



HAMBURG CITY COUNCIL AGENDA
MARCH 9, 2021

1. **Call Public Hearing to Order at 7:00 PM**
 - **Ordinance Number 164 (Annexation for Stormwater Pond)**
2. **Move to Close/Continue Public Hearing**
3. **Call City Council Meeting to Order**
 - **Pledge of Allegiance**
4. **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.)*
5. **Agenda Review (Added Items) and Adoption**
6. **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 February 9, 2021**
 - **Approve Payment of Added February 2021 Claims (\$26,380.61)**
 - **Approve Payment of March 2021 Claims (\$)**
 - **Delinquent Utility Bills Report**
 - **City Clerk/Treasurer Vacation (March 29th to April 7th)**
 - **Highway 212 Rural Freight Mobility & Safety Project (Letter of Support)**
 - **Carver County Board of Adjustment (New Residence from Feedlot / Reduced Road Frontage)**
 - **League of MN Cities PTSD Memo**
7. **Representative Jim Nash**
 - **2021 Legislation Update**
 - **City Legislative Priorities**
 - **3.2 Beer (MN Only State)**
8. **Hamburg Fire Department – Fire Chief Siewert**
 - **COVID-19 Pandemic**
 - **City Council Meetings/Rentals**
 - **Purchasing Policy (Limits)**
 - **Approve Amanda Harris Application to HFD**
 - **Gear Dryer/Washer**
 - **Duty Officer Pay (Weekends)**
 - **Purchase iPads for Active 911**
 - **Gear for HFD Members Egan, Harris, Weckman**
 - **Accept Scott Anderson’s Resignation from HFD**



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

9. Hamburg Baseball Club

- Power Upgrade at Baseball Club
- Liquor License Renewal (3.2 Beer)

10. Old City Business

- 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
 - April 8th Court Date

11. New City Business

- Petition of Orderly Annexation (Lois Droege)
 - Approve Resolution 2021-03 (Joint Resolution w/YA Township)
- Ordinance Number 164 (Annexation by Ordinance)
 - Stormwater Pond for Droege Third Addition
- Annexation Procedure(s) of Parcel 11.0282010
- Estimates for City Hall Floor (Bar Side)
- Inflow/Infiltration Compliance Letters (April 1, 2021 Deadline)
- Ducks for Park Pond (Cost)
- Garbage Pickup (Alleys)
- Sanitary Sewer Line (William St to George St) – Add fill
- Grocery Store Investigation Group Survey (NYA)
- NYA Guide – City Ad

12. City Council Reports

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

13. Adjourn City Council Meeting



***HAMBURG CITY COUNCIL AGENDA
MARCH 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

MARCH

- 1 – Hamburg Lions Board Meeting**
- 1 – HFD Training**
- 2 – Mayors In**
- 9 – Hamburg City Council Meeting**
- 9 – Young America Annual Township Meeting**
- 10 – Young America Township Board Meeting**
- 15 – Hamburg Lions Club**
- 22 – Hamburg Fire Dept. (Relief Association) Meeting**

APRIL

- 5 – Hamburg Lions Board Meeting**
- 5 – HFD Training**
- 5 – Mayors In**
- 13 – Hamburg City Council Meeting**
- 13 – Young America Township Meeting**
- 19 – Hamburg Lions Club**
- 26 – Hamburg Fire Dept. (Relief Association) Meeting**

**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

**CITY OF HAMBURG
ORDINANCE NUMBER 164**

**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**

WHEREAS, a petition signed by all the property owners, requesting that property legally described herein be annexed to the City of Hamburg Minnesota, was duly presented to the Council of the City of Hamburg on the 12th day of January, 2021; and

WHEREAS, said property is unincorporated and abuts the City of Hamburg on its northern boundary; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

WHEREAS, said property is not located within a flood plain or shoreland area; and

WHEREAS, said property is currently improved by the City of Hamburg with a stormwater pond and appurtenant structures that serves developments within the City of Hamburg. Said property is encumbered by a drainage and utility easement that provides exclusive control of said property to the City of Hamburg. The purpose of the annexation is to bring the said property that is under the exclusive control of the City of Hamburg with the boundaries of the City of Hamburg to better facilitate the existing operation of the City of Hamburg's public stormwater improvements; and

WHEREAS, the City of Hamburg held a public hearing pursuant to Minnesota Statutes §414.033, Subd. 2b, on the 9th day of March, 2021, following thirty (30) days written notice by certified mail to Young America Township and to all landowners within and contiguous to the area legally described herein to be annexed; and

WHEREAS, provisions of Minnesota Statutes §414.033, Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HAMBURG
HEREBY ORDAINS AS FOLLOWS:**

1. The City Council of the City of Hamburg hereby determines that the property as hereinafter described abuts the city limits of the City of Hamburg and is or is about to become urban or suburban in nature in that the said property is currently improved by the City of Hamburg with a stormwater pond and appurtenant structures that serves developments within the City of Hamburg.
2. None of the said property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes §414.0325.

3. The corporate limits of the City of Hamburg, Minnesota, are hereby extended to include the following described property, said land abutting the City of Hamburg and being 120 acres or less in area, and is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land, to wit:

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.

(hereinafter the “**Annexation Property**”). The Annexation Property consists of a total of 1.23 acres, more or less. Copies of the corporate boundary map showing the Annexation Property and its relationship to the corporate boundaries of the City of Hamburg and all appropriate plat maps are attached hereto as Exhibit A.

4. That the population of the Annexation Property is zero (0).

5. The City of Hamburg, pursuant to Minnesota Statutes §414.036, with respect to the property taxes payable on the Annexation Property, shall make no cash payment to Young America Township based the fact that the entire Annexation Property is already improved with the City of Hamburg’s public stormwater improvements and is tax exempt.

6. That pursuant to Minnesota Statutes §414.036, with respect to any special assessments assigned by Young America Township to the Annexation Property and any portion of debt incurred by Young America Township prior to the annexation and attributable to the Annexation Property, there are no special assessments assigned to the Annexation Property or debt incurred by Young America Township attributable to the Annexation Property for which reimbursement is required.

7. That the City Clerk of the City of Hamburg is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Carver County Auditor, and the Young America Township Clerk.

8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED AND ADOPTED by the City Council of the City of Hamburg, Minnesota, this 9th day of March, 2021.

Chris Lund, Mayor

ATTEST:

Jeremy Gruenhagen, City Clerk-Treasurer

(City Seal)

CITY OF HAMBURG
NOTICE OF A HAMBURG CITY COUNCIL MEETING
TUESDAY, MARCH 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, March 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 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 FEBRUARY 9, 2021

Mayor Chris Lund called the Hamburg City Council Meeting to order at 7:00 p.m. Those in attendance were Council Members Tim Tracy, Eric Poppler, Scott Feltmann, and Jessica Weber, City Clerk Jeremy Gruenhagen, Deputy Clerk Tamara Bracht, and Fire Chief Scott Anderson.

Public Comment – No Public Comment.

Agenda Review (Added Items) and Adoption

- February Claims Adjustment – PERA changed from \$801.03 to \$801.04, bringing the total February claims amount to \$22,589.90

MOTION: Councilmember Tim Tracy moved to accept the Agenda as amended. Seconded by Councilmember Eric Poppler. Motion was unanimously approved with all Council Members present.

Consent Agenda

- 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 (\$22,589.90)
- 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

MOTION: Councilmember Eric Poppler moved to approve the Consent Agenda. Seconded by Councilmember Tim Tracy. Motion was unanimously approved with all Council Members present.

Hamburg Fire Department – Fire Chief Anderson

- COVID-19 Pandemic
 - City Council/Clubs/HFD Meetings
 - Council discussion and decisions: Lions club continues to meet virtually, HFD meetings/trainings are considered essential, YA Township will continue monthly meeting in-house while following CDC guidelines, City Clerk to offer the use of the Hall for their annual meeting in March, and City Council will continue with Zoom meetings.
- Purchasing Policy (Limits)
 - Currently anything above \$1,000 requires quotes, City Clerk will seek guidance from the city auditor.



HAMBURG CITY COUNCIL MEETING
FEBRUARY 9, 2021

- Approve Kaitlin Weckman Application to HFD
 - All background checks have been returned with no issues.
 - **MOTION: Councilmember Tim Tracy moved to approve the addition of Katelyn Weckman to Hamburg's Rescue Reserve Team. Seconded by Councilmember Eric Poppler. Motion was unanimously approved with all Council Members present.**
- Radio/Pager Purchases (HFDRA)
 - The Hamburg Fire Relief Association made a donation of \$9,000 towards the purchase of new radios and pagers. The department now has all new radios and almost all new pagers.
- Duty Officer Pay (Weekends)
 - After the Council's discussion, Mayor Lund requested that Chief Anderson speak with the Fire Department members and make a proposal at the March 9th Council Meeting.
- Spare Water Nozzles
 - **MOTION: Councilmember Tim Tracy moved to approve the purchase of 2 Water Nozzles in the amount of \$1,336.00. Seconded by Councilmember Eric Poppler. Motion was unanimously approved with all Council Members present.**
- Chief Anderson requested a 6 month leave of absence starting February 10th, 2021.
 - **MOTION: Councilmember Tim Tracy moved to approve Fire Chief Anderson's request for a 6 month leave of absence. Seconded by Councilmember Eric Poppler. Motion was unanimously approved with all Council Members present.**

Old City Business

- Estimates for Bobcat Tires
 - **MOTION: Councilmember Tim Tracy moved to approve the purchase of bobcat tires through Lano's. Seconded by Councilmember Eric Poppler. Motion was unanimously approved with all Council Members present.**
- State of MN - Office of State Auditor
 - Attorney General's Office Letter (Cell Phone Contracts)
 - State Auditor found no violation of law – biggest concern is with public data – City contract is up in March – Mayor Lund requested the City Clerk work with Verizon to address this issue in our future contracts.
 - Credit Card Use and Policies
 - There is not a clear-cut policy on using a debit card vs. a credit card. Mayor Lund requested City Clerk Gruenhagen discuss this with our auditors and have them note it in our files that we use a



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

debit card. Councilman Feltmann asked if other towns have had issues - City Clerk Gruenhagen will inquire with other towns.

- Public Nuisance(s) – 679/710 Park Avenue
 - Due to the defendant pleading not guilty, a pre-trial hearing has been scheduled for April 8th at 9:30 a.m.

New City Business

- Open Meeting Law Language (Legislative Priorities – Open Meeting Law)
 - Mayor will work with City Clerk on these priorities.
- City Council Assignments (Water/Sewer/Streets/Buildings/Parks)
 - Scott Feltmann – Streets
 - Tim Tracy – Water/Sewer
 - Jessica Weber – Buildings
 - Eric Poppler – Parks
- Annexation of Parcel 11.0282010
 - **MOTION: Councilmember Tim Tracy motioned to move forward with the annexation process for parcel 11.0282010. Seconded by Councilmember Eric Poppler. Motion was unanimously approved with all Council Members present.**
- Personnel Committee Meeting(s)
 - Meeting February 10th at 4:30 p.m.

City Council Reports

- Councilmember Scott Feltmann had nothing further to report.
- Councilmember Eric Poppler had nothing further to report.
- Councilmember Jessica Weber had nothing further to report.
- Councilmember Tim Tracy had nothing further to report.
- Mayor Chris Lund - The League of MN Cities offers very interesting courses for new and current council members. I encourage council to take advantage of the courses offered. THANK YOU to the Hamburg FD for assisting in the battle over a barn fire this past weekend despite the extremely cold conditions.

MOTION: Councilmember Eric Poppler moved to adjourn the Hamburg City Council Meeting at 8:06 p.m. Seconded by Councilmember Jessica Weber. Motion was unanimously approved with all Council Members present.

Submitted on February 11, 2021
by Deputy Clerk Tamara Bracht

Amended/Approved on March 8, 2021



Jeremy Gruenhagen, City Clerk/Treasurer

2021 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	\$801.04	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	Optum Bank	General Gov't	HSA Admin Fee's for City Employees for 1st Qtr 2021	\$22.50	3/9/2021
ACH	Verizon Wireless	General Gov't	(7) Cell Phone Lines for 1/25/2020 - 2/24/2021	\$291.22	2/9/2021
ACH	ZOOM	General Gov't	Video Conferencing Service	\$16.09	2/9/2021
ACH	Greg Schultz	Divided	Wages 1/25/21 to 2/07/21	\$1,899.10	3/9/2021
ACH	Tamara Bracht	Divided	Wages 1/25/21 to 2/07/21	\$746.28	3/9/2021
ACH	Jeremy Gruenhagen	Divided	February Wages (Rounds)	\$2,071.08	3/9/2021
ACH	Greg Schultz	Divided	Wages 2/08/21 to 2/21/21	\$1,899.10	3/9/2021
ACH	Tamara Bracht	Divided	Wages 2/08/21 to 2/21/21	\$765.82	3/9/2021
ACH	Jeremy Gruenhagen	Divided	February Wages (Rounds)	\$2,071.08	3/9/2021
Debit Card	Hamburg Post Office	General Gov't	2 Certified Public Hearing Notice for Storm Water Pond Droege's 3rd Add	\$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	\$148.70	2/9/2021 (\$10.97)
Debit Card	Active 911	Public Safety (FD)	Annual Membership Fee for 2 FireFighters	\$25.40	3/9/2021
Debit Card	Walmart.com	General Gov't	Laser & Inkjet Printer Cleaning Sheets	\$14.98	3/9/2021
Debit Card	Amazon	General Gov't	JARBO Compatible Toner Cartridges for HP Printer	\$45.99	3/9/2021
Debit Card	UPS Store	Water	Overnight Water Samples	\$12.52	3/9/2021
Debit Card	USPS	General Gov't	EDDM Postage for COVID Newsletter Dated 2-26-2021	\$75.07	3/9/2021
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 Addition	\$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	2020 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
20522	MN BCA	Public Safety (FD)	Background Check for Amanda Harris	\$15.00	3/9/2021
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
20525	Security Bank & Trust	Public Safety (FD)	History of Hamburg Book	\$25.00	3/9/2021
20526	CarverLink / Metronet	Divided	Telephone/Internet for February 2021	\$160.69	2/9/2021
20529	Bolton & Menk	General Gov't	Professional Services Regarding Variance, Annexation and Zoning	\$800.00	3/9/2021
20530	Canon Financial Services	General Gov't	Canon Copier Gov't Contract for February	\$33.13	3/9/2021
20532	Lano Equipment	Public Works (streets)	Bobcat Tires, Transportation To & From, and Labor	\$1,622.28	3/9/2021
20533	Melchert-Hubert & Sjodin PLLP	General Gov't	Annexation Questions, and Trebesch Litigation	\$138.60	3/9/2021
20534	MN Fire Chiefs Association	Public Safety (FD)	Membership Renewal thru Dec. 31, 2021	\$400.00	3/9/2021
20535	Motorola	Public Safety (FD)	(3) APX 4000 7/800 MHZ Model 2 Portable Radios	\$8,351.25	3/9/2021
20536	Per Mar Security Services (Floyds)	Sewer	Monitoring Services for 3/3/21 - 6/2/21	\$92.07	3/9/2021
20537	Performance Plus, LLC	Public Safety (FD)	Fire Fighter Exams - Health & Fitness, Mask Fitting	\$1,937.50	3/9/2021
20538	Xcel Energy	Divided	Electricity/Natural Gas Services includes 4 months of unbilled water tower usage	\$3,327.83	3/9/2021
				\$48,970.51	
			February Claims	\$22,589.90	2/9/2021
			Added February Claims	\$26,380.61	3/9/2021
			Total February Claims	\$48,970.51	

2021 March Claims List

CHECK #	VENDOR	FUND	CLAIM DESCRIPTION	AMOUNT	APPROVED
ACH	EFTPS	Divided	Fed, Social Security, MC - February 2021	\$2,968.56	3/9/2021
ACH	MN Dept of Revenue	Divided	State Withholding Tax Payment - February 2021	\$514.00	3/9/2021
ACH	PERA	Divided	PERA Withholding - February 2021	\$496.31	3/9/2021
ACH	PERA	Divided	PERA Withholding - February 2021	\$499.97	3/9/2021
ACH	PERA	Divided	PERA Withholding - February 2021	\$794.04	3/9/2021
ACH	HealthPartners	Divided	Health Insurance for March 2021	\$4,508.15	3/9/2021
ACH	Google	General Gov't	Email Accounts (9) Administered by Google G Suite	\$115.27	3/9/2021
ACH	Verizon Wireless	General Gov't	(7) Cell Phone Lines for 2/25/2020 - 3/24/2021	\$290.50	3/9/2021
ACH	ZOOM	General Gov't	Video Conferencing Service	\$16.09	3/9/2021
ACH	Security Bank & Trust	General Gov't	ACH Service Fees for February 2021	\$30.60	3/9/2021
ACH	Optum Bank	General Gov't	City HSA Contribution for 1st Qtr 2020 (Jeremy & Greg)	\$1,250.00	3/9/2021
Debit Card	IDRIVE.Com	General Gov't	Computer Data Backup Program	\$99.50	3/9/2021
20527	Abdo, Eick & Meyers LLP	General Gov't	Certified Audit Services for the Year Ended 12-31-2020	\$9,000.00	3/9/2021
20528	Alcohol & Gambling Enforcement	Hall	Consumption & Display Permit (Renewal Date - April 1)	\$250.00	3/9/2021
20531	CarverLink / MetroNet	Divided	Telephone / Internet for March 2021	\$160.14	3/9/2021
20539	Cintas	Hall	Cleaning Supplies for Hall	\$95.73	3/9/2021
20540	Core & Main	Divided	Annual Support Contract 4-12-21 to 4-12-22	\$2,400.00	3/9/2021
20541	EMTS	Public Safety (FD)	Annual EMR Refresher Training	\$2,800.00	3/9/2021
20542	Gopher State One	Public Safety	1 Locate Request in February	\$1.35	3/9/2021
20543	Hawkins Chemicals	Water	Chemicals for Water Treatment Plant	\$907.17	3/9/2021
20544	Hoff Barry P.A.	General Gov't	Correspondence Regarding Annexations	\$746.00	3/9/2021
20545	Jared Mackenthun	Public Safety (FD)	Reimbursement for Hose Couplongs and a Spray Nozzle	\$35.26	3/9/2021
20546	Loffler	General Gov't	February Copies	\$101.95	3/9/2021
20547	Menards	Divided	(5 Bags) Water Softner Salt - Rebates Applied	\$1.52	3/9/2021
20548	MN Pollution Control Agency	Sewer	Stabilization Pond Seminar for Greg & Jeremy on May 10-11 via Video	\$600.00	3/9/2021
20549	MNSPECT	Public Safety (FD)	Building Permits for 441 RR & 321 Sophia	\$894.89	3/9/2021
20550	Motorola Solutions	Public Safety (FD)	5 Radios with Batteries	\$13,375.00	3/9/2021
20551	MES Inc.	Public Safety (FD)	Air Pack Maintenance, AED Pads and Battery, Rescue Gloves	\$1,951.90	3/9/2021
20552	Plunkett's	General Gov't Bldgs.	City Hall & FD General Pest Inspection - Service Date 3-3-2021	\$39.37	3/9/2021
20553	USPS	General Gov't	2021 Post Office Box Rental Fee (248)	\$96.00	3/9/2021
20554	W.W.O.T.A.	Divided	Water/Wastewater Training & Assistance for February 2021	\$540.00	3/9/2021
20555	Wm. Mueller & Sons	Divided	Fuel for Bobcat and City Vehicle, February Snowplowing	\$938.47	3/9/2021
				\$46,517.74	
			March Claims	\$46,517.74	3/9/2021
			Added March Claims		
			Total March Claims	\$46,517.74	

Activity/Project List Deputy Clerk

FEBRUARY 1 - 28, 2021

Daily Duties = Bank, Post Office, Enter Water Payments, Enter Bills

Date	Activity/Project/Issue
Monday - 1st 8.5 Hours	Daily Duties,
Tuesday - 2nd 5 Hours	Daily Duties,
Wednesday - 3rd 6.75 Hours	Daily Duties, Received an in-person complaint regarding neighbor snow blowing into street, and another neighbors dog running loose, Research regarding 710 / 679 Park Avenue
Thursday - 4th 6.25 Hours	Daily Duties, Continued research regarding 710 / 679 Park Avenue, entered payment receipts into QB,
Friday - 5th 5.5 Hours	Daily Duties, Updated Claims List, updated project list, timesheet,
Monday - 8th 6.75 Hours	Daily Duties
Tuesday - 9th 9.5 Hours	Daily Duties, Council Meeting prep, Council Meeting,
Wednesday - 10th 4.5 Hours	Daily Duties, started typing meeting minutes, prepped envelopes,
Thursday - 11th 8.0 Hours	Daily Duties, completed meeting minutes, mailed out bill payments
Friday - 12th 6.25 Hours	Daily Duties,
Monday - 15th	PRESIDENTS' DAY - OFFICE CLOSED
Tuesday - 16th 8.5 Hours	Daily Duties, entered receipts, updated Claims List,
Wednesday - 17th 4.25Hours	Daily Duties, researched meeting minutes regarding 710 Park Ave.
Thursday - 18th 8.5 Hours	Daily Duties, Issued 2 Permits and entered data in spreadsheet, on-line presentation regarding digitizing and managing paperwork, cleaned kitchen
Friday - 19th 8.25 Hours	Daily Duties, 7 Payment Plan Letters prepared and mailed, researched old meeting minutes regarding data for 710 Park Ave. Hearing
Monday - 22nd 8.50 Hours	Daily Duties, entered receipts in QB, updated timesheets and turned in,
Tuesday - 23rd 7.25 Hours	Daily Duties,
Wednesday - 24th 4.5 Hours	Daily Duties, was updated on Councilman Feltmann, Printed checks,
Thursday - 25th 7.75 Hours	Daily Duties, Updated Claims List in xcel and QB, updated project list, Prepped and mailed out checks, started newsletter, received complaint from 451 Maria Avenue thinking we called the cops on him for parking (we didn't)
Friday -26th 7.0 Hours	Daily Duties, newsletter

CITY OF HAMBURG
City Clerk/Treasurer – PO Box 248
181 Broadway Ave., Hamburg, MN 55339

*City Office: (952) 467-3232 TDD: 711 Email: CityAdmin@CityofHamburgmn.com
City Website: CityofHamburgmn.com*

March 3, 2021

The Honorable Pete Buttigieg
Secretary, US Department of Transportation
1200 New Jersey Ave, SE
Washington, DC 20590

Dear Secretary Buttigieg,

The City of Hamburg is pleased to support the US Highway 212 Rural Freight Mobility and Safety Project for consideration of federal financial assistance under US Department of Transportation (DOT) Discretionary Grant Programs. This critical project expands five miles of US Highway 212 in Carver County, Minnesota from a two-lane undivided rural highway to a four-lane divided expressway facility extending from the City of Norwood Young America (County Highway 34) to the City of Cologne (County Highway 36). Carver County and MnDOT completed extensive corridor planning and are partnering on project development efforts to bring forward this innovative, cost-effective approach to expand US Highway 212.

The corridor is part of the National Highway System and is one of the most important economic and freight highway corridors in the State of Minnesota and the Upper Midwest region, connecting the Twin Cities to South Dakota and beyond. US Highway 212 is identified by the Minnesota DOT (MnDOT) in the Minnesota State Freight Investment Plan as a Critical Rural Freight Corridor. The corridor provides a critical connection for agricultural and industrial traffic to and from the Twin Cities Metropolitan area, which is emphasized by the Metropolitan Council's prioritization of the highway as a "Tier One Truck Corridor".

The US Highway 212 Rural Freight Mobility and Safety Project addresses serious safety, access, and mobility issues and meets and exceeds the priority objectives of the DOT's grant programs. Most significantly, the project will benefit the highway freight network by addressing deficiencies on a Critical Rural Freight Corridor, implementing significant highway safety measures, improving the state of good repair for National Highway System infrastructure not fully reconstructed since 1929, and strengthening local and regional economic competitiveness and vitality by realizing the vision of a reliable and connected freight transportation system.

The City of Hamburg endorses and supports Carver County's application to US DOT Discretionary Grant Programs for the US Highway 212 Rural Freight Mobility and Safety Project and urges decision makers to prioritize the project for grant funding.

Sincerely,



Chris Lund
Mayor



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

CARVER COUNTY BOARD OF ADJUSTMENT

Regular Meeting – Wednesday, March 3, 2021
Via WebEx Conference Call

AGENDA

7:00 p.m.

1. Approve minutes of February 3, 2021 meeting
Pages 1-1 through 1-6

2. **File #20210004**- Public hearing on request by Larry Schmidt for a variance.
(Reduced Setbacks Feedlot Structure from Property Line)
Hancock Township Pages 2-1 through 2-10
Issue Order #PZ20210004 – Larry Schmidt

3. **File #20210006**- Public hearing on request by Jason Mackenthun for a variance.
(Reduced setback for new residence from existing feedlot)
Young America Township Pages 3-1 through 3-9
Issue Order #PZ20210006 – Jason Mackenthun

4. **File #20210003**- Public hearing on request by Larry Dreier for a variance.
(Reduced Road Frontage)
Young America Township Pages 4-1 through 4-9
Issue Order #PZ20210003 – Larry Dreier

5. **File #20210005**- Public hearing on request by Aaron Peterson & Brooke Michaelson for a variance. (Exceed Prime Ag Soils in New Residential Lot)
Dahlgren Township Pages 5-1 through 5-11
Issue Order #PZ20210005 – Aaron Peterson & Brooke Michaelson

Other Business

COUNTY OF CARVER
PUBLIC SERVICES DIVISION
Environmental Services Department

February 22, 2021

TO: Carver County Board of Adjustment & Young America Town Board
FROM: The Environmental Services Department
SUBJECT: Application for a Variance (Reduced Setback to an Existing Feedlot for a New House)

FILE #: PZ20210006

OWNER: Otto E. and Janice C. Mackenthun

APPLICANT: Jason Mackenthun

SITE ADDRESS: 15XXX Martha Street, 55339

VARIANCE TYPE: Reduced Setback to an existing Feedlot for New Home Construction

PURSUANT TO: Carver County Code Section 54.46 (D) 2a

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 11-033-1505

BACKGROUND:

1. Otto and Janice Mackenthun own an approximately 74.39-acre parcel located in the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼) of Section 33, Young America Township. The property is in the Agricultural Zoning District and the CCWMO (Bevens Creek watershed). Jason Mackenthun, their grandson, has proposed to subdivide a 1 per 40 eligibility of his grandparent's land, comprising of approximately 4.67 acres.
2. The applicant, Jason Mackenthun, is requesting a Variance that would allow him to construct a house and garage approximately 970 feet from an existing registered feedlot (Stuewe) located to the northeast of the subject property. Chapter 54 of the County Code requires a minimum setback of 1,000 feet from an existing feedlot to all new residences. Therefore, a Variance for reduced setbacks pursuant to Chapter 54 – Section 54.46 (D) (2)a has been requested.

LEGAL BACKGROUND:

§ 54.04 DEFINITIONS.

FEEDLOT, (EXISTING) ANIMAL. An animal feedlot that has registered, pursuant to Minn. Rule 7020.0350 and/or has registered with Carver County Environmental Services prior to July 7, 2003.

§ 54.46 SETBACKS.

(D) Existing feedlots as of July 7, 2003.

- 1) The modifications and/or expansions of animal feedlots, that are located within 200 feet of existing property lines, may be allowed if they do not further encroach on the established setback.
- 2) The modification or expansion of animal feedlots that are located within 1,000 feet of residences, churches, schools, regional parks, cemeteries, non-agricultural commercial and industrial activities, and restaurants may be allowed if the modification and/or expansion does not further encroach on the established setback.
 - a. This setback shall be reciprocal.

STAFF ANALYSIS:

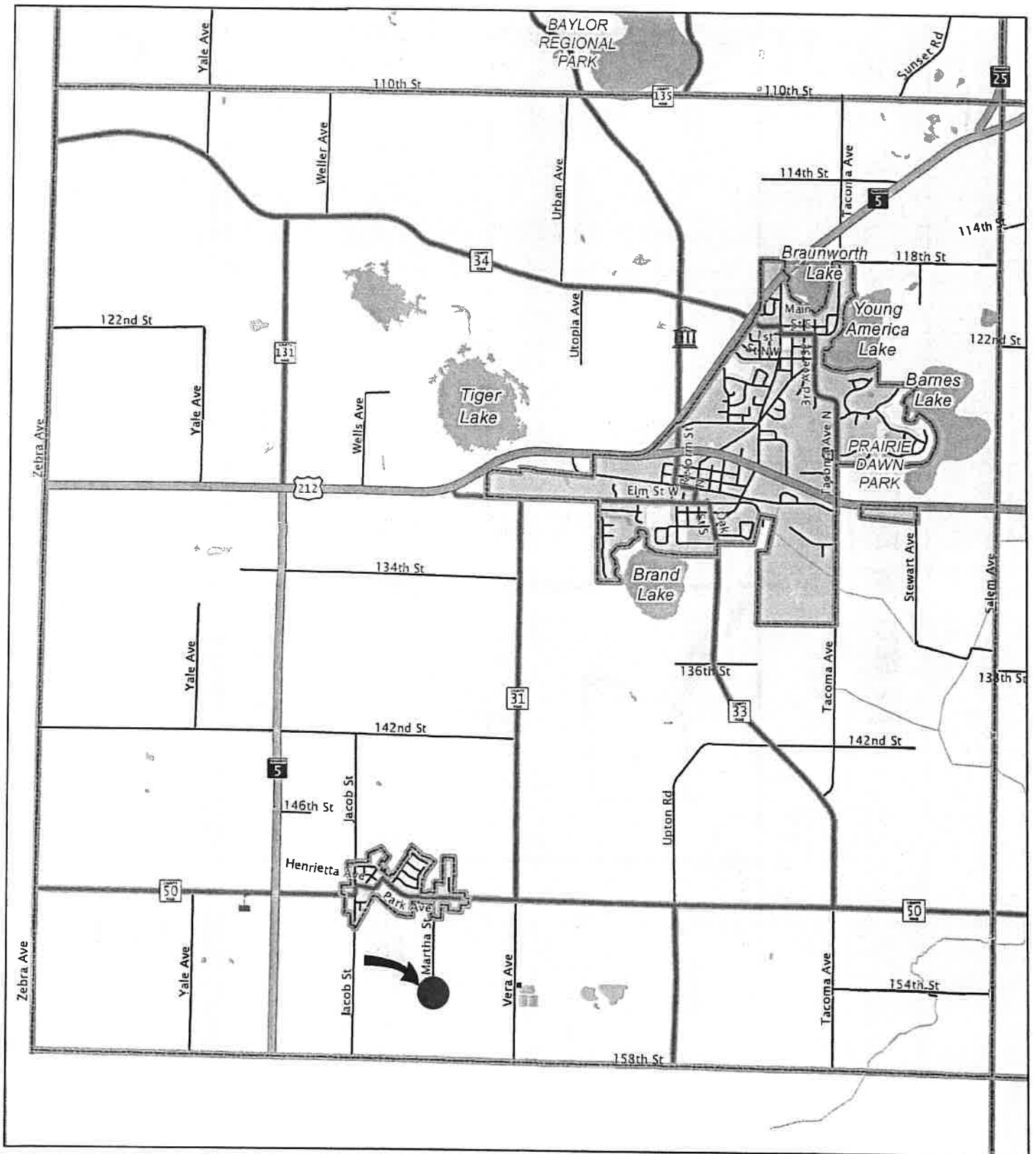
1. Jason Mackenthun, the applicant, has proposed to subdivide a 1 per 40 eligibility comprising of approximately 4.67 acres of an approximately 74.39-acre parcel owned by his grandparents, Otto and Janice Mackenthun. The applicant would like to construct a house on the property; however, based on the topography and existing features, he has no choice but to locate the house within the required 1,000-foot setback from an existing feedlot. If approved, the variance would allow the applicant to construct a house and garage approximately 970 feet from an existing registered feedlot to the northeast (Stuewe). The applicants' request reflects an approximate 30-foot variance to the neighboring feedlot.
2. The applicant describes a practical difficulty based on the existing field tile drainage system and the topography of the property. The drain tile that runs northwest to southeast splits the property and cannot be removed because it drains the field to the north of the driveway. The area to the west of the tile line is the lowest part of the property and is prone to holding water after heavy rain events. The placement of the house in the proposed location would be best location for the house, while maintaining a feasible distance from the feedlot.
3. The Subsurface Sewage Treatment System (SSTS) locations have been reviewed by the Carver County Environmental Services staff to verify all requirements of MN Rule 7080-7083 and Chapter 52 of the Carver County Code of Ordinances.
4. The granting of the Variance would not conflict with the intent of the Comprehensive Plan and/or County Ordinances and would not alter the character of the neighborhood.
5. The granting of the Variance would not materially, adversely affect the health or safety of persons residing or working in the area adjacent to the property of the applicants and would not be materially detrimental to the public welfare or injurious to property or improvements in the area adjacent to the properties.
6. The Young America Town Board reviewed and recommended approval of the request at their February 9, 2021 Town Board meeting.

BOARD CONSIDERATION:

If the Board of Adjustment determines that a practical difficulty has been identified, and that approving the variance for the reduced feedlot setback would serve in the interest of justice, the following conditions should be considered:

1. The permittee shall obtain the appropriate building permit(s) and septic permit(s) prior to the construction of the residential house. A grading plan and erosion/sediment control plan shall also be prepared, submitted and implemented in accordance with the CCWMO Water Rules (Chapter 153) as part of the building permit application process. The lowest floor elevation for the house must meet to the Carver County Zoning Code Shoreland Regulations.
2. All construction activities shall be done in accordance with the submitted site plan(s). The new construction shall not encroach any closer to the existing feedlot than as approved as part of this permit application (Approx. 970 feet).

YOUNG AMERICA TOWNSHIP



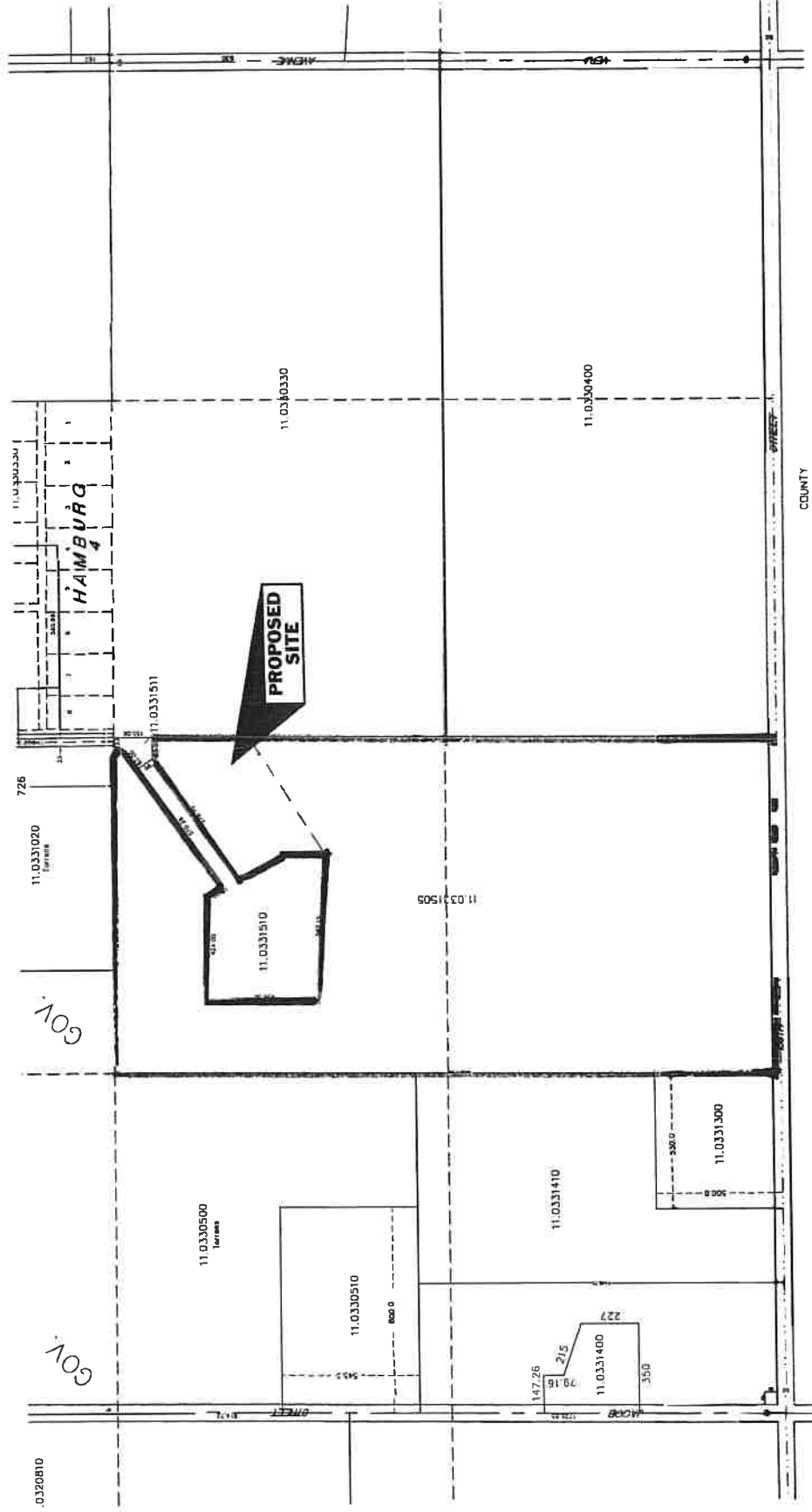
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Map Created by Carver County GIS

S 1/2 SEC. 33, T.115, R.26

THIS IS NOT A LEGALLY RECORDING PLAN
 AS IT ONLY APPEARS IN THE COUNTY RECORDS
 IS SUBJECT TO THE RECORDS OF THE COUNTY
 AND ANY RECORDS OF THE COUNTY RECORDS
 WHICH MAY BE MAINTAINED BY ANY
 AGENCIES INVOLVED THEREIN.



February 1, 2021

Land Management Department
Carver County Government Center
600 E 4th Street
Chaska, MN 55318

To Whom It May Concern,

I am requesting a variance for a home to be constructed within 1,000 feet of an existing feedlot located at 15335 Martha St, Hamburg. Our house plan encroaches into the feedlot setback by an estimated 30 feet. To move the house back an additional 30 feet is not feasible due to existing drain tile lines and lowland areas that are prone to holding water after heavy rain events. The drain tile that runs northwest to southeast splits the property and cannot be removed because it drains the field to the north of the driveway. The area to the west of the tile line is the lowest part of the property. This area holds water and would be less desirable for building a house.

Thank you for considering this request.

A handwritten signature in black ink, appearing to read 'Jason Mackenthun', with a long horizontal stroke extending to the right.

Jason Mackenthun

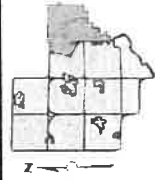
PROPOSED SETBACK MAP - 11.033.1505



Date: 2/11/2021
 This map was created using Carver County's
 Geographic Information Systems (GIS). It is a
 compilation of information and data from various
 City, County, State, and Federal offices. This map
 is provided for informational purposes only. Carver County
 is not responsible for any errors or omissions in the
 information shown on this map.



CARVER
 COUNTY



CERTIFICATE OF SURVEY

part of NE 1/4 of the NE 1/4
Section 33, Township 115, Range 26
Carver County, Minnesota
for Jason Mackenthun

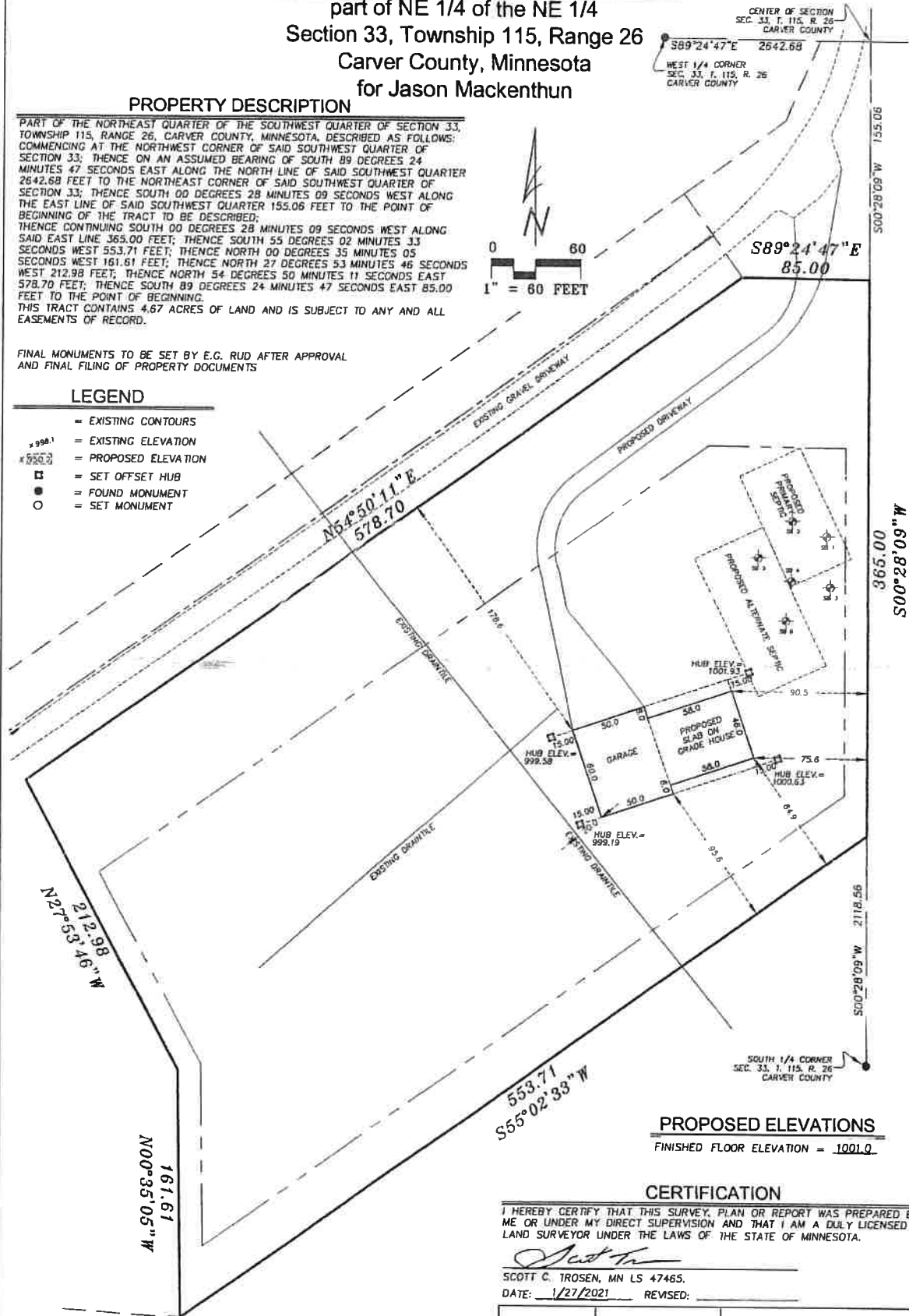
PROPERTY DESCRIPTION

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 115, RANGE 26, CARVER COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 33; THENCE ON AN ASSUMED BEARING OF SOUTH 89 DEGREES 24 MINUTES 47 SECONDS EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER 2642.68 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 33; THENCE SOUTH 00 DEGREES 28 MINUTES 09 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER 155.06 FEET TO THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE CONTINUING SOUTH 00 DEGREES 28 MINUTES 09 SECONDS WEST ALONG SAID EAST LINE 365.00 FEET; THENCE SOUTH 55 DEGREES 02 MINUTES 33 SECONDS WEST 553.71 FEET; THENCE NORTH 00 DEGREES 35 MINUTES 05 SECONDS WEST 161.61 FEET; THENCE NORTH 27 DEGREES 53 MINUTES 46 SECONDS WEST 212.98 FEET; THENCE NORTH 54 DEGREES 50 MINUTES 11 SECONDS EAST 578.70 FEET; THENCE SOUTH 89 DEGREES 24 MINUTES 47 SECONDS EAST 85.00 FEET TO THE POINT OF BEGINNING. THIS TRACT CONTAINS 4.67 ACRES OF LAND AND IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

FINAL MONUMENTS TO BE SET BY E.G. RUD AFTER APPROVAL AND FINAL FILING OF PROPERTY DOCUMENTS

LEGEND

- - - EXISTING CONTOURS
- 998.1 = EXISTING ELEVATION
- 999.3 = PROPOSED ELEVATION
- = SET OFFSET HUB
- = FOUND MONUMENT
- = SET MONUMENT



AREA SUMMARY

203,271 SQ. FT. OR 4.67 ACRES

PROPOSED ELEVATIONS

FINISHED FLOOR ELEVATION = 1001.0

CERTIFICATION

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Scott C. Trosen
SCOTT C. TROSEN, MN LS 47465.
DATE: 1/27/2021 REVISED:

	TROSEN LAND SURVEYING, LLC 236 LEWIS STREET SOUTH SHAKOPEE, MN 55379 PH: 612-990-1182 WWW.TROSENLANDSURVEYING.COM
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Township Presentation & Recommendation Form

PARCEL #	11.0331505	Permit #	P2 20210006
Owner's Name:	Otto Mackenthun	Owner's Mailing Address:	607 George St.
City:	Hamburg	Owner State:	MN
		Owner Zip:	55339
Applicant (if other than owner):	Jesse Mackenthun	Site Address:	

Type of Request: CUP IUP Preliminary Plat Final Plat Variance Appeal

Description of Request:
Construction within 1,000 ft of a feed lot

Date of County Public Hearing: 3-3-21 **Date of Township Meeting:** 2-9-21

Actions:

Township Action Taken:

- Recommends approval and use of the Township Road (if applicable) with the following comments:
- Recommends denial for the following reasons:
- No recommendation, but will comment on the request at the Planning Commission or Board of Adjustment hearing:

Township, 30 feet is reasonable for an exception

****Important:** I understand that I must appear at the Town Board meeting to present my request and obtain their recommendation prior to appearing before the County Planning Commission or Board of Adjustment.

Signature of Applicant

Signature of Township Official

Date 1-28-21

Date 2/9/21

EXHIBIT "A" – LEGAL DESCRIPTION

PID NUMBER: 11-033-1505/part of

File# PZ20210006

APPLICANT: Jason Mackenthun

OWNERS: Clayton Mackenthun & Karen Gebhardt

Part of the Northeast Quarter of the Southwest Quarter of Section 33, Township 115, Range 26, Carver County, Minnesota, described as follows:

Commencing at the Northwest corner of said Southwest Quarter of Section 33, thence on an assumed bearing of South 89 degrees 24 minutes 47 seconds East along the North line of said Southwest Quarter 2,642.68 feet to the Northeast corner of said Southwest Quarter of Section 33; thence South 00 degrees 28 minutes 09 seconds West, along the East line of said Southwest Quarter 155.06 feet to the point of beginning of the tract to be described; thence continuing South 00 degrees 28 minutes 09 seconds West along said East line, 365.00 feet; thence South 55 degrees 02 minutes 33 seconds West 553.71 feet; thence North 00 degrees 35 minutes 05 seconds West 161.61 feet; thence North 27 degrees 53 minutes 46 seconds West 212.98 feet; thence North 54 degrees 50 minutes 11 seconds East 578.70 feet; thence South 89 degrees 24 minutes 47 seconds East 85.00 feet to the point of beginning.

This tract contains 4.67 acres of land and is subject to any and all easements of record.

COUNTY OF CARVER
PUBLIC SERVICES DIVISION
Department of Land Management

February 22, 2021

TO: Carver County Board of Adjustment & Young America Town Board
FROM: The Land Management Department
SUBJECT: Application for a Variance (reduced road frontage and width/depth ratio).

FILE #: PZ20210003
PROPERTY OWNER: Larry & Debra Dreier Revocable Trust
APPLICANT: Larry Dreier
SITE ADDRESS: TBD County Road 31, 55339
VARIANCE TYPE: Width/Depth Ratio and Reduced Road Frontage
PURSUANT TO: Carver County Zoning Code: Section 152.033 (D)
LEGAL DESCRIPTION: See attached Exhibit "A"
PARCEL #: 11-021-0220

BACKGROUND:

1. Larry & Debra Dreier own approximately 111.78 acres in parts of both the Northern Half (N ½) and Southern Half (S ½) of Section 21, Young America Township. The property currently has one, 1 per 40, building eligibility that can be used to create a new residential dwelling. The subject parcel consists primarily of crop production land, wooded area, and also has an area of grassland on the northeast side of County Ditch 5. The property is located within the Agricultural Zoning District, the Shoreland Overlay District of County Ditch 5, and the CCWMO (Bevens Creek watershed).
2. The applicant is requesting a variance that would allow for a Minor Subdivision to create a new residential parcel in the farm field/grassland area northeast of the drainage ditch. The residential parcel be approximately 16.6 acres and would meet all County regulations for residential parcels. The remnant agricultural parcel would be approximately 95 acres and would not meet the required road frontage or the width/depth standard; therefore, a variance has been requested.

LEGAL BACKGROUND:

§ 152.033 LOT REQUIREMENTS.

(D) Road frontage, lot width and depth.

- (1) Road frontage. All new lots shall have frontage on a public road or be attached to an adjacent parcel having the required road frontage; minimum road frontage is 125 feet.
- (2) Minimum width. One hundred twenty-five feet with 125 feet of frontage on a public road existing at the time of application or the minimum width required to maintain width to depth ratio, whichever is greater. The minimum width must be maintained for the entire depth of the lot except where the lot is located on a cul-de-sac.
- (3) Minimum lot depth. One hundred twenty-five feet.
- (4) Width to depth ratio. Depth of the lot shall not exceed five times the width. Road frontage of 500 feet or more will support a lot of any depth.

(Ord. 47, passed 7-23-02; Am. Ord. 70-2010, passed 1-25-11)

STAFF ANALYSIS:

1. The County Code typically requires the platting process (Major Subdivision) be completed for any subdivision request that does not meet the criteria for the minor subdivision as follows: the subdivision must meet the frontage requirement on an existing road; and the subdivision would not require the construction of any public improvements or new road. The approval of the variance would negate the major subdivision requirement.
2. The existing 111.78-acre parcel was part of a larger tract of land; however, a minor subdivision approval in 1999 created the current configuration. That property split separated the tillable acreage, grassland area, and one building eligibility from the existing farmstead and agricultural buildings.
3. The Zoning Code requires all newly created parcels to have a minimum of 125 feet of road frontage to a publicly dedicated road and a minimum depth of 125 feet. As the depth of a proposed parcel increases, the width must also increase so that the depth does not exceed five times the width of the proposed parcel. A width of 500 feet, will support any depth. In addition, all newly created parcels must maintain the required width for the entire depth of the lot.
4. The applicant is proposing to split off the farm field grassland area (east of the drainage ditch) from the tillable by creating an approximate 16.6-acre residential parcel. The agricultural remnant would have approximately 3,200 feet of depth. Based on the Zoning Code regulations, this depth would require a minimum of 500 feet to meet the County's standards. Due to the location of the drainage ditch and the road frontage for the 1999 minor subdivision, there is only 420 feet of road frontage available for the agricultural remnant.
5. The applicant has stated that the practical difficulty in this case is related to the location of County Ditch 5. The applicant believes the presence of the ditch, and how it bisects the property, creates a natural divide which makes more sense as a residential parcel instead of a small piece of fragmented farmland.
6. The applicant is proposing to use the property in a reasonable manner, not permitted by an official control. The property does have an existing 1 per 40 building eligibility. Trying to use the existing B.E. in the grassland area that would not reduce the amount of tillable acreage on the remnant and is a reasonable use of the property that would not be permitted by the official control.
7. The plight of the landowner is due to circumstances unique to the property, not created by the landowner. This property was split by a previous owner in 1999, that minor subdivision removed approximately 66 feet of road frontage from the current parcel. However, the current parcel would still be unable to meet the County's road frontage requirements if that subdivision had not taken place. The presence of County Ditch 5 and the way it divides the property is the main reason for not being able to meet that standard. The location of the County Ditch along with the previous minor subdivision represents a unique set of circumstances not created by the landowner.
8. The granting of the variance is in harmony with the general purpose and intent of the official control. The official control in this request is the width to depth regulations and road frontage standards. The intent of these regulations is to prohibit the development of parcels that do not have adequate frontage to accommodate future needs and to prohibit the creation of a parcel configuration which would not meet the future SSTS needs of a location. This remnant agricultural parcel is being proposed with approximately 420 feet of road frontage and maintains a width no less than 125 feet for the entire depth of the parcel. Although it does not meet the specific standards, it appears to meet the intent of the regulations.
9. The granting of the variance would not conflict with the intent of the Comprehensive Plan. In the Comprehensive Plan, the preservation of agriculture land is listed as one of the major themes. If the proposed land split were to be done in a manner consistent with County guidelines, it would result in approximately 80 feet of land on the opposite side of the ditch being included with the tillable acreage. Maintaining the opposite side of the ditch may be problematic to future landowners and could lead to a boundary dispute. Splitting the land at the ditch does not fragment the larger parcel and therefore appears to not be in conflict with the intent of the Comprehensive Plan.

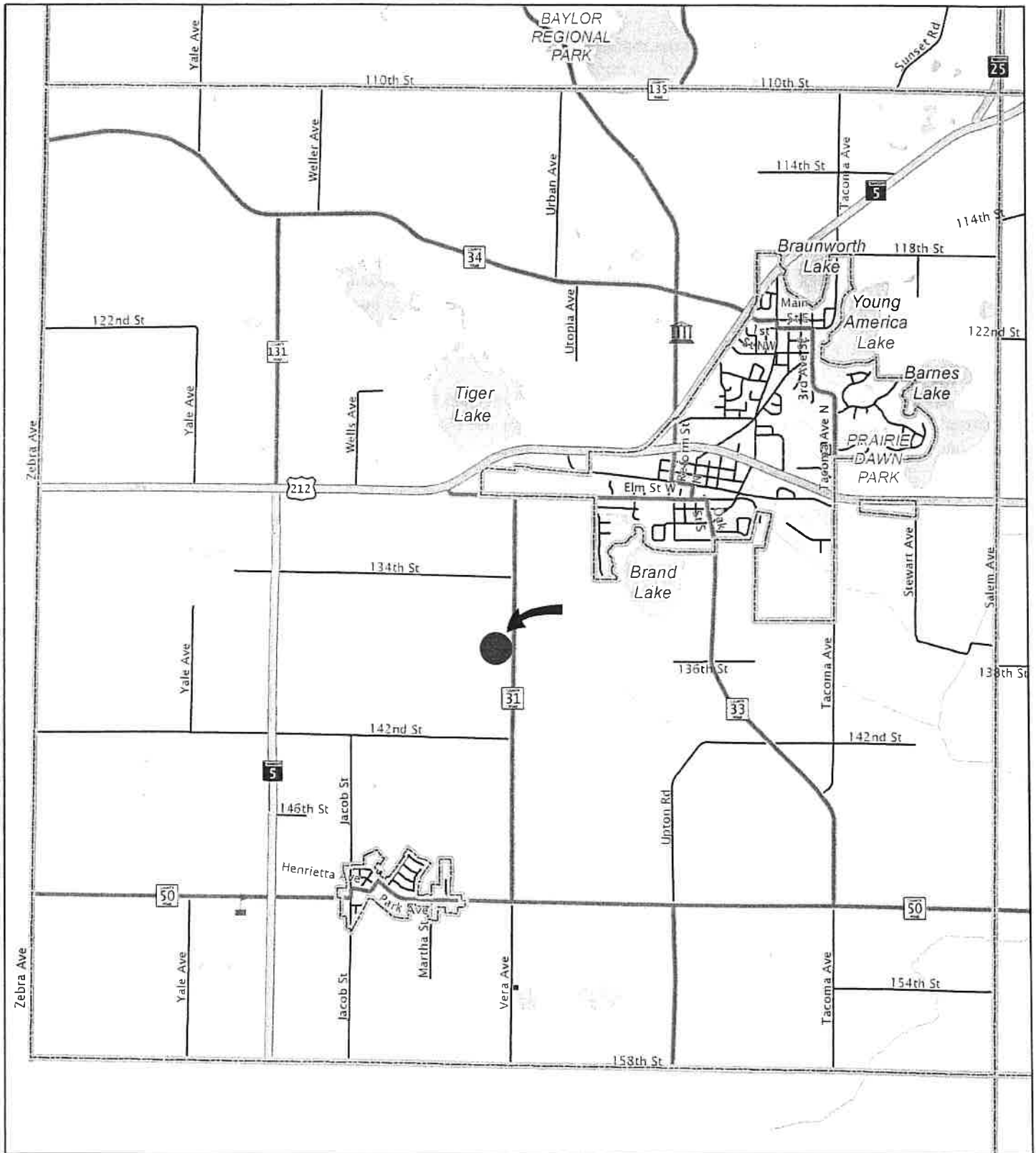
10. The neighborhood is comprised of agricultural uses and residences, and the request would not cause a substantial change in the character of the neighborhood, nor would it have a negative impact on government services.
11. The granting of the variance would not materially, adversely affect the health or safety of persons residing or working in the area adjacent to the property of the applicants and would not be materially detrimental to the public welfare or injurious to property or improvements in the area adjacent to the properties.
12. This request has been reviewed by the County's Environmental Services department. On February 16, 2021, this request was reviewed by Joe Enfield, Senior Environmentalist for Carver County. Mr. Enfield stated that because there is no existing house on the proposed or parent parcel, no review is required by Environmental Services. In addition, Mr. Enfield stated the soils for this location would be reviewed by County Environmentalist II, Lori Brinkman, as a part of the proposed Minor Subdivision.
13. The Young America Town Board reviewed this request and recommended approval during their February 9, 2021, Town Board meeting. The Town Board did not ask for any conditions to be attached to their recommendation.

BOARD CONSIDERATION:

If the Board of Adjustment determines that a practical difficulty has been identified, and that approving the variance for reduced road frontage and width/depth ratio would serve in the interest of justice, the following conditions should be attached:

1. A Minor Subdivision application shall be submitted and approved prior to the recording of any deed(s). The parcels shall be subdivided in accordance with the County Zoning Code requirements including but not limited to, a completed minor subdivision application, a survey and SSTS compliance.

YOUNG AMERICA TOWNSHIP



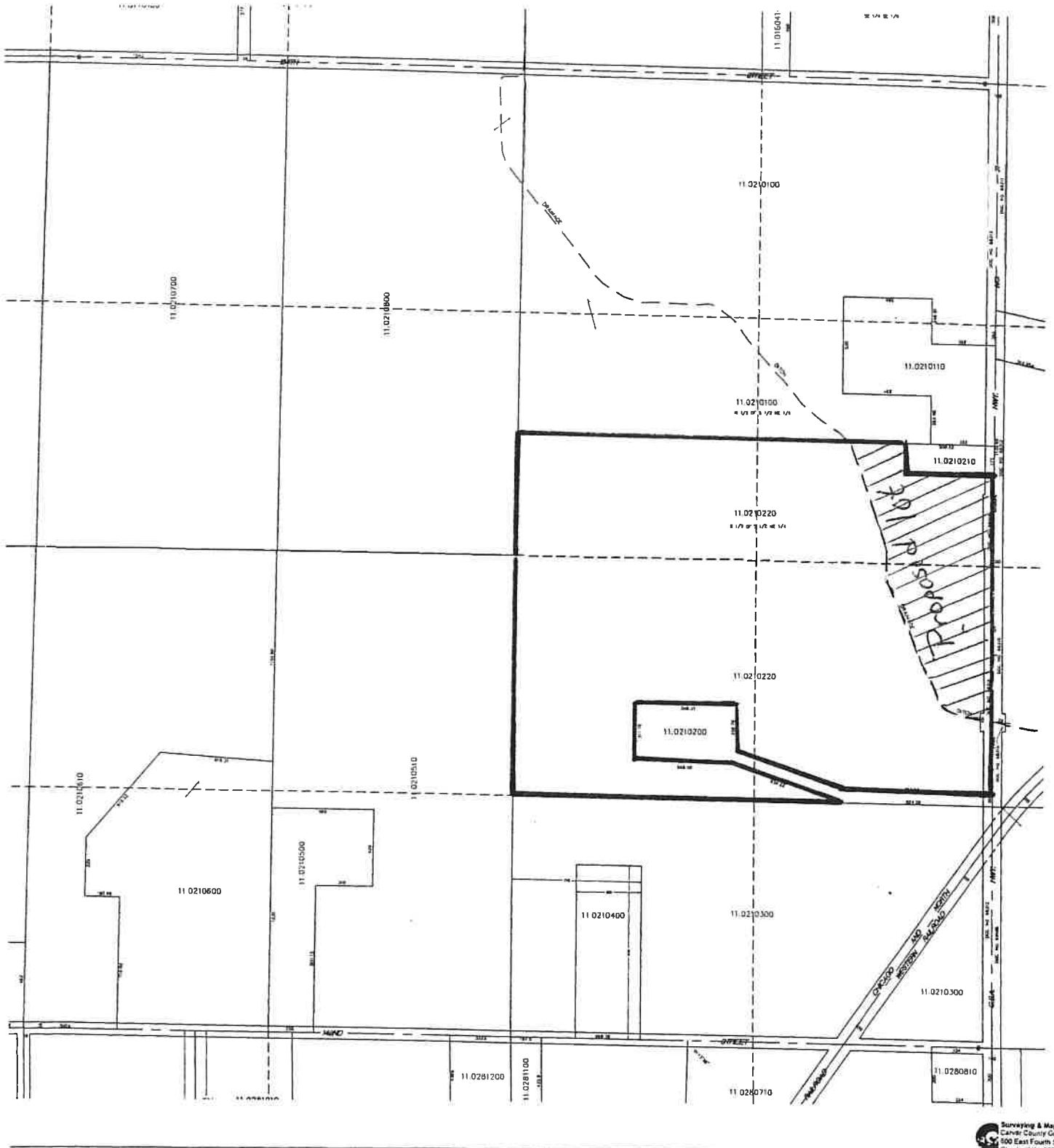
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Map Created by Carver County GIS

A SURVEYING PLAN
AS SHOWN ON THE
RECORD MAP
FILED IN THE
OFFICE OF THE
REGISTERED
PROF. SURVEYOR
IN MINN.

N 1/2 SEC. 21, T.115, R.26



Surveying & Mapping Office
Cahoon County Gov. Center
500 East Fourth Street
Chaska, MN 55218

Board of Adjustment Member

1/20/21

We Larry & Deb Dreier are requesting a subdivision on the "Vestal property" recently purchased. I understand the county prefers to have a 500' buffer between property lines. We have about 420' currently from the south boundary to the North boundary being the center of county ditch 5(?). It is here that you make an exception because the ditch would make a very good natural boundary and would not leave a small piece of land that is useless to everyone.

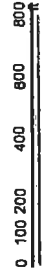
Thank You for your consideration

Larry & Deb Dreier

PROPOSED PARCEL MAP - 11.021.0220



Date: 7/11/2021
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Township Presentation & Recommendation Form

PARCEL #	11-021-0220	Permit #	
Owner's Name:	Larry + Debra Dreier	Owner's Mailing Address:	13820 Co Rd 33
City:	Norwood	Owner State:	Minn
		Owner Zip:	55368
Applicant (if other than owner):		Site Address:	Co Rd 31 Norwood Mn 55368

Type of Request: CUP IUP Preliminary Plat Final Plat Variance Appeal

Description of Request:

To give permission to use the center of the county ditch as the property line even though less than 500'

Date of County Public Hearing: Date of Township Meeting:

Actions:

Township Action Taken:

Recommends approval and use of the Township Road (if applicable) with the following comments:

Recommends denial for the following reasons:

No recommendation, but will comment on the request at the Planning Commission or Board of Adjustment hearing:

Township has no problem allowing 420 instead of 500 ft for property lines.

****Important:** I understand that I must appear at the Town Board meeting to present my request and obtain their recommendation prior to appearing before the County Planning Commission or Board of Adjustment.

	Date	2/9/21
Signature of Applicant		
	Date	2/9/21
Signature of Township Official		

EXHIBIT "A" – LEGAL DESCRIPTION

PID NUMBER: 11-021-0220

File# PZ20210003

**APPLICANT/OWNER: Larry J Dreier Revocable Trust and
Debra L Dreier Revocable Trust**

Larry J Dreier and Debra L Dreier, Trustees

*** * * * ***

Parcel 1:

The North Half of the Southeast Quarter of Section 21, Township 115 North, Range 26 West, according to the Government Survey thereof, Carver County, Minnesota.

EXCEPTING THEREFROM the following:

That part of the North Half of the Southeast Quarter of Section 21, Township 115, Range 26, Carver County, Minnesota, described as follows:

Beginning at the southeast corner of said North Half of the Southeast Quarter; thence on an assumed bearing of North 89 degrees 49 minutes 36 seconds West along the south line thereof, a distance of 824.05 feet; thence North 72 degrees 00 minutes 35 seconds West, a distance of 634.22 feet; thence North 88 degrees 30 minutes 10 seconds West, a distance of 546.50 feet; thence North 00 degrees 00 minutes 10 seconds West, a distance of 311.78 feet; thence North 89 degrees 59 minutes 48 seconds East, a distance of 546.31 feet; thence South 00 degrees 00 minutes 10 seconds East, a distance of 256.70 feet; thence South 72 degrees 00 minutes 35 seconds East, a distance of 645.30 feet; thence South 89 degrees 49 minutes 36 seconds East, a distance of 813.52 feet to the East line of said North Half of Southeast Quarter; thence Southerly along said East line, a distance of 66.00 feet to the point of beginning.

Parcel 2:

The South 40 rods of the Northeast Quarter of Section 21, Township 115 North, Range 26 West, according to the Government Survey thereof, Carver County, Minnesota.

EXCEPTING THEREFROM the following:

The North 175.00 feet of the East 500.32 feet of the South 40 rods (660.00 feet) of the northeast Quarter of Section 21, Township 115, Range 26, Carver County, Minnesota.



Jeremy Gruenhagen
Clerk-Treasurer
City of Hamburg
PO Box 248
Hamburg, MN 55339-0248

February 22, 2021

Dear Jeremy:

We need your help. Post-traumatic stress disorder (PTSD) among public safety staff, particularly law enforcement, has become a significant challenge for the League of Minnesota Cities Insurance Trust (the Trust) and our members. Stand-alone PTSD claims first became compensable in 2013 and now make up more than 30% of the Trust's overall annual workers' compensation claim costs. The good news is that PTSD and other mental health conditions are **treatable** and often **preventable**.

What you can do

Start by reducing the stigma. If appropriate, have a person in a leadership position share their own struggles and create an environment where it's safe to get help. Make prevention and treatment a top priority. Work with your human resource team and other city leadership to develop and fund prevention, response, and return-to-work strategies.

To assist you in your efforts, we've created an online public safety PTSD and Mental Health Toolkit. In the toolkit you'll find information about prevention, programs, therapies, human resource considerations, and much more. Learn more at www.lmc.org/ptsd.

Additionally, we've dedicated a full-time public safety program coordinator to focus on public safety mental health. Lora Setter, a former law enforcement officer, is available to help answer your questions regarding public safety mental health programs, current trends, and legislative efforts. She can be reached at (612) 248-9551 or lsetter@lmc.org

All of us at the Trust are committed to confronting the challenge of PTSD, but we can't do it alone. You play a critical role in preventing, identifying, and addressing PTSD and other public safety mental health issues. Together, we can promote excellence in public safety by making mental health a priority.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan Greensweig', is written over a light blue horizontal line.

Dan Greensweig
LMCIT Administrator



Jeremy Gruenhagen <cityadmin@cityofhamburgmn.com>

Fwd: Open meeting language from legislative priorities

1 message

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

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 13th, 2006, date of adoption by the Hamburg City Council, and may be amended by approval by the majority of the City Council.

Michael Buckentin, Mayor

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

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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 22nd, 2010, amended by the Hamburg City Council, and may be amended by approval by the majority of the City Council.

Richard Malz, Mayor

Jeremy Gruenhagen, City Clerk/Treasurer

Estimates/Quotes

Brad Falteysek <brad.falteysek@aemcpas.com>
To: Jeremy Gruenhagen <cityadmin@cityofhamburgmn.com>
Cc: Erik Wagner <erik.wagner@aemcpas.com>

Tue, Mar 9, 2021 at 8:54 AM

Jeremy,

Are you referring to certain types of purchases or all? As you likely know, State Statute requires the following:

Minn. Stat. § 471.345{ XE "471.345" }, the Uniform Municipal Contracting Law, was established to provide dollar limits for all municipalities upon contracts which shall or may be entered into on the basis of competitive bids, quotations, or purchase or sale in the open market. Vendors may now submit bids, quotations, and proposals electronically in a form and manner required by the municipality. Minn. Stat. § 471.345{ XE "471.345" }, subd. 18. Generally, the following thresholds apply:

1. For contracts over \$175,000 - sealed bids, solicited by public notice and subject to the particular requirements of the governmental subdivision.
2. For contracts from \$25,000 to \$175,000 - sealed bids or direct negotiation, with two quotations whenever possible.
3. For contracts of \$25,000 or less - open market or quotations (with at least two contract quotations, if practicable).

In addition, Minn. Stat. § 471.345{ XE "471.345" }, subds. 16 and 17, allow municipalities to purchase supplies, materials, and equipment using an electronic reverse auction process; and to sell supplies, materials, and equipment which is surplus, obsolete, or unused using an electronic selling process.

So, when practicable, for items under \$25K, State Statute says you should get at least 2 quotes. So, for Hamburg, Council would need to determine what they feel is practicable. I would recommend summarizing the types of purchases your talking about and seeing how many of them council wants 2 quotes on. I would lean towards a dollar amount higher than lower, unless there are particular contracts they are concerned with.

Please visit our [COVID-19 Resource Center](#) for up-to-date information



Brad Falteysek | Governmental Services Partner

5201 Eden Avenue Ste 250

Edina, MN 55436

952.715.3004 Direct | 651.278.7101 Mobile

Client Drop Off [Send Me Secure Files](#)**PRIVILEGED AND CONFIDENTIAL**

This communication and any accompanying documents are confidential and privileged. They are intended for the sole use of the addressee. If you receive this transmission in error, you are advised that any disclosure, copying, distribution, or the taking of any action in reliance upon this communication is strictly prohibited. Moreover, any such disclosure shall not compromise or waive the attorney-client, accountant-client, or other privileges as to this communication or otherwise. If you have received this communication in error, please contact me at the above email address.

[Quoted text hidden]

I Pad quotes

Verizon

Products

Apple iPhone 10.2" iPads

\$470 Retail Cost

(\$100 instant credit)

\$370 total each

\$15.41 a month for 24 months each for the iPads

Service

\$30 monthly per tablet for unlimited data per device

Total cost for three tabs à \$46.23 for devices

- \$90.00 for service
- \$136.23 before taxes per month

AT&T

For three Ipad 8th generation tablets you'll be looking at \$459.00 per tablet or \$15.34 a month per tablet for 30 months for a grand total of \$1377 dollars for the tablets. Cost of service for unlimited data on each device should come to around \$25-\$40 dollars per device though on this Andrew (our specialist) will have definitive numbers and there may even be deals to be had on the devices themselves.

T-MOBILE

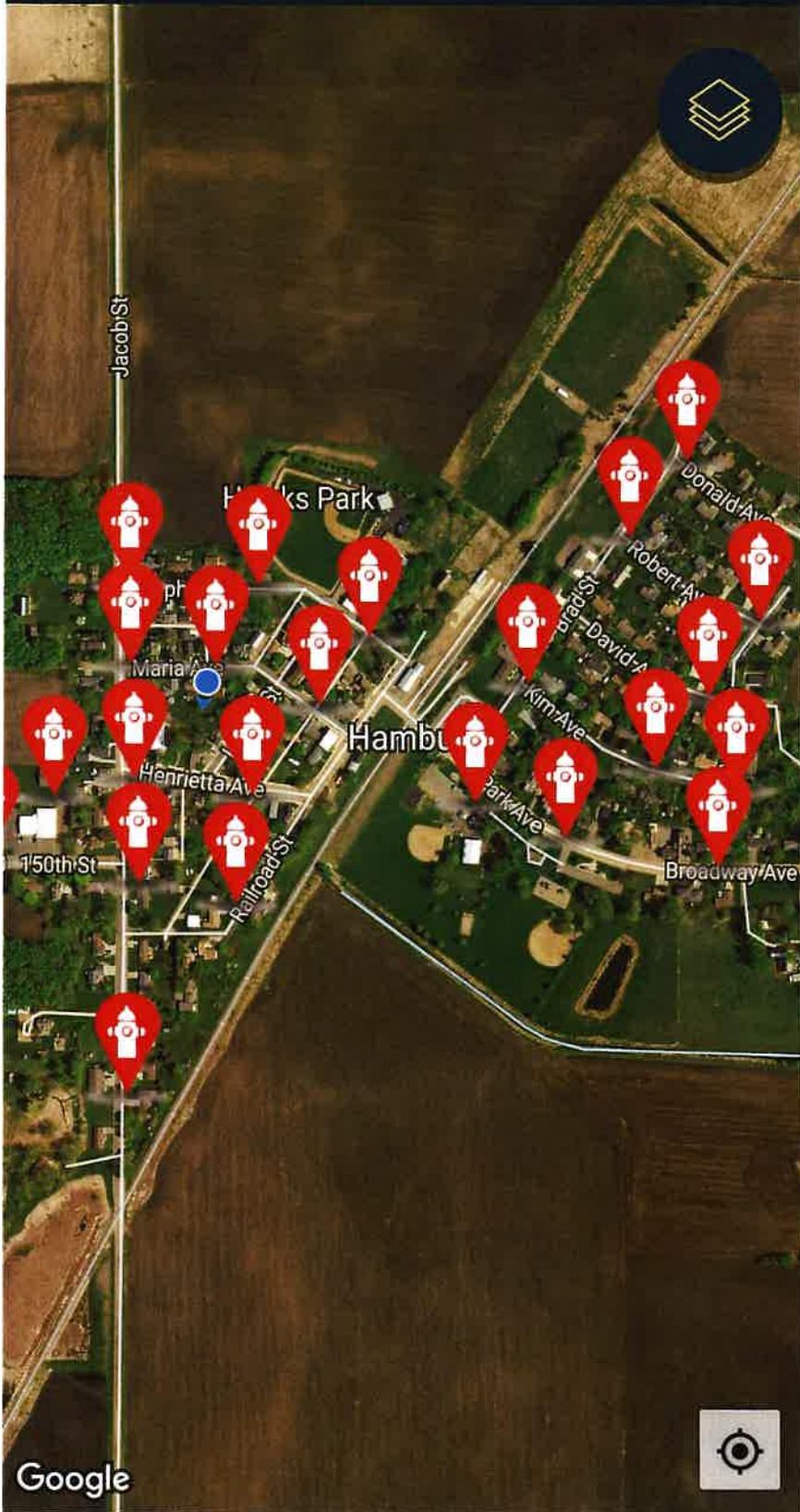
Ipad 8th Gen. 128 GB \$559.99 \$18/Month down payment of \$128

I was able to get the prices for the Tablet Lines, and also looked up a few different options for the ipads themselves. The cost of the tablet line themselves comes out to \$65 a month or \$60 a month if auto pay is set up on the account, so a total of \$195 a month or \$180 a month. Then depending on the model of the Ipads that yall would want to get it would be added on top of that. I have them listed below for you:

8:34

49%

Active911



8:35

49%

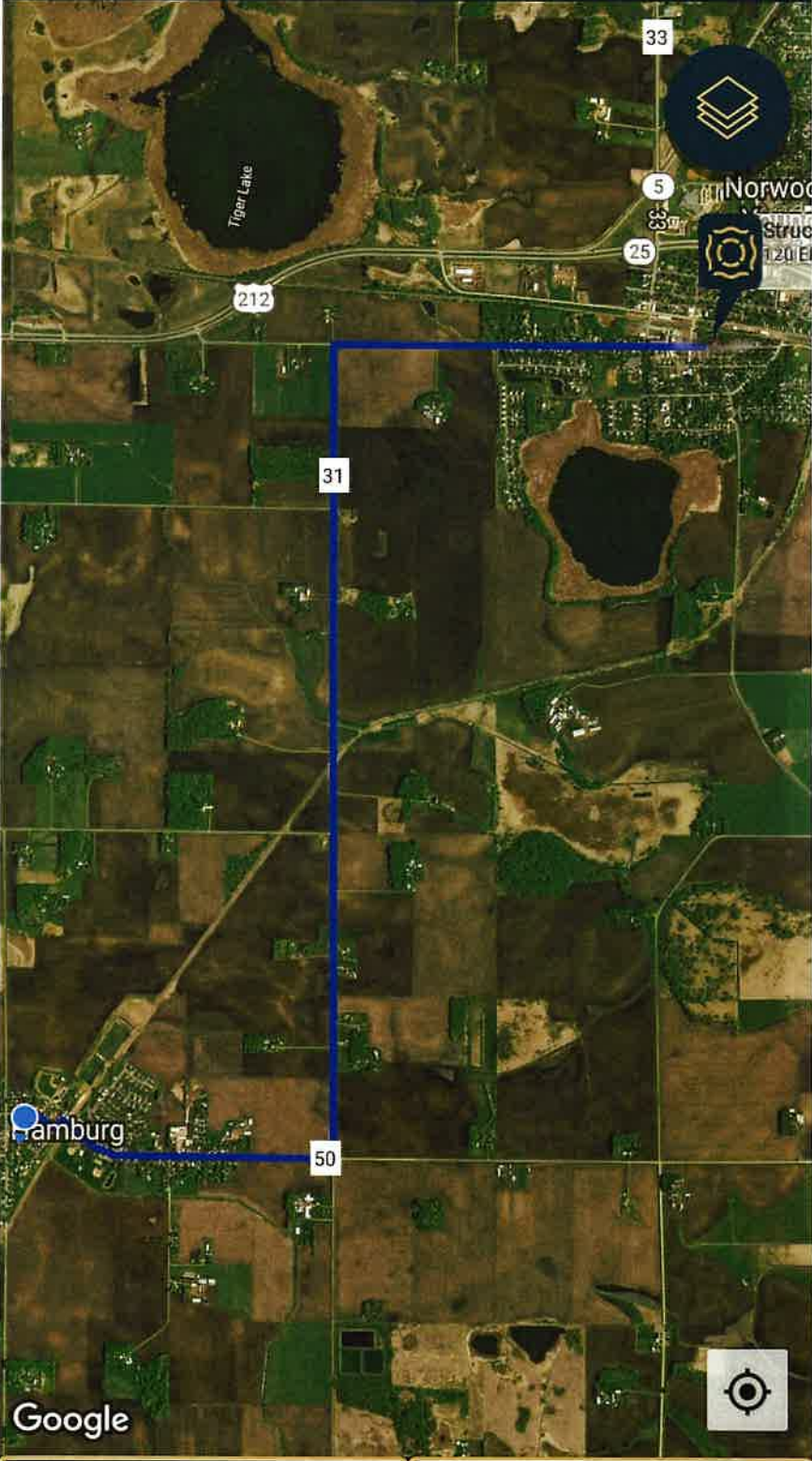
Active911



8:36

49%

Active911



Google



Refresh Route

Directions





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.

Steve Knutson
Michelle Kenney
November 4, 1998
Page 2

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 5th 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

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.

STATE OF MINNESOTA
COUNTY OF CARVER

CITY OF HAMBURG
AND
TOWNSHIP OF YOUNG AMERICA

**In the Matter of the Petition of a
Certain Property Owner to
Annex Unincorporated Adjoining
Property to the City of Hamburg**

**PETITION FOR ORDERLY ANNEXATION
PURSUANT TO MINNESOTA STATUTES
SECTION 414.0325, SUBD. 1**

TO: THE HONORABLE CITY COUNCIL OF THE CITY OF HAMBURG AND THE
HONORABLE BOARD OF SUPERVISORS OF THE TOWNSHIP OF YOUNG
AMERICA, CARVER COUNTY, MINNESOTA:

The undersigned Petitioner hereby respectfully requests and states to the City Council
of the City of Hamburg and to the Board of Supervisors of the Township of Young America
as follows:

1. That your Petitioner is the sole owner of the land described on **Exhibit "A"** and as depicted as **Exhibit "B"** attached hereto and made a part hereof.
2. That your Petitioner desires and requests that this land be annexed to the City of Hamburg, Carver County, Minnesota, and included within the corporate limits of the City of Hamburg.
3. That this land abuts the present corporate limits of the City of Hamburg, is not platted, is not now included within any municipality and does not border any other municipality.
4. That the area of the land to be annexed contains approximately 1 acre.
5. That the population of this land is 0.
6. That the Property is intended for equipment storage, parking, etc., use.
7. That the land is urban or suburban in character and is conditioned as properly to be subject to municipal government and that annexation would be in the best interest of the City of Hamburg and the Township of Young America.
8. That the land is not subject to agricultural preserves or the expiration period as provided for in Minnesota Statutes §47311.08 has begun.

9. That your Petitioner requests that pursuant to the provisions of Minnesota Statutes Section 414.0325, Subd. 1, the City of Hamburg and the Township of Young America adopt a joint resolution requesting that the State of Minnesota, Office of Administrative Hearings, issue an Order approving immediate annexation of the above described land to the City of Hamburg, the same as if it had originally been made a part thereof, and that a true and correct copy of such joint resolution be forwarded to said Office of Administrative Hearings.
10. That your Petitioner waives any notice required by Minnesota Statutes Section 414.0325, Subd. 1a, relating to any possible change in the cost of electric service if the land is annexed.

RESPECTFULLY SUBMITTED:

Lois Ann Droege Trust:

Dated this 3 day of March, 2021.

By: Lois Ann Droege
Lois Ann Droege, Trustee

OFFICE USE ONLY

Date Received: _____

Fee: \$ _____

Receipt #: _____

[https://mhslaw.sharepoint.com/sites/dms1/45641/draftdocs/petition for orderly annexation.doc](https://mhslaw.sharepoint.com/sites/dms1/45641/draftdocs/petition%20for%20orderly%20annexation.doc)

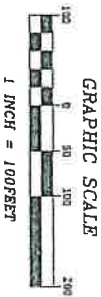
EXHIBIT A
Legal Description of Carver County Property to be Annexed

The North 410.97 feet of the South 905.97 feet of the East 106.00 feet of the West 263.99 feet of the Southwest Quarter of the Southeast Quarter of Section 28, Township 115, Range 26, Carver County, Minnesota, as measured along and parallel with the South and West lines of said Southeast Quarter. This tract contains 1.00 acre of land and is subject to any and all easements of record.

Exhibit A

CERTIFICATE OF SURVEY

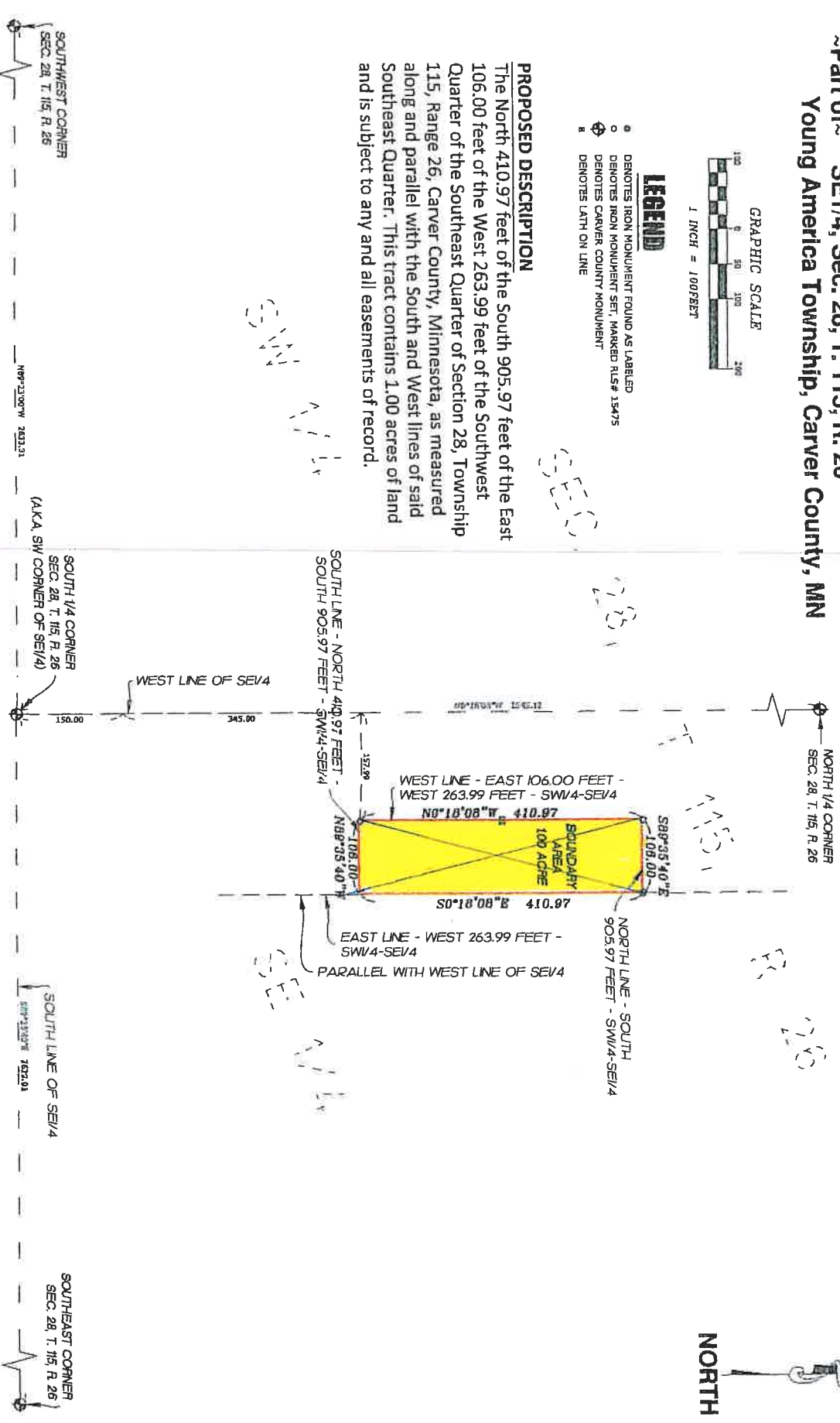
~for~ WM MUELLER & SONS
 ~Part of~ SE1/4, Sec. 28, T. 115, R. 26
 Young America Township, Carver County, MN



- LEGEND**
- DENOTES IRON MONUMENT FOUND AS LABELED
 - ◊ DENOTES IRON MONUMENT SET, MARKED RLS# 15475
 - ⊕ DENOTES CARVER COUNTY MONUMENT
 - ⊞ DENOTES LATH ON LINE

PROPOSED DESCRIPTION

The North 410.97 feet of the South 905.97 feet of the East 106.00 feet of the West 263.99 feet of the Southwest Quarter of the Southeast Quarter of Section 28, Township 115, Range 26, Carver County, Minnesota, as measured along and parallel with the South and West lines of said Southeast Quarter. This tract contains 1.00 acres of land and is subject to any and all easements of record.



F. E. G. RUD & SONS, INC.
 Professional Land Surveyors
 335 Main Ave., P.O. Box 988
 Gaylord, MN 55334
 Tel. (507) 237-5212

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

AVERY GINDORF
 Date: 01/22/2021 License No. 15475

NO.	DATE	DESCRIPTION	BY
1			
2			
3			





This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.

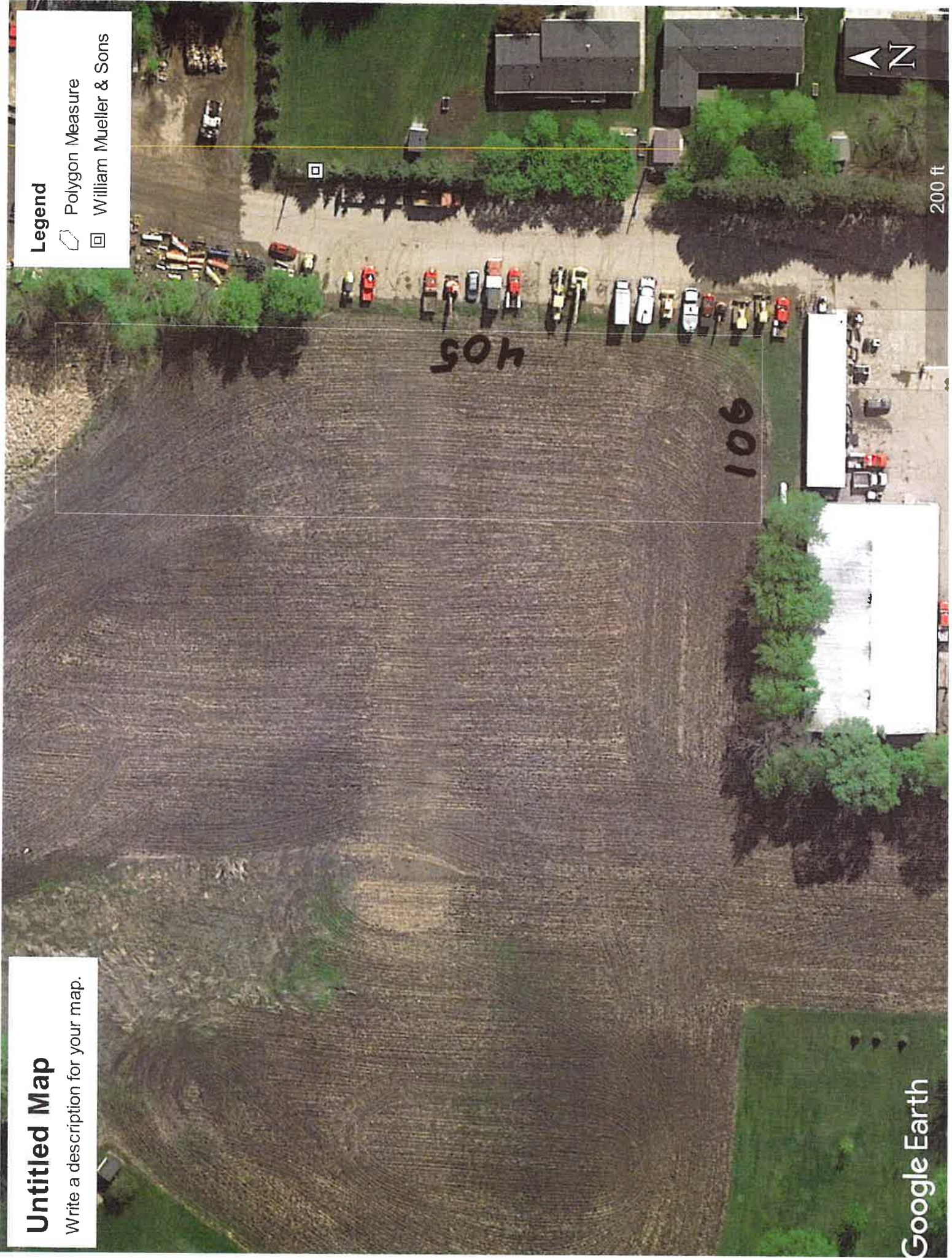
Map Date: 12/16/2021

Untitled Map

Write a description for your map.

Legend

-  Polygon Measure
-  William Mueller & Sons



JOINT RESOLUTION OF THE CITY OF HAMBURG AND THE TOWNSHIP OF YOUNG AMERICA PURSUANT TO MINNESOTA STATUTES §414.0325, DESIGNATING AN UNINCORPORATED AREA IN NEED OF ORDERLY ANNEXATION, CONFERRING JURISDICTION OF THE AREA ON THE CHIEF ADMINISTRATOR LAW JUDGE OF THE MINNESOTA STATE OFFICE OF ADMINISTRATIVE HEARINGS, AND AGREEING TO IMMEDIATE ANNEXATION OF THE AREA TO THE CITY OF HAMBURG.

Township of Young America Resolution No. or Date: _____

City of Hamburg Resolution No. or Date: _____

**TO: Chief Administrative Law Judge
State Office of Administrative Hearings
Municipal Boundary Adjustments Unit
P.O. Box 64620
St. Paul, MN 55164-0620**

WHEREAS, the City of Hamburg (the "City") and the Township of Young America (the "Township") desire to enter into this Joint Resolution for Orderly Annexation to designate an area of the Township in need of orderly and immediate annexation for the purpose of bringing such area into the city limits, and

WHEREAS, the area to be annexed contains approximately One acre and adjoins the City, is urban or suburban in character, and the City is capable of providing services, if any, required by the area within a reasonable time, and

WHEREAS, it is deemed appropriate and in the best interests of both the City and the Township that said area be designated as in need of orderly annexation and be immediately annexed to the City, and

NOW, THEREFORE, pursuant to Minnesota Statutes §414.0325, be it **JOINTLY RESOLVED** and agreed by the City Council of the City of Hamburg and the Board of Supervisors of the Township of Young America, Carver County, Minnesota, as follows:

1. The area subject to this Joint Resolution and designated for orderly and immediate annexation is legally described on attached **Exhibit A** and depicted with cross-hatching on the map attached as **Exhibit B** (the "Land").
2. The area is in need of orderly annexation and is for the purpose of equipment storage, parking, etc.
3. The publication of a Notice of Intent to designate an area for annexation pursuant to Minnesota Statutes §414.0325 Subd. 1b was not required because all the property owners have petitioned for the property to be annexed.

4. This Joint Resolution confers jurisdiction on the chief administrative law judge over the annexation area and over the various provisions of this Joint Resolution.
5. This Joint Resolution provides for the conditions of annexation. No alteration of the stated boundaries are appropriate and no consideration by the chief administrative law judge is necessary. The chief administrative law judge may review and comment, but shall, within 30 days, order the annexation in accordance with the terms of this resolution.
6. There will be no change in the electric service or cost resulting from the annexation.
7. That for purposes of real estate taxation, if the annexation becomes effective on or before August 1 of a levy year, the City of Hamburg may levy on the annexed area beginning with the same levy year. If the annexation becomes effective after August 1 of a levy year, Young America Township may continue to levy on the annexed area for that levy year, and the City of Hamburg may not levy on the annexation area until the following levy year.
8. There are no special assessments assigned by the Township to the Land and no debt incurred by the Township prior to the annexation and attributable to the Land need to be reimbursed.
9. To the extent, if any, that the annexation area contains streets or roadways, the City shall be solely responsible for any maintenance or improvements after the annexation has been ordered.
10. Tax Reimbursement. Pursuant to Minnesota Statutes §414.036, the City and the Township acknowledge that the reimbursement for taxable property has been satisfied. The Owner and Township have agreed that a single payment of \$_____ will be made to the Township for the taxable property annexed by this Joint Resolution. The payment has already been made and a copy of the Township's receipt acknowledging payment is attached as **Exhibit C** (the "Receipt").
11. The City and Township agree that in the event there are errors, omissions or any other problems with the legal descriptions provided in **Exhibit A** or mapping provided in **Exhibit B**, in the judgment of the Office of Administrative Hearings/Municipal Boundary Adjustments, the City and Township agree to make such corrections and file any additional documentation, including new exhibits making the corrections requested or required by the Office of Administrative Hearings/Municipal Boundary Adjustments as necessary to make effective the annexation of the Land in accordance with the terms of this Joint Resolution.
12. This Joint Resolution is effective upon approval and adoption by both the City Council of the City of Hamburg and the Board of Supervisors of the Township of Young America.

Passed and adopted by the **Board of Supervisors of the Township of Young America** this ____ day of _____, 2021.

Bradley Schrupp, Chairman

ATTEST: _____
Alan Herrmann, Clerk

Passed and adopted by the **City Council of the City of Hamburg** this ____ day of _____, 2021.

Chris Lund, Mayor

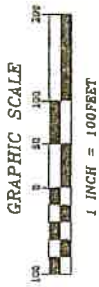
ATTEST: _____
Jeremy Gruenhagen, City Clerk/Treasurer

EXHIBIT A
Legal Description of Property to be Annexed

The North 410.97 feet of the South 905.97 feet of the East 106.00 feet of the West 263.99 feet of the Southwest Quarter of the Southeast Quarter of Section 28, Township 115, Range 26, Carver County, Minnesota, as measured along and parallel with the South and West lines of said Southeast Quarter.

CERTIFICATE OF SURVEY

~for~ WM MUELLER & SONS
 ~Part of~ SE1/4, Sec. 28, T. 115, R. 26
 Young America Township, Carver County, MN

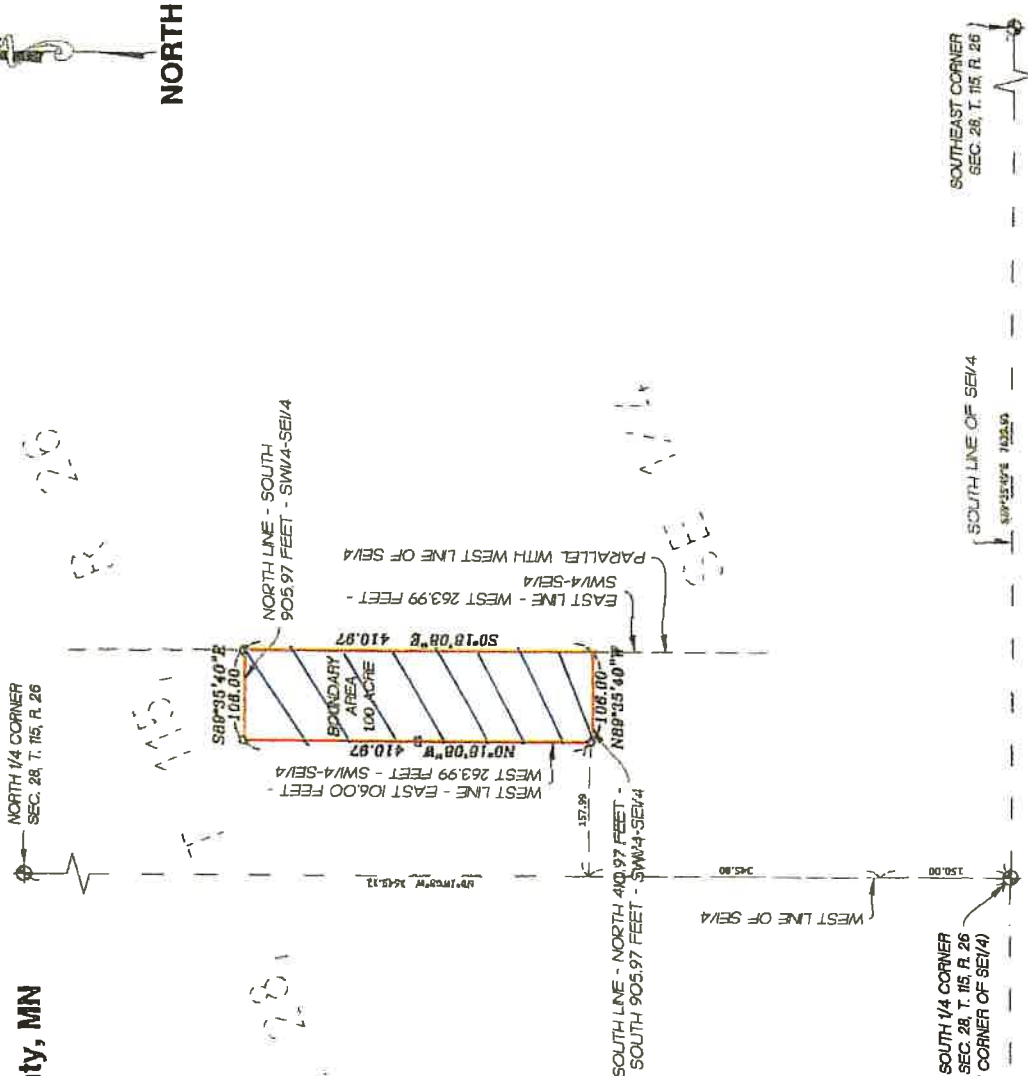


LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- ◊ DENOTES IRON MONUMENT SET, MARKED RLS# 15475
- ⊕ DENOTES CARVER COUNTY MONUMENT
- ⊞ DENOTES LATH ON LINE

PROPOSED DESCRIPTION

The North 410.97 feet of the South 905.97 feet of the East 106.00 feet of the West 263.99 feet of the Southwest Quarter of the Southeast Quarter of Section 28, Township 115, Range 26, Carver County, Minnesota, as measured along and parallel with the South and West lines of said Southeast Quarter. This tract contains 1.00 acres of land and is subject to any and all easements of record.



I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Avery Grodzow
 AVERY GRODZOW
 Date: 09/28/2021 License No. 15475

E.C. RUD & SONS, INC.
 Professional Land Surveyors
 335 Main Ave., P.O. Box 988
 Gaylord, MN 55334
 Tel. (507) 237-5212
 www.ecrud.com

NO.	DATE	DESCRIPTION	BY
1			
2			
3			

DRAWN BY: SW
 CHECK BY: AS
 JOB NO: 20153485
 FIELD BOOK: JN
 DATE: 01/22/2021

20153485

EXHIBIT C

YOUNG AMERICA TOWNSHIP
RECEIPT FOR REIMBURSEMENT TO TOWNSHIP
FOR ANNEXATION OF TAXABLE PROPERTY

_____, 2021

Pursuant to Minnesota Statutes Section 414.036, the Town of Young America hereby acknowledges the receipt of a single payment of \$_____ as reimbursement for all the taxable property being annexed to the City of Hamburg as described on Exhibit A and depicted on Exhibit B of the attached Joint Resolution and approves the annexation of such land. There are no special assessments assigned by Young America Township to the annexed property and no debt incurred by the Township prior to the annexation attributable to the property annexed.

Young America Township

Bradley Schrupp, Chairman

Property Card	Parcel ID Number 110282010
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Taxpayer Information

Taxpayer Name STEVEN EDWARD TREBESCH TAMMY LUANN TREBESCH
Mailing Address PO BOX 2 HAMBURG, MN 55339-



Property Address

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
Total	\$8,600.00	\$8,600.00		

The data provided herewith is for reference purposes only. This data is not suitable for legal, engineering, surveying or other similar purposes. Carver County does not guarantee the accuracy of the information contained herein. This data is furnished on an "as is" basis and Carver County makes no representations or warranties, either expressed or implied, for the merchantability or fitness of the information provided for any purpose. This disclaimer is provided pursuant to Minnesota Statutes §466.03 and the user of the data provided herein acknowledges that Carver County shall not be liable for any damages, and by using this data in any way expressly waives all claims, and agrees to defend, indemnify, and hold harmless Carver County, its officials, officers, agents, employees, etc. from any and all claims brought by anyone who uses the information provided for herein, its employees or agents, or third parties which arise out of user's access. By acceptance of this data, the user agrees not to transmit this data or provide access to it or any part of it to another party unless the user includes with the data a copy of this disclaimer.

JT Floor Covering Installations LLC

Proposal

408 Tacoma Ave
 NYA, MN 55397

(952)412-0851

Customer City of Hamburg
 Hamburg Hall

Proposal # 1405

Proposal date 3/1/2021

Sales Tax Rate:

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1	Vinyl plank (color to be selected) with adhesive and installation		\$17,284.49
1	Removal of existing tile and cove base		2,491.00
1	Cove Base (color to be selected)		774.50
1	Luxury vinyl tile comes with a 10 year commercial warranty Installation warranty is 3 year		
1	Luxury Vinyl Tile has a 10 mil wear layer <i>22</i>		
1	Bid is for removal of existing floor / not disposal / will use onsite dumpster		
Would expect for project to take 1 week from start to finish		SUBTOTAL	20,549.99
If bid is awarded ,would require half down to start and remaining		TAX	
balance at completion of Job. Thanks for the opportunity to bid!!		Total	

DIRECT ALL INQUIRIES TO:
 Jay Sudheimer
 (952)412-0851
 email: jtfloors@yahoo.com

MAKE ALL CHECKS PAYABLE TO:
 JT Floor Covering Installations LLC
 408 Tacoma Ave
 NYA, MN 55397

\$20,549.99
 PAY THIS
 AMOUNT

THANK YOU FOR YOUR BUSINESS!

Yetzer Home Store, Inc.
 33 W. 1st St.
 Waconia, MN 55387

Price Quote

Duplicate

952-442-4242

Sold To:
 City of Hamburg
 181 Broadway Ave
 P.O. BOX 248
 Hamburg, MN 55339

Deliver To:
 City of Hamburg
 181 Broadway Ave
 P.O. BOX 248
 Hamburg, MN 55339

(952) 467-3232 O

Salesperson	Delivery	Payment Terms
CLO	DELIVERY ASAP	50% DOWNPAYMENT

Quantity Sold Status	Item ID	Item Description	Unit Price	Extended Price
90 B/O	EA *MILLIKENCPT	MILLIKEN / LVT / STONE SLATE SLT145 / 18' X 18' / GLUE DOWN	111.24	10,011.60
	Sale Item Remarks: Price/SF:: 3.09 - Room Loc.1:: COMMUNITY HALL / AUDITORIUM - Ordered Size:: 90 BOXES - 36 SF PER BOX - Total SF:: 3240 - #: ABY			
6 B/O	EA *MILLIKENCPT	MILLIKEN / LVT / ADHESIVE 4GAL PAIL / 600SF	158.69	952.14
	Sale Item Remarks: - #: YYSS			
4 B/O	EA *HANKSMISC	1/2" ON TOP METAL TRANSITION NICKEL / 12'	23.09	92.36
	Sale Item Remarks: #: AAY			
1 B/O	EA *HANKSMISC	1 1/2" STAIR NOSE TRANSITION NICKEL / 12'	35.79	35.79
	Sale Item Remarks: #: AOV			
3 B/O	EA *HANKSMISC	4" COVE BASE / COLOR TBD 120 LF COIL	129.29	387.87
	Sale Item Remarks: #: BYCS			
5 B/O	EA *HANKSMISC	COVE BASE ADHESIVE 30OZ / 70LF	9.59	47.95
	Sale Item Remarks: #: VCV			
12 B/O	EA *HANKSMISC	HANKS / ARDEX / 10LB SPECIAL ORDER	34.39	412.68
	Sale Item Remarks: #CATV			
1	EA 13433	FLOOR INSTALL YETZER INSTALLATION	4,030.00	4,030.00
	Item Remarks: YETZER			
	Sale Item Remarks: TAKE UP AND DISPOSAL GLUE DOWN VCT TILES			
1	EA 13433	FLOOR INSTALL YETZER INSTALLATION	1,200.00	1,200.00

Yetzer Home Store, Inc.

Price Quote

Quantity Sold	Item ID	Item Description	Unit Price	Extended Price
1	EA 13433	FLOOR INSTALL YETZER INSTALLATION	12,969.00	12,969.00

Sale Item Remarks: SKIMCOAT / PATCH EXISTING 1/4" PLYWOOD SUBFLOOR

Item Remarks: YETZER

Sale Item Remarks: INSTALL LVT GLUE DOWN / INSTALL TRANSITIONS / INSTALL METALS REMOVE AND INSTALL COVE BASE.

Sale Remarks: CUSTOMER TO MOVE ALL TABLES AND CHAIRS

Entire balance is due and payable within 15 days of statement date. A finance charge of 1.5% per month will be applied to all balances not paid within 30 days of statement date. 1.5% per month is an annual percentage rate of 18%. NOTE: A 25% restocking charge will be applied to any cancelled or returned Special Order item.

Sale Total	30,139.39
Sales Tax	0.00
	0.00
Grand Total	30,139.39
Payment Received	0.00
Balance Due	30,139.39

Bergmann Interiors LLC

7416 80th Street
 Glencoe MN 55336
 320-864-6754 320-864-6100

Quote #	14891
Customer PO	
Contract #	
Date	1/20/2021
Sales Person1	Matt - Retail
Sales Person2	

Acct # 1080
 For: Fax

Ship To:

City of Hamburg - Community Hall
 181 Broadway Avenue
 Hamburg, MN 55339

Community Hall / Bar Side Replacement
 351 Henrietta Ave
 Hamburg, MN 55339
 Contact: Dennis 952 467-3232

Type	Product Description Labor Description	Color / Item Number Room
Luxury Vinyl Floor		
Materials	Decoria 22ml Flooring Allowance (Adore)	TBD
Labor	Luxury Vinyl Floor - Glue Down - Comm Install	Bar Side Replacement
Adhesive		
Materials	Pinnacle Hard Set	
Freight		
Materials	Freight - Common Carrier	
Tools		
Labor	Crane Power Stripper Rental/Day	
Removal		
Labor	Removal Charge - Luxury Vinyl Floor - Glue Down	
Disposal		
Labor	Disposal Charge - Dumpster - 10 cu. yd.	
Subfloor		
Materials	SD-F Feather Finish - 10 lb	SDF
Labor	Floor Prep - Luxury Vinyl Floor/VCT	
Vinyl Base		
Materials	Vinyl Base - Cove - 4" X 120' Roll - 1/8 Gauge	TBD
Labor	Vinyl Cove Base - Comm Install	
Vinyl Base		
Materials	Vinyl Base - Cove - 4" X 4' - 1/8 Gauge	TBD
Adhesive		
Materials	Ultrabond ECO 575 Cove Base Adhesive - 28.7 oz Tube - 60' Per Tube	48-575-22
Freight		
Materials	Freight - Minimum Charge	XXXXX
Transition		
Materials	Hammered Nickel Large Top Metal - 1 1/2"	CM312HN
Labor	Standard metal install	
Transition		
Materials	Hammered Nickel Standard Stair Nose - 1 1/16	CM611HN

Continuation For: City of Hamburg - Community Hall, Quote # 14891

Type	Product Description Labor Description	Color / Item Number Room
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Information

Total

Grand Total	\$31,415.86						
Deposit	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; text-align: center;">Date</td> <td style="width: 20%; text-align: center;">Ck #</td> <td style="width: 60%;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> </tr> </table>	Date	Ck #				
Date	Ck #						

- ___ ANY ADDITIONAL MATERIALS & RELATED INSTALLATION OTHER THEN SPECIFIED WILL BE AN ADDED CHARGE.
- ___ MINOR FLOOR PREP IS INCLUDED, MAJOR FLOOR PREP IS EXTRA.
- ___ YOU MUST BE PRESENT WHEN TECHNICIAN(S) ARRIVE TO APPROVE MATERIALS AND REVIEW WORK SPECIFIED.

NOTE: THIS QUOTE MAY BE WITHDRAWN BY US IF NOT ACCEPTED WITHIN 90 DAYS.

REQUESTED INSTALLATION DATE: _____ INSTALLER: _____

REQUESTED DELIVERY DATE: _____

PRE-LIEN NOTICE

(a) ANY PERSON OR COMPANY SUPPLYING LABOR AND MATERIALS FOR THIS IMPROVEMENT TO YOUR PROPERTY MAY FILE A LIEN AGAINST YOUR PROPERTY IF THAT PERSON OR COMPANY IS NOT PAID FOR THE CONTRIBUTION.

(b) UNDER MINNESOTA LAW, YOU HAVE THE RIGHT TO PAY PERSONS WHO SUPPLIED LABOR OR MATERIALS FOR THIS IMPROVEMENT DIRECTLY AND DEDUCT THIS AMOUNT FROM OUR CONTRACT PRICE, OR WITHHOLD THE AMOUNTS DUE THEM FROM US UNTIL 120 DAYS AFTER COMPLETION OF THE IMPROVEMENT UNLESS WE GIVE YOU A LIEN WAIVER SIGNED BY PERSONS WHO SUPPLIED ANY LABOR OR MATERIAL FOR THE IMPROVEMENT AND WHO GAVE YOU TIMELY NOTICE.

I HEREBY ACCEPT AND AUTHORIZE WORK TO COMMENCE AS SPECIFIED.

OUR TERMS: NET 10 DAYS. Accounts 30 days or more past due will be subject to a FINANCE CHARGE OF 1 1/2%. This is an ANNUAL PERCENTAGE RATE OF 18%. \$1.00 minimum charge. If paying by credit card, a 3% surcharge will be added.

Buyer: _____ Date: _____ Seller: _____ Date: _____



Jeremy Gruenhagen <cityadmin@cityofhamburgmn.com>

New Grocery Store Investigation Group

2 messages

Kaarin Foede <kaarinfoede@gmail.com>

Tue, Mar 2, 2021 at 8:49 AM

To: Jeremy Gruenhagen <cityadmin@cityofhamburgmn.com>

Hello, Jeremy.

This is Kaarin Foede. You probably know me from volunteering for the NYA Area Chamber of Commerce, and having a booth for the Chamber at the Big Rib Jig or hanging out with the Lions at National Night Out in Hamburg.

I am on a steering committee that is working out how we can get a grocery store back to the area. The name of the group is the West Carver County Food Retail Committee. It was formed as a Minnesota nonprofit corporation on 2/1/2021, and as soon the construction of its website is completed the group will be asking the IRS for 501(c)(3) designation.

The first step the group has taken is to circulate, as widely as possible, a survey for folks to mail in, or complete online. We're using Google Forms for the online work, and are accepting responses through March 31, 2021.

We are wondering if there is a way to get the Survey to the citizens of Hamburg? Either through an upcoming City Newsletter, or posting on the City's website, or an e-mail blast? If the Survey needs to be printed for distribution, our organization will take care of that as well as delivery to the City of Hamburg.

Attached please find the Survey.

Thank you for your time and attention, and please do not hesitate to let me know if you have any questions or concerns.

Best Regards,

Kaarin Foede, volunteer

West Carver County Food Retail Committee

(612) 719-0714



This email has been checked for viruses by Avast antivirus software.
www.avast.com

Food Retail Survey

9 Questions, Front & Back Sides of Page

This is the same Survey that was dispersed at the Free Food Distribution Event in Norwood Young America on 2/3/2021, and circulated with the February City of Norwood Young America newsletter. If you have already submitted this Survey, we THANK YOU for your help, but ask you not to submit another.

The West Carver County Food Retail Committee (a new Minnesota nonprofit) is asking for public reaction as we explore new grocery options for Norwood Young America. The Committee is made up of Carver County residents who are investigating starting a locally-controlled grocery, while the City of Norwood Young America continues to seek a grocery business to move into Norwood Young America. ****The West Carver County Food Retail Committee is not associated with the City of Norwood Young America nor with Carver County****

Please complete and mail this Survey to:

West Carver County FRC
P.O. Box 642
Norwood Young America, MN 55368

OR

Complete online through Google Forms:

[See URL & QR Code on 2nd Page \(over\)](#)

(please complete and submit this survey only once)

All responses are anonymous. If you have any questions, please contact: westcarvercountyfrc@gmail.com. Thank you for your time and feedback!

- West Carver County Food Retail Committee

1) Where do you currently purchase the majority of your groceries?

- Aldi Cub Foods Family Dollar Dollar Fresh Home delivery service
 Coborn's Mackenthun's Target Convenience store Other: _____

2) How important are the following factors in determining your food purchases?

	Very Important	Moderately Important	Slightly Important	Not Important
Location of store	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Store hours	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Variety of products	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Availability of specific brands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Availability of products from local farmers/vendors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Delivery/Curbside pickup	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Availability of ready-to-eat/pre-packaged meals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3) If a grocery store returned to Norwood Young America, I would most likely:

- Not only shop there, but be willing to invest time/energy into making the business a success
 Shop there exclusively to keep money in our local community
 Shop there weekly, but shop sales at other stores as well
 Still shop elsewhere to get the most competitive prices
 Not change my shopping routine, as I am happy with my current grocery option

4) What additional thoughts do you have about bringing a new retail grocery option to Norwood Young America?

(OVER)

5) On average, how often do you purchase the following items?

	More than once a week	Once a week	Twice a month	Once a month	Less than once a month
Fresh fruits & vegetables	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fresh baked goods	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Meat/Poultry/Seafood	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dairy Products	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Grocery items (canned goods, cereal, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Frozen foods	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deli or ready-to-eat meals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6) If you purchase ready-to-eat/pre-packaged meals, what is the main reason you purchase these items?

- Convenience
- I do not cook
- No alternate options available
- I do not purchase ready-to-eat or pre-packaged meals

7) What are barriers to purchasing the food you/your family want to eat? (check all that apply)

- Lack of a local grocery store offering the foods I want to purchase
- Mobility issues
- Lack of time
- I don't have any barriers
- Lack of reliable transportation
- Lack of options supporting local farmers/vendors
- Finances
- Other: _____

8) What is your age range?

- 18-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65+

9) What is your residential zip code? _____

**This Survey was produced independent of the City of Hamburg.
 The Survey was created by an organization not affiliated with the City.
 The City of Hamburg does not require anyone to complete or return this Survey.**

If you prefer to complete this Survey online, you can access it here:

<https://tinyurl.com/1g2rjfs7>

and also here:

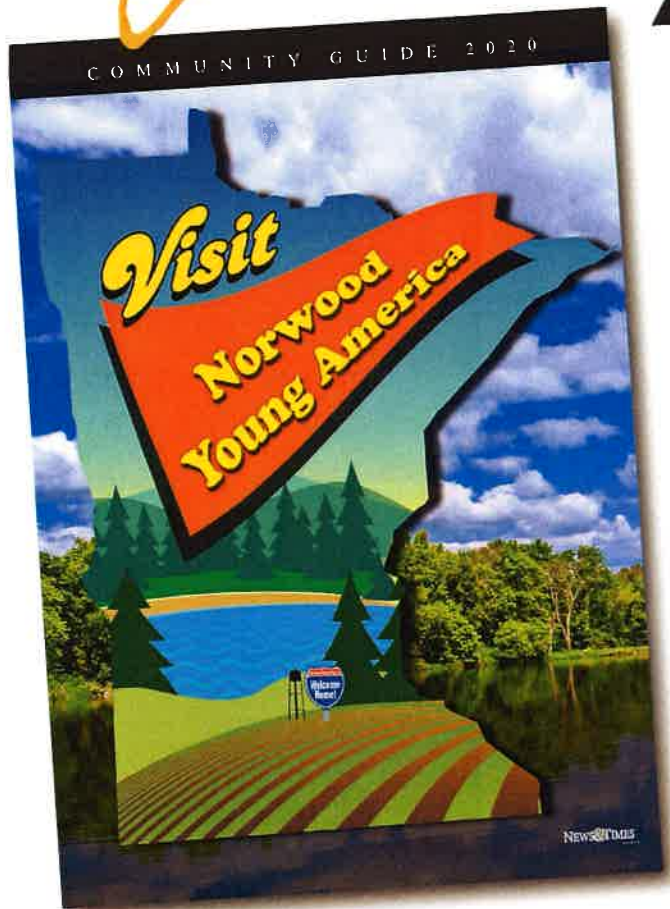


NORWOOD YOUNG AMERICA

guide

published
**APRIL 8
2021**

Will appear
on the website
for a year!



4,500 distributed to Norwood Young America, Cologne, Hamburg, New Germany, and surrounding areas with News and Times, Welcome Neighbor and local retailers.

SIZES & RATES

1/4 page (3.403"x 4.833")	.....	\$275.00
1/2 Page Vert. (3.403"x 10")	.....	\$410.00
1/2 Page Horiz. (7"x 4.833")	.....	\$410.00
Full Page (7"x 10")	.....	\$570.00
Inside Front/Back Cover (7"x 10")		\$695.00
Back (7"x 10")	.....	\$750.00

Prices include 4-color

Deadline **March 14, 2021**

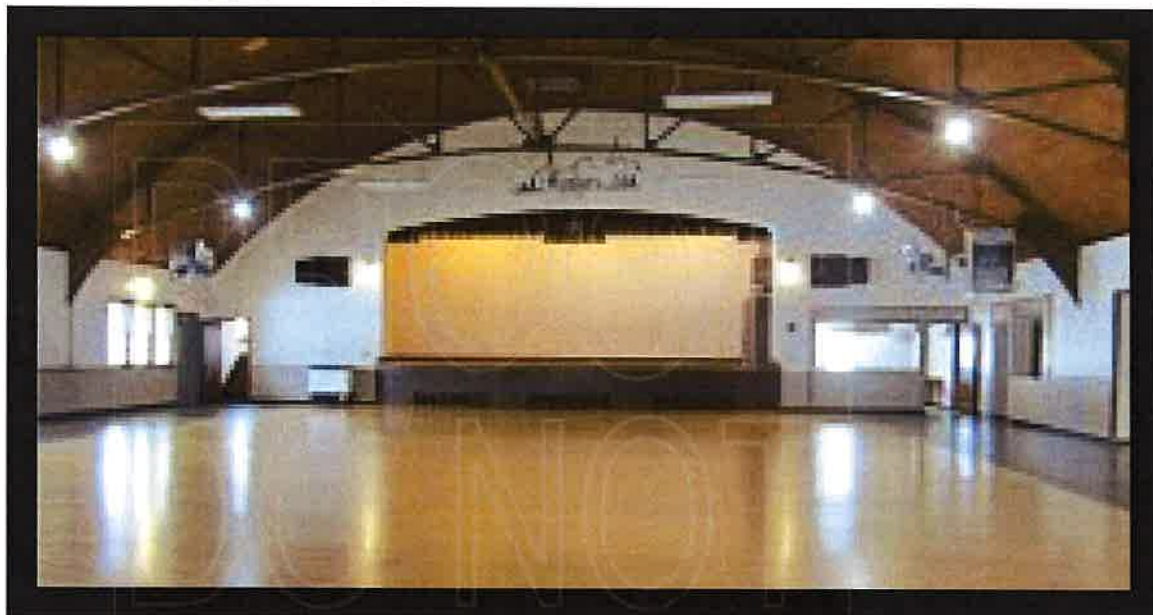
Call your sales representative today!



Norma Carstensen

952-442-6820 | norma@apgecm.com

Wedding & Banquet & Dance FACILITY



Hamburg Hall

*part of your plans for
Wedding Dances & Receptions*

- *We have seating for 400+ for your catered dinner*
- *Large Dance Floor, Bar & Reasonable Rates*

Also, check with us for Anniversaries,
Banquets, Graduations, and Other Occasions

952-467-3232

www.cityofhamburgmn.com