



## ***HAMBURG CITY COUNCIL AGENDA FEBRUARY 9, 2021***

1. **Call City Council Meeting to Order**
  - **Pledge of Allegiance**
  
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 Minutes for December 22, 2021**
  - **Approve Minutes for January 12, 2021**
  - **Approve Payment of Added January 2021 Claims (\$37,048.52)**
  - **Approve Payment of Added February 2021 Claims (\$22,589.89)**
  - **Approve Cash Flow Statement for December 2020**
  - **Approve Time-Off Request for Greg Schultz**
  - **Approve Time-Off Request for Jeremy Gruenhagen**
  - **Delinquent Utility Bills Report**
  - **City Offices Closed February 15, 2021 for Presidents Day**
  
5. **Hamburg Fire Department – Fire Chief Anderson**
  - **COVID-19 Pandemic**
    - **City Council/Clubs/HFD Meetings**
  - **Purchasing Policy (Limits)**
  - **Approve Kaitlin Weckman Application to HFD**
  - **Radio/Pager Purchases (HFDRA)**
  - **Duty Officer Pay (Weekends)**
  - **Spare Water Nozzles**
  
6. **Old City Business**
  - **Estimates for Bobcat Tires**
  - **State of MN - Office of State Auditor**
    - **Attorney General's Office Letter (Cell Phone Contracts)**
    - **Credit Card Use and Policies**
  - **Public Nuisance(s) – 679/710 Park Avenue**



***HAMBURG CITY COUNCIL AGENDA  
FEBRUARY 9, 2021***

**7. New City Business**

- **Open Meeting Law Language (Legislative Priorities)**
- **City Council Assignments (Water/Sewer/Streets/Buildings/Parks)**
- **Annexation of Parcel 11.0282010**
- **Personnel Committee Meeting(s)**

**8. City Council Reports**

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

**9. Adjourn City Council Meeting**



***HAMBURG CITY COUNCIL AGENDA  
FEBRUARY 9, 2021***

**COMMUNITY HALL & PARK ACTIVITIES**

**JUNE**

- 5 – Graduation (Park)**
- 6 – Graduation (Park)**
- 11 – Graduation (Park)**
- 12 – Graduation (Park)**
- 13 – Graduation (Park)**
- 26 – Big Rib Jig (Park)**
- 26 – Wedding Reception**

**COMMUNITY CENTER (FIRE HALL) ACTIVITIES**

**FEBRUARY**

- 1 – Hamburg Lions Board Meeting**
- 1 – HFD Training**
- 4 – 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**

**MARCH**

- 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**
- 22 – Hamburg Fire Dept. (Relief Association) Meeting**

**CITY OF HAMBURG**  
**NOTICE OF A HAMBURG CITY COUNCIL MEETING**  
**TUESDAY, FEBRUARY 9, 2021**  
**7:00 P.M.**

**NOTICE IS HEREBY GIVEN**, that the City of Hamburg City Council will hold a City Council Meeting on Tuesday, February 9, 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](http://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



***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 off the alley. This addition would need an approved variance as the addition 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.**



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

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

**Public Comment**

- There were no public comments.

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

- Hamburg Fire Department
  - 2 quotes received for grass fire leaf blowers
  - Remove Nomex Hoods as a 2<sup>nd</sup> 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 20<sup>th</sup>/November 10<sup>th</sup>/  
November 13<sup>th</sup>/November 24<sup>th</sup>/December 1<sup>st</sup>/December 8<sup>th</sup>
- 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 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.**



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

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

**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.**
- 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.



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

**City Council Reports**

- **Councilmember Scott Feltmann**
  - Will city staff get the COVID-19 vaccine as they are government employees? City has not been made aware of this.
  - Fire Chief Scott Anderson – Fire Departments are being allotted 14 doses on Dec. 30<sup>th</sup> 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.**

Submitted on January 12, 2021  
by Deputy Clerk Tamara Bracht

Amended/Approved on February 5, 2021

  
\_\_\_\_\_  
Jeremy Gruenhagen  
City Clerk/Treasurer





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

**Mayor Lund called the Hamburg City Council Meeting to order at 7:05 p.m. In attendance via ZOOM were Councilmembers Tim Tracy, Eric Poppler, Scott Feltmann, and Jessica Weber, City Clerk Jeremy Gruenhagen, Deputy Clerk Tamara Bracht, and Katie Schaumann with Southern Valley Alliance.**

**Designations/Appointments for 2021**

- Approve Resolution Number 2021-01

**MOTION: Councilman Tim Tracy moved to approve Resolution Number 2021-01 and it was seconded by Councilman Eric Poppler. The motion was unanimously approved with all Council Members present.**

**Public Comment** – No Public Comment.

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

- Fire Department
  - Accept the application for Kaitlin Weckman to join the Hamburg FD
  - Radio / Pager purchase through the Relief Association

**MOTION: Councilman Eric Poppler moved to approve the Agenda as amended and it was seconded by Councilman Scott Feltmann. The motion was unanimously approved with all Council Members present.**

**Consent Agenda**

- 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

**MOTION: Councilman Eric Poppler moved to approve the Consent Agenda and it was seconded by Councilman Tim Tracy. The motion was unanimously approved with all Council Members present.**

**Hamburg Fire Department – Fire Chief Anderson**

Not present – will add items to February meeting

**Southern Valley Alliance (Katie Schaumann)**

Presentation by Miss Schaumann regarding the work that the Alliance has done for over 40 years in our area regarding Domestic Violence. City Clerk Gruenhagen will post more detailed information on the city website.



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

### Old City Business

- COVID-19 Pandemic
  - City Council Meetings
    - Council decided to continue the meetings via ZOOM and revisit the issue as guidelines change.
  - City Rentals for 2021 (CC/Hall)
    - Council decided to postpone any and all rentals until June 1<sup>st</sup>.

### New City Business

- Estimates for Bobcat Tires
  - Council suggested checking with the Belle Plaine Co-op as another option besides the 2 quotes already received.
- Property Owner Petition for Annexation by Ordinance (Storm Water Pond – Droege's 3<sup>rd</sup> Addition)
  - Set Public Hearing for March 9, 2021
  - **MOTION: Councilman Tim Tracy moved to set a Public Hearing on March 9<sup>th</sup> at 7:00 p.m. for the Annexation of the Storm Water Pond - Droege's Third Addition and was seconded by Councilman Eric Poppler. The motion was unanimously approved with all Council Members present.**
- State of MN - Office of State Auditor
  - Attorney General's Office Letter (Cell Phone Contracts)
  - Credit Card Use and Policies
  - **MOTION: Councilman Scott Feltmann moved to consult with the City Legal Counsel regarding these 2 issues and was seconded by Councilman Eric Poppler. The motion was unanimously approved with all Council Members present.**
- Public Nuisance(s) – 679 & 710 Park Avenue
  - Arraignment scheduled for January 22<sup>nd</sup> regarding 4 counts of Public Nuisance Violations at each property.
- Personnel Committee Meeting(s)
  - Continue updating and adding to City Ordinances - a couple of topics are storage units, snow dumping, and political signs.



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

**City Council Reports**

Councilmember Scott Feltmann

- Welcome to Councilwoman Jessica Weber
- Thank you to Eric Poppler for taking great care and having pride in his house, the siding looks great.

Councilmember Jessica Weber

- Thank you for the warm welcome

Councilmember Tim Tracy

- Welcomed Council Member Weber

Mayor Chris Lund

- Welcomed Councilwoman Jessica Weber
- The League of MN Cities will be holding a virtual Pipe Line Safety Training class on January 28<sup>th</sup>. They also have a Newly Elected Officials & Veteran Leaders Training. If interested in any of the offered classes let city staff know.

**MOTION: Councilman Tim Tracy moved to adjourn the Hamburg City Council Meeting at 7:57 p.m. and was seconded by Councilman Eric Poppler. The motion was unanimously approved with all Council Members present.**

Submitted on January 13, 2021  
by Deputy Clerk Tamara Bracht

Amended/Approved on January 21, 2021

  
\_\_\_\_\_  
Jeremy Gruenhagen  
City Clerk/Treasurer

## 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	EFTPS	Divided	Fed, Social Security, MC - 4th Qtr 2020	\$12.29	2/9/2021
ACH	MN Dept. of Revenue	Divided	State Withholding Tax for 4th Qtr Filing	\$609.00	1/12/2021
ACH	MN Dept. of Revenue	Divided	Sales and Use Tax for 4th Qtr 2020	\$29.00	2/9/2021
ACH	PERA	Divided	PERA Withholding - December 2020	\$510.25	2/9/2021
ACH	PERA	Divided	PERA Withholding - December 2020	\$778.03	2/9/2021
ACH	PERA	Divided	PERA Withholding - January 2021	\$493.32	2/9/2021
ACH	PERA	Divided	PERA Withholding - January 2021	\$617.05	2/9/2021
ACH	Verizon Wireless	General Gov't	(7) Cell Phone Lines for 11/25/2020 - 12/24/2020	\$290.15	2/9/2021
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
ACH	Greg Schultz	Divided	Wages 12/28/20 to 1/10/21	\$1,833.25	2/9/2021
ACH	Tamara Bracht	Divided	Wages 12/28/20 to 1/10/21	\$803.90	2/9/2021
ACH	Mel Sprengeler	Public Works	Wages 12/28/20 to 1/10/21	\$99.73	2/9/2021
ACH	Greg Schultz	Divided	Wages 1/11/21 to 1/24/21	\$2,428.50	2/9/2021
ACH	Tamara Bracht	Divided	Wages 1/11/21 to 1/24/21	\$808.33	2/9/2021
ACH	Jeremy Gruenhagen	Divided	January Wages (Rounds)	\$2,087.54	2/9/2021
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
Debit Card	Amazon	General Gov't	Labor Law Compliance Poster Includes State/Federal/OSHA	\$24.99	2/9/2021
Debit Card	Amazon	General Gov't	6 Leather Executive Chairs (Council Chambers)/Dishwand Replacement Spo	\$705.22	2/9/2021
Debit Card	Amazon	General Gov't	1 Gray Fabric High Back Executive Chair for Deputy Clerk Desk	\$219.99	2/9/2021
Debit Card	Hamburg Post Office	Divided	9 Rolls of Postcard Stamps, 1 Roll of Forever Stamps	\$370.00	2/9/2021
Debit Card	National Notary Association	General Gov't	Tamara's Notary Public Renewal	\$69.71	2/9/2021
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	Bond Trust Services	Debt Service	Principal, Interest & Agent Fee for the 2007 Maria Ave. St. Improv. Bonds	\$16,576.25	1/12/2021
20466	Business Essentials	General Gov't Bldgs	Hand Towel Roll, Toilet Paper, Hand Soap for Dispensers, Toilet Bowl Clean	\$227.35	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 A	\$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
20483	Abdo, Eick & Meyers LLP	General Gov't	Certified Audit Services for the year ended 12/31/2020	\$5,000.00	2/9/2021
20484	Bolton & Menk, Inc.	General Gov't	Professional Services Nov. 14-Dec. 11 Storm Pond Annexation - Droege 3rd	\$720.00	2/9/2021
20485	Canon Financial Services, Inc.	General Gov't	Canon Copier Gov't Contract for January	\$33.13	2/9/2021
20486	Carver County Tax Services Dept.	General Gov't	Reimbursement Shortage from November 2020 Tax Settlement	\$2,480.11	2/9/2021
20487	CarverLink / Jaguar	Divided	Telephone/Internet Services January 2021	\$160.43	2/9/2021
20488	EMC Fire	Public Safety (FD)	Repairs on Extrication Cutter	\$464.00	2/9/2021
20489	Gopher State One Call	Divided	2021 Annual Facility Operator Fee	\$50.00	2/9/2021
20490	Greg Schultz	General Gov't	Reimbursement for 1096 Forms Purchased at Franklin Printing	\$3.98	2/9/2021
20491	Home Solutions	General Gov't	2 Shop Keys for CSO Vehicles for Dog Impound Pick-up	\$11.31	2/9/2021
20492	Kris Stoockman	Hall	Reimbursement of Hall Down Payment - Cancelled Due to COVID	\$150.00	2/9/2021
20493	Melchert-Hubert & Sjodin PLLP	General Gov't	Ordinance/Codification, 340 RR St. Compliance, COVID Employment Questio	\$1,185.60	2/9/2021
20494	Menards	Divided	(3) Ice Melt, (6) Water Softner Pellets, (2) 3v Batteries, Tool Kit for City Office	\$180.78	2/9/2021
20495	MN DNR Waters	Water	2020 Water Appropriation Fee	\$174.08	2/9/2021
20496	MES, Inc.	Public Safety (FD)	Shipping Cost for TEGEN51 Gear that Washing. Lk. Twnshp Purchased	\$80.00	2/9/2021
20497	Plunkett's Pest Control Inc.	Divided	General Pest Control at Community Hall, City Office & Fire Hall on 1-13-21	\$139.12	2/9/2021
20498	Rainy Water Conditioning Inc.	Hall	Water Softner, Installation & Materials	\$1,790.00	2/9/2021
20499	Sibley County Fire Chief's Association	Public Safety (FD)	2021 Membership Dues	\$350.00	2/9/2021
20500	Xcel Energy Inc.	Divided	Electricity / Natural Gas Services for Dec. 1, 2020 - Jan. 4, 2021	\$1,526.71	2/9/2021
20501	MN Public Facilities Authority	Divided	Water Wells/WTP/Water Tower Bonds - Principal & Interest	\$10,268.02	2/9/2021
20502	Breanna Grimm	Hall	Refund for Down Payment on Hall Rental	\$100.00	2/9/2021
				\$141,547.05	
			January Claims	\$104,498.53	1/12/2021
			January Added Claims	\$37,048.52	2/9/2021
				\$141,547.05	

## 2020 February Claims List

CHECK #	VENDOR	FUND	CLAIM DESCRIPTION	AMOUNT	APPROVED
ACH	EFTPS	Divided	Fed, Social Security, MC - January 2021	\$3,210.44	2/9/2021
ACH	MN Dept of Revenue	Divided	January 2021 State Withholding Tax Payment	\$567.00	2/9/2021
ACH	PERA	Divided	PERA Withholding - January 2020	\$801.03	2/9/2021
ACH	HealthPartners	Divided	Health Insurance for February 2021	\$4,508.15	2/9/2021
ACH	Google	General Gov't	Email Accounts (9) Administered by Google G Suite	\$120.00	2/9/2021
ACH	Security Bank & Trust	General Gov't	ACH Service Fees for January 2021	\$30.70	2/9/2021
ACH	Verizon Wireless	General Gov't	(7) Cell Phone Lines for 12/25/2020 - 1/24/2021	\$291.22	2/9/2021
ACH	ZOOM	General Gov't	Video Conferencing Service	\$16.09	2/9/2021
Debit Card	Hamburg Post Office	General Gov't	2 Certified Public Hearing Notice for Storm Water Pond Droege's 3rd Ad	\$7.20	2/9/2021
Debit Card	US Postal Service	General Gov't	EDDM Postage for COVID Newsletter Dated 1-29-2021	\$74.88	2/9/2021
Debit Card	Deluxe Corporation	General Gov't	600 Deposit Slips Updated with Security Trust Bank Information	\$159.67	2/9/2021
20503	ANCOM Communications Inc.	Public Safety (FD)	(8) G5 Dual Band Pagers with Desktop Chargers	\$5,565.00	2/9/2021
20504	Carver County	Public Safety	Overtime for Deputy Arnst (Pay Period 10/26/20 - 12/20/20)	\$106.05	2/9/2021
20505	Cintas	Hall	Cleaning Supplies for Hall	\$95.73	2/9/2021
20506	Coordinated Business Systems	General Gov't	Intermedia Monthly Equipment Base Rate for 12/26/20-1/25/21	\$58.35	2/9/2021
20507	Dist. #108 Community Education	Park & Rec.	2021 Summer Park & Ball Program Fee	\$500.00	2/9/2021
20508	Hilgers Plumbing & Heating Inc.	Public Safety (FD)	Station Heating Unit Repairs	\$400.00	2/9/2021
20509	Hoff Barry, P.A.	General Gov't	Corresp. Regarding Annexation of Storm Pond for Droege's 3rd Additio	\$112.00	2/9/2021
20510	Home Solutions	Water	CO2 Detector for WTP	\$40.49	2/9/2021
20511	League of MN Cities	General Gov't	2021 Regional Safety Groups Training	\$400.00	2/9/2021
20512	Loffler	General Gov't	January Monthly Contract Fee and Copies	\$244.04	2/9/2021
20513	Menards	Divided	2 Coarse Wire Brushes, Hex Nut, Carriage Bolt	\$9.43	2/9/2021
20514	MN Department of Health	Water	1st Qtr. Community Water Supply Service Connection (213 Connections	\$517.00	2/9/2021
20515	MNSPECT	Public Safety	Permit/Plan Review/License Look-up Fees for 420 Henrietta Avenue	\$515.41	2/9/2021
20516	Motorola	Public Safety (FD)	Microphone 3.5mm Jack (5)	\$498.75	2/9/2021
20517	Plunkett's Pest Control	General Gov't Bldgs.	City Hall & FD General Pest Inspection - Service Date 2-2-2021	\$39.37	2/9/2021
20518	W.W.O.T.A. Inc.	Water/Sewer	Water/Wastewater Training & Assistance for January 2021	\$540.00	2/9/2021
20519	Wm. Mueller & Sons, Inc.	Divided	Fuel for Bobcat and City Vehicles, January Snowplowing	\$2,479.08	2/9/2021
20520	Xcel Energy	Water	Natural Gas	\$104.31	2/9/2021
20521	Carver County	General Gov't	Audit End of Year Verification for Auditors	\$150.00	2/9/2021
20523	Steven Siewert	Public Safety (FD)	Reissued - 2020 Training and On-Call Pay	\$240.11	2/9/2021
20524	John Egan	Public Safety (FD)	Reissued - 2020 Training and On-Call Pay	\$27.70	2/9/2021
20526	CarverLink / Metronet	Divided	Telephone/Internet for February 2021	\$160.69	2/9/2021
				\$22,589.89	
			February Claims	\$22,589.89	2/9/2021
			Added February Claims		
			Total February Claims	\$22,589.89	

	Beginning Balance 1/1/2020	2020 Budget Income	2020 Budget Expense	Budget Year-End Balance	Total Income Received	Total Expenses	Ending Balance 12/31/2021
<b>General Fund</b>	<b>\$458,469.19</b>	<b>\$551,692.00</b>	<b>\$550,297.00</b>	<b>\$459,864.19</b>	<b>\$710,356.27</b>	<b>\$631,184.70</b>	<b>\$537,640.76</b>
General Gov't							
Public Safety (Fire Dept.)			\$276,263.00	\$119,310.00		\$276,133.66	
Public Works (Streets)			\$119,310.00	\$49,535.00		\$135,653.28	
Sanitation & Recycling			\$49,535.00	\$3,500.00		\$160,028.89	
Parks & Recreation			\$3,500.00	\$46,591.00		\$2,843.10	
Comm. Hall			\$46,591.00	\$55,098.00		\$29,275.39	
Comm. Hall			\$55,098.00	\$55,098.00		\$27,250.38	
<b>Special Revenue Funds</b>	<b>\$468,412.44</b>	<b>\$15,167.00</b>	<b>\$0.00</b>	<b>\$483,579.44</b>	<b>\$2,262.40</b>	<b>\$0.00</b>	<b>\$470,674.84</b>
City Of Hamburg (Savings)	\$460,271.65	\$15,107.00	\$0.00	\$475,378.65	\$2,127.69	\$0.00	\$462,399.34
Fire Equipment CD	\$8,140.79	\$60.00	\$0.00	\$8,200.79	\$134.71	\$0.00	\$8,275.50
<b>Debt Service</b>	<b>\$26,707.52</b>	<b>\$39,158.19</b>	<b>\$46,158.25</b>	<b>\$19,707.46</b>	<b>\$20,255.86</b>	<b>\$29,273.25</b>	<b>\$17,690.13</b>
<b>Total (Tax Revenue Funds)</b>	<b>\$953,589.15</b>	<b>\$606,017.19</b>	<b>\$596,455.25</b>	<b>\$963,151.09</b>	<b>\$732,874.53</b>	<b>\$660,457.95</b>	<b>\$1,026,005.73</b>
<b>Enterprise Funds</b>							
Water	\$84,222.25	\$182,742.02	\$166,472.08	\$100,492.19	\$649,019.79	\$663,546.57	\$69,695.47
Sewer	\$350,263.94	\$70,473.24	\$80,053.70	\$340,683.48	\$73,813.60	\$76,857.96	\$347,219.58
Storm Water	\$44,244.27	\$70,818.00	\$70,485.00	\$44,577.27	\$68,266.82	\$14,515.71	\$97,995.38
<b>Total (Enterprise Funds)</b>	<b>\$478,730.46</b>	<b>\$324,033.26</b>	<b>\$317,010.78</b>	<b>\$485,752.94</b>	<b>\$791,100.21</b>	<b>\$754,920.24</b>	<b>\$514,910.43</b>
<b>Totals</b>	<b>\$1,432,319.61</b>	<b>\$930,050.45</b>	<b>\$913,466.03</b>	<b>\$1,448,904.03</b>	<b>\$1,523,974.74</b>	<b>\$1,415,378.19</b>	<b>\$1,540,916.16</b>
	<b>Remaining Balance 1/1/2020</b>	<b>Remaining Assessment 1/1/2020</b>	<b>Cash &amp; Investments</b>	<b>2020 Principle Payments</b>	<b>Date Due</b>	<b>Maturity Date</b>	<b>Unfunded Balance 12/31/2020</b>
<b>Debt Summary</b>							
1992 Streets	\$0.00	\$3,825.56	\$0.00	\$0.00		2012	(\$3,825.56)
2007 Streets	\$60,000.00	\$0.00	\$30,128.52	\$15,000.00	2/1/20 & 8/1/20	2/1/2023	\$14,871.48
Cert. of Indebtedness (2018 Pumper)	\$91,200.00	\$0.00	\$13,489.00	\$22,800.00	10/31/2020	10/31/2023	\$54,911.00
Water Wells Project	\$43,000.00	\$0.00	\$0.00	\$14,000.00	2/20/20 & 8/20/20	8/20/2022	\$29,000.00
Water Treatment Plant	\$280,000.00	\$0.00	\$0.00	\$53,000.00	2/20/20 & 8/20/20	8/20/2024	\$227,000.00
Sanitary Sewer Improvements	\$135,088.23	\$57,470.79	\$0.00	\$15,000.00	2/20/20 & 8/20/20	8/20/2030	\$62,617.44
Storm Water Improvements	\$810,000.00	\$0.00	\$0.00	\$50,000.00	2/1/20 & 8/1/20	2/1/2032	\$760,000.00
Water Tower/Water Main Imp Project	\$1,367,632.23	\$0.00	\$59,040.00	\$1,770.00	2/20/20 & 8/20/20	8/20/2044	\$1,306,822.23
<b>Totals</b>	<b>\$2,786,920.46</b>	<b>\$61,296.35</b>	<b>\$102,657.52</b>	<b>\$169,800.00</b>			<b>\$2,451,396.59</b>

Cash Flow Actuals

	June	July	August	September	October	November	December	Totals
<b>Income</b>								
Property Taxes	\$0.00	\$269,463.20	\$0.00	\$0.00	\$0.00	\$0.00	\$244,567.08	\$516,503.48
Licenses & Permits	\$1,330.82	\$4,932.56	\$163.00	\$332.34	\$30.00	\$142.00	\$967.18	\$11,006.21
Intergov't Receipts (Aids)	\$1,000.00	\$79,855.00	\$0.00	\$0.00	\$1,060.97	\$0.00	\$56,107.11	\$149,223.13
Charges for Services	\$0.00	\$0.00	\$0.00	\$20.00	\$0.00	\$0.00	\$0.00	\$80.00
Assessment Searches	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$900.00
Comm Cir Rentals	\$0.00	\$6,820.00	\$0.00	\$0.00	\$0.00	\$0.00	\$20,470.00	\$34,163.89
Township Contribution	\$0.00	\$0.00	\$0.00	\$50.00	\$0.00	\$0.00	\$800.00	\$1,250.00
Fire Dept. Revenues	\$0.00	\$100.00	\$0.00	\$200.00	\$0.00	\$0.00	\$200.00	\$900.00
Park Rentals	\$0.00	\$0.00	\$150.00	\$0.00	\$0.00	\$150.00	\$0.00	\$4,244.50
Hall Receipts	\$150.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$95.00	\$418.31
Fines	\$133.32	\$0.00	\$0.00	\$64.99	\$0.00	\$0.00	\$95.00	\$418.31
Misc. Receipts	\$3,074.09	\$1,903.43	\$329.21	\$507.89	\$92.11	\$628.33	\$2,052.70	\$11,652.93
Other Receipts	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Insurance Recovery	\$61.49	\$56.00	\$55.75	\$76.93	\$73.93	\$37.17	\$45.57	\$97.82
Interest Income (Checking)	\$493.67	\$0.00	\$0.00	\$480.36	\$0.00	\$0.00	\$383.09	\$2,262.40
Interest Income (Savings)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Transfers In	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Transfers In (Savings)	\$0.00	\$0.00	\$453,754.91	\$0.00	\$0.00	\$0.00	\$0.00	\$453,754.91
Debt Proceeds/Sale of Assets	\$0.00	\$3,755.43	\$0.00	\$0.00	\$0.00	\$0.00	\$3,593.19	\$11,648.76
Special Assessments	\$14,926.56	\$22,487.67	\$14,724.72	\$15,194.95	\$18,468.09	\$16,947.17	\$16,357.38	\$193,664.88
Water Service	\$4,748.15	\$9,066.94	\$4,634.96	\$4,728.93	\$5,002.07	\$5,085.09	\$4,736.39	\$63,036.70
Sewer Service	\$5,310.80	\$6,322.00	\$5,340.25	\$5,406.11	\$5,750.34	\$5,995.50	\$5,457.33	\$68,266.82
Storm Water	\$31,228.90	\$404,762.23	\$479,152.80	\$27,462.50	\$30,677.51	\$28,985.26	\$355,832.02	\$1,523,974.74
<b>Expenses</b>								
General Gov't	\$18,058.23	\$18,651.06	\$17,453.09	\$21,882.98	\$17,838.68	\$31,882.05	\$28,365.22	\$276,133.66
Public Safety	\$2,926.48	\$19,872.65	\$3,434.92	\$2,709.02	\$1,797.99	\$30,326.11	\$12,645.91	\$135,653.28
Sanitation & Recycling	\$11,094.56	\$519.85	\$97,809.45	\$4,764.80	\$2,965.38	\$9,166.19	\$5,072.59	\$160,028.89
Park & Recreation	\$275.90	\$0.00	\$0.00	\$275.90	\$0.00	\$827.70	\$827.70	\$2,843.10
Hall Expenses	\$2,170.47	\$2,907.62	\$3,039.50	\$10,444.73	\$3,026.57	\$1,936.93	\$713.71	\$29,275.39
Debt Service	\$3,144.70	\$2,701.71	\$1,224.52	\$3,897.13	\$77.85	\$924.22	\$3,414.21	\$27,250.38
Capital Project Funds	\$1,001.25	\$0.00	\$0.00	\$0.00	\$28,272.00	\$0.00	\$0.00	\$29,273.25
Transfers Out	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Transfer to Savings	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Water	\$270,773.34	\$67,744.80	\$18,868.66	\$11,613.96	\$7,793.73	\$9,055.40	\$40,278.34	\$581,032.65
Sewer	\$3,540.82	\$3,379.19	\$3,960.97	\$15,060.30	\$4,293.30	\$9,583.78	\$4,386.14	\$60,161.26
Storm Water	\$2,454.54	\$0.00	\$0.00	\$750.00	\$0.00	\$0.00	\$27.50	\$6,434.24
Total Expenses	\$315,440.29	\$115,776.88	\$145,791.11	\$71,398.82	\$66,065.50	\$93,702.38	\$95,731.32	\$1,308,086.10
Other Expenses (DEBT)								
Wells/WTP Bonds	\$0.00	\$70,811.35	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$74,622.70
Water Imp. Bonds (2011)	\$0.00	\$538.76	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$538.76
Water Tower Project	\$0.00	\$7,352.46	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,352.46
Sewer Imp. Bonds (2011)	\$0.00	\$15,848.35	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$16,696.70
Storm Water Imp. Bonds (2011)	\$0.00	\$8,081.47	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$8,081.47
Total Other Expenses	\$0.00	\$102,632.39	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$107,292.09
<b>Checking Balance</b>	<b>\$905,142.24</b>	<b>\$1,091,495.20</b>	<b>\$1,424,856.89</b>	<b>\$1,380,920.57</b>	<b>\$1,345,532.58</b>	<b>\$1,280,815.46</b>	<b>\$1,540,916.16</b>	<b>\$1,540,916.16</b>
<b>Net Income (Loss)</b>	<b>(\$284,211.39)</b>	<b>\$186,352.96</b>	<b>\$333,361.69</b>	<b>(\$43,936.32)</b>	<b>(\$35,387.99)</b>	<b>(\$64,717.12)</b>	<b>\$260,100.70</b>	<b>\$108,596.55</b>

# CITY OF HAMBURG TIME-OFF REQUEST FORM

Today's Date: 1-26-2021

Employee Name: Greg Schultz

Dates Requesting Time-Off: 2-8-2021

2-9-2021

2-10-2021

How many **Vacation** hours will be used? 24

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

Is there a **Holiday** during your time off? No

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: \_\_\_\_\_

Was vacation request approved? \_\_\_\_\_

- If no, reason request was denied: \_\_\_\_\_

Greg Schultz \_\_\_\_\_  
Employee Signature Date 1-26-2021

Jeremy Hunsberger \_\_\_\_\_  
City Clerk/Treasurer Date 1-26-2021

\_\_\_\_\_  
Mayor Date \_\_\_\_\_





# CITY OF HAMBURG TIME-OFF REQUEST FORM

Today's Date: February 3 2021

Employee Name: Jeremy Gruenhagen

Dates Requesting Time-Off: February 11, 12, 16, 19 (Off at 4:00)  
March 29th to  
April 7th

How many **Vacation** hours will be used? 64

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

Is there a **Holiday** during your time off? No

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? Yes

- If yes, you must receive City Council approval.

### City Council Approval

Date of Council Meeting: February 9, 2021

Was vacation request approved? \_\_\_\_\_

- If no, reason request was denied: \_\_\_\_\_

Jeremy Gruenhagen 2-3-2021  
Employee Signature Date

\_\_\_\_\_  
City Clerk/Treasurer Date

\_\_\_\_\_  
Mayor Date



# JANAURY DELINQUENCY REPORT 2021

NOTES -		Account #	AMOUNT OVER DUE	CURRENT BILL JANUARY USAGE	ACCOUNT BALANCE	PAYMENTS	UPDATED BALANCE
last payment	recent payment						
		01-000015821-00-2	\$1.02	\$185.75	\$186.77		
		01-00017617-00-9	\$413.23	\$215.82	\$629.05		
		01-000017613-00-5	\$0.14	\$168.33	\$168.47		
		01-00002470-01-1	\$0.10	\$93.93	\$94.03		
		01-000009420-00-6	\$315.03	\$89.18	\$404.21		
		01-00015801-00-6	\$110.83	\$103.43	\$214.26		
		01-00014410-00-1	\$547.76	\$90.77	\$638.53		
		01-00014320-00-7	\$69.74	\$92.35	\$162.09		
		01-00005361-00-6	\$111.09	\$93.02	\$204.11		
		01-00012430-00-9	\$96.76	\$104.70	\$201.46		
		01-00007625-00-7	\$666.14	\$165.16	\$831.30		
		01-00015811-00-9	\$114.99	\$98.68	\$213.67		
		01-00006418-00-4	\$133.03	\$122.74	\$255.77		
		01-00006190-01-2	\$349.88	\$147.76	\$497.64		
		01-00002490-00-4	\$0.01	\$89.18	\$89.19		
		01-00005490-00-1	\$742.72	\$218.10	\$960.82		
		01-00016602-00-2	\$106.55	\$89.18	\$195.73		
		01-00005421-00-1	\$330.85	\$137.46	\$468.31		
		01-00003619-00-2	\$59.56	\$101.84	\$161.40		
		01-00017621-00-6	\$462.91	\$207.91	\$670.82		
		01-00017614-00-6	\$1.10	\$131.93	\$133.03		
			\$4,633.44	\$2,747.22	\$7,380.66	\$0.00	\$0.00

# Activity/Project List Deputy Clerk

## JANUARY 11 - 29, 2021

*Daily Duties = Manned front desk and phones, Bank run, Post Office run, Entered Water Payments, Entered Bills*

Date	Activity/Project/Issue
<b>Monday - 11th</b> 8.5 Hours	Daily Duties, Prepared Letters & Envelopes, Gave a Hall Tour, Booked a Hall viewing for Wednesday, Interacted with Public via phone and in-person
<b>Tuesday - 12th</b> 10.25 Hours	Daily Duties, Prepared Bank Deposit, Entered Receipts into QB, Helped clean the Council Chambers, started updating the permit spreadsheet for 2020, prepped for Council Meeting, Attended Council Meeting
<b>Wednesday - 13th</b> 4.0 Hours	Daily Duties, Prepared envelopes to mail bill payments, typed up Meeting Minutes,
<b>Thursday - 14th</b> 8.5 Hours	Daily Duties, Completed updating the permit spreadsheet, mailed out bill payments, updated delinquency list, updated claims list in Quick Books
<b>Friday - 15th</b> 8.25 Hours	Daily Duties, canceled rentals up to June 1 due to COVID, Updated Council Meeting Minutes Binder, Updated the rental book and calendar on website.
<b>Monday - 18th</b> 0.00 Hours	MLK DAY - OFFICE CLOSED
<b>Tuesday - 19th</b> 8.5 Hours	Daily Duties, prepared a deposit, updated claims list, entered receipts in Quick Books, worked on updating project list, and timesheet
<b>Wednesday - 20th</b> 4.25 Hours	Daily Duties, Researched updating Worker Compliance board,
<b>Thursday - 21st</b> 7.75 Hours	Daily Duties, Report of Stop Sign down at David and Brad (Greg repaired), Prepared envelopes and mailed out tax documents
<b>Friday - 22nd</b> 8.5 Hours	Daily Duties,
<b>Monday - 25rd</b> 6.5 Hours	Daily Duties, assembled chair
<b>Tuesday - 26th</b> 6.0 Hours	Daily Duties, left for a Vet. Appt.
<b>Wednesday - 27th</b> 4.5 Hours	Daily Duties, assembled chair
<b>Thursday - 28th</b> 7.75 Hours	Daily Duties,
<b>Friday - 29th</b> 6.25 Hours	Daily Duties,

# **HAMBURG FIRE DEPARTMENT PURCHASING POLICY**

## **I. INTRODUCTION & OBJECTIVES**

The purchasing policies of the Hamburg Fire Department are established by the City Council. These policies are designed to provide guidance and instruction to the staff involved in the purchasing process. They set forth the authorities and responsibilities of those participating in the system and outline the requirements of pertinent statutes and regulations. Council grants staff the authority to purchase materials and equipment within the budgeted amount previously approved by Council under the following guidelines:

### **The objectives of the Purchasing Policy are:**

1. To facilitate relationships between the fire department, governments and citizens. To assure the prudent and economical use of public moneys in the best interests of the taxpayers of the City of Hamburg, Young America Township and Washington Lake Township, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, the impression of favoritism, improvidence, extravagance, fraud and corruption.
2. To purchase materials which are best suited to the specific needs of departments.
3. To improve the speed of delivery to departments by predetermining, through contracts or other appropriate means the sources of supply before the actual needs.
4. To promote fair and open competition among bidders.
5. To ensure compliance with all applicable policies, statutes, and regulations of the City, the State, and the Federal Government.

All employees of the Fire Department shall comply with all local, state, and federal statutory requirements regarding purchase of materials or services. The following practices are also specifically forbidden:

1. Using information available to an employee solely because of their position for personal profit, gain, or advantage.
2. Directly or indirectly furnishing estimating services, or any other services or information not available to all prospective bidders, to any person bidding on, or who may reasonably be expected to bid on, a contract.

## **II. PURCHASING STANDARDS AND METHODS**

In general, purchases for the requirements of the Fire Department shall be made by the Fire Chief subject to the conditions of this Purchasing Policy. Purchasing will be done on a competitive basis and consistent with the approved annual budget. Local businesses and vendors will be given the opportunity to bid or provide quotes for services or products. To facilitate a sound and cost effective purchasing operation; the City shall follow one of the following procurement methods:

**1. Small Purchase Procedures**

These are informal procurement methods used for purchase of services, supplies, or other property. Examples of small purchase procedures include petty cash and purchases of items of less than \$1,000.00 within budget, anything over budget requires City Council approval. These purchases may be made by the Fire Chief or his designee.

**2. Purchases not Requiring Quotes**

Purchases over \$1,000.00 but less than \$10,000.00 may be made on the open market by the Fire Chief without obtaining quotes. These purchases must have approval from City Council.

**3. Purchases Requiring Quotes**

Purchases over \$10,000.00 but under \$50,000.00 will require at least two quotes, reviewed and approved by the City Council. The quotes must be kept on file for one year.

**4. Competitive Sealed Bids**

All purchases over \$50,000.00 require formal preparation of specifications. Bids must be advertised in the City's legal newspaper, publicly opened and approved by Council resolution. Bids are received by the Fire Chief and are opened and tabulated on the date and time specified in the legal advertisement. The successful bid will be presented to Council by resolution for approval. The bid is awarded to the lowest responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, represents the best combination of quality, service and price.

**5. Competitive Negotiation (RFP)**

Proposals are requested from two or more sources and the Request for Proposal is publicized. Negotiations are normally conducted with more than one of the sources submitting offers, and either a fixed price or cost reimbursable type contract is awarded as appropriate. Competitive negotiation may be used if conditions are not appropriate for the use of competitive sealed bids.

**6. Noncompetitive Negotiation**

Procurement through invitation of a proposal from only one source, or after invitation of a number of sources is used if competition is determined inadequate. Noncompetitive negotiation may be used when the award of a contract is not feasible under small purchase, competitive bidding (formal advertising) or competitive negotiation procedures. Circumstances under which a contract may be awarded by noncompetitive negotiation are limited to the following:

- a. The item is available only from a single source;
- b. After invitation of a number of sources, competition is determined inadequate.
- c. Cooperative Purchasing. This policy shall not apply to purchases, made by, through, or with the State of Minnesota, or its political subdivision, cities, or counties. Purchases may be made through other cooperative entities, with approval of the City Council.
- d. Public emergency. When the urgency for the requirement will not permit a delay incident to competitive invitation;

Emergency and Safety purchases are those made by Hamburg Fire Department where an immediate purchase is necessary to correct a situation

which would adversely affect the life, the health and safety of people, personnel and protecting the environment.

To the greatest extent possible, the preceding procedures should be followed. However, in case of an emergency, Department Personnel may purchase directly any supplies, materials or services necessary to alleviate the emergency. Every effort shall be made to contact the Fire Chief whether the emergency occurs during or after normal working hours. On the next working day, such emergency purchases will be explained to the City Clerk/Treasurer and/or Mayor.

### **III. PLANNING AND SCHEDULING**

Capital purchases will be identified and scheduled. The Fire Chief and City Clerk/Treasurer may request the alteration of such plans if in the best interest of the City and only with prior Council approval.

1. The Fire Chief in cooperation with the City Clerk/Treasurer and/or Engineer shall prepare bid specifications.
2. An Advertisement for Bids is published in the official City newspaper. If the dollar amount of the purchase will be \$100,000 or less, such advertisement must appear not less than 10 days before the bid opening. If over \$100,000, the advertisement must appear not later than three weeks before the last date for submission of bids. Any subsequent changes made to the specifications will be in the form of written addendum to the specifications sent to all prospective bidders.
3. All submitted bid or quotation envelopes shall be stamped with the date and time received. The name of each bidder, the amount of each bid, and other relevant information shall be recorded and available for public inspection. Bids are received by the Fire Chief and are opened in public, witnessed, and tabulated on the date, time and place advertised.
4. Upon further review, the City reserves the right, to accept or reject any variations or exceptions or to accept or reject any or all bids as stated in the invitation to bid.
5. The Fire Chief and City Clerk/Treasurer and/or Engineer will review all bids for conformance to the specifications. The Fire Chief and City Clerk/Treasurer and/or Engineer will prepare a recommendation for the award of bids to be considered by the City Council. When it is recommended to award the bid to a bidder other than the low bidder, the justification must be clearly presented.
6. Award shall be based on, but not necessarily limited to, the factors of price, delivery date, City's experience with the products proposed, City's experience with the service proposed, City's evaluation of the bidder's ability to service City in terms of the requirements as called for in the specifications, energy considerations, and evaluation of total costs of ownership. The City reserves the right to accept or reject any or all bids or any part of a bid and to waive any defects or irregularities or to advertise for new bids where the acceptance, rejection, waiving, or re-advertising of such would be in the best interest of the City. If included in the specifications, the City also reserves the right to award all or part by item, group of items, or by section where such

action serves the City's best interest.

#### **IV. BID SPECIFICATIONS**

The following will be included in all bid specifications:

**1. Bid Preparation instructions:**

- a. Bids must be typed or prepared in ink.
- b. Bids must be signed in ink.
- c. All erasures or changes must be initialed.
- d. Bids must be received no later than stated in the advertisement for bids.

**2. The advertisement for bids shall include a general specifications of the articles to be purchased or services to be performed; the form of contract to be used (if any); any bid, performance, or payment bond requirements; any further conditions of the procurement, the date and time by which bids must be submitted, the location for delivery of bids, date, time, and place of bid opening. Bids shall be submitted in sealed envelopes, identified as bids, and shall be to the attention of the appropriate party per the bid instruction.**

**3. Changes and corrections:**

The bidder shall not be allowed to take advantage of any errors or omissions in the specifications. Where errors or omissions appear in the specifications, the bidder shall promptly notify the City in writing of such error or omission. Inconsistencies in the specifications wherever found, are to be reported in writing before the bids are received.

**4. Compliance requirements:**

To facilitate comparison of proposals and to provide a means of checking adherence to the specifications, each bidder shall submit with their proposal descriptive literature and a list of variations, if any, where the equipment differs from the specifications bid therein. Where variations are not cited it shall be assumed that the bidder proposes to meet all the requirements of the specifications.

**5. Test inspection plan or review of samples of prototypes.**

**6. Terms and conditions:**

- a. Method of delivery.
- b. The City retains the right to reject any items deemed to be unacceptable upon inspection.
- c. When samples are needed to make an evaluation of the products requested, they will be requested in the invitation for bids. The item or any unused portion will be returned to the bidder upon completion of the testing.

**7. Bid security:**

The bid must be accompanied by cash, a certified check, cashier's check, or bid bond payable to the City in the amount of not less than five percent (5%) of the bid. All bid securities will be held until a purchase award has been made. The security of the successful bidder will be held until bidder has fully complied with all purchasing procedures.

**8. Statement of compliance with applicable laws.**

The bid proposal will include a statement that the bidder complies with all applicable local, state and federal statutory requirements, including the Equal

Employment Opportunity Act and any other applicable requirements.

## **V. DETERMINATION OF RESPONSIBLE BIDDER**

1. Authorized awards shall be to the lowest responsible and most responsive bidder (vendor) when possible, whose bid, quotation, or offer conforms in all materials aspects to the procurement requirements and the criteria set forth in the IFB, IFQ and RFP and are deemed to be in the best interest of the City of Hamburg.
2. The evaluation methods shall be uniform for each responding bidder.
3. A record showing the basis for determining the successful bidder shall be kept by the City for one year.
4. A written notice of award shall be sent to the successful bidder. Unsuccessful bidders will be notified either in writing or by phone.
5. If only one bid is received, an award may be made to the single bidder if the City Council determines that the price is fair and reasonable and that other prospective bidders had reasonable opportunity to respond.
6. In determining the lowest responsible bidder, the City Council shall consider among other relevant facts:
  - a. The ability, capacity, and skill of the bidder to perform the contract or provide services required.
  - b. Whether the bidder can perform the contract or provide the services promptly or within a specified time, without delay or interference.
  - c. The quality of performance of previous contracts or services.
  - d. The previous and existing compliance by the bidder with the laws and ordinances of the City of Hamburg.
  - e. The financial resources and ability to perform the contract or provide the service.
  - f. The quality, availability, and adaptability of the supplies or services.
7. Documentation and an explanation are required whenever a purchase is made for other than the lowest bidder. This documentation will include an explanation of how the provider was not responsible or why the quote was not responsive. The City Council shall make a determination that the offeror is not responsible or that the offer was not responsive.

## **VI. ADDITIONAL PROVISIONS**

### **1. Invoices**

All invoices will be given to the City Clerk/Treasurer when received. The City Clerk/Treasurer or his/her designee will approve invoices with the proper account number assigned and date the goods, supplies and services have been received.

### **2. Reimbursement/Claim Forms**

All claims for payment or reimbursement for expenditures are to be submitted on the appropriate voucher form, with proper explanation, activity, and Authorizing Member signature, with receipts attached. All claims shall be turned in to the City Clerk/Treasurer.



**3. Disposition of Surplus Property**

The Fire Chief is responsible for the disposition of all surplus, salvage, obsolete and unneeded materials or equipment belonging to the City. At least once a year the Hamburg Fire Department will be asked to report stocks of materials which have become obsolete or worn and are no longer useful to their operation.

The City Council and Fire Chief will agree on the avenue of sale of material in the amount of \$25,000 or less. Property exceeding \$25,000, sale will be accomplished by sealed bids, if possible, with an advertisement for bids published in the official City newspaper at least 10 days prior to the bid opening. *(Revised 5-13-08)*

As an alternative, items of under \$1,000 in value may be disposed of at the discretion of the Fire Chief.

**4. Purchase of Used Goods**

After determining market availability and negotiating a fair and reasonable price, used items, where bidding is not practical, may be purchased according to the Purchasing/Bidding Authorization Amounts in this policy.

**VII. EFFECTIVE DATE**

This policy shall be effective as of June 13<sup>th</sup>, 2006, date of adoption by the Hamburg City Council, and may be amended by approval by the majority of the City Council.

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Michael Buckentin, Mayor

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Jeremy Gruenhagen, City Clerk/Treasurer

# **CITY OF HAMBURG PURCHASING POLICY**

## **I. INTRODUCTION & OBJECTIVES**

The purchasing policies of the City of Hamburg are established by the City Council. These policies are designed to provide guidance and instruction to the staff involved in the purchasing process. They set forth the authorities and responsibilities of those participating in the system and outline the requirements of pertinent statutes and regulations. Council grants staff the authority to purchase materials and equipment within the budgeted amount previously approved by Council under the following guidelines

### **The objectives of the Purchasing Policy are:**

1. To facilitate relationships between the City of Hamburg and its citizens. To assure the prudent and economical use of public moneys in the best interests of the taxpayers of the City of Hamburg. To facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, the impression of favoritism, improvidence, extravagance, fraud and corruption.
2. To purchase materials which are best suited to the specific needs of departments.
3. To improve the speed of delivery to departments by predetermining, through contracts or other appropriate means the sources of supply before the actual needs.
4. To promote fair and open competition among bidders.
5. To ensure compliance with all applicable policies, statutes, and regulations of the City, the State, and the Federal Government.

All employees of the City of Hamburg shall comply with all local, state, and federal statutory requirements regarding purchase of materials or services. The following practices are also specifically forbidden:

1. Using information available to an employee solely because of their position for personal profit, gain, or advantage.
2. Directly or indirectly furnishing estimating services, or any other services or information not available to all prospective bidders, to any person bidding on, or who may reasonably be expected to bid on, a contract.

## **II. PURCHASING STANDARDS AND METHODS**

In general, purchases for the City of Hamburg shall be made by the City Clerk/Treasurer subject to the conditions of this Purchasing Policy. Purchasing will be done on a competitive basis and consistent with the approved annual budget. Local businesses and vendors will be given the opportunity to bid or provide quotes for services or products. To facilitate a sound and cost effective purchasing operation; the City shall follow one of the following procurement methods:

**1. Small Purchase Procedures**

These are informal procurement methods used for purchase of services, supplies, or other property. Examples of small purchase procedures include petty cash and purchases of items of less than \$1,000.00 within budget, anything over budget requires City Council approval. These purchases may be made by the City Clerk/Treasurer or his/her designee.

**2. Purchases not Requiring Quotes**

Purchases over \$1,000.00 but less than \$25,000.00 may be made on the open market by the City Clerk/Treasurer without obtaining quotes. These purchases must have approval from City Council.

**3. Purchases Requiring Quotes**

Purchases over \$25,000.00 but under \$100,000.00 will require at least two quotes, reviewed and approved by the City Council. The quotes must be kept on file for one year.

**4. Competitive Sealed Bids**

All purchases over \$100,000.00 require formal preparation of specifications. Bids must be advertised in the City's legal newspaper, publicly opened and approved by Council resolution. Bids are received by the City Clerk/Treasurer and/or Engineer and are opened and tabulated on the date and time specified in the legal advertisement. The successful bid will be presented to Council by resolution for approval. The bid is awarded to the lowest responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, represents the best combination of quality, service and price.

**5. Competitive Negotiation (RFP)**

Proposals are requested from two or more sources and the Request for Proposal is publicized. Negotiations are normally conducted with more than one of the sources submitting offers, and either a fixed price or cost reimbursable type contract is awarded as appropriate. Competitive negotiation may be used if conditions are not appropriate for the use of competitive sealed bids.

**6. Noncompetitive Negotiation**

Procurement through invitation of a proposal from only one source, or after invitation of a number of sources is used if competition is determined inadequate. Noncompetitive negotiation may be used when the award of a contract is not feasible under small purchase, competitive bidding (formal advertising) or competitive negotiation procedures. Circumstances under which a contract may be awarded by noncompetitive negotiation are limited to the following:

- a. The item is available only from a single source;
- b. After invitation of a number of sources, competition is determined inadequate.
- c. Cooperative Purchasing. This policy shall not apply to purchases, made by, through, or with the State of Minnesota, or its political subdivision, cities, or counties. Purchases may be made through other cooperative entities, with approval of the City Council.
- d. Public emergency. When the urgency for the requirement will not permit a delay incident to competitive invitation;

Emergency and Safety purchases are those made by City of Hamburg where an immediate purchase is necessary to correct a situation which would

adversely affect the life, the health and safety of people, personnel and protecting the environment.

To the greatest extent possible, the preceding procedures should be followed. However, in case of an emergency, Department Personnel may purchase directly any supplies, materials or services necessary to alleviate the emergency. Every effort shall be made to contact the City Clerk/Treasurer whether the emergency occurs during or after normal working hours. On the next working day, such emergency purchases will be explained to the City Council and/or Mayor.

### **III. PLANNING AND SCHEDULING**

Capital purchases will be identified and scheduled. The City Clerk/Treasurer and/or Engineer may request the alteration of such plans if in the best interest of the City and only with prior Council approval.

1. The City Clerk/Treasurer and/or Engineer shall prepare bid specifications.
2. An Advertisement for Bids is published in the official City newspaper. If the dollar amount of the purchase will be \$100,000 or less, such advertisement must appear not less than 10 days before the bid opening. If over \$100,000, the advertisement must appear not later than three weeks before the last date for submission of bids. Any subsequent changes made to the specifications will be in the form of written addendum to the specifications sent to all prospective bidders.
3. All submitted bid or quotation envelopes shall be stamped with the date and time received. The name of each bidder, the amount of each bid, and other relevant information shall be recorded and available for public inspection. Bids are received by the City Clerk/Treasurer and are opened in public, witnessed, and tabulated on the date, time and place advertised.
4. Upon further review, the City reserves the right, to accept or reject any variations or exceptions or to accept or reject any or all bids as stated in the invitation to bid.
5. The City Clerk/Treasurer and/or Engineer will review all bids for conformance to the specifications. The City Clerk/Treasurer and/or Engineer will prepare a recommendation for the award of bids to be considered by the City Council. When it is recommended to award the bid to a bidder other than the low bidder, the justification must be clearly presented.
6. Award shall be based on, but not necessarily limited to, the factors of price, delivery date, City's experience with the products proposed, City's experience with the service proposed, City's evaluation of the bidder's ability to service City in terms of the requirements as called for in the specifications, energy considerations, and evaluation of total costs of ownership. The City reserves the right to accept or reject any or all bids or any part of a bid and to waive any defects or irregularities or to advertise for new bids where the acceptance, rejection, waiving, or re-advertising of such would be in the best interest of the City. If included in the specifications, the City also reserves the right to award all or part by item, group of items, or by section where such action serves the City's best interest.

## IV. BID SPECIFICATIONS

The following will be included in all bid specifications:

### 1. Bid Preparation instructions:

- a. Bids must be typed or prepared in ink.
- b. Bids must be signed in ink.
- c. All erasures or changes must be initialed.
- d. Bids must be received no later than stated in the advertisement for bids.

### 2. The advertisement for bids shall include a general specifications of the articles to be purchased or services to be performed; the form of contract to be used (if any); any bid, performance, or payment bond requirements; any further conditions of the procurement, the date and time by which bids must be submitted, the location for delivery of bids, date, time, and place of bid opening. Bids shall be submitted in sealed envelopes, identified as bids, and shall be to the attention of the appropriate party per the bid instruction.

### 3. Changes and corrections:

The bidder shall not be allowed to take advantage of any errors or omissions in the specifications. Where errors or omissions appear in the specifications, the bidder shall promptly notify the City in writing of such error or omission. Inconsistencies in the specifications wherever found, are to be reported in writing before the bids are received.

### 4. Compliance requirements:

To facilitate comparison of proposals and to provide a means of checking adherence to the specifications, each bidder shall submit with their proposal descriptive literature and a list of variations, if any, where the equipment differs from the specifications bid therein. Where variations are not cited it shall be assumed that the bidder proposes to meet all the requirements of the specifications.

### 5. Test inspection plan or review of samples of prototypes.

### 6. Terms and conditions:

- a. Method of delivery.
- b. The City retains the right to reject any items deemed to be unacceptable upon inspection.
- c. When samples are needed to make an evaluation of the products requested, they will be requested in the invitation for bids. The item or any unused portion will be returned to the bidder upon completion of the testing.

### 7. Bid security:

The bid must be accompanied by cash, a certified check, cashier's check, or bid bond payable to the City in the amount of not less than five percent (5%) of the bid. All bid securities will be held until a purchase award has been made. The security of the successful bidder will be held until bidder has fully complied with all purchasing procedures.

### 8. Statement of compliance with applicable laws.

The bid proposal will include a statement that the bidder complies with all applicable local, state and federal statutory requirements, including the Equal Employment Opportunity Act and any other applicable requirements.

## **V. DETERMINATION OF RESPONSIBLE BIDDER**

1. Authorized awards shall be to the lowest responsible and most responsive bidder (vendor) when possible, whose bid, quotation, or offer conforms in all materials aspects to the procurement requirements and the criteria set forth in the IFB, IFQ and RFP and are deemed to be in the best interest of the City of Hamburg.
2. The evaluation methods shall be uniform for each responding bidder.
3. A record showing the basis for determining the successful bidder shall be kept by the City for one year.
4. A written notice of award shall be sent to the successful bidder. Unsuccessful bidders will be notified either in writing or by phone.
5. If only one bid is received, an award may be made to the single bidder if the City Council determines that the price is fair and reasonable and that other prospective bidders had reasonable opportunity to respond.
6. In determining the lowest responsible bidder, the City Council shall consider among other relevant facts:
  - a. The ability, capacity, and skill of the bidder to perform the contract or provide services required.
  - b. Whether the bidder can perform the contract or provide the services promptly or within a specified time, without delay or interference.
  - c. The quality of performance of previous contracts or services.
  - d. The previous and existing compliance by the bidder with the laws and ordinances of the City of Hamburg.
  - e. The financial resources and ability to perform the contract or provide the service.
  - f. The quality, availability, and adaptability of the supplies or services.
7. Documentation and an explanation are required whenever a purchase is made for other than the lowest bidder. This documentation will include an explanation of how the provider was not responsible or why the quote was not responsive. The City Council shall make a determination that the offeror is not responsible or that the offer was not responsive.

## **VI. ADDITIONAL PROVISIONS**

### **1. Invoices**

All invoices will be given to the City Clerk/Treasurer when received. The City Clerk/Treasurer or his/her designee will approve invoices with the proper account number assigned and date the goods, supplies and services have been received.

### **2. Reimbursement/Claim Forms**

All claims for payment or reimbursement for expenditures are to be submitted on the appropriate voucher form, with proper explanation, activity, and Authorizing Member signature, with receipts attached. All claims shall be turned in to the City Clerk/Treasurer.

### **3. Disposition of Surplus Property**

The City Clerk/Treasurer and City Council is responsible for the disposition of all surplus, salvage, obsolete and unneeded materials or equipment belonging to the City. At least once a year The City Clerk/Treasurer will be asked to report stocks of materials which have become obsolete or worn and are no longer useful to their operation.

The City Council and City Clerk/Treasurer will agree on the avenue of sale of material in the amount of \$5,000 or less. Property exceeding \$5,000, sale will be accomplished by sealed bids, if possible, with an advertisement for bids published in the official City newspaper at least 10 days prior to the bid opening.

As an alternative, items of under \$500 in value may be disposed of at the discretion of the City Clerk-Treasurer.

**4. Purchase of Used Goods**

After determining market availability and negotiating a fair and reasonable price, used items, where bidding is not practical, may be purchased according to the Purchasing/Bidding Authorization Amounts in this policy.

**VII. EFFECTIVE DATE**

This policy shall be amended effective as of June 22<sup>nd</sup>, 2010, amended by the Hamburg City Council, and may be amended by approval by the majority of the City Council.

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Richard Malz, Mayor

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Jeremy Gruenhagen, City Clerk/Treasurer



# 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.<sup>1</sup> 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.

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<sup>1</sup> 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.

Steve Knutson  
Michelle Kenney  
November 4, 1998  
Page 3

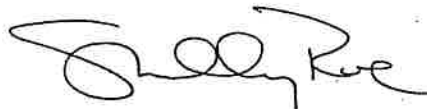
It is also our view, that a general discount offered to all members of a large organization, simply because they are members of a large organization, would not likely be found to violate Minn. Stat. § 10A.071(1996) (statute prohibiting certain gifts to public officials from lobbyists and principals), 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

Enclosures  
AG:35207 v1

As you know, I called Nichole Bjornrud from the Minnesota State Auditor's office about the City of Hamburg's cell phone contract with Verizon. After trading voicemail messages, I was able to connect with Nichole last Friday afternoon. Nicole told me that her January 5<sup>th</sup> email to Jeremy was a request for information only and the State Auditor has not taken a position on the City's cell phone arrangement.

I also asked Nichole to give me input regarding the position the Auditor might eventually take. Although she would not commit to specific guidance, I got the impression the Auditor's view is consistent with the advice you provided Jeremy last week, which can be summarized as follows:

- The City can provide cell phones to City employees to use for City business;
- Based on a letter the Minnesota Attorney General wrote in 1998 to attorneys for the Osseo School District:
  - If the City has a cell phone contract where employees are allowed to obtain personal cell phones/service, that is not allowed even if the employees reimburse the City;
  - If, however, the City's cell phone contract provides a discount to employees for separate, private contracts with Verizon, employees can take advantage of the discount (e.g., employees can receive a 10% discount on contracts between the employee and Verizon).

It is important to note the Attorney General's letter to the Osseo School District was a private letter, not an opinion. Therefore, it would have been impossible (or very difficult) to find. For this reason, I do not believe the State Auditor views this as an intentional or obvious violation. Although it is possible a court might find such a reimbursement arrangement permissible (if it ever got that far), I recommend restructuring Hamburg's cell phone arrangement to alleviate any concerns the State Auditor may have about the matter.

Please call if you have any questions.

Mike

**J. Michael Melchert**

Partner

Melchert Hubert Sjodin, PLLP

MSBA Certified



Attorneys at Law



REBECCA OTTO  
STATE AUDITOR

# STATE OF MINNESOTA OFFICE OF THE STATE AUDITOR

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## 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.<sup>1</sup> 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.<sup>2</sup>

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.<sup>3</sup> 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.<sup>4</sup> 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.

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<sup>1</sup>Minn. 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).

<sup>2</sup> 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).

<sup>3</sup> See Minn. Stat. § 471.38, subd. 1.

<sup>4</sup> 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.<sup>5</sup> 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>.

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



Jeremy Gruenhagen <cityadmin@cityofhamburgmn.com>

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## Fwd: Open meeting language from legislative priorities

1 message

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Chris Lund <clund@cityofhamburgmn.com>

Fri, Jan 22, 2021 at 10:02 AM

To: Jeremy Gruenhagen <cityadmin@cityofhamburgmn.com>

Jeremy

Will you put this concept on the agenda. I thought about just drafting a letter as Mayor but think it may more weight if it comes from the council.

Chris

----- Forwarded message -----

From: **Courtney Johnson** <cjohnson@cityofcarver.com>

Date: Fri, Jan 22, 2021, 08:23

Subject: Open meeting language from legislative priorities

To: Mark Windschitl <mwindschitl@chaskamn.com>, Elise Ryan <eryan@ci.chanhassen.mn.us>, Carol Lagergren <clagergren@nyacouncil.com>, Chris Lund <clund@cityofhamburgmn.com>, Steve Washburn <swashburn@watertownmn.gov>, Kent Bloudek <Kbloudek@waconia.org>, dmcmillan@ci.victoria.mn.us <dmcmillan@ci.victoria.mn.us>, Matt Lein <m.lein@colognemn.com>, Mike Dodge <mike.dodge@cityofmayer.com>

Hi all-

As promised, here's the language from our legislative priorities about amending open meeting law:

### **REMOTE PARTICIPATION IN CITY COUNCIL MEETINGS**

The City of Carver supports amending Open Meeting Law requirements to allow members of a City Council to participate in meetings remotely, without making their remote location open and accessible to the public. Emergency declarations during the pandemic have allowed this requirement to be lifted, however, the City supports lifting this requirement as a standard practice. Meetings held during the Covid-19 Pandemic have demonstrated that elected officials can participate remotely (in private settings), while promoting best practices in transparency and open decision making throughout the meeting.

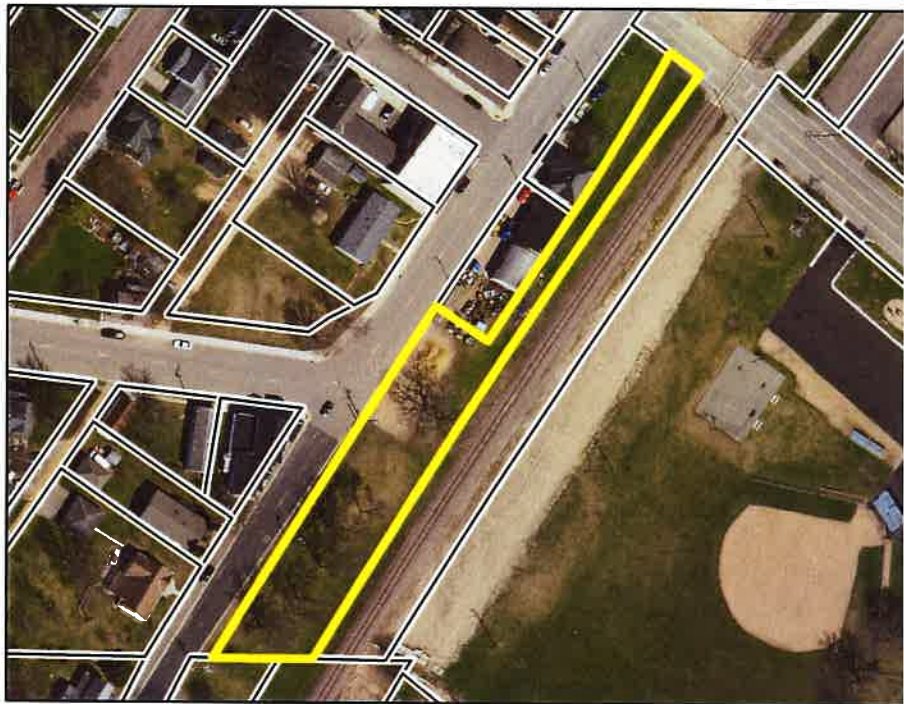
**Courtney Johnson** | Mayor | City of Carver

Cell: 612-702-7703

[www.cityofcarver.com](http://www.cityofcarver.com)

<b>Property Card</b>	<b>Parcel ID Number</b> 110282010
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<b>Taxpayer Information</b>
Taxpayer Name STEVEN EDWARD TREBESCH TAMMY LUANN TREBESCH
Mailing Address PO BOX 2 HAMBURG, MN 55339-



<b>Property Address</b>
Address
City

**Parcel Information**

Uses Res V Land	GIS Acres	0.73	Net Acres
	Deeded Acres	0.71	
	Plat		
	Lot		
	Block		

Tax Description P/O GOV'T LOT 2 BOUNDED AS FOLLOWS: ON THE NW BY THE SELY LINE OF RAILROAD STREET, ON

**Building Information**

Building Style	Above Grade Finished Sq Ft	Bedrooms
Year Built	Garage	

**Miscellaneous Information**

School District 0108	Watershed District WS 067 CARVER CO WMO	Homestead N	Green Acres	Ag Preserve N
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**Assessor Information**

Estimated Market Value	2019 Values (Payable 2020)	2020 Values (Payable 2021)	Last Sale	
Land	\$8,600.00	\$8,600.00	Date of Sale	7/27/2017
Building	\$0.00	\$0.00	Sale Value	\$14,120.00
<b>Total</b>	<b>\$8,600.00</b>	<b>\$8,600.00</b>		

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