

City of Long Prairie
Council meeting
7:00 P.M., Tuesday, January 2, 2018

The Long Prairie City Council met in regular session at City Hall, 7:00 p.m., Tuesday, January 2, 2018. Mayor Don Rasmussen called the meeting to order with the following present: Council members Tony Towle, Randy Mechels, Lilah Gripne, Devin Hines and City Administrator/Clerk Brenda Thomes.

Councilor Gripne motioned Towle seconded to adopt the agenda as is. Motion carried.

Councilor Mechels motioned Hines seconded to approve the council minutes of December 18, 2017. Motion carried.

Dr. Paul Van Gorp addressed the council on fire department physicals as Mr. Van Gorp is the Health Officer for the City of Long Prairie. Some time ago, Paul Van Gorp, the Fire Chief, City Administrator, and a few other people formed a committee that put a physical requirement together for the fire department. It was a combination of a questionnaire and them actually doing a stress test with their full gear on. In the last year, this protocol has changed and Mr. Van Gorp is going to work on trying to figure out why it's changed and why it's not uniform anymore.

Councilor Mechels motioned Towle seconded to have Dr. Van Gorp check into the employee's physical for the fire department. This will be done every other year with the off year doing the smaller physical. Motion carried.

**CITY OF LONG PRAIRIE
SETTING 2018 APPOINTMENTS**

City Council of Long Prairie, Minnesota, that the following appointments are effective for the calendar year 2018:

- **Regular Meeting Dates as:** First Monday and Third Monday of each month.
Note: Should Council not hold meetings on those dates, alternative date will be the following Tuesday.
- **Official Check Signers:** Don Rasmussen and Brenda Thomes
- **Official Depository is designated as:** (American Heritage National Bank, Minnesota National Bank, Mid-Central Savings & Loan, Central Minnesota Credit Union and other financially sound institutions which are in compliance with Minnesota Statutes governing city depositories as official depositories)
- **Official Newspaper is designated as:** Long Prairie Leader
- **Mileage Reimbursement Rate set as:** Current IRS Rate
- **Appointment of Acting Mayor:** Councilor Gripne
- **City Auditor:** Schlenner Wenner & Co.
- **City Attorney – Brown & Krueger – Civil**
City Attorney – Brown & Krueger – Criminal
- **Weed Inspector – Park, Street and Airport Supervisor**

Mayor Committee Appointments

- **Public Works & Broadband - Council Member Mechels**
- **Public Safety - Council Member Towle**

- **Liquor Store, Health & Library, Park & Rec, - Council Member Hines**
- **Planning & Zoning, & EDA - Council Member Gripne**
- **Adm., Comm. Concern for Youth, Tourism, and Airport – Mayor Rasmussen**

Council Mechels motioned Towle seconded to approve the Mayor’s Appointments for 2018. Motion carried.

Councilor Gripne motioned Mechels seconded to approve the following Resolution 18-01-02:01:

RESOLUTION #18-01-02:01
PERA POLICE OFFICER DECLARATION

WHEREAS, the policy of the State of Minnesota as declared in Minnesota Statutes 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of other; and

WHEREAS, Minnesota Statutes Section 353.64 permits governmental subdivisions to request coverage in the Public Employees Police and Fire plan for eligible employees of police departments whose position duties meet the requirements stated therein and listed below.

BE IT RESOLVED that the City Council of the City of Long Prairie hereby declares that the position titled Police Officer, currently held by Jacob Fasching, meets all of the following Police and Fire membership requirements:

1. Said position requires a license by the Minnesota peace officer standards and training board under sections 626.84 to 626.863 and this employee is so licensed;
2. Said position’s primary (over 50%) duty is to enforce the general criminal laws of the state;
3. Said position charges this employee with the prevention and detection of crime’
4. Said position gives this employee full power of arrest, and
5. Said position is assigned to a designated police or sheriff’s department.

BE IT FURTHER RESOLVED that this governing body hereby requests that the above-named employee be accepted as a member of the Public Employees Police and Fire Plan effective the date of this employee’s initial Police and Fire salary deduction by the governmental subdivision.

STATE OF MINNESOTA
COUNTY OF TODD

I, Brenda Thomes, City Administrator/Clerk of the City of Long Prairie, do hereby certify that this is a true and correct transcript of the resolution that was adopted at a meeting held on the 2nd day of January, 2018; the original of which is on file in this office. I further certify that 5 members voted in favor of this resolution and that 5 members were present and voting.

Signed: _____
Brenda Thomes
City Administrator/Clerk

Date: _____

Motion carried.

Councilor Mechels motioned Gripne seconded to approve the Reasonable Accommodations as follows:

REASONABLE ACCOMMODATION

2.301. Reasonable Accommodation. The following shall apply to requests for reasonable accommodation involving any city ordinance, regulation or policy:

(1) The city has a legitimate interest in imposing regulations to protect the public health, safety, and general welfare. However, these regulations may not be applied in a manner that denies reasonable accommodation as required by the federal Fair Housing Amendments Act of 1988. It is the policy of the city to provide reasonable accommodation for person with disabilities seeking fair and equal access to housing, in compliance with federal law. Reasonable accommodation means granting a modification or waiver of city regulations or policies to an individual with a disability, or to a developer of housing for an individual with a disability, when necessary to eliminate barriers to housing opportunities as required by the Act. The process for making and acting upon requests for reasonable accommodation is set forth below.

(2) A person may request the modification or waiver of city Ordinances, regulations or policies by submitting a request in writing to the city administrator. No fee is required for the application. "Person" includes an individual with a disability, his or her representative, or a developer or provider of housing for an individual with a disability. The application must include a detailed explanation of why the modification or waiver is reasonably necessary to make the specific housing available to the person, including verification of the disability, as well as other information required by the director. If the request also requires another city review or approval, then the applicant must file the request concurrently with that application.

(3) The City administrator, in consultation with the city attorney, has the authority to consider and act on requests for reasonable accommodation, except that request associated with another city review or approval will be considered and decided concurrently with that application. A decision must be in writing and include the imposition of conditions. In making a decision, the following factors must be considered:

- a. whether there is a qualifying disability;
- b. whether the request is needed to allow a disabled person equal opportunity to use and enjoy a dwelling, or to live in a particular neighborhood, as a person without disabilities;
- c. whether the request is reasonable, considering such things as the potential impact on surrounding uses, the extent to which the accommodation meets the stated need, and other alternatives that may meet that need;
- d. whether the request would constitute a fundamental alteration of the city's regulations, policies, or procedures;
- e. whether the request would impose an undue financial or administrative burden on the city; and
- f. any other factor that may have a bearing on the request.

(4) The city administrator's written decision, including notice of the right to appeal, must be mailed to the applicant and to the owners of all properties that are immediately adjacent to the property that is the subject of the request. An aggrieved party may appeal the city administrator's decision to the city council by submitting a written request to the city administrator within 10 days after the decision was

mailed to that party. The city administrator's decision is the final decision of the

city, unless properly appealed. Only the aggrieved applicant and immediately adjacent property owners who received notice of the written determination have a right to appeal.

(5) An approved request is granted only to an individual and does not run with the land unless the director determines that (a) the accommodation is physically integrated into the residential structure and cannot easily be removed or altered or (b) the accommodation is to be used by another individual with a disability.

(6) The city administrator may require that the applicant record a covenant agreeing to comply with conditions established in the determination, before the issuance of any permits related to an approved reasonable accommodation.

(No Prior Ordinance)

Administrator Thomes will go back to Joe Krueger's office and note one change for the definition of person. We will make that change and then we will go out for public hearing on the Reasonable Accommodation. Then we can go forward with adopting.

Motion carried.

Councilor Gripne motioned Hines seconded to accept the quote from Viking Garage Door to install at the Todd Field Airport in the amount of \$1,000. Motion carried.

There will be an additional cost of \$40 or less so we can have two remotes. The only had one on the quote.

Councilor Mechels motioned Towle seconded to approve the Worker's Compensation Plan for 2018 with the \$1,000 deductible. Motion carried.

Councilor Mechels motioned Towle seconded to approve the following resolution:

RESOLUTION #18-01-02:02
RESOLUTION FOR INVESTMENT OF CITY FUNDS

RESOLVED, that the City Council of the City of Long Prairie authorizes the City Administrator/Clerk and/or the Mayor to invest funds according to the City's investment policy in a Financial Institution which would then be designated as a depository for the funds of the City, which may be withdrawn on checks, drafts, advices of debit, notes or other orders for the payment of monies bearing the following appropriate number of signatures: any one (1) of the following named officers or employees of this City ("Agents"), whose actual signatures are shown below:

Brenda M. Thomes
City Administrator/Clerk

Donald E. Rasmussen
Mayor

and that the Financial Institution shall be and is authorized to honor and pay the same

FURTHER RESOLVED, that any one of such Agents is authorized to endorse all checks, drafts, notes and other items payable to or owned by this City for deposit with the Financial

Institution, or for collection or discount by the Financial Institution; and to accept drafts and other items payable at the Financial Institution.

FURTHER RESOLVED, that the above named agents are authorized and empowered to execute such other agreements, including, but not limited to, special depository agreements and arrangements regarding the manner, conditions, or purposes for which funds, checks, or items of the City may be deposited, collected, or withdrawn and to perform such other acts as they deem reasonably necessary to carry out the provisions of these resolutions.

FURTHER RESOLVED, that the authority hereby conferred upon the above named Agents shall be and remain in full force and effect until written notice of any amendment or revocation thereof shall have been delivered to and received by the Financial Institution at each location where an account is maintained. Financial Institution shall be indemnified and held harmless from any loss suffered or any liability incurred by it in continuing to act in accordance with this resolution. Any such notice shall not affect any items in process at the time notice is given.

I FURTHER CERTIFY that the persons named above occupy the positions set forth opposite their respective names and signatures; that the foregoing Resolution now stands of record on the books of the City; that they are in full force and effect and have not been modified in any manner whatsoever.

Passed by the city council this ____th day of January, 2018.

CERTIFIED TO AND ATTESTED BY:

Brenda M. Thomes
City Administrator/Clerk

Don Rasmussen
Mayor

Motion carried.

Councilor Gripne motioned Hines seconded to approve the following resolution:

**RESOLUTION NO. 18-1-02:03
RESOLUTION ESTABLISHING PROCEDURES
RELATING TO COMPLIANCE WITH REIMBURSEMENT BOND
REGULATIONS UNDER THE INTERNAL REVENUE CODE**

BE IT RESOLVED by the City Council (the "Council") of the City of Long Prairie, Minnesota (the "City"), as follows:

1. Recitals.
 - (a) The Internal Revenue Service has issued Treasury Regulations, Section 1.150-2 (as the same may be amended or supplemented, the "Regulations"), dealing with "reimbursement bond" proceeds, being proceeds of the City's bonds used to reimburse the City for any project expenditure paid by the City prior to the time of the issuance of those bonds.
 - (b) The Regulations generally require that the City make a declaration of intent to reimburse itself for such 5prior expenditures out of the proceeds of

subsequently issued bonds, that such declaration be made not later than 60 days after the expenditure is actually paid, and that the bonding occur and the written reimbursement allocation be made from the proceeds of such bonds within 18 months after the later of (1) the date of payment of the expenditure or (2) the date the project is placed in service (but in no event more than 3 years after actual payment).

- (c) The City heretofore implemented procedures for compliance with the predecessor versions of the Regulations and desires to amend and supplement those procedures to ensure compliance with the Regulations.
- (d) The City's bond counsel has advised the City that the Regulations do not apply, and hence the provisions of this Resolution are intended to have no application to payments of City project costs first made by the City out of the proceeds of bonds issued prior to the date of such payments.

2. Official Intent Declaration. The Regulations, in the situations in which they apply, require the City to have declared an official intent (the "Declaration") to reimburse itself for previously paid project expenditures out of the proceeds of subsequently issued bonds. The Council hereby authorizes the City Administrator to make the City's Declarations or to delegate from time to time that responsibility to other appropriate City employees. Each Declaration shall comply with the requirements of the Regulations, including without limitation the following:

- (a) Each Declaration shall be made not later than 60 days after payment of the applicable project cost and shall state that the City reasonably expects to reimburse itself for the expenditure out of the proceeds of a bond issue or similar borrowing. Each Declaration may be made substantially in the form of the Exhibit A which is attached to and made a part of this Resolution, or in any other format which may at the time comply with the Regulations.
- (b) Each Declaration shall (1) contain a reasonably accurate description of the "project," as defined in the Regulations (which may include the property or program to be financed, as applicable), to which the expenditure relates and (2) state the maximum principal amount of bonding expected to be issued for that project.
- (c) Care shall be taken so that the City, or its authorized representatives under this Resolution, not make Declarations in cases where the City does not reasonably expect to issue reimbursement bonds to finance the subject project costs, and the City officials are hereby authorized to consult with bond counsel to the City concerning the requirements of the Regulations and their application in particular circumstances.
- (d) The Council shall be advised from time to time on the desirability and timing of the issuance of reimbursement bonds relating to project expenditures for which the City has made Declarations.

3. Reimbursement Allocations. The designated City officials shall also be responsible for

making the "reimbursement allocations" described in the Regulations, being generally written allocations that evidence the City's use of the applicable bond proceeds to reimburse the original expenditures.

4. Effect. This Resolution shall amend and supplement all prior resolutions and/or procedures adopted by the City for compliance with the Regulations (or their predecessor versions), and, henceforth, in the event of any inconsistency, the provisions of this Resolution shall apply and govern.

Adopted this ____ day of January, 2018, by the City Council.

Donald Rasmussen - Mayor
City of Long Prairie, Minnesota

EXHIBIT A

Declaration of Official Intent

The undersigned, being the duly appointed and acting City Administrator of the City of Long Prairie, Minnesota (the "City"), pursuant to and for purposes of compliance with Treasury Regulations, Section 1.150-2 (the "Regulations"), under the Internal Revenue Code of 1986, as amended, hereby states and certifies on behalf of the City as follows:

1. The undersigned has been and is on the date hereof duly authorized by the City Council to make and execute this Declaration of Official Intent (the "Declaration") for and on behalf of the City.

2. This Declaration relates to the following project, property or program (the "Project") and the costs thereof to be financed:

Projects associated within the year 2018

3. The City reasonably expects to reimburse itself for the payment of certain costs of the Project out of the proceeds of a bond issue or similar borrowing (the "Bonds") to be issued by the City after the date of payment of such costs. As of the date hereof, the City reasonably expects that \$ to be determined is the maximum principal amount of the Bonds which will be issued to finance the Project.

4. Each expenditure to be reimbursed from the Bonds is or will be a capital expenditure or a cost of issuance, or any of the other types of expenditures described in Section 1.150-2(d)(3) of the Regulations.

5. As of the date hereof, the statements and expectations contained in this Declaration are believed to be reasonable and accurate.

Date: January 2, 2018

City Administrator/Clerk
City of Long Prairie, Minnesota

CERTIFICATION

The undersigned, being the duly qualified and acting City Administrator of the City of Long Prairie, Minnesota, hereby certifies the following:

The foregoing is a true and correct copy of a Resolution on file and of official, publicly available record in the offices of the City, which Resolution relates to procedures of the City for compliance with certain IRS Regulations on reimbursement bonds. Said Resolution was duly adopted by the governing body of the City (the "Council") at a regular or special meeting of the Council held on January 3, 2017. Said meeting was duly called, regularly held, open to the public, and held at the place at which meetings of the Council are regularly held. Council Towle moved the adoption of the Resolution, which motion was seconded by Council Member Gripne. A vote being taken on the motion, the following members of the Council voted in favor of the motion to adopt the Resolution:

and the following voted against the same:

Whereupon said Resolution was declared duly passed and adopted. The Resolution is in full force and effect and no action has been taken by the Council which would in any way alter or amend the Resolution.

WITNESS MY HAND officially as the City Administrator of the City of Long Prairie, Minnesota, this 2nd day of January, 2018.

City Administrator/Clerk
City of Long Prairie, Minnesota

Motion carried.

Councilor Mechels noted that CTC's speed is very consistent and he is very happy with it and just asking if anybody else has noticed the change in the speed of broadband.

Council discussed a waterline break over at the trailer park. Late today, they actually found where the break was and were able to repair. Administrator Thomes will work with the water bill and looking at the cost of it and looking at last month's bill and doing an average.

Councilor Towle noted the following:

- Meeting for all the retired firefighters will be this Wednesday
- There were 357 incidents for the month of December
- Central Bi is donating to the Police Department and the Sheriff's Office and there will be a presentation on January 4th at 2:00 p.m.

Councilor Hines noted the following for the Liquor Store:

- There will be no park board meeting until Spring
- Pam will be coming in February to talk about Sunday on-sale liquor

Councilor Gripne noted the following for Planning & Zoning, & EDA:

- No Planning and Zoning meeting scheduled
- EDA will be meeting January 18th at 5:30 p.m.

Mayor Rasmussen noted the following for Administration, Community Concern for Youth, Tourism and Airport:

- Tourism will be meeting this month
- There was a developer looking at doing some apartments here in Long Prairie and is asking about a housing TIF – there will be more to follow in the next month

Councilor Gripne motioned Towle seconded to adjourn the meeting at 8:10 p.m. Motion carried.

Brenda Thomes
City Administrator/Clerk

Don Rasmussen
Mayor