so, they shall furnish information as to the name, place, and length of time of the
1066 involvement in such an establishment; and
1067
- 1068 7. Such other information as the city shall require.
1069
- 1070 C. Partnerships:
1071
- 1072 1. The full names, addresss, date and place of birth, and financial interest of all general partners and
1073 all of the information concerning each general partner that is required of applicants in Subd. 1(B) of this
1074 section;
1075
- 1076 2. The full names, address, date and place of birth, and telephone number of the managing partners
1077 and the interest of each managing partner in the business;
1078
- 1079 3. A copy of the partnership agreement shall be submitted with the application. The license shall be
1080 issued in the name of the partnership; and
1081
- 1082 4. Such other information as the city council shall require.
1083
- 1084 D. Corporations and other organizations:
1085
- 1086 1. The name of the corporation or business firm, and if incorporated, the state of incorporation;
1087
- 1088 2. A copy of the certificate of incorporation, shall be attached to the application. If the applicant is a
1089 foreign corporation, a certificate of authority as required by M.S. § 303.06, shall be attached;
1090
- 1091 3. The name of the managers, proprietors or other agents in charge of the business and all of the
1092 information concerning each manager, proprietor, or agent that is required of applicants in Subd. 1(B) of
1093 this section;

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1621 Subd. 5 Use of False Identification. It shall be a violation of this ordinance for any minor to attempt to
1622 disguise his true age by the use of a false form of identification, whether the identification is that of
1623 another person or one on which the age of the person has been modified or tampered with to represent an
1624 age older than the actual age of the person.

1625 (Code 1997, § 750.11)

1626

1627 **750.12. Violations.**

1628

1629 Subd. 1 Notice. Upon discovery of a suspected violation, the alleged violator shall be issued, either
1630 personally or by mail, a citation that sets forth the alleged violation and which shall inform the alleged
1631 violator of his right to be heard on the accusation.

1632

1633 Subd. 2 Hearings. If a person accused of violating this ordinance so requests, a hearing shall be
1634 scheduled, the time and place of which shall be published and provided to the accused violator.

1635

1636 Subd. 3 Hearing Officer. The city council shall serve as the hearing officer.

1637

1638 Subd. 4 Decision. If the hearing officer determines that a violation of this ordinance did occur, that
1639 decision, along with the hearing officers' reasons for finding a violation and the penalty to be imposed
1640 under Section 1300 of this ordinance, shall be recorded in writing, a copy of which shall be provided to
1641 the accused violator. Likewise, if the hearing officer finds that no violation occurred or finds grounds for
1642 not imposing any penalty, such findings shall be recorded and a copy provided to the acquitted accused
1643 violator.

1644

1645 Subd. 5 Appeals. Appeals of any decision made by the hearing officer shall be filed in the district court
1646 for the city in which the alleged violation occurred.

1647

1648 Subd. 6 Misdemeanor Prosecution. Nothing in this Section shall prohibit the city from seeking
1649 prosecution as a misdemeanor for any alleged violation of this ordinance. If the city elects to seek
1650 misdemeanor prosecution, no administrative penalty shall be imposed.

1651

1652 Subd. 7 Continued Violation. Each violation, and every day in which a violation occurs or continues,
1653 shall constitute a separate offense.

1654 (Code 1997, § 750.12)

1655

1656 **750.13. Penalties.**

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645 Subd. 4 Conditions. Fire training shall be conducted according to Minnesota Rules, except as specifically
646 authorized by the permit issued by the commissioner.
647 (Code 1997, § 720.08)

648

649 **720.10. Recreational Fires.**

650

651 1. Fires set for recreational, ceremonial, food preparation, or social purposes shall be allowed and shall
652 not require an agency permit. The material to be burned shall be limited to a pile no larger than three
653 feet in diameter by three feet high. Only unpainted and untreated wood, coal, or charcoal shall be
654 burned.

655

656 2. No recreational fire shall be located closer than 25 feet from any building, structure, or combustible
657 material, and no closer than ten feet from any property line. Combustible materials are things such as
658 wood, paper, and plastics. A hose connected to a water supply, fire extinguisher or other means of
659 extinguishments sufficient to fully extinguish the fire shall be provided at all times while the fire is
660 burning. No recreational fire will be permitted without adult supervision.

661 (Code 1997, § 720.10)

662

663 **720.12 Permanent tree and brush open burning sites.**

664

665 Subd. 1 Permanent Sites. The commissioner shall issue permits authorizing continuous use of a site for
666 open burning.

667

668 Subd. 2 Tree and Brush Burning Only. Only trees, tree trimmings or brush shall be permitted to be
669 burned at a permanent open burning site.

670

671 Subd. 3 Alternatives to Burning. Only trees, tree trimmings, or brush that cannot be disposed of by an
672 alternative method such as shipping, composting, or other method, shall be permitted to be burned at a
673 permanent open burning site.

674

675 Subd. 4 Location. A permanent open burning site shall not be located within:

676

677 A. 1,000 feet of an occupied building unless written permission is obtained from the building owner
678 and occupant;

679

680 B. 1,000 feet of a public roadway;

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- 73 D. All unnecessary noises and annoying vibrations;
74
75 E. Obstructions and excavations affecting the ordinary use by the public streets, alleys, sidewalks, or
76 public grounds except under such conditions as shall be permitted by this Code or other applicable law;
77
78 F. Radio aerials or television antennae erected or maintained in a dangerous manner;
79
80 G. Any use of property abutting on a public street or sidewalk or any use of a public street or
81 sidewalk which causes large crowds of people to gather, obstructing traffic and the free use of the street
82 or sidewalk;
83
84 H. All hanging signs, awnings, and other similar structures over streets and sidewalks, or so situated
85 so as to endanger public safety, or not constructed and maintained in a sound condition;
86
87 I. The allowing of rainwater, ice, or snow to fall from any building or structure upon any street or
88 sidewalk or to flow across any sidewalk. The placing of snow on any public street or right-of-way;
89
90 J. Any barbed wire fence less than six feet above the ground and within three feet of a public
91 sidewalk or way;
92
93 K. All dangerous, unguarded machinery in any public place, or so situated or operated on private
94 property as to attract the public;
95
96 L. Waste water cast upon or permitted to flow upon streets or other public property;
97
98 M. Any vehicle or equipment that is required to be licensed in the State of Minnesota that is partially
99 dismantled, non-operating, wrecked, junked or discarded, or any part thereof, on property within the city
100 for a period of over 72 hours unless within an enclosed building. The storage on the premises of a single
101 vehicle with current registration, proof of insurance and license, which may reasonably be put into
102 operating condition within 24 hours, shall not be considered a nuisance. This Section shall not apply to
103 automotive related commercial businesses in areas of the city zoned for commercial or industrial use;
104
105 N. Any well, hole, or similar excavation which is left uncovered or in such other condition as to
106 constitute a hazard to any child or other person coming on the premises where it is located;
107

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285 Subd. 1 By contracting with a licensed private collector to haul the yard waste to a county-approved
286 compost site.

287
288 Subd. 2 By the person transporting the yard waste to a City, County or private compost site,
289

290 Subd. 3. By composting the yard waste on the persons property under the following conditions:
291

292 A. The compost pile shall be screened from public view.

293
294 B. The compost pile shall be fenced or enclosed on four sides to prevent the scattering of yard waste
295 and shall have a cover to minimize entrance of rain to the container.

296
297 C. The compost pile shall be managed in a way that prevents odor, harborage of animals, and
298 stockpiling of material which does not readily decompose within a calendar year.

299
300 Subd. 4. Only that yard waste which is produced on the premises can be composted on that premises.
301 (Code 1997, § 440.09)

302

303 **440.10. Penalties.**

304

305 The city council may impose an administrative fine revoke the license of any person found in violation of
306 any applicable statute, regulation, provision of this section, or the city Solid Waste Standards. Any
307 proposed revocation shall be preceded by a public hearing, conducted before the city council, and
308 preceded by at least 15 days notice of the hearing given to the licensee. The notice, in addition to setting
309 forth the time and place of the hearing, shall state the nature of the charges for which revocation shall be
310 considered. No person granted a license hereunder shall acquire any vested rights, and the city reserves
311 the right to establish other means of collection of materials for which a license may be issued under this
312 section.

313

314 Subd. 1 The following are minimum penalties which shall be imposed by the city council for violations of
315 any applicable statute, regulation, provision of this chapter, or the city solid waste standards

316

317 A. For the first violation, at least a \$75 administrative fine.

318

319 B. For the second violation within any four year period, at least a \$200 administrative fine.

320

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37 be found t ordering the owner to have the sidewalk or alley repaired and made safe within 30 days and
38 stating that if the owner fails to do so, the Public Works Superintendent shall do so on behalf of the city,
39 that the expense thereof shall be paid by the owner, and that if unpaid it shall be made a special
40 assessment against the property concerned.

41

42 Subd. 3 Repair. If the sidewalk or alley shall not be repaired within 30 days after receipt of the notice, the
43 Public Works Superintendent shall report the facts to the council and the council shall by Resolution order
44 the Public Works Superintendent to repair the sidewalk or alley and make it safe or order the work done
45 by contract in accordance with the law. The Public Works Superintendent shall keep a record of the total
46 cost of the repair attributable to each lot or parcel of property and report the information to the clerk-
47 administrator.

48 (Code 1997, § 310.03)

49

50 **310.04. Street sprinkling, street flushing, tree care, etc.**

51

52 1 Notice. The council shall each year determine what streets and alleys shall be sprinkled or flushed,
53 oiled, or given other dust treatment during the year and the kind of work to be done on each. The council
54 shall also determine from time to time the streets on which trees shall be trimmed and cared for, the kind
55 of work to be done, and what unsound trees shall be removed. Before any work is done, the clerk-
56 administrator shall, under the council's direction, publish notice that the council shall meet to consider the
57 projects. The notice shall be published in the official newspaper at least once no less than two weeks
58 prior to the meeting of the council and shall state the date, time, and place of such meeting, the streets
59 affected and the particular projects proposed, and the estimated cost of each project, either in total or on
60 the basis of the proposed assessment per front foot or otherwise.

61

62 2 Hearing. At such hearing or at any adjournment thereof, the council shall hear property owners with
63 reference to the scope and desirability of the proposed projects. The council shall thereupon adopt a
64 resolution confirming the original projects with any modifications as it considers desirable and shall
65 provide for the doing of the work by day labor through the Public Works Superintendent or by contract.
66 The Public Works Superintendent shall keep a record of the cost and the portion of the cost properly
67 attributable to each lot and parcel of property abutting on the street or alley on which the work shall be
68 done and shall report the information to the clerk-administrator.

69 (Code 1997, § 310.04)

70

71 **310.05. Personal liability.**

72

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