

**CITY OF BAYPORT  
CITY COUNCIL MEETING  
Council Chambers, 294 North 3<sup>rd</sup> Street  
October 5, 2009**

**REGULAR MEETING**

**6:00 P.M.**

**CALL TO ORDER**

**ROLL CALL** (Mayor Nowaczek and City Councilmembers Carlson, Johnson, Kraftson and Seeberger)

**PROCLAMATIONS, COMMENDATIONS, PETITIONS, AND ANNOUNCEMENTS**

1. September recycling award to Tom Fons
2. Boy Scout statue dedication ceremony at Village Green Park on October 24, 2009 at 1:00 p.m.

**OPEN FORUM**

The open forum is a portion of the meeting to address the City Council on subjects that are not a part of the meeting agenda. The City Council may take action or reply at the time of the statement or may give direction to staff regarding investigation of the concerns expressed. *A total of 15 minutes is allotted for the public comment period (not 15 minutes per person).*

- 1.
- 2.

**CONSENT AGENDA**

**Consider a resolution adopting items 1 through 12**

*Approval is recommended.*

- |   | <u><b>TAB #</b></u> |
|---|---------------------|
| 1. September 8, 2009 City Council regular meeting minutes   | 1                   |
| 2. September payables and receipts  | 2                   |
| 3. September building, plumbing and mechanical permits  | 3                   |
| 4. Payment request for MSCWMO Perro Creek Outlet Project  | 4                   |
| 5. Authorization to purchase a new copy machine   | 5                   |
| 6. Payment request for Barker's Alps Park improvements  | 6                   |
| 7. Payment request for Barker's Alps Park furniture   | 7                   |
| 8. Replacement of fire department grass fire unit   | 8                   |
| 9. Certification of Bayport Water Supply Plan Adoption by Minnesota Department of Natural Resources (DNR)     | 9                   |
| 10. Special event application for Bayport Boy Scout pumpkin sale at Village Green Park on October 10-11, 2009 | 10                  |
| 11. Portable radio grant from Emergency Service Board for Police and Public Works Departments                 | 11                  |
| 12. Placement of a no parking sign at Maine Street North and 4 <sup>th</sup> Avenue North                     | 12                  |

**PUBLIC HEARINGS**

**COUNCIL LIAISON REPORTS**

**UNFINISHED BUSINESS**

**TAB #**

- 1. Consider change order for Barker’s Alps improvements 13
- 2. Consider quotes for city sewer line inspection and cleaning 14
- 3. Legal opinion on city’s authority to contribute funds to community organizations 15

**NEW BUSINESS**

- 1. Consider a request for variances to replace and expand the front steps, landing, and covered entryway to the house located at 494 6<sup>th</sup> Street North 16
- 2. Consider adopting an ordinance related to the regulation of public rights-of-way 17
- 3. Consider amending the city’s fee schedule to include right-of-way permit and inspection fees 18

**COUNCIL ITEMS AND ANNOUNCEMENTS**

**CITY ADMINISTRATOR ITEMS AND ANNOUNCEMENTS**

- 1. New City Administrator update
- 2. Update on Cates House adjacent to Lakeside Park
- 3. Closed session to discuss pending litigation

**ADJOURNMENT**

**RESOLUTION NO. 09-**

**EXTRACT OF THE MINUTES OF MEETING OF THE CITY COUNCIL OF THE CITY OF  
BAYPORT, WASHINGTON COUNTY, MINNESOTA HELD  
OCTOBER 5, 2009**

Pursuant to due call and notice therefore, a regular meeting of the City Council of the City of Bayport, Minnesota was duly held at Bayport City Hall in said municipality on the 5<sup>th</sup> day of October 2009, at 6:00 p.m.

The following members were present:

The following members were absent:

Councilmember \_\_\_\_\_ introduced the following resolution and moved its adoption:

**A RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-12 FROM THE  
OCTOBER 5, 2009 CITY COUNCIL AGENDA**

1. September 8, 2009 City Council regular meeting minutes
2. September payables and receipts
3. September building, plumbing and mechanical permits
4. Payment request for MSCWMO Perro Creek Outlet Project
5. Authorization to purchase a new copy machine
6. Payment request for Barker's Alps Park improvements
7. Payment request for Barker's Alps Park furniture
8. Replacement of fire department grass fire unit
9. Certification of Bayport Water Supply Plan Adoption by Minnesota Department of Natural Resources (DNR)
10. Special event application for Bayport Boy Scout pumpkin sale at Village Green Park on October 10-11, 2009
11. Portable radio grant from Emergency Service Board for Police and Public Works departments
12. Placement of a no parking sign at Maine Street North and 4<sup>th</sup> Avenue North

The motion for adoption of the foregoing resolution was duly seconded by Councilmember \_\_\_\_\_ and upon roll call being taken thereon, the following vote via voice:

Jonathan Nowaczek –  
Connie Carlson --  
Dan Johnson –

Torry Kraftson –  
Judy Seeberger –

WHEREUPON, said Resolution was declared duly passed and adopted and signed by the Mayor and attested by the City Administrator. Passed by the City Council, City of Bayport, Washington County, Minnesota this 5<sup>th</sup> day of October 2009.

ATTEST:

\_\_\_\_\_  
Mike McGuire, City Administrator

\_\_\_\_\_  
Jon Nowaczek, Mayor

**CITY OF BAYPORT  
CITY COUNCIL MEETING MINUTES  
COUNCIL CHAMBER  
SEPTEMBER 8, 2009  
6:00 P.M.**

**CALL TO ORDER**

Pursuant to due call and notice, Mayor Nowaczek called the regular City Council meeting of September 8, 2009 to order at 6:00 p.m., and asked Councilmembers, staff and the audience to join in pledging allegiance to the American Flag.

**ROLL CALL**

Members Present: Mayor Jon Nowaczek, Councilmembers Connie Carlson, Dan Johnson, Torry Kraftson and Judy Seeberger

Members Absent: None

Others Present: Administrator Mike McGuire, Police Chief Laura Eastman, Public Works Supervisor Mel Horak, Finance Officer Wanda Madsen, Engineer Barry Peters, Assistant City Administrator/Planner Sara Taylor, and Attorney Nick Vivian

**PROCLAMATIONS/COMMENDATIONS/PETITIONS**

1. The August 2009 recycling award went to Pedar Brown.
2. Mayor Nowaczek reminded residents that Derby Days, sponsored by the Bayport Community Action League (BCAL), is scheduled for September 18 and 19, 2009. He noted that \$500.00 is still needed to cover the cost of the Saturday evening fireworks. Chairperson Sue Davis provided a rundown of the events and asked that anyone interested in volunteering should contact her. Mayor Nowaczek thanked the BCAL for their efforts.

**OPEN FORUM**

1. Pastor Rich Larsen, Bethlehem Lutheran Church, reviewed an invitation sent to City Councilmembers and staff to attend a special worship service on Sunday, September 27, 2009, at 9:00 a.m. The intent is to thank city leaders for their service, as well as recognize the partnerships that exist amongst many groups to enhance the quality of life in Bayport. He asked councilmembers to participate in a forum later that morning to discuss city government service.
2. Cornell MacDonald, 349 6<sup>th</sup> Street South, stated a sinkhole in the street is causing erosion problems underneath his driveway apron. He has received conflicting information as to the ownership of the street area in question and the liability for correcting the issue. Staff was directed to investigate and work with Mr. MacDonald to resolve the issue.

**CONSENT AGENDA**

Mayor Nowaczek read items 1-12 on the consent agenda.

Councilmember Carlson introduced the following resolution and moved its adoption:

**Resolution 09-20**

**RESOLUTION, CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA, APPROVING  
CONSENT AGENDA ITEMS 1-12 FROM THE SEPTEMBER 8, 2009 CITY COUNCIL  
AGENDA**

1. August 3, 2009 City Council workshop meeting minutes
2. August 3, 2009 City Council regular meeting minutes
3. August 17, 2009 and August 24, 2009 City Council workshop meeting minutes
4. August payables and receipts

5. August building, plumbing and mechanical permits
6. Letter of interest for Washington County All-Hazard Mitigation Plan
7. Police Department Safe and Sober Grant Agreement, October 1, 2009-September 30, 2012
8. Special event application by People's Church for a community carnival at Perro Park on September 13, 2009
9. Special event application by Bethlehem Church for a fall festival at Village Green Park on October 3, 2009
10. Payment request for MSCWMO Perro Creek Outlet Project
11. Pay application #3 for Barker's Alps Park improvements
12. Barker's Alps water main relocation

Councilmember Carlson requested clarification on the process for approving the waiver of the \$50.00 special event application fee for the church events (items #8 and #9). Administrator McGuire noted that all requests noted are automatically approved, with the passing of the consent agenda resolution. Councilmember Kraftson requested clarification on reimbursement for the MSCWMO project (item #10), and Finance Officer Madsen indicated billing/reimbursement has been ongoing throughout the project. Councilmember Kraftson questioned whether there was another option for the water main adjustment at Barker's Alps Park (item #12). Public Works Supervisor Horak indicated it is a loop water main that cannot be turned off and that the city received favorable pricing on the project.

The motion for adopting the foregoing resolution was duly seconded by Councilmember Johnson and upon roll call being taken, the following voted via voice:

|                      |                      |
|----------------------|----------------------|
| Jon Nowaczek – aye   | Torry Kraftson – aye |
| Connie Carlson – aye | Judy Seeberger – aye |
| Dan Johnson – aye    |                      |

**PUBLIC HEARINGS – None**

**COUNCIL LIAISON REPORTS**

Councilmember Seeberger reported the Planning Commission did not meet in August.

Councilmember Kraftson reported on the August 13, 2009 meeting of the Middle St. Croix Watershed Management Organization (MSCWMO). The annual water monitoring report indicates minor contaminant levels in Perro Creek, caused by fowl/animal excrement, are similar to last year and continue to be monitored. The next meeting has been rescheduled to Thursday, September 17, 2009, at 5:00 p.m., at the Valley Ridge Mall.

Councilmember Johnson reported on the August 27, 2009 meeting of the Library Board. He noted that in order to retain public library status, the Minnesota Department of Education has certified that the library must receive \$124,551.00 in public support for 2010. He explained that half of the library's support must come from public sources and encouraged people to make donations through the library foundation. The next meeting is scheduled for Thursday, September 24, 2009, 6:00 p.m., at the library, and the public is invited to attend.

Councilmember Johnson reported the Cable Commission budget committee met on August 6, 2009, with no definitive action taken, and the regular meeting was held on August 19, 2009. The next meeting will be held in October.

Councilmember Carlson reported the Lower St. Croix Partnership's next meeting is scheduled for Wednesday, September 16, 2009, 7:00 p.m., at the St. Croix County Government Center.

## **UNFINISHED BUSINESS**

Review of utility rate study: Ralph Teschner provided an overview of the utility rate study, noting residential rates have not increased in at least 10 years, with an increase in commercial/industrial rates in 2005. He explained the six primary factors contributing to a proposed water and sewer rate increase. The study proposes a residential increase from \$2.50 to \$3.30 per 1,000 gallons (water) and from \$2.75 to \$3.45 per 1,000 gallons (sewer). The tiered rates for commercial/industrial water and sewer would also increase. Based on a monthly usage of 7,500 gallons (standard figure used by the League of Minnesota Cities), the average residential utility bill would increase \$10.75 per month in 2010, or \$129.00 annually. An analysis of Bayport's 685 residential accounts in 2008 indicated a monthly average usage of 6,005 gallons per month, and Mr. Teschner estimated the average residential bill would increase \$100.00 per year. A new conservation rate for residential usage is also being proposed and is required by Minnesota Statutes for public water suppliers in the metropolitan area serving more than 1,000 people. He clarified there is no minimum standard for the conservation rate and the rate would be at the discretion of the City Council. He stated the current tiered rates for commercial/industrial usage serve as the conservation rate for that user group. Councilmember Kraftson remarked on the substantial increases for commercial/industrial users (61%-tier 1, 48%-tier 2, 30%-tier 3). Discussion followed on common practices for utility increases and options for increases.

It was moved by Councilmember Carlson and seconded by Councilmember Johnson to accept the 2009 Enterprise Fund Utility Rate Study. Motion carried.

## **NEW BUSINESS**

Consider 2010 preliminary budget: Administrator McGuire provided an overview of the 2010 proposed budget. He reviewed the budget goals, budget process, conditions that influenced the budget planning and accomplishments of the budget. Department expenditure budgets were cut 2% overall. The proposed levy is \$1,041,975.00, a 1.9% increase over 2009. He noted the city's debt balance will be \$895,000.00 at the end of 2009, with a levy impact of \$38,215.00 for 2010. The 2010 capital improvement plan (CIP) was reviewed in detail, as well as the 2011-2014 CIP. There are projected losses in the city's enterprise funds in 2009 and 2010, which is the reason staff is investigating utility rate increases.

Councilmember Kraftson questioned the \$18,000.00 line item expenditure for Mayor and Council dues and memberships, noting this was a substantial increase from the previous year. Administrator McGuire stated the Mayor and Council budget, as well as the Administration budget, can fluctuate due to the nature of expenses included in these budgets. He explained that the library levy (\$148,025.00 proposed) exempts the city from the Washington County library levy. Councilmember Kraftson inquired as to city policy regarding professional organization memberships and staff participation in conferences. Administrator McGuire noted there is no formal policy and explained the importance of staff taking required credentialing courses and staff development opportunities. Mayor Nowaczek thanked city staff for preparing the proposed budget that decreases city spending by approximately 3.25%. Discussion followed on options for approving the preliminary budget and levy, including use of tax stabilization funds to avoid a levy increase.

Councilmember Johnson introduced the following resolution and moved its adoption:

**09-21**

**RESOLUTION OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,  
ADOPTING THE PRELIMINARY CITY BUDGET FOR 2010**

The motion for adopting the foregoing resolution was duly seconded by Councilmember Carlson and upon roll call being taken, the following voted via voice:

Jon Nowaczek – aye  
Connie Carlson – aye  
Dan Johnson – aye

Torry Kraftson – aye  
Judy Seeberger – aye

Councilmember Johnson introduced the following resolution and moved its adoption:

09-22

**RESOLUTION OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,  
ESTABLISHING THE PRELIMINARY LEVY CERTIFICATION FOR THE CITY'S GENERAL  
AND DEBT SERVICE FUND AND LIBRARY FUND AT \$1,041,975**

The motion for adopting the foregoing resolution was duly seconded by Councilmember Kraftson and upon roll call being taken, the following voted via voice:

Jon Nowaczek – aye  
Connie Carlson – aye  
Dan Johnson – aye

Torry Kraftson – aye  
Judy Seeberger – aye

Councilmember Johnson introduced the following resolution and moved its adoption:

09-23

**RESOLUTION OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,  
ADOPTING THE PRELIMINARY CAPITAL IMPROVEMENT PLAN FOR  
2010 THROUGH 2014**

The motion for adopting the foregoing resolution was duly seconded by Councilmember Carlson and upon roll call being taken, the following voted via voice:

Jon Nowaczek – aye  
Connie Carlson – aye  
Dan Johnson – aye

Torry Kraftson – aye  
Judy Seeberger – aye

Consider Belwin Athletics donation request for athletic fields (\$2,400); Andersen Elementary donation request for playground equipment (\$1,000); Community Thread donation request for services/programming (\$1,500); Youth Service Bureau donation request for services/programming (\$1,300): Mayor Nowaczek reviewed the standard the City Council has used when considering requests from outside organizations. In the past, the City Council has favorably considered requests from organizations that provide services that benefit the city and services the city would provide if it weren't for the outside organization. To streamline the process for donations, requests are being considered annually as part of the budget process. Discussion followed on the merits of the donation requests, the timeliness of responding to the requests and the challenges of funding these requests. Attorney Vivian clarified that donations need to meet certain criteria and a finding must be identified that funding is being provided in lieu of the city providing the service.

It was moved by Councilmember Carlson and seconded by Councilmember Kraftson to continue the donation requests from the outside organizations to the October or November meeting and direct staff to prepare a written summary of the criteria to consider for each of the requests, including how the funds would otherwise be spent, the benefits to residents, and to coordinate a presentation by each of the organizations. Motion carried.

Consider authorization to solicit quotes for an inspection and cleaning of city sewer lines: Engineer Peters provided a background of the current sanitary sewer and water mains infrastructure, explaining that a major portion of the city's sanitary sewer mains are made of vitrified clay pipes that become brittle and are subject to cracking/breaking. Staff would like to set up a two-year program to investigate

the sanitary sewer mains and manholes to identify and prevent inflow/infiltration (I/I) issues and assist with the city's sewer cleaning process. The mains (approximately 68,000 linear feet) would be televised and cleaned and the 300 manholes inspected. This will also help staff set up an improvement program to address the aging infrastructure system. The cost for the inspections could be put toward I/I abatement as directed by the Metropolitan Council of Environmental Services. The estimated cost to inspect half of the city's system is \$50,000.00. Staff recommends that the City Council authorize the project be put out for quotes. Discussion followed on the I/I surcharges, the city's aging infrastructure and funding sources for the project.

It was moved by Councilmember Carlson and seconded by Councilmember Johnson to authorize obtaining quotes to clean and televise approximately half of the city's sanitary sewer system, including manhole condition surveys. Motion carried.

Consider appointing a new City Administrator: Administrator McGuire reviewed a draft contract for the new city administrator. The contract has been approved by the city attorney. Discussion followed on the benefits package, termination benefits, memberships and conferences, and professional development. The contract will be revised to reflect suggested changes to the professional development and termination benefits sections. Councilmember Seeberger requested that the employee benefits package be reviewed and Administrator McGuire suggested reviewing it in conjunction with the 2010 union contracts. Mayor Nowaczek stated the City Council is recommending Mitch Berg for the city administrator position, at a starting salary of \$83,589.00 per year, with a start date of approximately October 15, 2009.

It was moved by Councilmember Kraftson and seconded by Councilmember Carlson to authorize Mayor Nowaczek to enter into an employment contract with Mitch Berg, with the changes as stated. Motion carried.

### **COUNCIL ITEMS AND ANNOUNCEMENTS**

1. Councilmember Seeberger reviewed correspondence she received from a resident regarding a code violation with an unfenced swimming pool. Administrator McGuire reported the city's building official had contacted the owners of the property regarding the violation, but the owners have not complied to date. The next step would be the city attorney sending a letter to the offending property owner, giving them 10 days to comply.
2. Councilmember Johnson thanked staff for their work on the budget proposal.
3. Councilmembers Kraftson and Seeberger recognized Administrator McGuire's efforts in the selection process for the new city administrator.

### **CITY ADMINISTRATOR STAFF ITEMS AND ANNOUNCEMENTS**

Barker's Alps Park budget summary: Administrator McGuire provided an update on the improvements, noting that staff anticipates the project to come in on budget. Plans are being formulated for a ribbon-cutting ceremony upon completion. Discussion followed on approving a change order to Miller Excavating's contract in the amount of \$48,045.46. The change order will be considered upon documentation of the request. Councilmember Kraftson recognized and thanked Steve Miller for his company's work on the project.

### Closed session to discuss pending litigation:

It was moved by Councilmember Kraftson and seconded by Councilmember Seeberger to adjourn to closed session at 8:40 p.m.

Mayor Nowaczek resumed the regular meeting at 9:53 p.m. Attorney Vivian summarized that the City Council met in closed session to discuss strategy with legal counsel with respect to a pending lawsuit with Group 41, the City of Bayport and the Bayport Marina.

**ADJOURNMENT**

It was moved by Councilmember Carlson and seconded by Councilmember Johnson to adjourn the meeting at 9:54 p.m. Motion carried.

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City Administrator/Clerk

REVENUE SUMMARY YTD THRU 09/30/09

| FUND | FUND Descr                     | 2009 Budget    | 2009 YTD Amt   | 2009 % of Budget | 2009 % of Budget Remain |
|------|--------------------------------|----------------|----------------|------------------|-------------------------|
|      |                                | \$0 00         | \$0 00         | 0 00%            | 0 00%                   |
| 101  | GENERAL                        | \$2,135,878 00 | \$1,018,374 81 | 47 68%           | 52 32%                  |
| 102  | STREET RECONSTRUCTION          | \$0 00         | \$2 137 70     | 0 00%            | 0 00%                   |
| 103  | GO TIF BD FUND 1990 CAP PROJ   | \$0 00         | \$0 00         | 0 00%            | 0 00%                   |
| 106  | TIF ECON DEV DIST 2            | \$0 00         | \$43,668 44    | 0 00%            | 0 00%                   |
| 107  | TIF REDEVELOPMENT DISTRICT 2-1 | \$0 00         | \$0 00         | 0 00%            | 0 00%                   |
| 200  | FIRE EQUIPMENT REPLACEMENT FUN | \$0 00         | \$1,050 00     | 0 00%            | 0 00%                   |
| 202  | DRUG FORFEITURE                | \$0 00         | \$162 24       | 0 00%            | 0 00%                   |
| 203  | PUBLIC WORKS EQUIPMENT REPL    | \$0 00         | \$0 00         | 0 00%            | 0 00%                   |
| 204  | RECREATION CAP EQUIP & MAINT   | \$0 00         | \$4,006 78     | 0 00%            | 0 00%                   |
| 205  | TAX STABILIZATION FUND         | \$0 00         | \$0 00         | 0 00%            | 0 00%                   |
| 206  | WATER/SEWER IMPROVEMENT FUND   | \$0 00         | \$59,772 61    | 0 00%            | 0 00%                   |
| 207  | PARK IMPROVEMENT FUND          | \$0 00         | \$4,000 00     | 0 00%            | 0 00%                   |
| 208  | PRISON SEWER PROJECT           | \$0 00         | \$0 00         | 0 00%            | 0 00%                   |
| 209  | DEVELOPER REIMBURSED PROJECTS  | \$0 00         | \$0 00         | 0 00%            | 0 00%                   |
| 210  | K-9 UNIT                       | \$0 00         | -\$6,340 80    | 0 00%            | 0 00%                   |
| 211  | LIBRARY                        | \$286,447 00   | \$97,400 02    | 34 00%           | 66 00%                  |
| 303  | GO TIF BOND 1990 DEBT SERVICE  | \$0 00         | \$15,312 90    | 0 00%            | 0 00%                   |
| 412  | CEMETERY CAPITAL IMPROV        | \$0 00         | \$0 00         | 0 00%            | 0 00%                   |
| 413  | POLICE EQUIPMENT FUND          | \$0 00         | \$1,850 00     | 0 00%            | 0 00%                   |
| 414  | OFFICE AUTOMATION              | \$0 00         | \$0 00         | 0 00%            | 0 00%                   |
| 415  | MUNICIPAL BLDGS MAINT          | \$0 00         | \$0 00         | 0 00%            | 0 00%                   |
| 601  | WATER                          | \$432,649 00   | \$200,480 83   | 46 34%           | 53 66%                  |
| 602  | SEWER                          | \$641,750 00   | \$488,026 50   | 76 05%           | 23 95%                  |
| 800  | INVESTMENTS-POOLED             | \$0 00         | \$414,915 18   | 0 00%            | 0 00%                   |
| 803  | P & Z ESCROWS                  | \$0 00         | \$734,776 75   | 0 00%            | 0 00%                   |
| 851  | NON EXP TRUST                  | \$0 00         | \$0 00         | 0 00%            | 0 00%                   |
|      |                                | \$3,496,724 00 | \$3,079,593 96 | 88 07%           | 11 93%                  |

BAYPORT, MN

MONTHLY RECEIPTS

Period Name: SEPTEMBER

| FUND                    | Tran Date | Amount      | Refer Comments                         | Account Descr              |
|-------------------------|-----------|-------------|--|----------------------------|
| <b>FUND 101 GENERAL</b> |           |             |  |                            |
| 101                     | 9/10/2009 | \$25 00     | 15936 PERMIT FEE                       | R 101-00000-32100 BUSINES  |
| 101                     | 9/24/2009 | \$11 69     | 15961 ANDREW TORZEWSKI - NSF ADM FEE   | R 101-00000-33100 ADMINIST |
| 101                     | 9/29/2009 | \$5 00      | 15973 MARGOLIS COMPANY - 69,000 GALS W | R 101-00000-33100 ADMINIST |
| 101                     | 9/17/2009 | \$25 00     | 15953 ATTORNEYS TITLE OF BAYPORT - SEA | R 101-00000-34105 USER FE  |
| 101                     | 9/24/2009 | \$2 00      | 15956 CASH - COPIES FLOODED MAP        | R 101-00000-34105 USER FE  |
| 101                     | 9/17/2009 | \$2 00      | 15956 CASH - COPIES FLOOD MAP          | R 101-00000-34105 USER FE  |
| 101                     | 9/10/2009 | \$572 00    | 15929 JEANETTE NELSON - SIDEWALK ASSE  | R 101-00000-36102 SPECIAL  |
| 101                     | 9/10/2009 | \$12 32     | 15931 STOCK ROOFING - PRISON REROOFIN  | G 101-20104 STATE SURCHA   |
| 101                     | 9/10/2009 | \$0 50      | 15932 ANDERSON HEATING - MECH PERMIT   | G 101-20104 STATE SURCHA   |
| 101                     | 9/10/2009 | \$0 50      | 15933 SURCHARGE                        | G 101-20104 STATE SURCHA   |
| 101                     | 9/10/2009 | \$0 50      | 15935 SURCHARGE                        | G 101-20104 STATE SURCHA   |
| 101                     | 9/10/2009 | \$0 60      | 15939 SURCHARGE                        | G 101-20104 STATE SURCHA   |
| 101                     | 9/10/2009 | \$0 50      | 15940 SURCHARGE                        | G 101-20104 STATE SURCHA   |
| 101                     | 9/10/2009 | \$0 50      | 15941 SURCHARGE                        | G 101-20104 STATE SURCHA   |
| 101                     | 9/17/2009 | \$1 50      | 15949 SURCHARGE                        | G 101-20104 STATE SURCHA   |
| 101                     | 9/17/2009 | \$3 75      | 15951 NORGAARD HOMES - BLG PERMIT      | G 101-20104 STATE SURCHA   |
| 101                     | 9/24/2009 | \$2 00      | 15959 SURCHARGE                        | G 101-20104 STATE SURCHA   |
| 101                     | 9/24/2009 | \$1 00      | 15962 WENZEL PLYMOUTH PLUBM            | G 101-20104 STATE SURCHA   |
| 101                     | 9/24/2009 | \$45 00     | 15964 SURCHARGE                        | G 101-20104 STATE SURCHA   |
| 101                     | 9/24/2009 | \$4 50      | 15965 SURCHARGE                        | G 101-20104 STATE SURCHA   |
| 101                     | 9/24/2009 | \$0 86      | 15970 SURCHARGE                        | G 101-20104 STATE SURCHA   |
| 101                     | 9/29/2009 | \$2 75      | 15974 SURCHARGE                        | G 101-20104 STATE SURCHA   |
| 101                     | 9/17/2009 | \$6 87      | 15948 SALES TAX                        | G 101-20603 SALES TAX PAY  |
| 101                     | 9/29/2009 | \$12 27     | 15973 MARGOLIS COMPANY - 69,000 GALS W | G 101-20603 SALES TAX PAY  |
| 101                     | 9/24/2009 | \$37 10     | 15968 DENTAL                           | G 101-27107 DELTA DENTAL   |
| 101                     | 9/10/2009 | \$124 96    | 15943 HEALTH INS                       | G 101-27109 MEDICA         |
| 101                     | 9/24/2009 | \$416 49    | 15968 HEALTH INS                       | G 101-27109 MEDICA         |
| 101                     | 9/24/2009 | \$191 63    | 15969 OCT 2009 HEATHL SAVINGS ACCT     | G 101-27122 H S A          |
| 101                     | 9/24/2009 | \$148 31    | 15960 ANDREW TORZEWSKI - NSF UTILITIES | E 101-41400-430 MISC       |
| 101                     | 9/24/2009 | \$50 00     | 15964 CITY LICENSE                     | R 101-41910-32100 BUSINES  |
| 101                     | 9/10/2009 | \$413 00    | 15931 STOCK ROOFING - PRISON REROOFIN  | R 101-41910-32210 BUILDING |
| 101                     | 9/10/2009 | \$26 81     | 15935 PLAN REVIEW                      | R 101-41910-32210 BUILDING |
| 101                     | 9/10/2009 | \$41 25     | 15935 BLG PERMIT                       | R 101-41910-32210 BUILDING |
| 101                     | 9/10/2009 | \$47 75     | 15939 BLG PERMIT                       | R 101-41910-32210 BUILDING |
| 101                     | 9/10/2009 | \$75 00     | 15941 MECH PERMIT                      | R 101-41910-32210 BUILDING |
| 101                     | 9/17/2009 | \$88 50     | 15949 WAYNE RISTOW - BP 2009-52        | R 101-41910-32210 BUILDING |
| 101                     | 9/17/2009 | \$162 25    | 15951 PERMIT                           | R 101-41910-32210 BUILDING |
| 101                     | 9/24/2009 | \$103 25    | 15959 PERMIT                           | R 101-41910-32210 BUILDING |
| 101                     | 9/24/2009 | \$981 75    | 15964 PERMIT                           | R 101-41910-32210 BUILDING |
| 101                     | 9/24/2009 | \$177 00    | 15965 PERMIT                           | R 101-41910-32210 BUILDING |
| 101                     | 9/24/2009 | \$67 25     | 15970 PERMIT                           | R 101-41910-32210 BUILDING |
| 101                     | 9/29/2009 | \$132 75    | 15974 PERMIT                           | R 101-41910-32210 BUILDING |
| 101                     | 9/10/2009 | \$75 00     | 15933 PERMIT                           | R 101-41910-32210 BUILDING |
| 101                     | 9/24/2009 | \$150 00    | 15962 PERMITS (2)                      | R 101-41910-32220 PLUMBIN  |
| 101                     | 9/10/2009 | \$75 00     | 15932 ANDERSON HEATING - MECH PERMIT   | R 101-41910-32230 MECHANI  |
| 101                     | 9/10/2009 | \$75 00     | 15940 PERMIT FEE                       | R 101-41910-32230 MECHANI  |
| 101                     | 9/24/2009 | \$913 83    | 15967 BUILDING INSPECTIONS             | R 101-41910-34103 LAKELAN  |
| 101                     | 9/3/2009  | \$677 36    | 50 POLICE ADJUSTMENT                   | E 101-42100-201 OFFICE SU  |
| 101                     | 9/3/2009  | \$1,695 09  | 50 POLICE ADJUSTMENT                   | E 101-42100-300 PROF SER-  |
| 101                     | 9/3/2009  | -\$677 36   | 50 POLICE ADJUSTMENT                   | E 101-42100-306 PROF SER-  |
| 101                     | 9/3/2009  | -\$1,695 09 | 50 POLICE ADJUSTMENT                   | E 101-42100-306 PROF SER-  |
| 101                     | 9/10/2009 | \$95 00     | 15937 CD REPORT                        | R 101-42100-34105 USER FE  |
| 101                     | 9/24/2009 | \$1 00      | 15957 MIKE HUBER - POLICE REPORT       | R 101-42100-34105 USER FE  |
| 101                     | 9/10/2009 | \$0 75      | 15934 BARBARA LACHER - POLICE REPORT C | R 101-42100-34201 POLICE A |
| 101                     | 9/17/2009 | \$2 00      | 15950 BAMBI TOBIN - POLICE COPIES      | R 101-42100-34201 POLICE A |
| 101                     | 9/30/2009 | \$2,709 01  | 15982 WASH CO FINES - AUG 09           | R 101-42100-35101 COURT FI |
| 101                     | 9/24/2009 | \$103 00    | 15966 REIMBURSTMENT - OVER CHARGE SE   | E 101-42200-306 PROF SER-  |
| 101                     | 9/17/2009 | \$70 00     | 15954 CELL PHONE PAYMENT               | E 101-42200-321 COMMUNIC   |
| 101                     | 9/17/2009 | \$657 53    | 15952 FIRE INSPECTIONS PERMIT - AUG    | R 101-42200-32200 NONBUSI  |
| 101                     | 9/10/2009 | \$2,675 37  | 15942 DEDUCTIBLE 1994 PIERCE RESCUE    | E 101-42200-412 REP & MAIN |

MONTHLY RECEIPTS

Period Name: SEPTEMBER

| FUND   | Tran Date | Amount      | Refer Comments                            | Account Descr              |
|--|-----------|-------------|---|----------------------------|
| 101  | 9/10/2009 | \$10 00     | 15930 NICHOLAS GALLICHANT - BOAT TRAILER  | R 101-43200-34780 PARK FE  |
| 101  | 9/10/2009 | \$194 00    | 15944 LAKESIDE PARK - BOAT TRAILER PARK   | R 101-43200-34780 PARK FE  |
| 101  | 9/10/2009 | \$10 00     | 15945 BILL VEZINA - BOAT TRAILER PKING    | R 101-43200-34780 PARK FE  |
| 101  | 9/10/2009 | \$10 00     | 15946 JAMES KNUTSEN - BOAT TRAILER PAR    | R 101-43200-34780 PARK FE  |
| 101  | 9/17/2009 | \$100 00    | 15948 PARK RESERVATION                    | R 101-43200-34780 PARK FE  |
| 101  | 9/17/2009 | \$45 00     | 15955 LAKESIDE PARK - BOAT TRAILER PARK   | R 101-43200-34780 PARK FE  |
| 101  | 9/10/2009 | \$300 00    | 15938 HEAD STONE DEPOSIT                  | R 101-43300-34940 CEMETE   |
| 101  | 9/10/2009 | \$400 00    | 15938 2 BURIAL FEE                        | R 101-43300-34940 CEMETE   |
| 101  | 9/24/2009 | \$200 00    | 15963 BRADSHAW FUNERAL HOME - CREMAI      | R 101-43300-34940 CEMETE   |
| FUND 101 GENERA                              |           | \$12,895 15 |   |                            |
| <b>FUND 206 WATER/SEWER IMPROVEMENT FUND</b> |           |             |   |                            |
| 206  | 9/16/2009 | \$48 57     | 0 UB AR Surc 23 TRUNK SEWER               | R 206-00000-37106 TRUNK W  |
| 206  | 9/29/2009 | \$91 08     | 0 UB AR Surc 3 TRUNK WATER                | R 206-00000-37106 TRUNK W  |
| 206  | 9/29/2009 | \$114 13    | 0 UB AR Surc 23 TRUNK SEWER               | R 206-00000-37106 TRUNK W  |
| 206  | 9/21/2009 | \$58 83     | 0 UB Receipt Serv 26 TRUNK W/RESI         | G 206-12103 A/R GEN BILLIN |
| 206  | 9/21/2009 | \$38 70     | 0 UB Receipt Serv 36 TRUNK S/RESI         | G 206-12103 A/R GEN BILLIN |
| 206  | 9/21/2009 | \$75 34     | 0 UB Receipt Surc 23 TRUNK SEWER          | G 206-12103 A/R GEN BILLIN |
| 206  | 9/10/2009 | \$5 40      | 0 UB AR Serv 26 TRUNK W/RESI              | R 206-41900-37106 TRUNK W  |
| 206  | 9/3/2009  | \$16 50     | 0 UB AR Serv 26 TRUNK W/RESI              | R 206-41900-37106 TRUNK W  |
| 206  | 9/17/2009 | \$3 90      | 0 UB AR Serv 26 TRUNK W/RESI              | R 206-41900-37106 TRUNK W  |
| 206  | 9/9/2009  | \$39 60     | 0 UB AR Serv 26 TRUNK W/RESI              | R 206-41900-37106 TRUNK W  |
| 206  | 9/29/2009 | \$5,833 82  | 0 UB AR Serv 26 TRUNK W/RESI              | R 206-41900-37106 TRUNK W  |
| 206  | 9/29/2009 | \$1 039 32  | 0 UB AR Serv 27 TRUNK W/COMM              | R 206-41900-37107 TRUNK W  |
| 206  | 9/29/2009 | \$140 34    | 0 UB AR Serv 21 TRUNK/W COMB              | R 206-41900-37107 TRUNK W  |
| 206  | 9/29/2009 | \$1,449 72  | 0 UB AR Serv 28 TRUNK W/IND               | R 206-41900-37108 TRUNK W  |
| 206  | 9/29/2009 | \$3,175 62  | 0 UB AR Serv 36 TRUNK S/RESI              | R 206-41900-37206 TRUNK S  |
| 206  | 9/3/2009  | \$11 32     | 0 UB AR Serv 36 TRUNK S/RESI              | R 206-41900-37206 TRUNK S  |
| 206  | 9/9/2009  | \$1 20      | 0 UB AR Serv 36 TRUNK S/RESI              | R 206-41900-37206 TRUNK S  |
| 206  | 9/17/2009 | \$4 17      | 0 UB AR Serv 36 TRUNK S/RESI              | R 206-41900-37206 TRUNK S  |
| 206  | 9/10/2009 | \$5 82      | 0 UB AR Serv 36 TRUNK S/RESI              | R 206-41900-37206 TRUNK S  |
| 206  | 9/29/2009 | \$5 64      | 0 UB AR Serv 41 TRUNK SEWER 1ST           | R 206-41900-37207 TRUNK S  |
| 206  | 9/29/2009 | \$276 80    | 0 UB AR Serv 37 TRUNK S/COMM              | R 206-41900-37207 TRUNK S  |
| 206  | 9/29/2009 | \$115 95    | 0 UB AR Serv 31 TRUNK/S COMB              | R 206-41900-37207 TRUNK S  |
| 206  | 9/29/2009 | \$531 53    | 0 UB AR Serv 38 TRUNK S/IND               | R 206-41900-37208 TRUNK S  |
| FUND 206 WATER/                              |           | \$13,083 30 |   |                            |
| <b>FUND 211 LIBRARY</b>                      |           |             |   |                            |
| 211  | 9/29/2009 | \$100 00    | 15976 LIBRARY - SERVICE CHARGES           | R 211-45500-34760 LIBRARY  |
| 211  | 9/29/2009 | \$250 00    | 15978 LIBRARY - SERVICE CHARGES           | R 211-45500-34760 LIBRARY  |
| 211  | 9/29/2009 | \$40 00     | 15975 GIT YO SHINE ON, LLC - LIB RM RENTA | R 211-45500-36220 RENTAL I |
| 211  | 9/29/2009 | \$55 96     | 15977 BAYPORT TUESDAY READING CLUB - D    | R 211-45500-36230 DONATIO  |
| FUND 211 LIBRARY                             |           | \$445 96    |   |                            |
| <b>FUND 601 WATER</b>                        |           |             |   |                            |
| 601  | 9/21/2009 | \$11 75     | 0 UB Receipt Surc 19 STATE SER CH         | G 601-14601 WATER BILLING  |
| 601  | 9/21/2009 | \$25 41     | 0 UB Receipt Serv Pen 1 WATER             | G 601-14601 WATER BILLING  |
| 601  | 9/21/2009 | \$490 22    | 0 UB Receipt Serv 1 WATER                 | G 601-14601 WATER BILLING  |
| 601  | 9/29/2009 | \$0 50      | 0 UB AR Surc 21 SALES TAX                 | G 601-20603 SALES TAX PAY  |
| 601  | 9/29/2009 | -\$138 48   | 0 UB AR Surc Adj 20 STATE TAX             | G 601-20603 SALES TAX PAY  |
| 601  | 9/29/2009 | \$1,606 48  | 0 UB AR Surc 20 STATE TAX                 | G 601-20603 SALES TAX PAY  |
| 601  | 9/9/2009  | \$330 00    | 0 UB AR Serv 1 WATER                      | R 601-46120-37110 WATER R  |
| 601  | 9/29/2009 | \$595 00    | 0 UB AR Serv 2 WATER ONLY                 | R 601-46120-37110 WATER R  |
| 601  | 9/3/2009  | \$137 50    | 0 UB AR Serv 1 WATER                      | R 601-46120-37110 WATER R  |
| 601  | 9/29/2009 | \$101 76    | 0 UB AR Serv 8 SAFE WTR FE                | R 601-46120-37110 WATER R  |
| 601  | 9/10/2009 | \$45 00     | 0 UB AR Serv 1 WATER                      | R 601-46120-37110 WATER R  |
| 601  | 9/17/2009 | \$32 50     | 0 UB AR Serv 1 WATER                      | R 601-46120-37110 WATER R  |
| 601  | 9/21/2009 | \$20 00     | 0 UB UR Receipt Group 01 CITY WIDE        | R 601-46120-37110 WATER R  |
| 601  | 9/29/2009 | \$50,198 19 | 0 UB AR Serv 1 WATER                      | R 601-46120-37110 WATER R  |
| 601  | 9/29/2009 | \$3,685 50  | 0 UB AR Serv 9 INSTITUTION                | R 601-46120-37110 WATER R  |

MONTHLY RECEIPTS

Period Name: SEPTEMBER

| FUND                              | Tran Date | Amount       | Refer Comments                         | Account Descr              |
|-----------------------------------|-----------|--------------|--|----------------------------|
| 601                               | 9/29/2009 | \$1,232 50   | 0 UB AR Serv 6 WATER METER2            | R 601-46120-37110 WATER R  |
| 601                               | 9/29/2009 | \$8,648 50   | 0 UB AR Serv 5 COMM WATER              | R 601-46120-37110 WATER R  |
| 601                               | 9/29/2009 | \$719 50     | 0 UB AR Serv 4 COMM W/COMB             | R 601-46120-37110 WATER R  |
| 601                               | 9/29/2009 | \$12,213 50  | 0 UB AR Serv 3 INDUSTRIAL              | R 601-46120-37110 WATER R  |
| 601                               | 9/21/2009 | \$647 56     | 0 UB UR Receipt Group 02 XCEL          | R 601-46120-37110 WATER R  |
| 601                               | 9/29/2009 | \$182 50     | 15973 MARGOLIS COMPANY - 69,000 GALS W | R 601-46120-37110 WATER R  |
| 601                               | 9/10/2009 | \$1 25       | 0 UB AR Surc 19 STATE SER CH           | R 601-46120-37120 STATE S  |
| 601                               | 9/9/2009  | \$1.22       | 0 UB AR Surc 19 STATE SER CH           | R 601-46120-37120 STATE S  |
| 601                               | 9/3/2009  | \$3 32       | 0 UB AR Surc 19 STATE SER CH           | R 601-46120-37120 STATE S  |
| 601                               | 9/17/2009 | \$1 31       | 0 UB AR Surc 19 STATE SER CH           | R 601-46120-37120 STATE S  |
| 601                               | 9/29/2009 | \$895 32     | 0 UB AR Surc 19 STATE SER CH           | R 601-46120-37120 STATE S  |
| 601                               | 9/29/2009 | \$1 31       | 15973 MARGOLIS COMPANY - 69,000 GALS W | R 601-46120-37120 STATE S  |
| FUND 601 WATER                    |           | \$81,689 12  |  |                            |
| <b>FUND 602 SEWER</b>             |           |              |  |                            |
| 602                               | 9/21/2009 | \$627 86     | 0 UB Receipt Serv 13 NSP SEWER         | G 602-14602 SEWER BILLIN   |
| 602                               | 9/21/2009 | \$322 36     | 0 UB Receipt Serv 10 SEWER             | G 602-14602 SEWER BILLIN   |
| 602                               | 9/21/2009 | \$25 41      | 0 UB Receipt Serv Pen 10 SEWER         | G 602-14602 SEWER BILLIN   |
| 602                               | 9/10/2009 | \$16,541 25  | 15947 UB Receipt Serv 19 PRISON SEWER  | G 602-14602 SEWER BILLIN   |
| 602                               | 9/29/2009 | \$97 00      | 0 UB AR Serv 20 SEWER ONLY             | R 602-46200-37210 SEWER R  |
| 602                               | 9/29/2009 | \$149 08     | 0 UB AR Serv 14 SEWER METER            | R 602-46200-37210 SEWER R  |
| 602                               | 9/29/2009 | \$27,956 81  | 0 UB AR Serv 10 SEWER                  | R 602-46200-37210 SEWER R  |
| 602                               | 9/29/2009 | \$885 80     | 0 UB AR Serv 29 INSTIT SEWER           | R 602-46200-37210 SEWER R  |
| 602                               | 9/29/2009 | \$47 20      | 0 UB AR Serv 15 1ST SEWER              | R 602-46200-37210 SEWER R  |
| 602                               | 9/29/2009 | \$4,433 90   | 0 UB AR Serv 23 INDUSTRI SEW           | R 602-46200-37210 SEWER R  |
| 602                               | 9/9/2009  | \$10 00      | 0 UB AR Serv 10 SEWER                  | R 602-46200-37210 SEWER R  |
| 602                               | 9/29/2009 | \$778 90     | 0 UB AR Serv 24 SEWER COMMER           | R 602-46200-37210 SEWER R  |
| 602                               | 9/10/2009 | \$48 50      | 0 UB AR Serv 10 SEWER                  | R 602-46200-37210 SEWER R  |
| 602                               | 9/17/2009 | \$34 75      | 0 UB AR Serv 10 SEWER                  | R 602-46200-37210 SEWER R  |
| 602                               | 9/29/2009 | \$2,287 80   | 0 UB AR Serv 25 COMM SEWER             | R 602-46200-37210 SEWER R  |
| 602                               | 9/3/2009  | \$94 33      | 0 UB AR Serv 10 SEWER                  | R 602-46200-37210 SEWER R  |
| 602                               | 9/16/2009 | \$16,541 25  | 0 UB AR Serv 19 PRISON SEWER           | R 602-46200-37220 PRISON S |
| 602                               | 9/16/2009 | \$404 75     | 0 UB AR Serv 13 NSP SEWER              | R 602-46200-37230 NSP COL  |
| FUND 602 SEWER                    |           | \$71,286 95  |  |                            |
| <b>FUND 803 P &amp; Z ESCROWS</b> |           |              |  |                            |
| 803                               | 9/30/2009 | \$100,429 54 | 15979 PERRO CREEK PAY REQUEST #5       | R 803-80018-37303 STATE P  |

\$279 830 02

EXPENSE SUMMARY YTD THRU 09/30/09

8 Month = 66 72

| DEPT  | DEPT Descr               | 2009<br>Budget        | 2009<br>YTD Amt       | Balance             | 2009 %<br>of Budget<br>Remain |
|---|--------------------------|-----------------------|-----------------------|---------------------|-------------------------------|
| <b>FUND 101 GENERAL</b>                       |                          |                       |                       |                     |                               |
| 00000   | GENERAL GOVERNMENT       | \$0 00                | \$0 00                | \$0 00              | 0 00%                         |
| 141100  | ELECTIONS                | \$1,000 00            | \$856 00              | \$144 00            | 14 40%                        |
| 141200  | MAYOR & COUNCIL          | \$144,846 00          | \$140,727 18          | \$4,118 82          | 2 84%                         |
| 141240  | RECYCLING                | \$9,495 00            | \$4,037 76            | \$5,457 24          | 57 47%                        |
| 141400  | ADMINISTRATION           | \$152,887 54          | \$104,098 54          | \$48,789 00         | 31 91%                        |
| 141903  | DEBT SERVICE             | \$0 00                | \$0 00                | \$0 00              | 0 00%                         |
| 141910  | PLANNING & ZONING        | \$210,168 00          | \$140,879 44          | \$69,288 56         | 32 97%                        |
| 141940  | MUNICIPAL BUILDINGS      | \$46,591 00           | \$31,976 55           | \$14,614 45         | 31 37%                        |
| 142100  | POLICE                   | \$669,684 34          | \$482,929 13          | \$186,755 21        | 27 89%                        |
| 142200  | FIRE PROTECTION          | \$393,893 00          | \$149,968 79          | \$243,924 21        | 61 93%                        |
| 143100  | STREET MAINT             | \$293,172 00          | \$227,784 96          | \$65 387 04         | 22 30%                        |
| 143160  | STREET LIGHTING          | \$22,400 00           | \$18 078 79           | \$4,321 21          | 19 29%                        |
| 143200  | PARKS                    | \$88,676 00           | \$75 980 94           | \$12,695 06         | 14 32%                        |
| 143300  | CEMETERY                 | \$11 100 00           | \$2,693 88            | \$8,406 12          | 75 73%                        |
| 44100   | PROJECT                  | \$50,000 00           | \$0 00                | \$50,000 00         | 100 00%                       |
| 44200   | TRANSFER OUT-DEBT SERVIC | \$0 00                | \$0 00                | \$0 00              | 0 00%                         |
| <b>FUND 101 GENERAL</b>                       |                          | <b>\$2,093,912 88</b> | <b>\$1,380,011 96</b> | <b>\$713,900 92</b> | <b>34 09%</b>                 |
| <b>FUND 208 PRISON SEWER PROJECT</b>          |                          |                       |                       |                     |                               |
| 44100   | PROJECT                  | \$0 00                | \$0 00                | \$0 00              | 0 00%                         |
| <b>FUND 209 DEVELOPER REIMBURSED PROJECTS</b> |                          |                       |                       |                     |                               |
| 141911  | BAYTOWN DEVELOPMENTS     | \$0 00                | \$0 00                | \$0 00              | 0 00%                         |
| 141912  | INSPIRATION              | \$0 00                | \$60 74               | -\$60 74            | 0 00%                         |
| <b>FUND 209 DEVELOPER REIMBURSED PR</b>       |                          | <b>\$0 00</b>         | <b>\$60 74</b>        | <b>-\$60 74</b>     | <b>0 00%</b>                  |
| <b>FUND 210 K-9 UNIT</b>                      |                          |                       |                       |                     |                               |
| 142103  | K - 9 UNIT               | \$0 00                | \$432 88              | -\$432 88           | 0 00%                         |
| <b>FUND 210 K-9 UNIT</b>                      |                          | <b>\$0 00</b>         | <b>\$432 88</b>       | <b>-\$432 88</b>    | <b>0 00%</b>                  |
| <b>FUND 211 LIBRARY</b>                       |                          |                       |                       |                     |                               |
| 45500   | LIBRARY                  | \$272,124 65          | \$183 681 52          | \$88,443 13         | 32 50%                        |
| <b>FUND 211 LIBRARY</b>                       |                          | <b>\$272,124 65</b>   | <b>\$183,681 52</b>   | <b>\$88,443 13</b>  | <b>32 50%</b>                 |
| <b>FUND 413 POLICE EQUIPMENT FUND</b>         |                          |                       |                       |                     |                               |
| 41900   | CAPITAL IMPROVEMENTS     | \$0 00                | \$27,925 78           | -\$27,925 78        | 0 00%                         |
| 42100   | POLICE                   | \$0 00                | \$32,622 30           | -\$32,622 30        | 0 00%                         |
| <b>FUND 413 POLICE EQUIPMENT FUND</b>         |                          | <b>\$0 00</b>         | <b>\$60 548 08</b>    | <b>-\$60,548 08</b> | <b>0 00%</b>                  |
| <b>FUND 601 WATER</b>                         |                          |                       |                       |                     |                               |
| 146110  | WATER-PUMPHOUSE          | \$43,814 00           | \$21,756 20           | \$22,057 80         | 50 34%                        |
| 146120  | WATER                    | \$395,147 00          | \$204,517 71          | \$190,629 29        | 48 24%                        |
| <b>FUND 601 WATER</b>                         |                          | <b>\$438,961 00</b>   | <b>\$226,273 91</b>   | <b>\$212,687 09</b> | <b>48 45%</b>                 |
| <b>FUND 602 SEWER</b>                         |                          |                       |                       |                     |                               |
| 44100   | PROJECT                  | \$0 00                | \$0 00                | \$0 00              | 0 00%                         |
| 46200   | SEWER - OPERATING        | \$375,438 00          | \$144,575 66          | \$230,862 34        | 61 49%                        |
| 46990   | SEWER - NON-OPERATING    | \$290,000 00          | \$236,303 55          | \$53,696 45         | 18 52%                        |
| <b>FUND 602 SEWER</b>                         |                          | <b>\$665,438 00</b>   | <b>\$380,879 21</b>   | <b>\$284,558 79</b> | <b>42 76%</b>                 |
| <b>FUND 800 INVESTMENTS-POOLED</b>            |                          |                       |                       |                     |                               |
| 00000   | GENERAL GOVERNMENT       | \$0 00                | \$0 00                | \$0 00              | 0 00%                         |
| 47000   | INTEREST EXP             | \$0 00                | \$0 00                | \$0 00              | 0 00%                         |
| <b>FUND 800 INVESTMENTS-POOLED</b>            |                          | <b>\$0 00</b>         | <b>\$0 00</b>         | <b>\$0 00</b>       | <b>0 00%</b>                  |

EXPENSE SUMMARY YTD THRU 09/30/09

8 Month = 66 72

| DEPT                         | DEPT Descr                 | 2009<br>Budget | 2009<br>YTD Amt | Balance       | 2009 %<br>of Budget<br>Remain |
|------------------------------|----------------------------|----------------|-----------------|---------------|-------------------------------|
| FUND 803 P & Z ESCROWS       |                            |                |                 |               |                               |
| '41910                       | PLANNING & ZONING          | \$0 00         | \$0 00          | \$0 00        | 0 00%                         |
| '41912                       | INSPIRATION                | \$0 00         | \$423 90        | -\$423 90     | 0 00%                         |
| 80001                        | ANDERSEN ESCROW            | \$0 00         | \$0 00          | \$0 00        | 0 00%                         |
| 80003                        | BAYTOWN ANNEXATION         | \$0 00         | \$0 00          | \$0 00        | 0 00%                         |
| 80006                        | OSTERTAG VARIANCE          | \$0 00         | \$164 82        | -\$164 82     | 0 00%                         |
| 80008                        | CHARLES LUTZ STREET VACA   | \$0 00         | \$0 00          | \$0 00        | 0 00%                         |
| 80010                        | JERRY PETERSON ESCROW      | \$0 00         | \$0 00          | \$0 00        | 0 00%                         |
| 80011                        | CAPTAINS CORNER            | \$0 00         | \$0 00          | \$0 00        | 0 00%                         |
| '80012                       | FRIENDS OF ST. CROIX PREP  | \$0 00         | \$7 00          | -\$7 00       | 0 00%                         |
| '80013                       | BAYPORT MARINA             | \$0 00         | \$1,618 85      | -\$1,618 85   | 0 00%                         |
| '80014                       | GROUP 41 (MIKE SCHALON     | \$0 00         | \$0 00          | \$0 00        | 0 00%                         |
| '80015                       | GARY SWAGER                | \$0 00         | \$0 00          | \$0 00        | 0 00%                         |
| '80016                       | Pete Miller - Feasi Study  | \$0 00         | \$0 00          | \$0 00        | 0 00%                         |
| 80017                        | AMERICAN LEGION POST 491   | \$0 00         | \$441 20        | -\$441 20     | 0 00%                         |
| 80018                        | MSCWM PERRO CREEK OUTL     | \$0 00         | \$554,781 09    | -\$554,781 09 | 0 00%                         |
| '80019                       | JG HAUSE CONSTRUCTION      | \$0 00         | \$100,122 53    | -\$100,122 53 | 0 00%                         |
| '80020                       | HYNNEK CUP APPLICATION     | \$0 00         | \$267 02        | -\$267 02     | 0 00%                         |
| '80021                       | GORDON TELLINGHUISEN       | \$0 00         | \$167 35        | -\$167 35     | 0 00%                         |
| '80022                       | DUANCE JOHNSON             | \$0 00         | \$201 74        | -\$201 74     | 0 00%                         |
| '80023                       | MI-TECH SERVICES, INC      | \$0 00         | \$554 83        | -\$554 83     | 0 00%                         |
| '80024                       | RICK PARENT                | \$0 00         | \$34 87         | -\$34 87      | 0 00%                         |
| FUND 803 P & Z ESCROWS       |                            | \$0 00         | \$658,785 20    | -\$658,785 20 | 0 00%                         |
| FUND 999 ACCRUED INT PAYABLE |                            |                |                 |               |                               |
| '41000                       | DEPRECIATION EXP - GEN GO  | \$0 00         | \$0 00          | \$0 00        | 0 00%                         |
| 42000                        | PUBLIC SAFE CAPITAL OUTLA  | \$0 00         | \$0 00          | \$0 00        | 0 00%                         |
| 43000                        | DEPRECIATION EXP - PUBLIC  | \$0 00         | \$0 00          | \$0 00        | 0 00%                         |
| '43100                       | STREET MAINT               | \$0 00         | \$0 00          | \$0 00        | 0 00%                         |
| '43200                       | PARKS                      | \$0 00         | \$0 00          | \$0 00        | 0 00%                         |
| 43300                        | CEMETERY                   | \$0 00         | \$0 00          | \$0 00        | 0 00%                         |
| '44000                       | DEPRECIATION EXP - LIBRARY | \$0 00         | \$0 00          | \$0 00        | 0 00%                         |
| '45000                       | DEPRECIATION EXP - PARKS   | \$0 00         | \$0 00          | \$0 00        | 0 00%                         |
| '47000                       | INTEREST EXP               | \$0 00         | \$0 00          | \$0 00        | 0 00%                         |
| FUND 999 ACCRUED INT PAYABLE |                            | \$0 00         | \$0 00          | \$0 00        | 0 00%                         |
|                              |                            | \$3,470,436 53 | \$2,890 673 50  | \$579,763 03  | 16 71%                        |

MONTHLY EXPENSES

Period Name: SEPTEMBER

| FUND Search Name                      | Tran Date | Amount             | Act Typ | DEPT  | OBJ Comments                   | OBJ Descr       |
|---------------------------------------|-----------|--------------------|---------|-------|--------------------------------|-----------------|
| <b>FUND 101 GENERAL</b>               |           |                    |         |       |                                |                 |
| <b>DEPT 41200 MAYOR &amp; COUNCIL</b> |           |                    |         |       |                                |                 |
| 101                                   | 9/19/2009 | \$1 274 63         | E       | 41200 | 101 Labor Distribution         | WAGES AND SAL   |
| 101                                   | 9/19/2009 | \$79 03            | E       | 41200 | 122 Labor Distribution         | CONT TO RET , S |
| 101                                   | 9/19/2009 | \$18 48            | E       | 41200 | 170 Labor Distribution         | MEDICARE        |
| 101 U S BANK VISA                     | 9/28/2009 | \$5 07             | E       | 41200 | 201 CARTRIDGE WORLD            | OFFICE SUPPLIE  |
| 101 OFFICE SUPPLY CONNECTI            | 9/23/2009 | \$3 84             | E       | 41200 | 201 OFFICE SUPPLIES            | OFFICE SUPPLIE  |
| 101 U S BANK VISA                     | 9/28/2009 | \$2 00             | E       | 41200 | 201 FINANCE CHARGES            | OFFICE SUPPLIE  |
| 101 OFFICE SUPPLY CONNECTI            | 9/14/2009 | \$1 28             | E       | 41200 | 201 OFFICE SUPPLIES            | OFFICE SUPPLIE  |
| 101 U S BANK VISA                     | 9/23/2009 | \$29 68            | E       | 41200 | 201 COUNTY MARKET              | OFFICE SUPPLIE  |
| 101 U S BANK VISA                     | 9/28/2009 | \$19 00            | E       | 41200 | 201 LATE FEE                   | OFFICE SUPPLIE  |
| 101 U S BANK VISA                     | 9/28/2009 | \$20 75            | E       | 41200 | 201 COUNTY MARKET              | OFFICE SUPPLIE  |
| 101 BUSINESS FORMS & ACCOU            | 9/22/2009 | \$7 94             | E       | 41200 | 201 LASER A/P CHECKS           | OFFICE SUPPLIE  |
| 101 ECKBERG, LAMMERS, BRIG            | 9/3/2009  | -\$475 00          | E       | 41200 | 300 PROSECUTION                | PROF SER-LEGAL  |
| 101 ECKBERG, LAMMERS, BRIG            | 9/23/2009 | \$54 00            | E       | 41200 | 300 GROUP 41 LITIGATION        | PROF SER-LEGAL  |
| 101 ECKBERG, LAMMERS, BRIG            | 9/23/2009 | \$140 00           | E       | 41200 | 300 CC MEETING                 | PROF SER-LEGAL  |
| 101 ECKBERG, LAMMERS, BRIG            | 9/23/2009 | \$3 442 50         | E       | 41200 | 300 GENERAL FILE               | PROF SER-LEGAL  |
| 101 ECKBERG, LAMMERS BRIG             | 9/23/2009 | \$40 50            | E       | 41200 | 300 R RADKE ZOING VIOLATION    | PROF SER-LEGAL  |
| 101 S E H                             | 9/23/2009 | \$75 25            | E       | 41200 | 301 COUNCIL MTG                | PROF SER-ENGIN  |
| 101 COMPLETE HEALTH ENVIRO            | 9/14/2009 | \$437 50           | E       | 41200 | 306 MAINTENANCE PLAN - AUG 200 | PROF SER-OTHE   |
| 101 TAYLOR, SARA                      | 9/3/2009  | \$185 17           | E       | 41200 | 402 ICMA TRAVEL                | CONFERENCES &   |
| 101 US INTERNET                       | 9/23/2009 | \$101 20           | E       | 41200 | 416 MTHLY SECURENCE            | REPAIR/MAINT O  |
| 101 LEAGUE OF MINNESOTA CIT           | 9/3/2009  | \$2,943 00         | E       | 41200 | 433 MINNESOTA MAYORS MEMBER    | DUES & MEMBER   |
| 101 LEAGUE OF MINNESOTA CIT           | 9/3/2009  | \$20 00            | E       | 41200 | 433 MN MAYORS ASSOC ANNUAL     | DUES & MEMBER   |
| <b>DEPT 41200 MAYOR &amp; COUNCIL</b> |           | <b>\$8,425 82</b>  |         |       |                                |                 |
| <b>DEPT 41240 RECYCLING</b>           |           |                    |         |       |                                |                 |
| 101 MANAGEMENT SERVICES               | 9/3/2009  | \$182 39           | E       | 41240 | 302 CONSULTING                 | CONTRACT SERV   |
| 101 MANAGEMENT SERVICES               | 9/16/2009 | \$187 83           | E       | 41240 | 302 CONSULTING                 | CONTRACT SERV   |
| 101 TOM FONS                          | 9/8/2009  | \$30 00            | E       | 41240 | 370 RECYCLING RECIPIENT        | RECYCLING INCE  |
| <b>DEPT 41240 RECYCLING</b>           |           | <b>\$400 22</b>    |         |       |                                |                 |
| <b>DEPT 41400 ADMINISTRATION</b>      |           |                    |         |       |                                |                 |
| 101                                   | 9/17/2009 | \$2,203 96         | E       | 41400 | 101 Labor Distribution         | WAGES AND SAL   |
| 101                                   | 8/21/2009 | \$2,303 38         | E       | 41400 | 101 Labor Distribution         | WAGES AND SAL   |
| 101                                   | 8/21/2009 | \$155 49           | E       | 41400 | 121 Labor Distribution         | P E R A         |
| 101                                   | 9/17/2009 | \$148 78           | E       | 41400 | 121 Labor Distribution         | P E R A         |
| 101                                   | 9/17/2009 | \$135 25           | E       | 41400 | 122 Labor Distribution         | CONT TO RET , S |
| 101                                   | 8/21/2009 | \$141 42           | E       | 41400 | 122 Labor Distribution         | CONT TO RET , S |
| 101                                   | 9/17/2009 | \$159 24           | E       | 41400 | 126 Labor Distribution         | H S A           |
| 101                                   | 8/21/2009 | \$159 24           | E       | 41400 | 126 Labor Distribution         | H S A           |
| 101                                   | 8/21/2009 | \$563 70           | E       | 41400 | 131 Labor Distribution         | CONT TO EMPLO   |
| 101 LEAGUE OF MINNESOTA CIT           | 9/29/2009 | \$2,505 00         | E       | 41400 | 150 FINAL AUDIT - WORKERS COM  | WORKER'S COMP   |
| 101                                   | 9/17/2009 | \$31 62            | E       | 41400 | 170 Labor Distribution         | MEDICARE        |
| 101                                   | 8/21/2009 | \$33 08            | E       | 41400 | 170 Labor Distribution         | MEDICARE        |
| 101 U S BANK VISA                     | 9/28/2009 | \$30 45            | E       | 41400 | 201 CARTRIDGE WORLD            | OFFICE SUPPLIE  |
| 101 BUSINESS FORMS & ACCOU            | 9/22/2009 | \$47 67            | E       | 41400 | 201 LASER A/P CHECKS           | OFFICE SUPPLIE  |
| 101 OFFICE SUPPLY CONNECTI            | 9/23/2009 | \$23 04            | E       | 41400 | 201 OFFICE SUPPLIES            | OFFICE SUPPLIE  |
| 101 OFFICE SUPPLY CONNECTI            | 9/14/2009 | \$7 68             | E       | 41400 | 201 OFFICE SUPPLIES            | OFFICE SUPPLIE  |
| 101 MANAGEMENT SERVICES               | 9/16/2009 | \$1,753 10         | E       | 41400 | 302 CONSULTING                 | CONTRACT SERV   |
| 101 MANAGEMENT SERVICES               | 9/3/2009  | \$1,702 28         | E       | 41400 | 302 CONSULTING                 | CONTRACT SERV   |
| 101 TAYLOR SARA                       | 9/28/2009 | \$265 96           | E       | 41400 | 402 ICMA CONFERENCE MEALS & T  | CONFERENCES &   |
| 101 TAYLOR, SARA                      | 9/3/2009  | \$179 72           | E       | 41400 | 402 ICMA TRAVEL                | CONFERENCES &   |
| 101 CHASE MASTERCARD                  | 9/28/2009 | \$1,053 09         | E       | 41400 | 402 ICMA LODGING               | CONFERENCES &   |
| 101 ROCKHURST UNIVERSITY              | 9/14/2009 | \$119 40           | E       | 41400 | 402 MANAGING PRIORITIES & PROJ | CONFERENCES &   |
| 101 ADVANCE IMAGING SOLUTI            | 9/14/2009 | \$9 91             | E       | 41400 | 416 YEARLY COPY CHARGE         | REPAIR/MAINT O  |
| 101 TR COMPUTER SALES LLC             | 9/28/2009 | \$45 00            | E       | 41400 | 416 COMPUTER CONSULTING        | REPAIR/MAINT O  |
| 101 TR COMPUTER SALES LLC             | 9/14/2009 | \$18 00            | E       | 41400 | 416 COMPUTER CONSULTANT        | REPAIR/MAINT O  |
| <b>DEPT 41400 ADMINISTRATION</b>      |           | <b>\$13,795 46</b> |         |       |                                |                 |

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| FUND Search Name                        | Tran Date | Act Amount         | Typ | DEPT  | OBJ Comments                   | OBJ Descr       |
|---|-----------|--------------------|-----|-------|--------------------------------|-----------------|
| <b>DEPT 41910 PLANNING &amp; ZONING</b> |           |                    |     |       |                                |                 |
| 101                                     | 8/21/2009 | \$4,310.89         | E   | 41910 | 101 Labor Distribution         | WAGES AND SAL   |
| 101                                     | 9/17/2009 | \$4,237.31         | E   | 41910 | 101 Labor Distribution         | WAGES AND SAL   |
| 101                                     | 8/21/2009 | \$291.00           | E   | 41910 | 121 Labor Distribution         | P E R A         |
| 101                                     | 9/17/2009 | \$286.03           | E   | 41910 | 121 Labor Distribution         | P E R A         |
| 101                                     | 8/21/2009 | \$265.60           | E   | 41910 | 122 Labor Distribution         | CONT TO RET , S |
| 101                                     | 9/17/2009 | \$261.04           | E   | 41910 | 122 Labor Distribution         | CONT TO RET , S |
| 101                                     | 9/17/2009 | \$309.63           | E   | 41910 | 126 Labor Distribution         | H S A           |
| 101                                     | 8/21/2009 | \$309.63           | E   | 41910 | 126 Labor Distribution         | H S A           |
| 101                                     | 8/21/2009 | \$986.93           | E   | 41910 | 131 Labor Distribution         | CONT TO EMPLO   |
| 101                                     | 9/17/2009 | \$61.05            | E   | 41910 | 170 Labor Distribution         | MEDICARE        |
| 101                                     | 8/21/2009 | \$62.12            | E   | 41910 | 170 Labor Distribution         | MEDICARE        |
| 101 BUSINESS FORMS & ACCOU              | 9/22/2009 | \$39.73            | E   | 41910 | 201 LASER A/P CHECKS           | OFFICE SUPPLIE  |
| 101 U S BANK VISA                       | 9/28/2009 | \$25.38            | E   | 41910 | 201 CARTRIDGE WORLD            | OFFICE SUPPLIE  |
| 101 OFFICE SUPPLY CONNECTI              | 9/23/2009 | \$19.20            | E   | 41910 | 201 OFFICE SUPPLIES            | OFFICE SUPPLIE  |
| 101 OFFICE SUPPLY CONNECTI              | 9/14/2009 | \$6.40             | E   | 41910 | 201 OFFICE SUPPLIES            | OFFICE SUPPLIE  |
| 101 HOLIDAY FLEET                       | 9/9/2009  | \$164.18           | E   | 41910 | 212 FUEL - VEHICLES            | MOTOR FUELS &   |
| 101 S E H                               | 9/23/2009 | \$164.82           | E   | 41910 | 301 SURVEY REVIEW INSPIRATION  | PROF SER-ENGIN  |
| 101 S E H                               | 9/23/2009 | \$164.82           | E   | 41910 | 301 SURVEY REVIEW INSPIRATION  | PROF SER-ENGIN  |
| 101 MANAGEMENT SERVICES                 | 9/16/2009 | \$1,565.27         | E   | 41910 | 302 CONSULTING                 | CONTRACT SERV   |
| 101 MANAGEMENT SERVICES                 | 9/3/2009  | \$1,519.90         | E   | 41910 | 302 CONSULTING                 | CONTRACT SERV   |
| 101 TAYLOR, SARA                        | 9/3/2009  | \$179.74           | E   | 41910 | 402 ICMA TRAVEL                | CONFERENCES &   |
| 101 TR COMPUTER SALES LLC               | 9/28/2009 | \$37.50            | E   | 41910 | 416 COMPUTER CONSULTING        | REPAIR/MAINT O  |
| 101 TR COMPUTER SALES LLC               | 9/14/2009 | \$15.00            | E   | 41910 | 416 COMPUTER CONSULTANT        | REPAIR/MAINT O  |
| 101 ADVANCE IMAGING SOLUTI              | 9/14/2009 | \$8.26             | E   | 41910 | 416 YEARLY COPY CHARGE         | REPAIR/MAINT O  |
| 101 MNAPA                               | 9/23/2009 | \$50.00            | E   | 41910 | 433 MEMBERSHIP FEE - SARA TAYL | DUES & MEMBER   |
| <b>DEPT 41910 PLANNING &amp; ZONING</b> |           | <b>\$15,341.43</b> |     |       |                                |                 |
| <b>DEPT 41940 MUNICIPAL BUILDINGS</b>   |           |                    |     |       |                                |                 |
| 101 SERVICEMASTER                       | 9/14/2009 | \$432.00           | E   | 41940 | 302 CLEANING SERVICE FOR SEPT  | CONTRACT SERV   |
| 101 COMCAST                             | 9/28/2009 | \$69.90            | E   | 41940 | 321 HIGH SPEED INTERNET        | COMMUNICATION   |
| 101 OFFICE OF ENT TECHNOLO              | 9/17/2009 | \$434.79           | E   | 41940 | 321 PHONES - AUG 2009          | COMMUNICATION   |
| 101 XCEL                                | 9/3/2009  | \$1,300.61         | E   | 41940 | 380 GAS & ELECTRIC             | ELECTRIC SERVI  |
| 101 XCEL                                | 9/3/2009  | \$100.91           | E   | 41940 | 381 GAS & ELECTRIC             | FUEL FOR HEAT   |
| 101 STOCK ROOFING COMPANY               | 9/23/2009 | \$1,685.00         | E   | 41940 | 420 CITY HALL ROOF MAINT       | R & M BLDGS, ST |
| <b>DEPT 41940 MUNICIPAL BUILDINGS</b>   |           | <b>\$4,023.21</b>  |     |       |                                |                 |
| <b>DEPT 42100 POLICE</b>                |           |                    |     |       |                                |                 |
| 101                                     | 8/21/2009 | \$1,862.77         | E   | 42100 | 050 Labor Distribution         | SEASONAL/PART   |
| 101                                     | 9/17/2009 | \$1,130.09         | E   | 42100 | 050 Labor Distribution         | SEASONAL/PART   |
| 101                                     | 9/19/2009 | \$2,093.58         | E   | 42100 | 101 Labor Distribution         | WAGES AND SAL   |
| 101                                     | 9/17/2009 | \$9,385.81         | E   | 42100 | 101 Labor Distribution         | WAGES AND SAL   |
| 101                                     | 8/21/2009 | \$11,279.31        | E   | 42100 | 101 Labor Distribution         | WAGES AND SAL   |
| 101                                     | 9/19/2009 | \$265.32           | E   | 42100 | 102 Labor Distribution         | OVERTIME        |
| 101                                     | 9/17/2009 | \$130.00           | E   | 42100 | 102 Labor Distribution         | OVERTIME        |
| 101                                     | 8/21/2009 | \$1,083.23         | E   | 42100 | 102 Labor Distribution         | OVERTIME        |
| 101                                     | 8/21/2009 | \$78.80            | E   | 42100 | 103 Labor Distribution         | SPECIAL DUTIES  |
| 101                                     | 9/19/2009 | \$332.60           | E   | 42100 | 121 Labor Distribution         | P E R A         |
| 101                                     | 8/21/2009 | \$1,835.58         | E   | 42100 | 121 Labor Distribution         | P E R A         |
| 101                                     | 9/17/2009 | \$1,336.62         | E   | 42100 | 121 Labor Distribution         | P E R A         |
| 101                                     | 9/17/2009 | \$75.70            | E   | 42100 | 122 Labor Distribution         | CONT TO RET , S |
| 101                                     | 8/21/2009 | \$83.33            | E   | 42100 | 122 Labor Distribution         | CONT TO RET , S |
| 101                                     | 8/21/2009 | \$628.12           | E   | 42100 | 126 Labor Distribution         | H S A           |
| 101                                     | 9/17/2009 | \$539.65           | E   | 42100 | 126 Labor Distribution         | H S A           |
| 101                                     | 8/21/2009 | \$2,774.56         | E   | 42100 | 131 Labor Distribution         | CONT TO EMPLO   |
| 101                                     | 9/19/2009 | \$280.67           | E   | 42100 | 131 Labor Distribution         | CONT TO EMPLO   |
| 101                                     | 8/21/2009 | \$206.38           | E   | 42100 | 170 Labor Distribution         | MEDICARE        |
| 101                                     | 9/19/2009 | \$34.09            | E   | 42100 | 170 Labor Distribution         | MEDICARE        |
| 101                                     | 9/17/2009 | \$153.44           | E   | 42100 | 170 Labor Distribution         | MEDICARE        |
| 101 EASTMAN, LAURA                      | 9/29/2009 | \$143.43           | E   | 42100 | 201 CD/DVD'S - POLICE DEPT     | OFFICE SUPPLIE  |

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|-----------------------------------|-----------|----------------|-------|---------------------------------|-----------------|
| 101 OFFICE SUPPLY CONNECTI        | 9/23/2009 | \$19 20 E      | 42100 | 201 OFFICE SUPPLIES             | OFFICE SUPPLIE  |
| 101 U S BANK VISA                 | 9/28/2009 | \$25 38 E      | 42100 | 201 CARTRIDGE WORLD             | OFFICE SUPPLIE  |
| 101 BUSINESS FORMS & ACCOU        | 9/22/2009 | \$39 73 E      | 42100 | 201 LASER A/P CHECKS            | OFFICE SUPPLIE  |
| 101 U S BANK VISA                 | 9/3/2009  | \$53 44 E      | 42100 | 201 INTOZIMETERS, INC           | OFFICE SUPPLIE  |
| 101                               | 9/3/2009  | \$677 36 E     | 42100 | 201 POLICE ADJUSTMENT           | OFFICE SUPPLIE  |
| 101 OFFICE SUPPLY CONNECTI        | 9/14/2009 | \$6 40 E       | 42100 | 201 OFFICE SUPPLIES             | OFFICE SUPPLIE  |
| 101 UNIFORMS UNLIMITED            | 9/14/2009 | \$181 68 E     | 42100 | 209 FLASHLIGHT - PD             | UNIFORMS - WILL |
| 101 UNIFORMS UNLIMITED            | 9/14/2009 | \$243 15 E     | 42100 | 210 CLOTHING ALLOWANCE - LUND   | UNIFORMS - LUN  |
| 101 UNIFORMS UNLIMITED            | 9/14/2009 | \$6 95 E       | 42100 | 210 HANDCUFF - PD               | UNIFORMS - LUN  |
| 101 UNIFORMS UNLIMITED            | 9/14/2009 | \$173 65 E     | 42100 | 211 CLOTHING ALLOWAND PD/WYN    | UNIFORMS -WYNI  |
| 101 UNIFORMS UNLIMITED            | 9/21/2009 | \$21 00 E      | 42100 | 211 TC-860MNG - DAVE WYNIA      | UNIFORMS -WYNI  |
| 101 UNIFORMS UNLIMITED            | 9/21/2009 | \$2 14 E       | 42100 | 211 EMBROIDER NAME - DAVE WY    | UNIFORMS -WYNI  |
| 101 HOLIDAY FLEET                 | 9/9/2009  | \$1,215 12 E   | 42100 | 212 FUEL - VEHICLES             | MOTOR FUELS &   |
| 101 HOLIDAY FLEET                 | 9/9/2009  | \$8 87 E       | 42100 | 212 FUEL - VEHICLES             | MOTOR FUELS &   |
| 101                               | 9/3/2009  | \$1,695 09 E   | 42100 | 300 POLICE ADJUSTMENT           | PROF SER-LEGAL  |
| 101 ECKBERG, LAMMERS, BRIG        | 9/3/2009  | \$2,165 48 E   | 42100 | 300 PROSECUTION                 | PROF SER-LEGAL  |
| 101 TR COMPUTER SALES LLC         | 9/28/2009 | \$270 00 E     | 42100 | 306 COMPUTER CONSULTING         | PROF SER-OTHE   |
| 101                               | 9/3/2009  | -\$1 695 09 E  | 42100 | 306 POLICE ADJUSTMENT           | PROF SER-OTHE   |
| 101                               | 9/3/2009  | -\$677 36 E    | 42100 | 306 POLICE ADJUSTMENT           | PROF SER-OTHE   |
| 101 STILLWATER TOWING INC         | 9/3/2009  | \$90 84 E      | 42100 | 306 TOWING SERVICE              | PROF SER-OTHE   |
| 101 WALZ-LUND ENTERPRISES         | 9/21/2009 | \$75 00 E      | 42100 | 321 MINNESOTA PERMIT TO CARR    | COMMUNICATION   |
| 101 VERIZON WIRELESS              | 9/14/2009 | \$238 59 E     | 42100 | 321 PHONES - PD                 | COMMUNICATION   |
| 101 U S BANK VISA                 | 9/3/2009  | \$40 15 E      | 42100 | 321 CELLULAR CONN               | COMMUNICATION   |
| 101 WASHINGTON COUNTY PUB         | 9/14/2009 | \$333 40 E     | 42100 | 391 AUGUST 10 RADIOS PD 2009    | SHARED AUTOMA   |
| 101 EASTMAN, LAURA                | 9/14/2009 | \$4,250 00 E   | 42100 | 403 TUITION REIMBURSEMENT       | POLICE TRAININ  |
| 101 CASPERSON MOTORS              | 9/29/2009 | \$327 43 E     | 42100 | 412 FOCUS                       | REP & MAINT VE  |
| 101 CASPERSON MOTORS              | 9/29/2009 | \$30 00 E      | 42100 | 412 2502 - REPAIR ENG LIGHT     | REP & MAINT VE  |
| 101 CASPERSON MOTORS              | 9/29/2009 | \$40 00 E      | 42100 | 412 UNDER COVER TK - REPLACE    | REP & MAINT VE  |
| 101 CASPERSON MOTORS              | 9/29/2009 | \$77 33 E      | 42100 | 412 2502 - REPLACE LEFT BULB    | REP & MAINT VE  |
| 101 CASPERSON MOTORS              | 9/29/2009 | \$32 61 E      | 42100 | 412 2901 - OIL & FILTER         | REP & MAINT VE  |
| 101 CASPERSON MOTORS              | 9/29/2009 | \$40 00 E      | 42100 | 412 2502 REPAIR BROKEN WIRE IN  | REP & MAINT VE  |
| 101 TR COMPUTER SALES LLC         | 9/14/2009 | \$15 00 E      | 42100 | 416 COMPUTER CONSULTANT         | REPAIR/MAINT O  |
| 101 ADVANCE IMAGING SOLUTI        | 9/14/2009 | \$8 26 E       | 42100 | 416 YEARLY COPY CHARGE          | REPAIR/MAINT O  |
| 101 TR COMPUTER SALES LLC         | 9/28/2009 | \$37 50 E      | 42100 | 416 COMPUTER CONSULTING         | REPAIR/MAINT O  |
| 101 U S BANK VISA                 | 9/3/2009  | \$949 84 E     | 42100 | 444 SPARTAN PROMOTIONAL         | COMMUNITY PRO   |
| DEPT 42100 POLICE                 |           | \$46,751 22    |       |                                 |                 |
| <b>DEPT 42200 FIRE PROTECTION</b> |           |                |       |                                 |                 |
| 101                               | 9/19/2009 | \$583 33 E     | 42200 | 101 Labor Distribution          | WAGES AND SAL   |
| 101                               | 9/19/2009 | \$15 50 E      | 42200 | 122 Labor Distribution          | CONT TO RET , S |
| 101                               | 9/19/2009 | \$8.46 E       | 42200 | 170 Labor Distribution          | MEDICARE        |
| 101 HOLIDAY FLEET                 | 9/9/2009  | \$484 70 E     | 42200 | 212 FUEL - VEHICLES             | MOTOR FUELS &   |
| 101 POSITIVE PROMOTIONS, IN       | 9/24/2009 | \$120 80 E     | 42200 | 217 SUPPLIES - FIRE DEPT        | MATERIALS & PR  |
| 101 NEXTEL COMMUNICATIONS         | 9/24/2009 | \$181 62 E     | 42200 | 321 PHONES - FIRE DEPT          | COMMUNICATION   |
| 101 WASHINGTON COUNTY PUB         | 9/16/2009 | \$1,133 56 E   | 42200 | 391 AUGUST 2009 RADIO - FIRE DE | SHARED AUTOMA   |
| 101 CARQUEST AUTO PARTS           | 9/16/2009 | \$7 17 E       | 42200 | 412 CIRCUIT BKR - FIRE DEPT     | REP & MAINT VE  |
| 101 MINNESOTA STATE FIRE CHI      | 9/21/2009 | \$160 00 E     | 42200 | 412 MIKE BELL -2009 ANNUAL CON  | REP & MAINT VE  |
| 101 MINNESOTA STATE FIRE CHI      | 9/21/2009 | \$160 00 E     | 42200 | 412 MATT BELL - 2009 ANNUAL CON | REP & MAINT VE  |
| 101 MUNICIPAL EMERGENCY SE        | 9/24/2009 | \$765 94 E     | 42200 | 419 EQUIP MAINT - FIRE DEPT     | REPAIR & MAINT  |
| 101 MUNICIPAL EMERGENCY SE        | 9/24/2009 | -\$177 50 E    | 42200 | 419 EQUIP MAINT - FIRE DEPT     | REPAIR & MAINT  |
| 101 MUNICIPAL EMERGENCY SE        | 9/24/2009 | \$31 02 E      | 42200 | 419 EQUIP MAINT - FIRE DEPT     | REPAIR & MAINT  |
| 101 MUNICIPAL EMERGENCY SE        | 9/24/2009 | \$149 89 E     | 42200 | 419 EQUIP MAINT - FIRE DEPT     | REPAIR & MAINT  |
| DEPT 42200 FIRE PROTECTION        |           | \$3,624 49     |       |                                 |                 |
| <b>DEPT 43100 STREET MAINT</b>    |           |                |       |                                 |                 |
| 101                               | 9/17/2009 | \$682.50 E     | 43100 | 050 Labor Distribution          | SEASONAL/PART   |
| 101                               | 8/21/2009 | \$261 00 E     | 43100 | 050 Labor Distribution          | SEASONAL/PART   |
| 101                               | 8/21/2009 | \$1,785 60 E   | 43100 | 101 Labor Distribution          | WAGES AND SAL   |
| 101                               | 9/17/2009 | \$1,785 60 E   | 43100 | 101 Labor Distribution          | WAGES AND SAL   |
| 101                               | 9/17/2009 | \$1,146 24 E   | 43100 | 102 Labor Distribution          | OVERTIME        |

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|-----------------------------|-----------|-------------|-----|-------|-------------------------------|-----------------|
| 101                         | 9/17/2009 | \$197 90    | E   | 43100 | 121 Labor Distribution        | P E R A         |
| 101                         | 8/21/2009 | \$120 54    | E   | 43100 | 121 Labor Distribution        | P E R A         |
| 101                         | 9/17/2009 | \$223 28    | E   | 43100 | 122 Labor Distribution        | CONT TO RET , S |
| 101                         | 8/21/2009 | \$126 18    | E   | 43100 | 122 Labor Distribution        | CONT TO RET , S |
| 101                         | 9/17/2009 | \$149 09    | E   | 43100 | 126 Labor Distribution        | H S A           |
| 101                         | 8/21/2009 | \$132 71    | E   | 43100 | 126 Labor Distribution        | H S A           |
| 101                         | 8/21/2009 | \$462 66    | E   | 43100 | 131 Labor Distribution        | CONT TO EMPLO   |
| 101 LEAGUE OF MINNESOTA CIT | 9/29/2009 | \$2 505 00  | E   | 43100 | 150 FINAL AUDIT - WORKERS COM | WORKER'S COMP   |
| 101                         | 8/21/2009 | \$29 51     | E   | 43100 | 170 Labor Distribution        | MEDICARE        |
| 101                         | 9/17/2009 | \$52 22     | E   | 43100 | 170 Labor Distribution        | MEDICARE        |
| 101 OFFICE SUPPLY CONNECTI  | 9/23/2009 | \$3 84      | E   | 43100 | 201 OFFICE SUPPLIES           | OFFICE SUPPLIE  |
| 101 BUSINESS FORMS & ACCOU  | 9/22/2009 | \$7 94      | E   | 43100 | 201 LASER A/P CHECKS          | OFFICE SUPPLIE  |
| 101 U S BANK VISA           | 9/28/2009 | \$5 07      | E   | 43100 | 201 CARTRIDGE WORLD           | OFFICE SUPPLIE  |
| 101 OFFICE SUPPLY CONNECTI  | 9/14/2009 | \$1 28      | E   | 43100 | 201 OFFICE SUPPLIES           | OFFICE SUPPLIE  |
| 101 HOLIDAY FLEET           | 9/9/2009  | \$289 22    | E   | 43100 | 212 FUEL - VEHICLES           | MOTOR FUELS &   |
| 101 U S BANK VISA           | 9/29/2009 | \$24 70     | E   | 43100 | 220 OXYGEN SERVICE            | OPERATING SUP   |
| 101 SHERWIN WILLIAMS LC     | 9/22/2009 | \$95 66     | E   | 43100 | 220 SETFAST LTX WHITE         | OPERATING SUP   |
| 101 U S BANK VISA           | 9/29/2009 | \$5 34      | E   | 43100 | 301 WASHINGTON CTY SURVEY     | PROF SER-ENGIN  |
| 101 CARQUEST AUTO PARTS     | 9/22/2009 | \$52 46     | E   | 43100 | 412 STARTER - 90 FORD         | REP & MAINT VE  |
| 101 U S BANK VISA           | 9/29/2009 | \$66 51     | E   | 43100 | 412 BOYER                     | REP & MAINT VE  |
| 101 TR COMPUTER SALES LLC   | 9/28/2009 | \$7 50      | E   | 43100 | 416 COMPUTER CONSULTING       | REPAIR/MAINT O  |
| 101 ADVANCE IMAGING SOLUTI  | 9/14/2009 | \$1 65      | E   | 43100 | 416 YEARLY COPY CHARGE        | REPAIR/MAINT O  |
| 101 TR COMPUTER SALES LLC   | 9/14/2009 | \$3 00      | E   | 43100 | 416 COMPUTER CONSULTANT       | REPAIR/MAINT O  |
| 101 WASHINGTON CO TRANSPO   | 9/23/2009 | \$648 91    | E   | 43100 | 421 ROAD STRIPING             | REPAIR & MAINT  |
| 101 BRYAN ROCK PRODUCTS IN  | 9/23/2009 | \$126 57    | E   | 43100 | 421 LIMEROCK - GRAVEL         | REPAIR & MAINT  |
| 101 BRYAN ROCK PRODUCTS IN  | 9/23/2009 | -\$12 03    | E   | 43100 | 421 LIMEROCK - GRAVEL         | REPAIR & MAINT  |
| 101 T A SCHIFSKY & SONS INC | 9/22/2009 | \$388 37    | E   | 43100 | 421 BITUMINOUS HOTMIX         | REPAIR & MAINT  |
| 101 BUBERL BLACK DIRT       | 9/22/2009 | \$178 92    | E   | 43100 | 423 14 YDS BLK DIRT           | SIDEWALKS, CUR  |
| 101 THE TESSMAN COMPANY     | 9/22/2009 | \$186 07    | E   | 43100 | 423 GRASS SEED - SIDEWALKS    | SIDEWALKS, CUR  |
| 101 WILLOW RIVER CONSTRUCT  | 9/29/2009 | \$22,625 95 | E   | 43100 | 423 2009 SIDEWALK PROJECT     | SIDEWALKS, CUR  |
| DEPT 43100 STREET MAINT     |           | \$34,366 96 |     |       |                               |                 |
| DEPT 43160 STREET LIGHTING  |           |             |     |       |                               |                 |
| 101 XCEL                    | 9/3/2009  | \$2,241 82  | E   | 43160 | 380 GAS & ELECTRIC            | ELECTRIC SERVI  |
| DEPT 43200 PARKS            |           |             |     |       |                               |                 |
| 101                         | 9/17/2009 | \$648 00    | E   | 43200 | 050 Labor Distribution        | SEASONAL/PART   |
| 101                         | 8/21/2009 | \$834 75    | E   | 43200 | 050 Labor Distribution        | SEASONAL/PART   |
| 101                         | 8/21/2009 | \$955 20    | E   | 43200 | 101 Labor Distribution        | WAGES AND SAL   |
| 101                         | 9/17/2009 | \$955 20    | E   | 43200 | 101 Labor Distribution        | WAGES AND SAL   |
| 101                         | 8/21/2009 | \$64 48     | E   | 43200 | 121 Labor Distribution        | P E R A         |
| 101                         | 9/17/2009 | \$64 48     | E   | 43200 | 121 Labor Distribution        | P E R A         |
| 101                         | 9/17/2009 | \$97 07     | E   | 43200 | 122 Labor Distribution        | CONT TO RET , S |
| 101                         | 8/21/2009 | \$108 65    | E   | 43200 | 122 Labor Distribution        | CONT TO RET S   |
| 101                         | 9/17/2009 | \$44 24     | E   | 43200 | 126 Labor Distribution        | H S A           |
| 101                         | 8/21/2009 | \$44 24     | E   | 43200 | 126 Labor Distribution        | H S A           |
| 101                         | 8/21/2009 | \$189 49    | E   | 43200 | 131 Labor Distribution        | CONT TO EMPLO   |
| 101                         | 9/17/2009 | \$22 70     | E   | 43200 | 170 Labor Distribution        | MEDICARE        |
| 101                         | 8/21/2009 | \$25 41     | E   | 43200 | 170 Labor Distribution        | MEDICARE        |
| 101 HOLIDAY FLEET           | 9/9/2009  | \$147 10    | E   | 43200 | 212 FUEL - VEHICLES           | MOTOR FUELS &   |
| 101 VAN PAPER CO            | 9/22/2009 | \$117 73    | E   | 43200 | 220 TOILET TISSUE             | OPERATING SUP   |
| 101 U S BANK VISA           | 9/28/2009 | \$3 17      | E   | 43200 | 221 WAL-MART                  | CONCESSIONS     |
| 101 U S BANK VISA           | 9/23/2009 | \$16 68     | E   | 43200 | 221 WM SUPER CENTER           | CONCESSIONS     |
| 101 U S BANK VISA           | 9/23/2009 | \$31 24     | E   | 43200 | 221 WAL-MART                  | CONCESSIONS     |
| 101 U S BANK VISA           | 9/28/2009 | \$21 46     | E   | 43200 | 221 WAL-MART                  | CONCESSIONS     |
| 101 U S BANK VISA           | 9/23/2009 | -\$2 75     | E   | 43200 | 221 MENARDS                   | CONCESSIONS     |
| 101 U S BANK VISA           | 9/28/2009 | \$3 97      | E   | 43200 | 221 LOWES                     | CONCESSIONS     |
| 101 U S BANK VISA           | 9/22/2009 | \$64 00     | E   | 43200 | 410 GERTENS                   | REPAIR & MAINT  |
| 101 TR COMPUTER SALES LLC   | 9/28/2009 | \$7 50      | E   | 43200 | 416 COMPUTER CONSULTING       | REPAIR/MAINT O  |

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| FUND Search Name               | Tran Date | Amount       | Act Typ | DEPT  | OBJ Comments                   | OBJ Descr       |
|--------------------------------|-----------|--------------|---------|-------|--------------------------------|-----------------|
| 101 TR COMPUTER SALES LLC      | 9/14/2009 | \$3 00       | E       | 43200 | 416 COMPUTER CONSULTANT        | REPAIR/MAINT O  |
| 101 ADVANCE IMAGING SOLUTI     | 9/14/2009 | \$1 65       | E       | 43200 | 416 YEARLY COPY CHARGE         | REPAIR/MAINT O  |
| 101 ST CROIX RECREATION CO.    | 9/22/2009 | \$149 80     | E       | 43200 | 420 DOME TOP                   | R & M BLDGS, ST |
| 101 A & J ENGRAVING INC        | 9/22/2009 | \$19 98      | E       | 43200 | 420 BENCH PLAQUE               | R & M BLDGS, ST |
| 101 ST CROIX RECREATION CO.    | 9/22/2009 | \$500 00     | E       | 43200 | 420 32 GALLON RECEPTACLE & LIN | R & M BLDGS, ST |
| 101 AIR FRESH PORTABLE TOIL    | 9/22/2009 | \$23 39      | E       | 43200 | 425 SALES TAX                  | SATILLITIES     |
| 101 AIR FRESH PORTABLE TOIL    | 9/22/2009 | \$189 00     | E       | 43200 | 425 ADA WHEELCHAIR ASSESSIBL   | SATILLITIES     |
| 101 AIR FRESH PORTABLE TOIL    | 9/22/2009 | \$157 50     | E       | 43200 | 425 STANDARD UNIT              | SATILLITIES     |
| DEPT 43200 PARKS               |           | \$5,508 33   |         |       |                                |                 |
| DEPT 43300 CEMETERY            |           |              |         |       |                                |                 |
| 101 HOLIDAY FLEET              | 9/9/2009  | \$66 28      | E       | 43300 | 212 FUEL - VEHICLES            | MOTOR FUELS &   |
| 101 CENTURY POWER EQUIPME      | 9/29/2009 | \$29 23      | E       | 43300 | 412 VEHICLE MAINT              | REP & MAINT VE  |
| 101 CENTURY POWER EQUIPME      | 9/29/2009 | \$28 73      | E       | 43300 | 412 VEHICLE MAINT              | REP & MAINT VE  |
| DEPT 43300 CEMETERY            |           | \$124 24     |         |       |                                |                 |
| FUND 101 GENERAL               |           | \$134,603 20 |         |       |                                |                 |
| FUND 207 PARK IMPROVEMENT FUND |           |              |         |       |                                |                 |
| DEPT 44100 PROJECT             |           |              |         |       |                                |                 |
| 207 S E H                      | 9/23/2009 | \$514 31     | E       | 44100 | 301 BARKERS ALPS GRADING       | PROF SER-ENGIN  |
| 207 SANDERS WACKER BERGLY      | 9/23/2009 | \$2,650 88   | E       | 44100 | 306 BARKER'S ALPS              | PROF SER-OTHE   |
| 207 MILLER EXCAVATING          | 9/3/2009  | \$135,270 64 | E       | 44100 | 444 BARKER'S ALPS              | COMMUNITY PRO   |
| 207 MILLER EXCAVATING          | 9/29/2009 | \$105,872 06 | E       | 44100 | 444 BARKER'S ALPS              | COMMUNITY PRO   |
| DEPT 44100 PROJECT             |           | \$244,307 89 |         |       |                                |                 |
| FUND 207 PARK IMPROVEMENT FUND |           | \$244,307 89 |         |       |                                |                 |
| FUND 211 LIBRARY               |           |              |         |       |                                |                 |
| DEPT 45500 LIBRARY             |           |              |         |       |                                |                 |
| 211                            | 9/17/2009 | \$2,478 22   | E       | 45500 | 050 Labor Distribution         | SEASONAL/PART   |
| 211                            | 8/21/2009 | \$2,289 43   | E       | 45500 | 050 Labor Distribution         | SEASONAL/PART   |
| 211                            | 8/21/2009 | \$2,705 10   | E       | 45500 | 101 Labor Distribution         | WAGES AND SAL   |
| 211                            | 9/17/2009 | \$2,705 10   | E       | 45500 | 101 Labor Distribution         | WAGES AND SAL   |
| 211                            | 8/21/2009 | \$295 00     | E       | 45500 | 121 Labor Distribution         | P E R A         |
| 211                            | 9/17/2009 | \$338 46     | E       | 45500 | 121 Labor Distribution         | P E R A         |
| 211                            | 8/21/2009 | \$302 98     | E       | 45500 | 122 Labor Distribution         | CONT TO RET , S |
| 211                            | 9/17/2009 | \$314 69     | E       | 45500 | 122 Labor Distribution         | CONT TO RET , S |
| 211                            | 8/21/2009 | \$88 47      | E       | 45500 | 126 Labor Distribution         | H S A           |
| 211                            | 9/17/2009 | \$88 47      | E       | 45500 | 126 Labor Distribution         | H S A           |
| 211                            | 8/21/2009 | \$398 43     | E       | 45500 | 131 Labor Distribution         | CONT TO EMPLO   |
| 211                            | 9/17/2009 | \$73 60      | E       | 45500 | 170 Labor Distribution         | MEDICARE        |
| 211                            | 8/21/2009 | \$70 86      | E       | 45500 | 170 Labor Distribution         | MEDICARE        |
| 211 BAKER & TAYLOR             | 9/28/2009 | \$66 53      | E       | 45500 | 217 BOOKS                      | MATERIALS & PR  |
| 211 BAKER & TAYLOR             | 9/28/2009 | \$22 19      | E       | 45500 | 217 BOOKS                      | MATERIALS & PR  |
| 211 BAKER & TAYLOR             | 9/28/2009 | \$42 36      | E       | 45500 | 217 BOOKS                      | MATERIALS & PR  |
| 211 BAKER & TAYLOR             | 9/28/2009 | \$253 63     | E       | 45500 | 217 BOOKS                      | MATERIALS & PR  |
| 211 BAKER & TAYLOR             | 9/28/2009 | \$89 12      | E       | 45500 | 217 BOOKS                      | MATERIALS & PR  |
| 211 BAKER & TAYLOR             | 9/28/2009 | \$75 80      | E       | 45500 | 217 BOOKS                      | MATERIALS & PR  |
| 211 BAKER & TAYLOR             | 9/28/2009 | \$26 03      | E       | 45500 | 217 BOOKS                      | MATERIALS & PR  |
| 211 BAKER & TAYLOR             | 9/28/2009 | \$21 64      | E       | 45500 | 217 BOOKS                      | MATERIALS & PR  |
| 211 BAKER & TAYLOR             | 9/28/2009 | \$18 22      | E       | 45500 | 217 BOOKS                      | MATERIALS & PR  |
| 211 BAKER & TAYLOR             | 9/28/2009 | \$39 94      | E       | 45500 | 217 BOOKS                      | MATERIALS & PR  |
| 211 BAKER & TAYLOR             | 9/28/2009 | \$13 30      | E       | 45500 | 217 BOOKS                      | MATERIALS & PR  |
| 211 BAKER & TAYLOR             | 9/28/2009 | \$36 29      | E       | 45500 | 217 BOOKS                      | MATERIALS & PR  |
| 211 BAKER & TAYLOR             | 9/28/2009 | \$11 88      | E       | 45500 | 217 BOOKS                      | MATERIALS & PR  |
| 211 BAKER & TAYLOR             | 9/28/2009 | \$119 14     | E       | 45500 | 217 BOOKS                      | MATERIALS & PR  |
| 211 BAKER & TAYLOR             | 9/28/2009 | \$57 58      | E       | 45500 | 217 BOOKS                      | MATERIALS & PR  |
| 211 GENERAL BOOK COVERS        | 9/28/2009 | \$41 62      | E       | 45500 | 220 JACKET COVERS - LIBRARY    | OPERATING SUP   |

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|------------------------------|-----------|-------------|---------|-------|---------------------------------|-----------------|
| 211 INNOVATIVE OFFICE SOLUTI | 9/28/2009 | \$96 36     | E       | 45500 | 220 OFFICE SUPPLIES - LIBRARY   | OPERATING SUP   |
| 211 SHARON SIPPEL            | 9/28/2009 | \$1,425 00  | E       | 45500 | 302 CLEANING SERVICES - LIBRAR  | CONTRACT SERV   |
| 211 WASHINGTON COUNTY LIBR   | 9/28/2009 | \$138 25    | E       | 45500 | 321 QWEST'S DATA LINE SEPT 200  | COMMUNICATION   |
| 211 WASHINGTON COUNTY LIBR   | 9/28/2009 | \$138 25    | E       | 45500 | 321 QWEST'S DATA LINE AUG 2009  | COMMUNICATION   |
| 211 OFFICE OF ENT TECHNOLO   | 9/28/2009 | \$67 17     | E       | 45500 | 321 PHONES - LIBRARY            | COMMUNICATION   |
| 211 COMCAST                  | 9/28/2009 | \$5 00      | E       | 45500 | 321 HIGH SPEED INTERNET - LIBRA | COMMUNICATION   |
| 211 XCEL                     | 9/3/2009  | \$1 088 19  | E       | 45500 | 380 GAS & ELECTRIC              | ELECTRIC SERVI  |
| 211 XCEL                     | 9/3/2009  | \$26 10     | E       | 45500 | 381 GAS & ELECTRIC              | FUEL FOR HEAT   |
| 211 WASHINGTON COUNTY LIBR   | 9/28/2009 | \$303 09    | E       | 45500 | 391 WORLD NEWS DIGEST - LIBRA   | SHARED AUTOMA   |
| 211 WYZCO GROUP, LLC         | 9/28/2009 | \$75 00     | E       | 45500 | 416 SETUP SCANNER/PRINTER - LI  | REPAIR/MAINT O  |
| 211 TOSHIBA BUSINESS SOLUTI  | 9/28/2009 | \$24 10     | E       | 45500 | 416 BAND - LIBRARY              | REPAIR/MAINT O  |
| 211 TR COMPUTER SALES LLC    | 9/28/2009 | \$60 00     | E       | 45500 | 416 COMPUTER CONSULTING         | REPAIR/MAINT O  |
| 211 THOENNES PLUMBING & HE   | 9/28/2009 | \$176 00    | E       | 45500 | 420 BUILDING MAINT - LIBRARY    | R & M BLDGS, ST |
| 211 ST CROIX GLASS CLEANING  | 9/28/2009 | \$525 00    | E       | 45500 | 420 GLASS CLEANING - LIBRARY    | R & M BLDGS, ST |
| 211 ECOWATER                 | 9/28/2009 | \$27 00     | E       | 45500 | 420 MTHLY RENT COOLER - LIBRAR  | R & M BLDGS, ST |
| 211 PLUNKETT'S PEST CONTRO   | 9/28/2009 | \$165 40    | E       | 45500 | 420 CLUSTER FLY SERVICE - LIBRA | R & M BLDGS, ST |
| DEPT 45500 LIBRARY           |           | \$17,423 99 |         |       |                                 |                 |
| FUND 211 LIBRARY             |           | \$17,423 99 |         |       |                                 |                 |
| FUND 601 WATER               |           |             |         |       |                                 |                 |
| DEPT 46110 WATER-PUMPHOUSE   |           |             |         |       |                                 |                 |
| 601 XCEL                     | 9/3/2009  | \$2,010 11  | E       | 46110 | 380 GAS & ELECTRIC              | ELECTRIC SERVI  |
| 601 XCEL                     | 9/3/2009  | \$47 93     | E       | 46110 | 381 GAS & ELECTRIC              | FUEL FOR HEAT   |
| DEPT 46110 WATER-PUMPHOUSE   |           | \$2,058 04  |         |       |                                 |                 |
| DEPT 46120 WATER             |           |             |         |       |                                 |                 |
| 601                          | 8/21/2009 | \$288 50    | E       | 46120 | 050 Labor Distribution          | SEASONAL/PART   |
| 601                          | 9/17/2009 | \$3 185 33  | E       | 46120 | 101 Labor Distribution          | WAGES AND SAL   |
| 601                          | 8/21/2009 | \$3,197 94  | E       | 46120 | 101 Labor Distribution          | WAGES AND SAL   |
| 601                          | 9/17/2009 | \$215 03    | E       | 46120 | 121 Labor Distribution          | P E R A         |
| 601                          | 8/21/2009 | \$215 88    | E       | 46120 | 121 Labor Distribution          | P E R A         |
| 601                          | 8/21/2009 | \$208 92    | E       | 46120 | 122 Labor Distribution          | CONT TO RET , S |
| 601                          | 9/17/2009 | \$190 29    | E       | 46120 | 122 Labor Distribution          | CONT TO RET , S |
| 601                          | 9/17/2009 | \$173 31    | E       | 46120 | 126 Labor Distribution          | H S A           |
| 601                          | 8/21/2009 | \$181 36    | E       | 46120 | 126 Labor Distribution          | H S A           |
| 601                          | 8/21/2009 | \$662 07    | E       | 46120 | 131 Labor Distribution          | CONT TO EMPLO   |
| 601                          | 9/17/2009 | \$44 51     | E       | 46120 | 170 Labor Distribution          | MEDICARE        |
| 601                          | 8/21/2009 | \$48 87     | E       | 46120 | 170 Labor Distribution          | MEDICARE        |
| 601 OFFICE SUPPLY CONNECTI   | 9/23/2009 | \$3 84      | E       | 46120 | 201 OFFICE SUPPLIES             | OFFICE SUPPLIE  |
| 601 OFFICE SUPPLY CONNECTI   | 9/14/2009 | \$1 28      | E       | 46120 | 201 OFFICE SUPPLIES             | OFFICE SUPPLIE  |
| 601 BUSINESS FORMS & ACCOU   | 9/22/2009 | \$7 94      | E       | 46120 | 201 LASER A/P CHECKS            | OFFICE SUPPLIE  |
| 601 U S BANK VISA            | 9/28/2009 | \$5 07      | E       | 46120 | 201 CARTRIDGE WORLD             | OFFICE SUPPLIE  |
| 601 HOLIDAY FLEET            | 9/9/2009  | \$222 89    | E       | 46120 | 212 FUEL - VEHICLES             | MOTOR FUELS &   |
| 601 U S BANK VISA            | 9/22/2009 | \$4 95      | E       | 46120 | 216 USPS                        | CHEMICALS AND   |
| 601 U S BANK VISA            | 9/22/2009 | \$2 24      | E       | 46120 | 216 USPS                        | CHEMICALS AND   |
| 601 U S BANK VISA            | 9/22/2009 | \$15 00     | E       | 46120 | 216 MAPLE ISLAND HARDWARE       | CHEMICALS AND   |
| 601 U S BANK VISA            | 9/29/2009 | \$15 90     | E       | 46120 | 216 MAPLE ISLAND HARDWARE       | CHEMICALS AND   |
| 601 HAWKINS WATER            | 9/22/2009 | \$78 86     | E       | 46120 | 216 CHEMICALS                   | CHEMICALS AND   |
| 601 U S BANK VISA            | 9/29/2009 | \$11 31     | E       | 46120 | 220 ACE HARDWARE                | OPERATING SUP   |
| 601 U S BANK VISA            | 9/29/2009 | \$15 34     | E       | 46120 | 220 LOWES                       | OPERATING SUP   |
| 601 U S BANK VISA            | 9/22/2009 | \$32 30     | E       | 46120 | 220 MENARDS                     | OPERATING SUP   |
| 601 MENARDS-STILLWATER       | 9/29/2009 | \$18 28     | E       | 46120 | 220 OPERATING SUPPLIES          | OPERATING SUP   |
| 601 BLUESTONE ENGINEERING    | 9/22/2009 | \$105 00    | E       | 46120 | 301 WATER PLAN                  | PROF SER-ENGIN  |
| 601 S E H                    | 9/23/2009 | \$329 64    | E       | 46120 | 301 WATER & SEWER MAP UPDATE    | PROF SER-ENGIN  |
| 601 S E H                    | 9/23/2009 | \$181 32    | E       | 46120 | 301 SEWER TELEVISION            | PROF SER-ENGIN  |
| 601 S E H                    | 9/23/2009 | \$164 82    | E       | 46120 | 301 BOOSTER STATION MECH ROO    | PROF SER-ENGIN  |
| 601 S E H                    | 9/23/2009 | \$587 36    | E       | 46120 | 301 WELLHEAD PROTECTION PHAS    | PROF SER-ENGIN  |
| 601 RALPH G TESCHNER         | 9/9/2009  | \$500 00    | E       | 46120 | 302 2009 ENTERPRISE FUND UTILIT | CONTRACT SERV   |
| 601 RALPH G TESCHNER         | 9/28/2009 | \$125 00    | E       | 46120 | 302 2009 ENTERPRISE UTILITY RAT | CONTRACT SERV   |

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|----------------------------------|-----------|------------|------|-------|---------------------------------|-----------------|
| 601 MANAGEMENT SERVICES          | 9/3/2009  | \$1,337    | 51 E | 46120 | 302 CONSULTING                  | CONTRACT SERV   |
| 601 MANAGEMENT SERVICES          | 9/16/2009 | \$1,377    | 43 E | 46120 | 302 CONSULTING                  | CONTRACT SERV   |
| 601 ONE CALL CONCEPTS            | 9/22/2009 | \$129      | 85 E | 46120 | 307 TICKETS                     | GOPHER STATE    |
| 601 POSTMASTER                   | 9/28/2009 | \$96       | 02 E | 46120 | 322 3RD QTR 2009 UTILITY BILLS  | POSTAGE         |
| 601 XCEL                         | 9/3/2009  | \$1,407    | 41 E | 46120 | 380 GAS & ELECTRIC              | ELECTRIC SERVI  |
| 601 XCEL                         | 9/3/2009  | \$89       | 54 E | 46120 | 381 GAS & ELECTRIC              | FUEL FOR HEAT   |
| 601 U S BANK VISA                | 9/29/2009 | \$29       | 00 E | 46120 | 412 LATE FEE                    | REP & MAINT VE  |
| 601 NORTHERN TOOL & EQUIPM       | 9/29/2009 | \$15       | 23 E | 46120 | 412 WATER PUMP PART             | REP & MAINT VE  |
| 601 NORTHERN TOOL & EQUIPM       | 9/22/2009 | \$14       | 00 E | 46120 | 412 PARTS - WATER PUMP          | REP & MAINT VE  |
| 601 NORTHERN TOOL & EQUIPM       | 9/22/2009 | \$183      | 32 E | 46120 | 412 PARTS - WATER PUMP          | REP & MAINT VE  |
| 601 U S BANK VISA                | 9/29/2009 | \$37       | 50 E | 46120 | 412 SHARP AUTO PARTS            | REP & MAINT VE  |
| 601 U S BANK VISA                | 9/22/2009 | \$16       | 07 E | 46120 | 412 SHARP AUTO PARTS            | REP & MAINT VE  |
| 601 U S BANK VISA                | 9/29/2009 | \$2        | 98 E | 46120 | 412 FINANCE CHG                 | REP & MAINT VE  |
| 601 TR COMPUTER SALES LLC        | 9/14/2009 | \$3        | 00 E | 46120 | 416 COMPUTER CONSULTANT         | REPAIR/MAINT O  |
| 601 TR COMPUTER SALES LLC        | 9/28/2009 | \$7        | 50 E | 46120 | 416 COMPUTER CONSULTING         | REPAIR/MAINT O  |
| 601 ADVANCE IMAGING SOLUTI       | 9/14/2009 | \$1        | 65 E | 46120 | 416 YEARLY COPY CHARGE          | REPAIR/MAINT O  |
| 601 HAWKINS WATER                | 9/22/2009 | \$10       | 00 E | 46120 | 416 CHLORINE CYLINDER           | REPAIR/MAINT O  |
| 601 MILLER EXCAVATING            | 9/29/2009 | \$8,897    | 34 E | 46120 | 419 BARKERS ALPS WATER LINE &   | REPAIR & MAINT  |
| 601 MINNESOTA PIPE & EQUIPM      | 9/22/2009 | \$5,462    | 19 E | 46120 | 419 WATER MAIN - BARKERS        | REPAIR & MAINT  |
| 601 MINNESOTA PIPE & EQUIPM      | 9/22/2009 | \$2,415    | 28 E | 46120 | 419 WATER SERVICE - BARKERS     | REPAIR & MAINT  |
| 601 U S BANK VISA                | 9/22/2009 | \$67       | 01 E | 46120 | 419 ACE HARDWARE                | REPAIR & MAINT  |
| 601 U S BANK VISA                | 9/29/2009 | \$5        | 36 E | 46120 | 419 ACE HARDWARE                | REPAIR & MAINT  |
| DEPT 46120 WATER                 |           | \$32,645   | 54   |       |                                 |                 |
| FUND 601 WATER                   |           | \$34,703   | 58   |       |                                 |                 |
| FUND 602 SEWER                   |           |            |      |       |                                 |                 |
| DEPT 46200 SEWER - OPERATING     |           |            |      |       |                                 |                 |
| 602                              | 9/17/2009 | \$4,130    | 51 E | 46200 | 101 Labor Distribution          | WAGES AND SAL   |
| 602                              | 8/21/2009 | \$4,153    | 13 E | 46200 | 101 Labor Distribution          | WAGES AND SAL   |
| 602                              | 9/17/2009 | \$278      | 76 E | 46200 | 121 Labor Distribution          | P E R A         |
| 602                              | 8/21/2009 | \$280      | 28 E | 46200 | 121 Labor Distribution          | P E R A         |
| 602                              | 9/17/2009 | \$246      | 54 E | 46200 | 122 Labor Distribution          | CONT TO RET , S |
| 602                              | 8/21/2009 | \$247      | 89 E | 46200 | 122 Labor Distribution          | CONT TO RET , S |
| 602                              | 8/21/2009 | \$225      | 57 E | 46200 | 126 Labor Distribution          | H S A           |
| 602                              | 9/17/2009 | \$217      | 24 E | 46200 | 126 Labor Distribution          | H S A           |
| 602                              | 8/21/2009 | \$851      | 39 E | 46200 | 131 Labor Distribution          | CONT TO EMPLO   |
| 602                              | 9/17/2009 | \$57       | 65 E | 46200 | 170 Labor Distribution          | MEDICARE        |
| 602                              | 8/21/2009 | \$57       | 96 E | 46200 | 170 Labor Distribution          | MEDICARE        |
| 602 OFFICE SUPPLY CONNECTI       | 9/23/2009 | \$3        | 85 E | 46200 | 201 OFFICE SUPPLIES             | OFFICE SUPPLIE  |
| 602 U S BANK VISA                | 9/28/2009 | \$5        | 10 E | 46200 | 201 CARTRIDGE WORLD             | OFFICE SUPPLIE  |
| 602 OFFICE SUPPLY CONNECTI       | 9/14/2009 | \$1        | 29 E | 46200 | 201 OFFICE SUPPLIES             | OFFICE SUPPLIE  |
| 602 BUSINESS FORMS & ACCOU       | 9/22/2009 | \$7        | 97 E | 46200 | 201 LASER A/P CHECKS            | OFFICE SUPPLIE  |
| 602 U S BANK VISA                | 9/29/2009 | \$142      | 85 E | 46200 | 206 GEMPLER                     | UNIFORMS - PW   |
| 602 HOLIDAY FLEET                | 9/9/2009  | \$148      | 13 E | 46200 | 212 FUEL - VEHICLES             | MOTOR FUELS &   |
| 602 MANAGEMENT SERVICES          | 9/3/2009  | \$1,337    | 50 E | 46200 | 302 CONSULTING                  | CONTRACT SERV   |
| 602 RALPH G TESCHNER             | 9/9/2009  | \$500      | 00 E | 46200 | 302 2009 ENTERPRISE FUND UTILIT | CONTRACT SERV   |
| 602 MANAGEMENT SERVICES          | 9/16/2009 | \$1,377    | 43 E | 46200 | 302 CONSULTING                  | CONTRACT SERV   |
| 602 RALPH G TESCHNER             | 9/28/2009 | \$125      | 00 E | 46200 | 302 2009 ENTERPRISE UTILITY RAT | CONTRACT SERV   |
| 602 POSTMASTER                   | 9/28/2009 | \$96       | 02 E | 46200 | 322 3RD QTR 2009 UTILITY BILLS  | POSTAGE         |
| 602 ADVANCE IMAGING SOLUTI       | 9/14/2009 | \$1        | 66 E | 46200 | 416 YEARLY COPY CHARGE          | REPAIR/MAINT O  |
| 602 TR COMPUTER SALES LLC        | 9/28/2009 | \$7        | 50 E | 46200 | 416 COMPUTER CONSULTING         | REPAIR/MAINT O  |
| 602 TR COMPUTER SALES LLC        | 9/14/2009 | \$3        | 00 E | 46200 | 416 COMPUTER CONSULTANT         | REPAIR/MAINT O  |
| DEPT 46200 SEWER - OPERATING     |           | \$14,504   | 22   |       |                                 |                 |
| DEPT 46990 SEWER - NON-OPERATING |           |            |      |       |                                 |                 |
| 602 METROPOLITAN COUNCIL (S      | 9/14/2009 | \$26,255   | 95 E | 46990 | 434 ANNUAL FLOW                 | STATE FEES FOR  |

MONTHLY EXPENSES

Period Name: SEPTEMBER

| FUND Search Name                           | Tran Date | Act Amount | Typ  | DEPT  | OBJ Comments                  | OBJ Descr       |
|--|-----------|------------|------|-------|-------------------------------|-----------------|
| FUND 602 SEWER                             |           | \$40,760   | 17   |       |                               |                 |
| <b>FUND 803 P &amp; Z ESCROWS</b>          |           |            |      |       |                               |                 |
| <b>DEPT 80006 OSTERTAG VARIANCE</b>        |           |            |      |       |                               |                 |
| 803 S E H                                  | 9/23/2009 | \$164      | 82 E | 80006 | 301 OSTERTAG RAIN GARDEN REVI | PROF SER-ENGIN  |
| <b>DEPT 80018 MSCWM PERRO CREEK OUTLET</b> |           |            |      |       |                               |                 |
| 803 ECKBERG, LAMMERS, BRIG                 | 9/23/2009 | \$67       | 50 E | 80018 | 300 PROFESSIONAL SERVICES     | PROF SER-LEGAL  |
| 803 GEISLINGER AND SONS, INC               | 9/8/2009  | \$53,286   | 74 E | 80018 | 306 PERRO CREEK OUTLET        | PROF SER-OTHE   |
| DEPT 80018 MSCWM PERRO CREEK OUTLET        |           | \$53,354   | 24   |       |                               |                 |
| <b>DEPT 80019 JG HAUSE CONSTRUCTION</b>    |           |            |      |       |                               |                 |
| 803 S E H                                  | 9/23/2009 | \$3,114    | 81 E | 80019 | 301 PERRO CREEK CONST         | PROF SER-ENGIN  |
| <b>DEPT 80024 RICK PARENT</b>              |           |            |      |       |                               |                 |
| 803 STILLWATER GAZETTE                     | 9/14/2009 | \$34       | 87 E | 80024 | 350 VARIANCES                 | PRINTING & PUBL |
| FUND 803 P & Z ESCROWS                     |           | \$56,668   | 74   |       |                               |                 |
|  |           | \$528,467  | 57   |       |                               |                 |

## City of Bayport

294 North 3rd Street

Bayport, MN 55003

Phone: 651-275-4404

Fax: 651-275-4411

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### Building Permit Log

For: September, 2009

Printed:9/24/2009

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**Permit Number:** BP2009-49

**Parcel Address:** 970 Pickett Street N.

**Applicant:**STOCK ROOFING COMPANY  
STOCK ROOFING COMPANY ROOFING

**Construction Value:**\$24,635.00

**Filing Date:** 9/1/2009

Bayport, MN 55003

**Applicant Phone:** 763-780-3561

**Total Fees:** \$425.32

---

**Permit Number:** BP2009-50

**Parcel Address:** 551 9TH St. N.

**Applicant:**KYLE DETERT

**Construction Value:**\$1,000.00

**Filing Date:** 9/1/2009

BAYPORT, MN 55003

**Applicant Phone:** 218-340-2382

**Total Fees:** \$68.56

---

**Permit Number:** BP2009-51

**Parcel Address:** 491 6th Street N.

**Applicant:**WILLIAM WILMES  
OWNER OWNER

**Construction Value:**\$1,200.00

**Filing Date:** 9/8/2009

Bayport, MN 55003

**Applicant Phone:**

**Total Fees:** \$48.35

---

**Permit Number:** BP2009-52

**Parcel Address:** 673 2nd Ave. N.

**Applicant:**Wayne Ristow

**Construction Value:**\$3,000 00

**Filing Date:** 9/14/2009

BAYPORT, MN 55003

**Applicant Phone:** 651-491-8640

**Total Fees:** \$90.00

---

**Permit Number:** BP2009-53

**Parcel Address:** 437 5TH St N

**Applicant:**NORGAARD HOMES INC  
NORGAARD HOMES INC RESIDENTIAL BUILDER

**Construction Value:**\$7,500.00

**Filing Date:** 9/17/2009

BAYPORT, MN 55003

**Applicant Phone:** 763-783-7144

**Total Fees:** \$166.00

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**Building Permit Log**

For: September, 2009

Printed 9/24/2009

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|  |                                      |
|--|--------------------------------------|
| <b>Permit Number:</b> BP2009-54  | <b>Filing Date:</b> 9/17/2009        |
| <b>Parcel Address:</b> 293 3RD St N.   | BAYPORT, MN 55003                    |
| <b>Applicant:</b> RIVER VALLEY RESTORATION<br>RIVER VALLEY RESTORATION RESIDENTIAL | <b>Applicant Phone:</b> 651-343-2255 |
| <b>Construction Value:</b> \$6,000.00  | <b>Total Fees:</b> \$222.04          |

---

|   |                                      |
|---|--------------------------------------|
| <b>Permit Number:</b> BP2009-55   | <b>Filing Date:</b> 9/21/2009        |
| <b>Parcel Address:</b> 501 LAKESIDE DRIVE S                                     | BAYPORT, MN 55003                    |
| <b>Applicant:</b> SUPERIOR CONSTRUCTION<br>SUPERIOR CONSTRUCTION SERVICES, INC. | <b>Applicant Phone:</b> 651-221-3800 |
| <b>Construction Value:</b> \$4,000.00   | <b>Total Fees:</b> \$105.25          |

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|  |                                      |
|--|--------------------------------------|
| <b>Permit Number:</b> BP2009-56                | <b>Filing Date:</b> 9/21/2009        |
| <b>Parcel Address:</b> 223 5TH St. S.          | BAYPORT, MN 55003                    |
| <b>Applicant:</b> DEBRA STALOCH<br>OWNER OWNER | <b>Applicant Phone:</b> 651-439-8799 |
| <b>Construction Value:</b> \$5,500.00          | <b>Total Fees:</b> \$135.50          |

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|  |                                      |
|--|--------------------------------------|
| <b>Permit Number:</b> BP2009-57  | <b>Filing Date:</b> 9/23/2009        |
| <b>Parcel Address:</b> 237 5TH St. N.  | BAYPORT, MN 55003                    |
| <b>Applicant:</b> JTR ROOFING, INC.<br>JTR ROOFING, INC. RESIDENTIAL BUILDER | <b>Applicant Phone:</b> 651-777-7394 |
| <b>Construction Value:</b> \$7,500.00  | <b>Total Fees:</b> \$166.00          |

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|   |                                      |
|---|--------------------------------------|
| <b>Permit Number:</b> BP2009-58                                       | <b>Filing Date:</b> 9/23/2009        |
| <b>Parcel Address:</b> 200 5th Avenue So.                             | Bayport, MN 55003                    |
| <b>Applicant:</b> DAN ROETTGER HOME<br>DAN ROETTGER HOME IMPROVEMENTS | <b>Applicant Phone:</b> 651-260-7033 |
| <b>Construction Value:</b> \$90,000.00                                | <b>Total Fees:</b> \$1,026.75        |

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|  |                                      |
|--|--------------------------------------|
| <b>Permit Number:</b> BP2009-59  | <b>Filing Date:</b> 9/24/2009        |
| <b>Parcel Address:</b> 655 2ND St. N.  | BAYPORT, MN 55003                    |
| <b>Applicant:</b> MCKINLEY EVEREST<br>MCKINLEY EVEREST CONSULTING (HAIL PROS | <b>Applicant Phone:</b> 612-325-5500 |
| <b>Construction Value:</b> \$1,725.00  | <b>Total Fees:</b> \$68.11           |

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**Building Permit Log**

For: September, 2009

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|  |                                      |
|--|--------------------------------------|
| <b>Permit Number:</b> BP2009-60  | <b>Filing Date:</b> 9/24/2009        |
| <b>Parcel Address:</b> 537 5th St. N.  | BAYPORT, MN 55003                    |
| <b>Applicant:</b> JTR ROOFING, INC.<br>JTR ROOFING, INC. RESIDENTIAL BUILDER | <b>Applicant Phone:</b> 651-777-7394 |
| <b>Construction Value:</b> \$9,000.00  | <b>Total Fees:</b> \$181.50          |

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|  |                                      |
|--|--------------------------------------|
| <b>Permit Number:</b> BP21-BAYTOWN   | <b>Filing Date:</b> 9/1/2009         |
| <b>Parcel Address:</b> 14963 37TH STREET NORTH   | STILLWATER, MN 55082                 |
| <b>Applicant:</b> AMERICAN CLASSIC HOMES, LLC<br>AMERICAN CLASSIC HOMES, LLC RESIDENTIAL | <b>Applicant Phone:</b> 651-351-0995 |
| <b>Construction Value:</b>   | <b>Total Fees:</b> \$1,300.00        |

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|  |                                      |
|--|--------------------------------------|
| <b>Permit Number:</b> MC2009-21  | <b>Filing Date:</b> 9/1/2009         |
| <b>Parcel Address:</b> 1020 PIONEER TRAIL                                | BAYPORT, MN 55003                    |
| <b>Applicant:</b> RAY N. WELTER HEATING<br>RAY N. WELTER HEATING COMPANY | <b>Applicant Phone:</b> 612-825-6867 |
| <b>Construction Value:</b> \$900 00                                      | <b>Total Fees:</b> \$75.50           |

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|  |                                      |
|--|--------------------------------------|
| <b>Permit Number:</b> MC2009-22  | <b>Filing Date:</b> 9/8/2009         |
| <b>Parcel Address:</b> 472 2ND Ave. S.                                       | BAYPORT, MN 55003                    |
| <b>Applicant:</b> ANDERSON HEATING, INC<br>ANDERSON HEATING, INC. MECHANICAL | <b>Applicant Phone:</b> 715-549-6297 |
| <b>Construction Value:</b>   | <b>Total Fees:</b> \$75.50           |

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|   |                                      |
|---|--------------------------------------|
| <b>Permit Number:</b> MC2009-23   | <b>Filing Date:</b> 9/10/2009        |
| <b>Parcel Address:</b> 358 PRAIRIE WAY S.   | BAYPORT, MN 55003                    |
| <b>Applicant:</b> FIRESIDE HEARTH & HOME<br>FIRESIDE HEARTH & HOME TECHNOLOGIES, INC. | <b>Applicant Phone:</b> 651-633-1042 |
| <b>Construction Value:</b> \$2,800.00   | <b>Total Fees:</b> \$75.50           |

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|   |                                      |
|---|--------------------------------------|
| <b>Permit Number:</b> MC2009-24   | <b>Filing Date:</b> 9/10/2009        |
| <b>Parcel Address:</b> 358 PRAIRIE WAY S.                                     | BAYPORT, MN 55003                    |
| <b>Applicant:</b> ANDERSON HEATING, INC.<br>ANDERSON HEATING, INC. MECHANICAL | <b>Applicant Phone:</b> 715-549-6297 |
| <b>Construction Value:</b> \$15,000.00  | <b>Total Fees:</b> \$75.50           |

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**Building Permit Log**

For: September, 2009

Printed:9/24/2009

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**Permit Number:** PL2009-13  
**Parcel Address:** 1020 PIONEER TRAIL  
**Applicant:** VALLEY PLUMBING CO  
VALLEY PLUMBING CO. Plumber  
**Construction Value:** \$2,405.00

**Filing Date:** 9/1/2009  
BAYPORT, MN 55003  
**Applicant Phone:** 952-492-2121

**Total Fees:** \$75.50

---

**Permit Number:** PL2009-14  
**Parcel Address:** 358 PRAIRIE WAY S.  
**Applicant:** JERRY'S PLUMBING INC.  
JERRY'S PLUMBING INC Plumber  
**Construction Value:** \$15,000.00

**Filing Date:** 9/8/2009  
BAYPORT, MN 55003  
**Applicant Phone:** 763-252-4268

**Total Fees:** \$75.50

---

**Permit Number:** PL2009-15  
**Parcel Address:** 317 PERIWINKLE Place  
**Applicant:** WENZEL PLUMBING & HEATING,  
WENZEL PLUMBING & HEATING, INC Plumber  
**Construction Value:** \$10,000.00

**Filing Date:** 9/22/2009  
BAYPORT, MN 55003  
**Applicant Phone:** 651-452-1565

**Total Fees:** \$75.50

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**Permit Number:** PL2009-16  
**Parcel Address:** 1014 PIONEER TRAIL  
**Applicant:** WENZEL PLUMBING & HEATING,  
WENZEL PLUMBING & HEATING, INC. Plumber  
**Construction Value:** \$11,000.00

**Filing Date:** 9/22/2009  
BAYPORT, MN 55003  
**Applicant Phone:** 651-452-1565

**Total Fees:** \$75.50

---

INVOICE  
**CITY OF BAYPORT**

294 NORTH 3RD STREET

**BAYPORT, MINNESOTA 55003**

651-275-4404

S  
O MINNESOTA PUBLIC FACILITIES AUTHORITY  
L  
D 1ST NATIONAL BANK BUILDING, SUITE E-200  
332 MINNESOTA STREET  
T  
O ST. PAUL, MN 55101

| INVOICE NO.               | WM2009-5     | INVOICE             | DATE         | 9/10/2009           |
|---------------------------|--------------|---------------------|--------------|---------------------|
| MSCWM PERRO CREEK OUTLET: |              | <u>INVOICE DATE</u> |              |                     |
| ANDERSEN WINDOWS          | EASEMENT PMT |                     | 4/8/2009     | <b>\$37,769.70</b>  |
| OPPENHEIMER               | 783238       |                     | 11/11/2008   | <b>\$1,088.00</b>   |
| OPPENHEIMER               | 773082       |                     | 5/19/2008    | <b>\$64.00</b>      |
| OPPENHEIMER               | 791286       |                     | 5/13/2009    | <b>\$704.00</b>     |
| OPPENHEIMER               | 789996       |                     | 4/13/2009    | <b>\$592.00</b>     |
| OPPENHEIMER               | 788638       |                     | 3/12/2009    | <b>\$576.00</b>     |
| OPPENHEIMER               | 788637       |                     | 3/12/2009    | <b>\$62.50</b>      |
| OPPENHEIMER               | 786919       |                     | 2/10/2009    | <b>\$1,375.00</b>   |
| OPPENHEIMER               | 784121       |                     | 12/4/2008    | <b>\$500.00</b>     |
| OPPENHEIMER               | 784122       |                     | 12/4/2008    | <b>\$992.00</b>     |
| SEH                       | 220633       |                     | 8/7/2009     | <b>\$3,419.60</b>   |
| GEISLINGER AND SONS, INC. | #4           |                     | 8/31/2009    | <b>\$53,286.74</b>  |
|                           |              |                     | SUB TOTAL    | <b>\$100,429.54</b> |
|                           |              |                     | <b>TOTAL</b> | <b>\$100,429.54</b> |



CITY OF BAYPORT  
294 NORTH THIRD STREET  
BAYPORT, MINNESOTA 55003  
PHONE 651-275-4404 FAX 651-275-4411

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Date: September 23, 2009

To: Mayor and City Council

From: Mike McGuire, City Administrator 

RE: Authorization to purchase a new copy machine

### ***BACKGROUND***

City Hall purchased its current copy machine in June 1999, a Sharp AR-405 from Advanced Imaging Solutions (AIS), Minnetonka, Minnesota. For the past year, there have been multiple service-related issues with the copier, and AIS has informed staff that it is becoming increasingly difficult to secure repair parts for the machine, resulting in excessive downtime and inconsistent service. In anticipation of replacing the machine, \$10,000.00 was included in the 2009 Capital Improvement Plan for the purchase of a new copier.

Pricing for copy machines has decreased considerably in the past year, and staff believes a new copier would be an economical choice at this time. A new copier would be networked to staffs' personal computers, and individual printers would be phased out as toner cartridges need replacement. In recent months, staff has reviewed several machines and receiving pricing from the following vendors:

- AIS, Sharp MX-3100-C
- Loffler Companies, Konica Minolta bizhub C353
- Toshiba Business Solutions, e-Studio 3530C

In addition to networking capabilities, machines were priced out with the options of a finisher for stapling/collating, three-hole punch, extra paper drawer, and a fax kit. Other financial considerations were government pricing, price per copy, and service/maintenance costs.

Upon careful consideration of machine features and pricing, staff believes the Konica Minolta bizhub C353 from Loffler Companies would be the best fit for the following reasons:

- Government pricing through University of Minnesota contract
- Guaranteed 5-year monthly maintenance and supply program costs of \$.007/copy black and white and \$.055/copy color, based on actual number of copies made only
- Response time for service is lowest at 3 hours, with average of 2.1 hours
- Specialized training staff
- User friendly machine, with handicapped accessibility

### ***RECOMMENDATION***

Staff recommends the City Council approve the purchase of a Konica Minolta bizhub C353 from Loffler Companies, Inc., Bloomington, Minnesota, at a cost of \$8,404.00, plus \$577.78 tax, for a total of \$8,981.78. Additional networking setup costs, through a separate vendor, are estimated at less than \$500.00. Funding for this purchase would come from the Office Automation Fund.



**SANDERS WACKER BERGLY, INC.**  
**Landscape Architects And Planners**

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**TRANSMITTAL**

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TO: Mike McGuire

FROM: Larry Wacker

---

COMPANY: City of Bayport

DATE: 9/24/2009

---

RE: Miller Pay Application #4 - Barker's  
Alps Park Site Improvements

---

SWB PROJECT NUMBER

COPY TO

---

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URGENT    FOR REVIEW    PLEASE COMMENT    PLEASE REPLY    FOR YOUR USE

---

---

NOTES/COMMENTS:

Attached please find Payment Application #4 from Miller Excavating, Inc. for work completed on the construction contract for Barker's Alps Park Site Improvements. Primary work activity included final rough grading, finish grading of areas to be seeded, seeding and landscaping.



# AIA Document G702™ - 1992

## Application and Certificate for Payment

TO OWNER: CITY OF BAYBURY PROJECT: BARRETT'S ALPS

FROM: 294 N. 3rd St

BAYBURY, NY 55083

CONTRACTOR: MILLER EXHAUSTIVE ARCHITECTS VIA SAUNDERS, WALKER, & BERRY

3434 STATE STREET

STILLWATER, NY 55082

### CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract, Confirmation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM .....

2. Net change by Change Orders .....

3. CONTRACT SUM TO DATE (Line 1 + 2) .....

4. TOTAL COMPLETED & STORED TO DATE (Column D on G703) .....

5. RETAINAGE:

a. 0% % of Completed Work

b. 0% % of Stored Material

Total Retainage (Lines 5a + 5b or Total in Column I of G703) .....

6. TOTAL EARNED LESS RETAINAGE .....

(Line 4 Less Line 5 Total)

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT .....

(Line 6 from prev. Certificate)

8. CURRENT PAYMENT DUE .....

9. BALANCE TO FINISH, INCLUDING RETAINAGE .....

(Line 3 less Line 6)

| CHANGE ORDER SUMMARY                               | ADDITIONS | DEDUCTIONS |
|--|-----------|------------|
| Total changes approved in previous months by Owner | \$ 0.00   | \$ 0.00    |
| Total approved this Month                          | \$ 0.00   | \$ 0.00    |
| TOTALS   | \$ 0.00   | \$ 0.00    |
| NET CHANGES by Change Order                        | \$ 0.00   | \$ 0.00    |

\$ 35,674.53

\$ 105,872.06

APPLICATION NO: 4  
 PERIOD TO: 9/1/09 → 9/30/09  
 CONTRACT FOR:  
 CONTRACT DATE:  
 PROJECT NOS: 1 / 1

Distribution to:  
 OWNER:   
 ARCHITECT:   
 CONTRACTOR:   
 FIELD:   
 OTHER:

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:

By: [Signature]

Title: Contractor

State of: Minnesota

County of: Washington

Subscribed and sworn to before me this 23 day of SEPTEMBER, 2009

Notary Public: Mary C. O'Brien

My Commission expires: 1/31/14



Date: 9/23/09

### ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED .....

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT: SAUNDERS WALKER BERRY, INC.

[Signature]

Date: 9/24/09

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**A. BASE BID**

| ITEM  | DESCRIPTION  | Quantity | Unit | Price        | Amount       | QTY  | Amount      | QTY  | Amount      | QTY  | Amount      | QTY  | Amount      | QTY  | Amount       | % Complete | Balance    | Est. 1.3     |
|-------|--|----------|------|--------------|--------------|------|-------------|------|-------------|------|-------------|------|-------------|------|--------------|------------|------------|--------------|
| 1     | Striping, Layout, Traffic Markings, Obstruction, Control, Edison Control | 1        | LS   | \$48,210.00  | \$48,210.00  | 0.00 | \$2,104.00  | 0.00 | \$2,104.00  | 0.00 | \$2,104.00  | 0.00 | \$2,104.00  | 1.00 | \$48,210.00  | 90.26%     | \$2,240.78 | \$504,000.00 |
| 2     | Striping, Traffic & Parking Lot  | 1        | LS   | \$40,000.00  | \$40,000.00  | 0.00 | \$3,500.00  | 0.00 | \$3,500.00  | 0.00 | \$3,500.00  | 0.00 | \$3,500.00  | 1.00 | \$40,000.00  | 100.00%    | \$0.00     | \$24,420.00  |
| 3     | Striping, Traffic, Concrete, Parking, Resurfacing, Walk                  | 1        | LS   | \$12,887.25  | \$12,887.25  | 0.00 | \$12,887.25 | 0.00 | \$12,887.25 | 0.00 | \$12,887.25 | 0.00 | \$12,887.25 | 1.00 | \$12,887.25  | 100.00%    | \$0.00     | \$21,138.25  |
| 4     | Striping & Painting  | 1        | LS   | \$40,295.60  | \$40,295.60  | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.99 | \$39,895.60  | 99.00%     | \$399.00   | \$1,500.00   |
| Total |  |          |      | \$141,798.85 | \$141,798.85 |      | \$6,500.00  |      | \$6,500.00  |      | \$6,500.00  |      | \$6,500.00  |      | \$141,798.85 |            | \$0.00     | \$34,420.00  |

**ALTERNATE #1**

| ITEM  | DESCRIPTION   | Quantity | Unit | Price       | Amount      | QTY  | Amount   | QTY  | Amount   | QTY  | Amount   | QTY  | Amount   | QTY  | Amount      | % Complete | Balance | Est. 1.3    |
|-------|---|----------|------|-------------|-------------|------|----------|------|----------|------|----------|------|----------|------|-------------|------------|---------|-------------|
| 1     | Striping, Layout, Traffic Markings, Obstruction, Edison Control | 1        | LS   | \$1,700.00  | \$1,700.00  | 0.00 | \$850.00 | 0.00 | \$850.00 | 0.00 | \$850.00 | 0.00 | \$850.00 | 1.00 | \$1,700.00  | 100.00%    | \$0.00  | \$2,800.00  |
| 2     | Striping, Traffic, Concrete, Parking, Resurfacing, Walk         | 1        | LS   | \$12,800.00 | \$12,800.00 | 0.00 | \$0.00   | 0.00 | \$0.00   | 0.00 | \$0.00   | 0.00 | \$0.00   | 1.00 | \$12,800.00 | 100.00%    | \$0.00  | \$12,800.00 |
| 3     | Striping, Traffic, Concrete, Parking, Resurfacing, Walk         | 1        | LS   | \$11,200.00 | \$11,200.00 | 0.00 | \$0.00   | 0.00 | \$0.00   | 0.00 | \$0.00   | 0.00 | \$0.00   | 1.00 | \$11,200.00 | 100.00%    | \$0.00  | \$11,200.00 |
| Total |   |          |      | \$41,700.00 | \$41,700.00 |      | \$850.00 |      | \$850.00 |      | \$850.00 |      | \$850.00 |      | \$41,700.00 |            | \$0.00  | \$34,420.00 |

**ALTERNATE #2**

| ITEM  | DESCRIPTION   | Quantity | Unit | Price       | Amount      | QTY  | Amount      | % Complete | Balance | Est. 1.3    |
|-------|---|----------|------|-------------|-------------|------|-------------|------|-------------|------|-------------|------|-------------|------|-------------|------------|---------|-------------|
| 1     | Striping, Layout, Traffic Markings, Obstruction, Edison Control | 1        | LS   | \$1,450.00  | \$1,450.00  | 0.00 | \$718.00    | 0.00 | \$718.00    | 0.00 | \$718.00    | 0.00 | \$718.00    | 1.00 | \$1,450.00  | 100.00%    | \$0.00  | \$2,800.00  |
| 2     | Striping, Traffic, Concrete, Parking, Resurfacing, Walk         | 1        | LS   | \$21,500.00 | \$21,500.00 | 0.00 | \$10,750.00 | 0.00 | \$10,750.00 | 0.00 | \$10,750.00 | 0.00 | \$10,750.00 | 1.00 | \$21,500.00 | 100.00%    | \$0.00  | \$21,500.00 |
| 3     | Striping, Traffic, Concrete, Parking, Resurfacing, Walk         | 1        | LS   | \$2,000.00  | \$2,000.00  | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 1.00 | \$2,000.00  | 100.00%    | \$0.00  | \$2,000.00  |
| Total |   |          |      | \$44,950.00 | \$44,950.00 |      | \$17,938.00 |      | \$17,938.00 |      | \$17,938.00 |      | \$17,938.00 |      | \$44,950.00 |            | \$0.00  | \$34,420.00 |

**ALTERNATE #3**

| ITEM  | DESCRIPTION   | Quantity | Unit | Price       | Amount      | QTY  | Amount      | % Complete | Balance | Est. 1.3    |
|-------|---|----------|------|-------------|-------------|------|-------------|------|-------------|------|-------------|------|-------------|------|-------------|------------|---------|-------------|
| 1     | Striping, Layout, Traffic Markings, Obstruction, Edison Control | 1        | LS   | \$3,000.00  | \$3,000.00  | 0.00 | \$1,500.00  | 0.00 | \$1,500.00  | 0.00 | \$1,500.00  | 0.00 | \$1,500.00  | 1.00 | \$3,000.00  | 100.00%    | \$0.00  | \$3,000.00  |
| 2     | Striping, Traffic, Concrete, Parking, Resurfacing, Walk         | 1        | LS   | \$11,000.00 | \$11,000.00 | 0.00 | \$5,500.00  | 0.00 | \$5,500.00  | 0.00 | \$5,500.00  | 0.00 | \$5,500.00  | 1.00 | \$11,000.00 | 100.00%    | \$0.00  | \$11,000.00 |
| 3     | Striping, Traffic, Concrete, Parking, Resurfacing, Walk         | 1        | LS   | \$24,500.00 | \$24,500.00 | 0.00 | \$12,250.00 | 0.00 | \$12,250.00 | 0.00 | \$12,250.00 | 0.00 | \$12,250.00 | 1.00 | \$24,500.00 | 100.00%    | \$0.00  | \$24,500.00 |
| 4     | Striping & Painting   | 1        | LS   | \$3,000.00  | \$3,000.00  | 0.00 | \$1,500.00  | 0.00 | \$1,500.00  | 0.00 | \$1,500.00  | 0.00 | \$1,500.00  | 1.00 | \$3,000.00  | 100.00%    | \$0.00  | \$3,000.00  |
| Total |   |          |      | \$34,500.00 | \$34,500.00 |      | \$17,250.00 |      | \$17,250.00 |      | \$17,250.00 |      | \$17,250.00 |      | \$34,500.00 |            | \$0.00  | \$41,347.70 |

**ALTERNATE #4**

| ITEM  | DESCRIPTION   | Quantity | Unit | Price       | Amount      | QTY  | Amount      | % Complete | Balance | Est. 1.3    |
|-------|---|----------|------|-------------|-------------|------|-------------|------|-------------|------|-------------|------|-------------|------|-------------|------------|---------|-------------|
| 1     | Striping, Layout, Traffic Markings, Obstruction, Edison Control | 1        | LS   | \$1,250.00  | \$1,250.00  | 0.00 | \$625.00    | 0.00 | \$625.00    | 0.00 | \$625.00    | 0.00 | \$625.00    | 1.00 | \$1,250.00  | 100.00%    | \$0.00  | \$2,500.00  |
| 2     | Striping, Traffic, Concrete, Parking, Resurfacing, Walk         | 1        | LS   | \$10,000.00 | \$10,000.00 | 0.00 | \$5,000.00  | 0.00 | \$5,000.00  | 0.00 | \$5,000.00  | 0.00 | \$5,000.00  | 1.00 | \$10,000.00 | 100.00%    | \$0.00  | \$10,000.00 |
| 3     | Striping, Traffic, Concrete, Parking, Resurfacing, Walk         | 1        | LS   | \$10,000.00 | \$10,000.00 | 0.00 | \$5,000.00  | 0.00 | \$5,000.00  | 0.00 | \$5,000.00  | 0.00 | \$5,000.00  | 1.00 | \$10,000.00 | 100.00%    | \$0.00  | \$10,000.00 |
| Total |   |          |      | \$21,250.00 | \$21,250.00 |      | \$10,625.00 |      | \$10,625.00 |      | \$10,625.00 |      | \$10,625.00 |      | \$21,250.00 |            | \$0.00  | \$10,290.00 |

**ALTERNATE #5**

| ITEM  | DESCRIPTION   | Quantity | Unit | Price       | Amount      | QTY  | Amount     | QTY  | Amount     | QTY  | Amount     | QTY  | Amount     | QTY  | Amount      | % Complete | Balance | Est. 1.3    |
|-------|---|----------|------|-------------|-------------|------|------------|------|------------|------|------------|------|------------|------|-------------|------------|---------|-------------|
| 1     | Striping, Layout, Traffic Markings, Obstruction, Edison Control | 1        | LS   | \$1,350.00  | \$1,350.00  | 0.00 | \$675.00   | 0.00 | \$675.00   | 0.00 | \$675.00   | 0.00 | \$675.00   | 1.00 | \$1,350.00  | 100.00%    | \$0.00  | \$2,700.00  |
| 2     | Striping, Traffic, Concrete, Parking, Resurfacing, Walk         | 1        | LS   | \$5,700.00  | \$5,700.00  | 0.00 | \$2,850.00 | 0.00 | \$2,850.00 | 0.00 | \$2,850.00 | 0.00 | \$2,850.00 | 1.00 | \$5,700.00  | 100.00%    | \$0.00  | \$5,700.00  |
| 3     | Striping, Traffic, Concrete, Parking, Resurfacing, Walk         | 1        | LS   | \$7,154.00  | \$7,154.00  | 0.00 | \$3,577.00 | 0.00 | \$3,577.00 | 0.00 | \$3,577.00 | 0.00 | \$3,577.00 | 1.00 | \$7,154.00  | 100.00%    | \$0.00  | \$7,154.00  |
| 4     | Striping  | 1        | LS   | \$2,730.00  | \$2,730.00  | 0.00 | \$1,365.00 | 0.00 | \$1,365.00 | 0.00 | \$1,365.00 | 0.00 | \$1,365.00 | 1.00 | \$2,730.00  | 100.00%    | \$0.00  | \$2,730.00  |
| Total |   |          |      | \$17,934.00 | \$17,934.00 |      | \$8,967.00 |      | \$8,967.00 |      | \$8,967.00 |      | \$8,967.00 |      | \$17,934.00 |            | \$0.00  | \$13,317.00 |

**ALTERNATE #6**

| ITEM  | DESCRIPTION   | Quantity | Unit | Price       | Amount      | QTY  | Amount     | QTY  | Amount     | QTY  | Amount     | QTY  | Amount     | QTY  | Amount      | % Complete | Balance | Est. 1.3    |
|-------|---|----------|------|-------------|-------------|------|------------|------|------------|------|------------|------|------------|------|-------------|------------|---------|-------------|
| 1     | Striping, Layout, Traffic Markings, Obstruction, Edison Control | 1        | LS   | \$900.00    | \$900.00    | 0.00 | \$450.00   | 0.00 | \$450.00   | 0.00 | \$450.00   | 0.00 | \$450.00   | 1.00 | \$900.00    | 100.00%    | \$0.00  | \$1,800.00  |
| 2     | Striping, Traffic, Concrete, Parking, Resurfacing, Walk         | 1        | LS   | \$11,000.00 | \$11,000.00 | 0.00 | \$5,500.00 | 0.00 | \$5,500.00 | 0.00 | \$5,500.00 | 0.00 | \$5,500.00 | 1.00 | \$11,000.00 | 100.00%    | \$0.00  | \$11,000.00 |
| Total |   |          |      | \$12,900.00 | \$12,900.00 |      | \$5,950.00 |      | \$5,950.00 |      | \$5,950.00 |      | \$5,950.00 |      | \$12,900.00 |            | \$0.00  | \$12,800.00 |

**UNIT PRICE (L.S. Awarded)**

| ITEM  | DESCRIPTION   | Quantity | Unit | Price       | Amount      | QTY    | Amount      | QTY  | Amount      | QTY  | Amount      | QTY  | Amount      | QTY  | Amount      | % Complete | Balance    | Est. 1.3   |
|-------|---|----------|------|-------------|-------------|--------|-------------|------|-------------|------|-------------|------|-------------|------|-------------|------------|------------|------------|
| 1     | Striping, Layout, Traffic Markings, Obstruction, Edison Control | 1000     | CV   | \$3.25      | \$3,250.00  | 782.20 | \$2,542.00  | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 78.20%     | \$2,988.00 | \$7,988.40 |
| 2     | Striping, Traffic, Concrete, Parking, Resurfacing, Walk         | 1000     | CV   | \$6.00      | \$6,000.00  | 85.00  | \$5,100.00  | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 85.00%     | \$5,100.00 | \$4,280.00 |
| 3     | Striping, Traffic, Concrete, Parking, Resurfacing, Walk         | 1000     | CV   | \$1.80      | \$1,800.00  | 0.00   | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00%      | \$1,800.00 | \$1,800.00 |
| 4     | Striping, Traffic, Concrete, Parking, Resurfacing, Walk         | 1000     | CV   | \$3.25      | \$3,250.00  | 0.00   | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00%      | \$3,250.00 | \$3,250.00 |
| 5     | Striping, Traffic, Concrete, Parking, Resurfacing, Walk         | 1000     | CV   | \$1.80      | \$1,800.00  | 0.00   | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00%      | \$1,800.00 | \$1,800.00 |
| 6     | Striping, Traffic, Concrete, Parking, Resurfacing, Walk         | 1000     | CV   | \$1.80      | \$1,800.00  | 0.00   | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00%      | \$1,800.00 | \$1,800.00 |
| 7     | Striping, Traffic, Concrete, Parking, Resurfacing, Walk         | 1000     | CV   | \$1.80      | \$1,800.00  | 0.00   | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00%      | \$1,800.00 | \$1,800.00 |
| 8     | Striping, Traffic, Concrete, Parking, Resurfacing, Walk         | 1000     | CV   | \$1.80      | \$1,800.00  | 0.00   | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00%      | \$1,800.00 | \$1,800.00 |
| 9     | Striping, Traffic, Concrete, Parking, Resurfacing, Walk         | 1000     | CV   | \$3.25      | \$3,250.00  | 0.00   | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00 | \$0.00      | 0.00%      | \$3,250.00 | \$3,250.00 |
| Total |   |          |      | \$17,150.00 | \$17,150.00 |        | \$12,392.00 |      | \$12,392.00 |      | \$12,392.00 |      | \$12,392.00 |      | \$17,150.00 |            | \$0.00     | \$4,758.00 |

**PROJECT TOTALS**

|              |              |             |             |             |             |              |         |            |                |
|--------------|--------------|-------------|-------------|-------------|-------------|--------------|---------|------------|----------------|
| A. BASE BID  | \$274,042.80 | \$69,989.75 | \$94,673.23 | \$74,302.35 | \$48,023.82 | \$271,993.12 | 99.25%  | \$2,648.78 | \$2,825,958.30 |
| ALTERNATE #1 | \$41,700.00  | \$850.00    | \$850.00    | \$1,451.25  | \$1,280.00  | \$41,700.00  | 100.00% | \$0.00     | \$24,420.00    |
| ALTERNATE #2 | \$26,732.50  | \$1,465.00  | \$8,240.00  | \$1,451.25  | \$4,529.25  | \$26,732.50  | 100.00% | \$0.00     | \$21,138.25    |
| Total        |              |             |             |             |             |              |         |            |                |

ALTERNATE # 3  
 ALTERNATE # 4  
 ALTERNATE # 5  
 ALTERNATE # 6  
 UNIT PRICES (1 - 4 Awarded)  
 Addressed Bidding

|                             | TOTAL       | PAY # 1 \$11,773.28 | PAY # 2 \$177,846.23 | PAY # 3 \$112,286.18 | PAY # 4 \$111,444.37 | TOTAL \$444,444.26 | 77.44%  | \$10,029.88 | \$383,308.75 |
|-----------------------------|-------------|---------------------|----------------------|----------------------|----------------------|--------------------|---------|-------------|--------------|
| ALTERNATE # 3               | \$5,738.50  | \$7,709.75          | \$9,540.00           | \$27,088.35          | \$10,450.89          | \$21,788.50        | 100.00% | \$0.00      | \$41,347.70  |
| ALTERNATE # 4               | \$21,107.00 | \$4,137.50          | \$4,137.50           | \$0.00               | \$10,857.00          | \$21,107.00        | 100.00% | \$0.00      | \$10,250.00  |
| ALTERNATE # 5               | \$17,024.00 | \$5,983.00          | \$1,137.00           | \$8,447.50           | \$3,448.40           | \$17,024.00        | 100.00% | \$0.00      | \$18,577.50  |
| ALTERNATE # 6               | \$12,700.00 | \$0.00              | \$0.00               | \$400.00             | \$9,730.00           | \$12,700.00        | 71.65%  | \$3,570.00  | \$400.00     |
| UNIT PRICES (1 - 4 Awarded) | \$51,715.00 | \$12,130.40         | \$44,277.50          | \$31.00              | \$20.00              | \$58,407.90        | 91.40%  | \$3,307.10  | \$58,407.90  |



**SANDERS WACKER BERGLY, INC.**  
**Landscape Architects And Planners**

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**TRANSMITTAL**

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TO: Mike McGuire FROM Larry Wacker

COMPANY City of Bayport DATE 9/24/2009

RE. St. Croix Recreation Invoice for Site  
Furniture - Barker's Alps Park Site  
Improvements

SWB PROJECT NUMBER COPY TO

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URGENT  FOR REVIEW  PLEASE COMMENT  PLEASE REPLY  FOR YOUR USE

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NOTES/COMMENTS:

Attached please find an invoice from St Croix Recreation for supply of benches and picnic tables for Barker's Alps Park. The amount of the invoice is \$5,797.97. All of the furniture was delivered to the Public Works Department and will be installed by City personnel.

# Invoice

**St. Croix Recreation Company, INC**

225 N. Second Street  
Stillwater, MN 55082  
(651)430-1247 (800)625-5914  
Fax (651)430-9231

| DATE     | INVOICE # |
|----------|-----------|
| 9/4/2009 | 16237     |

**BILL TO:**

CITY OF BAYPORT  
ACCOUNTS PAYABLE  
294 N 3RD STREET  
BAYPORT, MN 55003

**SHIP TO:**

PUBLIC WORKS DEPARTMENT  
98 2ND AVE. N  
BAYPORT, MN 55003

| P.O. NUMBER | TERMS  | REP | SHIP     | VIA  | F.O.B.  | PROJECT |
|-------------|--------|-----|----------|------|---------|---------|
| WACKER      | Net 30 | JWJ | 9/2/2009 | BEST | BAYPORT |         |

| QUANTITY | ITEM CODE | DESCRIPTION                                 | PRICE EACH | AMOUNT    |
|----------|-----------|---|------------|-----------|
| 3        | WV SG106P | 6' TABLE PERFORATED TOP & SEATS             | 627.00     | 1,881.00T |
| 4        | WV SG343D | 15' BENCH W/O BACK SURFACE MOUNT<br>DIAMOND | 377.00     | 1,508.00T |
| 2        | WV ES420P | 6' ESTATE SERIES BENCH PERFORATED           | 742.00     | 1,484.00T |
| 4        | WV SC203  | MOUNTING PLATE COVERS                       | 38.00      | 152.00T   |
|          | DIS.      | LESS DISCOUNT                               | -250.00    | -250.00   |
|          | FREIGHT   |   | 650.00     | 650.00T   |

SALES TAX HAS INCREASED TO 6.875% AS  
OF JULY 1ST  
MINNESOTA SALES TAX

6.875% 372.97

OK TO PAY \$5,797.97  
*Larry A. Wacker* 9/22/09

1 1/2% INTEREST RATE ON PAST DUE ACCOUNTS!  
THANK YOU FOR YOUR BUSINESS!!!

**TOTAL** \$5,797.97



# ***Bayport Fire Department***

284 N. 3rd Street • Bayport, MN. 55003 • Hall (651) 439-6882 • Fax (651) 351-7061

09/24/09

To: Honorable Mayor and Council Members  
Mike McGuire, City Administrator  
City Staff

RE: Grass fire vehicle replacement, unit 2109

The following is a proposal to replace grass fire vehicle, unit 2109. It is a 1990 Chevrolet ¾ ton pickup. The truck has experienced engine failure, i.e. thrown rod and would need major engine work/rebuild to repair. Due to its age and cost to repair (aprox. \$5,000.00), we are looking at replacing it with a similar vehicle to our medical/utility truck that would enable us to swap out the grass fire pump and tank into our current medical unit and use the new truck as our medical truck. We would anticipate doing a similar swap when our 2<sup>nd</sup> grass unit needs replacement allowing us to get the most life expectancy out of the vehicle.

The cost of the vehicle and equipment is estimated at \$34,425. The lowest price for the vehicle was determined to be from the state vehicle contract that is accessible from a local dealer. We are asking the council to approve the purchase of the vehicle and equipment not to exceed \$35,000 from our equipment replacement fund. Sale of old unit 2109 should bring between \$2500 to \$4000.

Breakdown of the costs are as follows,

|                           |                    |
|---------------------------|--------------------|
| Base vehicle cost:        | \$ 27,400.00       |
| Emergency lighting/siren: | \$ 5,900.00        |
| Radio move/install        | \$ 200.00          |
| Graphics:                 | \$ 925.00          |
| <b>Total:</b>             | <b>\$34,425.00</b> |

Thank you for you consideration,

Mike Bell  
Fire Chief

# Stillwater MOTORS

BUICK · CHEVROLET · Jeep

• FAMILY OWNED SINCE 1922 •  
(651) 439-4333 • FAX (651) 439-4425  
5900 Stillwater Boulevard North • P.O. Box 337  
Stillwater, Minnesota 55082

Bayport Fire  
Jeff Hafeman  
Bayport Mn 55003

Jeff,

Enclosed are examples of pricing on Chevrolet Silverado. As you requested the examples are a Silverado 2500 series Crew Cab long box and a Silverado 1500 series Crew Cab short box.

|                      | 2500  | 1500               |
|----------------------|---|--------------------|
| Model                | CK20943   | CK10543            |
| Retail               | \$35,744.00                                     | \$34,555.00        |
| Selling Price        | \$33,400.00                                     | \$32,200.00        |
| Chevrolet Assistance | \$6,000.00                                      | \$6,000.00         |
| PRICE                | <u>\$27,400.00</u>                              | <u>\$26,200.00</u> |
|                      | <i>(plus applicable taxes and license fees)</i> |                    |

Should Bayport Fire decide to purchase a 2009 model, the pricing is subject to 'dealer trade' availability because the inventories are limited and the vehicles are subject to prior sale.

Should Bayport Fire decide to purchase a 2010 model, the pricing is subject to the model year price change. The Chevrolet assistance could also change with the model year.

Thanks;



Todd Peterson  
sales  
651 439 4333

# Vehicle Search Detail Report

Current as of 07/06/2009 - 10:44 AM EDT\*

Dealership: STILLWATER MOTOR COMPANY

Email:

Phone:

Fax

## Search Criteria

Division CHEVROLET

Model Year: 2009

Model: CK10543 - Silverado: Short Crew 1500 4WD

Earliest Event Code 5000 - Vehicle Delivered to Dealer

"Must Have" Options: 1WT

"Don't Want" Options: LY2

Location Criteria: My Inventory

ZIP 55082, 300 Mile Radius

## Selected Search Results

| VIN/Order #      | Event Code                         | MSRP with Destination Charge | Destination Charge |
|------------------|------------------------------------|------------------------------|--------------------|
| 30CEK1N362170001 | 5000 - Vehicle Delivered to Dealer | \$34,500.00                  | \$775.00           |

PEG 1WT - Work Truck

Primary Color: 74U - Victory Red Exterior Color

Trim: 88B - Dark Titanium Cloth Interior Trm

Engine: LC9 - Engine, 5.3L, V-8, Flex Fuel, SFI

Transmission: MYC - Transmission, 6 Speed Auto

Options: AE7: Seat: 40/20/40/ Split Front Bench

AU0: Remote Keyless Entry

AU3: Power Door Locks

B30: Floor Covering: Color Keyed Carpet with Floor Mats

B32: Floor Mats, Front

B33: Floor Mats, Rear

C5W: GVW Rating 7000 Lbs

C67: Air Conditioning, Manual

E63: Body, Fleetside

FE9: Federal Emissions

G80: Locking Differential, Rear

K5L: Heavy-Duty Cooling Equipment

KC4: Cooler, Engine Oil

KNP: Transmission Cooling System

NX7: Wheels: 17" Steel

QVL: Tires: P265/70R17 ALS BW

R9Z: Sold Order Expedite

U2K: XM Satellite Radio (subscription)

UE1: OnStar Communication System

US8: Radio, AM/FM Stereo, Auto Tone, CD

V76: Recovery Hooks

VK3: License Plate Front Mounting Pkg

GU6: Rear Axle, 3.42 Ratio

JL1: Integrated Trailer Brake

JL4: Stabilitrak - Stability Control

K34: Cruise Control

Z82: Trailering Package

Z85 Handling/Trailering Suspension

ZY1. Solid Paint Application

W/A noted above means Will Advise

EXPAND/MODIFY OPERATIONS

CK2500 Pickup (Old Style 88/00) PL 1  
 OP NUMBER : J1840 TOTAL \$ \*\*.\*\*  
 MODIFIER :  
 1. OPERATION : Long Block, Target Engine r&r (ADD Oil & Filter)  
 2. DESCRIPTION: 5.7L 4x4 88/90 8600 GVW  
 3. HOURS : 10.60 LABOR: 1266.70 SPG LABOR CODE: D

| LN  | PART NUMBER | DESCRIPTION | REQ | AVAIL | PRICE   | TOTAL              |
|-----|-------------|-------------|-----|-------|---------|--------------------|
| 4.  | GM12520270  | ENGTLOS5GW  | 1   | NS    | 2433.70 | <del>2433.70</del> |
| 5.  | GM10159409  | GASKET UN   | 1   | 0     | 20.30   | 20.30              |
| 6.  | GM3754587   | GASKET      | 2   | 16    | 5.00    | 10.00              |
| 7.  | GM88893990  | GASKET KI   | 1   | 1     | 5.00    | 5.00               |
| 8.  | GM10244495  | SEAL-OIL    | 1   | 0     | 3.63    | 3.63               |
| 9.  | GM10129563  | GASKET-TB   | 1   | 3     | 3.51    | 3.51               |
| 10. | GM12346192  |             | 1   | NOF   | **.**   | <del>3.51</del>    |

2737.91

PARTS: \$ \*\*.\*\*  
 LABOR: \$ 1266.70  
 SHOP SUPPLIES: \$ 40.00

(E=ENTER) (LINE#) (N=NEXT) (A=ADD PARTS) (O=NOTES) (C=CANCEL)

4087.05

Repair estimate

# Minnesota Department of Natural Resources

DNR Waters, 1200 Warner Road, St. Paul, MN 55106

Telephone: (651) 259-5845 Fax: (651) 772-7977



July 22, 2009

City of Bayport Public Works  
Attn: Mel Horak, Supervisor  
294 North 3rd Street,  
Bayport, MN 55003

RE: PUBLIC WATER SUPPLY PLAN APPROVAL, CITY OF BAYPORT

Dear Mr. Horak:

The Department of Natural Resources (DNR) Waters staff has completed review of the City's recently revised Public Water Supply Plan. I am pleased to advise you that in accordance with Minnesota Statutes, Section 103G.291, Subdivision 3, and on behalf of the Commissioner of Natural Resources, I hereby approve Bayport's second generation Water Supply Plan. This approval is effective upon the Department's receipt of a completed copy of the enclosed "Certification of Plan Adoption" form. Once this form is completed and signed, please return it to me.

I was pleased to read several of the revisions in your Plan. The discussion of adding an additional rate increase to the cost of domestic use water is a prudent and reasonable change to the City's water rate structure. Modifying the midday water sprinkling ban to begin earlier in the day is another commendable action for the City's future. A conservative rate structure coupled with the regulation of inefficient sprinkler use can decrease your relatively high peak use ratio.

Thank you for your efforts in planning for the future of the City of Bayport water supply and for conserving the water resources of the State of Minnesota. If you have questions or need assistance, please contact Area Hydrologist Molly Shodeen at 651-259-5802.

Sincerely,

A handwritten signature in cursive script that reads "Dale E. Homuth".

Dale E. Homuth  
Regional Hydrologist

Enclosures: Certification of Plan Adoption

c: David J. Brown, BlueStone Engineering, 2247 Cleveland St. NE, Mpls 55418  
Sara Smith, Metropolitan Council  
Laurel Reeves, Water Appropriation Hydrologist  
Molly Shodeen, Area Hydrologist

[www.dnr.state.mn.us](http://www.dnr.state.mn.us)

AN EQUAL OPPORTUNITY EMPLOYER



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**CERTIFICATION OF ADOPTION  
WATER SUPPLY PLAN**

City or Water System Name: **City of Bayport**

Name of Person Authorized to Sign  
Certification on Behalf of the System:

Title:

Address:

Telephone:

Fax:

E-mail:

*I certify that the Water Supply Plan approved by the Department of Natural Resources has been adopted by the city council or utility board that has authority over water supply services.*

Signed:

Date:

**Fax (651/772-7977) or mail this certification to: DNR Waters  
1200 Warner Road  
St. Paul, MN 55106**

**Or, email to: [dale.homuth@state.mn.us](mailto:dale.homuth@state.mn.us)**

Applicant Email: jreding@jreding.net



City of Bayport  
294 North Third Street  
Bayport, Minnesota 55003  
Phone 651-275-4404  
Fax 651-275-4411  
http://bayport.govoffice.com

### City of Bayport SPECIAL EVENT APPLICATION

#### Licensing Requirements

A special event application form is required for individuals or organizations who wish to hold a public or private event in the city and require the use of city property and/or special city services. For most special events, City Council approval is required. Therefore, it is important to plan ahead and submit the application form to City Hall at least two weeks prior to a regularly scheduled City Council meeting, which is usually held the first Monday of the month. For example, if the proposed event is to be held on April 15, 2006, the special event application form and fee must be submitted by March 20, 2006 in order to be considered at the April 3, 2006 City Council meeting.

Following the City Council meeting, city staff will inform the applicant whether or not the event was approved. City staff will also work with the applicant to coordinate special requests for city services associated with the event.

|  |
|--|
| <b>Property Information</b>                    |
| Address: Village Green                         |
| City: Bayport State: Minnesota Zip Code: 55003 |
| Owner Name:                                    |
| Home Phone Number: Work/Cell Phone Number:     |
| Owner Address:                                 |
| City/State/Zip:                                |

|  |
|--|
| <b>Applicant Information</b>                                 |
| Applicant Name: Joseph Reding / Boy Scout Troop 113          |
| Home Phone Number: Cell 651 303 6054 Work/Cell Phone Number: |
| Address: 162 5th Ave N                                       |
| City/State/Zip: Bayport MN 55003                             |

Bayport Boy Scout Troop 113 would like to hold their 3rd annual pumpkin sale at The Village Green Saturday October 10th starting at 9:00 AM

Start Date: 10/10/09 End Date: 10/11/09

Days of Operation (check all that apply)  
 Sunday  Monday  Tuesday  Wednesday  Thursday  Friday  Saturday

Hours of Operation:  
Weekdays: Saturday 9:00 - 4:00  
Weekends: Sunday 9:00 - Noon (only if necessary)

**Requested City Assistance and/or Services**

None

We request that the \$50 application fee be waived

**Application Process and Fees**

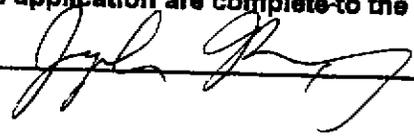
The processing fee for the application is \$50.00 and must be submitted with the application form to City Hall. Any additional fees and expenses associated with this request are the responsibility of the applicant/property owner, and will be billed to the applicant/property owner by the city.

**Attachments to be submitted with application**

- A diagram of the proposed premises
- If the request involves the sale of produce, uncooked meat, or dairy, etc., the applicant must provide a copy of all license applications required by the Department of Agriculture for City Council approval. For license information, please contact JoNeil O'Neil at 651-779-5015.
- If the request involves cooked/prepared food or beverages, the applicant must provide a copy of all license applications required by Washington County Public Health and Environment for City Council approval. For license information, please contact 651-430-6655.

The undersigned understand that this application will be processed in accordance with established city review procedures at such time as it is deemed complete. Failure by the applicant to supply accurate and necessary information as requested by the city may be cause for denying this application.

The undersigned hereby apply for the request as stated in this application form and in understanding the conditions of this application as described above, declare that the information and materials submitted in support of this application are complete to the best of their knowledge.

Applicant: 

Date: 9/23/09

Property Owner: \_\_\_\_\_

Date: \_\_\_\_\_

| Office Use - Dept. Review | Inspection                               | Date          | Approved/Denied   | Inspector      |
|---------------------------|--|---------------|-------------------|----------------|
| Administration            | <input type="checkbox"/> Site Inspection |               |                   |                |
| Office Use - Fees         | Amount Received                          | Date Received | Method of Payment | Staff Initials |
| Processing Fee            | \$50.00                                  |               |                   |                |
| Escrow or cost incurred   |  |               |                   |                |



February 13, 2009

Chief Laura Eastman  
Bayport Police Department  
294 North Third Street  
Bayport, MN 55003

Dear Chief Eastman:

The Metropolitan Emergency Services Board is pleased to inform you that your agency has received an allocation from the PSIC grant funds. Your allocation is **\$11,866.32**.

This allocation is based on your December 19, 2008 request of five portable and one mobile radio for the Public Works Department. The total request was for \$16,008.55.

The federal government calculates the 20% match using a specific formula. This means that your agency's match amount is slightly higher than you had originally calculated. For instance, for a grant request of \$5,000.00, most agencies would anticipate a \$1,000.00 match. Using the federal government's formula as follows, the match is slightly higher:

$$((\text{Grant amount} \times 100) / 80) - \text{original grant amount}$$

In the aforementioned \$5,000.00 request, the match is \$1,250.00. Therefore, using this formula your agency's 20% **match is \$2,966.58**.

Please notify Jill Rohret, Regional Radio Services Coordinator, of your intent to accept the grant funds. Once she receives notice of your intent to accept the funds, she will contact you about executing a sub-grant agreement. Jill may be reached at [jrohret@mn-mesh.org](mailto:jrohret@mn-mesh.org) or (651) 643-8394.

Congratulations and we look forward to working with you throughout this grant process.

Sincerely,

Kathleen A. Gaylord  
Chair, Metropolitan Emergency Services Board  
Dakota County Commissioner

METROPOLITAN  
EMERGENCY SERVICES BOARD

2099 UNIVERSITY AVENUE WEST  
SUITE 201  
SAINT PAUL, MINNESOTA  
55104-3431

PHONE 651-643-8395  
FAX 651-603-0101  
WWW.MN-MESH.ORG



CITY OF BAYPORT  
294 NORTH THIRD STREET  
BAYPORT, MINNESOTA 55003  
PHONE 651-275-4404 FAX 651-275-4411

---

DATE: September 29, 2009  
TO: Mayor and City Council  
Mike McGuire, City Administrator  
FROM: Chief Laura Eastman  
RE: Posting of no parking signs on Maine Street

***BACKGROUND:***

As you know, many of the Bayport intersections have yellow marked curbs so that people don't park too close to the intersections and cross walks for safety concerns. Minnesota State law 169.34 (a) (9) states that no person shall stop, stand, or park within 50 feet of the nearest rail of a railroad crossing. My concern is that we routinely have vehicles that park near the intersections by Andersen Windows on Maine Street, and this makes for a dangerous situation.

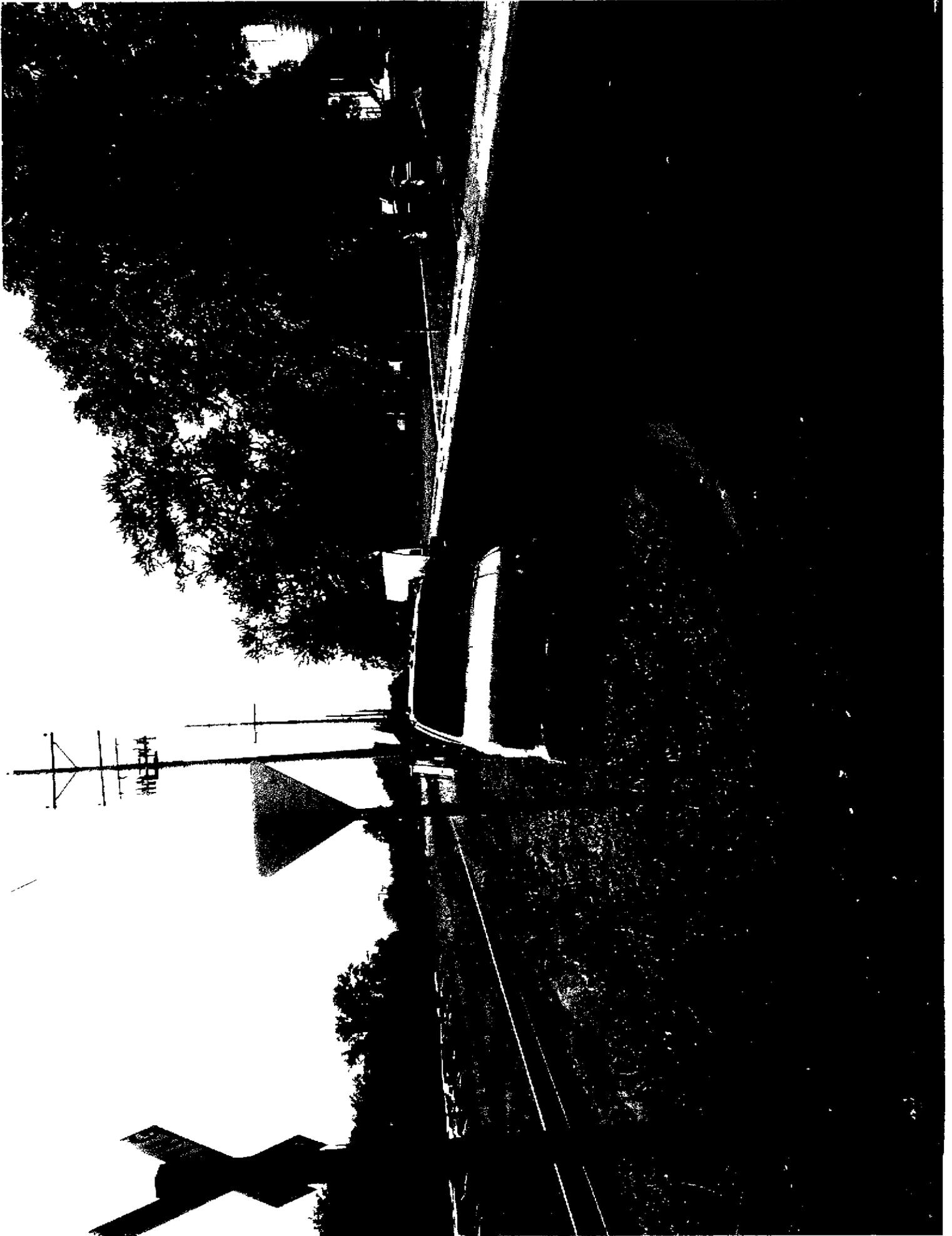
***RECOMMENDATION:***

Please consider the posting of no parking signs within in 50 feet of the railroad crossing intersections on Maine Street for sight and safety concerns.



*Truman Cycles*  
HARVEY SALES  
ST. PAUL, MN

IN 29309





**SANDERS WACKER BERGLY, INC.**  
**Landscape Architects And Planners**

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**TRANSMITTAL**

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TO: Mike McGuire

FROM: Larry Wacker

COMPANY: City of Bayport

DATE: 9/24/2009

RE: Budget Summary and Change Order No. 1  
- Barker's Alps Phase I Site Improvements

SWB PROJECT NUMBER

COPY TO

---

The purpose of this memorandum is to review the project budget for Barker's Alps Park Improvements and to request that the City Council approve Change Order no. 1 to the construction contract with Miller Excavating, Inc

Construction of Barker's Alps Park Site Improvements is approximately 98% complete. There have been several changes in the work included in the construction contract with Miller Excavating, Inc. that have resulted in cost additions or reductions. The changes are listed in items 2 through 21 in the attached Budget Summary. The total change in the contract amount is an increase of \$48,045.46.

Item numbers 24 through 27 on the attached summary identify funds that were earmarked for earthwork items but use of the funds was not required. The total value of the unused funds is \$49,074.50

Item numbers 30 through 33 identify other City-approved expenses related to the Barker's Alps Park Improvement project. The value of the other expenses is \$124,952.66.

The total amount of funds committed to date, if Change Order No. 1 is approved by the City Council, is \$629,803.52 and the total project budget is \$631,675.00.

We request that the Council approve a change order to Miller's contract in the amount of \$48,045.46

It is possible that there may be additional, minor changes in the work and expenses as final landscape work is completed over the next couple of weeks.

Please forward any questions or comments.

END

| <b>BARKER'S ALPS BUDGET SUMMARY</b> |  |             |      |      | 9/24/2009    |
|-------------------------------------|--|-------------|------|------|--------------|
| <b>MILLER CONTRACT</b>              |  |             |      |      |              |
| Item #                              | DESCRIPTION  | UNIT PRICE  | UNIT | Qty. | TOTAL        |
| 1                                   | Original Contract Amount   |             |      |      | \$505,879.90 |
| 2                                   | Reduction in conc. Rubble removal  |             |      |      | -\$2,069.60  |
| 3                                   | Reduction in haul quantity to landfill   |             |      |      | -\$750.00    |
| 4                                   | Reduction in leaf and street sweeping disposal quantity  |             |      |      | -\$2,487.50  |
| 5                                   | Chain link fence modifications (convert to straight backstop and change from SS40 to SS39 pipe)  |             |      |      | -\$3,000.00  |
| 6                                   | Reduction in the extent of retaining wall construction   |             |      |      | -\$23,100.00 |
| 7                                   | Move additional 3,345cy of on-site soil to achieve elevations for the gravel parking lot, road and trail.  | \$2.68      | CY   | 3345 | \$8,964.60   |
| 8                                   | Excavate additional 900 cy of soil from the pond area to accomplish larger storage capacity  | \$2.68      | CY   | 900  | \$2,412.00   |
| 9                                   | Screen additional material to remove rock and peat materials over entire north ballfield area. This added 2000cy of screened material              | \$9.95      | CY   | 2000 | \$19,900.00  |
| 10                                  | Remove pockets of rock and peat deposits and replace with suitable base material in west outfield area of the north ballfield                      | \$6.00      | CY   | 1500 | \$9,000.00   |
| 11                                  | Haul additional excess rock from site due to larger screened soil volume and greater rock quantities than anticipated in the north ballfield area. | \$9.95      | CY   | 918  | \$9,134.10   |
| 12                                  | Soil correction on hillside trail and on trail connection to 2nd Ave. Approx. 2' subcut and installation of 2' sand/gravel material.               | \$15,915.00 | LS   | 1    | \$15,915.00  |
| 13                                  | Additional filling of parking lot on 5th Ave. with on-site fill due to survey inaccuracies   | \$2.68      | CY   | 1952 | \$5,231.36   |
| 14                                  | Install culvert at base of south park access road.   | \$2,775.00  | LS   | 1    | \$2,775.00   |
| 15                                  | Reduce length of trail at the east side of the park on 5th Ave. to avoid Perot Creek   | -\$645.00   | LS   | 1    | -\$645.00    |
| 16                                  | Install path connection to trail on 5th Ave. from parking lot  | \$885.50    | LS   | 1    | \$885.50     |
| 17                                  | Install handicapped access at play area  | \$400.00    | LS   | 1    | \$400.00     |
| 18                                  | Hardwood mulch around native plants in filtration basin  |             |      |      | \$1,000.00   |
| 19                                  | Home plate   |             |      |      | \$150.00     |

|    |   |                                      |    |                 |                     |
|----|---|--------------------------------------|----|-----------------|---------------------|
| 20 | Install two 15'x20' bituminous pads for bleachers at north ballfield.                   | \$1,240.00                           | LS | 1               | \$1,240.00          |
| 21 | Extra surveyor staking of south park area and hillside trail due to survey inaccuracies | \$3,090.00                           | LS | 1               | \$3,090.00          |
| 22 |   |                                      |    | <b>SUBTOTAL</b> | <b>\$553,925.36</b> |
| 23 | <b>UNSPENT UNIT PRICE FUNDS</b>   |                                      |    |                 |                     |
| 24 | Import sand for filtration basins   |                                      |    |                 | -\$4,474.50         |
| 25 | Import clean granular mat.  |                                      |    |                 | -\$7,850.00         |
| 26 | Import clean borrow   |                                      |    |                 | -\$7,000.00         |
| 27 | Import and place compost  |                                      |    |                 | -\$29,750.00        |
| 28 |   |                                      |    | <b>SUBTOTAL</b> | <b>-\$49,074.50</b> |
| 29 | <b>OTHER EXPENSES</b>   |                                      |    |                 |                     |
| 30 | Play Equipment  |                                      |    |                 | \$59,152.66         |
| 31 | Furniture   |                                      |    |                 | \$5,800.00          |
| 32 | Basketball standard   |                                      |    |                 | \$1,500.00          |
| 33 | Design fees and construction  |                                      |    |                 | \$55,000.00         |
| 34 | PEER Environmental reports  |                                      |    |                 | \$3,500.00          |
| 35 |   |                                      |    | <b>SUBTOTAL</b> | <b>\$124,952.66</b> |
| 36 |   | <b>TOTAL FUNDS COMMITTED TO DATE</b> |    |                 | <b>\$629,803.52</b> |
| 37 |   | <b>TOTAL PROJECT BUDGET</b>          |    |                 | <b>\$631,675.00</b> |
|    |   |                                      |    |                 |                     |



## MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Barry Peters

DATE: September 23, 2009

RE: Cleaning and Television Inspection of Sanitary Sewers  
SEH No. BAYPO 110012 14.00

At the September 8, 2009 Meeting, Council authorized staff to obtain quotes for cleaning and televising approximately ½ of the City's sanitary sewer system. Working with Public Works, we have defined the area to be televised, all sewers north of 5<sup>th</sup> Avenue North, all sewers along TH 95 and all sewers east of TH 95. Quotes are not due back to the City until Friday October 2, 2009. I will present the results of the quotes at the October 5<sup>th</sup> meeting. If you have any questions, please give me a call.

bcp

c: Mike McGuire, City Administrator  
Sara Taylor, Assistant City Administrator

s:\aeb\baypo\110012\1-gen\14-com\2009-09-23 memo.doc

September 15, 2009

Jonathan Nowaczek  
294 North Third Street  
Bayport, MN 55003

Connie Carlson  
103 North 5<sup>th</sup> Street  
Bayport, MN 55003

Judith Seeberger  
456 4<sup>th</sup> Street South  
Bayport, MN 55003

Daniel B. Johnson  
294 North Third Street  
Bayport, MN 55003

Torry Kraftson  
394 - 4th Street South  
Bayport, MN 55003

**Hudson Office:**  
2417 Monetary Boulevard  
Hudson, Wisconsin 54016  
(715) 386-3733  
Fax (651) 439-2923

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

Re: *City's Authority to Contribute Funds to Community Organizations*

Dear Mayor and Council:

You asked that I provide a legal opinion regarding the City's authority to contribute City funds to community organizations (e.g., Lucy Winton Bell for soccer fields, Community thread, Youth Service Bureau) requesting funds from the City.

The City's authority in this context varies, depending on the type of organization or activity to which the City intends to make a donation. As a general rule, as you know, cities only have the authority granted to them by the State. Cities do not have any inherent power. At the same time, cities may only expend public money for public purposes. The definition of "public purpose," although understood to be ever-evolving, has long been accepted to mean any governmental activity that meets all of the following criteria:

- 1) The activity will benefit the community as a body;
- 2) The activity is directly related to functions of government; and
- 3) The activity does not have as its primary objective the benefit of a private interest.

On top of that, it is well-settled law that the general objective of a public purpose is to promote the public health, safety, general welfare, security, prosperity, and contentment for all city residents. These principles serve as the foundation for determining whether a city has authority to spend city funds for any purpose.

There are some situations where a city is granted specific statutory authority to give city money to non-city organizations. For example, under certain circumstances cities may give money to artistic organizations, activities, community food shelves, hospitals or certain economic development organizations. Cities may also spend money for historical preservation activities and for senior or youth centers. Beyond the organizations that are specifically enumerated in statute, a city's authority to give

money is quite limited. In situations where a city does have specific authority to make donations, it is generally accepted that a city cannot give money to an organization for that organization to use as it sees fit, but only for the specific purposes for which a city has made a donation.

Dating back as far as 1948, the Minnesota Attorney General ("AG") has offered many opinions on the question. The AG has concluded that cities do not have specific authority to donate to organizations such as the Boy Scouts, a 4-H club, a local bowling team or sports team, the Red Cross, the American Legion, and others.

Also, more recently, in 1997, the AG concluded that a city does not have specific authority to join the local Chamber of Commerce. However, the AG acknowledged that a city does have the authority to make a donation to a Chamber of Commerce without becoming a member, assuming that the Chamber of Commerce uses the money to promote, advertise, improve, or develop the city's economic and agricultural resources.

Despite these limitations, it is possible for a city to make donations if it seeks and receives specific statutory authority from the State Legislature. Also, a city may enter into a contract with other entities to perform certain city duties<sup>1</sup> that are authorized by statute, rather than having the city itself perform those duties. For example, cities have authority to establish parks and other recreational facilities. In this context, if a city desired to have these facilities managed and maintained by a third party, the city could enter into a contract for these services and give money to the organization for that purpose.

In situations where the City's statutory authority is not clear, it is best to proceed with caution, particularly in light of the current state of local, State and national economic difficulties. As the Bayport City Council considers requests for donations from organizations, it should proceed carefully to first determine whether the requested expenditure meets the criteria for public purpose, and then determine what, if any, statutory authority exists for make that expenditure. If it is not clear that all of the public purpose and statutory criteria are met, then the Council should deny the request.

If you have further questions about this issue, or you would like to discuss it further, please let me know.

Sincerely,



Nicholas J. Vivian

NJV/as  
cc: City Clerk

---

<sup>1</sup> Keep in mind that not all city functions may be delegated.

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# MEMORANDUM

---

**DATE:** September 23, 2009

**TO:** City Council (October 5, 2009 meeting)  
Mike McGuire, City Administrator

**FROM:** Sara Taylor, Assistant Administrator/Planner

**SUBJECT:** Consider a request for variances to replace and expand the front steps, landing, and covered entryway to the house located at 494 6<sup>th</sup> Street North

## **A. BACKGROUND**

The property is located at 494 6<sup>th</sup> Street North, legally described as Butler Secrest Bronson et al addition Lot 1, Block 4. Its dimensions are approximately 140' on the north and south lot lines, and 50' along the east and west lot lines, with a total lot area of 7,000 square feet. The subject property is surrounded by residential uses and is zoned R-2 Single-family urban.

The applicant and property owners, Rick and Deb Parent, plan to remove and replace the existing front steps, landing, foundation, and covered porch, which are in need of repair. To make the new entry more architecturally appealing, the applicants would like to center the new door under the upstairs window of the house. To facilitate appropriate ingress and egress to the house, as well as eliminate potential safety concerns, the applicants would also like to increase the size of the entry from 7' 4" x 7' to 10' x 10'. However, because the existing nor the proposed entry do not conform with the front and side yard setbacks required by the zoning code, variances are required.

The Planning Commission held the required public hearing on September 21, 2009. Notice of the hearing was mailed to all property owners within 350' of the subject property and published in the Stillwater Gazette on August 31, 2009. The following informational items are attached:

- site plan of the property with the proposed new entry
- narrative by the property owner
- photo of the existing entry
- sketches of the existing entry and proposed entry

## **B. STAFF COMMENTS**

Currently, the existing entry sits flush with the house on the north side of the property, with a setback of approximately 9' and has a front yard setback of approximately 16', both of which do not comply with the required setback of 20' for a corner lot. The existing entry is original to the house, which was built in the 1940's. Extreme weather conditions and ice buildup have taken a toll on the entry, causing deterioration of the concrete steps and landing, as well as rotting of the covered wood entry and door jam.

The intent of the proposed new entry is not only to remove the existing damage, but also to expand the entry, to provide additional space in front of the door to allow safe ingress and egress, eliminate potential safety concerns, such as ice buildup on the front steps and landing, and offer protection from the elements. The existing landing measures approximately 39" from the front storm door, making it difficult to allow ingress into the house without having to step backward onto the front steps. This proves to be especially difficult for individuals with physical limitations and/or those requiring the use of a walking aid, such as a walker or crutches. The proposed entry would eliminate the existing issues by adding approximately 32" to the landing, as well as extending the roof of the entry over the steps and landing. The setback for the new entry would be 13' 5" from the front property line and 9' from the north side property line.

|                         | REQUIRED     | EXISTING    | PROPOSED         | VARIANCE REQUIRED |
|-------------------------|--------------|-------------|------------------|-------------------|
| LOT AREA                | 10,000 SQ FT | 7,000 SQ FT | NO CHANGE        | NA                |
| FRONT YARD SETBACK      | 20 FT        | 16 FT       | 13 FT 5 IN       | 6 FT 7 IN         |
| NORTH SIDE YARD SETBACK | 20 FT        | 9 FT        | NO CHANGE - 9 FT | 11 FT             |
| SOUTH SIDE YARD SETBACK | 10 FT        | OVER 10 FT  | OVER 10 FT       | NA                |
| REAR YARD SETBACK       | 30 FT        | OVER 30 FT  | NO CHANGE        | NA                |
| LOT COVERAGE            | 35% MAX      | ≈27.6%      | 28%              | NONE              |

Visually, the new entry would not alter the character of the neighborhood, nor interfere with visibility at the intersection of 4<sup>th</sup> Avenue North and 6<sup>th</sup> Street North, if a variance were to be granted, as requested. In addition, it should be noted that the proposed front setback would be similar to the front setback for adjacent properties.

**C. SUGGESTED FINDINGS OF FACT AND CONDITIONS OF APPROVAL**

Minn. Stat. 462.357 requires that a variance request must meet all three criteria of an undue hardship for the variance to be granted. The criteria is as follows: (1) the property in question cannot be put to a reasonable use if used as required by this Zoning Code; and (2) the plight of the landowner is due to circumstances unique to the property and not created by the property owner; and (3) the variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute a hardship if a reasonable use for the property exists under the terms of the ordinance.

Findings of fact to approve the variances: Strict application of the ordinance in this particular case would constitute an undue hardship, because all three of the required criteria are met. Specifically:

- (1) The existing stairs, landing, foundation and covered entry are in a state of disrepair and need to be replaced. In addition, the existing landing in front of the door is insufficiently sized to allow safe ingress/egress to the house. In order to permit reasonable use, and eliminate the existing safety hazards associate with the entry, variances to replace and expand the entry would be appropriate.
- (2) The existing house and entry were constructed prior to the current zoning code, and therefore do not comply with current setback requirements for the property. As such, it is not feasible to reconstruct an entry, which allows sufficient room for proper ingress/egress, without a variance.

- (3) The setbacks for the new entry will be consistent with adjacent properties and the character of the neighborhood. For this reason, the location of the proposed house would not alter the character of the neighborhood.

***D. PLANNING COMMISSION ACTION***

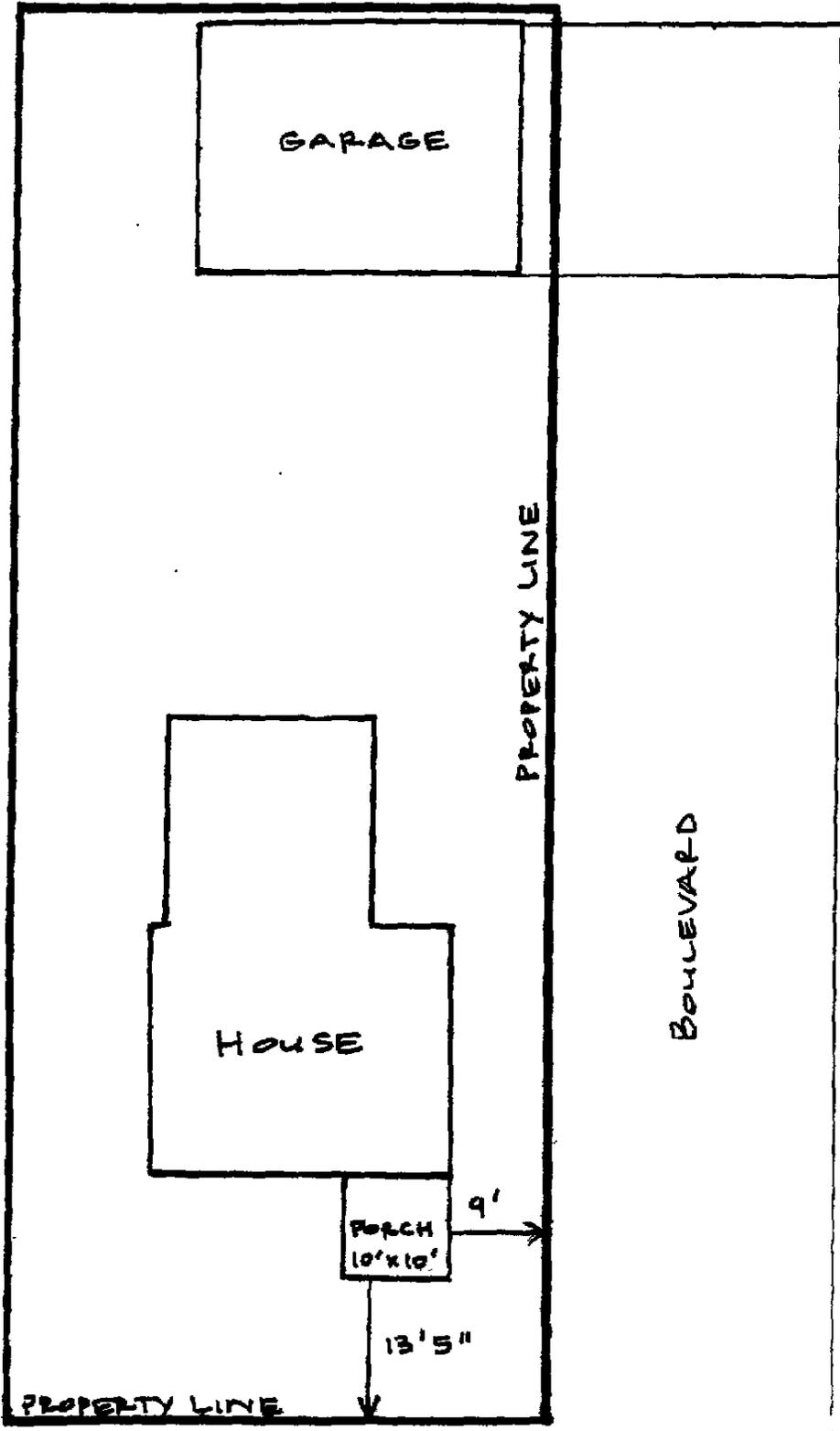
At its meeting on September 21, 2009, the Planning Commission voted 4-0 to recommend approval of the application, subject to the findings of fact as stated in section "C" and the conditions recommended by staff.

***E. RECOMMENDATION***

Staff recommends approval of Application 2009-04, to replace and expand the front steps, landing, foundation, and covered entryway to the house located at 494 6<sup>th</sup> Street North, with a variance to allow a north side yard setback of 9' and a front yard setback of 13' 5". Suggested findings of fact are as stated in section "C" of the staff report and are subject to the following conditions of approval:

- Prior to the issuance of a building permit, a complete set of construction plans for the proposed entryway shall be submitted by the applicant, in accordance with the approved variances, for review and approval by city staff.

City Council action to approve or deny the application is requested



GARAGE

HOUSE

PORCH  
10' x 10'

9'

13' 5"

PROPERTY LINE

PROPERTY LINE

4TH AVE. N.

BOULEVARD

SIDEWALK

6TH ST. N.

## Variance request for the home of Rick and Deb Parent - 494 North 6<sup>th</sup> Street

---

We would like to request a variance to the 20' setback the city requires from the property line to a structure. Our front door landing and stairway is noncompliant today. We are requesting to infringe slightly more into the setback.

Our home was built in the 1940's and our front entry is original with the house and is in dire need of repair. The concrete from the existing concrete landing and stairs is falling off in chunks and the wood in the overhang is rotting. Also the front door is warped and blistered. The existing landing measures 7' x 39". There are 4 stairs, making the total depth of the landing and stairs 7'4" from the house. There is a 3' wide concrete sidewalk that measure 16' 7" to the city sidewalk.

We would like to replace the front landing, stairs, roof overhang, front sidewalk to the city walk and front door in the following manner:

- We will have all of the front landing, stairs and their foundation removed. In their place, foundation for a new landing and stairs will be dug and poured and faced in red brick, similar to what we have at our back door. The new landing and stairs will be slightly larger measuring 9' wide x 9' deep, giving a little more room at the top when opening the storm door, so you don't feel like you are knocking people off the landing when you open the storm door and maybe make a little room for a bench. The steps will be 4' wide. The placement of the landing will be 6" in from the northeast corner of the house and 9' to the south.
- We would like to build the roof overhang in a similar style to what we have with pillars and an arch over the door. We plan to center the door under the upstairs window which is about 1' 6" south of the existing door. We would like to build the roof of the overhang to cover the whole landing and stairway, for better weather protection. That would make the roof drip line measure 10' x 10'. The existing drip line of the roof measures 7' x 3'6".
- We would like to replace the sidewalk with red brick pavers 3' wide and set in sand. The sidewalk will have to curve slightly around the pine tree to match the new center of the door.
- The new fir door will again be centered under the upstairs window. It will have glass sidelights on each side.

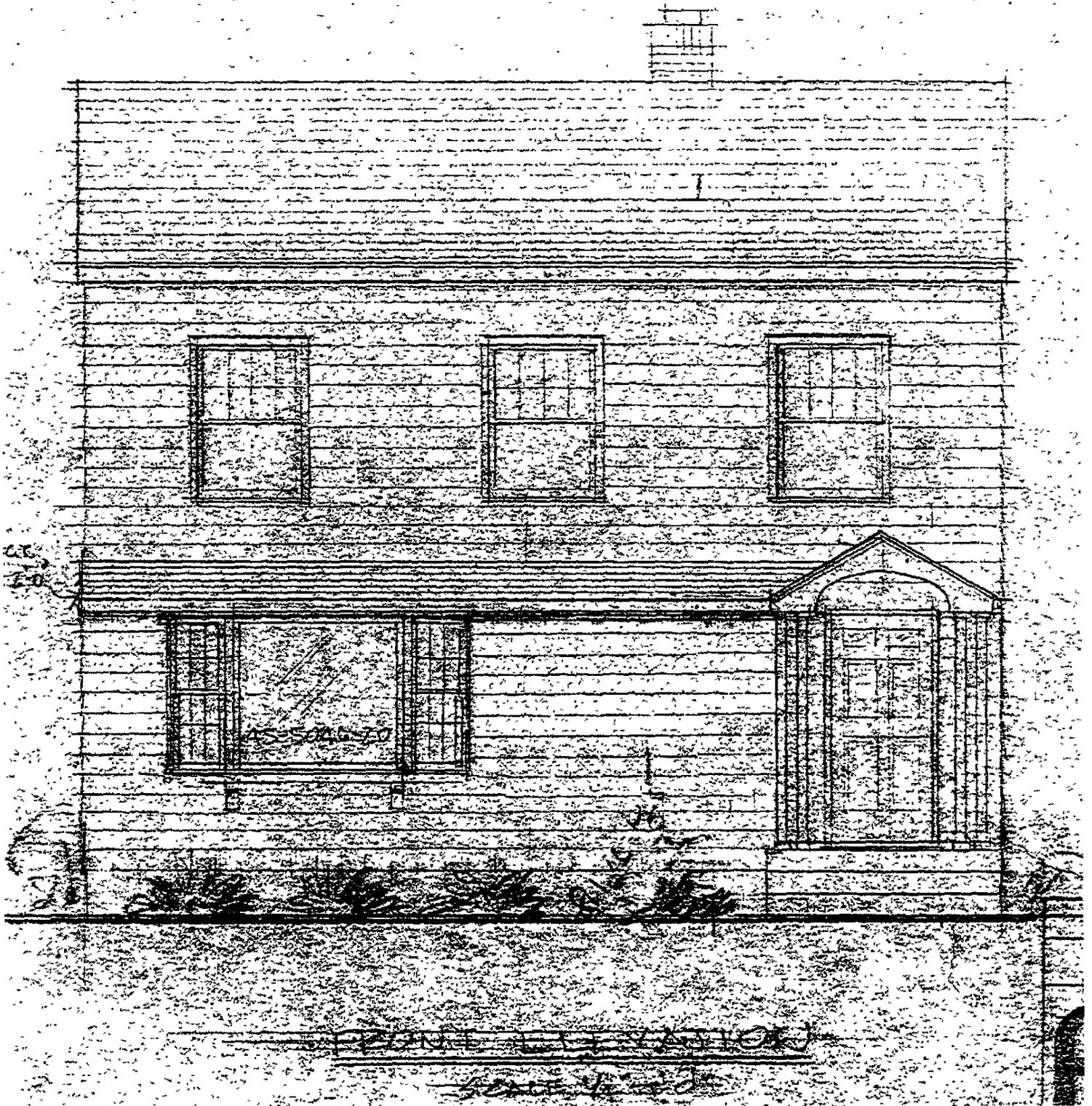
We feel the deeper landing would be a safety improvement. I remember having quite a time helping my Mom up those stairs with her walker. Getting her walker up and around the door, holding on to her on the stairs and the door and the walker was sometimes quite a challenge. Rick also had a little problem with them this winter when he broke his leg and was on crutches. He broke his leg falling on some icy stairs up north and we feel the larger roof would help with ice build up. We had hoped as long as we needed to replace the stairs and landing, we might as well make some improvements. Thank you for your consideration in this variance request.



THE WINDOW WE  
WILL CENTER THE  
DOOR UNDER

494

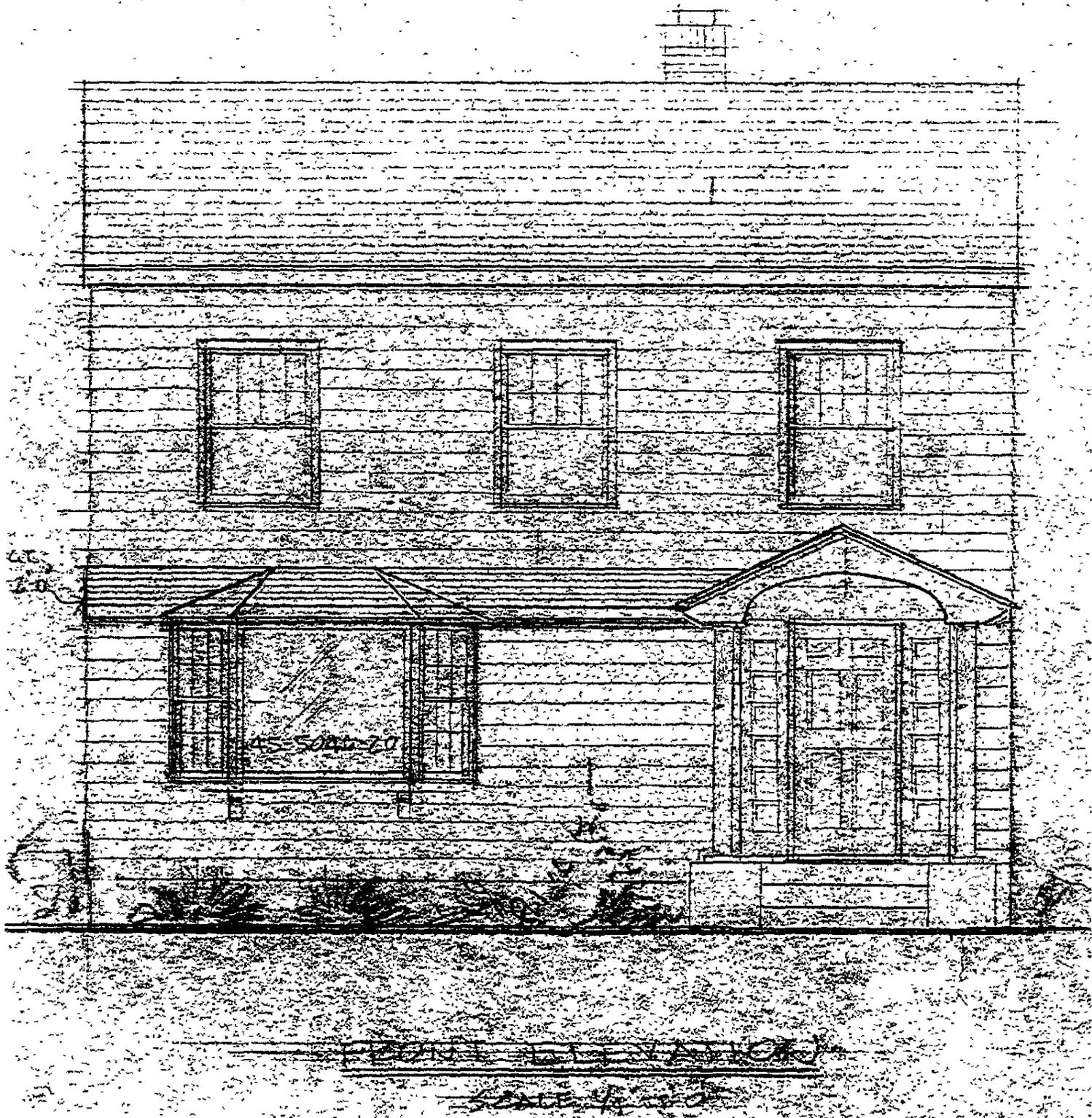
EXISTING



FRONT ELEVATION

SCALE 1/4" = 1'-0"

EXISTING



PROPOSED

**RESOLUTION NO. 09-**

**EXTRACT OF THE MINUTES OF THE CITY COUNCIL MEETING  
CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA  
HELD OCTOBER 5, 2009**

Pursuant to due call and notice therefore, the regular meeting of the City Council of the City of Bayport, Minnesota was duly held at the Bayport City Hall in said municipality on the 5<sup>th</sup> day of October, 2009.

The following members were present:

The following members were absent:

Council member \_\_\_\_\_ introduced the following resolution and moved its adoption:

**RESOLUTION APPROVING VARIANCES TO REPLACE AND EXPAND THE FRONT STEPS,  
LANDING, AND COVERED ENTRYWAY TO THE HOUSE LOCATED AT 494 6<sup>TH</sup> STREET NORTH,  
LEGALLY DESCRIBED AS BUTLER SECREST BRONSON ETAL ADDITION, LOT 1, BLOCK 4,  
BAYPORT, WASHINGTON COUNTY, MINNESOTA**

WHEREAS, The city received a request from Rick and Deb Parent to consider variances to allow replacement and expansion of the entryway to the house; and

WHEREAS, The Planning Commission of the City of Bayport held a public hearing on September 21, 2009 for the purpose of obtaining public comment on the variance application. At the close of the public hearing, the Planning Commission unanimously recommended approval of the variances to the City Council; and

WHEREAS, The City Council of the City of Bayport approved this application on October 5, 2009 at its regular meeting; and

WHEREAS, The City Council has made the following findings of fact:

**FINDINGS OF FACT**

- A. On or about August 17, 2009, the city received a variance application to remove and replace the existing front steps, landing, foundation, and covered entryway, at the property stated above, which are in a state of disrepair.
- B. The existing entryway is original to the home and was constructed prior to adoption of the zoning code. Therefore, it does not meet current setback requirements.
- C. Zoning Ordinance 601 specifies the requirements for building setbacks. The existing landing is inadequately sized to allow for proper ingress or egress to the house. In addition, the entry roof does not extend over the steps and landing, which results in significant ice buildup, and is a major safety concern. In order to permit reasonable use, allow proper ingress and egress to the house, eliminate safety concerns, and offer protection from the elements, variances to allow the proposed entryway to encroach into the front and side yard setbacks would be appropriate.
- D. Because the subject property is a corner lot, setbacks are more restrictive than an interior lot, to allow for adequate traffic visibility. Due to the size of the abutting right-of-way, as well as the style and location of the entryway, granting of the variances would not interfere with visibility at the adjacent intersection.

- E. The proposed setback for the side yard will be the same as the existing setback, which is 9 feet. The proposed setback for the front yard will be 13 feet, 5 inches, which is consistent with adjacent properties and the character of the neighborhood.
- F. The Bayport Planning Commission held a public hearing on the applicant's variance application and unanimously recommended approval of a variance of 11 feet for the north side yard, which would result in a setback of 9 feet and a variance of 6 feet 7 inches for the front yard, which would result in a setback of 13 feet 5 inches.
- G. The three (3) statutory requirements for granting a variance under the undue hardship standard are: (1) the property in question cannot be put to a reasonable use if used as required by this Zoning Code; (2) the plight of the landowner is due to circumstances unique to the property and not created by the property owner; and (3) the variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance. See Minn. Stat. §462.357.
- H. Based on paragraphs (A)-(G) above, the applicant has demonstrated an undue hardship, justifying the granting of the requested variances.

NOW THEREFORE BE IT RESOLVED: By the City Council of the City of Bayport, Washington County, Minnesota, does hereby ordain as follows:

1. The application for the requested variances is hereby approved, subject to the conditions below, based on findings of fact above, and that the application meets the criteria of an undue hardship:
  - Prior to the issuance of a building permit, a complete set of construction plans for the front steps, landing, foundation, and covered entryway shall be submitted by the applicant, in accordance with the approved variances, for review and approval by city staff.
2. The entire record of the hearing before the Planning Commission, including without limitation, the testimony and exhibits presented together with the discussion of the City Council regarding the matters described herein are hereby made a part of the record of these proceedings.

The motion for adoption of the foregoing resolution was duly seconded by Council member \_\_\_\_\_ and upon roll call being taken thereon, the following voted via voice:

|                  |                  |
|------------------|------------------|
| Jon Nowaczek -   | Connie Carlson - |
| Dan Johnson -    | Judy Seeberger - |
| Torry Kraftson - |                  |

Thereupon said resolution was declared duly passed and adopted and signed by the Mayor and the City Administrator. Passed by the City Council, City of Bayport, Washington County, Minnesota on this 5<sup>th</sup> day of October, 2009.

ATTEST:

\_\_\_\_\_  
Mike McGuire  
City Administrator

\_\_\_\_\_  
Jon Nowaczek  
Mayor

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF BAYPORT, MN, WASHINGTON, COUNTY, ENACTED  
TO ADMINISTER AND REGULATE THE PUBLIC RIGHTS-OF-WAY IN THE PUBLIC  
INTEREST AND TO PROVIDE FOR THE INSURANCE AND REGULATION OF  
RIGHT-OF-WAY PERMITS**

**THE CITY COUNCIL FOR THE CITY OF BAYPORT, MINNESOTA DOES HEREBY ORDAIN:**

**Sec. 1.01. Findings, Purpose, and Intent.**

To provide for the health, safety and welfare of its citizens and to ensure the integrity of its streets and the appropriate use of the rights-of-way, the City strives to keep its rights-of-way in a state of good repair and free from unnecessary encumbrances.

Accordingly, the City hereby enacts this Ordinance relating to right-of-way permits and administration. This Ordinance imposes reasonable regulation on the placement and maintenance of facilities and equipment currently within its rights-of-way or to be placed therein at some future time. It is intended to complement the regulatory roles of state and federal agencies. Under this Ordinance, persons excavating and obstructing the rights-of-way will bear financial responsibility for their work. Finally, this Ordinance provides for recovery of out-of-pocket and projected costs from persons using the public rights-of-way.

This Ordinance shall be interpreted consistently with 1997 Session Laws, Chapter 123, substantially codified in Minnesota Statutes Sections 237.16, 237.162, 237.163, 237.79, 237.81, and 238.086 (the "Act") and the other laws governing applicable rights of the City and users of the right-of-way. This Ordinance shall also be interpreted consistent with Minnesota Rules 7819.0050 -7819.9950 where possible. To the extent any provision of this Ordinance cannot be interpreted consistently with the Minnesota Rules, that interpretation most consistent with the Act and other applicable statutory and case law is intended. This Ordinance shall not be interpreted to limit the regulatory and police powers of the City to adopt and enforce general ordinances necessary to protect the health, safety and welfare of the public.

**Sec. 1.02. Election to Manage the Public Rights-of-Way.**

Pursuant to the authority granted to the City under state and federal, administrative and common law, the City hereby elects, pursuant Minn. Stat. 237.163 subd. 2(b), to manage rights-of-way within its jurisdiction.

**Sec. 1.03. Definitions.**

The following definitions apply in this Ordinance. References hereafter to "sections" are, unless otherwise specified, references to sections in this Ordinance. Defined terms remain defined terms, whether or not capitalized.

"Abandoned Facility" means a facility no longer in service or physically disconnected from a portion of the operating facility, or from any other facility, that is in use or still carries service. A facility is not abandoned unless declared so by the right-of-way user.

"Applicant" means any person requesting permission to excavate or obstruct a right-of-way.

"City" means the City of Bayport, Minnesota. For purposes of Section 1.27, "City" means its elected officials, officers, employees and agents.

"Commission" means the State Public Utilities Commission.

"Congested Right-of-Way" means a crowded condition in the subsurface of the public right-of-way that occurs when the maximum lateral spacing between existing underground facilities does not allow for construction of new underground facilities without using hand digging to expose the existing lateral facilities in conformance with Minnesota Statutes, section 216D.04, subdivision 3, over a continuous length in excess of 500 feet.

"Construction Performance Bond" means any of the following forms of security provided at permittee's option:

- A. Individual project bond;
- B. Cash deposit;
- C. Security of a form listed or approved under Minn. Stat. Sec. 15.73, subd. 3;
- D. Letter of Credit, in a form acceptable to the City;
- E. Self-insurance, in a form acceptable to the City;
- F. A blanket bond for projects within the City, or other form of construction bond, for a time specified and in a form acceptable to the City.

"Degradation" means a decrease in the useful life of the right-of-way caused by excavation in or disturbance of the right-of-way, resulting in the need to reconstruct such right-of-way earlier than would be required if the excavation or disturbance did not occur.

"Degradation Cost" subject to Minnesota Rules 7819.1100 means the cost to achieve a level of restoration, as determined by the City at the time the permit is issued, not to exceed the maximum restoration shown in plates 1 to 13, set forth in Minnesota Rules parts 7819.9900 to 7819.9950.

"Degradation Fee" means the estimated fee established at the time of permitting by the City to recover costs associated with the decrease in the useful life of the right-of-way caused by the excavation, and which equals the degradation cost.

"Department" means the department of public works of the City.

"Department Inspector" means any person authorized by the City to carry out inspections related to the provisions of this Ordinance.

"Director" means the Director of the department of public works of the City, or her or his designee.

"Delay Penalty" is the penalty imposed as a result of unreasonable delays in right-of-way excavation, obstruction, patching, or restoration as established by permit.

"Emergency" means a condition that (1) poses a danger to life or health, or of a significant loss of property; or (2) requires immediate repair or replacement of facilities in order to restore service to a customer.

"Equipment" means any tangible asset used to install, repair, or maintain facilities in any right-of-way.

"Excavate" means to dig into or in any way remove or physically disturb or penetrate any part of a right-of-way.

"Excavation permit" means the permit which, pursuant to this Ordinance, must be obtained before a person may excavate in a right-of-way. An Excavation permit allows the holder to excavate that part of the right-of-way described in such permit.

"Excavation permit fee" means money paid to the City by an applicant to cover the costs as provided in Section 1.11.

"Facility" or "Facilities" means any tangible asset in the right-of-way required to provide Utility Service

"Five-year project plan" shows projects adopted by the City for construction within the next five years.

"High Density Corridor" means a designated portion of the public right-of-way within which telecommunications right-of-way users having multiple and competing facilities may be required to build and install facilities in a common conduit system or other common structure.

"Hole" means an excavation in the pavement, with the excavation having a length less than the width of the pavement

"Local Representative" means a local person or persons, or designee of such person or persons, authorized by a registrant to accept service and to make decisions for that registrant regarding all matters within the scope of this Ordinance.

"Management Costs" means the actual costs the City incurs in managing its rights-of-way, including such costs, if incurred, as those associated with registering applicants; issuing, processing, and verifying right-of-way permit applications; inspecting job sites and restoration projects; maintaining, supporting, protecting, or moving user facilities during right-of-way work; determining the adequacy of right-of-way restoration; restoring work inadequately performed after providing notice and the opportunity to correct the work; and revoking right-of-way permits. Management costs do not include payment by a telecommunications right-of-way user for the use of the right-of-way, the fees and cost of litigation relating to the interpretation of Minnesota Session Laws 1997, Chapter 123; Minnesota Statutes Sections 237.162 or 237.163; or any ordinance enacted under those sections, or the City fees and costs related to appeals taken pursuant to Section 1.30 of this Ordinance.

"Obstruct" means to place any tangible object in a right-of-way so as to hinder free and open passage over that or any part of the right-of-way.

"Obstruction Permit" means the permit which, pursuant to this Ordinance, must be obtained before a person may obstruct a right-of-way, allowing the holder to hinder free and open passage over the specified portion of that right-of-way, for the duration specified therein.

"Obstruction Permit Fee" means money paid to the City by a permittee to cover the costs as provided in Section 1.11

"Patch" or "Patching" means a method of pavement replacement that is temporary in nature. A patch consists of (1) the compaction of the sub-base and aggregate base, and (2) the replacement, in kind, of the existing pavement for a minimum of two feet beyond the edges of the excavation in all directions. A patch is considered full restoration only when the pavement is included in the City's five-year project plan.

"Pavement" means any type of improved surface that is within the public right-of-way and that is paved or otherwise constructed with bituminous, concrete, aggregate, or gravel.

"Permit" has the meaning given "right-of-way permit" in Minnesota Statutes, section 237.162.

"Permittee" means any person to whom a permit to excavate or obstruct a right-of-way has been granted by the City under this Ordinance.

"Person" means an individual or entity subject to the laws and rules of this state, however organized, whether public or private, whether domestic or foreign, whether for profit or nonprofit and whether natural, corporate, or political.

"Probation" means the status of a person that has not complied with the conditions of this Ordinance

"Probationary Period" means one year from the date that a person has been notified in writing that they have been put on probation

"Registrant" means any person who (1) has or seeks to have its equipment or facilities located in any right-of-way, or (2) in any way occupies or uses, or seeks to occupy or use, the right-of-way or place its facilities or equipment in the right-of-way.

"Restore" or "Restoration" means the process by which an excavated right-of-way and surrounding area, including pavement and foundation, is returned to the same condition and life expectancy that existed before excavation

"Restoration Cost" means the amount of money paid to the City by a permittee to achieve the level of restoration according to plates 1 to 13 of Minnesota Public Utilities Commission rules.

"Public Right-of-Way" means the area on, below, or above a public roadway, highway, street, cartway, bicycle lane or public sidewalk in which the City has an interest, including other dedicated rights-of-way for travel purposes and utility easements of the City. A right-of-way does not include the airwaves above a right-of-way with regard to cellular or other nonwire telecommunications or broadcast service

"Right-of-Way Permit" means either the excavation permit or the obstruction permit, or both, depending on the context, required by this Ordinance.

"Right-of-Way User" means (1) a telecommunications right-of-way user as defined by Minnesota Statutes, section 237 162, subd. 4; or (2) a person owning or controlling a facility in the right-of-way that is used or intended to be used for providing utility service, and who has a right under law, franchise, or ordinance to use the public right-of-way

"Service" or "Utility Service" includes (1) those services provided by a public utility as defined in Minn. Stat. 216B.02, subs. 4 and 6; (2) services of a telecommunications right-of-way user, including transporting of voice or data information; (3) services of a cable communications systems as defined in Minn. Stat Chapter. 238; (4) natural gas or electric energy or telecommunications services provided by the City; (5) services provided by a cooperative electric association organized under Minn. Stat. Chapter 308A; and (6) water, and sewer, including service laterals, steam, cooling or heating services.

"Service Lateral" means an underground facility that is used to transmit, distribute, or furnish gas, electricity, communications, or water from a common source to an end-use customer. A service lateral is also an underground facility that is used in the removal of wastewater from a customer's premises

"Supplementary Application" means an application made to excavate or obstruct more of the right-of-way than allowed in, or to extend, a permit that had already been issued.

"Temporary Surface" means the compaction of sub-base and aggregate base and replacement, in kind, of the existing pavement only to the edges of the excavation.

"Trench" means an excavation in the pavement, with the excavation having a length equal to or greater than the width of the pavement.

"Telecommunication right-of-way user" means a person owning or controlling a facility in the right-of-way, or seeking to own or control a Facility in the right-of-way, which is used or is intended to be used for transporting telecommunication or other voice or data information. For purposes of this Ordinance, a cable communication system defined and regulated under Minn. Stat. Chap. 238, and telecommunication activities related to providing natural gas or electric energy services whether provided by a public utility as defined in Minn. Stat. Sec. 216B.02, a municipality, a municipal gas or power agency organized under Minn. Stat. Chaps. 453 and 453A, or a cooperative electric association organized under Minn. Stat. Chap. 308A, are not telecommunications right-of-way users for purposes of this Ordinance.

#### **Sec. 1.04 Administration.**

The Director is the principal City official responsible for the administration of the rights-of-way, right-of-way permits, and the ordinances related thereto. The Director may delegate any or all of the duties hereunder

#### **Sec. 1.05. Registration and Right-of-Way Occupancy.**

**Subd. 1. Registration** Each person who occupies or uses, or seeks to occupy or use, the right-of-way or place any equipment or facilities in or on the right-of-way, including persons with installation and maintenance responsibilities by lease, sublease or assignment, must register with the City. Registration will consist of providing application information and paying a registration fee.

**Subd. 2. Registration Prior to Work** No person may construct, install, repair, remove, relocate, or perform any other work on, or use any facilities or any part thereof, in any right-of-way without first being registered with the City.

**Subd. 3. Exceptions.** Nothing herein shall be construed to repeal or amend the provisions of a City ordinance permitting persons to plant or maintain boulevard plantings or gardens in the area of the right-of-way between their property and the street curb. Persons planting or maintaining boulevard plantings or gardens shall not be deemed to use or occupy the right-of-way, and shall not be required to obtain any permits or satisfy any other requirements for planting or maintaining such boulevard plantings or gardens under this Ordinance. However, nothing herein relieves a person from complying with the provisions of the Minn. Stat. Chap. 216D, Gopher One Call Law

#### **Sec. 1.06. Registration Information.**

**Subd. 1. Information Required.** The information provided to the City at the time of registration shall include, but not be limited to:

(a) Each registrant's name, Gopher One-Call registration certificate number, address and email address, if applicable, and telephone and facsimile numbers

(b) The name, address and e-mail address, if applicable, and telephone and facsimile numbers of a local representative. The local representative or designee shall be available at all times. Current information regarding how to contact the local representative in an emergency shall be provided at the time of registration.

(c) A certificate of insurance or self-insurance:

(1) Verifying that an insurance policy has been issued to the registrant by an insurance company licensed to do business in the State of Minnesota, or a form of self-insurance acceptable to the City;

(2) Verifying that the registrant is insured against claims for personal injury, including death, as well as claims for property damage arising out of the (i) use and occupancy of the right-of-way by the registrant, its officers, agents, employees and permittees, and (ii) placement and use of facilities and equipment in the right-of-way by the registrant, its officers, agents, employees and permittees, including, but not limited to, protection against liability arising from completed operations, damage of underground facilities and collapse of property;

(3) Naming the City as an additional insured as to whom the coverages required herein are in force and applicable and for whom defense will be provided as to all such coverages;

(4) Requiring that the City be notified thirty (30) days in advance of cancellation of the policy or material modification of a coverage term; and

(5) Indicating comprehensive liability coverage, automobile liability coverage, workers compensation and umbrella coverage established by the City in amounts sufficient to protect the City and the public and to carry out the purposes and policies of this Ordinance.

(d) The City may require a copy of the actual insurance policies.

(e) If the person is a corporation, a copy of the certificate is required to be filed under Minn. Stat. 300.06 as recorded and certified to by the Secretary of State

(f) A copy of the person's order granting a certificate of authority from the Minnesota Public Utilities Commission or other applicable state or federal agency, where the person is lawfully required to have such certificate from said commission or other state or federal agency.

**Subd. 2. Notice of Changes.** The registrant shall keep all of the information listed above current at all times by providing to the City information as to changes within fifteen (15) days following the date on which the registrant has knowledge of any change.

#### **Sec. 1.07. Reporting Obligations.**

**Subd. 1. Operations** Each registrant shall, at the time of registration and by December 1 of each year, file a construction and major maintenance plan for underground facilities with the City. Such plan shall be submitted using a format designated by the City and shall contain the information determined by the City to be necessary to facilitate the coordination and reduction in the frequency of excavations and obstructions of rights-of-way.

The plan shall include, but not be limited to, the following information:

(a) The locations and the estimated beginning and ending dates of all projects to be commenced during the next calendar year (in this section, a "next-year project"); and

(b) To the extent known, the tentative locations and estimated beginning and ending dates for all projects contemplated for the five years following the next calendar year (in this section, a "five-year project")

The term "project" in this section shall include both next-year projects and five-year projects.

By January 1 of each year, the City will have available for inspection in the City's office a composite list of all projects of which the City has been informed of the annual plans. All registrants are responsible for keeping themselves informed of the current status of this list.

Hereafter, by February 1, each registrant may change any project in its list of next-year projects, and must notify the City and all other registrants of all such changes in said list. Notwithstanding the foregoing, a registrant may at any time join in a next-year project of another registrant listed by the other registrant

**Subd.2. *Additional Next-Year Projects*** Notwithstanding the foregoing, the City will not deny an application for a right-of-way permit for failure to include a project in a plan submitted to the City if the registrant has used commercially reasonable efforts to anticipate and plan for the project

#### **Sec. 1.08. Permit Requirement.**

**Subd. 1. *Permit Required.*** Except as otherwise provided in this code, no person may obstruct or excavate any right-of-way without first having obtained the appropriate right-of-way permit from the City to do so

(a) ***Excavation Permit.*** An excavation permit is required by a registrant to excavate that part of the right-of-way described in such permit and to hinder free and open passage over the specified portion of the right-of-way by placing facilities described therein, to the extent and for the duration specified therein.

(b) ***Obstruction Permit*** An obstruction permit is required by a registrant to hinder free and open passage over the specified portion of right-of-way by placing equipment described therein on the right-of-way, to the extent and for the duration specified therein. An obstruction permit is not required if a person already possesses a valid excavation permit for the same project.

**Subd. 2. *Permit Extensions.*** No person may excavate or obstruct the right-of-way beyond the date or dates specified in the permit unless such person makes a supplementary application for another right-of-way permit before the expiration of the initial permit, and a new permit or permit extension is granted

**Subd. 3. *Delay Penalty.*** In accordance with Minnesota Rule 7819.1000 subd. 3 and notwithstanding subd 2 of this Section, the City shall establish and impose a delay penalty for unreasonable delays in right-of-way excavation, obstruction, patching, or restoration. The delay penalty shall be established from time to time by City council resolution.

**Subd. 4. *Permit Display.*** Permits issued under this Ordinance shall be conspicuously displayed or otherwise available at all times at the indicated work site and shall be available for inspection by the City

#### **Sec. 1.09. Permit Applications.**

Application for a permit is made to the City. Right-of-way permit applications shall contain, and will be considered complete only upon compliance with, the requirements of the following provisions:

(a) Registration with the City pursuant to this Ordinance;

(b) Submission of a completed Right-of-way permit application form, including all required attachments, and scaled drawings showing the location and area of the proposed project and the location of all known existing and proposed facilities.

(c) Payment of money due the City for:

(1) permit fees, estimated restoration costs and other management costs;

(2) prior obstructions or excavations,

(3) any undisputed loss, damage, or expense suffered by the City because of applicant's prior excavations or obstructions of the rights-of-way or any emergency actions taken by the City;

(4) franchise fees or other charges, if applicable.

(d) Payment of disputed amounts due the City by posting security or depositing in an escrow account an amount equal to at least 110% of the amount owing

(e) Posting an additional or larger construction cash deposit or letter of credit for additional facilities when applicant requests an excavation permit to install additional facilities and the City deems the existing construction performance bond inadequate under applicable standards.

#### **Sec. 1.10. Issuance of Permit; Conditions.**

**Subd. 1. *Permit Issuance.*** If the applicant has satisfied the requirements of this Ordinance, the City shall issue a permit.

**Subd. 2. *Conditions*** The City may impose reasonable conditions upon the issuance of the permit and the performance of the applicant thereunder to protect the health, safety and welfare or when necessary to protect the right-of-way and its current use.

#### **Sec. 1.11. Permit Fees.**

**Subd. 1. *Excavation Permit Fee.*** The City shall establish an excavation permit fee in an amount sufficient to recover the following costs, which fee shall be listed in Appendix D, Fee Schedule of the Bayport City Code:

(a) the City management costs;

(b) degradation costs, if applicable.

(c) escrow fee to secure the payment of City "out of pocket" expenses

**Subd. 2. *Obstruction Permit Fee.*** The City shall establish the obstruction permit fee and shall be in an amount sufficient to recover the City management costs, which fee shall be listed in Appendix D, Fee Schedule of the Bayport City Code.

**Subd. 3. *Payment of Permit Fees.*** No excavation permit or obstruction permit shall be issued without payment of excavation or obstruction permit fees. The City may allow applicant to pay such fees within thirty (30) days of billing.

**Subd. 4. *Non Refundable.*** Permit fees that were paid for a permit that the City has revoked for a breach as stated in Section 1.21 are not refundable

**Subd. 5. *Application to Franchises.*** Unless otherwise agreed to in a franchise, management costs may be charged separately from and in addition to the franchise fees imposed on a right-of-way user in the franchise

## **Sec. 1.12. Right-of-Way Patching and Restoration.**

**Subd. 1. *Timing*** The work to be done under the excavation permit, and the patching and restoration of the right-of-way as required herein, must be completed within the dates specified in the permit, increased by as many days as work could not be done because of circumstances beyond the control of the permittee or when work was prohibited as unseasonal or unreasonable under Section 1.15.

**Subd. 2. *Patch and Restoration.*** Permittee shall patch its own work. The City may choose either to have the permittee restore the right-of-way or to restore the right-of-way itself.

(a) ***City Restoration.*** If the City elects to restore the right-of-way, the City shall make the restoration and Permittee shall pay the costs thereof within thirty (30) days of billing.

(b) ***Permittee Restoration.*** If the permittee restores the right-of-way itself, it shall at the time of application for an excavation permit post a construction performance bond in accordance with the provisions of Minnesota Rule 7819.3000

(c) ***Degradation Fee in Lieu of Restoration.*** In lieu of right-of-way restoration, a right-of-way user may elect to pay a degradation fee. However, the right-of-way user shall remain responsible for patching and the degradation fee shall not include the cost to accomplish these responsibilities.

**Subd. 3. *Standards.*** The permittee shall perform excavation, backfilling, patching and restoration according to the standards and with the materials specified by the City and shall comply with Minnesota Rule 7819 1100

**Subd. 4. *Duty to Correct Defects*** The permittee shall correct defects in patching or restoration performed by permittee or its agents. The permittee upon notification from the City, shall correct all restoration work to the extent necessary, using the method required by the City. Said work shall be completed within five (5) calendar days of the receipt of the notice from the City, not including days during which work cannot be done because of circumstances constituting force majeure or days when work is prohibited as unseasonable or unreasonable under Section 1.15.

**Subd. 5. *Failure to Restore.*** If the permittee fails to restore the right-of-way in the manner and to the condition required by the City, or fails to satisfactorily and timely complete all restoration required by the City, the City at its option may do such work. In that event the permittee shall pay to the City, within thirty (30) days of billing, the cost of restoring the right-of-way. If permittee fails to pay as required, the City may exercise its rights under the construction performance bond.

**Subd. 6. *Installation of Tracer Wire.*** Utilities installed in the right-of-way shall be completely marked with a tracer wire placed directly above or in conjunction with the installed utility at the developer's expense. Burial depth shall be within 6 to 18 inches of final grade. In addition the termination points where the utility crosses in, to and out of the right-of-way shall have buried pins or markers, both of which shall be detectable with a magnetic locator. At least one of these markers shall be a tracer wire access box with termination points for the tracer wire. A minimum of 12 inches of tracer wire shall be accessible above the termination box upon removal of the tracer wire access box cap. Tie points to permanent structures shall be submitted and GPS coordinates in the Washington County Coordinate system shall be supplied. Acceptable tracer wire and termination boxes shall be the following or equivalent as determined by the City.

- Direct Burial #12 A WG Solid ( .0808" diameter), steel core soft drawn high strength tracer wire, 380# average tensile break load, 30 mil high molecular weight-high density color coded polyethylene jacket complying with ASTM-D-1248, 30 volt rating.

- Valvco cast iron head Tracer Wire Access box

Access box shall be placed near final grade with no more than a layer of sod above the access cap. If water and sewer are in a common trench, a single tracer wire access box may be used above the water line with details on the tie card of the offset to the sewer pin and the sewer trace wire following the right of way border to the location pin for the sewer line. A written plan and sketch shall be submitted prior to installation identifying the location and mitigation measure that will be required. A deposit of \$1,000 shall be held by the City of Bayport until compliance with location requirements are met. Additional deposits will be required and held by the City of Bayport for any project which has the potential to impact City owned infrastructure. This includes any cuts or borings in, to, or under City streets, trails or storm drainage areas. This may, at the City's discretion, also be required when equipment will be traversing City infrastructure.

A separate permit for utility tie-in and inspections is required for connections to existing City of Bayport utilities. All utility access charges must be current before a permit for connection will be issued. Complex connections involving items such as wet taps, looped lines, fire flow lines, new wyes, or shut off of services will incur additional costs.

### **Sec. 1.13. Joint Applications.**

**Subd. 1. *Joint application.*** Registrants may jointly apply for permits to excavate or obstruct the right-of-way at the same place and time.

**Subd. 2. *Shared fees.*** Registrants who apply for permits for the same obstruction or excavation, which the City does not perform, may share in the payment of the obstruction or excavation permit fee. In order to obtain a joint permit, registrants must agree among themselves as to the portion each will pay and indicate the same on their applications.

**Subd. 3. *With City projects.*** Registrants, who join in a scheduled obstruction or excavation performed by the City, whether or not it is a joint application by two or more registrants or a single application, are not required to pay the excavation or obstruction and degradation portions of the permit fee, but a permit would still be required.

### **Sec. 1.14. Supplementary Applications.**

**Subd. 1. *Limitation on Area.*** A right-of-way permit is valid only for the area of the right-of-way specified in the permit. No permittee may do any work outside the area specified in the permit, except as provided herein. Any permittee which determines that an area greater than that specified in the permit must be obstructed or excavated must before working in that greater area (i) make application for a permit extension and pay any additional fees required thereby, and (ii) be granted a new permit or permit extension.

**Subd. 2. *Limitation on Dates.*** A right-of-way permit is valid only for the dates specified in the permit.

No permittee may begin its work before the permit start date or, except as provided herein, continue working after the end date. If a permittee does not finish the work by the permit end date, it must apply for a new permit for the additional time it needs, and receive the new permit or an extension of the old permit before working after the end date of the previous permit. This supplementary application must be submitted before the permit end date.

### **Sec. 1.15. Other Obligations.**

**Subd. 1. Compliance With Other Laws.** Obtaining a right-of-way permit does not relieve permittee of its duty to obtain all other necessary permits, licenses, and authority and to pay all fees required by the City or other applicable rule, law or regulation. A permittee shall comply with all requirements of local, state and federal laws, including but not limited to Minnesota Statutes, Section 2160.01-.09 (Gopher One Call Excavation Notice System) and Minnesota Rules Chapter 7560. A permittee shall perform all work in conformance with all applicable codes and established rules and regulations, and is responsible for all work done in the right-of-way pursuant to its permit, regardless of who does the work.

**Subd. 2. Prohibited Work.** Except in an emergency, and with the approval of the City, no right-of-way obstruction or excavation may be done when seasonally prohibited or when conditions are unreasonable for such work.

**Subd.3. Interference with Right-of-Way.** A permittee shall not so obstruct a right-of-way that the natural free and clear passage of water through the gutters or other waterways shall be interfered with. Private vehicles of those doing work in the right-of-way may not be parked within or next to a permit area, unless parked in conformance with City parking regulations. The loading or unloading of trucks must be done solely within the defined permit area unless specifically authorized by the permit.

**Subd. 4. Trenchless Excavation** As a condition of all applicable permits, permittees employing trenchless excavation methods, including but not limited to Horizontal Directional Drilling, shall follow all requirements set forth in Minnesota Statutes, Chapter 216D and Minnesota Rules Chapter 7560, and shall require potholing or open cutting over existing underground utilities before excavating, as determined by the Director.

#### **Sec. 1.16. Denial of Permit.**

The City may deny a permit for failure to meet the requirements and conditions of this Ordinance or if the City determines that the denial is necessary to protect the health, safety, and welfare or when necessary to protect the right-of-way and its current use.

#### **Sec. 1.17. Installation Requirements.**

The excavation, backfilling, patching and restoration, and all other work performed in the right-of-way shall be done in conformance with Minnesota Rules 7819.1100 and 7819.5000 and other applicable local requirements, in so far as they are not inconsistent with the Minnesota Statutes, Sections 237.162 and 237.163. Installation of service laterals shall be performed in accordance with Minnesota Rules Chapter 7560 and these Ordinances. Service lateral installation is further subject to those requirements and conditions set forth by the City in the applicable permits and/or agreements referenced in Section 1.22, subd. 2 of this Ordinance.

#### **Sec. 1.18. Inspection.**

**Subd. 1. Notice of Completion.** When the work under any permit hereunder is completed, the permittee shall furnish a completion certificate in accordance Minnesota Rule 7819.1300.

**Subd. 2. Site Inspection.** Permittee shall make the work-site available to the City and to all others as authorized by law for inspection at all reasonable times during the execution of and upon completion of the work.

#### **Subd 3. Authority of Director.**

(a) At the time of inspection, the Director may order the immediate cessation of any work which poses a serious threat to the life, health, safety or well-being of the public.

(b) The Director may issue an order to the permittee for any work that does not conform to the terms of the permit or other applicable standards, conditions, or codes. The order shall state that failure to correct the violation will be cause for revocation of the permit. Within ten (10) days after issuance of the order, the permittee shall present proof to the Director that the violation has been corrected. If such proof has not been presented within the required time, the Director may revoke the permit pursuant to Sec. 1.21.

#### **Sec. 1.19. Work Done Without a Permit.**

**Subd. 1. Emergency Situations.** (a) Each registrant shall immediately notify the Director of any event regarding its facilities that it considers to be an emergency. The registrant may proceed to take whatever actions are necessary to respond to the emergency. Excavators' notification to Gopher State One Call regarding an emergency situation does not fulfill this requirement. Within two (2) business days after the occurrence of the emergency, the registrant shall apply for the necessary permits, pay the fees associated therewith, and fulfill the rest of the requirements necessary to bring itself into compliance with this Ordinance for the actions it took in response to the emergency.

(b) If the City becomes aware of an emergency regarding a registrant's facilities, the City will attempt to contact the local representative of each registrant affected, or potentially affected, by the emergency. In any event, the City may take whatever action it deems necessary to respond to the emergency, the cost of which shall be borne by the registrant whose facilities occasioned the emergency.

**Subd. 2. Non-Emergency Situations.** Except in an emergency, any person who, without first having obtained the necessary permit, obstructs or excavates a right-of-way must subsequently obtain a permit and, as a penalty, pay double the normal fee for said permit, pay double all the other fees required by the City code, deposit with the City the fees necessary to correct any damage to the right-of-way, and comply with all of the requirements of this Ordinance.

#### **Sec. 1.20. Supplementary Notification.**

If the obstruction or excavation of the right-of-way begins later or ends sooner than the date given on the permit, permittee shall notify the City of the accurate information as soon as this information is known.

#### **Sec. 1.21. Revocation of Permits.**

**Subd. 1. Substantial Breach.** The City reserves its right, as provided herein, to revoke any right-of-way permit without a fee refund, if there is a substantial breach of the terms and conditions of any statute, ordinance, rule or regulation, or any material condition of the permit. A substantial breach by permittee shall include, but shall not be limited to, the following:

- (a) The violation of any material provision of the right-of-way permit;
- (b) An evasion or attempt to evade any material provision of the right-of-way permit or the perpetration or attempt to perpetrate any fraud or deceit upon the City or its citizens;
- (c) Any material misrepresentation of fact in the application for a right-of-way permit;
- (d) The failure to complete the work in a timely manner, unless a permit extension is obtained or unless the failure to complete work is due to reasons beyond the permittee's control; or
- (e) The failure to correct, in a timely manner, work that does not conform to a condition indicated on an order issued pursuant to Sec. 1.18.

**Subd. 2. *Written Notice of Breach.*** If the City determines that the permittee has committed a substantial breach of a term or condition of any statute, ordinance, rule, regulation or any condition of the permit, the City shall make a written demand upon the permittee to remedy such violation. The demand shall state that continued violations may be cause for revocation of the permit. A substantial breach, as stated above, will allow the City, at its discretion, to place additional or revised conditions on the permit to mitigate and remedy the breach.

**Subd. 3. *Response to Notice of Breach.*** Within twenty-four (24) hours of receiving notification of the breach, permittee shall provide the City with a plan, acceptable to the City, which will cure the breach. The permittee's failure to so contact the City, or permittee's failure to timely submit an acceptable plan, or permittee's failure to reasonably implement the approved plan, shall be cause for immediate revocation of the permit. Further, permittee's failure to so contact the City, or permittee's failure to submit an acceptable plan, or permittee's failure to reasonably implement the approved plan, shall automatically place the permittee on probation for one (1) full year. **Subd. 4. *Cause for Probation.*** From time to time, the City may establish a list of conditions of the permit, which if breached will automatically place the permittee on probation for one full year, such as, but not limited to, working out of the allotted time period or working on right-of-way grossly outside of the permit authorization.

**Subd. 5. *Automatic Revocation.*** If a permittee, while on probation, commits a breach as outlined above, permittee's permit will automatically be revoked and permittee will not be allowed further permits for one full year, except for emergency repairs.

**Subd. 6. *Reimbursement of City Costs.*** If a permit is revoked, the permittee shall also reimburse the City for the City's reasonable costs, including restoration costs and the costs of collection and reasonable attorneys' fees incurred in connection with such revocation.

## **Sec. 1.22. Mapping Data.**

**Subd. 1. *Information Required.*** Each registrant and permittee shall provide mapping information at their expense as required by the City in accordance with Minnesota Rules 7819.4000 and 7819.4100. Within ninety (90) days following completion of any work pursuant to a permit, the permittee shall provide the Director accurate maps and drawings certifying the "as-built" location of all equipment installed, owned and maintained by the permittee. Such maps and drawings shall include the horizontal and vertical location of all facilities and equipment and shall be provided consistent with the City's electronic mapping system, when practical or as a condition imposed by the Director. Failure to provide maps and drawings pursuant to this subsection shall be grounds for revoking the permit holder's registration and the withholding of any escrow funds.

**Subd. 2. *Service Laterals.*** All permits issued for the installation or repair of service laterals, other than minor repairs as defined in Minnesota Rules 7560.0150 subpart 2, shall require the permittee's use of appropriate means of establishing the horizontal locations of installed service laterals, and the service lateral vertical locations in those cases where the Director reasonably requires it. Permittees or their subcontractors shall submit to the Director evidence satisfactory to the Director of the installed service lateral locations. Compliance with this subdivision 2 and with applicable Gopher State One Call law and Minnesota Rules governing service laterals installed after December 31, 2005, shall be a condition of any City approval necessary for 1) payments to contractors working on a public improvement project including those under Minnesota Statutes, Chapter 429, and 2) City approval of performance under development agreements, or other subdivision or site plan approval under Minnesota Statutes, Chapter 462. The Director shall reasonably determine the appropriate method of providing such information to the City. Failure to provide prompt and accurate information on the service laterals installed may result in the revocation of the permit issued for the work or for future permits to the offending permittee or its subcontractors. Also see Sec 1.12.

### **Sec. 1.23. Location and Relocation of Facilities.**

**Subd. 1.** Placement, location, and relocation of facilities must comply with the Act, with other applicable law, and with Minnesota Rules 7819.3100, 7819.5000 and 7819 5100, to the extent the rules do not limit authority otherwise available to cities. See 1008.040.

**Subd. 2. Corridors** The City may assign a specific area within the right-of-way, or any particular segment thereof as may be necessary, for each type of facilities that is or, pursuant to current technology, the City expects will someday be located within the right-of-way. All excavation, obstruction, or other permits issued by the City involving the installation or replacement of facilities shall designate the proper corridor for the facilities at issue

Any registrant who has facilities in the right-of-way in a position at variance with the corridors established by the City shall, no later than at the time of the next reconstruction or excavation of the area where the facilities are located, move the facilities to the assigned position within the right-of-way, unless this requirement is waived by the City for good cause shown, upon consideration of such factors as the remaining economic life of the facilities, public safety, customer service needs and hardship to the registrant.

**Subd. 3. Nuisance.** One year after the passage of this Ordinance, any facilities found in a right-of-way that have not been registered shall be deemed to be a nuisance. The City may exercise any remedies or rights it has at law or in equity, including, but not limited to, abating the nuisance or taking possession of the facilities and restoring the right-of-way to a useable condition.

**Subd. 4. Limitation of Space.** To protect health, safety, and welfare, or when necessary to protect the right-of-way and its current use, the City shall have the power to prohibit or limit the placement of new or additional facilities within the right-of-way. In making such decisions, the City shall strive to the extent possible to accommodate all existing and potential users of the right-of-way, but shall be guided primarily by considerations of the public interest, the public's needs for the particular utility service, the condition of the right-of-way, the time of year with respect to essential utilities, the protection of existing facilities in the right-of-way, and future City plans for public improvements and development projects which have been determined to be in the public interest.

### **Sec. 1.24. Pre-excavation Facilities Location.**

In addition to complying with the requirements of Minn Stat 216D 01-.09 ("One Call Excavation Notice System") before the start date of any right-of-way excavation, each registrant who has facilities or equipment in the area to be excavated shall mark the horizontal and vertical placement of all said facilities. Any registrant whose facilities are less than twenty (20) inches below a concrete or asphalt surface shall notify and work closely with the excavation contractor to establish the exact location of its facilities and the best procedure for excavation.

### **Sec. 1.25. Damage to Other Facilities.**

When the City does work in the right-of-way and finds it necessary to maintain, support, or move a registrant's facilities to protect it, the City shall notify the local representative as early as is reasonably possible. The costs associated therewith will be billed to that registrant and must be paid within thirty (30) days from the date of billing. Each registrant shall be responsible for the cost of repairing any facilities in the right-of-way which it or its facilities damage. Each registrant shall be responsible for the cost of repairing any damage to the facilities of another registrant caused during the City's response to an emergency occasioned by that registrant's facilities.

**Sec. 1.26. Right-of-Way Vacation.**

*Reservation of Right* If the City vacates a right-of-way that contains the facilities of a registrant, the registrant's rights in the vacated right-of-way are governed by Minnesota Rules 7819.3200

**Sec. 1.27. Indemnification and Liability**

By registering with the City, or by accepting a permit under this Ordinance, a registrant or permittee agrees to defend and indemnify the City in accordance with the provisions of Minnesota Rule 7819.1250.

**Sec. 1.28. Abandoned and Unusable Facilities.**

**Subd . 1. Discontinued Operations** A registrant who has determined to discontinue all or a portion of its operations in the City must provide information satisfactory to the City that the registrant's obligations for its facilities in the right-of-way under this Ordinance have been lawfully assumed by another registrant.

**Subd. 2. Removal.** Any registrant who has abandoned facilities in any right-of-way shall remove it from that right-of-way if required in conjunction with other right-of-way repair, excavation, or construction, unless this requirement is waived by the City

**Sec. 1.29. Appeal.**

A right-of-way user that: (1) has been denied registration; (2) has been denied a permit, (3) has had a permit revoked; (4) believes that the fees imposed are not in conformity with Minn. Stat. § 237.163, Subd. 6, or (5) disputes a determination of the Director regarding Section 1.22 subd. 2 of this Ordinance may have the denial, revocation, fee imposition, or decision reviewed, upon written request, by the City council. The City council shall act on a timely written request at its next regularly scheduled meeting, provided the right-of-way user has submitted its appeal with sufficient time to include the appeal as a regular agenda item. A decision by the City council affirming the denial, revocation, or fee imposition will be in writing and supported by written findings establishing the reasonableness of the decision.

**Sec. 1.30. Severability.**

If any portion of this Ordinance is for any reason held invalid by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof. Nothing in this Ordinance precludes the City from requiring a franchise agreement with the applicant, as allowed by law, in addition to requirements set forth herein

**THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE AND PUBLICATION ACCORDING TO LAW. PASSED BY THE CITY COUNCIL FOR THE CITY OF BAYPORT THIS 5<sup>TH</sup> DAY OF OCTOBER, 2009.**

\_\_\_\_\_  
Jon Nowaczek, Mayor

Attest:

\_\_\_\_\_  
Michael McGuire, City Administrator

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA, AMENDING APPENDIX D, FEE SCHEDULE, OF THE CITY CODE.

THE CITY COUNCIL OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA DOES HEREBY ORDAIN AS FOLLOWS:

Please note: Proposed deletions are indicated in ~~strike through~~ and additions are indicated in **bold underline**.

Section 1. The Bayport Code of Ordinances is hereby amended to add the following:

| Description   | Fee   |
|---|---|
| <i>Engineering/Public Works Department</i>  |   |
| <del>Right-of-way excavation, utilities, Permitted encroachment application fee</del> | 250.00  |
| <b><u>Right-of-way excavation, obstruction, or utility work permit fee</u></b>        | <b><u>250.00 + 1,000.00 escrow and any other costs incurred</u></b> |
| <b><u>Right-of-way inspection fee</u></b>   | <b><u>50.00</u></b>   |

Section 2. This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed by the City Council for the City of Bayport this 5<sup>th</sup> day of October, 2009.

\_\_\_\_\_  
Jon Nowaczek, Mayor

Attest:

\_\_\_\_\_  
Michael McGuire, City Administrator