

**REGULAR CITY COUNCIL MEETING  
CITY HALL COUNCIL CHAMBERS  
MAY 9, 2016  
6:00 P.M.**

**AGENDA**

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. COUNCIL ACTIVITY REPORTS
- IV. DEPARTMENT HEAD REPORT – Bill Ludwig
- V. CONSENT AGENDA
  - A. Minutes (page 1) – Airport Commission and Policies & Procedures Committee (2).
  - B. Vouchers (page 2)
  - C. Member Appointment To Planning Commission (page 3)
  
- VI. NEW BUSINESS
  - A. Fire Hall – Conference Room/Kitchen Replace Service Doors & Windows (page 4)
  - B. Insurance – Liability Coverage – Waiver (page 8)
  - C. Annual Employee Safety Training Day (page 10)
  - D. Library – Purchase Of Furniture (page 11)
  - E. MN DNR – License For Utility To Cross Public Waters (page 16)
  - F. Re-Zone Request – Fleischhacker & Bonine (page 22)
  - G. Conditional Use Permit Request – Savage Land Partnership, LLC – City Pond (page 33)
  - H. Liquor Store – Increasing Part -Time Liquor Store Clerk Hours (page 45)
  - I. T & C Days - Library - Karaoke & Movie Night (page 46)
  - J. Temporary On-Sale Liquor/Beer License – Historical Society (page 46A)
  
- VII. OLD BUSINESS
  - A. Temporary Street Closing - T & C Days Street Dance, Beer Garden & Food Booths (page 47)
  - B. Splash Pad (page 52)
  - C. Variance Request – AMPI (page 56)
  - D. Hiring Of Lifeguards (page 72)
  - E. Hiring Of Part-Time Seasonal 67 Day Maintenance Worker Employee (page 73)
  
- VIII. INFORMATIONAL
  - A. April Liquor Store Reports (page 74)
  - B. May & June Meeting Schedules (page 81)
  - C. Mediacom Channels (page 83)
  - D. Morgan Stanley Investment Report (page 87)
  
- IX. ADJOURN

**Reminder: 6:30 p.m. AMPI Variance Public Hearing**

The agenda has been prepared to provide information regarding an upcoming meeting of the Paynesville City Council. This document does not claim to be complete and is subject to change.

**BARRIER FREE:** All Paynesville City Council meetings are accessible to the handicapped. Attempts will be made to accommodate any other individual need for special services. Please contact City Hall at (320) 243-3714 early so that the necessary arrangements can be made.

## REQUEST FOR COMMITTEE/COUNCIL ACTION

**COMMITTEE/COUNCIL NAME:** City Council

Committee/Council Meeting Date: May 9, 2016

Agenda Section: Consent Agenda

Originating Department: Administration

Item Number: V – A

**ITEM DESCRIPTION:** Minutes

Prepared by: Staff

**COMMENTS:**

Please review the minutes from the following meetings:

**Meeting**

January 25, 2016 Airport Commission

March 25, 2016 Policies & Procedures Committee

March 26, 2016 Policies & Procedures Committee

**Emailed**

2-10-16

4-4-16

4-4-16

**ADMINISTRATOR COMMENTS:**

**COMMITTEE/COUNCIL ACTION:**

Motion to approve the minutes from the following meetings:

January 25, 2016 Airport Commission

March 25, 2016 Policies & Procedures Committee

March 26, 2016 Policies & Procedures Committee

2-10-16

4-4-16

4-4-16

## REQUEST FOR COMMITTEE/COUNCIL ACTION

**COMMITTEE/COUNCIL NAME:** City Council

Committee/Council Meeting Date: May 9, 2016

Originating Department: Administration

Agenda Section: Consent

Item Number: V-B

**ITEM DESCRIPTION:** Vouchers

Prepared by: Alice McColley

**COMMENTS:**

Please review the following vouchers:

04/28/2016	Payroll Checks	92428-92432	\$4,410.22
04/28/2016	Payroll Taxes	92433-92436	\$1,274.56
04/28/2016	Payroll Direct Deposit		\$16,663.16
04/28/2016	Payroll - Fed		\$5,989.72
04/28/2016	Payroll - State		\$1,073.19
04/28/2016	Payroll - TASC		\$538.43
04/28/2016	Payroll - PERA		\$5,477.31
04/28/2016	Payroll - SELECT		\$207.70
04/28/2016	Payroll - Blue Cross		\$4,693.60
04/28/2016	Payroll - AFLAC		\$139.41
05/04/2016	Vouchers	92437-92509	\$177,688.92
		<b>TOTAL</b>	<b>\$218,156.22</b>

**ADMINISTRATOR COMMENTS:**

**COMMITTEE/COUNCIL ACTION:**

Motion to approve the following vouchers:

04/28/2016	Payroll Checks	92428-92432	\$4,410.22
04/28/2016	Payroll Taxes	92433-92436	\$1,274.56
04/28/2016	Payroll Direct Deposit		\$16,663.16
04/28/2016	Payroll - Fed		\$5,989.72
04/28/2016	Payroll - State		\$1,073.19
04/28/2016	Payroll - TASC		\$538.43
04/28/2016	Payroll - PERA		\$5,477.31
04/28/2016	Payroll - SELECT		\$207.70
04/28/2016	Payroll - Blue Cross		\$4,693.60
04/28/2016	Payroll - AFLAC		\$139.41
05/04/2016	Vouchers	92437-92509	\$177,688.92
		<b>TOTAL</b>	<b>\$218,156.22</b>

**REQUEST FOR COMMITTEE/COUNCIL ACTION**

**COMMITTEE/COUNCIL NAME:** City Council

Committee/Council Meeting Date: May 9, 2016

Agenda Section: Consent Agenda

Originating Department: Administration

Item Number: V – C

**ITEM DESCRIPTION:** Member Appointment To Planning Commission

Prepared by: Staff

**COMMENTS:**

There is a vacancy on the Planning Commission and Randy Christman is interested in serving on the Commission. The Planning Commission recommends his appointment.

**ADMINISTRATOR COMMENTS:**

**COMMITTEE/COUNCIL ACTION:**

Motion to appoint Randy Christman to the Planning Commission, effective immediately.

**REQUEST FOR COMMITTEE/COUNCIL ACTION**

**COMMITTEE/COUNCIL NAME:** City Council

Committee/Council Meeting Date: May 9, 2016

Agenda Section: New Business

Originating Department: Administration

Item Number: VI - A

**ITEM DESCRIPTION:** Fire Hall – Conference Room/Kitchen Replace Service Doors & Windows

Prepared by: Staff

**COMMENTS:**

There is a need to replace the service doors and windows at the Fire Hall in the conference room/kitchen areas. Two quotes were obtained:

M & M Lumber	\$6,582.44
Bork Lumber	\$10,152.95

Labor to install such will be donated by Shane Schmitt.

**ADMINISTRATOR COMMENTS:**

A Building Permit will be required to replace the windows & doors.

**COMMITTEE/COUNCIL ACTION:**

Motion to approve the quote from M & M Lumber in the amount of \$6,582.44 to replace the service doors and windows in the Fire Hall.

4



M & M Lumber, Inc.  
 28584 State Hwy 55  
 Paynesville, MN 56362  
 320-243-4202  
 Fax: 320-243-7121

**LUMBER • HARDWARE • RENTAL**  
 28584 State Hwy. 55, Paynesville • 320-243-4202  
 www.mmlumber.net



**QUOTE**

1604-509683 R1 PAGE 1 OF 1

OLD TO
CITY OF PAYNESVILLE 221 WASHBURNE AVENUE PAYNESVILLE MN 56362

JOB ADDRESS
CITY OF PAYNESVILLE 221 WASHBURNE AVENUE PAYNESVILLE MN 56362 320-243-3714

ACCOUNT	JOB
2433714	0
CREATED ON	04/20/2016
EXPIRES ON	05/20/2016
BRANCH	1000
CUSTOMER PO#	FIRE DEPT
STATION	JW
CASHIER	JW
SALESPERSON	
ORDER ENTRY	JW
MODIFIED BY	JW

FIRE DEPT.

Item	Description	D	Quantity	U/M	Price	Per	Amount
SO DOOR	3 - 3070 FLUSH METAL DOORS, CLOSERS, SWEEP, WEATHERSTRIP, KEY PAD ENTRY ON 1 DOOR, DEADBOLTS ON OTHER 2		1	EA	4509.6000	EA	4509.60
SO LABOR	LABOR TO INSTALL DOORS AND HARDWARE		1	EA	1397.7600	EA	1397.76
C	ADD \$795.00 TO PAINT DOORS			EA		EA	
SO WINDOW	THERMO-TECH TAN STATIONARY WINDOW		2	EA	235.0000	EA	470.00
SP	SILL PAN FLASHING SET		2	PR	6.8500	PR	13.70
P11014	1X10X14 2 KD S4S PINE		2	EA	17.8800	EA	35.76
PCASLF	113C PINE RANCH CASING		28	LF	0.7400	LF	20.72
779601	CLEAR MAX3500 LTX CAULK		2	EA	2.9900	EA	5.98
287601	12OZ WND - DR FM SEALANT		2	EA	5.4700	EA	10.94
H560332	HWH DRL SCR 10-16X1 100		1	BX	19.0000	BX	19.00
775311	INT OIL SAT POLYURETHANE		1	QT	14.4900	QT	14.49
160407	8IN BULK BEDDAR SHIMS		1	BX	9.9900	BX	9.99
F316	3 1/2INX15 1/4IN F.F. INS. R11 159.28 SQ.FT(16)		2	BATT	2.6540	BATT	5.31
PAINTCARE1	PAINTCARE RECOVERY FEE		1	EA	0.3500	EA	0.35
770212	PROVINCIAL QT STAIN		1	QT	13.4900	QT	13.49
PAINTCARE1	PAINTCARE RECOVERY FEE		1	EA	0.3500	EA	0.35
DEMOT	DEMOLITION GARBGE TRAILER OUT: IN:		0.1	EA	250.0000	EA	25.00
90	ODDS & ENDS		1	EA	30.0000	EA	30.00
					Subtotal		6,582.44
					EXEMPT 0.00% EXE: 8024522	Sales Tax	0.00
					Total		6,582.44

Buyer:

*LABOR ON WINDOW'S  
 Shene Schmitt  
 1 N. J. J. 1*

Signature

5

Traditional Values. Continuing Excellence.

# BORK LUMBER & STEEL INC.

Bork Lumber and Steel Inc  
 18508 Country Road 130  
 PO Box 8  
 Paynesville, MN 56362  
 320-243-7815  
 Fax: 320-243-3785



## QUOTE

1604-516166

PAGE 1 OF 2

SOLD TO
CITY OF PAYNESVILLE 221 WASHBURN AVENUE PAYNESVILLE MN 56362

PROJECT
PFD DOORS & WINDOWS REPLACE ATTN: BOB LIESTMAN/NR 221 WASHBURN AVENUE PAYNESVILLE MN 56362 320-243-3714

ACCOUNT	JOB
PA544	0
CREATED ON	04/25/2016
EXPIRES ON	05/09/2016
BRANCH	1000
CUSTOMER PO#	
STATION	WS65
CASHIER	NR
SALESPERSON	H
ORDER ENTRY	NR
MODIFIED BY	

PFD DOORS & WINDOWS  
 REPLACEMENTS  
 ATTN: BOB LIESTMAN

NR

Item	Description	D	Quantity	UM	Rate	Per	Amount
C	WINDOWS ARE "THERMO-TECH" WHITE IN & OUT, DRIP CAP, 1 1/16" RECEPT APPLIED, AND APPL. SCREENS:	N	1				
SO-WINDOWS	CSTM DH 33.5"X48.5" WDWs		2	EACH			
SO-DOORS	EXTERIOR SWING DOOR PKG PRIMED, PAINTED, AND INSTALLED (3) 3-0 STEEL OUTSWING FLUSH DRS, CLOSERS, TRILOGY KEYPAD LATCH/DEADBOLT		1	EACH			
4M1006200	SHIMS-4-1/2"		3	BUN			
6A100206	SILL PAN FLASHING SET		2	SET			
6A100202	FORTIFLASH 4"X75' PER LF (BARRICADE TAPE)		150	LF			
4N1002952	ROOFING EG 1-3/4" NAIL 50#		2	LB			
4A1006000	SEALANT-PL 100% SILICONE-TUBE		6	EA			
6A1000205	HOUSE WRAP TAPE-165' ROLL		1	EA			
4A1008515	GREAT STUFF WINDOW & DOOR		5	CAN			
9UR1915BT	R19 X 15 1/4"X94" UNF BATT		5	BAT			
C	MILLWORK	N	1				
SO-MILWORK	11/16"X16"-12'PINE EXT JAMB		2	EACH			
1P211208	1x12-8' #2 PINE LUMBER		1	PC			
1P210608	1x6-8' #2 PINE LUMBER		5	PC			
SO-MILWORK	7'PINE CASING		5	EACH			
SO-MILWORK	8'PINE CASING		4	EACH			
4N1005220	2" GALV BRAD 18G [GRN CTN]		1	CTN			
					Subtotal		
					Sales Tax		
					Total		

Buyer:

6



Bork Lumber and Steel Inc  
 18508 Country Road 130  
 PO Box 8  
 Paynesville, MN 56362  
 320-243-7815  
 Fax: 320-243-3785



**QUOTE**

1604-516166

PAGE 2 OF 2

SOLD TO
CITY OF PAYNESVILLE 221 WASHBURN AVENUE PAYNESVILLE MN 56362

JOB ADDRESS
PFD DOORS & WINDOWS REPLACE ATTN: BOB LIESTMAN/NR 221 WASHBURN AVENUE PAYNESVILLE MN 56362 320-243-3714

ACCOUNT	JOB
PA544	0
CREATED ON	04/25/2016
EXPIRES ON	05/09/2016
BRANCH	1000
CUSTOMER PO#	
STATION	WS65
CASHIER	NR
SALESPERSON	H
ORDER ENTRY	NR
MODIFIED BY	

PFD DOORS & WINDOWS  
 REPLACEMENTS  
 ATTN: BOB LIESTMAN

NR

Item	Description	D	Quantity	Unit	Price	Per	Amount
4M1006200	SHIMS-4-1/2"		2	BUN			
SO-MILWORK	COST OF PREFINISH PKG		1	EACH			
SO-MISCELLANEOUS	MISC MATERIAL PKG		1	EACH			
			<i>Labor -</i>		<i>Shane Schmitt</i>		
			<i>Donated</i>				
					Subtotal		9,499.84
					MN 6.875% Sales Tax		653.11
					Total		10,152.95

Buyer:



**REQUEST FOR COMMITTEE/COUNCIL ACTION**

**COMMITTEE/COUNCIL NAME:** City Council

Committee/Council Meeting Date: May 9, 2016

Agenda Section: New Business

Originating Department: Administration

Item Number: VI - B

**ITEM DESCRIPTION:** Insurance – Liability Coverage - Waiver

Prepared by: Staff

**COMMENTS:**

Please review the attached Liability Coverage Waiver Form for the City to consider not waiving the monetary limits on municipal tort liability established Minnesota Statute 466.04.

**ADMINISTRATOR COMMENTS:**

**COMMITTEE/COUNCIL ACTION:**

Motion to not waive the monetary limits on municipal tort liability established Minnesota Statute 466.04 and authorize the Mayor to sign the document.



CONNECTING & INNOVATING  
SINCE 1913

## LIABILITY COVERAGE – WAIVER FORM

LMCIT members purchasing coverage must complete and return this form to LMCIT before the effective date of the coverage. Please return the completed form to your underwriter or email to [pstech@lmc.org](mailto:pstech@lmc.org)

This decision must be made by the member's governing body every year. You may also wish to discuss these issues with your attorney.

League of Minnesota Cities Insurance Trust (LMCIT) members that obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision has the following effects:

- *If the member does not waive the statutory tort limits*, an individual claimant would be able to recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits apply regardless of whether the city purchases the optional excess liability coverage.
- *If the member waives the statutory tort limits and does not purchase excess liability coverage*, a single claimant could potentially recover up to \$2,000,000 for a single occurrence. (Under this option, the tort cap liability limits are waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2 million.) The total all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.
- *If the member waives the statutory tort limits and purchases excess liability coverage*, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

*City of Painesville*

LMCIT Member Name

Check one:

The member **DOES NOT WAIVE** the monetary limits on municipal tort liability established by Minnesota Statutes, Section 466.04.

The member **WAIVES** the monetary limits on municipal tort liability established by Minnesota Statutes, Section 466.04 to the extent of the limits of the liability coverage obtained from LMCIT.

Date of city council/governing body meeting \_\_\_\_\_

Signature \_\_\_\_\_

Position \_\_\_\_\_

**REQUEST FOR COMMITTEE/COUNCIL ACTION**

**COMMITTEE/COUNCIL NAME:** City Council

Committee/Council Meeting Date: May 9, 2016

Agenda Section: New Business

Originating Department: Administration

Item Number: VI - C

**ITEM DESCRIPTION:** Annual Employee Safety Training Day

Prepared by: Staff

**COMMENTS:**

In the past the City holds Employee Safety Training Day on Columbus Day. This year it is scheduled to be Monday, October 10, 2016 at the Fire Hall. The day will include, but will not be limited to an employee health fair, bloodborne pathogens, OSHA, lifting, fire extinguisher, CPR, and first aid training.

The Safety Committee has reviewed this and recommends approval.

**ADMINISTRATOR COMMENTS:**

**COMMITTEE/COUNCIL ACTION:**

Motion to close City Hall on Monday, October 10, 2016 for Annual Employee Safety Training Day.

**REQUEST FOR COMMITTEE/COUNCIL ACTION**

**COMMITTEE/COUNCIL NAME:** City Council

Committee/Council Meeting Date: May 9, 2016

Agenda Section: New Business

Originating Department: Administration

Item Number: VI - D

**ITEM DESCRIPTION:** Library – Purchase Of Furniture

Prepared by: Staff

**COMMENTS:**

The Library is conducting some remodeling and would like to purchase some new furniture for the TV lounge and tech training area to include:

Two Rhapsody Mobile Club Chairs	\$284.00 x 2= \$568.00
One Threshold Black Metal Drum Table	<u>\$69.99</u>
TOTAL	\$637.99

The Budget & Finance Committee has reviewed this and recommends approval.

**ADMINISTRATOR COMMENTS:**

**COMMITTEE/COUNCIL ACTION:**

Motion to approve the purchase of new library furniture in the amount of \$637.99.

## Jennifer Welling

---

**From:** Renee Eckerly  
**Sent:** Monday, December 28, 2015 10:30 AM  
**To:** Jennifer Welling  
**Subject:** FW: Furniture for Paynesville Library

Renee Eckerly  
City Administrator – Economic Development Director  
221 Washburne Avenue  
Paynesville MN 56362  
(320) 243-3714 ext. 227

-----Original Message-----

**From:** Gretchen Vork [mailto:gretchenv@grrl.lib.mn.us]  
**Sent:** Wednesday, December 23, 2015 1:33 PM  
**To:** Renee Eckerly  
**Subject:** RE: Furniture for Paynesville Library

Thanks, Renee;

Some background, in case they have questions:

- The Friends of the Library have already purchased a flat-screen TV for this remodel, and they provided the mounting hardware as well. They will also pay for the difference between the cost of the desk and bookcase unit (being built for us) and the \$250.00 cash award we got as a result of the winning essay Jen Anfinson submitted to the nation-wide Sirsi-Dynix "I love my library" contest.
- The remodel is to repurpose the TV lounge into a TV lounge AND a tech training area where we can work one-on-one with customers to help them figure out how to use their smartphone, computer, tablet, eReader,. We also needed to increase the number of customer-use desk areas with electrical outlet access throughout the library, which the new desk area will do. Our free wireless Internet access gets more popular every day, and we find that all of those spaces fill up, and people end up stretching power cords across aisles and places with a lot of foot-traffic (until we tell them they can't, as they are risking their equipment AND causing a safety issue.)
- The armchairs with the little table between them will be a very good set-up for when we are tutoring customers on hand-held devices, and the desk area will be great for laptop tutoring.
- We have cable TV access (which was negotiated by the City when the cable contract was renewed), and we also have a DVD player. The TV gets a fair amount of use. However, it also has HDMI inputs, so we can use it to display the screen of a laptop or other device when demonstrating how to use devices, or the library's eBook software, for small classes on technology, as well.
- We wanted a younger, brighter look for this area, in part to make it stand out a bit and in part to give it a less traditional, more modern look. Jen's done a good job of finding items that match the library's

carpeting, shelving and trim colors, so it will be a pleasing look, just a lot less traditional and 'studious'.

Please let me know if you have any questions, or if any of the Council members have questions or concerns.

Happy Holidays, and thanks again!

Gretchen Maron Vork  
Library Services Coordinator  
Paynesville Public Library

----- Original Message -----

From: Renee Eckerly <Renee@paynesvillemn.com>  
To: 'Gretchen Vork' <gretchenv@grrl.lib.mn.us>  
Sent: Tue, 15 Dec 2015 09:28:43 -0600 (CST)  
Subject: RE: Furniture for Paynesville Library

Gretchen

I will put this on the Finance meeting on January 5, 2016. I will update with their feedback/decision.

Renee Eckerly  
City Administrator – Economic Development Director  
221 Washburne Avenue  
Paynesville MN 56362  
(320) 243-3714 ext. 227

-----Original Message-----

From: Gretchen Vork [mailto:gretchenv@grrl.lib.mn.us]  
Sent: Thursday, December 10, 2015 12:49 PM  
To: Renee Eckerly  
Subject: Furniture for Paynesville Library

Hi Renee;

Here's what we're looking for.

<http://www.ikea.com/us/en/catalog/products/70279070/> Ikea chairs, three, in turquoise  
[http://www.target.com/p/candace-arm-chair-prints/-/A-15777728#prodSlot=medium\\_1\\_2&term=candance+upholstered+arm+chair](http://www.target.com/p/candace-arm-chair-prints/-/A-15777728#prodSlot=medium_1_2&term=candance+upholstered+arm+chair) Target, two in Gabrielle Charcoal/Gray Medallion  
[http://www.target.com/p/threshold-hourglass-accent-table/-/A-16976260#prodSlot=medium\\_1\\_1&term=threshold+hourglass+accent+table](http://www.target.com/p/threshold-hourglass-accent-table/-/A-16976260#prodSlot=medium_1_1&term=threshold+hourglass+accent+table) Copper accent table

Obviously, we're going for a young, contemporary look. These are inexpensive pieces, so may not hold up as long as 'office furniture'. However, we want a trendy look, and don't find that customers are hard on the furniture here: I think it's worth trying, but let me know what you think.

Thank you,

824  
 (Front only)

Low to \$379

WEIGHT  
**500 lb**  
 CAPACITY

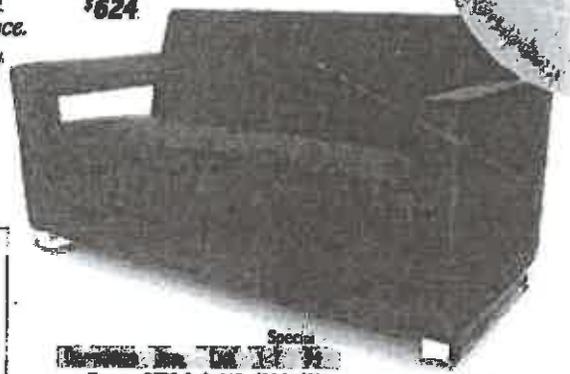
### Citadel Reception

Contemporary style fit for any space.

- Antimicrobial, antibacterial vinyl upholstery.
- Heavy-duty construction and fully supportive frame.
- Unique chrome-accented sled style base with nylon foot glides.
- Fully upholstered arm caps for comfort.

3 YEAR WARRANTY

Low to \$624



OFDS-S

	Special	1-2	3-4
Chair	OFDS-C \$ 819	\$394	\$379
Sofa	OFDS-S 1,353	649	624

VINYL COLORS



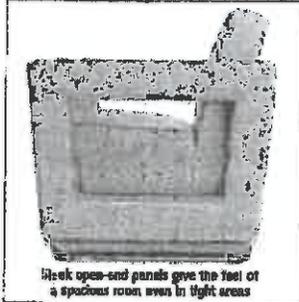
AVAILABLE IN ANTIMICROBIAL VINYL



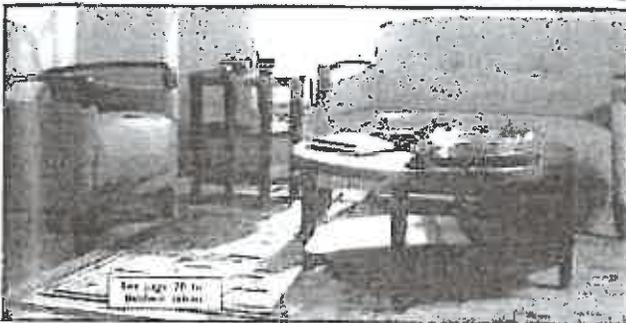
OFDS-C

SPECS

Chair: 29"Wx30"Dx31"H  
 Sofa: 59"Wx30"Dx31"H



Back open-panel design gives the feel of a spacious room even in tight areas.



### Octave Seating

High quality construction with clean lines for a modern look.

- High-performance, easy-care upholstery is ideal for busy areas.
- Dacron® wrapped foam cushions and box spring seats provide comfort and durability.
- Sturdy wood arms and legs have a rich espresso finish.

3 YEAR WARRANTY

Low to \$259  
 in standard fabric



WEIGHT  
**500 lb**  
 CAPACITY

SPECS

Chair: 30"Wx29"Hx32"H  
 Loveseat: 49"Wx29"Hx32"H

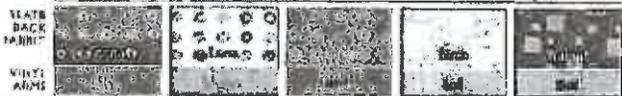
Special

Arm Chair	OMST-C \$525	\$269	\$259
Loveseat	OMST-L 725	369	354

STANDARD FABRIC COLORS



TWO-TONE UPHOLSTERY Add 1-2' to Arm W. Add \$129 to price



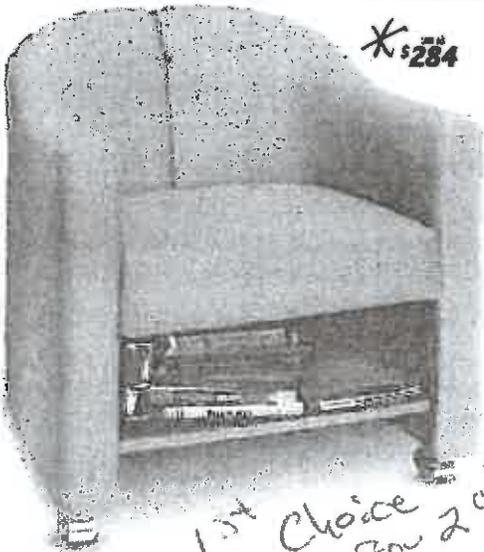
OMST-C shown in two-tone combination Onyx/Black



OMST-L

Low to \$354

998  
 in grouping



\* \$284

2

### Rhapsody Mobile Club Chair

Easy to rearrange for guests or maintenance.

Convenient under-seat storage space

- Easy-to-clean vinyl upholstery with split back design for comfort and unique style.
- Lower shelf provides convenient storage for books or personal belongings.
- Chrome finished, nonlocking casters allow you to move easily.

3 YEAR WARRANTY

WEIGHT  
**400 lb**  
 CAPACITY



Back view

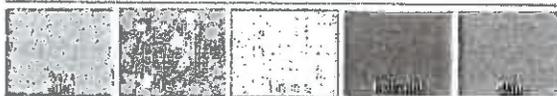
SPECS

Seat: 19"Wx19"Hx17"H  
 Shelf: 18"Wx18"Dx6 1/4"H  
 Overall: 26 1/2"Wx25"Dx29"H

Special

OFCM-80	\$666	\$294	\$284
---------	-------	-------	-------

VINYL COLORS



1st choice for 2 chairs

800.872.6611  
 klog.com



14

sign in / account

my store  
Mpls Nicollet...

weekly ad

gift cards

lists / registries

REDCard

save 5% + free shipping  
with a REDCard. [details](#)

shop all categories

all v search

your cart

free shipping on orders of \$35+ & free returns on every order. [view details](#)



Target furniture living room furniture accent furniture accent tables

overview overview

Q&A Q&A

reviews reviews

shipping & returns shipping & returns

details

Retro futurism makes its mark in the Threshold™ Hourglass Accent Table. This streamlined piece of home furniture takes a mid-century modern shape and brings it into the present with sleek lines and a metal finish. Place next to a couch or bed for a minimalist flourish or use as an accent table in an entry way or hallway and top with a decorative object or floral arrangement. Featuring a tapered hourglass base and a cup-shaped circular top.

Frame Material: Iron  
Tabletop Material: Iron  
Surface Material: Metal  
Dimensions: 22.000H x 16.000W x 16.000D  
Weight: 7.700  
other info.  
Online Item #: 16976260  
Store Item Number (DPCI): 249-16-1817  
Imported

guests who viewed this item also viewed

mouse over image to zoom in.



32.99 reg: \$69.99 - save \$7.00 (10%) SALE

Black

White

...Very service options available in cart

learn more  
shipping  
SHIPS FREE

order pickup  
free

select variations to see availability at

notes  
is this a gift? Please note this item ships in its original packaging and cannot be gift-

wrapped or concealed.  
Prices, promotions, styles and availability may vary by store and online.  
add to list / registry share



\* \$69.99

Threshold™ Black Metal  
Drum Table

Threshold™

spec: \$25, get free shipping

(6)



\$79.99

Threshold™ Copper  
Accent Table with Marb...

Threshold™

spec: \$25, get free shipping

(17)

15

**REQUEST FOR COMMITTEE/COUNCIL ACTION**

**COMMITTEE/COUNCIL NAME:** City Council

Committee/Council Meeting Date: May 9, 2016

Agenda Section: New Business

Originating Department: Administration

Item Number: VI – E

**ITEM DESCRIPTION:** MN DNR – License For Utility To Cross Public Waters

Prepared by: Staff

**COMMENTS:**

Ron Mergen will give a verbal report. The City has a 50 year License with MN DNR to allow for utilities to cross the river on Lake Ave. which expired on April 14, 2016. The new 50 year license is \$293.00 from April 15, 2016 to April 14, 2066. Please review the attached License For Utility To Cross Public Waters.

**ADMINISTRATOR COMMENTS:**

**COMMITTEE/COUNCIL ACTION:**

Motion to approve MN DNR License For Utility To Cross Public Waters and authorize the Mayor and City Administrator to sign the License.



MINNESOTA DEPARTMENT OF NATURAL RESOURCES  
CENTRAL REGION

April 20, 2016

APR 22 2016

City of Paynesville  
Attn. Renee Eckerly  
221 Washburne Ave.  
Paynesville, MN 56362

RE: License #UWAT010605  
SW1/4 SE1/4 in Section 9, Township 122 North, Range 32 West  
Stearns County  
Company Project No. W14.107598

Dear Ms. Eckerly:

Enclosed are two copies of the above referenced license for execution by the city. The application is not included in this mailing but will be made a part of the license when completed. The license is for a 50 year period commencing on April 15, 2016 at an advance rental of \$293.00 which is payable upon return of this license.

Please have the license forms signed by the city. Return all the license forms to this office for execution by the State. Within two weeks, one license form complete with application and attachments will be sent to you for your files.

When you return the completed forms, please enclosed payment of \$293.00 made payable to the Department of Natural Resources. Payment is for the term of the license.

If you have any questions, please contact me at (651) 259-5843 or email me at [jean.zoch@state.mn.us](mailto:jean.zoch@state.mn.us). Thank you.

Sincerely,

  
Jean Zoch  
Real Estate Technician  
Division of Lands and Minerals

Enclosure

Cc: Corps of Engineers



[mndnr.gov](http://mndnr.gov)

PRINTED ON RECYCLED PAPER CONTAINING A  
MINIMUM OF 10% POST-CONSUMER WASTE

1200 WARNER ROAD, SAINT PAUL, MN 55106  
AN EQUAL OPPORTUNITY EMPLOYER

17

**LICENSE FOR UTILITY TO CROSS PUBLIC WATERS**

This license is issued by the State of Minnesota, acting by and through its commissioner of natural resources, and hereafter called the "State", under authority and subject to Minnesota Statutes, section 84.415, and Minnesota Rules Chapter 6135 and other applicable law, to the Licensee as named and for the fee and term as specified below.

Name and Address of Licensee: City of Paynesville  
221 Washburne Avenue  
Paynesville, Minnesota 56362

License Fee: Two Hundred and Ninety Three Dollars and no/100. . . . . (\$293.00)

Term (years): 50

Effective Date: April 15, 2016

Expiration Date: April 14, 2066

Purpose of License: Construction, maintenance and operation of a liquids pipeline under water under the covenants and agreements of the Licensee to use the following described waters:

That part of the SW1/4 SE1/4 in Section 9, Township 122 North, Range 32 West in Stearns County as shown on the attached application and map, all of which are made a part hereof by reference.

This license is granted subject to the following provisions:

1. **Use of premises.**
  - A. This license is subject to the provisions of Minnesota Statutes, section 84.415 and Minnesota Rules Chapter 6135. All standards of Chapter 6135 are incorporated as terms and conditions of this license, except such variations as are identified and approved by the State in the license applications, plans and specifications which are attached and made part of the terms and conditions of this license. The Licensee is bound by the crossing location and installation method as detailed in the application and approved by the State. The Licensee shall not deviate from the terms and conditions of this license or the application as approved by the State unless it has first obtained written permission from the State.
  - B. When the installation occurs more than six months after the issuance of the license, the Licensee shall contact the State 20 days prior to installation.
  - C. No merchantable timber shall be cut, used, removed or destroyed without first paying the State the timber value in the sum stated above as determined by the State. Slash material on state water crossings must be disposed of within 30 days of clearing activities.
  - D. For overhead crossings of state waters, lines shall have a minimum clearance of 25 feet above the water, unless otherwise approved by the State.
  - E. When directed by the State as a condition of the license, flight diverters shall be placed on overhead utility lines.
  - F. Any cable or conduit located at a shoreline shall be sufficiently buried so that it does not become exposed.
  - G. When directed by the State as a condition of the license, underwater crossings shall be marked by permanent signs on the banks at the points where the line enters and leaves the public waters.
  - H. To protect fish spawning activities, the State may prohibit work in the public water or within a specified distance of the public water during the spawning season.
2. **State's rights and reservations.** The use of these waters by the Licensee in constructing or maintaining the lines for which this license is granted shall be subject to the use, sale, or leasing for mineral or other legal purposes. The Licensee will not cause any unnecessary hindrance to the activities of the State and shall allow access across the license area by the State when needed.

18

3. **Erosion and Revegetation.**

- A. Erosion control measures shall be adequately designed for site characteristics. They shall be installed prior to commencement of construction and maintained for as long as needed. All erosion control measures installed next to a water body shall run parallel to the contours.
- B. All disturbed areas shall be restored to original contours and elevations and stabilized as soon as possible following construction. Areas of subsidence and crowing shall be repaired. Topsoil shall be reserved on site and used to re-dress disturbed areas.
- C. All disturbed areas shall be revegetated using state approved seed mixes. All seed and plant materials shall be certified weed-free. Weed-free straw or hay shall be used for mulching and erosion control. Native species plants should be used, whenever possible, to revegetate disturbed areas. This revegetation should occur as early in the season as possible to permit adequate regrowth.
- D. The Licensee shall monitor revegetation at state water crossings until the site is stabilized and the vegetation is self-sustaining. Where severe or repeated damage is occurring or where measures have not been successful, preventative and corrective actions shall be taken by the Licensee, including construction of appropriate barriers, installation of warning signs, and other methods in consultation with the State.
- E. The Licensee shall routinely inspect for erosion that may develop during the term of the license. Areas of erosion shall be stabilized by the Licensee.
- F. If a disturbed area cannot be stabilized with vegetation before September 15 in the year that the utility was installed, the Licensee shall submit a written site stabilization plan to the State for approval. This plan shall describe erosion control, mulching, dormant seeding and monitoring. Seeding shall occur as soon as soil conditions are suitable.
- G. Excavated materials shall not be deposited or stored alongside public water in a manner where the materials can be redeposited into the public water by reasonably expected high water or storm run-off.

4. **Herbicides and Pesticides.**

- A. The Licensee must request and obtain written permission to apply herbicides or pesticides to state waters from the State prior to treatment. This request shall consist of (1) a map identifying proposed treatment areas and (2) a description of the proposed treatment plan, including target species, herbicide or pesticide name, rate of application, a description of application method, and beginning and end dates. All applications must be according to label regulations and as otherwise specified by the State. The Licensee shall not apply pesticides that are restricted for use on certified state forest land administered by the State.
- B. The Licensee must submit annual reports detailing herbicide or pesticide application on areas covered under the license. The report must include the dates, acres, location expressed as quarter-quarter section, township and range, herbicide or pesticide used, target species, and such other information as may be reasonably required by the State for the purpose of verifying herbicide or pesticide use.
- C. The Licensee shall post all places commonly used by the public for access along the utility corridors treated with herbicides or pesticides.

5. **Invasive Species.**

- A. The Licensee shall inspect all state water crossings for the presence of invasive species and noxious weeds prior to commencing clearing activities and take action to prevent their spread. For installation of the utility line, the State will identify on a map the known infested sites to be avoided. For maintenance and operation, the Licensee is responsible for obtaining updated information on known infested sites.
- B. If the State or the Licensee discover additional invasive species infestation areas on state water crossings during construction, the Licensee shall immediately take action to prevent spread from the newly discovered infested area and then consult with the State on a resolution.
- C. The Licensee shall prevent invasive species from entering into or spreading within state water crossing by cleaning equipment and clothing prior to arriving at the license area. The Licensee shall legally dispose of material cleaned from equipment and clothing at a location offsite and the materials must be secured prior to transport to avoid dispersal.
- D. Whenever possible, parking, staging areas and travel routes shall not be within known infested sites. Where there are multiple state water crossings and at least one contains invasive species, the Licensee shall to the extent practicable start work at the site with the fewest number of invasive plants, leaving the most heavily infested sites to last. The Licensee shall make every effort to schedule operations and site visits to avoid the spread of weed seed.

- E. The Licensee shall continue to control invasive species on state water crossings for the terms of the license using methods approved by the State.
6. **Crossing of State Trail.**
- A. The location of any crossing of a state trail must be approved in advance by the State. The State may provide written instructions as to specific construction standards to be followed for the crossing of the state trail.
  - B. Utility installation and maintenance activities shall be conducted in a manner so as to minimize disturbance of state trail use and to separate the public from work areas. The Licensee must provide signs to warn state trail users of construction hazards.
  - C. The Licensee is responsible for repairing any damage to the state trail in a manner satisfactory to the State.
  - D. For maintenance and operations, prior approval must be obtained from the State for the cutting or trimming of trees within the state trail right-of-way.
  - E. The Licensee may not close the state trail right-of-way without the prior written approval of the State.
7. **Maintenance, operations and repairs.**
- A. The Licensee must keep the premises in a neat and orderly condition, and shall remove all refuse and debris that may accumulate thereon.
  - B. After initial installation, no merchantable timber shall be cut, used, removed or destroyed by the Licensee without first contacting the State at least 60 days in advance to determine if a timber payment is needed. Slash material on state water crossings must be disposed of within 30 days of maintenance activities.
  - C. Emergency repairs and replacements may be made without prior notification to the State by the Licensee according to conditions and standards prescribed by Minnesota Rules, Chapter 6135 and the method of installation identified in this license. The Licensee shall notify the State of this activity as soon as practicable.
  - D. The Licensee shall employ appropriate erosion and sedimentation measures at the site during any emergency repairs. The State must approve plans for restoration of the site after the emergency repairs are conducted.
  - E. Other than the herbicide or pesticide application reporting as provided in paragraph 4, the Licensee shall notify the State of the extent and method of any routine maintenance and the proposed schedule. The notification must be in writing and must be provided either annually or at least 20 days prior to commencing any routine maintenance work on state water crossings subject to this license, The Licensee shall include a specific description of the proposed maintenance activities including location, clearing methods, erosion and sedimentation control measures, removal of merchantable timber, revegetation plans, and plans for preventing the spread of invasive species. The Licensee may commence any routine maintenance work unless notified to the contrary by the State within 20 days after the State's receipt of the maintenance plan. The State may require the Licensee to adjust its maintenance plans due to natural resource management concerns.
8. **State inspection.** The project hereunder shall at all times during and after construction is subject to inspection by the State and for that purpose the Licensee shall grant access to the premises at all reasonable times.
9. **Compliance with laws.** The Licensee shall comply with all federal, state and local laws and regulations, including municipal ordinances, affecting said lands or the area in which they are situated.
10. **Taxes and assessments.** The Licensee will pay when due all taxes and assessments levied against said waters or any improvements owned, used, or controlled by the Licensee, provided that the taxes or assessments are imposed due to this license.
11. **Enforcement.** No delay by the State in enforcing any of the conditions of this license shall operate as a waiver of any of its rights.
12. **Liability.** This license is permissive only. No liability shall be imposed upon or incurred by the State of Minnesota or any of its officers, agents, or employees, officially or personally, on account of the granting of the license or on account of any damage to any person or property resulting from any act or omission of the Licensee or any of its agents, employees, or contractors relating to any license matter. This license shall not be construed as estopping or limiting any legal claims or right of action of any person against the Licensee, its agents, employees, or contractors for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the State against the Licensee, its agents, employees, or contractors, for violation of or failure to comply with the provisions of the license or applicable provisions of law. The Licensee shall indemnify and hold harmless

the State from all claims arising out of the Licensee's use of the above described lands whether such claims are asserted by civil action or otherwise.

**13. Termination and cancellation.**

- A. At the end of the license period and if both parties wish to renew, the renewal fee will be determined by the State.
- B. This license shall be cancelable upon reasonable notice by the State for violation of any of its terms, or if at any time its continuance will conflict with a public use of the land over or upon which it is granted, or for any other reason. Licensee shall ensure that Licensee's employees, agents and contractors have received and thoroughly understand all conditions of this license.
- C. Unless otherwise authorized by the State, upon the surrender, expiration or cancellation of this license, the Licensee shall remove from the above described lands all the utility lines and related structures owned by it. If Licensee does not remove such lines or related structures, all such lines or structures remaining shall become the property of the State, to be used or disposed of as the State elects. If the State requires the Licensee to remove utility lines and related structures and Licensee fails to do so, the Licensee agrees to pay the State for the costs of removing and disposing of such lines or structures.

**14. Assignment or transfer.** The Licensee shall not without the State's prior written consent: a) assign, convey or otherwise transfer this license or any interest under it; b) sublet the license corridor or any part thereof; or c) permit the use or occupancy of the license corridor or any part thereof by anyone other than the Licensee. This license shall extend to, and bind the successors, heirs, legal representatives and assigns of the Licensee, if any. The State may require a party who has requested to sublet, use or occupy the license corridor to obtain a separate license from the State prior to occupying or using the license corridor.

**15. Reports.** The Licensee must submit reports on herbicide and pesticide use as provided in paragraph 4 and maintenance and repair work as provided in paragraph 7.

**16. Contacts.** The contact for the State is the Regional Lands and Minerals Operations Supervisor, who is Joey Rokala at (218) 328-8923. Any questions about this license shall be directed to the Regional Lands and Minerals Operations Supervisor. The Regional Lands and Minerals Operations Supervisor may direct the Licensee to contact additional State staff for reviews and approvals.

**17. Special provisions.** This license is subject to the SPECIAL PROVISIONS attached hereto (if none, state none). None

ACCEPTED AND ACKNOWLEDGED

CITY OF PAYNESVILLE  
Licensee(s)

By \_\_\_\_\_

Title \_\_\_\_\_

By \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

STATE OF MINNESOTA  
DEPARTMENT OF NATURAL RESOURCES

By \_\_\_\_\_  
Regional Lands and Minerals Operations  
Supervisor

Date \_\_\_\_\_

21

**REQUEST FOR COMMITTEE/COUNCIL ACTION**

**COMMITTEE/COUNCIL NAME:** City Council

Committee/Council Meeting Date: May 9, 2016

Agenda Section: New Business

Originating Department: Administration

Item Number: VI - F

**ITEM DESCRIPTION:** Re-Zone Request – Fleischhacker & Bonine

Prepared by: Staff

**COMMENTS:**

The City has received a Re-Zoning Request from Wayne Fleischhacker and James Bonine who recently purchased 517 Business 23 W (formerly Thrifty Chicks and a Church). The property is currently in a commercial use zoned C-2 Highway Commercial, but the owners of the property propose that going forward the property will be re-purposed and used for residential purposes. The properties lying both to the East, West and South of this parcel, that being all of the abutting properties, are currently zoned "R-1" – Single & Two Family Residential District.

The Planning Commission has reviewed this and recommends approval.

Please review the attached Re-Zoning Application, Report & Recommendation, and

**ADMINISTRATOR COMMENTS:**

**COMMITTEE/COUNCIL ACTION:**

Motion to APPROVE/DENY the Fleischhacker/Bonine Resolution 2016-12 Granting Re-Zoning.

CITY OF PAYNESVILLE ~ RE-ZONING APPLICATION

221 Washburne Ave. ~ Paynesville, MN 56362

Phone: 320-243-3714 ~ Fax: 320-243-3713

List All Property Owners: Wayne Fleischhacker James Bonine

Contact Person: Wayne Fleischhacker Email Address: NA

Mailing Address: 571 Business 23 West

Telephone No.: 320-444-4692 Parcel No.: \_\_\_\_\_

Property Address: 571 Business 23 West

Legal Description: Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Addition: \_\_\_\_\_

See abstract

CURRENT ZONE: Commercial C2

EXISTING USE: Commercial

PROPOSED ZONE: R1

PROPOSED USE: Residential

**Application Fee: \$200.00**  
(non-refundable) These are the fees incurred per document: Advertising \$48.00 (average), Recording \$46.00 (actual), Postage \$33.00 (average), Legal \$123.00 (average), totaling \$250.00.

WILL THIS RE-ZONE REQUIRE A CONDITIONAL USE? No

WILL THIS RE-ZONE REQUIRE A VARIANCE? No

DESCRIPTION OF REQUEST: (use separate sheet if needed)

Purchase property formally was a business changing over to make into a residence

Application Must Include:

- Legal description from abstract. \* MGR PAYNESVILLE@MAINSTREET.COM.COM
- Statement containing all the circumstances, factors, and arguments that the applicant offers in support of the proposed re-zone.
- Any written or graphic data required by the City Administrator.

Wayne J. Fleischhacker

3-21-16

James Bonine

3/21/16

All Property Owners Must Sign This Application

Date

For office use only:

Application Fee: \$200.00 (non-refundable)  
For office use only: Cash \_\_\_\_\_

Check No. \_\_\_\_\_ Date Paid 3.24.16

Present To Planning Commission Date: 4/1/16  
Planning Public Hearing Date: 5/2/16 6:15pm

Planning Set Public Hearing Date: 4/1/16  
Council Makes Determination Date: 5/5/16

PLANNING COMMISSION ACTION:

Recommended to Council: Approved \_\_\_\_\_ Denied \_\_\_\_\_ Date: \_\_\_\_\_  
CITY COUNCIL ACTION: Approved \_\_\_\_\_ Denied \_\_\_\_\_ Date: \_\_\_\_\_

**PAID**

Date Received In Office: MAR 27 2016  
(Stamp) \_\_\_\_\_

23

## EXHIBIT 'A'

The West 25 feet of Lot Two (2), Block One (1), Gilbert's Addition to Paynesville and Lot Three (3), Block One (1), Less and Except the Southerly 95 feet of said Lot Three (3), of Gilbert's Addition to Paynesville.

Also the Westerly 25 feet of the Northerly 15 feet of Lot Twelve (12), Block One (1), Gilbert's Addition to Paynesville, all according to the plat and survey thereof on file and of record in the Office of the County Recorder in and for Stearns County, Minnesota.

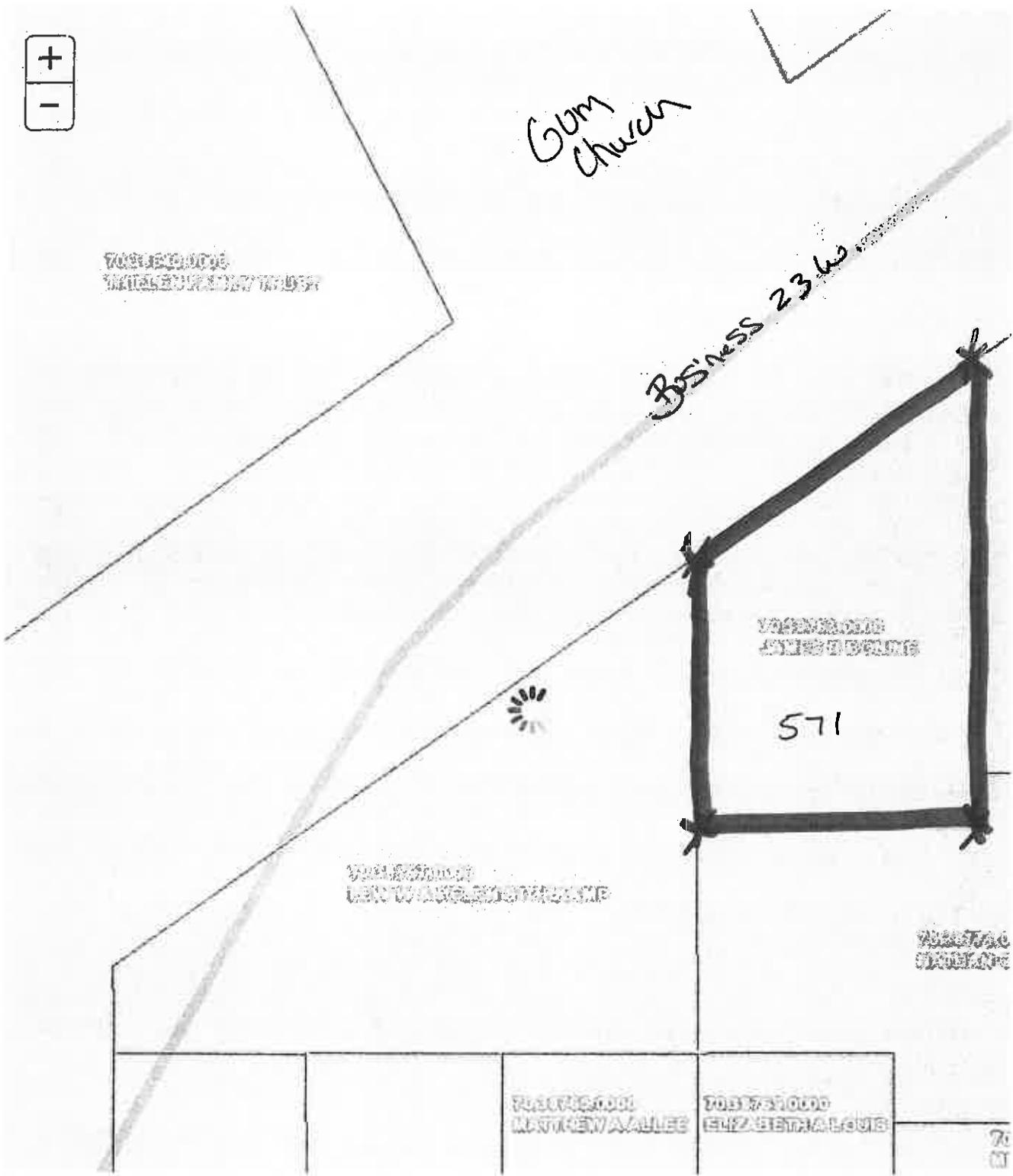
CITY OF PAYNESVILLE

ACCT: 0004472 3/24/2016 2:20 PM  
OPER: FRONT TERM: 001  
RENT: 15000

RSA 10.0020 REZONING FEE  
re-zone fleischhacker barine  
571 business 23 w  
ZONING FEE 200.00CR

TENDERED: 200.00 CHECK  
APPLIED: 200.00-

CHANGE: ----- 0.00



- [Search](#)
- [Layers](#)
- [Draw](#)
- [Tools](#)
- [Legend](#)

26

REPORT & RECOMMENDATION OF PLANNING COMMISSION  
REGARDING REQUEST FOR RE-ZONING

REPORT

Wayne Fleischhacker and James Bonine, are the owners of property in the City of Paynesville, County of Stearns, State of Minnesota, legally described as follows, to-wit:

*The West 25 feet of Lot Two (2), Block One (1), Gilbert's Addition to Paynesville and Lot Three (3), Block One (1), less and except the Southerly 95 feet of said Lot Three (3), of Gilbert's Addition to Paynesville.*

*Also the Westerly 25 feet of the Northerly 15 feet of Lot Twelve (12), Block One (1), Gilbert's Addition to Paynesville, all according to the plat and survey thereof on file and of record in the Office of the County Recorder in and for Stearns County, Minnesota;*

and said owners have requested that said property be re-zoned from its current status as "C-2" – Highway Commercial District, to "R-1" – Single & Two Family Residential District.

All required information was provided with the request for re-zoning and the required fee was paid.

The City Administrator referred the request for re-zoning to the Planning Commission for its report and recommendation to the City Council.

The Planning Commission set a hearing on the request for re-zoning for May 2, 2016 at 6:15 p.m., at Paynesville City Hall, Council Chambers, Paynesville, Minnesota. Proper notices were posted, published and mailed to affected property owners in accordance with the requirements of the laws of the State of Minnesota and the City Code of the City of Paynesville.

27

At the public hearing members of the public were given an opportunity to present their views regarding the request for re-zoning. There was no opposition to the re-zoning request.

The Planning Commission, having considered the request for re-zoning, together with public comments, believes the property should be re-zoned as requested by the property owner so that the property is hereafter re-zoned from its current zoning of "C-2" – Highway Commercial District to "R-1" – Single & Two Family District.

The property is currently in a commercial use, but the owners of the property propose that going forward the property will be re-purposed and used for residential purposes. The properties lying both to the East, West and South of this parcel, that being all of the abutting properties, are currently zoned "R-1" – Single & Two Family Residential District.

#### RECOMMENDATION

The Planning Commission recommends that the request for re-zoning of the property described above should be granted so that the property is re-zoned from its current zoning status as "C-2" – Highway Commercial District, to "R-1" – Single & Two Family District.

PAYNESVILLE PLANNING COMMISSION

Date: 5/2/16

By:  \_\_\_\_\_

Ron Mehr, Chairperson

ATTEST:

  
Renee Eckerly, City Administrator



**RESOLUTION 2016-12  
GRANTING RE-ZONING**

WHEREAS, the City of Paynesville has received a request for re-zoning from the owners of real estate located within the City limits of the City of Paynesville; and

WHEREAS, the owners of the property in question are Wayne Fleischhacker and James Bonine; and

WHEREAS, the property in question is legally described as follows, to-wit:

*The West 25 feet of Lot Two (2), Block One (1), Gilbert's Addition to Paynesville and Lot Three (3), Block One (1), less and except the Southerly 95 feet of said Lot Three (3), of Gilbert's Addition to Paynesville.*

*Also the Westerly 25 feet of the Northerly 15 feet of Lot Twelve (12), Block One (1), Gilbert's Addition to Paynesville, all according to the plat and survey thereof on file and of record in the Office of the County Recorder in and for Stearns County, Minnesota;*

WHEREAS, the request for re-zoning was properly submitted to the City of Paynesville on March 24, 2016, and all the required information was provided with the application and the required fee was paid; and

WHEREAS, the request was duly submitted by the City Administrator to the Planning Commission for its consideration and a report and recommendation by the Planning Commission to the City Council; and

WHEREAS, at its April 4, 2016 meeting, the Planning Commission set a public hearing on the request for re-zoning for May 2, 2016, at 6:15 p.m., at Paynesville City Hall, Council Chambers, Paynesville, Minnesota; and

WHEREAS, notice of the public hearing on May 2, 2016, at 6:15 p.m. was post, published and mailed in conformity with State Law and the requirements of the City Code of the City of Paynesville and individual notices were sent to property owners within 350 feet of the subject premises in accordance with State Law and requirements of the City Code, and notice of the hearing was properly posted; and

WHEREAS, the Planning Commission made its report and recommendation to the City Council and recommended that the request for re-zoning be granted; and

WHEREAS, the Planning Commission's report and recommendation has been reviewed by the City Council and the City Council adopts and incorporates that report herein by reference; and

30

WHEREAS, the City Council is satisfied that no further public hearing is necessary to allow the City Council to reach an informed decision on this request for re-zoning; and

WHEREAS, a majority of the full City Council is in favor of granting the request for re-zoning; and

WHEREAS, the re-zoning of this property is consistent with the use not only of this parcel going forward, but also with the use of the abutting property and with the City's Comprehensive Plan;

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

1) That the request for re-zoning of the real estate legally described as follows:

*The West 25 feet of Lot Two (2), Block One (1), Gilbert's Addition to Paynesville and Lot Three (3), Block One (1), less and except the Southerly 95 feet of said Lot Three (3), of Gilbert's Addition to Paynesville.*

*Also the Westerly 25 feet of the Northerly 15 feet of Lot Twelve (12), Block One (1), Gilbert's Addition to Paynesville, all according to the plat and survey thereof on file and of record in the Office of the County Recorder in and for Stearns County, Minnesota;*

is hereby granted and said property is hereby re-zoned from "C-2" – Highway Commercial District to "R-1" – Single & Two Family Residential District.

2) The City Administrator is directed to notify the originators of the request for re-zoning, Wayne Fleischhacker and James Bonine, of this

decision by sending a copy of this Resolution to them at 571 Business 23 West, Paynesville, MN 56362.

Adopted by the City Council this 9<sup>th</sup> day of May, 2016.

\_\_\_\_\_  
Jeff Thompson, Mayor

ATTEST:

\_\_\_\_\_  
Renee Eckerly, City Administrator

THIS INSTRUMENT DRAFTED BY:

William Spooner  
SPOONER & GLENZ LAW OFFICES, PLLC  
113 Washburne Avenue  
Paynesville, MN 56362  
(320) 243-3748  
Atty. Regn. No. 0131088

**REQUEST FOR COMMITTEE/COUNCIL ACTION**

**COMMITTEE/COUNCIL NAME: City Council**

Committee/Council Meeting Date: May 9, 2016

Agenda Section: New Business

Originating Department: Administration

Item Number: VI - G

**ITEM DESCRIPTION: Conditional Use Permit Request – Savage Land Partnership, LLC – City Pond**

Prepared by: Staff

**COMMENTS:**

The City has received a Conditional Use Permit Application submitted by Savage Land Partnership, LLC (on behalf of the City) for the construction of a storm water pond to be all or partly constructed within the Shoreland Overlay District. Grading, filling, and shoreland alterations require a Conditional Use Permit. The property is zoned I-1 Light Industrial.

The Planning Commission has reviewed this and recommends approval.

Please review the attached application, Report & Recommendation and Conditional Use Permit.

**ADMINISTRATOR COMMENTS:**

**COMMITTEE/COUNCIL ACTION:**

Motion to APPROVE/DENY the Conditional Use Permit for Savage Land Partnership, LLC.

**CITY OF PAYNESVILLE  
CONDITIONAL USE PERMIT APPLICATION**

221 Washburne Ave. ~ Paynesville, MN 56362  
Phone: 320-243-3714 ~ Fax: 320-243-3713

List All Property Owners: Savage Land Partnership

Contact Person: Brian Savage/Ron Mergen

Address: 180 Lake Avenue N

Telephone No.: 800-864-1649 Parcel No.: 70.39367.0000

Legal Description: Lot: 001 Block: 001 Addition: River Park Estates

ZONE: I1

EXISTING USE OF PROPERTY:  
Industrial

**Application Fee: \$225.00**  
(non-refundable) These are the fees incurred per document: Advertising \$48.00 (average), Recording \$46.00 (actual), Postage \$33.00 (average), Legal \$123.00 (average), totaling \$250.00.

WILL THIS CONDITIONAL USE REQUIRE A VARIANCE ALSO? No

DESCRIPTION OF REQUEST: (use separate sheet if needed)

This request is to expand the storm water pond that is currently located on the property. The pond will be expanded to increase its capacity to handle and treat additional storm water runoff to improve water quality. The pond is planned to be constructed by the City of Paynesville as part of the 2016 Improvement Project and the City will take Ownership of the pond property in the future. The attached drawings illustrate the proposed improvements.

DRAWING OF PROPOSED CONDITIONAL USE: (use separate sheet)

**Application Must Include:**

- Legal description from abstract.
- Any written or graphic data required by the City Administrator.

*Brian Savage*

3/9/2016

All Property Owners Must Sign This Application

Date

**For office use only:**

Application Fee: \$225.00 (non-refundable)  
For office use only: Cash                     

Check No. 092206 Date Paid 3.29.16

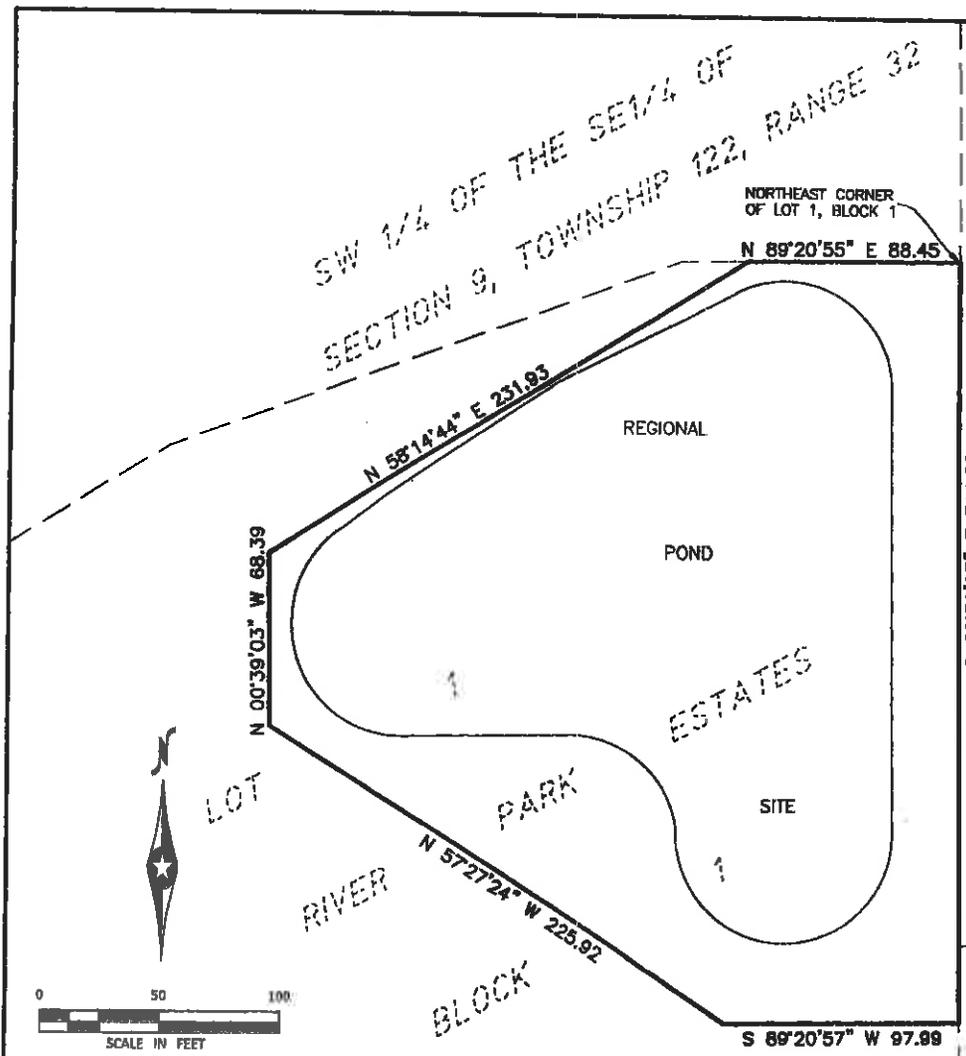
Present To Planning Commission Date: 4.4.16  
Planning Public Hearing Date: 5.2.16

Planning Set Public Hearing Date: 4.4.16  
Council Makes Determination Date: 5.9.16

**PLANNING COMMISSION ACTION:**  
Recommended to Council Approved Denied                      Date:                       
CITY COUNCIL ACTION: Approved Denied                      Date:                     

RECEIVED  
Date Received In Office:  
(Stamp)  
MAR 29 2016  
34

3/9/2016



**PROPOSED DESCRIPTION:**

That part of Lot 1, Block 1, RIVER PARK ESTATES, Stearns County, Minnesota described as follows:  
 Beginning at the Northeast corner of said Lot 1; thence South 00 degrees 39 minutes 05 seconds East, along the East line of Lot 1, a distance of 311.89 feet; thence South 89 degrees 20 minutes 57 seconds West a distance of 97.99 feet; thence North 57 degrees 27 minutes 24 seconds West a distance of 225.92 feet; thence North 00 degrees 39 minutes 03 seconds West a distance of 68.39 feet; thence North 58 degrees 14 minutes 44 seconds East a distance of 231.93 feet, to the most Northerly line of Lot 1; thence North 89 degrees 20 minutes 55 seconds East, along said most Northerly line, a distance of 88.45 feet, to the point of beginning.

Contains about 1.51 acres.

**SURVEYOR'S NOTES:**

1. This survey was performed, and the survey map prepared, without benefit of either a title insurance commitment or an attorney's title opinion. The record boundary and easement information (if any) shown hereon is based on information provided by the client. Research of documents affecting title to the property surveyed or adjoining properties has been limited to a cursory review of record information and it is recommended that all title matters affecting this property and survey be reviewed by an attorney or other title professional.

**SURVEYOR'S CERTIFICATION**

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.

*Peter W. Blethen*

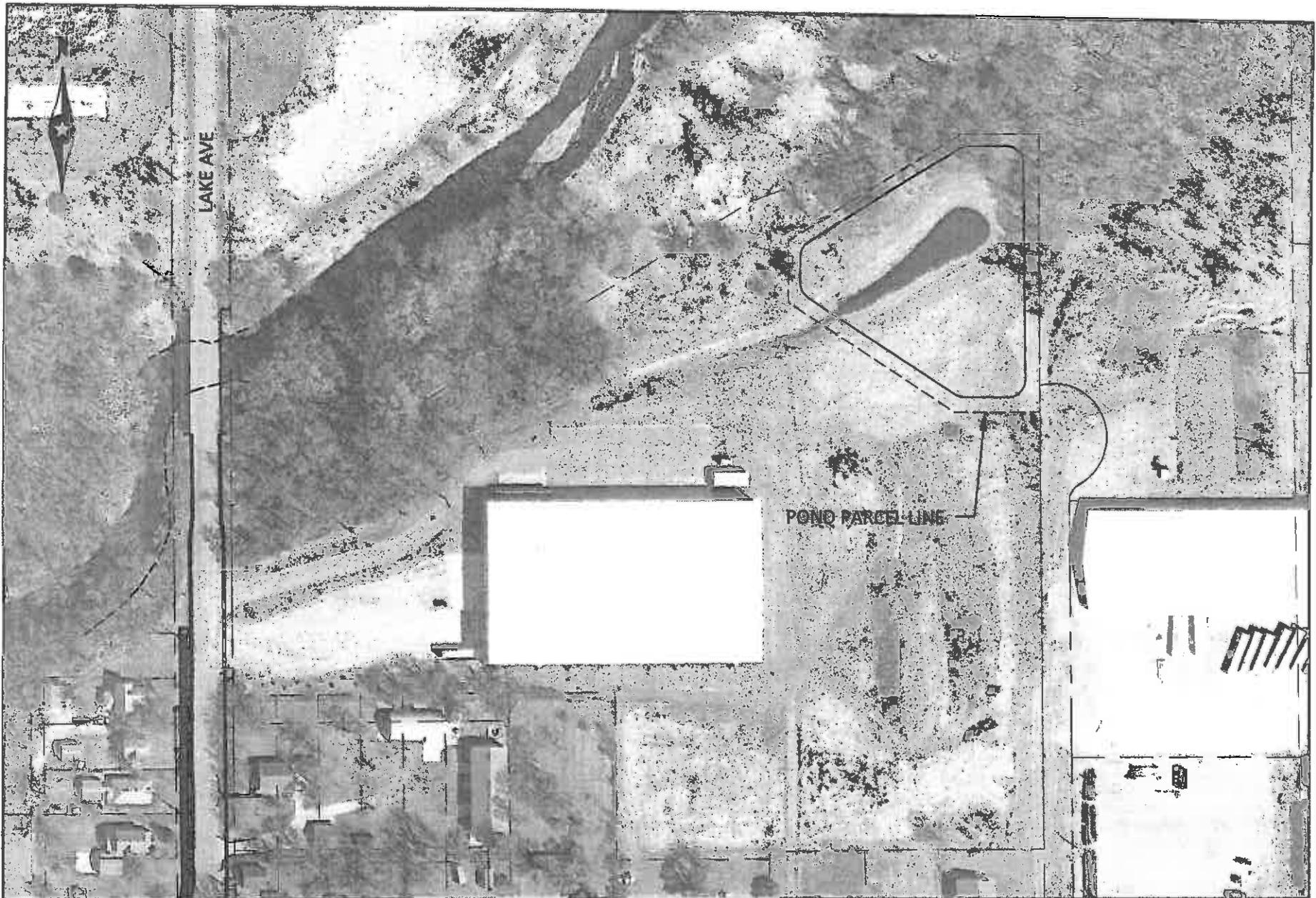
Peter W. Blethen  
 License Number 17367

9-17-2013  
 Date

S 00°39'05" E 311.89

<b>DESCRIPTION EXHIBIT</b> PAYNESVILLE, MINNESOTA		Part of Lot 1, Block 1, RIVER PARK ESTATES, Stearns County, Minnesota
 <b>BOLTON &amp; MENK, INC.</b> Consulting Engineers & Surveyors 2040 HIGHWAY 12 E, WILLMAR, MN 56201 (320)-231-3956 MANKATO, FAIRMONT, SLEEPY EYE, BURNSVILLE, WILLMAR, CHASKA, RAMSEY, MAPLEWOOD, BAXTER, ROCHESTER, MINNESOTA & AMES, SPENCER, IOWA		

*93*



**BOLTON & MENK, INC.**  
 Consulting Engineers & Surveyors  
 MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN BURNSVILLE, MN WILLMAR, MN  
 CHASKA, MN RAMSEY, MN MAPLEWOOD, MN BAXTER, MN ROCHESTER, MN  
 AMES, IA SPENCER, IA DES MOINES, IA FARGO, ND

**CITY OF PAYNESVILLE, MINNESOTA**  
 2016 IMPROVEMENTS  
 VALLEY INDUSTRIES

FEBRUARY, 2016

FIGURE NO. 1

*Handwritten initials*  
 © Bolton & Menk, Inc. 2016, All Rights Reserved  
 Y:\C-Details\p-303.dwg 11/14/13 5:04 am

# CITY OF PAYNESVILLE

ACCT: 00044808 3/29/2016 2:56 PM  
OPER: FRONT TERM: 001  
R/L: 092208

TRAM: 10.0300 CONDITIONAL USE  
SAVAGE LAND PARTNERSHIP  
FUND: 00P  
CONDITIONAL USE FEE 225.00CR

ENTERED: 225.00 CHECK  
APPLIED: 225.00-

CHANGE:            0.00

**REPORT & RECOMMENDATION OF PLANNING COMMISSION  
ON APPLICATION FOR CONDITIONAL USE PERMIT**

WHEREAS, an application for a Conditional Use Permit was submitted to the City of Paynesville and received March 29, 2016; and

WHEREAS, the application for a Conditional Use Permit was presented to the Planning Commission on April 4, 2016; and

WHEREAS, the Planning Commission did, on April 4, 2016, set a public hearing on the application for a Conditional Use Permit for May 2, 2016, at 6:30 p.m., at Paynesville City Hall, 221 Washburne Avenue, Paynesville, MN 56362; and

WHEREAS, notice of such hearing was published in the official newspaper of the City of Paynesville, posted and mailed to individual property owners within 350 feet of the parcel in accordance with the requirements of Chapter 11, Section 11.80, Subd. 3B, of the City Code of the City of Paynesville, and the laws of the State of Minnesota; and

WHEREAS, the Planning Commission has considered possible adverse effects of the proposed conditional use and has reviewed the application in accordance with the standards set forth in City Code, Chapter 11, Section 11.80, Subd. 4, and City Code, Chapter 11, Section 11.60, Subd. 5B;

NOW, THEREFORE, the Planning Commission makes the following:

**REPORT/FINDINGS**

1) The property in question is located at 180 Lake Avenue N., Paynesville, MN 56362.

2) The property in question is zoned "I-1" – Light Industrial District and is also located within the shoreland overlay district.

38

3) The parcel of land in question is a portion of Tax Parcel No. 70.39367.0000, and is legally described as follows, to-wit:

*That part of Lot 1, Block 1, RIVER PARK ESTATES, Stearns County, Minnesota described as follows:*

*Beginning at the Northeast corner of said Lot 1; thence South 00 degrees 39 minutes 05 seconds East, along the East line of Lot 1, a distance of 311.89 feet; thence South 89 degrees 20 minutes 57 seconds West a distance of 97.99 feet; thence North 57 degrees 27 minutes 24 seconds West a distance of 225.92 feet; thence North 00 degrees 39 minutes 03 seconds West a distance of 68.39 feet; thence North 58 degrees 14 minutes 44 seconds East a distance of 231.93 feet, to the most Northerly line of Lot 1; thence North 89 degrees 20 minutes 55 seconds East, along said most Northerly line, a distance of 88.45 feet, to the point of beginning.*

*Containing 1.51 acres, more or less.*

4) Savage Land Partnership, LLC, is the owner of said property.

5) A Conditional Use Permit application has been filed and the required fee has been paid.

6) The application for a Conditional Use Permit seeks permission to alter the shoreland by grading and filling of areas within the shoreland overlay district for the construction of a regional stormwater pond. City Code, Chapter 11, Section 11.60, Subd. 5B, provides that where grading and filling in a shoreland area or any alteration of the natural topography where the slope of the land is toward the public water or water course leading to a public water, the grading and filling must be authorized by a Conditional Use Permit. Savage Land Partnership, LLC, has entered into an agreement for the sale of this property to the City of Paynesville, which proposes to build a stormwater pond on the property, construction of which will require grading and filling.

7) At a public hearing on May 2, 2016, property owners and interested parties were given an opportunity to describe the plans and the details of the necessary grading and excavation, and members of the public wishing to express their opinions regarding the proposed Conditional Use Permit were given an opportunity to do so. The applicant is required to submit a stormwater pollution prevention plan to the City of Paynesville related to the proposed excavation and grading within the shoreland area detailing the manner in which all disturbed areas will be stabilized within 24 hours of grading. All erosion control devices are to be left in place until permanent stabilization is achieved.

The Planning Commission is satisfied that a Conditional Use Permit is appropriate under the following conditions:

a) The property owner is required to submit a stormwater pollution prevention plan to the City and receive approval of the plan prior to any area within the shoreland district being disturbed.

b) The stormwater pollution prevention plan proposes procedures that would expose the smallest amount of bare land for the shortest feasible period of time.

c) Grading within the shoreland district will be at a slope designed to prevent water from draining into the public waterway.

d) Erosion control devices shall be installed prior to any area being disturbed and shall be maintained until final stabilization is complete, and that with this plan in place the disturbed area will be protected from erosion.

e) The methods proposed to be used to prevent erosion and to trap sediment are appropriate and in line with best practices.

f) The area would ultimately be stabilized to acceptable engineering standards in the shortest possible time after grading has been completed.

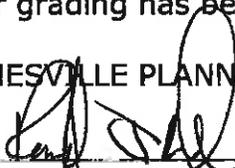
Based on the foregoing findings of act, the Planning Commission makes the following:

**RECOMMENDATION**

The Planning Commission does hereby recommend the issuance of a Conditional Use Permit to allow grading and excavation within the shoreland area in accordance with the plan presented. The Conditional Use Permit to allow grading and excavation is granted with the following restrictions:

- a) The property owner is required to submit a stormwater pollution prevention plan to the City and receive approval of the plan prior to any area within the shoreland district being disturbed.
- b) The stormwater pollution prevention plan proposes procedures that would expose the smallest amount of bare land for the shortest feasible period of time.
- c) Grading within the shoreland district will be at a slope designed to prevent water from draining into the public waterway.
- d) Erosion control devices shall be installed prior to any area being disturbed and shall be maintained until final stabilization is complete, and that with this plan in place the disturbed area will be protected from erosion.
- e) The methods proposed to be used to prevent erosion and to trap sediment are appropriate and in line with best practices.
- f) The area would ultimately be stabilized to acceptable engineering standards in the shortest possible time after grading has been completed.

Date: 3/2/16

PAYNESVILLE PLANNING COMMISSION  
By:   
Ron Mehr, Chairperson

ATTEST:  
  
Renee Eckerly, City Administrator

CONDITIONAL USE PERMIT

The City Council of the City of Paynesville, having received and considered the Report and Recommendation of the Paynesville Planning Commission with respect to the application for a Conditional Use Permit with regard to real estate located at 180 Lake Avenue N., Paynesville, MN 56362, and legally described as follows, to-wit:

*That part of Lot 1, Block 1, RIVER PARK ESTATES, Stearns County, Minnesota described as follows:*

*Beginning at the Northeast corner of said Lot 1; thence South 00 degrees 39 minutes 05 seconds East, along the East line of Lot 1, a distance of 311.89 feet; thence South 89 degrees 20 minutes 57 seconds West a distance of 97.99 feet; thence North 57 degrees 27 minutes 24 seconds West a distance of 225.92 feet; thence North 00 degrees 39 minutes 03 seconds West a distance of 68.39 feet; thence North 58 degrees 14 minutes 44 seconds East a distance of 231.93 feet, to the most Northerly line of Lot 1; thence North 89 degrees 20 minutes 55 seconds East, along said most Northerly line, a distance of 88.45 feet, to the point of beginning.*

*Containing 1.51 acres, more or less,*

which report and recommendation are adopted by the City Council, attached hereto and incorporated herein by reference.

Based upon said report and recommendation and the findings of fact contained therein, the City Council hereby grants a Conditional Use Permit to allow grading and filling or alteration of the natural topography in a shoreland area where the slope of the land was towards a public water or water course on the above-described parcel, which parcel is zoned "I-1" – Light Industrial District, but which is also located within the shoreland overlay district.

This Conditional Use Permit is granted on the following conditions:

a) The property owner is required to submit a stormwater pollution prevention plan to the City and receive approval of the plan prior to any area within the shoreland district being disturbed.

b) The stormwater pollution prevention plan proposes procedures that would expose the smallest amount of bare land for the shortest feasible period of time.

c) Grading within the shoreland district will be at a slope designed to prevent water from draining into the public waterway.

d) Erosion control devices shall be installed prior to any area being disturbed and shall be maintained until final stabilization is complete, and that with this plan in place the disturbed area will be protected from erosion.

e) The methods proposed to be used to prevent erosion and to trap sediment are appropriate and in line with best practices.

f) The area would ultimately be stabilized to acceptable engineering standards in the shortest possible time after grading has been completed.

DATED: \_\_\_\_\_

DATED: \_\_\_\_\_

CITY OF PAYNESVILLE

SAVAGE LAND PARTNERSHIP, LLC

By: \_\_\_\_\_  
Jeff Thompson, Mayor

By: \_\_\_\_\_  
Brian Savage, Property Owner

Attest: \_\_\_\_\_  
Renee Eckerly, City Administrator

THIS INSTRUMENT DRAFTED BY:

William Spooner  
SPOONER & GLENZ LAW OFFICES, PLLC  
113 Washburne Avenue  
Paynesville, MN 56362  
(320) 243-3748  
Atty. Regn. No. 0131088

44

## REQUEST FOR COMMITTEE/COUNCIL ACTION

**COMMITTEE/COUNCIL NAME:** City Council

Committee/Council Meeting Date: May 9, 2016

Agenda Section: New Business

Originating Department: Administration

Item Number: VI - H

**ITEM DESCRIPTION:** Liquor Store – Increasing Part -Time Liquor Store Clerk Hours

Prepared by: Renee Eckerly, City Administrator

### **COMMENTS:**

Bill Ludwig, Liquor Store Manager will give a verbal report. Bill Ludwig met with the Policies & Procedures Committee on April 20, 2016 to discuss staffing issues at the Liquor Store. Due to the limited market of applicants, moving a 14 hour or less employee to a 32 hour a week employee was discussed.

Currently there are:

- One 40 hours a week full time manager
- Two 32 hours a week part time employees
- Four 14 hours or less a week part time employees

The Policies & Procedures Committee is recommending to increase the hours for Ethan Brown from 14 hours or less a week up to 32 hours a week.

### **ADMINISTRATOR COMMENTS:**

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

Motion to increase the hours of work for Ethan Brown, Part-Time Liquor Store Clerk to a maximum of up to 32 hours per week (PT Grade 1/Step 1 \$11.88 per hour AFSCME Labor Contract).

95

**REQUEST FOR COMMITTEE/COUNCIL ACTION**

**COMMITTEE/COUNCIL NAME:** City Council

Committee/Council Meeting Date: May 9, 2016

Agenda Section: New Business

Originating Department: Administration

Item Number: VI - I

**ITEM DESCRIPTION:** T & C Days - Library - Karaoke & Movie Night

Prepared by: Staff

**COMMENTS:**

The Library is interested in hosting an open mike night (karaoke) on the Library grounds (front lawn) from 6:30 p.m. – 8:30 p.m. and a movie from 9:00 p.m. – 11:00 p.m. on Thursday, June 9, 2016; during Township & Country Days.

**ADMINISTRATOR COMMENTS:**

**COMMITTEE/COUNCIL ACTION:**

Motion to allow the Library to host an open mike night (karaoke) on the Library grounds (front lawn) from 6:30 p.m. – 8:30 p.m. and a movie from 9:00 p.m. – 11:00 p.m. on Thursday, June 9, 2016; during Town & Country Days.

## REQUEST FOR COMMITTEE/COUNCIL ACTION

**COMMITTEE/COUNCIL NAME:** City Council

Committee/Council Meeting Date: May 9, 2016

Originating Department: Administration

Agenda Section: New Business

Item Number: VI - J

**ITEM DESCRIPTION:** Temporary On-Sale Liquor/Beer License – Historical Society

Prepared by: Renee Eckerly, City Administrator

### **COMMENTS:**

The Historical Society will be applying for a Temporary On-Sale Liquor/Beer License Application to hold an indoor event (invitation only) on Saturday, May 21, 2016 from 6 – 9 p.m. Minnesota Statutes 340A.418 allows the tasting for 4 hours, but they have to be a 501C3 and apply for a temporary permit from the City and work with a wholesaler.

### **ADMINISTRATOR COMMENTS:**

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

Motion to approve the Temporary On-Sale Liquor/Beer License Application submitted by Historical Society to hold an indoor event (invitation only) on Saturday, May 21, 2016 from 6 – 9 p.m.

46A

**REQUEST FOR COMMITTEE/COUNCIL ACTION**

**COMMITTEE/COUNCIL NAME:** City Council

Committee/Council Meeting Date: May 9, 2016

Agenda Section: Old Business

Originating Department: Administration

Item Number: VII - A

**ITEM DESCRIPTION:** Temporary Street Closing - T & C Days Street Dance, Beer Garden & Food Booths

Prepared by: Staff

**COMMENTS:**

The City has received a Temporary Street Closing Application to close James St. W. from Washburne Ave. To Augusta Ave (FIRST CHOICE) or James St. W. from River St. to August Ave. (SECOND CHOICE) on Friday, June 10, 2016 from 4:30 p.m. through Saturday, June 11, 2016 at 1:00 a.m. for the Town & Country Days street dance, beer garden, and food booths. A Representative(s) from the Chamber of Commerce will be in attendance to answer any questions. The Police Chief and Fire Chief are currently reviewing these applications.

**ADMINISTRATOR COMMENTS:**

**COMMITTEE/COUNCIL ACTION:**

Motion to close \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ on Friday, June 10, 2016 from 4:30 p.m. through Saturday, June 11, 2016 at 1:00 a.m. for the Town & Country Days street dance, beer garden, and food booths.

**CITY OF PAYNESVILLE  
TEMPORARY STREET CLOSING APPLICATION**

Date 5/2/2015 Applicant's Name Paynesville Chamber of Comm

Address 220 Washburne Ave Telephone No. 243-3233

Paynesville MN 56362 Email \_\_\_\_\_

Event T&C Days Street Dance; Beer Gardens

Date(s) Street(s) To Be Closed Fri June 10 4:30 pm Time(s) Street(s) To Be Closed SAT June 11 1:00 AM

Street To Be Closed W James ST To (what location/intersection) Augusta Ave  
From (what location/intersection) Washburne

Street To Be Closed \_\_\_\_\_  
From (what location/intersection) \_\_\_\_\_ To (what location/intersection) \_\_\_\_\_

Street To Be Closed \_\_\_\_\_  
From (what location/intersection) \_\_\_\_\_ To (what location/intersection) \_\_\_\_\_

Have all businesses and/or property owners been notified of the proposed street closure? YES NO  
Their feedback: Letter is being sent

Explanation of proposed street closure (use additional paper if necessary):  
Street Dance, Beer Gardens & Food booth / Map Attached

Drawing of proposed street closure (use additional paper if necessary):  

	Attached
--	----------

This is our 1st choice!

John

Approved By: \_\_\_\_\_ Date \_\_\_\_\_  
Chief of Police \_\_\_\_\_  
Comments \_\_\_\_\_

Fire Chief \_\_\_\_\_ Date \_\_\_\_\_  
Comments \_\_\_\_\_

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

\*\*\*Applicants will need to make arrangements with the Public Works Department for signage and barricades, please contact Ron Mergen at 320-243-3714 Ext. 230. All alleys will need to remain clear for emergency vehicles and personnel. No poles/stakes are allowed into the cement/asphalt/bituminous of the street/curb/sidewalk.\*\*\*



**CITY OF PAYNESVILLE  
TEMPORARY STREET CLOSING APPLICATION**

Date 5/2/2015 Applicant's Name Paynesville Chamber

Address 220 Washburne Ave Telephone No. 320.243.3233

Paynesville MN 56362 Email \_\_\_\_\_

Event T & C Day Street Dance; Beer gardens

Date(s) Street(s) To Be Closed  
Fri 6/10/16 4:30pm

Time(s) Street(s) To Be Closed  
Sat 6/11/16 1:00AM

Street To Be Closed W James  
From (what location/intersection) RIVER ST To (what location/intersection) Augusta Ave

Street To Be Closed \_\_\_\_\_  
From (what location/intersection) \_\_\_\_\_ To (what location/intersection) \_\_\_\_\_

Street To Be Closed \_\_\_\_\_  
From (what location/intersection) \_\_\_\_\_ To (what location/intersection) \_\_\_\_\_

Have all businesses and/or property owners been notified of the proposed street closure? YES  NO   
Their feedback: a letter will be sent

Explanation of proposed street closure (use additional paper if necessary):  
Beer gardens, Street Dance & Food Booth

Drawing of proposed street closure (use additional paper if necessary):

*This is our 2nd Option*

Approved By: \_\_\_\_\_  
Chief of Police \_\_\_\_\_ Date \_\_\_\_\_  
Comments \_\_\_\_\_

Fire Chief \_\_\_\_\_ Date \_\_\_\_\_  
Comments \_\_\_\_\_

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

\*\*\* Applicants will need to make arrangements with the Public Works Department for signage and barricades, please contact Ron Mergen at 320-243-3714 Ext. 230. All alleys will need to remain clear for emergency vehicles and personnel. No poles/stakes are allowed into the cement/asphalt/bituminous of the street/curb/sidewalk.\*\*\*

For Office Use Only: Date Received: \_\_\_\_\_ Date To Chief of Police: \_\_\_\_\_ Date to Fire Chief: \_\_\_\_\_

30

Google Maps

Option 2

5



W Mill St

W Mill St

W Mill St

E Mill St

Map data ©2016 Google 200 ft

Google Maps

## REQUEST FOR COMMITTEE/COUNCIL ACTION

**COMMITTEE/COUNCIL NAME:** City Council

Committee/Council Meeting Date: May 9, 2016

Agenda Section: Old Business

Originating Department: Administration

Item Number: VII - B

**ITEM DESCRIPTION:** Splash Pad

Prepared by: Staff

**COMMENTS:**

Ron Mergen will give a verbal report on the proposed Splash Pad. The Council at their March 23, 2015 meeting approved Phase II of the splash pad in the amount of \$51,779.00; contingent upon fundraising a total of \$20,000.00. Please review the attached donations to date totaling \$18,099.41 and Phase II design.

**ADMINISTRATOR COMMENTS:**

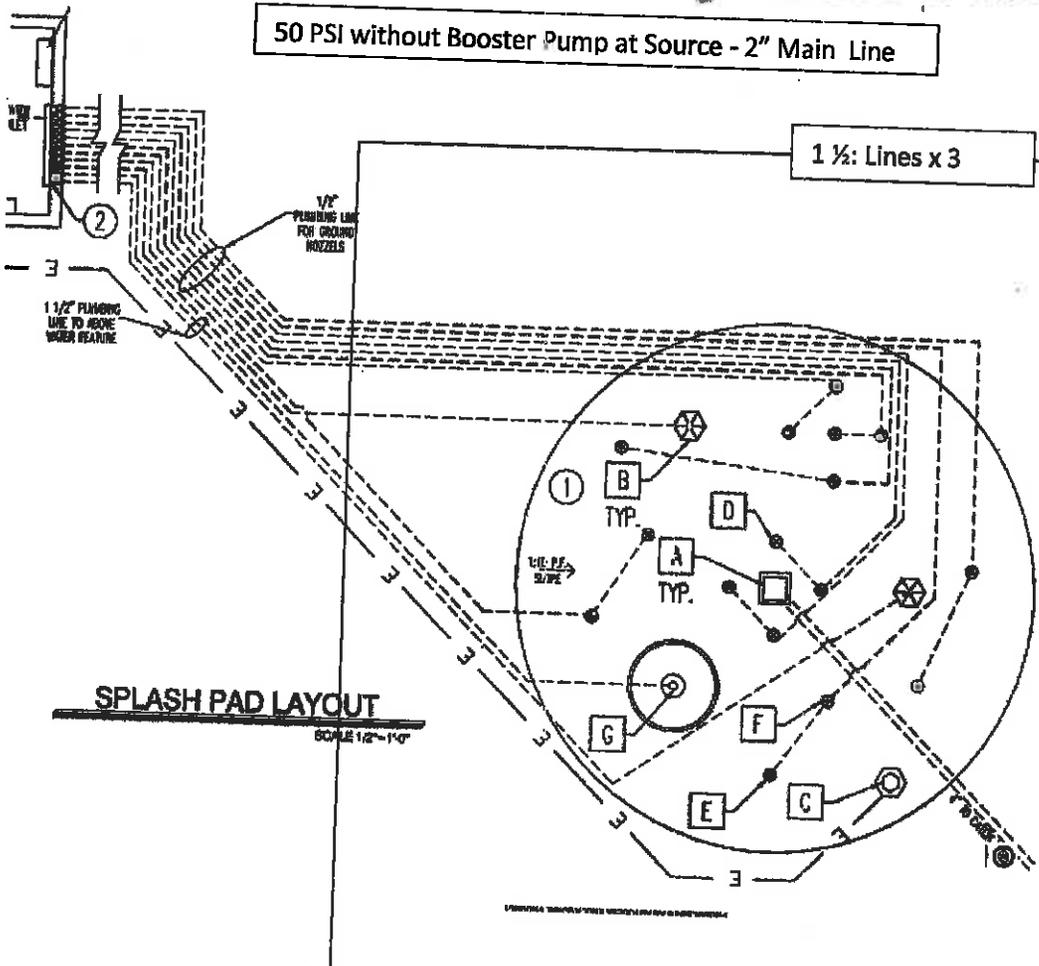
**COMMITTEE/COUNCIL ACTION:**

Date	Splash Pad Donation list	
	Paynesville Twp	\$5,000.00
6/8/15	Bolton & Menk	\$1,000.00
12/31/14	Neil Herzberg	\$100.00
12/31/14	Donation	\$20.00
5/14/15	Nancy Ellis	\$200.00
8/31/15	Marlene Heite 14793 Linden Hill Rd Paynesville	\$500.00
1/30/15	Donation	\$16.00
5/14/15	Donation	\$6.00
6/1/15	Donation	\$5.00
7/20/15	Donation	\$57.00
7/20/15	Mageny Construction	\$500.00
7/24/15	City of Excellence award	\$500.00
7/27/15	Automatic Systems	\$250.00
8/14/15	Barten	\$10.00
8/25/15	Donation	\$2.00
8/25/15	JB Wimmer Landscaping	\$100.00
9/4/15	Joe Voss	\$200.00
9/11/15	Farmers & Merchants Bank	\$250.00
9/15/15	From the Heart (Emily Andreasen) 520 Co rd 34	\$460.00
9/16/15	Bank of the West	\$100.00
9/24/15	Wishing Well Lori Meagher	\$200.00
10/5/15	Caldwell Asphalt 24060 175th St NE Hawick 56273	\$500.00
10/6/15	Managed assests 203 Washburne Av	\$500.00
10/8/15	Precision Electric 18521 Co Rd 130 Pay.	\$500.00
10/15/15	Pat Flanders Realty	\$25.00
11/3/15	Matt Dickhausen 410 Spruce St	\$250.00
11/3/15	Darla Boline 15522 Koronis Rd NW Pay.	\$30.00
11/5/15	Central MN Credit Union	\$500.00
11/6/15	Kellie Jones 343 Augusta Ave	\$11.41
11/9/15	Donation	\$30.00
11/24/15	Paynesville Sportsmens Club	\$300.00
12/2/15	Paynesville American Legion PO Box 211	\$500.00
4/27/16	Paynesville Lutheran Endowment Fund	\$1,500.00
4/28/16	Liquor Store Fund Raiser	\$2,587.00
5/2/16	Robert & Lois Jung	\$100.00
5/2/16	Paynesville Lions Club	\$1,190.00
5/3/16	Jeff and Becky Thompson	\$100.00
	<b>Total</b>	<b>\$18,099.41</b>

53

# Paynesville Splash Pad Phase II

50 PSI without Booster Pump at Source - 2" Main Line



1 1/2" Lines x 3



**RAIN DECK 10-NOZZLE RAIN TUNNEL (RD132-0)**

\$805.00

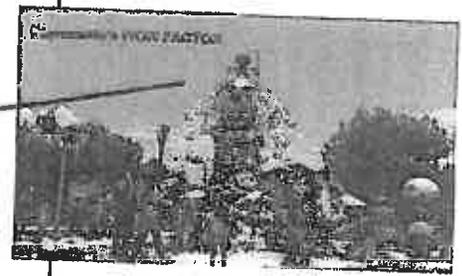
ADD TO ORDER



**RAIN DECK 12-NOZZLE RING OF WATER (RD130-0)**

\$966.00

ADD TO ORDER



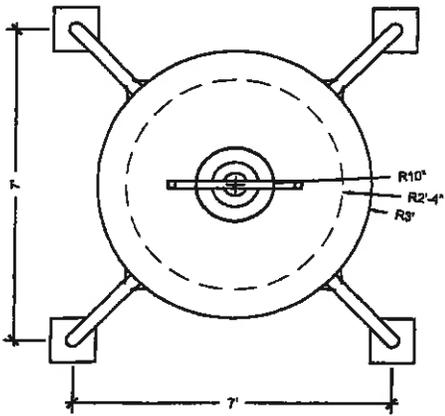
\$15,000

LAYOUT KEYNOTES	
①	PROPOSED 400 sq.F. SPLASHPAD
②	MINIFOLD W/ (3) 3/4" SOLENOIDS
③	1 1/2" BALL VALVES
③	RAIN DECK WATER FEATURE CONTROL PANEL
④	RAIN DECK SOF-TOUCH ELECTRONIC TIMER BOX

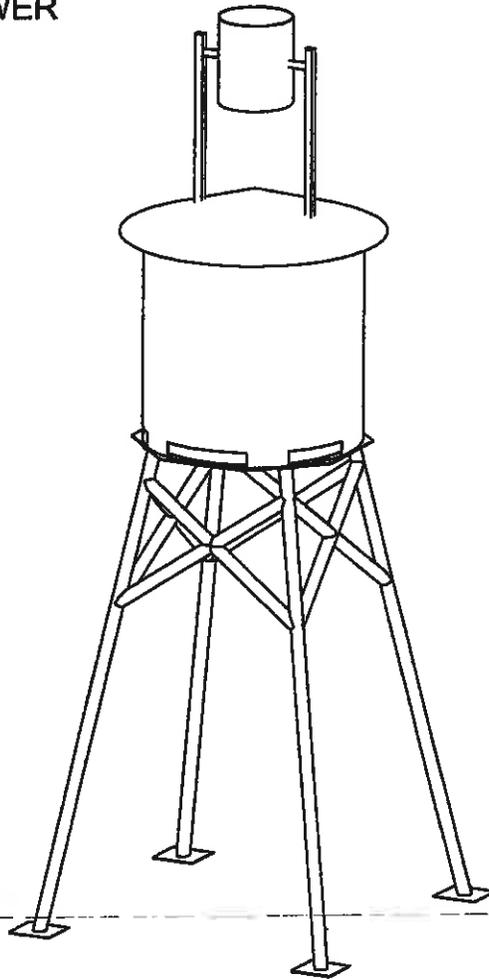
SPLASH PAD LEGEND	
A	16" SQUARE DRAIN (1 TOTAL)
B	FOOTING BASE WITH SPRAY PLATE (2 TOTAL)
C	R.D. ACTIVATOR POST (1 TOTAL)
D	3" DIA. R.D. FAN NOZZLE (2 TOTAL)
E	3" DIA. R.D. ADJUSTABLE SPRAY (12 TOTAL)
F	3" DIA. R.D. SHOWER NOZZLE (2 TOTAL)
G	R.D. WATER UMBRELLA W/ FOOTING BASE (1 TOTAL)

511

RDS356-0  
DUAL-BUCKET  
WATER TOWER

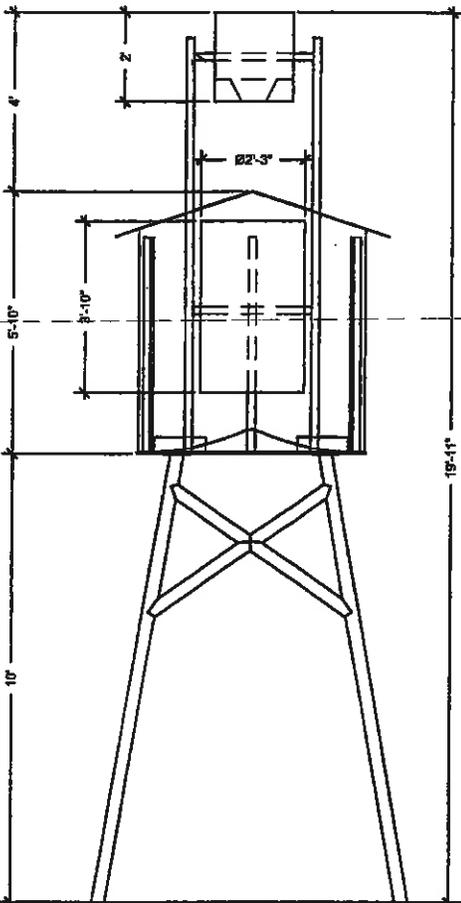


TOP VIEW

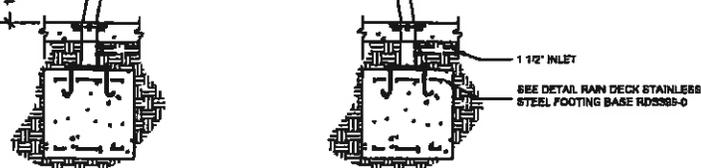


SCALE  
N.T.S.

DUAL-BUCKET  
WATER TOWER  
RDS356-0



FRONT VIEW



**RAINDECK**  
Ph. 888.445.RAIN  
Fax. 866.869.3942  
info@raindeck.com

THIS DRAWING IS AN INSTRUMENT OF SERVICE. IT IS THE PROPERTY OF RAINDECK. USE OF THIS DRAWING AND ALL REPRODUCTIONS SHALL BE LIMITED TO THE PROJECT AND SHALL NOT BE USED IN ANY MANNER, COPIED, REPRODUCED, TRANSMITTED, OR IN ANY MANNER BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION OF RAINDECK. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES. RAINDECK SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PROPERTY OR PERSONS ARISING FROM THE USE OF THIS DRAWING.

REV.	DATE	BY	DESCRIPTION
△			
△			
△			
△			
△			

**RAIN DECK  
DUAL-BUCKET  
WATER TOWER**

SEAL

DATE

DRAWN BY: RS  
REVIEWED BY: RW  
DATE: DECEMBER 2014  
SHEET

MFR# RDS356-0

SCALE  
1/4" = 1'-0"

55

## REQUEST FOR COMMITTEE/COUNCIL ACTION

**COMMITTEE/COUNCIL NAME:** City Council

Committee/Council Meeting Date: May 9, 2016

Agenda Section: Old Business

Originating Department: Administration

Item Number: VII - C

**ITEM DESCRIPTION:** Variance Request - AMPI

Prepared by: Staff

### **COMMENTS:**

The City has received a Variance application from AMPI at 200 Railroad St. This is a 3-part Variance for height, setback and lot area coverage. This property is zoned I-2 Heavy Industrial. They wish to erect two silos with pads with the height of up to 65 feet. The height regulations for this property is 45'. In addition, they already have (currently at approximately 76.2%) and will continue to exceed their 50% of lot coverage regulation. Furthermore, they will be extending the footprint of their structure southerly an additional 15.3 feet on the west side and an additional 15 feet on the east side toward Railroad Street, not meeting the front setback of 25 feet; only being 6.4 feet from the property line. The stairwell also extends further into the setback than the actual building only being 2.2 feet from the property line.

The Planning Commission has reviewed this and recommends approval.

Please review the attached application, Report & Recommendation, and Variance Determination.

### **ADMINISTRATOR COMMENTS:**

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

Motion to **APPROVE/DENY** the AMPI Variance Determination.

CITY OF PAYNESVILLE  
VARIANCE APPLICATION

221 Washburne Ave. ~ Paynesville, MN 56362  
Phone: 320-243-3714 ~ Fax: 320-243-3713

List All Property Owners: Associated Milk Producers Incorporated

Contact Person: DuWayne Olson / Matt Quade

Address: 200 Railroad Street Paynesville MN 56362

Telephone No.: 320-243-3794 Parcel No.: 70-70461-000  
70-39050-000

Legal Description: Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Addition: \_\_\_\_\_

ZONE: I-2

**Application Fee: \$250.00**

(non-refundable) These are the fees incurred per document: Advertising \$48.00 (average), Recording \$46.00 (actual), Postage \$33.00 (average), Legal \$123.00 (average), totaling \$250.00.

EXISTING USE OF PROPERTY:

Manufacturing

IS THE VARIANCE NEEDED TO REPLACE AN EXISTING STRUCTURE OR ADD AN ADDITIONAL STRUCTURE? Add on to existing

IF REPLACING, IS THE EXISTING STRUCTURE NON-CONFORMING? N/A

DESCRIPTION OF REQUEST: (use separate sheet if needed)

DRAWING OF PROPOSED VARIANCE: (use separate sheet)

**Application Must Include:**

- A site plan showing existing lot lines and dimensions as well as lot area, all easements, all public streets, and private right of ways bordering and adjacent to the site, the use and location of all adjacent property.
- The specific feature or features of the proposed use, construction, or development that requires a variance.
- Specific provisions of Ordinance from which a variance is sought and the precise variance there from being sought.
- Statement of characteristics of the property that prevent compliance with the provisions of the Ordinance.
- Legal description from abstract.
- Any written or graphic data required by the City Administrator.

DuWayne Olson Wkly Supt.

3/11/16

Matt Quade Division Manager

3/11/16

All Property Owners Must Sign This Application

Date

For office use only:  
Application Fee: \$250.00 (non-refundable)  
For office use only: Cash \_\_\_\_\_ Check No. 627980 Date Paid 3.24.16

Present To Planning Commission Date: 4-4-16 Board of Adjustment Set Public Hearing Date: 4-11-16  
Board of Adjustment Public Hearing Date: 5-9-16 Board of Adjustment Makes Determination Date: 5-9-16

PLANNING COMMISSION ACTION:  
Recommended to Board of Adjustment Approved \_\_\_\_\_ Denied \_\_\_\_\_ Date: \_\_\_\_\_  
BOARD OF ADJUSTMENT ACTION:  
Approved \_\_\_\_\_ Denied \_\_\_\_\_ Date: \_\_\_\_\_

MAR 24 2016  
Date Received In Office:  
(Stamp)

LEGAL DESCRIPTION Parcel 70-70461000  
"EXHIBIT A"

All that part of the Soo Line Railroad Company right of way described as follows: Beginning at the intersection of the Northerly extension of the Westerly line of Washburn Avenue in HAINES ADDITION to the City of Paynesville, Minnesota, according to the recorded plat thereof, and on a line parallel with and 8.5 feet Southerly (measured at right angles) from the center line of said Soo Line Railroad Company Track No. 2; thence Westerly, along said parallel line to the intersection with a line parallel with and 25.00 feet Southerly (measured at right angles) from the center line of the main track of said Soo Line Railroad Company; thence Westerly along last said parallel line, to Railroad Survey Station 4379480; thence Southerly, deflecting to the left 90 degrees 00 minutes, a distance of 25.00 feet to the Northerly line of Block 5 of said HAINES ADDITION; thence Easterly, along said Northerly line, to the Northeast corner of said Block 5; thence Southwesterly, along the Southeasterly line of said Block 5, to the Northerly line of Railroad Street in said HAINES ADDITION; thence Easterly, along last said Northerly line, to the intersection with said Northerly extension of the Westerly line of Washburn Avenue; thence Northerly, along said Northerly extension, to the point of beginning.

Parcel # 70, 39050.000

Section 16 Twp 122 Range 032

Haines Addition

NE 2A of B1K 5

3/3/2016

This variance request is for percent coverage and height for two silo pads, and steps with access alcoves for fluid product storage.

This variance request will also include an addition to the existing whey load out bay and apron.

The silo pad size is proposed as two 15 feet by 15 feet concrete pads, one pad by 5 feet 8 inches tall, the second pad by 7 feet tall, with a 10 feet 1.75 inch wide by 15 feet long alcove extension with a height of 17 feet 5 inches.

The overall height with silo will be 65 feet.

The whey load out extension is proposed as 15 feet 3 inches long by 30 feet wide, with a 6 feet 4 inches by 30 feet concrete apron, with a height of 19 feet.

1  
CITY OF PAYNESVILLE

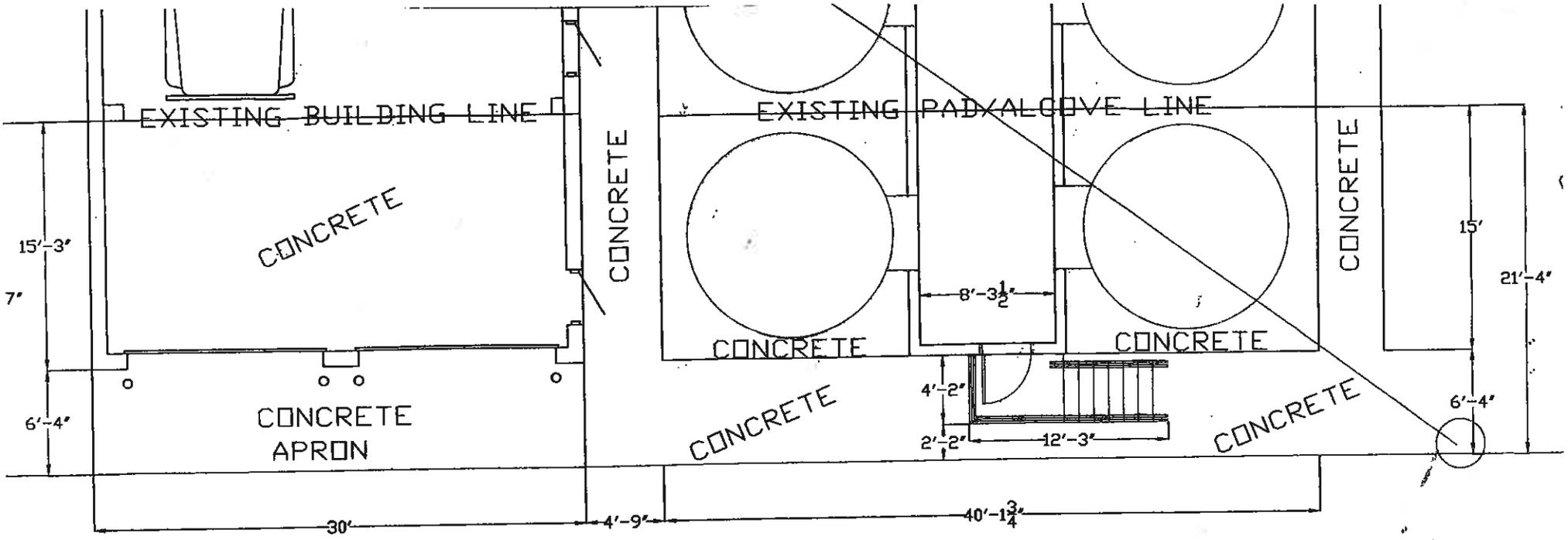
REF: 00044776 3/24/2016 3:13 PM  
ORDER FRONT TERM: 001  
REF: 627980

TRAV: 10.0100 VARIANCE FEE  
VARIANCE AMPL  
VARIANCE FEES 250.00CR

TENDERED: 250.00 CHECK  
AMOUNT: 250.00-

CHANGE: 0.00

60



PROPERTY LINE (GREEN)

~~RAILROAD ST. CENTERLINE~~

PROPERTY LINE (GREEN)

61

**REPORT & RECOMMENDATION OF PLANNING COMMISSION  
ON APPLICATION FOR VARIANCE**

WHEREAS, the City Administrator has received from Associated Milk Producers, Inc., (hereinafter referred to as AMPI) a Variance Application to allow the following:

1) The construction of two (2) silos with pads with a height of 65 feet, which height exceeds the building height limitation of City Code, Chapter 11, Section 11.51, Subd. 3(c), which provides no structure hereafter erected shall exceed 45 feet in height. Therefore, AMPI seeks a Variance of 20 feet from the height limitation of the provisions of City Code, Chapter 11, Section 11.51, Subd. 3(c).

2) AMPI proposes to locate a structure, the main body of which will be setback 6 feet 4 inches from the intersection of its property line and the road right of way of Railroad Street, which does meet the 25 foot setback requirement of City Code, Chapter 11, Section 11.51, Subd. 3(a). In addition, there will be a stairwell between the main structure and the road right of way that will only be setback 2 feet 2 inches from the property line/street right of way. Therefore, the applicant seeks a Variance at the maximum of 23 feet 8 inches from the setback requirement of City Code, Chapter 11, Section 11.51, Subd. 3(a).

3) The construction of these additional improvements will further exceed the Variance that the applicant seeks from the maximum lot

coverage provisions of City Code, Chapter 11, Section 11.51, Subd. 3(e), which provides that lot coverage shall not exceed 50%. The lot coverage already exceeds 50% and with the addition of these structures as proposed, lot coverage would total approximately 76.2%, requiring a Variance of approximately 26.2% from the strict enforcement of the maximum lot coverage provision of Chapter 11, Section 11.51, Subd. 3(e); and

WHEREAS, AMPI is the owner of property located at 200 Railroad Street, Paynesville, MN 56362; and

WHEREAS, the property at issue is more particularly described as Parcel Nos. 70.70461.000 and 70.39050.000, which parcels are legally described as follows, to-wit:

*All that part of the Soo Line Railroad Company right of way described as follows: Beginning at the intersection of the Northerly extension of the Westerly line of Washburn Avenue in HAINES ADDITION to the City of Paynesville, Minnesota, according to the recorded plat thereof, and on a line parallel with and 8.5 feet Southerly (measured at right angles) from the center line of said Soo Line Railroad Company Track No. 2; thence Westerly, along said parallel line to the intersection with a line parallel with and 25.00 feet Southerly (measured at right angles) from the center line of the main track of said Soo Line Railroad Company; thence Westerly along last said parallel line, to Railroad Survey Station 4379480; thence Southerly, deflecting to the left 90 degrees 00 minutes, a distance of 25.00 feet to the Northerly line of Block 5 of said HAINES ADDITION; thence Easterly, along said Northerly line, to the Northeast corner of said Block 5; thence Southwesterly, along the Southeasterly line of said Block 5, to the Northerly line of Railroad Street in said HAINES ADDITION; thence Easterly, along last said Northerly line, to the intersection with said Northerly extension of the Westerly line of Washburn Avenue; thence Northerly, along said Northerly extension, to the point of beginning.*

AND ALSO:

63

*The Northeast Two (2) acres of Block 5 of Haines Addition to the City of Paynesville, Stearns County, Minnesota; and*  
WHEREAS, the property in question is zoned "I-2" – Heavy Industrial

District; and

WHEREAS, the Planning Commission believes that the owner's use of the property as proposed would be:

- a)  Unreasonable; or
- b)  Reasonable

because it matches what is already existing; and

WHEREAS, the Planning Commission believes that the landowner's property is:

- a)  Due to circumstances unique to the property and not caused by the landowner;
- b)  Is not due to circumstances which are unique to the property or was caused by the landowner;

because there is no room to expand in any other reasonable manner; and

WHEREAS, The Planning Commission finds that the Variance, if granted:

- a)  Will not alter the essential character of the locality; or
- b)  Will alter the essential character of the locality;

because the silos are already in that area on the property; and

WHEREAS, the Planning Commission finds that the Variance, if granted:

64

- a)  Will be in harmony with the general purpose and intent of the zoning ordinance and the Comprehensive Plan; or
- b)  Will not be in harmony with the general purpose and intent of the zoning ordinance and the Comprehensive Plan;

because it is accommodating the same improvement that has been approved in the past at the same location.

THEREFORE, the Planning Commission recommends that the request for Variance be:

- a)  Granted; or
- b)  Denied.

PAYNESVILLE PLANNING COMMISSION

By: \_\_\_\_\_

Ron Mehr, Chairperson

DATE: April 4, 2016

ATTEST:

Renee Eckerly  
Renee Eckerly, City Administrator

**VARIANCE DETERMINATION**

WHEREAS, the City Council of the City of Paynesville, acting as the Board of Adjustment, has received a report and recommendation from the Planning Commission with regard to a Variance request from Associated Milk Producers, Inc., (hereinafter referred to as AMPI) which application for Variance was completed by the applicant on March 24, 2016; and

WHEREAS, the Planning Commission has recommended:

- a) \_\_\_\_\_ Approval of the requested Variance; or
- b) \_\_\_\_\_ Denial of the requested Variance; and

WHEREAS, AMPI is the owner of property located at 200 Railroad Street, Paynesville, MN 56362; and

WHEREAS, a public hearing on the Variance application was held on May 9, 2016, at 6:30 p.m., Paynesville City Hall, 221 Washburne Avenue, Paynesville, MN 56362;

NOW, THEREFORE, the Board of Adjustment makes the following:

66

## REPORT/FINDINGS

1. The property in question is located at 200 Railroad Street, Paynesville, MN 56362.
2. The property in question is currently zoned "I-2" – Heavy Industrial District.
3. The property in question is Tax Parcel Nos. 70.70461.000 and 70.39050.000, which parcels are legally described as follows, to-wit:

*All that part of the Soo Line Railroad Company right of way described as follows: Beginning at the intersection of the Northerly extension of the Westerly line of Washburn Avenue in HAINES ADDITION to the City of Paynesville, Minnesota, according to the recorded plat thereof, and on a line parallel with and 8.5 feet Southerly (measured at right angles) from the center line of said Soo Line Railroad Company Track No. 2; thence Westerly, along said parallel line to the intersection with a line parallel with and 25.00 feet Southerly (measured at right angles) from the center line of the main track of said Soo Line Railroad Company; thence Westerly along last said parallel line, to Railroad Survey Station 4379480; thence Southerly, deflecting to the left 90 degrees 00 minutes, a distance of 25.00 feet to the Northerly line of Block 5 of said HAINES ADDITION; thence Easterly, along said Northerly line, to the Northeast corner of said Block 5; thence Southwesterly, along the Southeasterly line of said Block 5, to the Northerly line of Railroad Street in said HAINES ADDITION; thence Easterly, along last said Northerly line, to the intersection with said Northerly extension of the Westerly line of Washburn Avenue; thence Northerly, along said Northerly extension, to the point of beginning.*

**AND ALSO:**

*The Northeast Two (2) acres of Block 5 of Haines Addition to the City of Paynesville, Stearns County, Minnesota; and*

4. The owner of the property described above is AMPI.
5. An appropriate Variance application has been filed and the required fee has been paid.

6. AMPI proposes to locate a structure, the main body of which will be setback 6 feet 4 inches from the intersection of its property line and the road right of way of Railroad Street, which does meet the 25 foot setback requirement of City Code, Chapter 11, Section 11.51, Subd. 3(a). In addition, there will be a stairwell between the main structure and the road right of way that will only be setback 2 feet 2 inches from the property line/street right of way. Therefore, the applicant seeks a Variance at the maximum of 23 feet 8 inches from the setback requirement of City Code, Chapter 11, Section 11.51, Subd. 3(a).

7. The requested Variance also seeks modification of the height limitation of Chapter 11, Section 11.51, Subd. 3(c), which provides that no structure shall hereafter be erected exceeding 45 feet in height with the proposed structures to be 65 feet in height, thereby requiring a Variance of 20 feet from the height limitation of Chapter 11, Section 11.51, Subd. 3(c).

8. The requested Variance also seeks a modification of the lot coverage limitation of Chapter 11, Section 11.51, Subd. 3(e), which provides that lot coverage shall not exceed 50%. With the addition of these structures lot coverage would total approximately 65%, thereby requiring a Variance from the requirements of Chapter 11, Section 11.51, Subd. 3(e), of approximately 15%.

9. The Planning Commission has reviewed the request for Variance and recommends that the request be:

a) \_\_\_\_\_ Granted; or

68

b) \_\_\_\_\_ Denied.

10. That notice of the public hearing on this Variance application before the full Council, sitting as a Board of Adjustment, was given to all interested parties notifying them of a hearing scheduled for May 9, 2016, at 6:30 p.m., at City Hall, 221 Washburne Avenue, Paynesville, MN 56362, said notice having been given in accordance with the requirements of the laws of the State of Minnesota and Chapter 11 of the City Code of the City of Paynesville, by publication and by mailing of individual notices to owners of property according to the assessment records located within 350 feet of the parcel described in the application for Variance.

11. The Board of Adjustment concludes based on the facts presented that the owners' use of the property as proposed would be:

a) \_\_\_\_\_ Unreasonable; or

b) \_\_\_\_\_ Reasonable;

because \_\_\_\_\_; and

12. The Board of Adjustment concludes that the landowner's problem is:

a) \_\_\_\_\_ Due to circumstances unique to the property and not caused by the landowner; or

b) \_\_\_\_\_ Is not due to circumstances which are unique to the property or was caused by the landowner;

because \_\_\_\_\_; and

13. The Board of Adjustment concludes based on the facts presented that if the Variance is granted it:

- a) \_\_\_\_\_ Will not alter the essential character of the locality; or
- b) \_\_\_\_\_ Will alter the essential character of the locality;

because \_\_\_\_\_; and

14. The Board of Adjustment concludes based on the facts presented that if the Variance is permitted:

- a) \_\_\_\_\_ Will be in harmony with the general purpose and intent of the zoning ordinance and the Comprehensive Plan; or
- b) \_\_\_\_\_ Will not be in harmony with the general purpose and intent of the zoning ordinance and the Comprehensive Plan;

because \_\_\_\_\_.

### VARIANCE

The Board of Adjustment, having received and reviewed the application for Variance, and having taken public comment thereon, and having reviewed the recommendation of the Planning Commission, and being fully advised, hereby:

- a) \_\_\_\_\_ Grants; or
- b) \_\_\_\_\_ Denies

the Variance requested to allow the construction of structures which at their closest point would be set back only 2 feet 2 inches from the right of way line of Railroad Street; the construction of structures which would exceed the 50% maximum lot coverage so as to allow lot coverage of approximately

65%; and to allow the construction of structures which would exceed the maximum height allowed of 45 feet to allow structures of 65 feet in height.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Jeff Thompson, Mayor

ATTEST:

\_\_\_\_\_  
Renee Eckerly, City Administrator

THIS INSTRUMENT DRAFTED BY:

William Spooner  
SPOONER & GLENZ LAW OFFICES, PLLC  
113 Washburne Avenue  
Paynesville, MN 56362  
(320) 243-3748  
Atty. Regn. No. 0131088

21

## REQUEST FOR COMMITTEE/COUNCIL ACTION

**COMMITTEE/COUNCIL NAME:** City Council

Committee/Council Meeting Date: May 9, 2016

Agenda Section: Old Business

Originating Department: Administration

Item Number: VII - D

**ITEM DESCRIPTION:** Hiring of Lifeguards

Prepared by: Renee Eckerly, City Administrator

### **COMMENTS:**

The beach is in need of lifeguard staffing for the summer as two previous lifeguards are not returning. The City received two applications and did one interview on April 27, 2016. The rate of pay in the 2016 Budget for Lifeguards is \$10.00 and Head Lifeguard is \$12.00 per hour.

Lifeguards must have current certification in Lifeguard Training, CPR & First Aid. They will be working 20-25 hours per week. Hours of operation 12:00 p.m.-7:00 p.m. daily, June-August. In case of inclement weather, lifeguards will be assigned to a different area for the day (all hours guaranteed).

Renee Eckerly, City Administrator and Ron Mergen, Public Works Director/Airport Manager recommend hiring Alyssa Meed as a Lifeguard and promoting Trevor Meed to Head Lifeguard. Trevor Meed has been a Lifeguard for the City since June 2013.

The City will continue to advertise to fill the remaining open position.

### **ADMINISTRATOR COMMENTS:**

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

Motion to hire Alyssa Meed as a Part-Time Lifeguard at \$10.00/hour and promote Trevor Meed to Head Lifeguard at \$12.00/hour.

## REQUEST FOR COMMITTEE/COUNCIL ACTION

**COMMITTEE/COUNCIL NAME:** City Council

Committee/Council Meeting Date: May 9, 2016

Agenda Section: Old Business

Originating Department: Administration

Item Number: VII - E

**ITEM DESCRIPTION:** Hiring Of Part-Time Seasonal 67 Day Maintenance Worker Employee

Prepared by: Renee Eckerly, City Administrator

### **COMMENTS:**

Renee Eckerly, City Administrator and Ron Mergen, Public Works Director/Airport Manager interviewed two candidates for the open Part-Time Seasonal 67 Day Maintenance Worker position. There were two applicants. This position became open when Devon Savage resigned.

Ron Mergen, Public Works Director/Airport Manager recommends hiring Matt Quade and placing Brody Strand on an eligibility list.

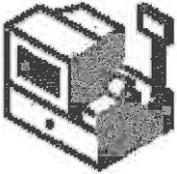
### **ADMINISTRATOR COMMENTS:**

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

Motion to hire Matt Quade for the Seasonal Part-Time 67 Day Maintenance Worker position at \$9.19 per hour (Grade 1/Step 2) effective May 9, 2015.

Motion to place Brody Strand on the eligibility list for the Seasonal Part-Time 67 Day Maintenance Worker position.

**INFORMATIONAL**



# Paynesville Municipal Liquor

## Current Sales & Margins

Generated On 5/3/2016

Sold Between 4/1/2016 AND 4/30/2016) AND (Profit Margin > -90) AND (Profit < 600000) AND (NOT Department = Store Consumable)

Department	Description	Qty Sold	Total Sales	Profit	Profit Margin
<input type="checkbox"/> Overall		10203.01	\$108,718.63	\$25,584.46	23.17%
<input checked="" type="checkbox"/> Beer		4060.00	\$55,328.62	\$12,225.60	22.39%
<input checked="" type="checkbox"/> Club		142.00	\$2,747.00	\$2,010.00	100.00%
<input checked="" type="checkbox"/> Deposits		0.00	\$0.00	\$0.00	0.00%
<input checked="" type="checkbox"/> Donation		1.00	\$1.00	\$1.00	100.00%
<input checked="" type="checkbox"/> Energy Drinks		14.00	\$69.46	\$18.04	34.34%
<input checked="" type="checkbox"/> Gift Card Sales		4.00	\$125.00	\$125.00	100.00%
<input checked="" type="checkbox"/> Ice and Water		171.00	\$408.17	\$192.49	48.88%
<input checked="" type="checkbox"/> Liquor		2167.00	\$28,511.63	\$6,509.78	25.99%
<input checked="" type="checkbox"/> Lott Scr Payout		380.01	(\$370.00)	(\$33.00)	100.00%
<input checked="" type="checkbox"/> Lottery Scratch Tic...		251.00	\$1,153.00	\$60.83	5.50%
<input checked="" type="checkbox"/> Misc		535.00	\$2,097.25	\$505.18	23.77%
<input checked="" type="checkbox"/> Online Lotto		441.00	\$555.00	\$10.45	5.50%
<input checked="" type="checkbox"/> Online Lotto Payout		134.00	(\$134.00)	(\$0.80)	5.00%
<input checked="" type="checkbox"/> Pop		166.00	\$444.24	\$111.80	24.50%
<input checked="" type="checkbox"/> Tobacco		587.00	\$6,562.35	\$725.66	11.58%
<input checked="" type="checkbox"/> Wine		1150.00	\$11,219.91	\$3,122.43	15.82%

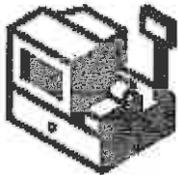
Sales up 12,536

or 11.5%

Profit up

3675

or 14.4%



# Paynesville Municipal Liquor

## Current Sales & Margins

Generated On 4/30/2016

Sold Between 4/1/2015 AND 4/30/2015) AND (Profit Margin > -90) AND (Profit < 600000) AND (NOT Department = Store Consumable)

Department	Description	Qty Sold	Total Sales	Profit	Profit Margin
<input type="checkbox"/> Overall		9431.00	\$96,182.49	\$22,179.46	24.69%
<input checked="" type="checkbox"/> Beer		3731.00	\$49,074.85	\$10,754.58	22.44%
<input checked="" type="checkbox"/> Club		39.00	\$257.00	\$227.00	100.00%
<input checked="" type="checkbox"/> Deposits		0.00	\$0.00	\$10.00	14.28%
<input checked="" type="checkbox"/> Energy Drinks		12.00	\$78.08	\$26.20	34.02%
<input checked="" type="checkbox"/> Gift Card Sales		2.00	\$65.00	\$65.00	100.00%
<input checked="" type="checkbox"/> Ice and Water		188.00	\$364.34	\$177.37	51.68%
<input checked="" type="checkbox"/> Liquor		1891.00	\$25,510.20	\$6,143.53	27.55%
<input checked="" type="checkbox"/> Lott Scr Payout		471.00	(\$471.00)	(\$39.00)	100.00%
<input checked="" type="checkbox"/> Lottery Scratch Tic...		263.00	\$832.00	\$37.40	5.50%
<input checked="" type="checkbox"/> Misc		547.00	\$2,054.68	\$480.90	21.88%
<input checked="" type="checkbox"/> Online Lotto		308.00	\$370.00	\$7.37	5.50%
<input checked="" type="checkbox"/> Online Lotto Payout		72.00	(\$72.00)	(\$0.60)	5.00%
<input checked="" type="checkbox"/> Pop		224.00	\$558.76	\$152.42	27.31%
<input checked="" type="checkbox"/> Tobacco		549.00	\$6,105.47	\$752.12	12.33%
<input checked="" type="checkbox"/> Wine		1134.00	\$11,455.11	\$3,385.17	29.63%

14



# Paynesville Municipal Liquor

## Current Sales & Margins

Generated On 5/3/2016

Sold Between 1/1/2016 AND 4/30/2016) AND (Profit Margin > -90) AND (Profit < 600000) AND (NOT Department = Store Consumable)

Department	Description	Qty Sold	Total Sales	Profit	Profit Margin
<input type="checkbox"/> Overall		37083.01	\$372,619.82	\$83,152.87	22.76%
<input checked="" type="checkbox"/> Beer		13607.00	\$184,252.44	\$39,009.28	21.37%
<input checked="" type="checkbox"/> Club		249.00	\$3,690.00	\$2,808.00	100.00%
<input checked="" type="checkbox"/> Deposits		-1.00	(\$75.00)	\$0.00	0.00%
<input checked="" type="checkbox"/> Donation		1.00	\$1.00	\$1.00	100.00%
<input checked="" type="checkbox"/> Energy Drinks		67.00	\$348.43	\$119.85	35.24%
<input checked="" type="checkbox"/> Gift Card Sales		9.00	\$200.00	\$200.00	100.00%
<input checked="" type="checkbox"/> Ice and Water		507.00	\$1,076.12	\$446.98	44.43%
<input checked="" type="checkbox"/> Liquor		7442.00	\$101,095.62	\$23,292.89	25.78%
<input checked="" type="checkbox"/> Lott Scr Payout		2605.01	(\$2,595.00)	(\$134.00)	100.00%
<input checked="" type="checkbox"/> Lottery Scratch Tic...		988.00	\$4,491.00	\$221.87	5.50%
<input checked="" type="checkbox"/> Misc		2097.00	\$7,686.81	\$1,867.36	22.90%
<input checked="" type="checkbox"/> Online Lotto		1892.00	\$2,845.00	\$56.11	5.55%
<input checked="" type="checkbox"/> Online Lotto Payout		400.00	(\$400.00)	(\$3.35)	5.00%
<input checked="" type="checkbox"/> Pop		705.00	\$1,771.65	\$438.83	25.52%
<input checked="" type="checkbox"/> Tobacco		2154.00	\$24,570.86	\$2,650.69	10.78%
<input checked="" type="checkbox"/> Wine		4361.00	\$43,660.89	\$12,177.36	24.55%

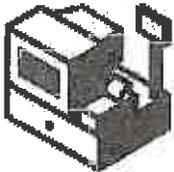
Sales up  
38,290

10.2%

profit

up 90%

10.9%



# Paynesville Municipal Liquor

## Current Sales & Margins

Generated On 5/3/2016

Sold Between 1/1/2015 AND 4/30/2015) AND (Profit Margin > -90) AND (Profit < 600000) AND (NOT Department = Store Consumable)

Department	Description	Qty Sold	Total Sales	Profit	Profit Margin
<input type="checkbox"/> Overall		34448.00	\$334,329.33	\$74,076.02	23.96%
<input checked="" type="checkbox"/> Beer		12787.00	\$166,676.93	\$33,572.00	21.07%
<input checked="" type="checkbox"/> Club		186.00	\$1,095.00	\$1,025.00	100.00%
<input checked="" type="checkbox"/> Deposits		-3.00	(\$160.00)	\$37.86	10.79%
<input checked="" type="checkbox"/> Energy Drinks		38.00	\$213.82	\$75.59	34.88%
<input checked="" type="checkbox"/> Gift Card Sales		7.00	\$195.00	\$195.00	100.00%
<input checked="" type="checkbox"/> Ice and Water		466.00	\$849.39	\$421.59	52.01%
<input checked="" type="checkbox"/> Liquor		6970.00	\$92,605.75	\$22,363.35	27.50%
<input checked="" type="checkbox"/> Lott Scr Payout		2172.00	(\$2,172.00)	(\$134.00)	100.00%
<input checked="" type="checkbox"/> Lottery Scratch Tic...		1087.00	\$3,615.00	\$159.50	5.50%
<input checked="" type="checkbox"/> Misc		1954.00	\$6,976.50	\$1,573.38	21.49%
<input checked="" type="checkbox"/> Online Lotto		1464.00	\$1,909.00	\$42.85	5.50%
<input checked="" type="checkbox"/> Online Lotto Payout		781.00	(\$781.00)	(\$2.70)	5.00%
<input checked="" type="checkbox"/> Pop		805.00	\$2,008.15	\$532.12	27.32%
<input checked="" type="checkbox"/> Tobacco		1824.00	\$21,106.09	\$2,635.16	12.39%
<input checked="" type="checkbox"/> Wine		3910.00	\$40,191.70	\$11,579.33	30.15%

# Consolidated Z Report

For batches closed between 4/1/2016 and 5/2/2016

Number of Registers 2 All Regs Closed? FALSE  
 Number of Batches 71 EDC Closed? TRUE

*Entire month April 2016*

Cash In		Misc.		Department Sales				
Opening Total	\$41,600.00	Total Sales	\$108,718.63	<u>Department Name</u>	<u>Cost</u>	<u>Sales</u>	<u>% of Sales</u>	
Sales	\$109,545.14	Total Tended	\$139,539.39	Beer	\$43,071.81	\$55,328.62	50.89 %	
Neg. Transactions	(\$826.51)	Total Change	(\$21,474.63)	Club	\$0.00	\$2,747.00	2.53 %	
Tax	\$9,346.13	Over / Short	(\$28.92)	(0.0264%)	Deposits	-\$0.00	\$0.00	0.00 %
Shipping	\$0.00	Cost of Goods	\$82,675.56	75.60 %	Donation	\$0.00	\$1.00	0.00 %
Debit Surcharge	\$0.00	Profit	\$26,043.07	24.40 %	Energy Drinks	\$47.88	\$69.46	0.06 %
Cash Back Fee	\$0.00	Commission	\$0.00		Gift Card Sales	\$0.00	\$125.00	0.11 %
Paid on Layaway	\$0.00	Discounts	\$2,674.03	2.40 %	Ice and Water	\$216.77	\$408.17	0.38 %
Paid to Account	\$0.00	Discount Quantity	1132	11.09 %	Liquor	\$22,053.42	\$28,511.63	26.23 %
Deposit Made	\$0.00	Product Count	10203.01		Lott Scr Payout	\$0.00	(\$370.00)	-0.34 %
Total	\$159,664.76	Not Scanned	0	0.00 %	Lottery Scratch Tickets	\$1,089.59	\$1,153.00	1.06 %
		Transaction Count	5091		Misc	\$1,572.17	\$2,097.25	1.93 %
		Avg. Transaction	\$21.48		Online Lotto	\$524.47	\$555.00	0.51 %
		Largest Transaction	\$740.00		Online Lotto Payout	(\$127.30)	(\$134.00)	-0.12 %
		No Sales	242	4.75 %	Pop	\$334.31	\$444.24	0.41 %
		Cancel Transaction	29	0.57 %	Tobacco	\$5,816.97	\$6,562.35	6.04 %
		Item Corrections	64	0.63 %	Wine	\$8,075.46	\$11,219.91	10.32 %
		Returns (11)	\$139.42	0.13 %				
		Post Voids (22)	\$560.67	0.51 %				
		Neg. Dollar Items	(\$561.01)	0.51 %				
		Manual Inventory Adjustments	\$0.00					
		Unique Customers	0					
		Trans w/ Customer	0	0.00 %				

Tender Type	Tender Information			
	Open	Shift	Close	Over/Short
Cash	\$41,600.00	\$45,052.69	\$86,580.81	(\$71.88)
Check	\$0.00	\$5,288.47	\$5,331.43	\$42.96
Credit Cards	\$0.00	\$67,713.60	\$67,713.60	\$0.00
Gift Cards	\$0.00	\$10.00	\$10.00	\$0.00
Offline Credit Card	\$0.00	\$0.00	\$0.00	\$0.00
Totals	\$41,600.00	\$118,064.76	\$159,635.84	(\$28.92)

Credit Card Detail		
Card Name	Count	Amount
Total		

**Discounts By Reason Code**

**Tax Collected**

<u>Reason code</u>	<u>Qty</u>	<u>Total</u>	<u>% Sales</u>	<u>Tax Name</u>	<u>Amount</u>
15% Coupon	2	\$10.00	0.01 %	MN Liquor Tax	\$8,927.57
15% Discount Craft Beer	37	\$68.21	0.06 %	MN Sales Tax	\$418.56
20% Discount off All	1	\$7.00	0.01 %	Total	\$9,346.13
2-6 pk for 12 pk Price	3	\$6.00	0.01 %		
Coded Beer	59	\$247.99	0.23 %		
Daily's 4 pk Disc	25	\$6.00	0.01 %		
Discontinued Item	147	\$1,139.03	1.04 %		
Quantity Discount	154	\$636.35	0.58 %		
Quantity Discounts	28	\$46.68	0.04 %		
Rex Goliath Discount	8	\$15.92	0.01 %		
Sale Price	295	\$630.00	0.57 %		
Senior Wednesday Discount	72	\$110.25	0.10 %		
Wine Bags 4 Bottles	57	\$73.67	0.07 %		
Wine Club	38	(\$708.50)	-0.65 %		
Wine sale	93	\$252.93	0.23 %		
Wine Tuesday Discount	113	\$132.50	0.12 %		
<b>Total</b>	<b>1132</b>	<b>\$2,674.03</b>			

**Payout & Drop Detail**

**Taxable Sales**

<u>Cashier</u>	<u>Payment To</u>	<u>Comment</u>	<u>Amount</u>	<u>Date/Time</u>	<u>Description</u>	<u>Amount</u>
					MN Liquor Tax	\$95,234.79
					MN Sales Tax	\$6,085.63
					Non Taxable	\$7,398.21
					Tax Exempt	\$0.00

**Return Detail**

<u>Cashier</u>	<u>Product description</u>	<u>Qty</u>	<u>Sold price</u>	<u>T #</u>	<u>Reg #</u>	<u>Date/Time</u>
April Mathies	Online Lotto Payout	(5)	\$5.00	400478	2	04/04/2016 9:20:45 AM
April Mathies	Blue Moon-Seasonal	(1)	(\$3.99)	402100	2	04/15/2016 12:00:23 PM
Ethan Brown	Bud Light 16oz 18 pk can	(1)	(\$18.49)	400445	2	04/02/2016 8:23:22 PM
Ethan Brown	Kinky Vodka 750ml	(1)	(\$19.99)	401400	2	04/09/2016 4:14:20 PM
Ethan Brown	Mich Golden Light 24 pk cn	(1)	(\$19.99)	403749	2	04/23/2016 6:07:04 PM
Ethan Brown	Mich Golden Light 24 pk cn	(1)	(\$19.99)	403749	2	04/23/2016 6:07:04 PM
Josh Mergen	Online Lotto Payout	(10)	\$10.00	402495	2	04/16/2016 3:00:33 PM
Josh Mergen	The Good Stuff Gold 1lb	(1)	(\$22.99)	402816	2	04/19/2016 1:02:26 PM
Trevor Thompson	Online Lotto Payout	(2)	\$2.00	400232	2	04/01/2016 9:39:55 PM
William Ludwig	Squirt 2 Ltr.(D)(D)	(1)	(\$1.99)	400694	2	04/05/2016 5:39:29 PM
William Ludwig	Keg Deposit	(1)	(\$30.00)	401965	2	04/14/2016 3:21:46 PM
William Ludwig	Miller Lite 16oz 18 pk can	(1)	(\$18.99)	403090	2	04/21/2016 12:40:45 PM
<b>Total</b>		<b>(26)</b>	<b>(\$139.42)</b>			

57

**Post Voids Detail**

<u>Cashier</u>	<u>Product description</u>	<u>Qty</u>	<u>Sold price</u>	<u>T #</u>	<u>Reg #</u>	<u>Date/Time</u>
April Mathies	Smirnoff Black 6 pk bt	(1)	(\$8.99)	403425	2	04/22/2016 5:53:49 PM
April Mathies	Can Tastic	(1)	(\$1.99)	403425	2	04/22/2016 5:53:49 PM
April Mathies	Mich Golden Light 12 pk cn	(1)	(\$10.99)	403425	2	04/22/2016 5:53:49 PM
Ethan Brown	Rivata Moscato d'Asti	(2)	(\$15.98)	402727	2	04/18/2016 4:49:42 PM
Ethan Brown	Bellini Strawberry Cocktail	(1)	(\$3.99)	402727	2	04/18/2016 4:49:42 PM
Ethan Brown	Miller Lite 24 pk cn	(1)	(\$17.99)	403744	2	04/23/2016 6:00:44 PM
Josh Mergen	Phillips Vodka 200 ml	(1)	(\$3.49)	400317	2	04/02/2016 1:44:39 PM
Kristin Desm	Stella Artois 12 pk bt	(1)	(\$15.99)	401367	1	04/09/2016 3:07:54 PM
Kristin Desm	Bud Black Crown 12 pk btl	(1)	(\$13.49)	401374	1	04/09/2016 3:22:52 PM
Kristin Desm	Kendall Jackson Chardonnay	(1)	(\$13.99)	401857	2	04/13/2016 5:25:54 PM
Kristin Desm	Kendall Jackson Chardonnay	(1)	(\$13.99)	401857	2	04/13/2016 5:25:54 PM
Kristin Desm	Kendall Jackson Chardonnay	(1)	(\$13.99)	401857	2	04/13/2016 5:25:54 PM
Trevor Thompson	Bud Light Lime 12 pk btl	(1)	(\$13.49)	400147	2	04/01/2016 5:39:46 PM
Trevor Thompson	Barefoot Red Spritzer Sng	(3)	(\$0.99)	400850	2	04/06/2016 9:07:15 PM
Trevor Thompson	Barefoot Red Spritzer Sng	(3)	(\$0.99)	400850	2	04/06/2016 9:07:15 PM
Trevor Thompson	Barefoot Red Spritzer Sng	(3)	(\$0.99)	400850	2	04/06/2016 9:07:15 PM
Trevor Thompson	Leine Honey Weiss 6 pk btl	(1)	(\$8.99)	400850	2	04/06/2016 9:07:15 PM
Trevor Thompson	Phillips Vodka 1.75 Ltr	(1)	(\$13.99)	402391	1	04/16/2016 10:54:24 AM
Trevor Thompson	Michelob Light 12 pk btl	(1)	(\$12.99)	403437	1	04/22/2016 6:24:59 PM
Trevor Thompson	Michelob Light 12 pk btl	(1)	(\$12.99)	403460	1	04/22/2016 7:09:52 PM
Trevor Thompson	Modelo Especial 6 pk btl	(1)	(\$8.99)	404837	1	04/30/2016 1:30:12 PM
Trevor Thompson	Fireball Whiskey 100ml	(1)	(\$1.99)	404837	1	04/30/2016 1:30:12 PM
Trevor Thompson	Mich Golden Light 12 pk btl	(1)	(\$10.99)	404874	1	04/30/2016 2:56:14 PM
Whitney Muetzel	Good Pinot Grigio 750ml	(1)	(\$10.99)	402581	2	04/16/2016 5:47:13 PM
Whitney Muetzel	Grain Belt Nordeast 12 btl	(1)	(\$12.49)	402581	2	04/16/2016 5:47:13 PM
William Ludwig	E&J Brandy 750 ml	(1)	(\$10.99)	400656	2	04/05/2016 4:10:12 PM
William Ludwig	Kamora Coffe Liquor	(12)	(\$115.08)	400855	2	04/07/2016 9:16:35 AM
William Ludwig	Kamora Coffe Liquor	(12)	(\$143.88)	400856	2	04/07/2016 9:16:46 AM
William Ludwig	Franzia Moscato 5 Ltr	(1)	(\$18.99)	404165	2	04/27/2016 4:03:08 PM
William Ludwig	Bud Light 12 pk cn	(1)	(\$10.99)	404165	2	04/27/2016 4:03:08 PM
William Ludwig	\$20.00 Lottery Scratch Ticket	(1)	(\$20.00)	404181	2	04/27/2016 4:23:38 PM
William Ludwig	Scratch Off Payout	(40)	\$40.00	404182	2	04/27/2016 4:27:09 PM
William Ludwig	\$20.00 Lottery Scratch Ticket	(1)	(\$20.00)	404182	2	04/27/2016 4:27:09 PM
William Ludwig	Fund Raiser	(1)	(\$15.00)	404195	2	04/27/2016 4:41:00 PM
<b>Total</b>		<b>(102)</b>	<b>(\$560.67)</b>			

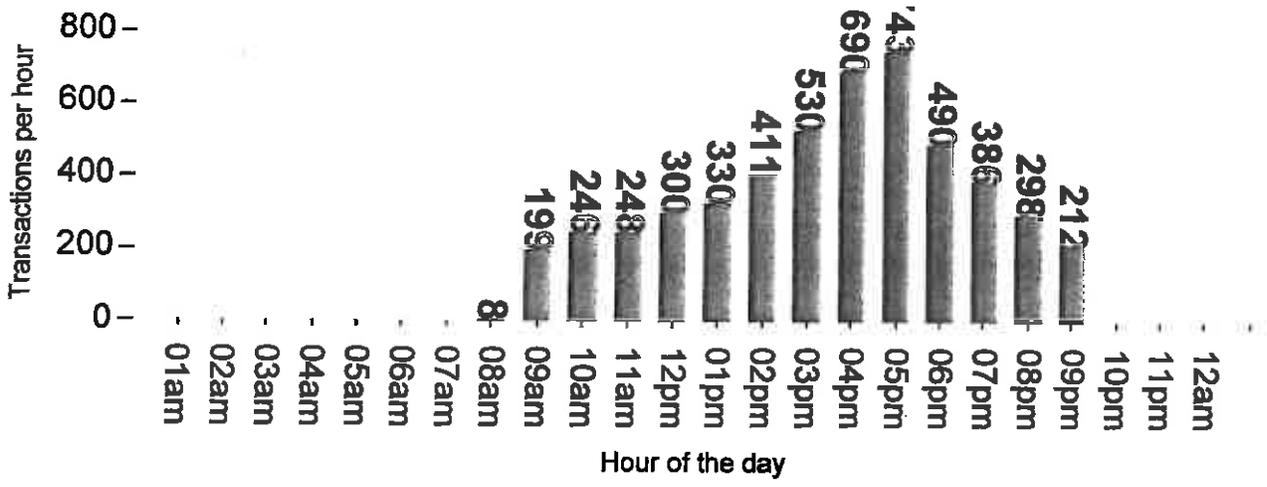
28

### Negative Item Detail

<u>Cashier</u>	<u>Product description</u>	<u>Qty</u>	<u>Sold price</u>	<u>T#</u>	<u>Reg #</u>	<u>Date/Time</u>
April Mathies	Scratch Off Payout	5.00	(\$5.00)	400478	2	04/04/2016 9:20:45 AM
April Mathies	Scratch Off Payout	0.01	(\$0.01)	401004	2	04/08/2016 9:02:41 AM
April Mathies	Online Lotto Payout	5.00	(\$5.00)	401757	2	04/13/2016 10:33:43 AM
April Mathies	Scratch Off Payout	5.00	(\$5.00)	401757	2	04/13/2016 10:33:43 AM
April Mathies	Scratch Off Payout	15.00	(\$15.00)	401765	2	04/13/2016 11:16:06 AM
April Mathies	Scratch Off Payout	2.00	(\$2.00)	403903	2	04/25/2016 4:28:47 PM
April Mathies	Scratch Off Payout	20.00	(\$20.00)	403938	2	04/25/2016 6:23:09 PM
April Mathies	Scratch Off Payout	5.00	(\$5.00)	403954	2	04/25/2016 7:14:31 PM
Ethan Brown	Scratch Off Payout	10.00	(\$10.00)	400964	2	04/07/2016 6:26:04 PM
Ethan Brown	Scratch Off Payout	6.00	(\$6.00)	401598	2	04/11/2016 6:18:21 PM
Ethan Brown	Scratch Off Payout	50.00	(\$50.00)	402919	2	04/19/2016 9:21:48 PM
Ethan Brown	Scratch Off Payout	1.00	(\$1.00)	403637	2	04/23/2016 3:03:24 PM
Ethan Brown	Scratch Off Payout	3.00	(\$3.00)	403669	2	04/23/2016 4:00:43 PM
Ethan Brown	Online Lotto Payout	2.00	(\$2.00)	405013	2	04/30/2016 7:20:07 PM
Josh Mergen	Scratch Off Payout	6.00	(\$6.00)	400053	1	04/01/2016 2:55:29 PM
Josh Mergen	Scratch Off Payout	15.00	(\$15.00)	402362	2	04/16/2016 9:27:29 AM
Josh Mergen	Online Lotto Payout	10.00	(\$10.00)	402419	2	04/16/2016 12:16:10 PM
Josh Mergen	Online Lotto Payout	4.00	(\$4.00)	402492	2	04/16/2016 2:57:49 PM
Josh Mergen	Scratch Off Payout	10.00	(\$10.00)	402495	2	04/16/2016 3:00:33 PM
Josh Mergen	Online Lotto Payout	12.00	(\$12.00)	403621	2	04/23/2016 2:29:32 PM
Josh Mergen	Scratch Off Payout	7.00	(\$7.00)	404593	1	04/29/2016 5:10:56 PM
Trevor Thompson	Scratch Off Payout	2.00	(\$2.00)	400232	2	04/01/2016 9:39:55 PM
Trevor Thompson	Scratch Off Payout	2.00	(\$2.00)	402355	1	04/16/2016 9:05:50 AM
Trevor Thompson	Scratch Off Payout	1.00	(\$1.00)	404224	1	04/27/2016 5:52:27 PM
Whitney Muetzel	Scratch Off Payout	10.00	(\$10.00)	400250	1	04/02/2016 10:30:22 AM
Whitney Muetzel	Online Lotto Payout	25.00	(\$25.00)	400297	1	04/02/2016 12:47:31 PM
Whitney Muetzel	Online Lotto Payout	6.00	(\$6.00)	400300	1	04/02/2016 12:55:27 PM
Whitney Muetzel	Online Lotto Payout	9.00	(\$9.00)	401182	2	04/08/2016 6:27:57 PM
Whitney Muetzel	Online Lotto Payout	7.00	(\$7.00)	404695	2	04/29/2016 8:20:44 PM
William Ludwig	Online Lotto Payout	36.00	(\$36.00)	400011	2	04/01/2016 12:22:52 PM
William Ludwig	Scratch Off Payout	100.00	(\$100.00)	400064	2	04/01/2016 3:30:57 PM
William Ludwig	Scratch Off Payout	4.00	(\$4.00)	400533	2	04/04/2016 4:33:05 PM
William Ludwig	Scratch Off Payout	5.00	(\$5.00)	400764	2	04/06/2016 2:41:46 PM
William Ludwig	Scratch Off Payout	3.00	(\$3.00)	400885	2	04/07/2016 2:12:01 PM
William Ludwig	Scratch Off Payout	5.00	(\$5.00)	401532	2	04/11/2016 12:18:13 PM
William Ludwig	Scratch Off Payout	3.00	(\$3.00)	401641	2	04/12/2016 11:22:09 AM
William Ludwig	Scratch Off Payout	5.00	(\$5.00)	401982	2	04/14/2016 4:24:36 PM
William Ludwig	Online Lotto Payout	4.00	(\$4.00)	401982	2	04/14/2016 4:24:36 PM
William Ludwig	Scratch Off Payout	25.00	(\$25.00)	403118	2	04/21/2016 2:51:00 PM
William Ludwig	Scratch Off Payout	40.00	(\$40.00)	404175	2	04/27/2016 4:20:10 PM
William Ludwig	Scratch Off Payout	40.00	(\$40.00)	404179	2	04/27/2016 4:21:59 PM
William Ludwig	Scratch Off Payout	2.00	(\$2.00)	404271	2	04/28/2016 10:19:27 AM
William Ludwig	Online Lotto Payout	24.00	(\$24.00)	404331	2	04/28/2016 4:17:03 PM
William Ludwig	Scratch Off Payout	3.00	(\$3.00)	404520	2	04/29/2016 3:19:30 PM
William Ludwig	Online Lotto Payout	7.00	(\$7.00)	404596	2	04/29/2016 5:13:27 PM

Total 561.01 (\$561.01)

79



8

# May 2016 City Meeting Schedule

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 Planning – 6 pm	3 Budget – 4:45 pm Liquor – 6:15 pm	4	5 Board of Appeal & Equalization – 6 pm	6	7
8 Mother's Day	9 Public Works – 5 pm Council – 6 pm	10	11	12	13 Water Festival 9 am – 3 pm	14
15	16 Planning – 6 pm	17 EDAP – 7 am	18	19 Wine Club – 7 pm	20	21
22	23 Council – 6 pm	24	25	26	27 Liquor Store Customer Appreciation Day	28
29	30 Memorial Day Holiday City Hall Closed	31				

17

# June 2016 City Meeting Schedule

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3 Beer Camp	4
5	6 Planning – 6 pm	7 Budget – 4:45 pm Liquor – 6:15 pm	8 T & C Days Parade 7 pm	9	10	11
12	13 Public Works – 5 pm Council – 6	14	15	16	17	18
19 Father's Day	20 Planning – 6 pm	21 EDAP – 7 am	22	23	24	25
26	27 Council – 6 pm	28 Public Safety – 5:30 pm	29	30 Wine Club – 7 pm		

2



Theresa Sunde  
Government Relations Manager

April 19, 2016

APR 22 2016

Dear Community Official:

Mediacom is in the process of transforming its TV channel line-up to all-digital. This transition will move channels 2-21 to a permanent digital home.

Enclosed is a sample of the customer letter to Mediacom customers in your area. It includes important information for customers without a digital ready TV on how to obtain the digital adapters needed to ensure uninterrupted service.

Should you have any questions please feel free to contact me at 507-837-4878 or email me at [tsunde@mediacomcc.com](mailto:tsunde@mediacomcc.com).

Sincerely,

*Theresa Sunde*

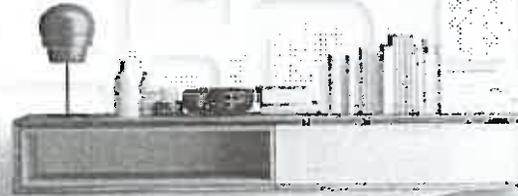
Benson Master Headend

Mediacom Communications Corporation  
1504 2<sup>nd</sup> Street SE, Waseca, Minnesota 56093

83



**Customer Service Division**  
 1504 2nd St. SE  
 PO Box 110  
 Waseca, MN 56093



**IMPORTANT NOTICE FOR:**

<Walk Sequence>  
 <Customer Name>  
 <Address 1> <Address 2>  
 <City, State Zip>  
 <BARCODE>

<ACCOUNT #>

In 2014, Mediacom converted most of your channel lineup from analog to digital-only signals. We are now preparing to complete the conversion by moving all remaining analog channels to a 100% digital-only lineup.

**On or about June 15, MC22 and C-SPAN will change to digital-only signals. The remaining analog channels between 2-22 will change to digital-only signals on or about June 21.**

As a result, you may need to take action to ensure all of your TVs are equipped to receive the digital signals when ALL of the remaining analog signals go away.

If you already have a Mediacom digital adapter or digital converter box connected to all of your TVs or if you have a digital-ready TV, you do not need to order any additional equipment.

If you are unsure whether you need to take action, use the Digital Conversion Checklist on the back of this letter to see what action is required.

If you need a digital adapter, Mediacom will provide all Family TV subscribers with one additional digital adapter at no cost through May 31, 2017. Beginning June 1, 2017, a monthly fee of \$0.99 per standard adapter or \$1.99 per HD adapter will be added to your bill. **Adapters must be ordered by July 31, 2016, to qualify for the promotional offer.** Additional digital adapters are available for a monthly fee of \$0.99 per standard adapter and \$1.99 per HD adapter.

To order your digital adapters, please go to [www.mediacomcable.com/order](http://www.mediacomcable.com/order) and we will send your new digital adapters directly to your home. Please reference your customer account number (listed above) when you order to make the process easier. If you need assistance with placing an order or do not have internet access, please call **1-866-936-2225** or visit your local Mediacom office.

We value you as a customer and look forward to providing you with exciting new services in the future.

Sincerely,

*Jeff Anfinson*

Jeff Anfinson  
 Manager, Area Operations

**LOCAL OFFICE HOURS**

**REDWOOD FALLS OFFICE**

510 West Park Road  
 Redwood Falls, MN 56283  
 M-F 8 AM – 5 PM  
 Closed daily 11 AM – 12 PM  
 Closed Wednesday 9 AM – 10 AM

**HUTCHINSON OFFICE**

902 Highway 15 S.  
 Hutchinson, MN 55350  
 M-F 8 AM – 5 PM  
 Closed daily 11 AM – 12 PM  
 Closed Wednesday 9 AM – 10 AM

**BROOKINGS OFFICE**

948 22nd Ave S.  
 Brookings, SD 57006  
 M-F 8 AM – 5 PM  
 Closed Wednesday 9 AM – 10 AM

For a current channel lineup, including a digital-ready TV lineup, go to: [mediacomtoday-lineup.com](http://mediacomtoday-lineup.com).

<BARCODE>

64



# Account Summary

Basic Securities Account  
364-109931-089

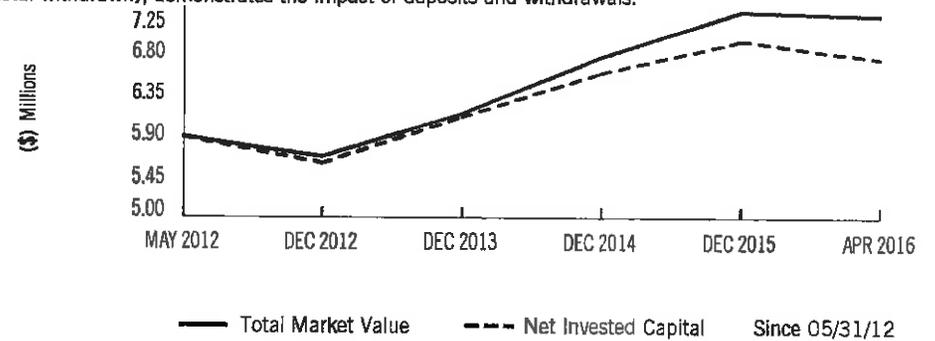
CITY OF PAYNESVILLE  
ATTN: RENEE ECKERLY

## CHANGE IN VALUE OF YOUR ACCOUNTS (includes accrued interest)

	This Period (4/1/16-4/30/16)	This Year (1/1/16-4/30/16)
<b>TOTAL BEGINNING VALUE</b>	<b>\$7,002,217.53</b>	<b>\$7,208,697.48</b>
Credits	145,000.00	542,419.72
Debits	(4,405.47)	(737,793.80)
Security Transfers	—	—
<b>Net Credits/Debits/Transfers</b>	<b>\$140,594.53</b>	<b>\$(195,374.08)</b>
<b>Change in Value</b>	<b>24,363.37</b>	<b>153,852.03</b>
<b>TOTAL ENDING VALUE</b>	<b>\$7,167,175.43</b>	<b>\$7,167,175.43</b>

## CHANGE IN VALUE OVER TIME

The display of market value (total account value) and net invested capital (total amount invested minus total withdrawn), demonstrates the impact of deposits and withdrawals.

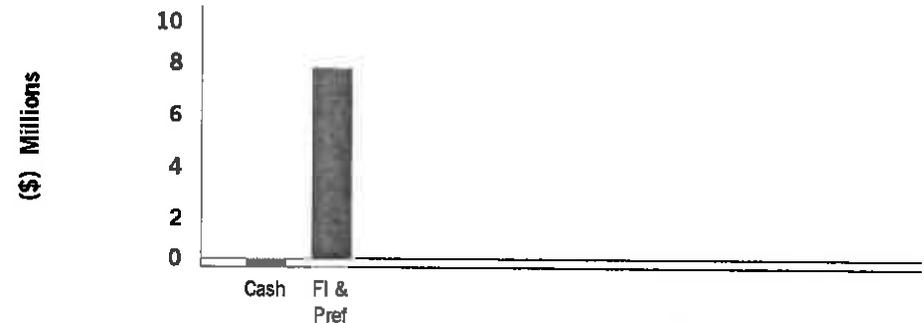


*This graph does not reflect corrections to Net Invested Capital or Market Value made subsequent to the dates depicted. It may exclude transactions in Annuities or positions where we are not the custodian, which could delay the reporting of Market Value or affect the Net Invested Capital.*

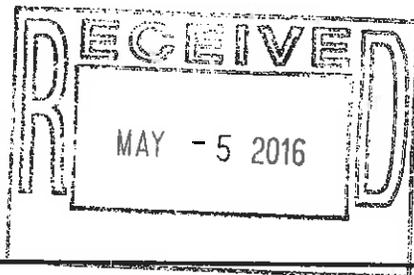
## ASSET ALLOCATION (includes accrued interest)

	Market Value	Percentage
Cash	\$(298,721.01)	(4.17)
Fixed Income & Preferreds	7,465,896.44	104.17
<b>TOTAL VALUE</b>	<b>\$7,167,175.43</b>	<b>100.00%</b>

*FDIC rules apply and Bank Deposits are eligible for FDIC insurance but are not covered by SIPC. Cash and securities (including MMFs) are eligible for SIPC coverage. See Expanded Disclosures. Values may include assets externally held, which are provided to you as a courtesy, and may not be covered by SIPC. For additional information, refer to the corresponding section of this statement.*



*This asset allocation represents holdings on a trade date basis, and projected settled Cash/BDP and MMF balances. These classifications do not constitute a recommendation and may differ from the classification of instruments for regulatory or tax purposes.*



NO PAYS 85486  
87

## Account Summary

Basic Securities Account  
364-109931-089

CITY OF PAYNESVILLE  
ATTN: RENEE ECKERLY

### BALANCE SHEET <sup>(^ includes accrued interest)</sup>

	Last Period (as of 3/31/16)	This Period (as of 4/30/16)
Cash, BDP, MMFs	—	\$1,285.49
Government Securities ^	552,290.25	851,806.33
Certificates of Deposit ^	6,449,927.28	6,614,090.11
Net Unsettled Purchases/Sales	—	(300,006.50)
<b>Total Assets</b>	<b>\$7,002,217.53</b>	<b>\$7,167,175.43</b>
<b>Total Liabilities</b> (outstanding balance)	—	—
<b>TOTAL VALUE</b>	<b>\$7,002,217.53</b>	<b>\$7,167,175.43</b>

### INCOME AND DISTRIBUTION SUMMARY

	This Period (4/1/16-4/30/16)	This Year (1/1/16-4/30/16)
Interest	\$5,690.96	\$41,659.57
<b>Total Taxable Income And Distributions</b>	<b>\$5,690.96</b>	<b>\$41,659.57</b>
<b>Total Tax-Exempt Income</b>	—	—
<b>TOTAL INCOME AND DISTRIBUTIONS</b>	<b>\$5,690.96</b>	<b>\$41,659.57</b>

*Taxable and tax exempt income classifications are based on the characteristics of the underlying securities and not the taxable status of the account.*

### CASH FLOW

	This Period (4/1/16-4/30/16)	This Year (1/1/16-4/30/16)
<b>OPENING CASH, BDP, MMFs</b>	—	—
Purchases	(445,006.50)	(840,006.50)
Sales and Redemptions	—	695,000.00
Net Unsettled Purch/Sales	300,006.50	300,006.50
Income and Distributions	5,690.96	41,659.57
<b>Total Investment Related Activity</b>	<b>\$(139,309.04)</b>	<b>\$196,659.57</b>
Checks Deposited	—	2,419.72
Electronic Transfers-Credits	145,000.00	540,000.00
Electronic Transfers-Debits	(4,405.47)	(737,793.80)
<b>Total Cash Related Activity</b>	<b>\$140,594.53</b>	<b>\$(195,374.08)</b>
<b>CLOSING CASH, BDP, MMFs</b>	<b>\$1,285.49</b>	<b>\$1,285.49</b>

### GAIN/(LOSS) SUMMARY

	Realized This Period (4/1/16-4/30/16)	Realized This Year (1/1/16-4/30/16)	Unrealized Inception to Date (as of 4/30/16)
Short-Term Gain	—	—	\$14,637.60
Short-Term (Loss)	—	—	(703.15)
<b>Total Short-Term</b>	—	—	<b>\$13,934.45</b>
Long-Term Gain	—	—	70,665.25
Long-Term (Loss)	—	—	(1,180.00)
<b>Total Long-Term</b>	—	—	<b>\$69,485.25</b>
<b>TOTAL GAIN/(LOSS)</b>	—	—	<b>\$83,419.70</b>

*The Gain/(Loss) Summary, which may change due to basis adjustments, is provided for informational purposes and should not be used for tax preparation. Refer to Gain/(Loss) in the Expanded Disclosures.*

