

**SPECIAL BUDGET & FINANCE COMMITTEE**  
**CITY HALL CONFERENCE ROOM**  
**FEBRUARY 10, 2014**  
**4:30 P.M.**  
**AGENDA**

- I. CALL TO ORDER
- II. CONSENT AGENDA
  - A. Minutes (page 1) – will be emailed out and/or distributed at the meeting.
  
- III. NEW BUSINESS
  - A. Election of Officers (page 3)
  - B. Meeting Schedule (page 4)
  - C. Police Department – Use of Projected 2013 Budget Surplus (page 5)
  - D. Election Judges – Wages, Etc.
  - E. Stadium/Grandstand – Funding (page 6)
  - F. Contracts:
    - 1. Paynesville Township (multiple)
      - A. Compost Site/Hockey Association
      - B. Lifeguards
      - C. Paynesville Area Joint Trails
      - D. Sand/Salt Storage
      - E. Oil Depository/RV Dump
      - F. Veterans Park Lawn Mowing & Trimming
    - 2. Frauenshuh & Spooner PA – General Attorney
    - 3. CliftonLarsonAllen – Accounting/Audit
    - 4. Bennett Office Technologies – IT Support
    - 5. Bolton & Menk, Inc. - Engineering
    - 6. Central Minnesota Insurance Agency - Insurance
    - 7. Rinke-Noonan Law Firm – Labor Attorney
    - 8. Stearns County Sheriff's Department
    - 9. Recreational Programs
      - A. Hockey Association
      - B. After Prom
      - C. Historical Society
      - D. Paynesville Area Center
      - E. Community Education
    - 10. D&D Snowplowing - Snowplowing
    - 11. Tyler Technologies – Financial Software
    - 12. Townsware – Pet Licensing Software
    - 13. Fuel Master – Airport Fuel System
    - 14. PermitWorks – Building Permit Software
    - 15. Sensus – Water meter reading equipment and software
  
- IV. OLD BUSINESS
  - A. Incode Online Payments - Update
  
- V. INFORMATIONAL
- VI. ADJOURN

**\*\*\*Please contact Renee Eckerly if you can't attend the meeting.\*\*\***

**Voting Members: Jean Soine, Belinda Ludwig, Elliot LaBeau, Kay McDaniel, and Renee Eckerly.**

This agenda has been prepared to provide information regarding an upcoming meeting of the Paynesville Budget & Finance Committee. This document does not claim to be complete and is subject to change. **BARRIER FREE:** All Paynesville Budget & Finance Committee meetings are accessible to the handicapped. Attempts will be made to accommodate any other individual need for special services. Please contact City Hall (320) 243-3714 early, so necessary arrangements can be made.

## REQUEST FOR COMMITTEE/COUNCIL ACTION

**COMMITTEE/COUNCIL NAME:** Budget & Finance Committee

Committee/Council Meeting Date: February 10, 2014

Agenda Section: Consent Agenda

Originating Department: Administration

Item Number: III - A

**ITEM DESCRIPTION:** Minutes

Prepared by: Staff

**COMMENTS:**

Please review the attached minutes from February 19, 2013, August 21, 2013, and December 9, 2013 Budget & Finance Committee meetings.

**ADMINISTRATOR COMMENTS:**

**COMMITTEE/COUNCIL ACTION:**

Motion to approve the minutes from February 19, 2013, August 21, 2013, and December 9, 2013 Budget & Finance Committee meetings.

**MINUTES  
BUDGET & FINANCE COMMITTEE**

**DECEMBER 9, 2013**

Jean Soine called the meeting to order at 4:35 p.m. Other members present were Kay McDaniel, Belinda Ludwig, Finance Specialist.; and Renee Eckerly, City Administrator. Elliot LaBeau was absent.

**Motion was made by Ludwig to approve the minutes from the October 21, 2013 Budget & Finance Committee Meeting. Seconded by McDaniel and unanimously carried.**

**FEE SCHEDULE**

The Committee reviewed the Fee Schedule regarding the Commercial Compost Site fee. The Committee discussed making the Commercial permits two tier:

- Non-profit \$100.00
- Commercial \$200.00

**Motion was made by Eckerly to approve the proposed 2014 fee schedule with two tier commercial fees; non-profit \$100.00 and commercial \$200.00 and recommend such to the City Council. Seconded by McDaniel and unanimously carried.**

**ORDINANCE CODIFICATION**

The Committee reviewed the codification quotes. Eckerly will verify the cost of updating and posting it on the internet. The Committee asked how does the City get a copy of the code and can it be updated in-house. Eckerly will confirm how many pages it will be (per page 6).

**Motion was made by McDaniel to approve Municode to conduct the codification with a clarification on a few items and recommend such to the City Council. Seconded by Eckerly and unanimously carried.**

**2014 BUDGET**

Eckerly announced that the 2014 Budget levy is at 2.1% or approximately \$11,000.00 above last year.

There being no further business, the meeting was adjourned at 5:10 p.m.

## REQUEST FOR COMMITTEE/COUNCIL ACTION

**COMMITTEE/COUNCIL NAME:** Budget & Finance Committee

Committee/Council Meeting Date: February 10, 2014

Agenda Section: New Business

Originating Department: Administration

Item Number: III - A

**ITEM DESCRIPTION:** Election of Officers

Prepared by: Staff

**COMMENTS:**

Nominations for Chairperson.

Nominations for Vice Chairperson.

Nominations for Secretary.

**ADMINISTRATOR COMMENTS:**

Current officers are:

Chair – Jean Soine

Vice Chair – Kay McDaniel

Secretary – Renee Eckerly

**COMMITTEE/COUNCIL ACTION:**

A motion to elect \_\_\_\_\_ as Chairperson.

A motion to elect \_\_\_\_\_ as Vice Chairperson.

A motion to elect \_\_\_\_\_ as Secretary.

**REQUEST FOR COMMITTEE/COUNCIL ACTION**

**COMMITTEE/COUNCIL NAME:** Budget & Finance Committee

Committee/Council Meeting Date: February 10, 2014

Agenda Section: New Business

Originating Department: Administration

Item Number: III - B

**ITEM DESCRIPTION:** Meeting Schedule

Prepared by: Staff

**COMMENTS:**

Every year each Committee sets their yearly meeting schedule. Last year the Board met the second Monday of each month at 4:30 p.m.

**ADMINISTRATOR COMMENTS:**

**COMMITTEE/COUNCIL ACTION:**

A motion to set the Budget & Finance Committee meetings for \_\_\_\_\_.

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## REQUEST FOR COMMITTEE/COUNCIL ACTION

**COMMITTEE/COUNCIL NAME:** Budget & Finance Committee

Committee/Council Meeting Date: February 10, 2014

Agenda Section: New Business

Originating Department: Administration

Item Number: III - C

### **ITEM DESCRIPTION: Police Department – Use of Projected Surplus**

Prepared by: Staff

#### **COMMENTS:**

As of December 2, 2013, the police department has a projected budget surplus of over \$25,000.00. The department is currently in need of replacing outdated equipment in the department. With this projected surplus the department would like to start replacing the items and establish a depreciation scale for their replacement.

The department also faces some mandatory upgrades in 2014 which are required by the state and unbudgeted. These expenses were brought to light after the budget was done.

Items looking to purchase:

- Computers - 2 new office computers with Windows 7 software, upgrade to 1 laptop and 1 office computer to Windows 7 (State requiring upgrade to run their software) (\$1,719.62)
- Squad Camera - Change out current Digital Ally with Watch Guard. Digital Ally Video Manager may have issues running in Windows 7. Camera will be able to transfer to future squads (\$5,000.00)
- Tasers - 2 new tasers. Current X26 tasers purchased in 2005 and 2006. One of the Tasers currently is inoperable. Recommended replacement is 5 years. (\$3,200.00)
- Ammunition - Department does not currently have enough ammunition for 2014 qualification. (\$1,623.00)

Estimates costs for items: \$11,500.00

Based on current and upcoming needs, I would like to have any surplus from the 2013 budget placed into the Police Department Capital Improvement Fund to cover the purchase of the items stated above. All items would be purchased in 2014. Money for 1 computer was put into 2014 budget. Capital Improvement Fund Balance: \$ ????

#### **ADMINISTRATOR COMMENTS:**

#### **COMMITTEE/COUNCIL ACTION:**

## Renee Eckerly

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**From:** William Spooner [fs-law@clearwire.net]  
**Sent:** Tuesday, November 26, 2013 3:48 PM  
**To:** Renee Eckerly  
**Subject:** Baseball Park/Tornado Shelter Facilities

Renee:

I have spent some time trying to figure out the best approach to this request for City funding related to the ball park/shelter facility in light of the apparent desire of the Council to participate.

I think we have been through this many times before, but to reiterate, basically there is a two part test on expenditure of City funds. First, the expenditure has to be for a public purpose. A public purpose has been defined by the Courts over the years as an activity that serves as a benefit to the community as a body, and which, at the same time, is directly related to the functions of government.

The Courts have similarly stated that a public purpose promotes public health, safety, morals, general welfare, security, prosperity and contentment of all City residents, but the fact that some private interests derive a benefit doesn't mean that it cannot be a public purpose.

The second part of the test is that the expenditure has to be within the scope of powers granted to cities either by their charter or by the State Legislature.

There are obviously a lot of statutes that grant cities authority to spend money, but I cannot find anything that would address the ability of a small statutory city to expend money for a tornado shelter.

My conclusion is that although expenditures of funds for a tornado shelter would clearly be a public purpose, that it is not within the scope of powers that have been granted to small cities by the Legislature. All of the public safety statutes related to small cities essentially deal with police and fire protection. There are state statutes that grant broader authority to cities within the metropolitan area, but I can't find anything that would fit our situation. The only authority related to such a shelter that I find is the authority of a city to require that a trailer park have such a shelter.

This takes me back to the recreational facility aspect of this.

Under M.S.A. 471.16, cities, counties, school districts, and other organizations can operate recreational programs either independently or cooperatively and they can conduct them in any manner in which they mutually agree. In other words, by contract or agreement a city and a school district can work together to provide a recreational program. The attorney general's office has offered an opinion that such a program shouldn't be just a gentleman's handshake, but should be in a form of an agreement executed pursuant to resolutions of the governing bodies. Similarly, the attorney general has offered opinions that where a school district and a city have agreed to some joint recreational activities that they can contribute to the building of a structure on property belonging to either.

In a specific example, the attorney general held that the city and school district could enter into a contract contemplating the joint use of a ball field, which in that particular fact scenarios was on property owned by the city, but it does not seem to me that it would matter if the ownership were reversed and, in fact, in another opinion of the attorney general's office, they held that in a situation of a city operating a recreational program in connection with the school district the city could install flood lights on the school's athletic field, or in different

circumstances approved the city contribution to the operation of a program involving construction of a swimming pool or dressing rooms on school property.

I have expressed in the past, and I continue to believe, that ideally this would be done in connection with the formal creation of a rec board involving the City and the school district to which both the City and the school district would contribute and the recreational board would do the detailed work of running the rec program, but the attorney general opinion seemed satisfied as long as there is a formal agreement for the operation of the recreational program. I think in my opinion the agreement that we have begun to work on and pass around here would probably be sufficient. I might propose to modify the agreement to expressly provide that the parties consider this to be an agreement for the joint operation of a recreational program within the meaning of M.S.A. 471.16. Part of the consideration for the organizations that the City might "sponsor" for the use of these facilities should consider the fact that what we are trying to accomplish here is a recreational program, and use that as part of the criteria for the selection.

This is the direction and approach that I would recommend if the City decides to make a financial contribution to this project, and I would suggest that it become part of the written agreement which would again define in detail the City's agreement to contribute financially, and state the reasons as being in support of a recreational program.

If you have any questions or would like to discuss this further, please give me a call.

William Spooner

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