



**FREEPORT CITY COUNCIL**  
**Regular Meeting Agenda**  
**Tuesday, May 28, 2013**  
**Freeport City Hall**  
**7:00 P.M.**

7:00 P.M.      I. CALL TO ORDER

II. OPEN PUBLIC FORUM

1 minute      III. CONSENT AGENDA – (One motion, option to remove any item for further discussion)

- A. Approval of the agenda
- B. Approval of the minutes from the April 30, 2013 Regular Meeting
- C. Approval of the minutes from the May 11, 2013 Special Meeting
- D. Approval of the claims distributed April 30, 2013 through May 14, 2013
- E. Other

5 minutes      IV. OLD BUSINESS

- A. Keith Fischer special assessment mediation
- B. Hiring of an Administrative Assistant
- C. Other

25 minutes      V. NEW BUSINESS

- A. Public Hearing: Whirlwind Building Components
- B. Resolution 2013-016 (contingent upon Sheriff approval)
- C. Resolution 2013-017 (Minor Subdivision Request for 104 2<sup>nd</sup> St NE)
- D. Resolution 2013-018 (Minor Subdivision Request: 107 4<sup>th</sup> St NW)
- E. Wellhead Protection Plan
- F. Replacing lawnmower
- G. Open Meeting Law
- H. Other

20 minutes      VI. REPORTS

- A. City Engineer – Scott Lange & Dave Blommel, S.E.H.
- B. Public Works Director– Jon Stueve
- C. Clerk-Treasurer – Mason Schirmer
- D. Other

1 minute      VII. ADJOURNMENT

**Next Meeting: June 25, 2013 at 7:00 PM**

FREEPORT CITY COUNCIL  
REGULAR MEETING MINUTES  
April 30, 2013

A regular meeting of the Freeport City Council was convened at 6:00 P.M. by Mayor Matt Worms with Council Members Ron Ritter, Carrie Goebel and Ken Goebel in attendance (Rodney Atkinson arrived after meeting convened).

Also in attendance: Jeff Johnson, Kathy Korte, Carol Moorman, Gary Eisenschenk, Linus Bonfig, Audrey Blommel and Keith Blommel.

Staff in attendance: Mason Schirmer, Noah Van Beck, Dave Blommel and Ashley Feldewerd.

The Pledge of Allegiance was said by those in attendance.

RECESS TO ANNUAL LOCAL BOARD OF APPEAL AND EQUALIZATION

Eisenschenk presented an appraisal of his property (Parcel 54.32122.0000) and requested that the estimated market value be reduced from \$110,500 to \$90,000, a decrease of \$20,500 (18.55%). Johnson reviewed the private appraisal and identified pros and cons to using the appraisal to establish valuation. Johnson said the comparable properties used in the appraisal included properties outside of Freeport, properties with varying acreage and properties with differing house designs.

Council Member Rodney Atkinson arrived at 6:20 P.M.

Atkinson moved and Ritter seconded a motion to approve a reduction in the market value of Parcel 54.32122.0000 from \$110,500 to \$90,000. Motion carried 5-0.

Bonfig raised questions regarding two parcels (54.32017.0000 and 54.32206.0000). No changes were made to either parcel.

Worms moved and K. Goebel seconded a motion to adjourn the meeting of the local board of appeal and equalization. Motion carried 5-0.

Worms called a five minute recess and reopened the regular meeting at 6:59 P.M.

OPEN PUBLIC FORUM

No public comment was provided.

CONSENT AGENDA

C. Goebel moved and Ritter seconded a motion approving the Consent Agenda which included the following: Approval of the agenda; approval of the minutes from the March 26, 2013 Regular Council Meeting and approval of the claims distributed March 26, 2013 through April 15, 2013. Motion carried 5-0.

## OLD BUSINESS

No old business was discussed.

## NEW BUSINESS

### Approval of hiring two new Fire Fighters

Freeport Fire Department Chief Noah Van Beck presented two new applicants for the Freeport Fire Department. K. Goebel moved and C. Goebel seconded a motion approving the hiring of Gary Schmitz and Wesley David as Fire Fighters. Motion carried 5-0.

### Replacement of Administrative Assistant

Schirmer recommended the hiring of an Administrative Assistant. Schirmer said the process of advertising the position, interviewing candidates and starting a new employee may take as long as two months. Feldewerd agreed with the recommendation. K. Goebel and C. Goebel seconded a motion authorizing the hiring of an Administrative Assistant. Motion carried 5-0.

### Other

K. Goebel said Bud Heidgerken is asking for volunteers to help with street closures during the upcoming summer parade. Worms suggested inquiring about assistance from the Sheriff's Department.

## REPORTS

### City Engineer, S.E.H. – Dave Blommel

Atkinson asked Blommel about the condition of the rip-rap lining the wastewater ponds. Atkinson said the water levels indicate a potential change in retaining wall elevation. Worms commented that repairs had been made approximately five years ago. Blommel said that as long as the water level does not exceed the rip-rap, there is likely no concern. Worms asked Blommel to inspect the ponds to verify there is no cause for concern. Blommel said he would inspect the pond.

### City Clerk/Treasurer's Report, Mason Schirmer

Schirmer said the LMCIT recently settled a claim for an accident that happened during the recent snowfall. Schirmer said he will be including the Wellhead Protection Plan in the next council meeting packet for review and approval. Schirmer said the Department of Employment and Economic Development (DEED) is requesting the city to hold a public hearing regarding the closing of the 2006 DEED funding project that involved Whirlwind Building Components. K. Goebel moved and C. Goebel seconded a motion to schedule a public hearing on Tuesday, May 28, 2013 starting at 7:00pm as per the request of DEED. Motion carried 5-0.

## ADJOURNMENT

At 7:34 P.M. Worms moved and K. Goebel seconded a motion to adjourn the regular meeting. Motion carried 5-0.

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Mason Schirmer, City Clerk

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Matthew H. Worms, Mayor

FREEPORT CITY COUNCIL  
SPECIAL MEETING MINUTES  
May 11, 2013

A special meeting of the Freeport City Council was convened at 7:00 A.M. by Mayor Matt Worms with Council Members Ron Ritter, Carrie Goebel, Ken Goebel and Rodney Atkinson.

Also in attendance: Tim Hennen and Jim Obermiller.

Staff in attendance: Mason Schirmer.

The Pledge of Allegiance was said by those in attendance.

OPEN PUBLIC FORUM

No public comment was provided.

PUBLIC HEARING: HENNER LUMBER VARIANCE REQUEST

Worms moved and K. Goebel seconded a motion to open the public hearing regarding Hennen Lumber variance request. Motion carried 5-0. Public hearing opened at 7:01 A.M.

Schirmer presented council with the Hennen Lumber building permit application and variance request to allow the construction of a new 30'x68' building at 204 East Main Street. Schirmer said the proposed building would infringe upon current front and rear setbacks. Schirmer presented a staff report and proposed resolution from the City Planner, Municipal Development Group, Inc. The report stated review from the County as well as the City Engineer should be considered prior to approval of a variance. Schirmer stated Jeff Miller, Assistant County Highway Engineer, stated "Stearns County Highway Department has no objections to the proposed layout of a new 30'x68' shed that will be no closer to the road than other existing structures. No additional accesses will be permitted." Schirmer said according to David Blommel, City Engineer, Hennen Lumber will need to apply to the Sauk River Watershed District for permission due to the nature of the east side of the lot and that "there is a permanent easement for a sanitary sewer that is located behind the curb; in the future, if the City needs to maintain the sewer, he [Tim Hennen of Hennen Lumber] will be responsible for any restoration to improvements made within the easement area (typically landscaping or parking).

Hennen said the lot is seventy-five feet wide, the building is thirty feet wide, the distance the building will be from the front property line is thirty-one feet and the distance the building will be from the rear property line is fourteen feet. Hennen also said Hennen Lumber truck loading and unloading at the new building will be done off the county road and that the new building will prohibit other trucks from using the lot to turn their vehicles around, in-turn making travel along the county road safer.

C. Goebel moved and K. Goebel seconded a motion to approve RESOLUTION 2013-015, A RESOLUTION APPROVING A VARIANCE OF THIRTEEN FEET REDUCTING THE REQUIRED FORTY FOOT FRONT YARD SETBACK TO TWENTY-SEVEN FEET AND A VARIANCE OF SIX FEET REDUCING THE REQUIRED TWENTY FOOT REAR

SETBACK TO FOURTEEN FEET IN THE I-1 GENERAL INDUSTRIAL DISTRICT TO ALLOW CONSTRUCTION OF AN ACCESSORY BUILDING AT 204 EAST MAIN STREET. Motion carried 5-0.

Other

Schirmer said he will be out of the office on 5/16/13 to visit the capital to meet with Freeport's Legislators.

ADJOURNMENT

At 7:15 A.M. Worms moved and K. Goebel seconded a motion to adjourn the regular meeting. Motion carried 5-0.

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Mason Schirmer, City Clerk

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Matthew H. Worms, Mayor

04/30/13  
08:56:47

CITY OF FREEPORT  
Claim Approval List  
For the Accounting Period: 4/13

Page: 1 of 1  
Report ID: AP100V

For Date Posted = 04/30/13  
\* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
899		512 VICKI HOLTHAUS	249.90					
		04/30/13 Accounting Servies/Reports	249.90*			101 41000	300	10100
		Total for Vendor:	249.90					
		Total:	249.90					
			249.90					

Authorized By: Maureen L. Davis 5/1/13

04/30/13  
08:09:34

CITY OF FREEPORT  
Claim Approval List  
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Report ID: AP100V

For dates posted from 04/29/13 to 04/30/13  
\* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
886		11 ALBANY AREA HOSPITAL & MEDICAL	480.00					
	04/24/13	Physicals	480.00			225 42200	333	10100
		Total for Vendor:	480.00					
889		49 BENTON TROPHY & AWARDS, INC.	47.92					
	142727 04/24/13	Name Block-Mason Schirmer	47.92			101 41000	210	10100
		Total for Vendor:	47.92					
890		70 CENTERPOINT ENERGY	323.95					
	04/18/13	Maintenance Building	117.30			101 43100	382	10100
	04/19/13	Fire Hall	206.65			225 42200	382	10100
		Total for Vendor:	323.95					
893		157 FREEPORT FIRE DEPT RELIEF ASSOC.	2,016.42					
	2% Annual	Contribution	2,016.42*			225 42200	430	10100
896		157 FREEPORT FIRE DEPT RELIEF ASSOC.	1,000.00					
	State Aid-Relief	Association	1,000.00			225 42200	315	10100
		Total for Vendor:	3,016.42					
885		218 JIM NOTCH CONSTRUCTION	6,550.00					
	506346 04/22/13	Gazebo, Bathrooms, Dug outs	6,550.00*			409 49240	366	10100
		Total for Vendor:	6,550.00					
894		219 JOANN TIMP	136.80					
	Cleaning	Services	136.80*			101 41000	300	10100
		Total for Vendor:	136.80					
892		269 MARCO, INC.	321.84					
	226530749 04/14/13	5/10/13-8/10/13	321.84			101 41000	410	10100
		Total for Vendor:	321.84					
898		596 MASON SCHIRMER	539.36					
	MMCI	Registration	410.00			101 41400	330	10100
	MMCI	Mileage	94.36			101 41400	335	10100
	MCFOA	Registration	35.00			101 41000	433	10100
		Total for Vendor:	539.36					
887		290 METRO FIRE	296.41					
	47085 04/15/13	Elite Face Piece Lens	160.14*			225 42200	580	10100
	47090 04/25/13	Flow Test & Service Work	136.27*			225 42200	300	10100
		Total for Vendor:	296.41					

04/30/13  
08:09:34

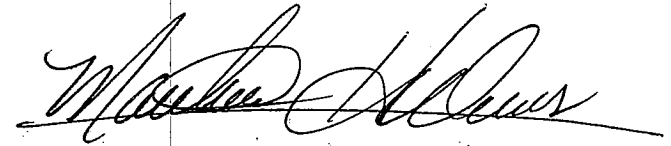
CITY OF FREEPORT  
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Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
879		309 MINNESOTA LIFE INSURANCE CO.	2.00					
	Jon Stueve		2.00			101 43000	131	10100
		Total for Vendor:	2.00					
883		418 SEH, INC.	321.00					
	267226 04/08/13 Hennen Variance and Karsky Inf		321.00			101 41800	303	10100
		Total for Vendor:	321.00					
897		440 STEARNS CO AUDITOR/TREASURER	20.00					
	Notary Public		20.00			101 41000	433	10100
		Total for Vendor:	20.00					
884		447 STEARNS COUNTY AUDITOR-TREASURER	86.10					
	54.DITCH.9000		86.10			101 43100	430	10100
		Total for Vendor:	86.10					
888		510 VERIZON WIRELESS	137.15					
	9703459806 04/19/13 Monthly Charges		137.15			101 43100	320	10100
		Total for Vendor:	137.15					
891		525 XCEL ENERGY	146.22					
	365644400 04/19/13 420 4th Ave SW		146.22			601 43225	381	10100
		Total for Vendor:	146.22					
		Total:	12,425.17					
			12,425.17					

Authorized By:





05/20/13  
10:34:20

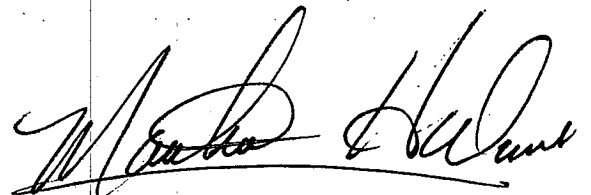
CITY OF FREEPORT  
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Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
928		11 ALBANY AREA HOSPITAL & MEDICAL	80.00					
	05/13/13	Westley David Screening	80.00			225 42200 333		10100
		Total for Vendor:	80.00					
927		25 AMERIPRIDE LINEN & APPAREL	45.65					
	2200380936 05/17/13	Rental	45.65			101 41000 410		10100
		Total for Vendor:	45.65					
926		32 ARNZEN CONSTRUCTION, INC	1,897.23					
	41792 05/09/13	John Deere Bucket Repairs	1,897.23			101 43100 311		10100
		Total for Vendor:	1,897.23					
929		84 CITI LITES, INC.	21.00					
	41878 04/29/13	Streetlight Inspection	21.00*			101 43160 300		10100
		Total for Vendor:	21.00					
924		132 ELLINGSON PLUMBING, HEATING, &	83.51					
	78595 05/16/13	Parts for shutoffs	83.51			601 43225 220		10100
		Total for Vendor:	83.51					
925		309 MINNESOTA LIFE INSURANCE CO.	6.00					
	05/14/13	Mason Schirmer - 1 mo adj	2.00			101 41400 131		10100
	05/14/13	Mason Schirmer	2.00			101 41400 131		10100
	05/14/13	Jon Stueve	2.00			101 43000 131		10100
		Total for Vendor:	6.00					
923		412 SCHERPING ELECTRIC INC	985.00					
	05/02/13	Old Tower Light Fixture Repair	155.00*			601 43225 210		10100
	05/02/13	Installed wire for backup well	830.00*			601 43225 210		10100
		Total for Vendor:	985.00					
		Total:	3,118.39					
			3,118.39					

CL 923-929

Authorized By: 

05/07/13  
15:27:41

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\* ... Over spent expenditure

Claims 902-915 14 Total

Claim/	Check	Vendor #/Name/	Document \$/	Disc \$					Cash
	Invoice	#/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object Proj	Account	
906		15 ALBANY MUTUAL TELEPHONE	359.40						
	10131680	05/01/13 836-2116	69.83			101 41000 320		10100	
	10132010	05/01/13 836-2685	19.50			601 43225 320		10100	
	10132010	05/01/13 836-2685	19.50			602 43250 320		10100	
	10131679	05/01/13 836-2112	71.87			101 41000 320		10100	
	10132265	05/01/13 836-7158	38.59			101 41000 320		10100	
	10131836	05/01/13 836-2413	73.55			225 42200 320		10100	
	10131776	05/01/13 836-2278	66.56			101 43100 320		10100	
		Total for Vendor:	359.40✓						
911		25 AMERIPRIDE LINEN & APPAREL	45.65						
	220100280	04/30/13 Monthly Service	45.65			101 41000 410		10100	
		Total for Vendor:	45.65✓						
913		76 CENTRAL MINNESOTA CREDIT UNION	964.25						
	04/30/13	Beacon	2.00			101 41000 433		10100	
	04/30/13	Postage	171.50			601 43225 200		10100	
	04/30/13	Postage	171.50			602 43250 200		10100	
	04/30/13	Supplies	15.53			601 43225 220		10100	
	04/30/13	Operating	34.26			101 43100 210		10100	
	04/30/13	Poster for testing	16.17			601 43225 200		10100	
	04/30/13	Fuel	94.02			101 43100 215		10100	
	04/30/13	Lodging for Clerk's Training	459.27*			101 41400 330		10100	
		Total for Vendor:	964.25✓						
914		553 DAKOTA SUPPLY GROUP, INC.	2,004.50						
	7847233	04/30/13 Water Meters (10)	2,004.50*			601 43225 210		10100	
		Total for Vendor:	2,004.50✓						
903		107 DANNY'S DISPOSAL & RECYCLING,	419.09						
	05/01/13	Disposal & Recycling	29.09			225 42200 383		10100	
	05/01/13	Disposal & Recycling	105.00			101 43100 383		10100	
	05/01/13	Hail Damage Repair Dumpster	285.00*			409 49240 366		10100	
		Total for Vendor:	419.09✓						
908		174 GOPHER STATE ONE CALL, INC.	5.80						
	70618	04/30/13 Locates	2.90			601 43225 300		10100	
	70618	04/30/13 Locates	2.90*			602 43250 300		10100	
		Total for Vendor:	5.80✓						
915		194 HENNER LUMBER CO, INC.	8,894.18						
	04/30/13	Repairs to Storage Room	1.56			101 41000 220		10100	
	04/30/13	Ball Park Repairs	1,876.60*			409 49240 366		10100	
	04/30/13	Jim Notch Expenses	74.81*			409 49240 366		10100	
	04/30/13	Lions Park Gazibo	196.84*			409 49240 366		10100	
	04/30/13	Lions Park	13.47*			409 49240 366		10100	

05/07/13  
15:27:41

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Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
	04/30/13	Gazebo #4	<del>3,258.74*</del>	3,082.35		409 49240	366	10100
	04/30/13	Bathroom Park #6	2,139.93*			409 49240	366	10100
	04/30/13	Pumphouse	205.83*			409 49240	366	10100
	04/30/13	Pumphouse	<del>1,126.40*</del>	592.03		409 49240	366	10100
		Total for Vendor:	<del>8,894.18</del>	3,183.42				
902		218 JIM NOTCH CONSTRUCTION	1,600.00					
	506347 04/25/13	Hail Damage Repairs. Pump Hous	1,600.00*			409 49240	366	10100
		Total for Vendor:	1,600.00✓					
907		256 LEAGUE OF MINN CITIES INS. TRUST	250.00					
	C0021524 05/01/13	Claim Deductible	250.00*			101 43100	361	10100
		Total for Vendor:	250.00✓					
910		258 LEAGUE OF MN CITIES	245.00					
	182838 05/03/13	Annual Conference - Orientatio	245.00*			101 41400	330	10100
		Total for Vendor:	245.00✓					
909		385 QUILL	130.91					
	16488 05/01/13	Office Supplies	130.91			101 41000	210	10100
		Total for Vendor:	130.91✓					
912		387 RAHNS OIL & PROPANE, INC	494.00					
	07222 04/30/13	Fuel	177.43			225 42200	215	10100
	07222 04/30/13	Fuel	261.40			101 43100	215	10100
	07222 04/30/13	EDA Supplies and Food	55.17			300 46500	210	10100
		Total for Vendor:	494.00✓					
905		437 STAR PUBLICATIONS LLC	40.20					
	126066 04/30/13	Publication	40.20*			101 41000	350	10100
		Total for Vendor:	40.20✓					
904		525 XCEL ENERGY	2,883.67					
	367404106 05/03/13	Street Lighting	929.80			101 43160	381	10100
	367225938 05/02/13	302188142	206.06			601 43225	381	10100
	367225938 05/02/13	302252262	74.67			101 43160	381	10100
	367225938 05/02/13	302290398	221.03			101 41000	381	10100
	367225938 05/02/13	302679657	135.51			101 43100	381	10100
	367225938 05/02/13	302700297	24.22			602 43250	381	10100
	367225938 05/02/13	302947044	251.09			601 43225	381	10100
	367225938 05/02/13	303193187	70.88			602 43250	381	10100
	367225938 05/02/13	303616049	264.58			225 42200	381	10100
	367225938 05/02/13	303936749	40.43			101 43160	381	10100
	367225938 05/02/13	303956738	379.14			101 43160	381	10100
	367225938 05/02/13	303963984	214.68			101 43160	381	10100
	367225938 05/02/13	303985901	31.81			101 43160	381	10100
	367225938 05/02/13	304083816	12.92			101 43160	381	10100

05/07/13  
15:27:41

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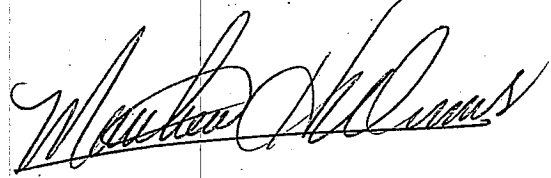
\* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
367225938	05/02/13	304098414	26.85			602	43250 381	10100

Total for Vendor: 2,883.67 ✓

Total: ~~18,336.65~~ 17,625.89

~~18,336.65~~ 17,625.89

Authorized By: 

05/14/13  
15:32:05

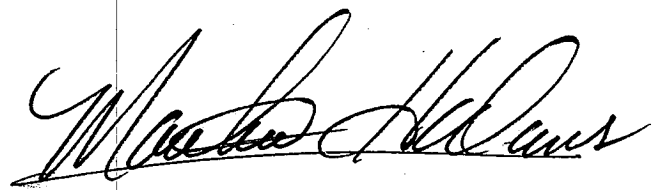
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Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
917		145 FINKEN WATER CENTERS	21.98					
	2525882	05/01/13 Monthly Service	16.03✓			101	41000	410 10100
	66574TC	05/01/13 Supplies	5.95*✓			225	42200	210 10100
		Total for Vendor:	21.98					
922		189 HEALTH PARTNERS	2,125.00✓					
	43398112	05/07/13 Health Insurance (May)	729.60			101	41400	130 10100
	43398112	05/07/13 Health Insurance (June)	729.60			101	41400	130 10100
	43398112	05/07/13 Health Insurance (June)	665.80			101	43000	130 10100
		Total for Vendor:	2,125.00					
919		257 LEAGUE OF MN CITES INSURANCE	8,813.00					
	25090	05/07/13 Volunteer Accident Plan	145.00✓			101	49240	361 10100
	25064	05/05/13 Workers Comp (Firefighter)	3,158.13*✓			225	42200	150 10100
	25064	05/05/13 Workers Comp (Clerical)	455.84*✓			101	41400	150 10100
	25064	05/05/13 Workers Comp (Elected)	49.98✓			101	41100	360 10100
	25064	05/05/13 Workers Comp (Maintenance)	4,963.55*✓			101	43000	150 10100
	25064	05/05/13 Workers Comp (Boards)	40.50✓			101	41100	360 10100
		Total for Vendor:	8,813.00					
918		336 MUNICIPAL DEVELOPMENT GROUP,	80.00					
	FREE050513	05/06/13 Hennen Variance Services	80.00*✓			101	41000	300 10100
		Total for Vendor:	80.00					
921		397 RINKE-NOONAN, LTD	74.20					
	212356	05/01/13 Assessment Dispute	74.20*✓			415	43100	302 10100
		Total for Vendor:	74.20					
920		441 STEARNS CO MUNICIPAL LEAGUE	20.00					
	Dues		20.00✓			101	41000	433 10100
		Total for Vendor:	20.00					
916		526 YES CO OF AVON, INC	276.56					
	14094	05/09/13 Extinguisher Service	197.06✓			225	42200	220 10100
	04095	05/09/13 Extinguisher Service	47.70✓			101	43100	220 10100
	04095	05/09/13 Extinguisher Service	15.90✓			101	45200	435 10100
	04095	05/09/13 Extinguisher Service	15.90✓			101	41000	220 10100
		Total for Vendor:	276.56					
		Total:	11,410.74					
			11,410.74					

CL  
916-922

Authorized By: 

# memo

## City of Freeport

To: City Council  
From: Mason Schirmer  
Date: 5/22/2013  
Re: Keith Fischer Special Assessment – Court Ordered Mediation

---

Comments: The following was received from Rinke Noonan:

“The parties have been ordered by the Court to attempt mediating this dispute prior to a court trial. We have a mediator, Thomas Jovanovich, who is a local attorney that does some municipal work for other cities so he is going to be familiar with the special assessment process. Below are optional dates for mediation:

June 10  
June 24  
June 26

Whoever attends the mediation should have authority to negotiate in good faith if an offer is made that the council would find reasonable. Final approval would still require Council approval.”

---

# memo

## City of Freeport

To: City Council  
From: Mason Schirmer  
Date: 5/22/2013  
Re: Administrative Assistant Hiring Update

---

Comments: As of Thursday, May 23, 2013, 16 applications have been received.

Tentative Hiring Process and Schedule:

May 31<sup>st</sup> – City officially closes the position

Week of June 3<sup>rd</sup> – Jon Stueve and myself will review applications and schedule interviews

Week of June 10<sup>th</sup> – Jon Stueve and myself will interview candidates

Week of June 7<sup>th</sup> – Conduct 2<sup>nd</sup> interviews if needed

June 25<sup>th</sup> – I will present Council with the top candidate(s) for approval

Goal is to have Administrative Assistant start immediately.

---

**City of Freeport, Minnesota  
Resolution 2013-016**

**Liquor Licenses**

It is hereby resolved by the City of Freeport, Minnesota that:

WHEREAS; the City of Freeport Ordinance 1200 regulates licensing of liquor establishments in the City of Freeport;  
THEREFORE; Freeport City Council approves the renewal of the following licenses subject to the terms set forth in Minnesota Statutes and Freeport City Code 1200 for the period of July 1, 2013 to June 30, 2014:

Licensee Name: Freeport Black Sox Inc.  
Trade Name: Freeport Black Sox  
Licensed Premise: 1000 1<sup>st</sup> Avenue South  
License(s) Approved: 3.2% On sale

Licensee Name: Ackie's Pioneer Inn Inc.  
Trade Name: Ackies Pioneer Inn  
Licensed Premise: 123 Main Street East (includes outdoor patio area)  
License(s) Approved: Combination License: Off Sale, On Sale, Sunday

Licensee Name: Freeport Softball Club Inc.  
Trade Name: Freeport Recreational Club  
Licensed Premise: 307 7<sup>th</sup> Street Southeast  
License(s) Approved: On Sale, Sunday

Licensee Name: Middendorf, Janet Mae  
Trade Name: Corner Pub & Grill  
Licensed Premise: 103 1<sup>st</sup> Avenue North  
License(s) Approved: Combination License: Off Sale, On Sale, Sunday

Adoption by the City Council of the City of Freeport on this 28<sup>th</sup> day of May, 2013.

---

Matthew Worms, Mayor

ATTEST:

---

Mason Schirmer, Clerk-Treasurer



## Mason Schirmer

---

**From:** Pressley, Carol (DEED) <carol.pressley@state.mn.us>  
**Sent:** Thursday, April 25, 2013 11:37 AM  
**To:** city@freeportmn.org  
**Cc:** wayne.litzinger@whirlwindsteel.com  
**Subject:** Minnesota Investment Fund/City of Freeport/Whirlwind Steel  
**Attachments:** 2012 Federal Annual Report.4.23.xls; 2nd Public Hearing Notice.doc

Mason:

I first want to introduce myself and explain why I'm contacting you—I'm Carol Pressley and I work with the Minnesota Investment Fund. Back in 2006 DEED provided a \$500,000 grant to the city of Freeport who then provided a low interest loan to Whirlwind Steel to purchase equipment for its new operation in the city. A condition of the grant was that Whirlwind would create 35 jobs, of which 51% would be taken by low and moderate income (Imi) people. Unfortunately, due to the downturn in the economy, the company was able to create only 18 of the jobs, but did meet the Imi requirement. At one point, it appeared that the city was going to be required to return a pro rata share of the grant because the company was unable to meet the job goal. We revisited our policies and the decision was made that as long as all of the other grant conditions were met, we wouldn't request repayment. I am now in the process of closing the file. Unfortunately, Vickie left before I could get that done, so I have been working directly with Wayne Litzinger, Plant Manager, who has provided me with the necessary job information. Before I can close the file the following must be done:

1. Review of the final progress report by city/business (attached).
2. Letter from the business addressed to the city requesting that the employment goal be lowered. This letter should include the reasons for not meeting the goal (i.e. downturn in economy, loss of contracts, etc).
3. Letter from the city addressed to me requesting approval of Whirlwinds request for the lower job goal.
4. Public Hearing—The HUD CDBG program requires that a public hearing be held prior to closeout. I am attaching a copy of the PH notice.

Hopefully, this e-mail isn't too overwhelming, so I would like to schedule a time to further discuss it with you. I'm available anytime tomorrow or next week. My goal is have the file closed no later than June 1.

Thank you for your help with this matter.

Carol

---

### Carol E. Pressley | Senior Loan Officer

*Department of Employment and Economic Development*

1st National Bank Building, 332 Minnesota Street, Suite E200, St. Paul, MN 55101

Direct: 651-259-7427 Toll Free: 800-657-3858 Fax: 651-296-5287

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

Follow DEED on



Wayne Litzinger  
Plant Manager  
Whirlwind Steel  
Freeport, MN 56331  
April 26, 2013

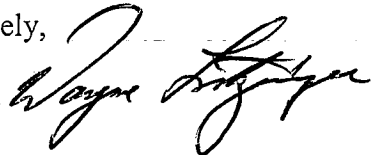
Mason Schirmer  
City Clerk  
City of Freeport  
104 NW 4<sup>th</sup> Street  
Freeport, MN 56331

Dear Mason:

Back in 2006 when Whirlwind opened the manufacturing facility in Freeport, Whirlwind agreed to create 35 jobs and hire mostly applicants that fell in a low to moderate income level range as determined by the state. Unfortunately the local, national, and global economy has taken a drastic downturn since 2008. Especially hard hit has been the construction industry which our industry services and relies on. Though we met the low to moderate income employment goal, the volume of business available to both our company and our competitors has decreased drastically since then making it impossible to meet the jobs created part of the employment goal.

Whirlwind Steel is committed to its employees, the City of Freeport, and the local economy. We look forward to more prosperous days ahead and hope the city understands the position this unforeseen economic downturn has put Whirlwind in with regards to the job creation goal. Feel free to contact me with any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Wayne Litzinger", written in a cursive style.

Wayne Litzinger



## **CITY OF FREEPORT**

125 Main Street E – PO Box 301 – Freeport, MN 56331 – 320-836-2112 – FAX 320-836-2116  
For TTY/TDD Users 1-800-627-3529 or 711 Minnesota Relay Service - [www.freeportmn.org](http://www.freeportmn.org)

5/14/13

Carol E. Pressley, Senior Loan Officer  
Department of Employment and Economic Development  
1<sup>st</sup> National Bank Building, 332 Minnesota Street, Suite E200  
St. Paul, MN 55101

Dear Ms. Pressley,

The City of Freeport hereby requests approval of Whirlwind Building Component's request for a lower job goal.

Sincerely,

Mason Schirmer, Clerk-Treasurer

**SECTION TWO: ACTIVITY BENEFICIARIES**

Job Recipients													
Please list the number of job recipients under each column.													
	White	Black / African American	Asian	American Indian / Alaskan Native	Native Hawaiian / Other Pacific Islander	American Indian / Alaskan Native &	Asian & White	Black / African American & White	American Indian / Alaskan Native & Black / African American	Other Multi-Racial	Asian / Pacific Islander	Hispanic	
Total	18												
Hispanic													

**SECTION THREE: JOB CREATION AND BENEFIT TO LMI PERSONS**

1. Job Title	2. Type of Job Created * (See	3. LMI Determination (select only one)				Total Weekly Hours	Was this person unemployed prior to taking this job?		Does this person receive employer sponsored health care benefits?		Hourly Value of Benefits	Hourly Wage	Total Hourly Compensation (combined value of benefits and hourly wage)
Sales	4	Extremely low <input type="checkbox"/>	Low <input type="checkbox"/>	Moderate <input type="checkbox"/>	Non-LMI <input checked="" type="checkbox"/>	40	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	\$ 3.49	\$ 52.88	\$ 56.37
Sales	4	Extremely low <input type="checkbox"/>	Low <input type="checkbox"/>	Moderate <input type="checkbox"/>	Non-LMI <input checked="" type="checkbox"/>	40	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	\$ 3.49	\$ 24.04	\$ 27.53
Sales	4	Extremely low <input type="checkbox"/>	Low <input type="checkbox"/>	Moderate <input type="checkbox"/>	Non-LMI <input checked="" type="checkbox"/>	40	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	\$ 3.49	\$ 24.04	\$ 27.53
Compslsi		Extremely low <input type="checkbox"/>	Low <input type="checkbox"/>	Moderate <input type="checkbox"/>	Non-LMI <input checked="" type="checkbox"/>	40	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	\$ 3.49	\$ 19.23	\$ 22.72
Inv. Control		Extremely low <input type="checkbox"/>	Low <input checked="" type="checkbox"/>	Moderate <input type="checkbox"/>	Non-LMI <input type="checkbox"/>	40	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	\$ 3.49	\$ 13.50	\$ 16.99
Compslsi		Extremely low <input type="checkbox"/>	Low <input type="checkbox"/>	Moderate <input type="checkbox"/>	Non-LMI <input checked="" type="checkbox"/>	40	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	\$ 3.49	\$ 14.42	\$ 17.91
Operator		Extremely low <input type="checkbox"/>	Low <input type="checkbox"/>	Moderate <input type="checkbox"/>	Non-LMI <input checked="" type="checkbox"/>	40	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	\$ 3.49	\$ 13.00	\$ 16.49
Operator		Extremely low <input type="checkbox"/>	Low <input checked="" type="checkbox"/>	Moderate <input type="checkbox"/>	Non-LMI <input type="checkbox"/>	40	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>		\$ 15.00	\$ 15.00
Shipping Clerk		Extremely low <input type="checkbox"/>	Low <input type="checkbox"/>	Moderate <input type="checkbox"/>	Non-LMI <input checked="" type="checkbox"/>	40	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>		\$ 13.50	\$ 13.50
Driver		Extremely low <input type="checkbox"/>	Low <input type="checkbox"/>	Moderate <input checked="" type="checkbox"/>	Non-LMI <input type="checkbox"/>	40	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	\$ 3.49	\$ 16.00	\$ 19.49
Rec. Clerk		Extremely low <input type="checkbox"/>	Low <input checked="" type="checkbox"/>	Moderate <input type="checkbox"/>	Non-LMI <input type="checkbox"/>	40	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	\$ 3.49	\$ 12.65	\$ 16.14
Super		Extremely low <input type="checkbox"/>	Low <input type="checkbox"/>	Moderate <input type="checkbox"/>	Non-LMI <input checked="" type="checkbox"/>	40	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	\$ 3.49	\$ 36.06	\$ 39.55

Operator		Extremely low <input type="checkbox"/>	Low <input type="checkbox"/>	Moderate <input checked="" type="checkbox"/>	Non-LMI <input type="checkbox"/>	40	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	\$ 3.49	\$ 36.06	\$ 39.55
Maintenance		Extremely low <input type="checkbox"/>	Low <input type="checkbox"/>	Moderate <input checked="" type="checkbox"/>	Non-LMI <input type="checkbox"/>	40	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	\$ 3.49	\$ 20.00	\$ 23.49
Sales	4	Extremely low <input type="checkbox"/>	Low <input checked="" type="checkbox"/>	Moderate <input type="checkbox"/>	Non-LMI <input type="checkbox"/>	40	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	\$ 3.49	\$ 19.23	\$ 22.72
Loader		Extremely low <input type="checkbox"/>	Low <input type="checkbox"/>	Moderate <input checked="" type="checkbox"/>	Non-LMI <input type="checkbox"/>	40	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	\$ 3.49	\$ 10.50	\$ 13.99
Driver		Extremely low <input type="checkbox"/>	Low <input checked="" type="checkbox"/>	Low <input checked="" type="checkbox"/>	Non-LMI <input type="checkbox"/>	20	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>		\$ 11.00	\$ 14.49
Helper		Extremely low <input type="checkbox"/>	Low <input checked="" type="checkbox"/>	Low <input checked="" type="checkbox"/>	Non-LMI <input type="checkbox"/>	40	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>		\$ 10.25	\$ 13.74

17.5fte's /9.5 fte LMI

☐ ☐ ☐ ☐ \$ 48.86 \$ 361.36 ##### \$ 417.20

Average base wage: \$20.65/h

Average benefits: \$ 2.79/h

Total average wage: \$ 23.44/h

\*Type of Jobs Created Code: (1) Manager (2) Professional (3) Technician (4) Sales (5) Office & Clerical (6) Craft workers (skilled) (7) Operatives (semi-skilled) (8) Laborers (unskilled) (9) Service Workers

Certification:

\_\_\_\_\_, certify  
that the employment information is true and accurate.  
Company Representative must sign.

**City of Freeport, Minnesota  
Resolution 2013-016**

**Liquor Licenses**

It is hereby resolved by the City of Freeport, Minnesota that:

WHEREAS; the City of Freeport Ordinance 1200 regulates licensing of liquor establishments in the City of Freeport;  
THEREFORE; Freeport City Council approves the renewal of the following licenses subject to the terms set forth in Minnesota Statutes and Freeport City Code 1200 for the period of July 1, 2013 to June 30, 2014:

Licensee Name: Freeport Black Sox Inc.  
Trade Name: Freeport Black Sox  
Licensed Premise: 1000 1<sup>st</sup> Avenue South  
License(s) Approved: 3.2% On sale

Licensee Name: Ackie's Pioneer Inn Inc.  
Trade Name: Ackies Pioneer Inn  
Licensed Premise: 123 Main Street East (includes outdoor patio area)  
License(s) Approved: Combination License: Off Sale, On Sale, Sunday

Licensee Name: Freeport Softball Club Inc.  
Trade Name: Freeport Recreational Club  
Licensed Premise: 307 7<sup>th</sup> Street Southeast  
License(s) Approved: On Sale, Sunday

Licensee Name: Middendorf, Janet Mae  
Trade Name: Corner Pub & Grill  
Licensed Premise: 103 1<sup>st</sup> Avenue North  
License(s) Approved: Combination License: Off Sale, On Sale, Sunday

Adoption by the City Council of the City of Freeport on this 28<sup>th</sup> day of May, 2013.

---

Matthew Worms, Mayor

ATTEST:

---

Mason Schirmer, Clerk-Treasurer

**CITY OF FREEPORT, MINNESOTA  
RESOLUTION 2013-017**

**RESOLUTION APPROVING COMBINATION OF PROPERTY LOCATED AT 104 2<sup>ND</sup> STREET  
NORTHEAST**

**WHEREAS**, Mr. Daniel Bueckers (Applicant) submitted a request for a minor subdivision to combine Lot 6 at 104 2<sup>nd</sup> Street Northeast with TRACT "A", thereby creating one lot; and,

**WHEREAS**, the proposed lot combination is illustrated in the Certificate of Survey attached hereto as EXHIBIT A; and,

**WHEREAS**, Section 11 of the Freeport Subdivision Ordinance provides for minor subdivisions of real property; and,

**WHEREAS**, a the Applicants proposes a 'minor subdivision' in that (a) only one (1) lot will result from the combination, (b) the combination will not involve a new street or road, and (c) the combination will not precipitate the extension of municipal facilities or public improvements; and,

**WHEREAS**, minor subdivisions are exempt from platting requirements contained in the Freeport Subdivision Ordinance; and,

**WHEREAS**, the Freeport Subdivision Ordinance allows the City Council to consider approval of a minor subdivision following a review and recommendation of the Planning Commission; and,

**WHEREAS**, the City Council is the planning authority in Freeport (a separate Planning Commission doesn't exist); and,

**WHEREAS**, the City Council has reviewed the lot combination request and has made the following findings:

1. The lots to be combined are located within the C-1 Commercial District.
2. The lot combination will result in a conforming lot within the C-1 Commercial District.
3. The proposed lot combination does not result in additional demand for public roadways and/or utility extensions.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FREEPORT THAT:** The City Council of the City of Freeport hereby approves combination of Lot 7 at 104 2<sup>nd</sup> Street Northeast and TRACT "A" into a single lot as illustrated on the Certificate of Survey attached hereto as "EXHIBIT A" and dated May 14, 2013.

**BE IT FURTHER RESOLVED** the combination of TRACT "A" resulting from the aforementioned lot combination at 104 2<sup>nd</sup> Street Northeast is hereby approved, contingent on the Property Owner recording the combination at the Stearns County Recorder's Office.

DATED THIS 28<sup>th</sup> DAY OF MAY, 2013

Motion by:

Second by:

Council members voting in favor: (list those approving)

Opposed or abstained: (list)

ATTEST:

**CITY OF FREEPORT**

---

**Matt Worms, Mayor**

ATTEST:

---

**Mason Schirmer, City Clerk-Treasurer**





ed/H 2519

# City of Freeport

125 Main Street East - P.O. Box 301 - Freeport, MN 56331

Phone (320)836-2112 - Fax (320)836-2116

Web www.freeportmn.org - Email cityfrpt@albanytel.com

## Zoning Form and Permit (\$25.00)

Property Address 104 2nd St NE Freeport, MN 56331

Owner(s) Daniel & Marilyn Buckers Phone Number 320 836 2403

Mailing Address (if different from above) \_\_\_\_\_

### Type of Request:

☒ MINOR SUBDIVISION  
REQUEST

☐ Patio ☐ Sign (non-illuminated) ☐ Sign (illuminated) ☐ Fencing

☒ Building Demolition (Must coordinate with the Public Works Director regarding City utilities and with City Building Inspector to ensure that the lot is a buildable lot at the completion of the building's demolition.)

### All or part of the following information (if applicable) is required with the application:

- ☐ Site Plan
- ☐ All existing signs on the property and their respective locations with dimensions, setbacks, and heights noted (including window signs)
- ☐ Specifications for proposed sign(s)
- ☐ Location of all structure and their square footages
- ☐ Public right-of-ways, sidewalks, curb cuts, driveways, parking, access roads, wetlands, floodplain, easements, etc.
- ☐ Landscaping and screening plans
- ☐ Other \_\_\_\_\_

I hereby certify that I have read and examined this application and supporting documents and know the same to be true and correct. I have identified all property boundaries, easements, flood zones and/or wetland, existing on my site plan and application. The undersigned further agrees that the City and its administrative staff relied on the accurateness of this application, plans and specifications relative to this request and hold the City of Freeport harmless from liability arising from the granting of a permit.

Property Owner Signature Daniel Buckers Date May 21 2013

### ZONING PERMIT

This permit is granted upon the authority given by the State of Minnesota, County of Stearns in the City of Freeport by its Zoning Administrator to said property owner for the sole purposes as described above.

City Clerk, as Zoning Administrator Signature \_\_\_\_\_

Date \_\_\_\_\_

City Seal



CERTIFICATE OF SURVEY  
SECTION 3-T125N-R32W, CITY OF  
FREEPORT, STEARNS COUNTY, MN

LEGAL DESCRIPTION:  
(Provided by client)

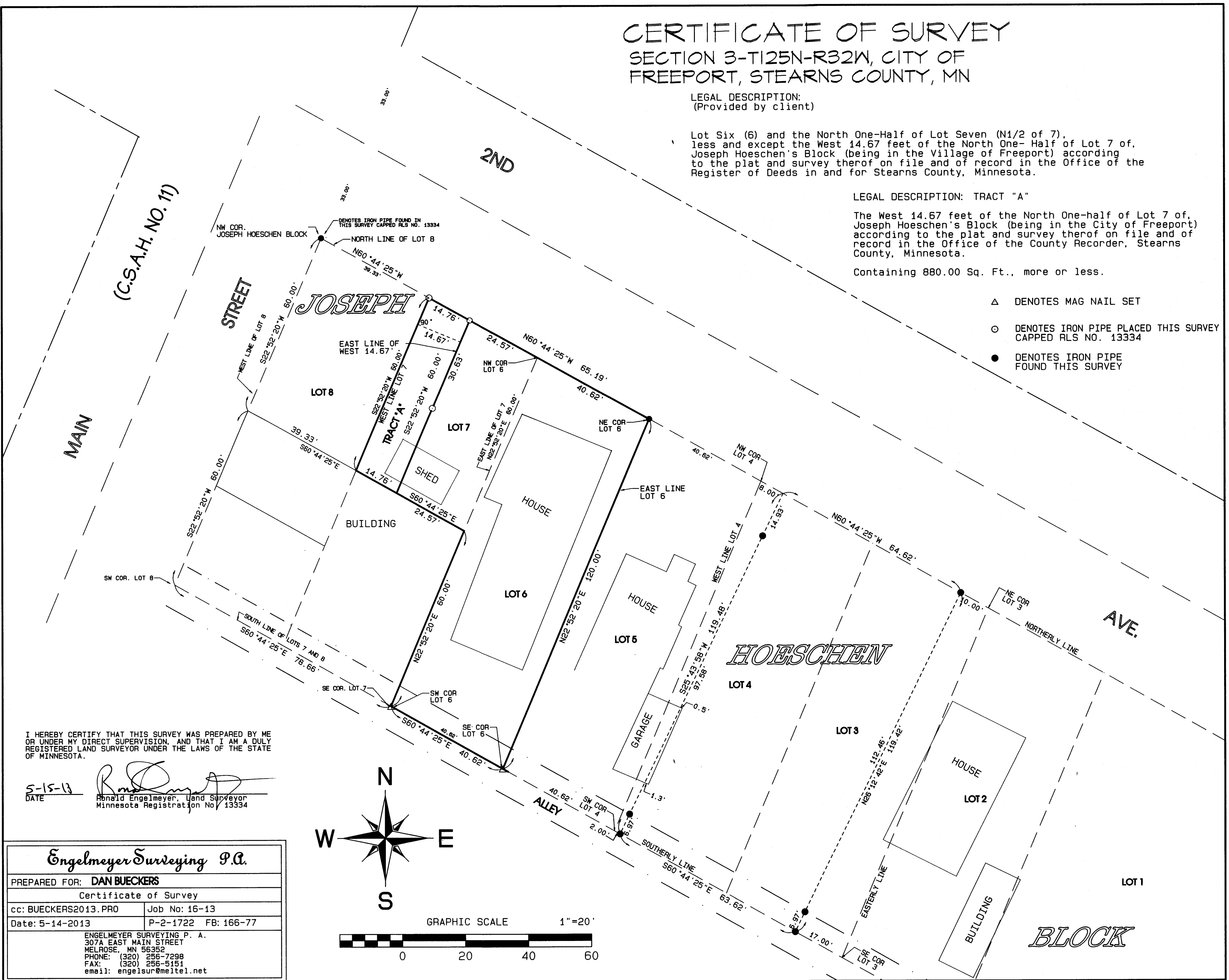
Lot Six (6) and the North One-Half of Lot Seven (N1/2 of 7),  
less and except the West 14.67 feet of the North One- Half of Lot 7 of,  
Joseph Hoeschen's Block (being in the Village of Freeport) according  
to the plat and survey thereof on file and of record in the Office of the  
Register of Deeds in and for Stearns County, Minnesota.

LEGAL DESCRIPTION: TRACT "A"

The West 14.67 feet of the North One-half of Lot 7 of,  
Joseph Hoeschen's Block (being in the City of Freeport)  
according to the plat and survey thereof on file and of  
record in the Office of the County Recorder, Stearns  
County, Minnesota.

Containing 880.00 Sq. Ft., more or less.

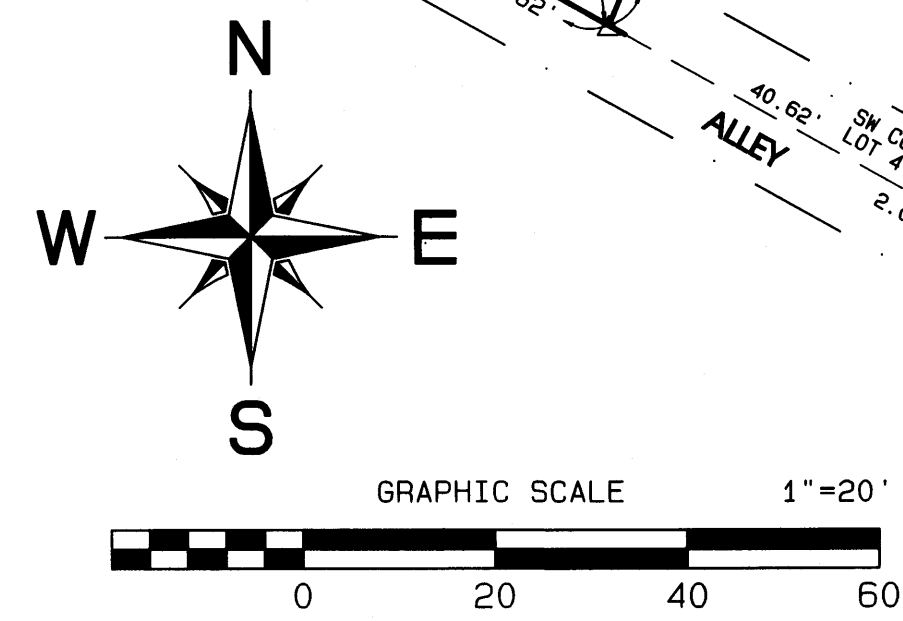
- △ DENOTES MAG NAIL SET
- DENOTES IRON PIPE PLACED THIS SURVEY  
CAPPED RLS NO. 13334
- DENOTES IRON PIPE  
FOUND THIS SURVEY



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

5-15-13  
DATE  
*Ronald Engelmeyer*  
Ronald Engelmeyer, Land Surveyor  
Minnesota Registration No. 13334

<b>Engelmeyer Surveying P.A.</b>	
PREPARED FOR: <b>DAN BUECKERS</b>	
Certificate of Survey	
cc: BUECKERS2013.PRO	Job No: 16-13
Date: 5-14-2013	P-2-1722 FB: 166-77
ENGELMEYER SURVEYING P. A. 307A EAST MAIN STREET MELROSE, MN 56352 PHONE: (320) 256-7298 FAX: (320) 256-5151 email: engelsur@meltel.net	



**CITY OF FREEPORT, MINNESOTA  
RESOLUTION 2013-018**

**RESOLUTION APPROVING COMBINATION OF LOTS LOCATED AT 107 4<sup>TH</sup> STREET NORTHWEST**

**WHEREAS**, Mr. Tom Blommel (Applicant) submitted a request for a minor subdivision to combine Lot 3 at 107 4<sup>th</sup> Street Northwest with TRACT "A", thereby creating one lot; and,

**WHEREAS**, the proposed lot combination is illustrated in the Certificate of Survey attached hereto as EXHIBIT A; and,

**WHEREAS**, Section 11 of the Freeport Subdivision Ordinance provides for minor subdivisions of real property; and,

**WHEREAS**, a the Applicants proposes a 'minor subdivision' in that (a) only one (1) lots will result from the combination, (b) the combination will not involve a new street or road, and (c) the combination will not precipitate the extension of municipal facilities or public improvements; and,

**WHEREAS**, minor subdivisions are exempt from platting requirements contained in the Freeport Subdivision Ordinance; and,

**WHEREAS**, the Freeport Subdivision Ordinance allows the City Council to consider approval of a minor subdivision following a review and recommendation of the Planning Commission; and,

**WHEREAS**, the City Council is the planning authority in Freeport (a separate Planning Commission doesn't exist); and,

**WHEREAS**, the City Council has reviewed the lot combination request and has made the following findings:

1. The lots to be combined are located within the R-1 Single and Two Family Residential District.
2. The lot combination will result in a conforming lot within the R-1 District.
3. The proposed lot combination does not result in additional demand for public roadways and/or utility extensions.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FREEPORT THAT:** The City Council of the City of Freeport hereby approves combination of Lot 3 at 107 4<sup>th</sup> Street Northwest with TRACT "A" into a single lot as illustrated on the Certificate of Survey attached hereto as "EXHIBIT A" and dated May 9, 2013.

**BE IT FURTHER RESOLVED** the combination of 'TRACT A' resulting from the aforementioned lot combination at 107 4<sup>th</sup> Street Northwest is hereby approved, contingent on the Property Owner recording the combination at the Stearns County Recorder's Office.

DATED THIS 28<sup>th</sup> DAY OF MAY, 2013

Motion by:

Second by:

Council members voting in favor: (list those approving)

Opposed or abstained: (list)

ATTEST:

**CITY OF FREEPORT**

---

**Matt Worms, Mayor**

ATTEST:

---

**Mason Schirmer, City Clerk-Treasurer**



## City of Freeport

125 Main Street East - P.O. Box 301 - Freeport, MN 56331

Phone (320)836-2112 - Fax (320)836-2116

Web www.freeportmn.org - Email cityfrpt@albanytel.com

Fee was paid in 2012

RECEIVED  
NOV 27 2012BY: *AMK*

## Zoning Form and Permit (\$25.00)

Property Address 107 4th ST NW Freeport, MN 56331Owner(s) Tom Blomme Phone Number 836-258

Mailing Address (if different from above) \_\_\_\_\_

## Type of Request:

- ☐ Patio ☐ Sign (non-illuminated) ☐ Sign (illuminated) ☐ Fencing
- ☒ Building Demolition (Must coordinate with the Public Works Director regarding City utilities and with City Building Inspector to ensure that the lot is a buildable lot at the completion of the building's demolition.)
- minor subdivision request  
in conditional approval for  
structure requested.*

All or part of the following information (if applicable) is required with the application:

- ☒ Site Plan
- ☐ All existing signs on the property and their respective locations with dimensions, setbacks, and heights noted (including window signs)
- ☐ Specifications for proposed sign(s)
- ☐ Location of all structure and their square footages
- ☐ Public right-of-ways, sidewalks, curb cuts, driveways, parking, access roads, wetlands, floodplain, easements, etc.
- ☐ Landscaping and screening plans
- ☐ Other \_\_\_\_\_

I hereby certify that I have read and examined this application and supporting documents and know the same to be true and correct. I have identified all property boundaries, easements, flood zones and/or wetland, existing on my site plan and application. The undersigned further agrees that the City and its administrative staff relied on the accurateness of this application, plans and specifications relative to this request and hold the City of Freeport harmless from liability arising from the granting of a permit.

Property Owner Signature Tom Blomme Date 11-27-12

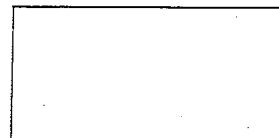
## ZONING PERMIT

This permit is granted upon the authority given by the State of Minnesota, County of Stearns in the City of Freeport by its Zoning Administrator to said property owner for the sole purposes as described above.

City Clerk, as Zoning Administrator Signature \_\_\_\_\_

Date \_\_\_\_\_

City Seal



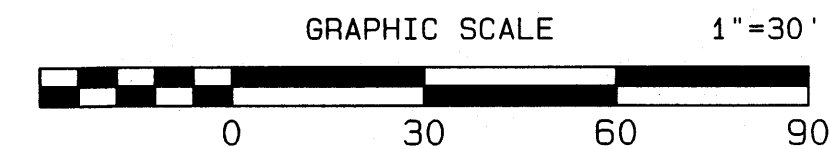
\*Returned application incomplete 12/4/12

SEC 3-T125N-R32W

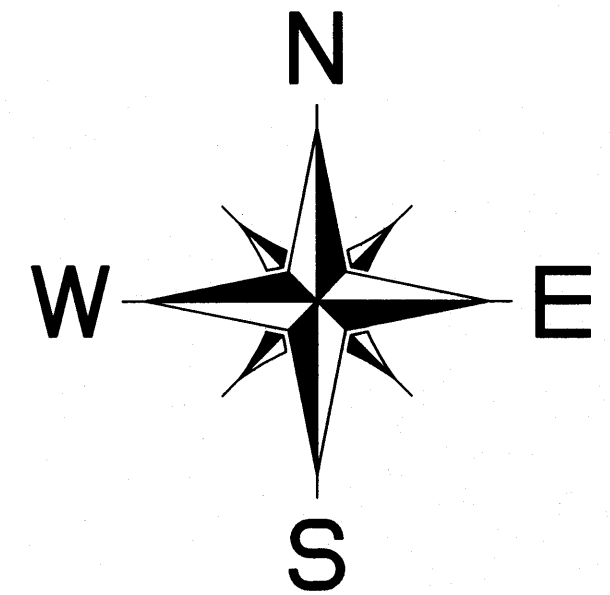
IMPERVIOUS SURFACE CALCULATIONS:

HOUSE = 1405 SQ. FT.  
GARAGE = 416 SQ. FT.  
EXISTING SHED TO BE REMOVED = 1008 SQ. FT.  
PROPOSED SHED = 1280 SQ. FT.  
DRIVEWAY = 333 SQ. FT.  
TOTAL LOT = 12,405 SQ. FT.  
LOT COVERAGE WITH NEW SHED = 27.7% COVERAGE

LOT 3 = 4135 SQ. FT.  
PROPOSED SHED = 1280 SQ. FT.  
LOT COVERAGE = 30.9% COVERAGE



- DENOTES IRON PIPE PLACED THIS SURVEY  
CAPPED RLS NO. 13334
- DENOTES IRON PIPE  
FOUND THIS SURVEY



LEGAL DESCRIPTIONS AS PROVIDED BY CLIENT:

1) Westerly One Half (1/2) of Lots One (1) and Two (2) in Block One (1), BORGERDING'S ADDITION TO THE VILLAGE OF FREEPORT, according to the plat and survey thereof on file and of record in the office of the Register of Deeds, in and for said County, more specifically described as follows: Commencing at the Northwest corner of said Lot (1), thence running Southwesterly on and along the Westerly line of said Lot 1 and said Lot 2 to the southwest corner of Lot 2, thence running Southeasterly on and along the Southerly line of Lot 2 a distance of 82.70 feet, thence running Northerly on a line parallel to the West line of said Lots 1 and 2 a distance of 100 feet to a point on the Northerly line of said Lot 1, thence running Northerly along the Northerly line of said Lot 1 a distance of 82.70 feet to the point of beginning.

2) That part of Lot Three (3) in Block One (1) of BORGERDING'S ADDITION TO THE VILLAGE OF FREEPORT, according to the plat and survey thereof on file and of record in the office of the Register of Deeds, Stearns County, described as follows: Beginning at the Northwest corner of Lot Three (3) in Block One (1), thence go Southeasterly along the North line of Lot Three a distance of 82.7 feet to the point of beginning of the tract herein conveyed; thence go Southwesterly parallel to the Westerly line of Lot 3 a distance of forty (40) feet; thence go in a Westerly and Northerly direction parallel with the North line of Lot 3 a distance of 32.7 feet; thence go Northeasterly parallel with the westerly boundary line of Lot 3 a distance of forty (40) feet to the Northerly boundary line of Lot 3, thence go Southeasterly along the Northerly boundary line of Lot 3, 32.7 feet to the point of beginning and there terminating.

3) A part of Lot Three (3) in Block One (1) of BORGERDING'S ADDITION TO THE CITY OF FREEPORT, described as follows: Commencing at the northwest corner of said Lot 3 and thence running southeasterly along the northerly line of said Lot 3 for a distance of 50 feet, thence running southerly on a line parallel with the west line of said Lot 3 a distance of 50 feet to the south line of said Lot 3, thence running northwesterly on and along the southerly line of said Lot 3 a distance of 50 feet to the west line of said Lot 3, thence running northerly on and along the west line of said Lot 3 to the point of beginning.

LEGAL DESCRIPTION: TRACT "A"

That part of Lot 3, Block 1 of BORGERDING'S ADDITION TO THE CITY OF FREEPORT, according to the plat and survey thereof on file and of record in the office of the County Recorder, Stearns County, described as follows: Commencing at the Northwest corner of said Lot 3, Block 1, thence running Southeasterly along the North line of said Lot 3, a distance of 82.7 feet; thence running Southwesterly parallel to the Westerly line of said Lot 3 a distance of 40.00 feet to the point of beginning of the land to be described; thence continue Southwesterly parallel to the Westerly line of said Lot 3 a distance of 10.00 feet to the Southerly line of said Lot 3; thence running Northwesterly along the Southerly line of said Lot 3 a distance of 32.70 feet; thence running Northeasterly parallel to the westerly line of said Lot 3, a distance of 10.00 feet; thence go Southeasterly parallel the Southerly line of Lot 3, a distance of 32.7 feet to the point of beginning.

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

May 9 2 013  
DATE  
Ronald Engelmeier, Land Surveyor  
Minnesota Registration No. 13334

THIS SURVEY IS INTENDED ONLY FOR THE BENEFIT OF THE PARTY TO WHOM IT WAS PREPARED FOR AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTY OR FOR ANY OTHER PURPOSE WITHOUT CONTACTING THE SURVEYOR WHO DEVELOPED AND MADE THIS DRAWING. UNAUTHORIZED REPRODUCTION OF THIS DOCUMENT IS PROHIBITED. ALL LEGAL DESCRIPTIONS NEED TO BE PROOF READ AND APPROVED BY THE CLIENT'S ATTORNEY BEFORE BEING RECORDED AT THE COUNTY RECORDER'S OFFICE.

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. NO SEARCH FOR EASEMENTS RECORDED OR UNRECORDED WAS MADE BY THE SURVEYOR.

Engelmeier Surveying P.A.

PREPARED FOR: TOM BLOMMEL

Certificate of Survey

cc: blommel-t.pro Job No: 4-13

Date: 5-9-2013 P-3-2801 FB: 166-75

ENGELMEIER SURVEYING P. A.  
307A EAST MAIN STREET  
MELROSE, MN 56352  
PHONE: (320) 256-7298  
FAX: (320) 256-5151  
email: engelsur@meltel.net

May 28, 2013

Trudi Witkowski  
Minnesota Department of Health  
Drinking Water Protection Section  
Source Water Protection Unit  
P.O. Box 64975  
St. Paul, Minnesota 55164

Dear Trudi Witkowski:

Re: City of Freeport Wellhead Protection plan, Part 1

In accordance with the Minnesota Protection Rule (part 4720.5330, subpart 1), the City of Freeport formally requests that the Minnesota Department of Health review our enclosed Wellhead Protection Plan, Part 1, for approval. The City of Freeport has reviewed and approved Part 1 of the plan on May 28, 2013.

We thank you for your assistance and look forward to receiving your comments.

Sincerely,

Mason Schirmer, Clerk-Treasurer  
City of Freeport

**Wellhead Protection Plan**

**Part I**

**Wellhead Protection Area Delineation**

**Drinking Water Supply Management Area Delineation**

**Well and Drinking Water Supply Management Area Vulnerability Assessments**

**For**

**City of Freeport**

**October 2012**

**Tracy J. Lund**

**Joy E. Loughry**

**Minnesota Department of Health**



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## Glossary of Terms

**Data Element.** A specific type of information required by the Minnesota Department of Health to prepare a wellhead protection plan.

**Drinking Water Supply Management Area (DWSMA).** The area delineated using identifiable land marks that reflects the scientifically calculated wellhead protection area boundaries as closely as possible (Minnesota Rules, part 4720.5100, subpart 13).

**Drinking Water Supply Management Area Vulnerability.** An assessment of the likelihood that the aquifer within the DWSMA is subject to impact from land and water uses within the wellhead protection area. It is based upon criteria that are specified under Minnesota Rules, part 4720.5210, subpart 3.

**Emergency Response Area (ERA).** The part of the wellhead protection area that is defined by a one-year time of travel within the aquifer that is used by the public water supply well (Minnesota Rules, part 4720.5250, subpart 3). It is used to set priorities for managing potential contamination sources within the DWSMA.

**Inner Wellhead Management Zone (IWMZ).** The land that is within 200 feet of a public water supply well (Minnesota Rules, part 4720.5100, subpart 19). The public water supplier must manage the IWMZ to help protect it from sources of pathogen or chemical contamination that may cause an acute health effect.

**Wellhead Protection (WHP).** A method of preventing well contamination by effectively managing potential contamination sources in all or a portion of the well's recharge area.

**Wellhead Protection Area (WHPA).** The surface and subsurface area surrounding a well or well field that supplies a public water system, through which contaminants are likely to move toward and reach the well or well field (Minnesota Statutes, section 103I.005, subdivision 24).

**Well Vulnerability.** An assessment of the likelihood that a well is at risk to human-caused contamination, either due to its construction or indicated by criteria that are specified under Minnesota Rules, part 4720.5550, subpart 2.

## **Acronyms**

**CWI** - County Well Index

**DNR** - Minnesota Department of Natural Resources

**EPA** - United States Environmental Protection Agency

**FSA** - Farm Security Administration

**MDA** - Minnesota Department of Agriculture

**MDH** - Minnesota Department of Health

**MGS** - Minnesota Geological Survey

**MnDOT** - Minnesota Department of Transportation

**MnGEO** - Minnesota Geospatial Information Office

**MPCA** - Minnesota Pollution Control Agency

**NRCS** - Natural Resource Conservation Service

**SWCD** - Soil and Water Conservation District

**UMN** - University of Minnesota

**USDA** - United States Department of Agriculture

**USGS** - United States Geological Survey

## 1. Introduction

The Minnesota Department of Health (MDH) developed Part I of the wellhead protection (WHP) plan at the request of the City of Freeport (PWSID 1730013). The work was performed in accordance with the Minnesota Wellhead Protection Rule, parts 4720.5100 to 4720.5590.

This report presents delineations of the wellhead protection area (WHPA) and drinking water supply management area (DWSMA), and the vulnerability assessments for the city of Freeport's wells and DWSMA. Figure 1 shows the boundaries for the WHPA and the DWSMA. The WHPA is defined by a 10-year time of travel. Figure 1 also shows the emergency response area (ERA), which is defined by a 1-year time of travel. Definitions of rule-specific terms that are used are provided in the "Glossary of Terms."

This report also documents the technical information that was required to prepare this portion of the WHP plan in accordance with the Minnesota Wellhead Protection Rule. Additional technical information is available from MDH.

The wells included in the WHP plan are listed in Table 1.

**Table 1 - Water Supply Well Information**

Local Well ID	Unique Number	Use/ Status <sup>1</sup>	Casing Diameter (inches)	Casing Depth (feet)	Well Depth (feet)	Date Constructed/ Reconstructed	Aquifer	Well Vulnerability
1	215124	A, P	8	145	160	1957	QBAA	Nonvulnerable
2	240101	A, P	10	188	212	1967	QBAA	Nonvulnerable

Note: 1. Active (A), Primary (P)

2. QBAA: Quaternary buried artesian aquifer, i.e. deep confined sand and gravel materials

## 2. Assessment of the Data Elements

MDH staff met with representatives of the city of Freeport on March 10, 2011, for a scoping meeting that identified the data elements required to prepare Part I of the WHP plan. Table 2 presents the assessment of these data elements relative to the present and future implications of planning items that are specified in Minnesota Rules, part 4720.5210.

**Table 2 - Assessment of Data Elements**

Data Element	Present and Future Implications				Data Source
	Use of the Well (s)	Delineation Criteria	Quality and Quantity of Well Water	Land and Groundwater Use in DWSMA	
<b>Precipitation</b>					
<b>Geology</b>					
Maps and geologic descriptions	M	H	H	H	MGS, DNR, USGS, Meyer (1995), Falteisek (1998), Berg (2007)
Subsurface data	M	H	H	H	MGS, MDH, MPCA, DNR, MDA, Meyer (1995), Falteisek (1998), Berg (2007)
Borehole geophysics	M	H	H	H	MGS, Consultant Reports
Surface geophysics	L	L	L	L	None available
Maps and soil descriptions					
Eroding lands					
<b>Water Resources</b>					
Watershed units					
List of public waters					
Shoreland classifications					
Wetlands map					
Floodplain map					
<b>Land Use</b>					
Parcel boundaries map	L	H	L	L	Stearns County
Political boundaries map	L	H	L	L	MnGEO
PLS map	L	H	L	L	MnGEO
Land use map and inventory	M	H	M	M	MnGEO
Comprehensive land use map	L	L	L	L	City of Freeport, Stearns County
Zoning map	L	L	L	L	City of Freeport
<b>Public Utility Services</b>					
Transportation routes and corridors					
Storm/sanitary sewers and PWS system map					
Oil and gas pipelines map					
Public drainage systems map or list					
Records of well construction, maintenance, and use	H	H	H	H	City, CWI, MDH files
<b>Surface Water Quantity</b>					
Stream flow data					
Ordinary high water mark data					
Permitted withdrawals					
Protected levels/flows					
Water use conflicts					
<b>Groundwater Quantity</b>					
Permitted withdrawals	H	H	H	H	DNR
Groundwater use conflicts	H	H	H	H	DNR
Water levels	H	H	H	H	DNR, MPCA, MDA, MDH, City

Data Element	Present and Future Implications				Data Source
	Use of the Well (s)	Delineation Criteria	Quality and Quantity of Well Water	Land and Groundwater Use in DWSMA	
Surface Water Quality					
Stream and lake water quality management classification					
Monitoring data summary					
Groundwater Quality					
Monitoring data	H	H	H	H	MPCA, MDH, MDA, USGS
Isotopic data	H	H	H	H	None available
Tracer studies	H	H	H	H	None available
Contamination site data	M	M	M	M	MPCA, MDA
Property audit data from contamination sites					
MPCA and MDA spills/release reports					

#### Definitions Used for Assessing Data Elements:

- High (H)** - the data element has a direct impact
- Moderate (M)** - the data element has an indirect or marginal impact
- Low (L)** - the data element has little if any impact
- Shaded** - the data element was not required by MDH for preparing the WHP plan

Acronyms used in this report are listed on page ii, after the "Glossary of Terms."

### 3. General Descriptions

#### 3.1 Description of the Water Supply System

The city of Freeport obtains its drinking water supply from two primary wells; Table 1 summarizes information regarding them.

#### 3.2 Description of the Hydrogeologic Setting

The description of the hydrologic setting for the aquifer used to supply drinking water is presented in Table 3.

**Table 3 - Description of the Hydrogeologic Setting**

<b>Attribute</b>	<b>Descriptor</b>	<b>Data Source</b>
Aquifer Material	Unconsolidated sand and gravel materials	CWI
Porosity Type and Value	Primary: 25%	Fetter, 2001
Aquifer Thickness	Aquifer thickness varies between 27 and 30 feet within the final Freeport DWSMA. Aquifer thickness outside the well field is up to 64 feet.	CWI; geologic cross sections (Figures 4 and 5) and area well logs
Stratigraphic Top Elevation	Varies between 1,079 and 1,116 feet MSL in the area.	CWI; geologic cross sections (Figures 4 and 5) and area well logs
Stratigraphic Bottom Elevation	Varies between 1,052 and 1,103 feet MSL in the area.	CWI; geologic cross sections (Figures 4 and 5) and area well logs
Hydraulic Confinement	Confined	CWI; geologic cross sections (Figures 4 and 5) and area well logs
Transmissivity	Range of Values: 30 – 12,800 ft <sup>2</sup> /day	A range of transmissivity values was used to reflect changes in aquifer composition and thickness as well as uncertainties related to the quality of existing aquifer test data. See Table 4 for the reference value.
Hydraulic Conductivity	Range of Values: 1.5 - 640 ft/day	The range of values was derived using specific capacity data obtained from well records.
Groundwater Flow Field	See Figure 2 - Ambient Groundwater Flow Field	Defined by using static water level elevations from well records in the CWI database and documents listed in the "Selected References" section of this report.

Figures 3, 4, and 5 show the distribution of the aquifer and its stratigraphic relationships with adjacent geologic materials. They were prepared using well record data that is contained in the CWI database. The geological maps and studies that were used to further define local hydrogeologic conditions are provided in the "Selected References" section of this report.

## **4. Delineation of the Wellhead Protection Area**

### **4.1 Delineation Criteria**

The boundaries of the WHPA for the city of Freeport are shown in Figure 1. Table 4 describes how the delineation criteria that are specified under Minnesota Rules, part 4720.5510, were addressed.



**Table 4 - Description of WHPA Delineation Criteria**

<b>Criterion</b>	<b>Descriptor</b>	<b>How the Criterion was Addressed</b>
Flow Boundary	None	There are no known flow boundaries close enough to the Freeport city wells to have an impact on their capture areas.
Flow Boundary	Other High-Capacity Wells	There are no high-capacity wells other than the city's water supply wells within 2 miles of Freeport.
Daily Volume of Water Pumped	See Table 5	Pumping information was obtained from the DNR, Appropriations Permit 1977-3542, and was converted to a daily volume pumped by a well.
Groundwater Flow Field	See Figure 2	The model calibration process addressed the relationship between the calculated versus observed groundwater flow field.
Aquifer Transmissivity (T)	Reference Value: 6,833 ft <sup>2</sup> /day	The aquifer test plan was approved on August 17, 2012, and T was determined from a specific capacity test conducted on Freeport 1 (215124) on December 15, 1957. Uncertainty regarding aquifer transmissivity was addressed as described in Section 4.4.
Time of Travel	10 years	The public water supplier selected a 10 year time of travel.

Information provided by the public water supplier was used to identify the maximum volume of water pumped annually by each well over the previous five-year period, as shown in Table 5. Also, the estimated pumping for the next five years is shown. Previous pumping values have been reported to the DNR, as required by the city's Groundwater Appropriation Permit No. 1977-3542. The maximum daily volume of discharge used as an input parameter in the model was calculated by dividing the greatest annual pumping volume by 365 days.

**Table 5**  
**Annual Volume of Water Discharged from Water Supply Wells**

<b>Well Name</b>	<b>Unique No.</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>Future Maximum Pumping</b>	<b>Daily Volume</b>
1	215124	9,000,000	8,500,000	8,300,000	8,100,000	6,700,000	9,000,000	24,658
2	240101	9,400,000	7,900,000	7,700,000	8,000,000	9,700,000	9,700,000	26,575

(Expressed as gallons. Bolding indicates greatest annual pumping volume.)

## **4.2 Method Used to Delineate the Wellhead Protection Area**

The WHPA for the city of Freeport's wells was determined using a combination of two methods. The first involved calculating the groundwater capture zones deterministically using representative aquifer parameters that were input into MLAEM, a groundwater modeling code (Strack, 1989). The second

approach used the stochastic analytical groundwater flow method Oneka (Barnes and Soule, 2002). The results of these separate analyses are presented in Figure 6. The resulting WHPA boundaries are a composite of the capture zones calculated using these two approaches (Figure 1). The input files for both models are available at MDH upon request.

The MLAEM Code was selected because it is a semi-quantitative method capable of simulating the influence of vertical infiltration and the pumping influence of multiple high-capacity wells, if necessary. It produces a conservative estimate because aquifer recharge is not used as an input parameter. It is appropriate to use MLAEM for these particular delineations because no flow boundaries were directly observed in drillers' logs in the area around the primary city wells, at least in the areas defined by a 1-year and 10-year time of travel.

The second code, using the analytical groundwater flow method named Oneka (Barnes and Soule, 2003), was used to assess the probability of impacts that local variations in hydrogeologic conditions may have on a well capture zone. This model treats the aquifer properties and the available water level measurements as variable input parameters. The locations of wells, water levels, and the aquifer geometry were evaluated using information from the CWI database. For the solution, Oneka finds the flow field that best fits the network of water level elevations by varying the values of the aquifer thickness and transmissivity. Oneka then evaluates the probability of the capture of a given point based on the number of times it is included in the capture areas generated by the total number of solutions. The output from the model is a capture zone probability map for the specified time of travel (10 years).

### 4.3 Results of Model Calibration and Sensitivity Analysis

**Model calibration** is a procedure that compares the results of a model based on estimated input values to measured or known values. This procedure can be used to define model validity over a range of input values, or it helps determine the level of confidence with which model results may be used. As a matter of practice, groundwater flow models are usually calibrated using static water elevations.

However, owing to the limited amount of water elevation data for the aquifer used by the city of Freeport, a flowpath model based on available hydraulic head observations was calculated and a model uncertainty analysis was conducted in place of a traditional model calibration. Flowpath lines were calculated in the MLAEM Model using equations that reflected 1) a constant pumping rate, 2) direction of groundwater flow, 3) hydraulic gradient, 4) aquifer thickness, 5) aquifer permeability, and 6) aquifer porosity. As such, it is a simple calculation of the portion of the aquifer that contributes water, based on the width of the flow field that is affected by pumping.

The Oneka Model is used to support the MLAEM model results by using an iterative process which provides the best fit for the ranges of values assigned to its input parameters. This helps to define the subset of values for which the delineation results are most likely to reflect local hydrogeologic conditions and, therefore, provide the best calibration results.

**Model sensitivity** is the amount of change in model results caused by the variation of a particular input parameter. Because of the simplicity of the MLAEM model, the direction and extent of the modeled capture zone may be very sensitive to any of the input parameters:

- The pumping rate directly affects the volume of the aquifer that contributes water to the well. An increase in pumping rate leads to an equivalent increase in the volume of aquifer within the capture zone, proportional to the porosity of the aquifer materials. However, the pumping rate

is based on the results presented in Table 5 and, therefore, is not a variable factor that will influence the delineation of the WHPA.

- The direction of groundwater flow determines the orientation of the capture area. Variations in the direction of groundwater flow will not affect the size of the capture zone but are important for defining the areas that are the source of water to the well. The ambient groundwater flow field that is defined in Figure 2 provides the basis for determining the extent to which each model run reflects the conceptual understanding of the orientation of the capture area for a well.
- An hydraulic gradient of zero produces a circular capture zone, centered on the well. As the hydraulic gradient increases, the capture zone changes into an elliptical shape, with the well centered on the down-gradient focal point. The hydraulic gradient was determined by using water level elevations that were taken from wells that have verified locations (Figure 2). Generally, the accuracy of the hydraulic gradient determination is directly proportional to the amount of available data that describes the distribution of hydraulic head in the aquifer.
- The aquifer thickness, permeability, and porosity influence the size and shape of the capture zone. A decrease in either thickness or porosity causes a linear, proportional increase in the areal extent of the capture zone; whereas permeability defines the relative proportions of the capture zone width to length. A decrease in permeability decreases the length of the capture zone and increases the distance to the stagnation point, making the capture zone more circular in shape and centered around the well.

#### 4.4 Addressing Model Uncertainty

Using computer models to simulate groundwater flow necessarily involves representing a complicated natural system in a simplified manner. Local geologic conditions may vary within the capture area of the Freeport city wells, but the amount of existing information that is needed to accurately define this degree of variability is often not available for portions of the WHPA. In addition, the current capabilities of groundwater flow models may not be sufficient to represent the natural flow system exactly. However, the results are valid within a range defined by the reasonable variation of input parameters for this delineation setting.

The MLAEM Code, used as it was in this delineation, has limited capabilities in addressing these kinds of uncertainties, other than by using multiple runs in which the following six input parameters are varied: 1) constant pumping rate, 2) hydraulic gradient, 3) direction of ambient flow, 4) aquifer thickness, 5) aquifer permeability, and 6) porosity. The uncertainty associated with the MLAEM model results from 1) the model deficiencies mentioned above, and 2) the fact that the model cannot be calibrated. The steps employed for this delineation to address model uncertainty were:

- 1) Pumping Rate - For each well, a maximum historical (five-year) pumping rate or an engineering estimate of future pumping, whichever is greater (Minnesota Rules, part 4720.5510, subpart 4).
- 2) Ambient Flow Field - A composite of capture zones created from angles of flow that are 10 degrees greater and 10 degrees lesser than the representative angle of ambient flow (Minnesota Rules, part 4720.5510, subpart 5, B(2)).
- 3) Probability Analysis - The Oneka Model was used to estimate capture zone probability.

Capture areas were developed for a range of groundwater flow directions, aquifer permeabilities, and times of travel of one and ten years (Figure 6). As the model code uses constant input values for each run, several runs were required to include all variations in input parameters. Table 6 documents the variables used to address MLAEM model uncertainty.

**Table 6 - Model Parameters Used in MLAEM Model Runs**

File Name	Well Name	Discharge (m <sup>3</sup> /day)	Transmissivity (m <sup>2</sup> /day)	Gradient	Flow Angle	Porosity (%)	Aquifer Thickness (meters)	Remarks
Freeport_base.txt	1 (215124)	93.3	635	0.001	N 108°E	25	6.1	Base flow direction
	2 (240101)	100.6						
Freeport_minus10.txt	1 (215124)	93.3	635	0.001	N 98°E	25	6.1	Base flow direction minus 10 degrees
	2 (240101)	100.6						
Freeport_plus10.txt	1 (215124)	93.3	635	0.001	N 118°E	25	6.1	Base flow direction plus 10 degrees
	2 (240101)	100.6						

Oneka Model - Uncertainty related to water levels reported on well records is based on the accuracy of the ground elevation assigned to the well using topographic maps and the transient variability of the water levels in the aquifer over time. Water levels that are probably inaccurate were identified using data from 1) the CWI database, and 2) DNR observation well measurements. Only water levels that fit the flow field (Figure 2) were used for the Oneka analysis.

The Oneka Model helps to address uncertainties related to aquifer parameters as variations of the flow field. A 10-year capture zone probability map (Figure 6) was generated for the city of Freeport's wells; the values used for the Oneka Model are shown in Table 7. The Oneka results fit well with the capture zones calculated from the MLAEM model. The probability map for the city's wells shows that uncertainty of the capture zone increases as the distance from the wells increases (Figure 6).

**Table 7 - Range of Values Used for the Oneka Model**

File Name	Well Number	Hydraulic Conductivity (meters/day)	Thickness (meters)	Porosity (%)
Freeport1.one	1 (215124)	0.45 - 202	6.1	25
Freeport2.one	2 (240101)	0.45 - 202	6.1	25

## 5. Delineation of the Drinking Water Supply Management Area

The boundaries of the Drinking Water Supply Management Area (DWSMA) were defined by the city of Freeport using the following features (Figure 1):

- Center-lines of highways, streets, or roads;
- Public Land Survey coordinates;
- Property or fence lines; and
- Political boundaries.

## 6. Vulnerability Assessments

The Part I wellhead protection plan includes the vulnerability assessments for the city of Freeport wells and DWSMA. These vulnerability assessments are used to help define potential contamination sources within the DWSMA and select appropriate measures for reducing the risk that they present to the public water supply.

### 6.1 Assessment of Well Vulnerability

The vulnerability assessments for Freeport city wells are listed in Table 1 and are based upon the following conditions:

- 1) Well construction specifications for both Freeport wells are either unknown or do not meet current State Well Code specifications (Minnesota Rules, part 4725);
- 2) The geologic conditions at the Freeport well 1 (215124) site include a cover of clay-rich geologic materials over the aquifer that is sufficient to retard or prevent the vertical movement of contaminants; and
- 3) None of the human-caused contaminants regulated under the federal Safe Drinking Water Act have been detected at levels indicating that the well itself serves to draw contaminants into the aquifer as a result of pumping.

### 6.2 Assessment of Drinking Water Supply Management Area Vulnerability

The vulnerability of the DWSMA is very low and is based upon the following information:

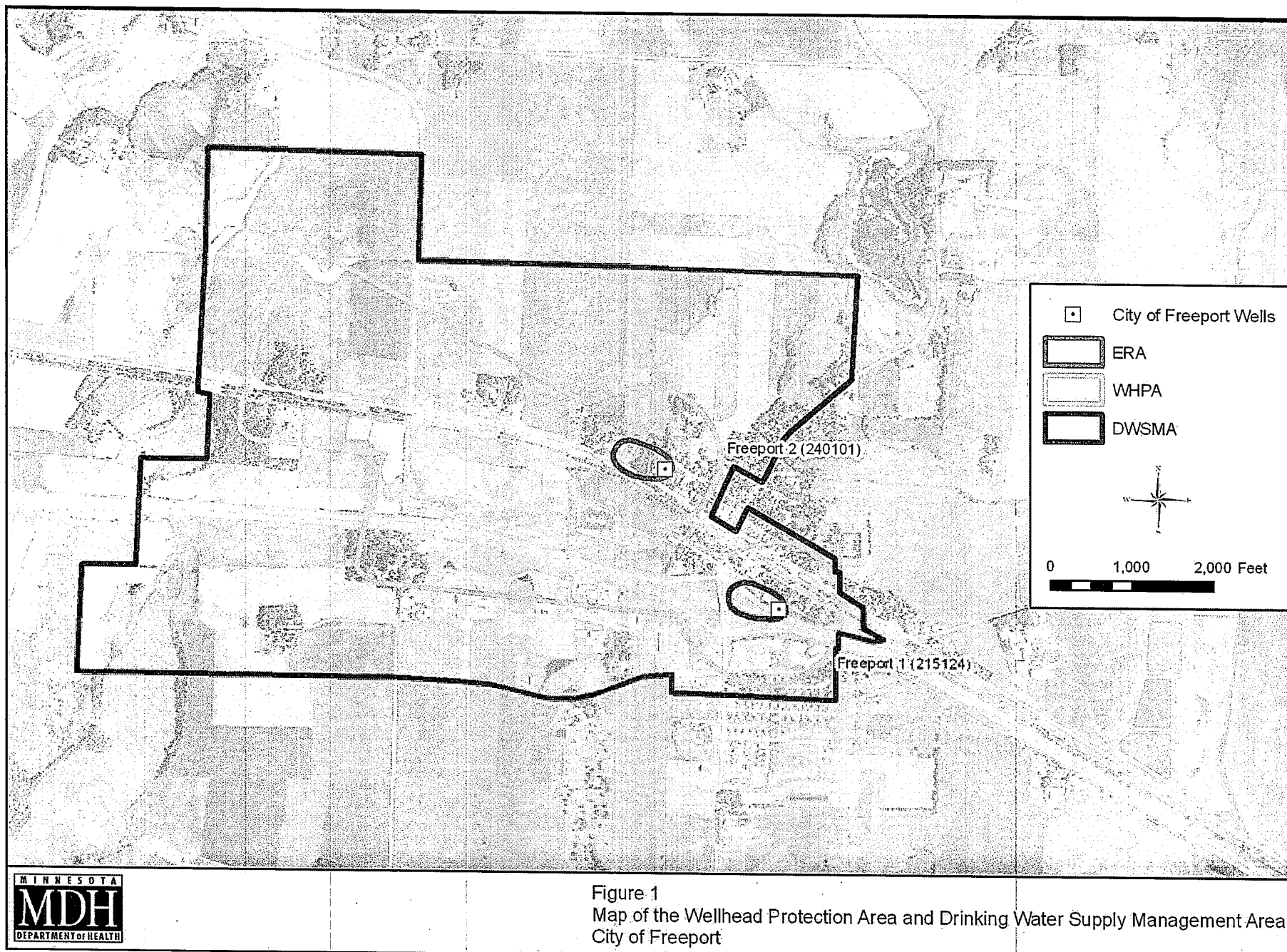
- 1) Isotopic and water chemistry data from wells located within the DWSMA indicate that the aquifer contains water that has no detectable levels of tritium or human-caused contamination;
- 2) Review of the geologic logs contained in the CWI database and geological maps and reports indicate that the aquifer exhibits a very low geologic sensitivity throughout the DWSMA and is isolated from the direct vertical recharge of surface water; and
- 3) Arsenic and radium, which are naturally-occurring contaminants, have been detected in water samples from both Freeport city wells. A sample collected from Freeport Well 1 on March 26, 2008, had an arsenic concentration of 1.6 micrograms per liter and a radium-228 concentration of 1.9 picoCuries per liter. A sample collected from Freeport Well 2 (240101) on November 24, 1997 had an arsenic concentration of 1.4 micrograms per liter. The presence of either of these naturally-occurring contaminants does not indicate that there is a direct pathway between the aquifer and potential contamination sources that occur at or near the land surface. In fact, the consistent presence of arsenic Well 1—and the historical presence of arsenic within other public water supply wells of similar depth in the area—indicates that the source of arsenic is the aquifer itself.

## 7. Selected References

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- Barnes, R.J., and Soule, R.G. (2002), *Oneka: A simple analytical element model for stochastic capture zone delineation*, 8 p., St. Paul, Minn., draft paper.
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- Freeze, R.A., and Cherry, J.A. (1979), *Groundwater*, Prentice Hall, Englewood Cliffs, N.J., 553 p.
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- Meyer, G.N. (Project mgr.) (1995), *Geologic atlas of Stearns County, Minnesota*, County Atlas Series, C-10, Part A, Minnesota Geological Survey, St. Paul, Minn., 7 plates, scales 1:100,000 and 1:200,000.
- Sterett, R.J. (Ed.) (2007), *Groundwater and wells*, Third Edition, Johnson Screens, a Weatherford Company, New Brighton, MN, 812 p.
- Strack, O.D.L. (1989), *Groundwater mechanics*, Prentice Hall, Englewood Cliffs, N.J., 732 p.

# Figures

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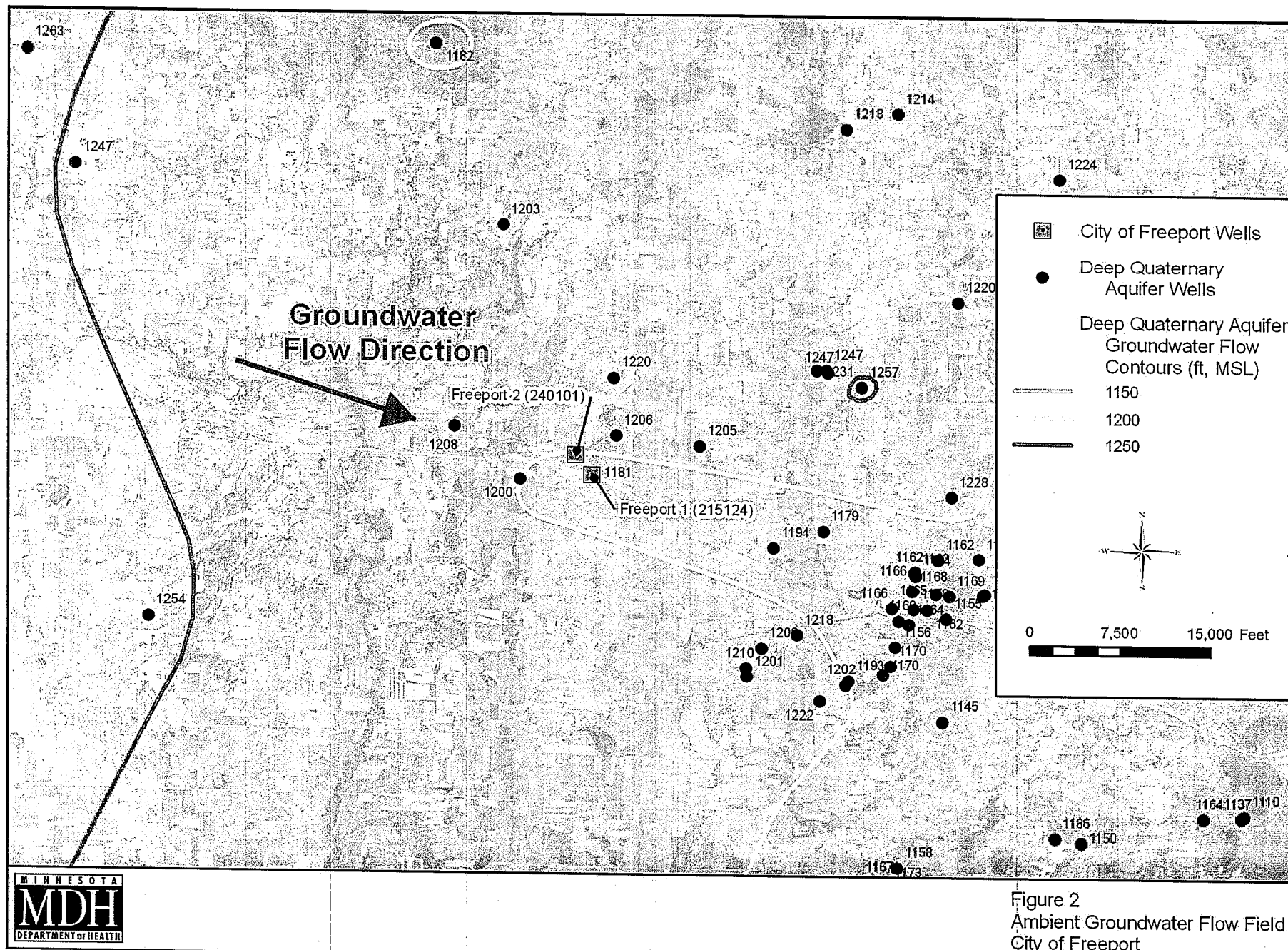


Figure 2  
Ambient Groundwater Flow Field  
City of Freeport

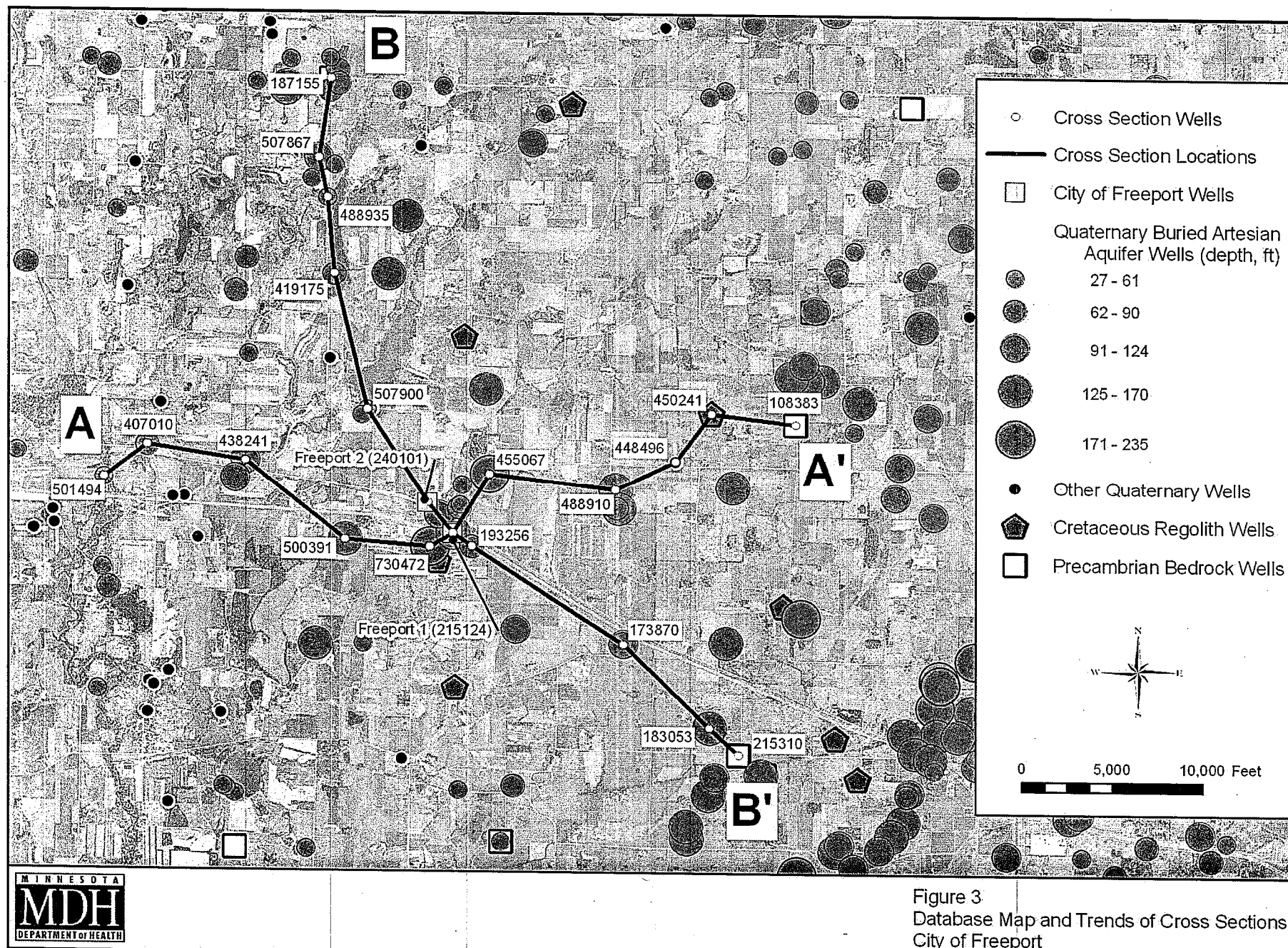
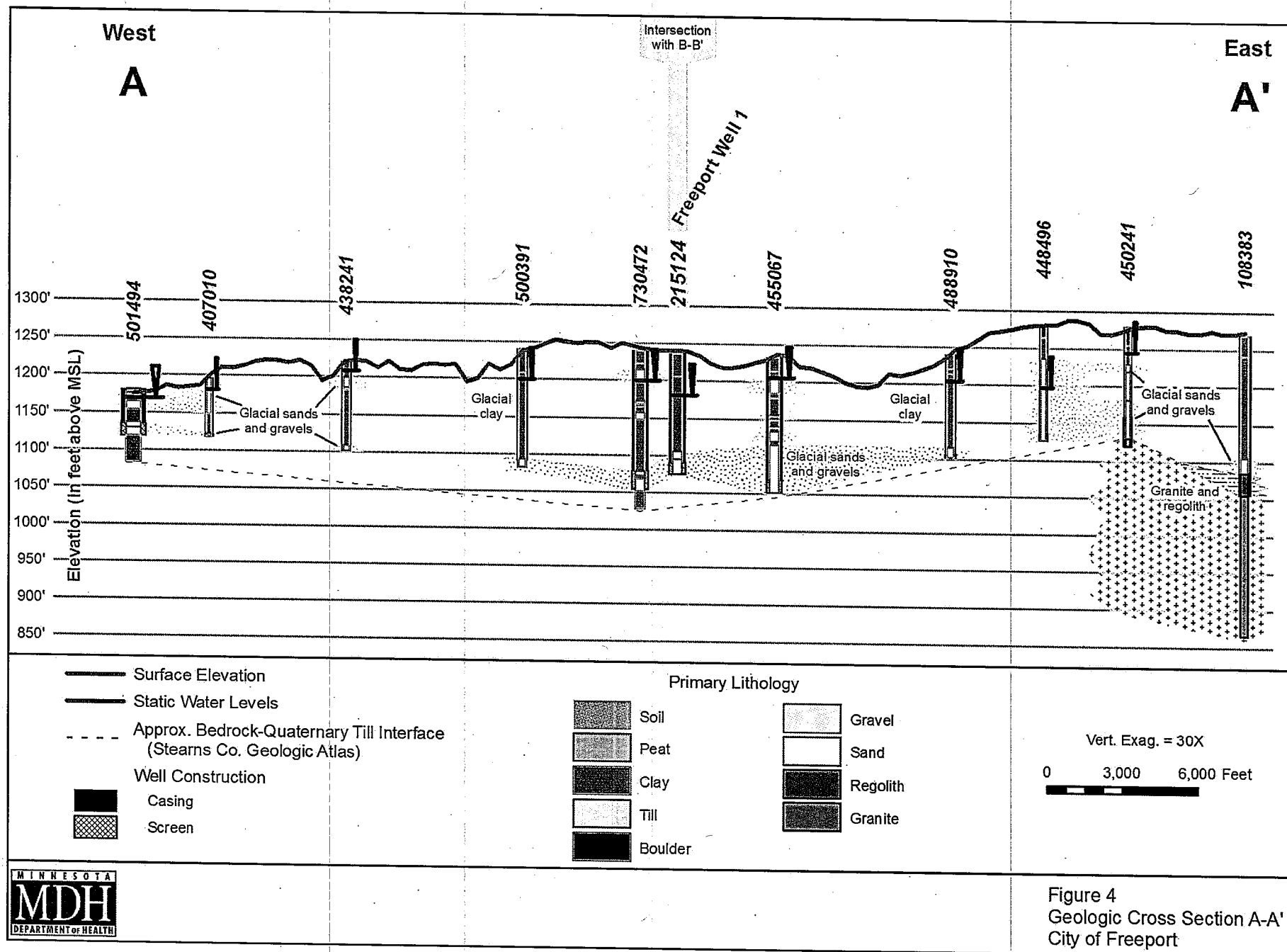
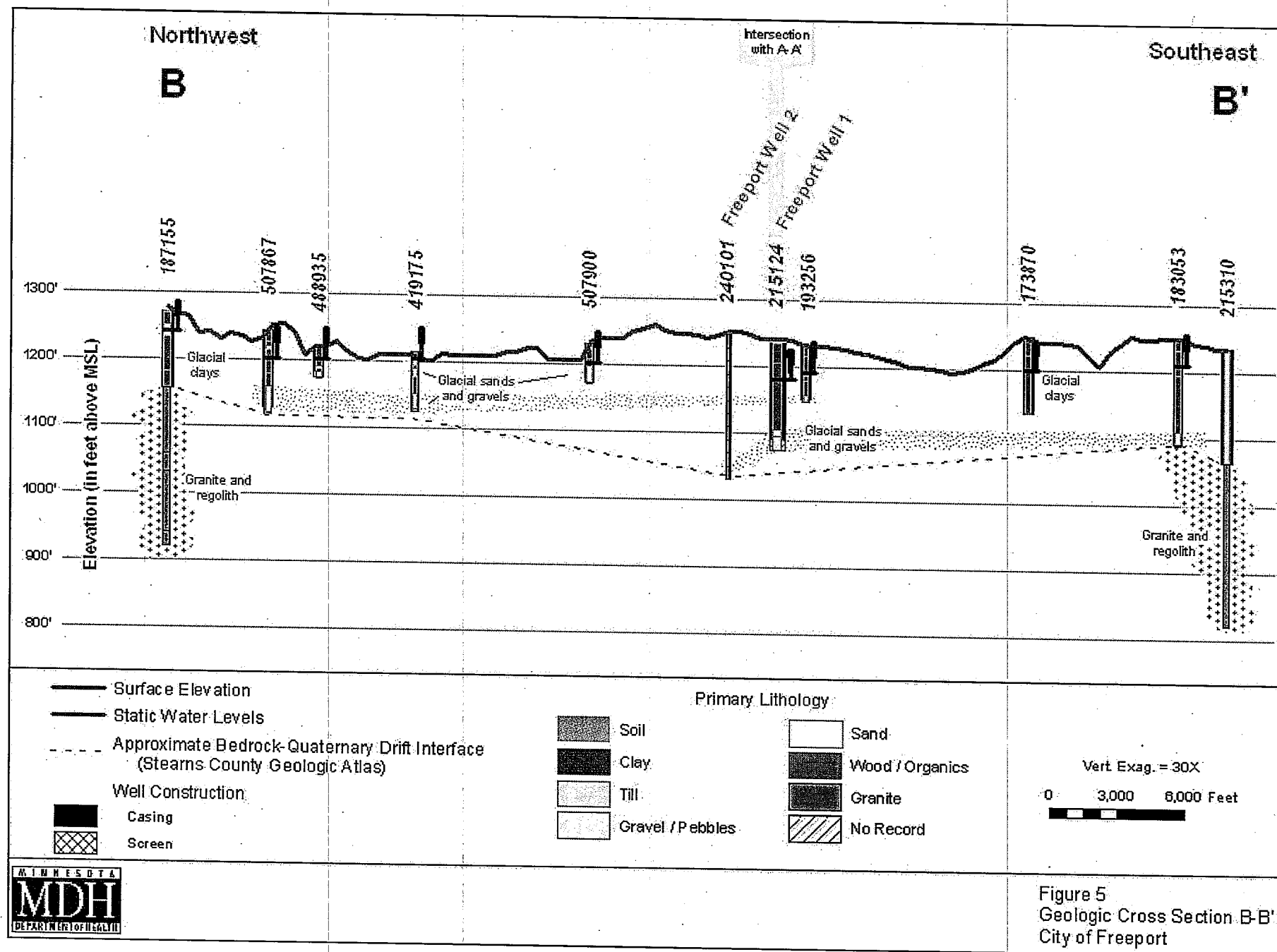


Figure 3  
Database Map and Trends of Cross Sections  
City of Freeport





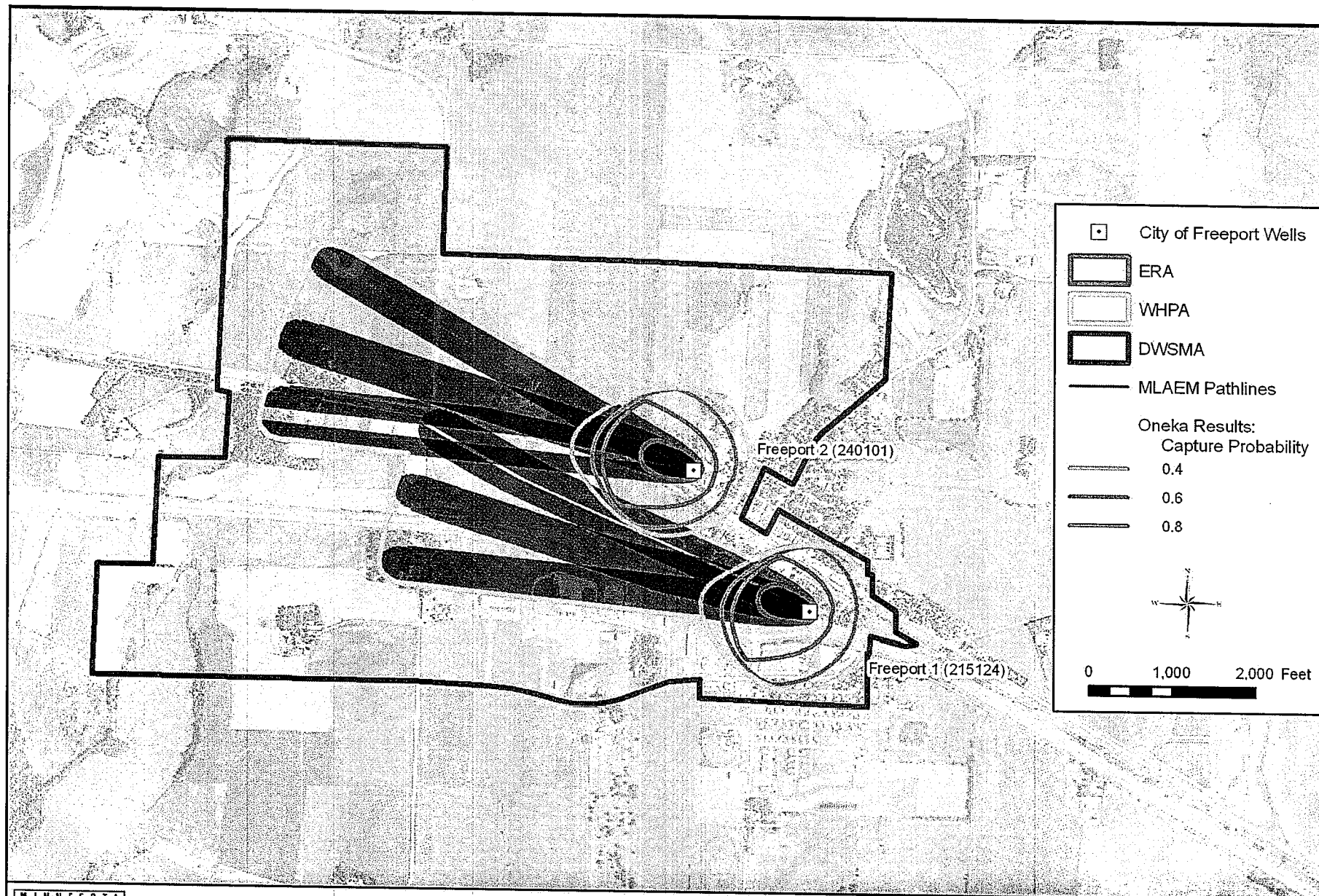


Figure 6  
Pathlines and Groundwater Capture Zones for MLAEM and Oneka Delineation Analyses  
City of Freeport

# memo

## City of Freeport

To: City Council  
From: Mason Schirmer  
Date: 5/22/2013  
Re: Replacing a lawnmower

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Comments: Background: The lawnmower being discussed was purchased in 2003. During the November 27, 2012 Regular City Council Meeting, PWD Jon Stueve said he would collect bids on the purchase of a new lawnmower. I conferred with the League of MN Cities regarding disposal/sale considerations.

Purchase of new mower: Purchase of a new mower will be done after a motion authorizing the purchase passes.

Disposal of old mower: Sale of the old mower will be done after a motion authorizing its sale passes. To comply with Minnesota Statute 15.054 (see below), the sale should involve publishing notice and receiving sealed offers for 10 days. Then offer the mower to the whomever submits the highest offer.

### Minnesota Statute

#### 15.054 SALE OR PURCHASE OF STATE PROPERTY; PENALTY.

No officer or employee of the state or any of its political subdivisions shall sell or procure for sale or possess or control for sale to any other officer or employee of the state or subdivision, as appropriate, any property or materials owned by the state or subdivision except pursuant to conditions provided in this section. Property or materials owned by the state or a subdivision and not needed for public purposes, may be sold to an employee of the state or subdivision after reasonable public notice at a public auction or by sealed response, if the employee is not directly involved in the auction or process pertaining to the administration and collection of sealed responses. Requirements for reasonable public notice may be prescribed by other law or ordinance so long as at least one week's published notice is specified. An employee of the state or a political subdivision may purchase no more than one motor vehicle from the state at any one auction. A person violating the provisions of this section is guilty of a misdemeanor. This section shall not apply to the sale of property or materials acquired or produced by the state or subdivision for sale to the general public in the ordinary course of business. Nothing in this section shall prohibit an employee of the state or a political subdivision from selling or possessing for sale public property if the sale or possession for sale is in the ordinary course of business or normal course of the employee's duties.

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RINKE NOONAN

*attorneys at law*

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1015 W. St. Germain St., Ste. 300, P.O. Box 1497  
St. Cloud, Minnesota 56302-1497  
Telephone 320-251-6700, Fax 320-656-3500

### **Memorandum**

To: Freeport City Clerk  
From: Adam A. Ripple  
Re: Open Meeting Law Concerns  
Our File: 15542.001  
Date: May 23, 2013

You have indicated that you have concerns about current practices related to communication between council members outside of public meetings. You have asked that our office provide guidance related to serial communications and the consequences for violations of the open meeting law. You have also inquired about who has standing to report and enforce violations.

### **OPEN MEETING LAW GENERALLY**

In general, the open meeting law (Minnesota Statute 13D) requires that public business be conducted at open, public meetings. The open meeting law, together with the government data practices act (Minnesota Statute 13), establishes a tremendous presumption in Minnesota of an open and transparent government. These two laws work in tandem with each other to ensure that city business does not happen in secret and that the public has the ability to observe and be fully informed.

Any time a quorum of the council discusses city business that constitutes a “meeting” under the open meeting law. The law covers any discussion about city business, not just voting on official actions. The law applies to in-person gatherings as well as telephone and email communication, and serial conversations. All meetings require advance notice to the public and, with a few exceptions, must be open to the public. Additionally, discussing inappropriate items of business in a closed meeting (such as discussing unrelated public infrastructure matters in a meeting closed for an employee performance review) can also violate the open meeting law.

### **SERIAL COMMUNICATIONS**

Serial communications are probably the most common violations of the open meeting law. An example of a serial communication would be where council member A talks to council member B on the phone about a city issue, B then emails council member C about that issue, and C sends a text message to A. Polling of a collective majority of the council by any council member outside of a council meeting to find out how they’ll vote on an issue, is a clear violation. Serial communication can occur through various medias—in-person discussions, written correspondence, telephone calls, emails, text messages, or even postings on social media such as Facebook. An open meeting law violation can arise through any of these forms of communication. Electronic communications (email, text message, and social media) between council members are particularly risky due to the ease in which they can be forwarded or replied to all.

All of these forms of communication, even if sent from private accounts or personal phones, could also be subject to disclosure under the data practices act and become evidence of violations.

## **CONSEQUENCES FOR VIOLATIONS**

The penalties for open meeting law violations are fairly significant. Both the individual and the City are exposed. Any individual who violates the open meeting law is personally responsible for a \$300 fine. If an elected official is found to have violated the open meeting law three times, the official is removed from office. In addition to the personal penalties, the City could be required to pay the costs and legal expenses for any party that sues the City for violations of the open meeting law.

Violations of the open meeting law are enforced through district court. Anyone can sue the City for open meeting law violations; media sources are the most frequent plaintiffs but frustrated residents are also common plaintiffs. The reimbursement of cost for successful plaintiffs creates some incentive for people to sue. While the League of Minnesota Cities does provide some insurance defense for open meeting violations, the City still has the potential to be on the hook for significant costs if found to have violated the law. In addition to the personal penalties and the financial costs to the City, open meeting law violations undermine the trust of City residents and cast a dark cloud over city government.

## **BEST PRACTICES**

In working with numerous cities as the city attorney, we have identified a number of best practices for cities and council members to avoid open meeting law violations:

1. When in doubt about whether a gathering is a meeting or whether city business will be discussed, be conservative and post it as a meeting. Special meetings simply require 3 days' posted notice. Although the law is unclear, don't count the day of the meeting as part of the 3 days.
2. When in doubt about whether a communication will violate the open meeting law, err on the side of caution and save the discussion for an open meeting.
3. Council members should avoid discussing city business with each other outside of council meetings. Serial conversations can occur very easily since the open meeting law applies to any discussion of city business.
4. Only use electronic communication such as email for receiving information for city staff. Never hit "reply all." Council members should not email each other; once an email is sent, it is out of your control and can easily be forwarded which may violate the open meeting law.
5. If council members have questions, consult the city clerk or city attorney for guidance.





## MEMORANDUM

TO: Mr. Mason Schirmer  
City of Freeport

FROM: David Blommel, PE  
City Engineer

DATE: May 23, 2013

RE: City Council Update –May 28, 2013  
Freeport, Minnesota  
SEH No. FREEP GEN 16

### **Waste Water Treatment Ponds**

Councilor Atkinson questioned the status of the waste water treatment ponds at the last meeting; he noticed a settlement in the east pond berm of the Cell #1. This is the same location that was repaired in 2003. As Mayor Worms noted during the meeting, he thought there was a layer of peat under that particular location in the pond, and that this had the potential to be an ongoing problem.

In my research, I contacted Pete Carlson and he confirmed the discussion regarding compressible soils under the berm. At the time, a decision was made not to overbuild the berm, with fear of further compressing the material below. At the very least, the settlement needs to be monitored to insure the following things are not happening:

- Water Level Above Rip-Rap (could potentially erode the clay berm)
- Less than 2 feet of freeboard between the high water level and the top of the berm.

If either of these items are happening, the MPCA should be consulted to ensure compliance with the discharge permit. We can discuss the next step, and the options we have at the meeting

### **Well Pumps**

Now that the operations at the new tower have stabilized, we are ready to replace the pumps in both wells. As a portion of the Rural Development Project, these pumps will be funded via remaining grant funds. We anticipate obtaining quotes for the work from local well drillers. At this time I am proposing receiving quotes from 3 companies:

- Atkinson Well & Pump LTD – Freeport
- Traut Companies – Waite Park
- Wheels Water Service – Melrose

***Requested Action – Authorize staff to request quotes for pump replacement.***

### **Audit**

We have been working with KDV to provide an inventory of utilities and streets in Freeport, and to assign them a present value. Through my research, we determined that the value of the utilities in their existing condition. I put together a quick summary of the findings in the table below. The streets are assumed to have a 25 year design life, and utilities a 50 year design life. No value is assigned to streets owned by Stearns County.

	<b>Current Value</b>	<b>Value if new</b>
Streets	\$2,096,300	\$4,627,000
Water	\$1,749,400	\$2,520,700
Sewer	\$1,421,200	\$2,121,800
Storm Sewer	\$520,500	\$638,700
Lift Stations, Water Treatment Wastewater Treatment	\$2,820,000	\$4,240,000
<b>Total</b>	<b>\$8,607,400</b>	<b>\$14,148,200</b>

### **ISO Rating**

After the dramatic improvements to the water system over the past few years, now might be a good time to consider having the City's ISO rating reviewed. The company that is responsible for producing these ratings did state that Freeport's ISO rating does have potential to improve, based on the larger mains and increased tower capacity.

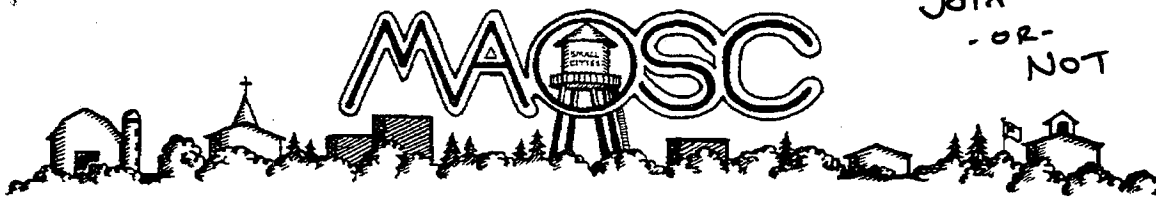
The rating company does not charge the City for doing a review. The only costs associated with the study would be related to SEH updating the water model with as-built flow rates. Since the Audit calculations were completed in less time than anticipated, we propose doing this work under the amendment approved at the January meeting. Rural Development has been consulted and approves of this change without a formal amendment.

If you would like to proceed, the city will need to send a letter briefly describing the major improvements to the system made with the project. We can certainly work with staff to get this going to the right people.

I plan to attend your council meeting on Tuesday evening. If you have any questions prior to the meeting, please feel free to contact me. You can reach me by email at [dblommel@sehinc.com](mailto:dblommel@sehinc.com) or directly by phone at 320.229.4349.

c: Scott Lange, SEH

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[www.maosc.org](http://www.maosc.org)

**I AM WRITING TO YOU TODAY TO ASK FOR YOUR CONSIDERATION TO JOIN AND BE A PART OF AN ORGANIZATION THAT WORKS FOR YOUR SMALL CITY.**

The Minnesota Association of Small Cities invites your city to consider membership in our organization because it will assure a strong representation at the Minnesota State Legislature and with the Minnesota Delegation elected to Congress to ensure that key issues of concern to our rural communities are heard and acted on.

With the challenges our cities face, we need to work together to forge a unity of cooperation so our voices are heard. Our issues need to be at the forefront of our legislators' agenda and the voices of "Small Cities" need to be at the table when decisions are made. The vitality and the quality of life in our cities help make Minnesota a great state. Our story is one that needs to be told at the Capitol so forward-looking public policy will continue to strengthen our communities.

**Over the years MAOSC has been successful in helping build stronger communities. Our accomplishments include:**

- Proactively working with the State Auditor to make improvements to the CTAS accounting system.
- Successfully restructuring and passing a new LGA formula in both the House and Senate Tax bills.
- Advocating for a street improvement bill.
- Working closely with our Congressional delegation on telecommunications issues such as dropped calls.
- Effectively worked with our Minnesota elected delegation in Washington, DC to eliminate mandated street signs replacement with larger lettering.
- Organizes "Day at the Capitol" where we meet with the Governor's office, House and Senate Leadership and other elected officials.
- Helped in defeating legislation that would have added more mandates to our small cities.
- Actively engaging MAOSC as part of negotiating team of city groups when dealing with tax issues.
- Growing MAOSC as an organization through membership and sponsorships.

In addition to valuable representation at the state and federal government level to help solve problems and work proactively with elected and appointed officials, members of MAOSC have the opportunity to sit on a variety of boards that include, The LGA Study Group, Property Tax Legislative Committee, CAP Community Assistantship Program, and Greater Minnesota Advisory Committee.

MAOSC  
145 University Ave West  
Saint Paul, MN 55103

With your membership you will receive:

- A team of experienced lobbyists at both the state and federal level working for the needs of small cities.
- A weekly update during the legislative session with an end of the session summary, highlighting issues you care about.
- An invitation to our Day at the Capitol and other social events.
- Up-to-date information on issues, invitations to events and applications to programs that advance the issues of small cities and our rural communities.
- The opportunity to be part of an organization that values the Minnesota way of life and is dedicated to providing a network of small cities that advocates for enhancing our rural quality of life.

With your help, MAOSC can continue to provide collaboration of work between city officials, our rural communities and our state and federal elected and appointed leaders. It is amazing what can be accomplished through advocacy and a commitment to ensuring our rural cities future needs.

Thank you for your consideration. I'm happy to answer any questions you may have or you can go to our website [www.maosc.org](http://www.maosc.org) for finding out who is on our board, our legislative policies and what other cities are part of this great organization.

**Please join today!**



Jill Sletten  
MAOSC Executive Director

# **Minnesota Association of Small Cities**

## **2013 – 2014 Membership Form**

Please fill out the following information according to your cities population. Send back this form along with your membership dues to:

Jill Sletten, MAOSC  
145 University Ave W  
Saint Paul, MN 55103

### **Dues Structure for the City of : City of Freeport**

<b><u>Population</u></b>	<b><u>Base</u></b>
0 – 1,000	\$120.00
1,001 - 2,000	\$150.00
2,001 – 5,000	\$200.00

### **2012 – 2013 Membership Dues Statement**

Membership Base ..... \$ 120.00

City Population [632 ] multiplied by 0.45 per capita \$ 284.40

Total Dues..... \$ 404.40

### **Contact Information**

City Mayor and email address \_\_\_\_\_

City Clerk/Administrator email address and phone number \_\_\_\_\_

Council Members and email addresses \_\_\_\_\_

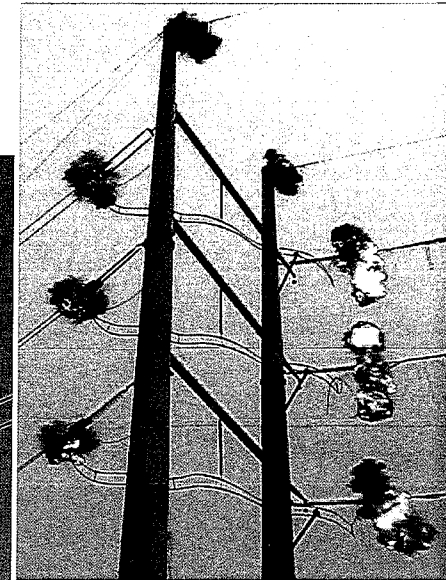
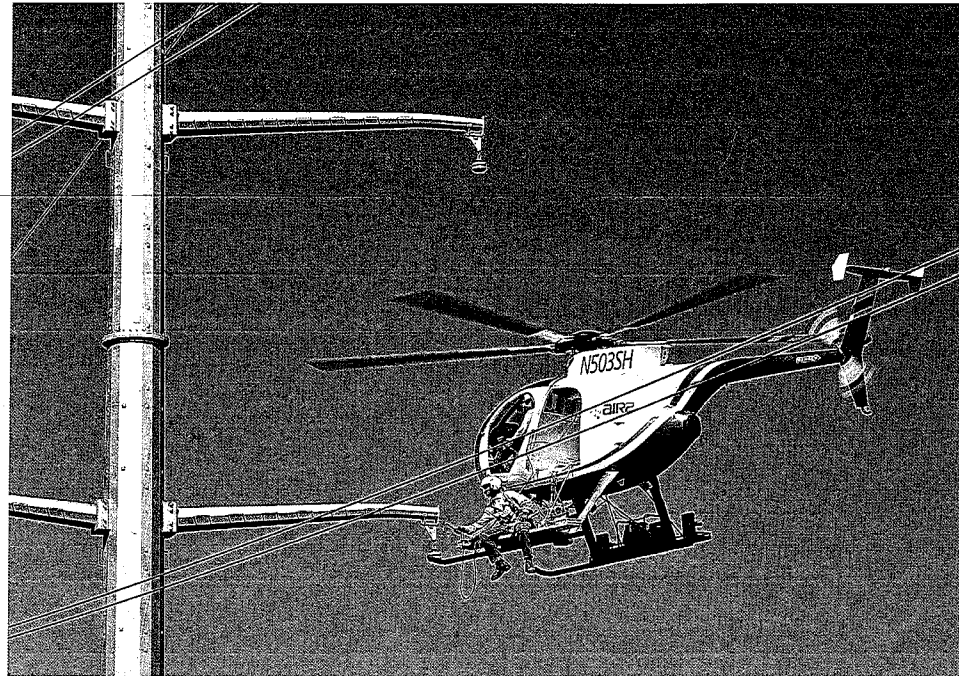
Thank you for your membership; you will receive a card acknowledging your membership and dues received. [www.maosc.org](http://www.maosc.org)

# HELICOPTERS & EXPLOSIONS

## Power line construction work along I-94 between Alexandria and Freeport starting in May 2013

The CapX2020 utilities will use a helicopter for transmission line work between Alexandria and Freeport starting in May 2013. A helicopter will occasionally fly in close proximity to the new transmission structures along Interstate 94 between Alexandria and Freeport. The helicopter will assist in the stringing of transmission conductor (wire) and in attaching components to the conductor.

Implosive connectors will also be used in the line construction to splice transmission conductor joints and to connect conductor to the structures. The split second detonation creates a flash and a loud boom.



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**Keep your eyes on the road. DON'T STOP. DON'T GAWK. DRIVE SAFELY.**

## Mason Schirmer

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**From:** Katie Riitters <KRiitters@ifound.org>  
**Sent:** Wednesday, May 15, 2013 1:52 PM  
**To:** Undisclosed Recipients  
**Cc:** Dan Frank; Robert Muschler  
**Subject:** Jack Schultz Event

City Elected Officials and Staff,

I wanted to invite you to an event featuring nationally-renowned speaker, Jack Schultz. This June 12<sup>th</sup> event is geared to give you ideas to strengthen your city's community development efforts, increase local business presence, and even expand your tax base.

Below is a detailed description of the event. Or click on the following for more information on the event and speaker bios. Please feel free to share any or all of this information with others that might be interested, like your local chamber of commerce or business association.

### **Keys to the City**

*Solving the Mystery of Big Success in Small Towns*

Join area leaders at the River's Edge Convention Center in St. Cloud from 11 a.m. to 1 p.m. on June 12<sup>th</sup> to hear from Jack Schultz and Craig Lindvahl, two renowned community development experts! Jack, author of *Boomtown USA: The 7&1/2 Keys to Big Success in Small Towns*, will be joined by Craig, a nationally-recognized educator and filmmaker to talk about a variety of topics including the opportunities for "re-shoring" manufacturing and the impact of young entrepreneurs.

The luncheon is sponsored by the Initiative Foundation, Southwest Initiative Foundation and West Central Initiative and costs \$25 to attend. For more information and to register (by June 7) visit: [www.ifound.org](http://www.ifound.org) or contact Dan Frank: [dfrank@ifound.org](mailto:dfrank@ifound.org), 320-632-9255. Register today!

We hope you can make it to this informative and inspiring luncheon!

Dan

**Dan Frank**

*Senior Program Manager for Community and Economic Development*  
Initiative Foundation | 405 1st St SE | Little Falls, MN 56345  
320-632-9255 | [www.ifound.org](http://www.ifound.org)