



HAMBURG CITY COUNCIL AGENDA JANUARY 12, 2021

1. **Call City Council Meeting to Order**
 - Pledge of Allegiance
 - Designations/Appointments for 2021
 - Approve Resolution Number 2021-01

2. **Public Comment** *(Individuals may address the City Council about any non-agenda item(s) of concern. Speakers must state their name, address, and limit their remarks to three minutes. The City Council may not take official action on these items and may refer the matter to staff for a future report or direct that the matter be scheduled for a future meeting agenda.)*

3. **Agenda Review (Added Items) and Adoption**

4. **Consent Agenda** *(NOTICE TO PUBLIC: All those items listed as part of the Consent Agenda will be approved by a single motion, unless a request to discuss one of those items is made prior to that time. Anyone present at the meeting may request an item to be removed from the consent agenda. Please inform the Council when they approve the agenda for this meeting.)*
 - Approve Resolution Number 2021-02 (Payment of Claims for 2021)
 - Approve Payment of December 2020 Added Claims (\$17,412.72)
 - Approve Payment of January 2021 Claims (\$97,611.81)
 - Approve Time-Off Request for Jeremy Gruenhagen
 - Delinquent Utility Bills Report
 - City Offices Closed January 18, 2021 for MLK Jr. Day

5. **Hamburg Fire Department – Fire Chief Anderson**

6. **Southern Valley Alliance (Katie Schaumann)**
 - Domestic Violence Support

7. **Old City Business**
 - COVID-19 Pandemic
 - City Council Meetings
 - City Rentals for 2021 (CC/Hall)

8. **New City Business**
 - Estimates for Bobcat Tires
 - Property Owner Petition for Annexation by Ordinance (Storm Water Pond – Droege’s 3rd Addition)
 - Set Public Hearing for March 9, 2021
 - State of MN - Office of State Auditor
 - Attorney General’s Office Letter (Cell Phone Contracts)
 - Credit Card Use and Policies
 - Public Nuisance(s) – 710 Park Avenue
 - Personnel Committee Meeting(s)



***HAMBURG CITY COUNCIL AGENDA
JANUARY 12, 2021***

9. City Council Reports

- **Councilmember Scott Feltmann**
- **Councilmember Eric Poppler**
- **Councilmember Jessica Weber**
- **Councilmember Tim Tracy**
- **Mayor Chris Lund**

10. Adjourn City Council Meeting

COMMUNITY HALL & PARK ACTIVITIES



***HAMBURG CITY COUNCIL AGENDA
JANUARY 12, 2021***

COMMUNITY CENTER (FIRE HALL) ACTIVITIES

JANUARY

- 4 – Hamburg Lions Board Meeting**
- 4 – HFD Training**
- 5 – Mayors In**
- 12 – Hamburg City Council Meeting**
- 12 – Young America Township Meeting**
- 18 – Hamburg Lions Club**
- 18 – MLK Holiday – City Offices Closed**
- 25 – Hamburg Fire Dept. (Relief Association) Meeting**

FEBRUARY

- 1 – Hamburg Lions Board Meeting**
- 1 – HFD Training**
- 2 – Mayors In**
- 9 – Hamburg City Council Meeting**
- 9 – Young America Township Meeting**
- 15 – Hamburg Lions Club**
- 15 – Presidents' Day Holiday – City Offices Closed**
- 22 – Hamburg Fire Dept. (Relief Association) Meeting**

CITY OF HAMBURG
NOTICE OF A HAMBURG CITY COUNCIL MEETING
TUESDAY, JANUARY 12, 2021
7:00 P.M.

NOTICE IS HEREBY GIVEN, that the City of Hamburg City Council will hold a City Council Meeting on Tuesday, January 12, 2021 at 7:00 p.m., in the Council Chambers, 181 Broadway Avenue, Hamburg, MN.

This meeting is a regular scheduled meeting of the Hamburg City Council. Due to the current health pandemic of COVID-19, the Council Chambers will be closed to the public.

It is anticipated that some or all members of the City Council due to the COVID-19 Pandemic will participate in the meeting by telephone or other electronic means pursuant to Minnesota Statutes, Section 13D.021 rather than in-person at the City Council's regular meeting place at City Hall, 181 Broadway Avenue, Hamburg, Minnesota.

Members of the public can listen to and/or participate in the council meeting live online at <https://us02web.zoom.us/j/6817521480>, the Zoom App on your cellphone via the google play store, or by calling 1-312-626-6799. Use Meeting ID: 681 752 1480 when logging in or calling in. Use # as your participant ID.

To view a copy of the Agenda Packet please refer to the City Website: www.hamburgmn.com by clicking on the City Council Meetings tab. To be added to the Agenda please call City Offices by Noon on Friday.

If you have any questions, please contact City Hall (952) 467-3232 for further information.

POSTED BY THE HAMBURG CITY CLERK
Jeremy Gruenhagen, City Clerk/Treasurer

**CITY OF HAMBURG, MINNESOTA
RESOLUTION NUMBER 2021-01**

***RESOLUTION ASSIGNING ANNUAL
DESIGNATIONS AND APPOINTMENTS FOR 2021***

WHEREAS, at the first council meeting certain designations are required to be made by the City Council;

THEREFORE, BE IT RESOLVED, the following designations shall be made for 2021:

1. The Acting Mayor who shall preside and perform duties in the absence of the Mayor shall be Tim Tracy.
2. Mayor Chris Lund, Council Member Tim Tracy and City Clerk/Treasurer Jeremy Gruenhagen shall serve on the Personnel Committee and Fire Board for the City.
3. The Hamburg City Council Meeting Start Time for 2021 shall be 7:00 P.M.
4. The Official Newspaper of the City of Hamburg shall be the News and Times.
5. The Official Depository of the City of Hamburg shall be Security Bank and Trust.
6. The Building Inspector for the City of Hamburg shall be MNSPECT.
7. The City Engineering Firm shall be S.E.H. Inc., Justin Black shall serve as the primary Engineer for the City of Hamburg.
8. The City Attorney Firm for legal advising, litigation and prosecutions shall be Hubert-Melchert-Sjodin.
9. The Emergency Manager for 2021 shall be Fire Chief 2.
10. The Cities Insurance Agent for participation in LMC Insurance shall be Donovan Buckentin.
11. The co-signers for all checks shall be Mayor Chris Lund, Acting Mayor Tim Tracy, and City Clerk/Treasurer Jeremy Gruenhagen.

AND, BE IT ALSO RESOLVED, that the firm for auditing purposes for the year 2020 shall be Abdo, Eick & Meyers LLP.

I CERTIFY THAT the above resolution was adopted by the City Council of Hamburg, Carver County, Minnesota this 12th day of January, 2021.

Chris Lund, Mayor

ATTEST:

Jeremy Gruenhagen, City Clerk/Treasurer

**CITY OF HAMBURG, MINNESOTA
RESOLUTION NUMBER 2021-02**

***RESOLUTION APPROVING THE DELEGATION OF AUTHORITY
FOR PAYING CLAIMS PRESENTED TO THE CITY OF
HAMBURG***

WHEREAS, Minnesota Statute 412.271 Subd. 7 and Subd. 8 authorizes the City to delegate authority to pay certain claims against the City by the City Administrative Official:

WHEREAS, the Clerk/Treasurer is a City Administrative Official;

WHEREAS, the City of Hamburg desires to authorize the City Administrative Official to pay all claims that the City Official deems just and correct and valid for the 2021 Calendar Year.

WHEREAS, all checks drawn for payment of claims must be signed by the City Clerk/Treasurer and the Mayor:

WHEREAS, the City Administrative Official will present to the City Council at the first council meeting after payment of claims a list of the claims paid and an explanation of the payment.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF HAMBURG, MINNESOTA:

That the Clerk/Treasurer of the City of Hamburg is authorized to pay all claims for the 2021 Calendar Year presented to the City if in the City Official's discretion, the claims are just, correct and valid.

I CERTIFY THAT the above resolution was adopted by the City Council of Hamburg, Carver County, Minnesota this 12th day of January, 2021.

Chris Lund, Mayor

ATTEST:

Jeremy Gruenhagen, City Clerk/Treasurer



"The City of Hamburg is an Equal Opportunity Employer and Provider."



HAMBURG CITY COUNCIL MEETING
DECEMBER 22, 2020

Mayor Chris Lund called the Public Hearing to order at 7:01p.m. with the regularly scheduled City Council Meeting to follow directly after. Those in attendance via ZOOM were Councilman Tim Tracy, Councilman Jason Buckentin, Councilman Eric Poppler, Councilman Scott Feltmann, Councilwoman-Elect Jessica Weber, City Clerk Jeremy Gruenhagen, Deputy Clerk Tamara Bracht, Fire Chief Scott Anderson, Warren Koistinen with Relay Construction, and resident Mike Royal.

Public Hearing

- **Variance Request (420 Henrietta Avenue)**

Mike Royal is looking to construct a 24 x 24 addition onto his existing garage. This addition would need an approved variance as the structure would be within a ½ foot of the property line.

MOTION: Councilman Tim Tracy moved to close the Public Hearing at 7:05 p.m. Seconded by Councilman Eric Poppler. Motion was unanimously approved. All Council Members were present.

Mayor Chris Lund called the Hamburg City Council Meeting to order at 7:06p.m.

Public Comment

- There were no comments

Agenda Review (Added Items) and Adoption

- Fire Department –
 - 2 quotes received for grass fire leaf blowers
 - Remove Nomex Hoods as a 2nd quote has not been received.

MOTION: Councilman Jason Buckentin moved to approve the Agenda as amended. Seconded by Councilman Tim Tracy. Motion was unanimously approved. All Council Members were present.

Consent Agenda

- Approve Added Claims for November 2020 (\$30.80)
- Approve Claims List for December 2020 (\$56,965.37)
- Approve 2020 Minutes for October 20th/November 10th/
November 13th/November 24th/December 1st/December 8th
- Approve Resolution Number 2020-17 (2021 Polling Place)
- November 2020 Cash Flow Statement

MOTION: Councilman Jason Buckentin moved to approve the Agenda as amended. Seconded by Councilman Tim Tracy. Motion was unanimously approved. All Council Members were present.



***HAMBURG CITY COUNCIL MEETING
DECEMBER 22, 2020***

Hamburg Fire Department – Chief Anderson

- 2020 Budget Items
 - SCBA Voice Emitters/Face Plates/Adapters

MOTION: Councilman Eric Poppler moved to approve the purchase of 6 Masks from MES. Seconded by Councilman Tim Tracy. Motion was unanimously approved. All Council Members were present.

- 2 quotes for backpack blowers to control grass fires

MOTION: Councilman Scott Feltmann moved to approve the purchase of 2 Stihl brand backpack blowers from 212 Equipment for \$1,318.00 Seconded by Councilman Eric Poppler. Motion was unanimously approved. All Council Members were present.

- Nomex Hoods

- Accept Resignation for HFD Firefighter Mike Monnens

MOTION: Councilman Scott Feltmann moved to accept the resignation of Mike Monnens from the Fire Department. Seconded by Councilman Jason Buckentin. Motion was unanimously approved. All Council Members were present.

- Be on the lookout for a Rescue Reserve application to come in.
- Jeremy requested the On-call and Training hours for each fire department member by Dec. 30th.

2021 Amended Final Tax Levy and Final Budget

- Approve Amended 2021 Final Tax Levy Certification to Carver County
- Adopt/Approve Amended 2021 Final Budget
 - Approve Resolution Number 2020-16A (2021 Budget/Final Tax Levy)

MOTION: Councilman Tim Tracy moved to approve Resolution Number 2020-16A the 2021 Budget/Final Tax Levy in the amount of \$519,058.00. Seconded by Councilman Jason Buckentin. Motion was unanimously approved. All Council Members were present.

Old City Business

- Variance Request for 420 Henrietta Avenue (Mike Royal)
 - Approve Resolution Number 2020-18

MOTION: Councilman Tim Tracy moved to approve Resolution Number 2020-18. Seconded by Councilman Eric Poppler. Motion was unanimously approved. All Council Members were present.



HAMBURG CITY COUNCIL MEETING
DECEMBER 22, 2020

- Waste Management Contract Extension (Commercial Accounts)

MOTION: Councilman Jason Buckentin moved to approve the Waste Management Contract Extension for Commercial Accounts. Seconded by Councilman Tim Tracy. Motion was unanimously approved. All Council Members were present.

New City Business

- Accumulated Vacation Hours (Jeremy Gruenhagen)
 - Carry Extra Hours into 2021

MOTION: Councilman Jason Buckentin moved to allow 16 vacation hours to be carried over into 2021 and use by the end of the first quarter. Seconded by Councilman Eric Poppler. Motion was unanimously approved. All Council Members were present.

- Water Supply Plan Approval (MN DNR)
Received Water Supply Evaluation recommendations. This is informational only as we have already approved this with the Comp. Plan.
- Victim Impact Statement (November 20, 2020 Property Damage)
Excel Energy repaired the light pole and there should not be any cost to the city. The consensus from Council was that the Impact statement would only be submitted if the city were to receive a bill for any related repairs.

City Council Reports

- **Councilmember Scott Feltmann**
Will city staff get the covid vaccine as they are government employees? Not that we have been made aware of.
Fire Chief Scott Anderson – Fire Departments are being allotted 14 doses on Dec. 30th in Chaska from 4-8 p.m.
- **Mayor Chris Lund**
In January and February, the League of MN Cities will be holding a virtual Pipe Line Safety Training class and a Newly Elected Officials & Veteran Leaders Training. If interested let city staff know.
Thank you to Jason Buckentin for your time as a City Council Member.

MOTION: Councilman Jason Buckentin moved to adjourn the city council meeting at 7:46 p.m. Seconded by Councilman Tim Tracy. Motion was unanimously approved. All Council Members were present.

2020 December Claims List

CHECK #	VENDOR	FUND	CLAIM DESCRIPTION	AMOUNT	APPROVED
ACH	EFTPS	Divided	Fed, Social Security, MC - November 2020	\$2,807.76	12/8/2020
ACH	MN Dept. of Revenue	Divided	State Withholding Tax Payment November 2020	\$463.00	12/8/2020
ACH	Security Bank & Trust	General Gov't	ACH Service Fees for November 2020	\$30.60	12/8/2020
ACH	PERA	Divided	PERA Withholding for November	\$757.03	12/8/2020
ACH	PERA	Divided	PERA Withholding for December	\$452.10	12/8/2020
ACH	PERA	Divided	PERA Withholding for December	\$444.34	12/22/2020
ACH	HealthPartners	Divided	Health Insurance for December 2020	\$3,381.11	12/8/2020
ACH	Google	General Gov't	Email Account Service for November 2020	\$108.00	12/8/2020
ACH	Greg Schultz	Divided	Wages 11-16-20 to 11-29-20	\$1,748.71	12/8/2020
ACH	Tamara Bracht	Divided	Wages 11-16-20 to 11-29-20 (FFCRA Pay)	\$676.57	12/8/2020
ACH	Jeremy Gruenhagen	Divided	December Wages	\$1,962.17	12/8/2020
ACH	Verizon Wireless	General Gov't	(7) Cell Phones for 10/25/20 - 11/24/2020	\$290.15	12/8/2020
ACH	Greg Schultz	Divided	Wages 11-30-20 to 12-13-20	\$1,596.22	12/22/2020
ACH	Tamara Bracht	Divided	Wages 11-30-20 to 12-13-20	\$797.44	12/22/2020
ACH	Jeremy Gruenhagen	Divided	December Wages	\$2,097.87	1/14/2021
ACH	ZOOM	General Gov't	Video Conferencing	\$16.09	1/14/2021
ACH	Greg Schultz	Divided	Wages 12-14-20 to 12-27-20	\$2,032.25	1/14/2021
ACH	Tamara Bracht	Divided	Wages 12-14-20 to 12-27-20	\$676.57	1/14/2021
Debit Card	MCFOA	General Gov't	Membership Dues 2020-2021 for Deputy Clerk	\$46.00	12/8/2020
Debit Card	Hamburg Post Office	Divided	Postcard Stamps for Water Bills (4 Rolls), Postage for First Class	\$210.00	12/8/2020
Debit Card	USPS	General Gov't	COVID Newsletter December 4, 2020	\$74.68	12/8/2020
Debit Card	Amazon	General Gov't	2 Reams of 100# Paper	\$25.72	12/8/2020
Debit Card	Belnick Retail LLC	Hall	125 Grey Metal Folding Chairs	\$1,968.75	12/8/2020
Debit Card	Fleet Farm	Sewer	2 Muskrat Traps for Ponds	\$21.45	1/14/2021
Debit Card	Amazon	General Gov't	2 Pack Canon PG-245XL Black Cartridge	\$79.99	12/22/2020
Debit Card	Amazon	General Gov't	Staples 3 Inch BetterView Binder	\$16.58	12/22/2020
Debit Card	Amazon	General Gov't	Pink Binder	\$9.74	1/14/2021
Debit Card	Amazon	General Gov't	Binder Dividers/Staples Binders (2)	\$46.26	12/22/2020
Debit Card	USPS	General Gov't	COVID Newsletter December 18, 2020	\$74.49	12/22/2020
Debit Card	Amazon	General Gov't	Binders to Complete Document Organization for Years 2017-21	\$157.17	1/14/2021
Debit Card	League of MN Cities	General Gov't	Registration for Mayor Lund to Attend the 2021 Elected Leaders	\$95.00	1/14/2021
Debit Card	Hamburg Post Office	General Gov't	Return Postage for Defib Pads	\$10.90	1/14/2021
20378	Carver County Tax Payer Services	General Gov't	Payable 2021 Truth in Taxation Billings	\$222.97	12/8/2020
20379	Coordinated Business Systems	General Gov't	Intermedia Monthly Equipment for 10/26/20-11/25/20	\$61.77	12/8/2020
20380	E.G. Rud & Sons, Inc.	General Gov't	Survey 190 Scheele Avenue and Set Property Pins	\$468.00	12/8/2020
20381	ECM Publishers, Inc.	General Gov't	Public Hearing Notice #163	\$41.58	12/8/2020
20382	Gerardo Marin	Water	Final Water Bill Overpayment via Credit Card	\$103.02	12/8/2020
20383	Gopher State One Call	Divided	November Locates (14 Billable Locate Requests at \$1.35 each)	\$18.90	12/8/2020
20384	Hoff Barry, P.A.	General Gov't	Email Correspondence with Title Company	\$72.00	12/8/2020
20385	Home Solutions	Sewer	Rodent Bait	\$16.18	12/8/2020
20386	Menards	Divided	2 Electric Switch Covers, 1 Gallon Paint with 2 Brushes, Batteries	\$125.78	12/8/2020
20387	Mini Biff, Inc.	Park & Rec.	Final 2020 Partial Month Billing for Handicap Mini Biff	\$41.92	12/8/2020
20388	Municipal Emergency Services	Public Safety (FD)	5 Helmet Lights, SCBA Repair, Battery Holder Assembly	\$993.75	12/8/2020
20389	Omega Rail Management, Inc.	Divided	Right-of-Way Rental Agreement with Railroad (MVRRA)	\$883.67	12/8/2020
20390	Plunkett's Pest Control	General Gov't	City Hall & FD Service on 11-25-2020	\$39.37	12/8/2020
20391	USA Blue Book	Water	Mini Marking Flags for Locates	\$14.79	12/8/2020
20392	W.W.O.T.A	Divided	Water/Wastewater Training & Assistance for November 2020	\$457.50	12/8/2020
20393	Waste Management, Inc.	Sanitation	30 Yard Flat Green Yard Waste Container	\$827.70	12/8/2020
20394	Wm. Mueller & Sons	Public Works	Fuel for City Vehicles, Nov. 11 Snow Event Plowing	\$988.58	12/8/2020
20395	Xcel Energy	Divided	Electricity/Natural Gas for 10/29/2020 - 12/1/2020 (2 of 4 Bills)	\$963.67	12/8/2020
20396	Bolton & Menk, Inc.	General Gov't	Consultant Fees	\$800.00	12/22/2020
20397	Canon Financial Services, Inc.	General Gov't	Canon Copier Government Contract for December	\$33.13	12/22/2020
20398	Carver County Taxpayer Services Dept.	General Gov't	Set-up, Coding, & Printing of Ballots, Annual Maintenance Fees f	\$631.09	12/22/2020
20399	Carver County	General Gov't	Telephone/Internet Services December 2020	\$160.52	12/22/2020
20400	Cintas	Hall	Cleaning Supplies for Hall	\$95.73	12/22/2020
20401	Core & Main	Water	Meter Horns for New Townhomes at 480 Brad Street	\$140.12	12/22/2020
20402	ECM Publishers, Inc.	General Gov't	Public Hearing Notice for 420 Henrietta Ave., & Ordinance 163	\$128.52	12/22/2020
20403	Voiced	Voiced	Voiced (Printing Error - Wrong Vendor)	Voiced	1/14/2021
20404	Frankling Printing	General Gov't	5,352 Sheets of 100# Paper for EDDM Mailings for Newsletters	\$363.84	12/22/2020
20405	Halfmoon Technologies	General Gov't	Yearly Website Hosting & Domain Registration	\$236.32	12/22/2020
20406	Hutchinson Fire & Safety	Public Safety (FD)	Yearly Extinguisher Inspection for 2020	\$331.46	12/22/2020
20407	Loffler Companies, Inc.	General Gov't	November Copies	\$118.66	12/22/2020
20408	Maguire Iron, Inc.	Water	Pay Request Number 8 (Water Tower Project)	\$35,892.86	12/22/2020
20409	Melchert-Hubert & Sjodin, PLLP	General Gov't	Legal Fee's Regarding Litigation and COVID-19	\$2,112.80	12/22/2020
20410	Menards	Public Safety (FD)	1 Box of 48" T8 Light Bulbs for FD Bay	\$66.95	12/22/2020
20411	Minnesota Gutter	Hall	Remove and Replace Downspouts at the Hall with 3x4 Steel	\$599.00	12/22/2020
20412	Municipal Emergency Services, Inc	Public Safety (FD)	10 Pairs of Structural Firefighter Gloves	\$842.97	12/22/2020
20413	MVTL Labs, Inc.	Sewer	Quarterly Influent Sample 12/16/20	\$79.50	12/22/2020
20414	Plunkett's Pest Control Inc.	GG Bldgs/Hall	Pest Control Inspections on 10/12/20	\$139.12	12/22/2020

2021 January Claims List

CHECK #	VENDOR	FUND	CLAIM DESCRIPTION	AMOUNT	APPROVED
ACH	EFTPS	Divided	Fed, Social Security, MC - 4th Qtr 2020	\$6,277.72	1/12/2021
ACH	MN Dept. of Revenue	Divided	State Withholding Tax for 4th Qtr Filing	\$609.00	1/12/2021
ACH	HealthPartners	Divided	Health Insurance for January 2021	\$4,508.15	1/12/2021
ACH	Jeremy Gruenhagen	Divided	January Wages (Rounds)	\$2,087.55	1/12/2021
ACH	Google	General Gov't	Email Account Service for December 2020	\$108.38	1/12/2021
ACH	Security Bank & Trust	General Gov't	ACH Service Fees for December 2020	\$35.80	1/12/2021
ACH	PERA	Divided	PERA Withholding - December 2020	\$510.25	1/12/2021
ACH	PERA	Divided	PERA Withholding - December 2020	\$778.03	1/12/2021
ACH	ZOOM	General Gov't	Video Conferencing Service	\$16.09	1/12/2021
Debit Card	Active 911	Public Safety (FD)	Annual Membership 29 FF at \$13.00/each	\$377.00	1/12/2021
Debit Card	Hamburg Post Office	Water	2 Water Samples Priority Mailed to MN Dept. of Health	\$31.55	1/12/2021
Debit Card	USPS	General Gov't	COVID 19 Newsletter 1-8-21	\$74.49	1/12/2021
20463	ANCOM Communications Inc.	Public Safety (FD)	(5) G5 Dual Band Pagers with Desktop Chargers	\$3,670.00	1/12/2021
20464	ASCAP	Hall	Entertainment License - 08/15/21 to 08/14/22	\$367.00	1/12/2021
20465	Business Essentials	General Gov't Bldgs	Hand Towel Roll, Toilet Paper, Hand Soap for Dispensers, Toilet Bowl Cleaner	\$227.35	1/12/2021
20466	Bond Trust Services	Debt Service	Principal, Interest & Agent Fee for the 2007 Maria Ave. St. Improv. Bonds	\$16,576.25	1/12/2021
20467	Carver County Attorney's Office	General Gov't	4th Quarter Fines and Surcharge	\$81.78	1/12/2021
20468	Cintas	Hall	Cleaning Supplies for Hall	\$95.73	1/12/2021
20469	Coordinated Business Services	General Gov't	Intermedia Monthly Charge Services and Equipment	\$61.77	1/12/2021
20470	Diversified Plumbing & Heating, Inc.	Hall	Water Heater Installation	\$1,298.70	1/12/2021
20471	Gopher State One Call	Divided	3 Locates	\$4.05	1/12/2021
20472	Hoff Barry, P.A.	General Gov't	Correspondence regarding Annexation of Garage Addition at 420 Henrietta Av	\$1,104.00	1/12/2021
20473	Home Solutions	General Gov't Bldgs	Box of Star AP Screws	\$5.84	1/12/2021
20474	MN BCA	Public Safety (FD)	Background Check on FD Applicant Kaitlin Weckman	\$15.00	1/12/2021
20475	MN State Fire Dept. Association	Public Safety (FD)	2021 Membership Dues	\$175.00	1/12/2021
20476	MNSPECT	Public Safety (FD)	Residential: Inspection, Permit Fees, Plan Review, License Fees	\$508.55	1/12/2021
20477	Municipal Emergency Services	Public Safety (FD)	2 Adult AED Replacement Pads	\$124.00	1/12/2021
20478	Plunkett's Pest Control	General Gov't Bldgs.	City Hall & FD General Pest Inspection - Service Date 12-28-2020	\$39.37	1/12/2021
20479	Riteway Business Forms	Divided	2021 Water Bill Forms	494.81	1/12/2021
20480	Security Bank & Trust	Debt Service	G.O. Public Utility Revenue Bonds Series 2019A	\$62,353.75	1/12/2021
20481	W.W.O.T.A	Divided	Water/Wastewater Training & Assistance for December 2020	\$540.00	1/12/2021
20482	Xcel Energy	Divided	Natural Gas / Electrical Services for 12-1-20 to 1-4-21	\$1,341.57	1/12/2021
				\$97,611.81	

CITY OF HAMBURG TIME-OFF REQUEST FORM

Today's Date: January 8, 2021

Employee Name: Jeremy Gruenhagen

Dates Requesting Time-Off: January 15 & 22
January 21, 25, 29 (Off 4:00)
February 1, 5 (Off 4:00)

How many **Vacation** hours will be used? 18

How many **Compensation** hours will be used? 0

Is there a **Holiday** during your time off? Yes

Will there be any time off **without pay**? No

Will there be any scheduled **Sick Leave** used? No

Are you requesting more than three consecutive days off? No

- If yes, you must receive City Council approval.

City Council Approval

Date of Council Meeting: January 12, 2021

Was vacation request approved? _____

- If no, reason request was denied: _____

Jeremy Gruenhagen
Employee Signature

1-8-2021
Date

City Clerk/Treasurer

Date

Mayor

Date



DECEMBER DELINQUENCY REPORT 2020

NOTES -	Account #	AMOUNT OVER DUE	CURRENT BILL DECEMBER USAGE	ACCOUNT BALANCE	PAYMENTS	UPDATED BALANCE
last payment received on						
11/30/2020	01-00017617-00-9	\$219.56	\$176.06	\$395.62		
12/7/2020	01-00002611-00-5	\$189.61	\$149.29	\$338.90		
10/7/2020	01-00009420-00-6	\$211.71	\$93.92	\$305.63		
11/30/2020	01-00014330-00-0	\$133.77	\$125.53	\$259.30		
8/31/2020	01-00014410-00-1	\$451.21	\$87.77	\$538.98		
11/30/2020	01-00005361-00-6	\$101.17	\$93.09	\$194.26		
11/30/2020	01-00016604-00-4	\$209.90	\$187.75	\$397.65		
11/9/2020	01-00007625-00-7	\$482.15	\$167.26	\$649.41		
11/30/2020	01-00009321-00-0	\$111.88	\$103.73	\$215.61		
12/31/2020	01-00006190-01-2	\$171.28	\$162.36	\$333.64		
NEW	01-00002490-00-4	\$64.69	\$87.77	\$152.46		
11/9/2020	01-00005490-00-1	\$511.99	\$210.42	\$722.41		
11/30/2020	01-00005421-00-1	\$177.29	\$139.60	\$316.89		
7/24/2020	01-00003619-00-2	\$556.94	\$101.62	\$658.56		
11/30/2020	01-00017610-00-2	\$175.05	\$159.14	\$334.19		
11/30/2020	01-00017616-00-8	\$159.66	\$133.91	\$293.57		
12/1/2020	01-00017621-00-6	\$217.54	\$223.07	\$440.61		
11/30/2020	01-00014311-00-5	\$184.60	\$177.14	\$361.74		
11/30/2020	01-00009350-00-8	\$24.43	\$185.91	\$210.34		
12/7/2020	01-00017615-00-7	\$157.37	\$145.14	\$302.51		
11/30/2020	01-00011851-01-8	\$158.55	\$152.01	\$310.56		
11/30/2020	01-00011775-00-8	\$138.45	\$124.74	\$263.19		
		\$4,808.80	\$3,187.23	\$7,996.03	\$0.00	\$0.00



Jeremy Gruenhagen <cityadmin@cityofhamburgmn.com>

Southern Valley Alliance Visitor Presentation

5 messages

Katie Schaumann <communityengagement@svamn.org> Tue, Nov 24, 2020 at 2:32 PM
To: "cityadmin@CityofHamburgMN.com" <cityadmin@cityofhamburgmn.com>

Good afternoon,

My name is Katie Schaumann, I am the new Community Engagement Coordinator at Southern Valley Alliance, formerly Southern Valley Alliance for Battered Women, located in Belle Plaine. We provide victims of domestic violence and their families with support, referrals, protection and advocacy in Scott and Carver counties. While our focus remains on assisting victims of domestic violence, our new name and brand showcase SVA's cultural responsiveness, diversity, and inclusion.

Our services include a 24/7 crisis line, crisis intervention and advocacy, legal/court advocacy, support groups, children's visitation center, community engagement and education.

I am inquiring about giving a presentation at an upcoming City Council meeting. I would like to share about Southern Valley Alliance and the critical work being done in the community to end domestic violence. Could you please point me in the direction of who I need to speak with to set this up?

Thank you for your time. I look forward to hearing back from you.

Sincerely,

Katie Schaumann

Community Engagement Coordinator

[551 E. Park Street](#), PO Box 166

Belle Plaine, MN 56011

(952) 873-4214

www.svamn.org



Lano Equipment of Norwood
1015 Hwy. 212 W. P O Box 299
Norwood Young America, MN 55368-0299
952-467-2181

PT NO: 436593

PICKING TICKET
01/11/2021 at 10:05 AM

Page 1

SOLD TO:
CITY OF HAMBURG
PO BOX 248
HAMBURG, MN 55339

T/S: CHARGE
RO#:
CUST#: 01288
SLSMN: AL

SHIP TO:

PICKING TICKET DATE: 01/11/2021 PO#:

Ordered	B/O	Ship	Part Number	Description	BIN Location	Price
4.00	0.00	4.00	7211382	TIRE, SUPE	SHED	1285.28
4.00	0.00	4.00	LABORM	SHOP	SHOP	140.00
1.00	0.00	1.00	PICK UP	DEL	NS	125.00
					TAXABLE	0.00
					NONTAXABLE	1410.28
					NONTAX LABOR	140.00
					TAXABLE LABOR	0.00
					SALES TAX	0.00
					** TOTAL **	1550.28

Sam's Tire Service

1231 Ford Avenue N.
Glencoe, MN 55336

Phone # 320/864-3615
Fax # 320/864-4914

City Of Hamburg
181 Broadway Ave.
Hamburg, MN 55339

Estimate

Date	Estimate #
1/11/2021	23552

Description	Salesman	Mileage	Vehicle
	Calli		Roll In
	Qty	Cost	Total
12-16.5 12Ply Ruff Dawg MudSnow Skid Steer:Misc. Skid Steer	4	245.00	980.00
Dismount/Mount Skid	4	24.00	96.00
Valve Stem	4	5.00	20.00
Light Truck/Skid Steer Tire Disposal	4	6.95	27.80

Time in _____ Time out _____	Subtotal	\$1,123.80
	Sales Tax (7.375%)	\$0.00
	Total	\$1,123.80

**PROPERTY OWNER PETITION TO MUNICIPALITY
FOR ANNEXATION BY ORDINANCE - 120 Acres or Less**

IN THE MATTER OF THE PETITION OF CERTAIN PERSONS FOR THE
ANNEXATION OF CERTAIN LAND TO THE CITY OF HAMBURG, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.033, SUBD. 2(3)

TO: Council of the City of Hamburg, Minnesota

PETITIONER(S) STATE: All of the property owners in number are required to commence a proceeding under Minnesota Statutes § 414.033, Subd. 2(3).

It is hereby requested by:

 X the sole property owner; or
 all of the property owners (If the land is owned by both husband and wife, both must sign the petition to represent all owners.)

of the area proposed for annexation to annex certain property described herein lying in the Township of Young America to the City of Hamburg, County of Carver, Minnesota.

The area proposed for annexation is described as follows:

Part of the Northeast Quarter of the Southwest Quarter and part of Government Lot No. 1, all being part of Section 28, Township 115, Range 26, Carver County, Minnesota, described as follows: Beginning at the most easterly corner of Lot 1 of Block 2 of the plat of HAMBURG'S THIRD ADDITION, Hamburg, Minnesota, said plat being of record and on file at the Carver County Recorder's Office, Carver County, Minnesota; thence on a bearing of North 71 degrees 20 minutes 55 seconds East (assuming that the northerly line of said lot 1 has a plat bearing of South 72 degrees 18 minutes 51 seconds East) a distance of 190.00 feet; thence North 83 degrees 30 minutes 16 seconds East 209.00 feet; thence South 28 degrees 40 minutes 43 seconds East 104.00 feet; thence South 61 degrees 54 minutes 38 seconds West 360.00 feet to the easterly line of Lot 1 of Block 1 of the plat of DROEGE'S THIRD ADDITION, Hamburg, Minnesota, said plat being of record and on file at the Carver County Recorder's Office, Carver County, Minnesota; thence North 35 degrees 29 minutes 00 seconds East along said easterly line 80.00 feet; thence North 54 degrees 37 minutes 33 seconds West along the northerly line of said Lot 1 and its westerly extension 182.27 feet; thence North 72 degrees 18 minutes 51 seconds West 18.69 feet to the point of beginning. This tract contains 1.23 acres of land and is subject to any and all easements of record.

1. There is one property owner in the area proposed for annexation. (If a property owner owns more than one parcel in the area proposed for annexation, he/she is only counted once as an owner - the number of parcels owned by a petitioner is not counted.)
2. The land abuts the municipality and the area to be annexed is 120 acres or less, and the area to be annexed is not presently served by public wastewater facilities or public wastewater facilities are not otherwise available.

PETITIONERS REQUEST: That pursuant to Minnesota Statutes § 414.033, the property described herein be annexed to and included within the City of Hamburg, Minnesota.

Dated: 12-21-20

**LOIS ANN DROEGE AND SECURITY BANK & TRUST CO., TRUSTEES OF THE
“LOIS ANN DROEGE TRUST” ESTABLISHED UNDER TRUST AGREEMENT
DATED NOVEMBER 27, 2001, AS LAST AMENDED AND RESTATED IN ITS
ENTIRETY BY “SECOND COMPLETE AND SUPERSEDING AMENDMENT TO
TRUST AGREEMENT OF LOIS ANN DROEGE” DATED SEPTEMBER 19, 2016**

By: Lois Droege
Lois Ann Droege, Trustee of the
“Lois Ann Droege Trust”

Security Bank & Trust Co.
Trustee of the “Lois Ann Droege Trust”

By: Gregory A. Kummer
Its: President - Trust

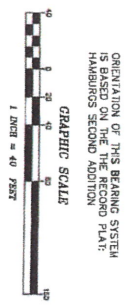
NOTE: Pursuant to Minnesota Statutes § 414.033, Subd. 2b, before a municipality may adopt an ordinance under subdivision 2, clause (2), (3), or (4), a municipality must hold a public hearing and give 30 days' written notice by certified mail to the town or towns affected by the proposed ordinance and to all landowners within and contiguous to the area to be annexed.

NOTE: Pursuant to Minnesota Statutes § 414.033, Subd. 11, when a municipality declares land annexed to the municipality under subdivision 2, clause (3), and the land is within a designated floodplain, as provided by section 103F.111, subdivision 4, or a shoreland area, as provided by section 103F.205, subdivision 4, the municipality shall adopt or amend its land use controls to conform to chapter 103F, and any new development of the annexed land shall be subject to chapter 103F.

NOTE: Pursuant to Minnesota Statutes § 414.033, Subd. 12, when a municipality annexes land under subdivision 2, clause (2), (3) or (4), property taxes payable on the annexed land shall continue to be paid to the affected town or towns for the year in which the annexation becomes effective. If the annexation becomes effective on or before August 1 of a levy year, the municipality may levy on the annexed area beginning with that same levy year. If the annexation becomes effective after August 1 of a levy year, the town may continue to levy on the annexed area for that levy year, and the municipality may not levy on the annexed area until the following levy year.

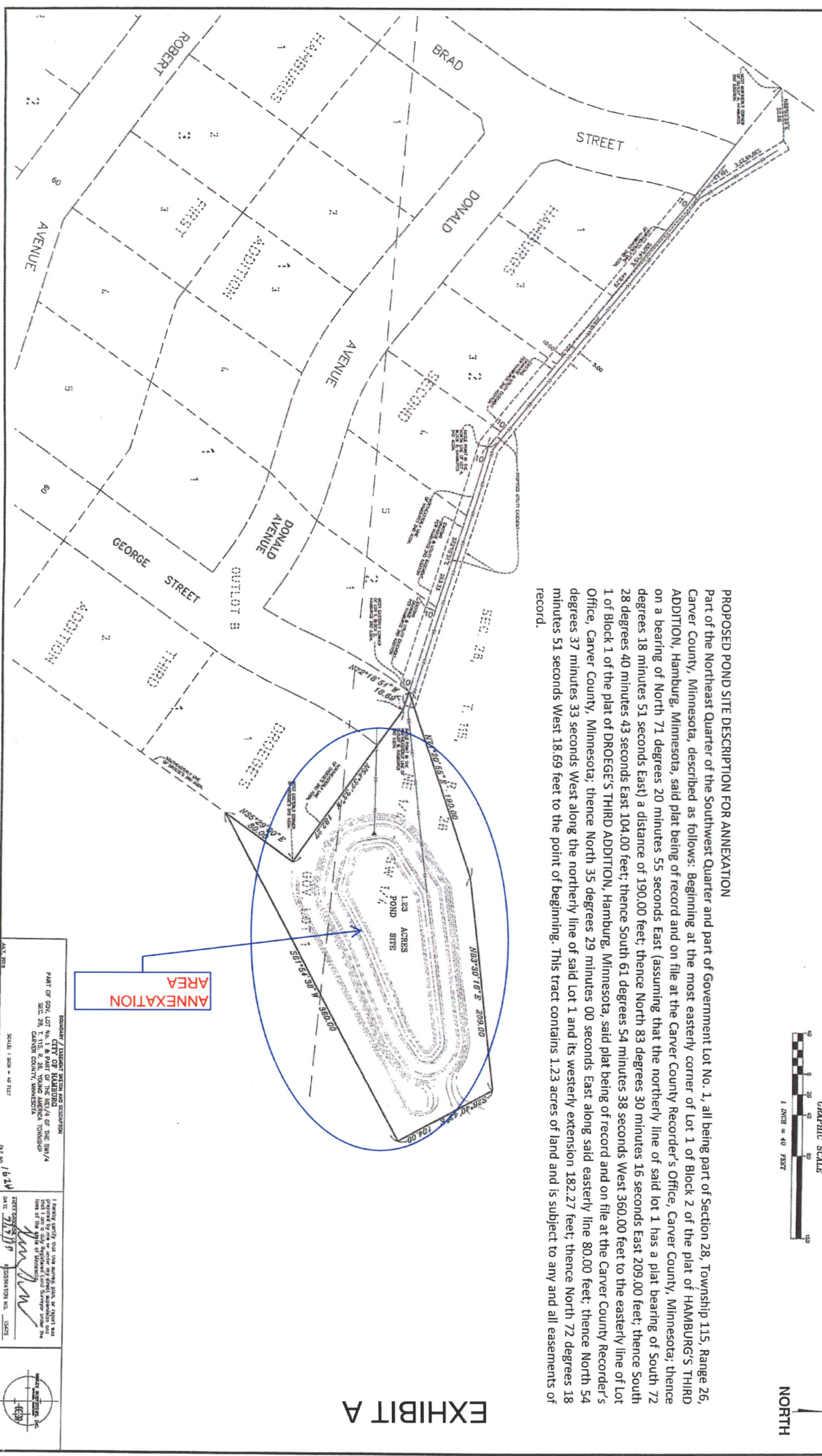
NOTE: Pursuant to Minnesota Statutes § 414.033, Subd 13, at least 30 days before a municipality may adopt an ordinance under subdivision 2, clause (2), (3), or (4), the

BOUNDARY / EASEMENT SKETCH & DESCRIPTION



PROPOSED POND SITE DESCRIPTION FOR ANNEXATION

Part of the Northeast Quarter of the Southwest Quarter and part of Government Lot No. 1, all being part of Section 28, Township 115, Range 26, Carver County, Minnesota, described as follows: Beginning at the most easterly corner of Lot 1 of Block 2 of the plat of HAMBURG'S THIRD ADDITION, Hamburg, Minnesota, said plat being of record and on file at the Carver County Recorder's Office, Carver County, Minnesota; thence on a bearing of North 71 degrees 20 minutes 55 seconds East (assuming that the northerly line of said Lot 1 has a plat bearing of South 72 degrees 18 minutes 51 seconds East) a distance of 190.00 feet; thence North 83 degrees 30 minutes 16 seconds East 209.00 feet; thence South 28 degrees 40 minutes 43 seconds East 104.00 feet; thence South 61 degrees 54 minutes 38 seconds West 360.00 feet to the easterly line of Lot 1 of Block 1 of the plat of DROEGE'S THIRD ADDITION, Hamburg, Minnesota, said plat being of record and on file at the Carver County Recorder's Office, Carver County, Minnesota; thence North 35 degrees 29 minutes 00 seconds East along said easterly line 80.00 feet; thence North 54 degrees 37 minutes 33 seconds West along the northerly line of said Lot 1 and its westerly extension 182.27 feet; thence North 72 degrees 18 minutes 51 seconds West 18.69 feet to the point of beginning. This tract contains 1.23 acres of land and is subject to any and all easements of record.



ANNEXATION AREA

EXHIBIT A

RECORDED / REGISTERED INSTRUMENT NO. 1514
 CITY OF HAMBURG
 PART OF GOV. LOT NO. 1 & PART OF THE NE 1/4 OF THE SW 1/4
 SEC. 28, T. 115, R. 26, CARVER COUNTY, MINNESOTA

1. Being certified that the foregoing plat, or report, was
 prepared by a duly qualified and licensed surveyor, and
 that the same is a true and correct copy of the original
 filed in the office of the County Recorder, Carver County,
 Minnesota, on this 15th day of August, 1914.

W. J. P. COUNTY RECORDER

SCALE: 1 INCH = 40 FEET



CITY OF HAMBURG
NOTICE OF PUBLIC HEARING
ON THE PETITION BY OWNER TO MUNICIPALITY FOR
ANNEXATION BY ORDINANCE – 120 ACRES OR LESS

Notice is hereby given that the City Council (the “Council”) of the City of Hamburg, Minnesota, will hold a public hearing on **March 9, 2021**, at a meeting of the Council beginning at **7:00 p.m.**, at the Hamburg Community Center, 181 Broadway Ave., Hamburg, Minnesota, regarding annexation of certain land to the City of Hamburg pursuant to Minnesota Statutes § 414.033, Subd. 2(3), which certain land is depicted and legally described on attached Exhibit A.

Following the public hearing the Council will file with the Office of Administrative Hearings *An Ordinance of the City of Hamburg, Minnesota Annexing Land Located in Young America Township, Carver County, Minnesota Pursuant to Minnesota Statutes § 414.033 Subdivision 2(3), Permitting Annexation by Ordinance.*

Due to the current health pandemic of COVID-19, the Council Chambers will be closed to the public. It is anticipated that some or all members of the City Council will participate in the hearing/council meeting by telephone or other electronic means pursuant to Minnesota Statutes, Section 13D.021 rather than in-person at the City Council’s regular meeting place.

Members of the public can listen to and/or participate in the council meeting live online at <https://us02web.zoom.us/j/6817521480>, the Zoom App on your cellphone via the google play store, or by calling 1-312-626-6799. Use Meeting ID: 681 752 1480 when logging in or calling in. Use # as your participant ID.

If you have any questions or concerns about the hearing feel free to attend, call the City Offices at (952) 467-3232, write in advance to: City of Hamburg, P.O. Box 248, Hamburg, MN 55339, or email the City Office at cityadmin@cityofhamburgmn.com.

POSTED BY THE HAMBURG CITY CLERK
Jeremy Gruenhagen, City Clerk/Treasurer



Jeremy Gruenhagen <cityadmin@cityofhamburgmn.com>

Office of the State Auditor Contact

Nichole Bjornrud <Nichole.Bjornrud@osa.state.mn.us>

Tue, Jan 5, 2021 at 3:09 PM

To: "cityadmin@CityofHamburgMN.com" <cityadmin@cityofhamburgmn.com>

Dear Clerk Treasurer Gruenhagen,

Thank you for our conversation today. As we discussed, I am providing a copy of a letter from the Attorney General's Office dated November 2, 1998, and a copy of the Office of the State Auditor's Statement of Position - Credit Card Use and Policies. I am also requesting a copy of the spreadsheet you referenced in our phone conversation that details the amounts the City paid to Verizon Wireless and related reimbursements.

I hope you find this information helpful.

Sincerely,

Nichole K Bjornrud, CPA, CFE
Special Investigations
Office of the State Auditor
525 Park Street #500
Saint Paul, MN 55103
651.282.2750

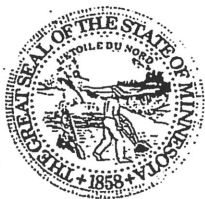
The Office of the State Auditor does not provide legal advice or representation. If you need legal advice, consult with your attorney.

Caution: This e-mail may contain CONFIDENTIAL information or information protected by state or federal law. If you have received this e-mail by mistake, please do not read, distribute, or reproduce it (including any attachments). Please notify us immediately by return e-mail, and then delete it from your system. Thank you.

2 attachments

 **AG Letter cell phones 1998.pdf**
248K

 **creditcardusepolicies_0703_statement.pdf**
31K



STATE OF MINNESOTA

OFFICE OF THE ATTORNEY GENERAL

HUBERT H. HUMPHREY III
ATTORNEY GENERAL

November 2, 1998

file

GOVERNMENT SERVICES SECTION
525 PARK STREET
SUITE 200
ST. PAUL, MN 55103-2106
TELEPHONE: (612) 297-2040

Steve Knutson
Michelle Kenney
Knutson, Flynn, Deans & Olsen
Suite 10
1155 Centre Pointe Dr.
Mendota Heights, MN 55120

Dear Mr. Knutson and Ms. Kenney:

This is in reply to your letter querying whether or not a school district may enter into an agreement with AirTouch Cellular, under the state contract with AirTouch Cellular, for the benefit of a school district's employees who wish to purchase equipment and/or service from AirTouch Cellular for their personal use. We conclude that a school district may not enter into such an agreement, but that generally, a school district employee may take advantage of a discount offered by the cellular phone company to all employees of the school district if the school district itself does not participate in the arrangement.

It is your understanding that the State of Minnesota had entered into a state contract with AirTouch Cellular for cellular phone equipment and service. It is also your understanding that School District No. 279, Osseo, Minnesota (School District) was eligible to purchase under this contract because it is an instrumentality of the State.¹ You question whether or not the School District may allow its employees to purchase equipment and/or service under this contract for their personal use. While the state's contract with AirTouch Cellular has expired, this issue may occur in connection with other similar state cellular contracts.

Employees of the School District would not have been able to purchase service and equipment for their personal use under the state contract for two reasons. First, the terms of the state's contract with AirTouch did not allow for such purchases. The terms of the contract covered the purchase of air time and equipment for business purposes only. Second, such procurement practice would impermissibly utilize government resources.

Your question impliedly raised the issue of whether the School District could itself procure discounts on cellular phone equipment and services for its employees' private use.

¹ The School District would also have had to have been a member of the Cooperative Purchasing Venture (CPV) to purchase under the State's contract because AirTouch Cellular had only agreed to allow members of the CPV to purchase under the State contract.

Municipal expenditures, whether direct or indirect, must have a public purpose to be valid. Minn. Const. art. 10, § 1. The definition of public purpose has broadened over the years. See, e.g., Op. Atty. Gen. 107A-3, January 22, 1980. Yet, although improved communication between the School District and its licensed staff through District cellular phones used for District business could be considered a public purpose, it is difficult to argue that a District expenditure of funds or time, made for employees' private benefit is made for a public purpose.

In addition to the constitutional public purpose test, actions of local governmental units must be based upon statutory or charter authority. School Districts are created by statute, and generally have no authority outside the authority given by statute. Personal use discounts on cellular phone equipment and services could be characterized as compensatory fringe benefits. However, several opinions of this Office have concluded that the general authority of local governmental units to employ persons and fix compensation does not in itself authorize non-monetary fringe benefits. See, e.g., Op. Atty. Gen. 59a-22, November 23, 1966 and Letter dated September 10, 1991 to State Auditor Mark Dayton (copies enclosed). Minnesota courts have also held that the fringe benefits provided to local government employees may be limited by the scope of express statutory authority. See, e.g., Lilly v. City of Minneapolis, 527 N.W.2d 107, 111 (Minn. Ct. App. 1995). We are aware of no statute that would specifically authorize a local governmental unit to procure goods and services on behalf of its employees personally. Thus, this Office is of the view that the School District is not authorized to undertake this type of procurement. Since the District should not be able to do indirectly that which it cannot do directly, personal procurement through a similar state contract would not be authorized. See also, Minn. Stat. § 43A.38, subd. 4 (1996 and Supp. 1997) (prohibiting the use of state time, supplies or state-owned or leased property and equipment for any use not in the interest of the state, except as provided by law.)

In researching this issue, this Office has discovered that AirTouch has, at times, offered price discounts to state employees because they are employees of a large employer. Any contract entered into is between AirTouch and the individual, and is separate and apart from the state's contract with AirTouch. This offer by AirTouch does not involve any direct state participation and does not implicate Minn. Stat. § 15.054, which provides in pertinent part:

No officer or employee of the state or any of its political subdivisions shall sell or procure for sale or possess or control for sale to any other officer or employee of the state or the subdivision, as appropriate, any property or materials owned by the state or the subdivision, except as pursuant to conditions provided in this section.

Since neither the state, nor its political subdivisions, is selling or procuring, goods or services, for sale to its officers or employees, Minn. Stat. § 15.054 does not apply.

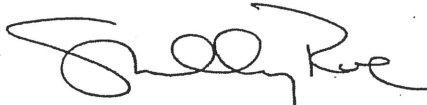
It is also our view, that a general discount offered to all members of a large organization, simply because they are members of a large organization, would not likely be found to violate Minn. Stat. § 10A.071(1996) (statute prohibiting certain gifts to public officials from lobbyists and principals), section 43A.38 (1996 and Supp. 1997) (code of ethics for employees in the executive branch) or section 471.897 (1996) (statute prohibiting certain gifts to local officials by interested persons), with one caveat. An employee involved in the procurement or selection of cellular phone service for their employer, may not accept such a discount, as to do so would violate Minn. Stat. § 15.43 (1996), which provides:

No employee of the state or of the University of Minnesota in direct contact with suppliers or potential suppliers to the state or the university, or who may directly or indirectly influence a purchasing decision or contract by establishing specification, testing purchased products, evaluating contracted services, or otherwise has official involvement in the purchasing or contracting process may:

(1) Have any financial interest or have any personal beneficial interest directly or indirectly in contracts or purchase orders for goods or services used by, or purchased for resale or furnished to a department or agency of the state or the university; or

(2) *Accept directly or indirectly from a person, firm, or corporation to which a contract or purchase order has been or may be awarded, a rebate, gift, money, or anything of value other than items of nominal value.* No such employee may further accept any promise, obligation, or contract for future reward. (emphasis added.)

Sincerely,



SHELLEY ROE
Assistant Attorney General

(651) 297-1242



REBECCA OTTO
STATE AUDITOR

STATE OF MINNESOTA

OFFICE OF THE STATE AUDITOR

SUITE 500
525 PARK STREET
SAINT PAUL, MN 55103-2139

(651) 296-2551 (Voice)
(651) 296-4755 (Fax)
state.auditor@osa.state.mn.us (E-mail)
1-800-627-3529 (Relay Service)

Statement of Position Credit Card Use and Policies

Counties, cities, towns, school districts, watershed districts, and soil and water conservation districts have authority to make purchases using credit cards issued to the public entity.¹ The statutes authorizing credit card use by public entities restrict the use of credit cards to purchases for the public entity. No personal use of the credit card is permitted.²

According to Minnesota law, credit cards should only be used by those employees and officers otherwise authorized to make purchases. If the public entity does not authorize a credit card purchase, the officer or employee who made the purchase becomes personally liable for the amount of purchase.

Purchases made with the credit card must be consistent with other state law. For example, under Minnesota law, claims presented for payment must be in writing and itemized.³ Monthly statements received from a credit card company lack sufficient detail to comply with these statutory requirements. As a result, public entities using credit cards must retain the invoices and receipts needed to support the items charged in the bill from the credit card company.⁴ Similarly, listing only the credit card company on a claims list would merely identify the method of payment. It does not identify the vendors providing the goods and services, as required by law.

The authority to use credit cards does not authorize the creation of a new form of debt for the public entity. The statutes governing the issuance of debt by a public entity add a number of restrictions to the issuance of any obligation. The credit card statutes simply authorize another method of payment. Therefore, the public entity's governing board must adopt a policy of paying off the credit card charges on a monthly basis.

¹Minn. Stat. §§ 471.382 (cities and towns); 375.171 (counties); 123B.02, subd. 23 (school districts); 103D.325, subd. 4 (watershed districts); 103C.321, subd. 6 (soil and water conservation districts).

² See, e.g., *State v. Norman*, No. A11-1721 (Minn. Ct. App. Sept. 17, 2012) (unpublished) (reimbursement of personal charges on city credit card does not negate false claim or theft by swindle charges).

³ See Minn. Stat. § 471.38, subd. 1.

⁴ If the original supporting documentation is missing, an attestation or affidavit identifying how, where, and when the money was spent, signed by the individual seeking reimbursement will suffice.

Reviewed: February 2014

Revised: February 2014

2007-1005

This Statement of Position is not legal advice and is subject to revision.

An Equal Opportunity Employer

Before implementing the use of credit cards, a public entity should adopt a comprehensive credit card policy that may include such areas as good management practices and internal control procedures.

We recommend the adoption of a comprehensive credit card policy that provides the following safeguards:

- Prohibit the use of the credit card for personal purchases;
- Identify the employees and officers who are authorized to make purchases on behalf of the public entity and are eligible to use the card;
- Identify the particular purchases that are to be made with the credit card;
- Set up a review process for all purchases made with the credit card;
- Require supporting documentation for all purchases made with the credit card;
- Restrict the total amount of charges that can be made on the credit card; and
- Obtain signed written acknowledgments of the credit card policies from all authorized card users.

Some public entities have obtained debit cards instead of or in addition to credit cards. While entities have the authority to make purchases using credit cards, the authority to use debit cards is less clear.⁵ Debit cards allow funds to be immediately withdrawn from the entity's financial account, provide fewer protections than credit cards provide, and circumvent statutory claims approval safeguards. We recommend that entities use credit cards, and not debit cards, to make purchases for the public entity.

The ability to use a credit card for small purchases in the ordinary course of business offers many advantages. However, the ability of the cardholder to make the public entity liable for an improper or illegal purchase is an inherent risk associated with credit cards. Compliance with statutory requirements, and the adoption of and adherence to a policy implementing further internal controls will greatly reduce the public entity's exposure to loss of public funds through theft or misuse of the credit card.

Additional guidance on using purchasing cards for government purchases may be found on the Government Finance Officers Association (GFOA) website at: <http://www.gfoa.org/purchasing-card-programs>.

The State of Minnesota's purchasing card and use policy is available at: <http://www.mmd.admin.state.mn.us/pdf/alpappnpolicy1.pdf>.

⁵ In contrast, cities, towns, and counties have clear authority to *accept* payment by use of debit cards. See Minn. Stat. § 471.381, subd. 2.