



ECONOMIC DEVELOPMENT AUTHORITY

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

July 20, 2015 – Meeting Minutes

A regular meeting of the Freeport Economic Development Authority was called to order at 12:00 P.M. by Member President Rodney Atkinson with members Scott Hoeschen, Jim Hemker, Tim Hennen, and Andy Welle present.

Staff in attendance: Secretary/Treasurer Adrianna Hennen, City Engineer Dave Blommel

Residents in attendance:
Bob Arnzen (110 2nd St SE)

Approval of the Agenda

Atkinson moved, seconded Welle to approve the agenda. Motion carried (6-0)

Old Business

Approval of May 15, 2015 Meeting Minutes

T. Hennen moved, seconded by Hemker to approve the May 15, 2015 EDA meeting minutes.

New Business

Bob Arnzen townhome proposal

Bob Arnzen, owner of 110 2nd St SE, also referred to as “the old Famo building”, proposed the idea of taking down the sheds surrounding the office building and replacing them with townhomes. Mr. Arnzen showed the plans to the EDA. City engineer Dave Blommel was also in attendance to discuss water, sewer and storm sewer infrastructure. It was discussed that the water would not be an issue, and the city would find out more about the sewer situation as soon as the current televising was done. Storm sewer was thought to be an issue, but one that could be figured out. The gravel road was another topic. That would have to be widened and tared. Also the topic of rezoning was discussed and how that would have to be addressed before anything else could be considered. T. Hennen moved, seconded by Hoeschen to speak with Cynthia Smith-Strack of Municipal Development Group to get a professional opinion regarding the zoning and what would be the best decision for the future of Freeport. Motion carried 6-0.

Freeport Vet Clinic

The EDA asked Secretary/Treasurer Adrianna Hennen to ask Mr. Czeck what the anticipated cost of purchasing, renovating, and adding on. The EDA also asked to get an image of what this building may look like. Hoeschen asked what was in the EDA fund and possibly we could use some of that money to help Mr. Czeck as a City grant. Hemker stated to A. Hennen to check with Richmond to see how they conducted there City grants for businesses.

Mike Ebinstiener-Storage units in Industrial park

EDA agreed that since that Freeport City Code does not allow storage units in the Industrial park they would not change it to accommodate. They directed A. Hennen to tell Mr. Ebinsteiner where he would be able to build storage units in the City.

Closed Meeting

Welle moved, seconded by Hemker to close the meeting to discuss a land sale. Motion carried 6-0.

Reopen Meeting

Hemker moved, seconded by Hoeschen to reopen the meeting. Motion carried 6-0

Adjourn

T. Hennen moved, seconded by Welle to adjourn at 1:30. Motion carried 6-0.

Rodney Atkinson, President

Adrianna Hennen, Secretary

DRAFT

Memo

From: Adrianna Hennen, Clerk-Treasurer

To: Freeport City Council

Date: 7/20/2015

Re: Clerk-Treasurer Report

Rinke-Noonan Files

Last week Rodney stopped at Rinke-Noonan and spoke with Adam Riple to see if the City could obtain our legal files. I spoke with Adam and, at no cost to the City, Adam will put together all of our files onto a CD and send them over to Scott Dymoke. He said it would take some time, but we can expect to get them in a couple of weeks.

Deputy Treasurer Joan Update

As I'm hoping you all know, Joan's first day was on July 14. We dove into it pretty hard right away and are starting to make progress. It is taking us some time to figure out what the previous clerk had done/not done and how he did it so that we can pick up and keep working correctly. Joan has been a trooper in working to figure everything out and I'm really glad that she is here.

As a bit of a timeline for her work right now I'm having get caught up on all of the reconciliations that have not been done this year yet. This will include entering in all of our payroll deductions from Schlenner Wenner. Once she gets caught up on that she and I will be working diligently on the 2015 budget.

It's a lot to learn (for the both of us) but it's very exciting once we get something figured out. I told her she didn't have to attend this meeting since she has only been here a couple weeks, but she will be at the future meetings, hopefully keeping you abreast on our finances.

PUBLIC WORKS REPORT

Good evening:

Water: Doing quarterly Bacteria samples, Fluoride, Chlorine, Water Quality Parameters, and Minnesota Department of Health monthly reporting. Changed out the fluoride and C-4 lines in the well houses.

Wastewater: We got hit with a bad case of algae in pond 1 and duck weed in pond 3. We are treating it every day with a chemical we got from Hawkins. It is something that will take a month or so to completely kill but it is already improving. The cost to treat this is \$1200 and if it doesn't completely kill it I will be getting more chemical until it is 100% gone. There are no violations for this but if we would have let it go it could have resulted in some.

Maintenance: The sewer jettors have been in town and haven't run into any major issues. If any of you have talked to residents about sump pumps let them know that if there's a storm sewer nearby they can discharge directly into that. If they have questions about it they can contact me. Sump pump checks are going slow but with Sam accepting a job for the City of Sauk Rapids I've been taking advantage of him while he's still here to hammer out larger projects that I cannot do on my own. His last day is the night of the council meeting. Also I will be gone all next week July 27th through July 31st. I will be in Grand Rapids for the annual MWOA wastewater annual. If there are any major issues during this time feel free to give me a shout and maybe I can take care of it from up there.

Any questions or concerns feel free to contact me @ 1320 333 8904.

Thank you

Jon Stueve

Public Works Director

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

Application Fee (non-refundable)

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

ORGANIZATION INFORMATION

Organization Name: CentraCare Health - Melrose Previous Gambling Permit Number: X-35246-14-003

Minnesota Tax ID Number, if any: _____ Federal Employer ID Number (FEIN), if any: 41-1865315

Mailing Address: 525 Main Street West

City: Melrose State: MN Zip: 56352 County: Stearns

Name of Chief Executive Officer (CEO): Gerry Gilbertson

Daytime Phone: 320-256-4231 Email: gilbertsong@centracare.com

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

Fraternal Religious Veterans Other Nonprofit Organization

Attach a copy of one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

A current calendar year Certificate of Good Standing
 Don't have a copy? Obtain this certificate from:
 MN Secretary of State, Business Services Division Secretary of State website, phone numbers:
 60 Empire Drive, Suite 100 www.sos.state.mn.us
 St. Paul, MN 55103 651-296-2803, or toll free 1-877-551-6767

IRS income tax exemption (501(c)) letter in your organization's name
 Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.

IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)
 If your organization falls under a parent organization, attach copies of both of the following:
 1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling, and
 2. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): Freeport Community Center

Address (do not use P.O. box): 307 7th Street SE

City or Township: Freeport Zip: 56331 County: Stearns

Date(s) of activity (for raffles, indicate the date of the drawing): September 19, 2015

Check each type of gambling activity that your organization will conduct:

Bingo* Paddlewheels* Pull-Tabs* Tipboards*

Raffle (total value of raffle prizes awarded for the calendar year: \$ 2,500.00)

* **Gambling equipment** for bingo paper, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to www.mn.gov/gcb and click on **Distributors** under **LIST OF LICENSEES**, or call 651-539-1900.

LG220 Application for Exempt Permit

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)

CITY APPROVAL for a gambling premises located within city limits

- The application is acknowledged with no waiting period.
- The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).
- The application is denied.

Print City Name: _____

Signature of City Personnel: _____

Title: _____ Date: _____

The city or county must sign before submitting application to the Gambling Control Board.

COUNTY APPROVAL for a gambling premises located in a township

- The application is acknowledged with no waiting period.
- The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.
- The application is denied.

Print County Name: _____

Signature of County Personnel: _____

Title: _____ Date: _____

TOWNSHIP (if required by the county)

On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)

Print Township Name: _____

Signature of Township Officer: _____

Title: _____ Date: _____

CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature: Gerry Gilbertson Date: 6/1/15
(Signature must be CEO's signature; designee may not sign)

Print Name: Gerry Gilbertson

REQUIREMENTS

Complete a separate application for:

- all gambling conducted on two or more consecutive days, or
- all gambling conducted on one day.

Only one application is required if one or more raffle drawings are conducted on the same day.

Financial report to be completed within 30 days after the gambling activity is done:

A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the

application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Depart-

ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

MAIL APPLICATION AND ATTACHMENTS

Mail application with:

- _____ a copy of your proof of nonprofit status, and
- _____ application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**. Make check payable to **State of Minnesota**.

To: Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

Questions?

Call the Licensing Section of the Gambling Control Board at 651-539-1900.

This form will be made available in alternative format (i.e. large print, braille) upon request.



Building a Better World
for All of Us®

MEMORANDUM

TO: Freeport Mayor and City Council

FROM: Dave Blommel, PE

DATE: July 23, 2015

RE: Council Update Memo
SEH No. FREEP GEN 14.00

Johnson Jet-Line began working on the sewer televising authorized by the council at your June meeting on Friday, July 17th. It is anticipated the televising will be complete on Friday, July 24th.

In general it appears that the televising found some areas of the sanitary sewer system that are in need of significant repair. Exact locations of the deficiencies and degree to which they need repair will be available once the report is ready sometime in the week of July 27.

I discussed the televising with the owner of Johnson Jet-Line and received the following executive summary from his recollection. I will be able to give a more comprehensive summary following my review of the report.

Main Lines: Lines are cracked and joints in the pipe are offset. There is evidence of storm water and ground water entering the pipes with mineral deposits on the pipes. Some pretty significant inflow was noted by the crews. Roots were noted in a few pipes in the NW part of Freeport, but crews indicated they were not in as many pipes as expected.

Manholes: The majority of the manholes in the system were block or brick. In some cases bricks were loose and in danger of falling into the pipes. Infiltration through the manholes was noted in almost all cases.

Service Lines: Steady flow was witnessed in many service lines throughout the area televised. This is likely a result of clean water entering the system through foundation drains and sump pumps. Several times gushes of clean water lasting for 2 minutes were witnessed which is almost certainly a sump pump.

I plan to attend your meeting on Tuesday assuming I receive the report with time to review before the meeting.

If you have any questions prior to the meeting please feel free to contact me. I should be available by email dblommel@sehinc.com or my direct line 320.229.4349.

dwb

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Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 1200 25th Avenue South, P.O. Box 1717, St. Cloud, MN 56302-1717
SEH is 100% employee-owned | sehinc.com | 320.229.4300 | 800.572.0617 | 888.908.8166 fax

Dymoke Law Office, P.A.
300 Riverside Avenue NW
Melrose, Minnesota 56352
Telephone (320) 256-4205
Fax (320) 256-7201

July 21, 2015

Adrianna Hennen
City of Freeport
125 Main Street East
Freeport, MN 56331

BY ELECTRONIC MAIL

Re: Monthly Legal Report

Dear Ms. Hennen:

During the period from June 30, 2015 through July 21, 2015, we have given significant attention to the following projects on behalf of the City of Freeport:

- Schirmer Claim
Prepared and forwarded correspondence to Schirmer's attorney declining her settlement offer. Notified Freeport's insurance carrier of receipt of Schirmer's demand letter and settlement offer, as well as Freeport's response.
- Fence Ordinance
Worked with City Clerk on preparing proposed amendments to fence ordinance.

Respectfully submitted,
Dymoke Law Office, P.A.

by Scott E. Dymoke

Memo

From: Adrianna Hennen, Clerk-Treasurer

To: Freeport City Council

Date: 7/20/2015

Re: Fences

Attached is the proposed fence ordinance amendment for council's approval. Scott Dymoke and I have been working on this to make it the most understandable and orderly, while still implementing council's requests.



CITY OF FREEPORT

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ORDINANCE 2015-002

AN ORDINANCE REPEALING AND REPLACING SECTION 500.45 OF CHAPTER V OF THE CITY CODE RELATING TO FENCING, SCREENING, AND LANDSCAPING

Section I

The City Council of the City of Freeport, Minnesota hereby ordains Section 500.45, Subd. 1, Part 5, Letter b. of Chapter V of the City Code is hereby repealed and replaced with “Exhibit A” attached hereto entitled ‘Subd. 1 – Fencing.’

Section II

Effective Date. This Ordinance is effective upon its adoption and publication as prescribed by law.

Adopted by the city of Freeport on the 30th day of June, 2015

Rodney Atkinson, Mayor

ATTEST:

Adrianna Hennen, Clerk-Treasurer

Exhibit A

500.45 Fencing, screening, and landscaping

Subd. 1 Fencing

1. Definitions.

Fence. A partition, wall, hedge, or row(s) of continuous vegetative plantings that are erected as a dividing marker, visual, or physical barrier, or enclosure.

Fence, Permanent. A fence constructed of wood, rust-resistant chain link steel, prefabricated and rust resistant aluminum, prefabricated vinyl, landscape masonry units, landscape brick units, stone, or decorative concrete. If wooden material is used it shall be made of processed wood, i.e. cedar, green treated, brown treated, or resin (but not creosote) composite. For the purposes of this Ordinance trellises, arbors, pagodas, and the like shall not be considered a fence.

Fence, Natural Living. A divider or barrier comprised of living vegetative materials. The owner of the adjacent property may trim or prune parts of the living fence that extend onto their property.

2. Permit Required.

a. All permanent fences require zoning permit from the City Zoning Administrator.

b. ~~Permanent Fences~~ Fences exceeding six (6) feet in height require approval from the City Zoning Administrator and issuance of a building permit.

c. Permit Application. Application for a zoning and/or building permit shall be on an approved form and shall include:

i. The name, address (property and mailing), and phone number of the Applicant.

ii. The name, address, and phone number of the Property Owner, if different than the Applicant.

iii. A site plan illustrating the proposed location(s) of the fence on the subject property in relation to property lines, existing buildings, and other pertinent information.

iv. A written description of proposed fence materials.

v. Applicant and Property Owner signatures.

vi. A fee as may be specified by the City Council.

d. Zoning and building permits are not required for living fences.

3. Exemptions. The following are exempt from this Ordinance:

a. Snow fences erected and/or maintained between November 1 and April 10.

b. Temporary fences associated with short-term events erected for a maximum of 10 days.

c. Underground fences for animal control.

d. Fences used for containment of farm animals within the Agricultural/Rural Residential District.

e. Silt fences when required by a Professional Engineer licensed in the State of Minnesota and/or the Building Official.

f. Ornamental fences composed of typical fence materials and erected solely as a landscaping enhancement and not for containment or screening purposes.

g. Fences or fence panels not exceeding six (6) feet in length and not reasonably contiguous.

h. Fences associated with public safety emergencies or operations.

4. Prohibited Fences. The following are prohibited fences in any and all zoning districts:

- a. Fences with metal sheathing.
 - b. Barbed wire, chicken wire, high tensile, electric wire, woven wire, or other livestock fencing, except if the property is zoned Agricultural/Rural Residential District.
 - c. A series of gates.
 - d. Fences including creosote lumber.
 - e. Living fences consisting of invasive plant species or harboring pests and/or rodents.
 - f. Makeshift, flimsy materials, or material such as paper, twine, rope, tin, webbing, and the like, except when used for traffic control or police security.
 - g. Any fence which is or has become dangerous to the public safety, health, or welfare.
 - h. Fences with components not designed or intended for employment as fence material, including, but not limited to, garage doors, tires, pallets, sheet metal, ribbed steel, metal siding, corrosive metal, solid (i.e. more than ninety percent (90%) opaque) metal, galvanized ribbed steel, household items (appliances, fixtures, furniture), and the like.
 - i. Non-permanent fences except as specifically allowed herein.
5. Fence Standards Applicable to All Fences. The following standards apply to fences in all zoning districts:
- a. Enclosed fences must have a minimum of two access gates.
 - ~~b. Unless otherwise defined in this Section, fences shall be located no closer than two (2) feet from any side or rear yard lot line on the property of the person constructing or causing the construction of the fence. The two foot setback is required to allow the owner of the fence sufficient access to maintain both sides of the fence, to include the control of grass and weeds along the fence line.~~
 - e. b. Fences in the front yard shall meet setback requirements of the applicable zoning district.
 - ~~d. c.~~ Fences in rear abutting alleys shall be placed a minimum of five (5) feet from the property line.
 - e. Height
 - ~~i. Fences in residential zoning classifications shall not exceed six (6) feet in height and in the case of grade separation, the highest must be determined on the basis of measurement from the average point between the highest and lowest grade.~~
 - ~~ii. Fences in commercial and/or industrial zoning classifications shall not exceed eight feet in height unless a conditional use permit is issued by the City Council.~~
 - ~~f. d.~~ Clear Sight Triangle Required. Location.
 - i. A fence, wall, structure, coniferous tree or obstruction greater than thirty (30) inches in height may not be erected, established, or maintained on a corner lot within a designated sight triangle.
 - ii. Said sight triangle is defined as being bounded by lot lines and a line connecting points on each lot line 20 feet from the intersection of the lot lines.
 - iii. The sight triangle requirement does not apply to chain link fences with openings of one and five-eighths (1-5/8) inches to two (2) inches which do not exceed forty-eight (48) inches in height.

iv. The sight triangle requirement does not apply to the “C-1” District.

~~g-e.~~ Fences may be placed in a City utility and/or drainage easement at the sole expense of the property owner. In the event access to the easement is required, the City shall reserve the right to remove the fence without notice and solely at the owner’s expense. Replacement of any fence placed in an easement shall be the sole expense of the property owner.

~~h.~~ Living fences shall not exceed six (6) feet in height and shall be maintained by the property owner, except that the owner of adjacent property may trim or prune parts of the living fence that extend on to their property.

~~i.~~ Fences must be built so the “best side” is facing out. It shall be the property owner’s responsibility to maintain the outer side of the fence, including trimming of grass and weeds.

~~j.~~ Wood fences must be slated so as to allow air flow through the fences.

~~k.f.~~ Fencing around pool areas, when required, must be a minimum of six feet high. This fence must have two access gates and the Property Owner is solely responsible for ensuring the gates are locked when the pool is unattended.

6. Fence Standards Applicable to Permanent Fences. The following standards apply to permanent fences in all zoning districts:

a. Unless otherwise defined in this Section, fences may be located up to the property line on any side or rear yard line on the property of the person constructing or causing the construction of the fence.

i. If the person constructing or causing the construction of the fence is requesting to locate the fence on, or closer than two (2) feet from, the property line, before approval the property must be surveyed to ensure accurate location of the property lines and fence.

ii. If the person constructing or causing the construction of the fences is requesting to locate the fence two (2) or more feet away from the property line, before approval the property pins must be located. If the pins cannot be located, a survey of the property must be completed.

b. Height.

i. Fences in residential zoning classifications shall not exceed six (6) feet in height and in the case of grade separation, the highest must be determined on the basis of measurement from the average point between the highest and lowest grade.

ii. Fences in commercial and/or industrial zoning classifications shall not exceed eight feet in height unless a conditional use permit is issued by the City Council.

c. Fences must be built so the “best side” is facing out. It shall be the property owner’s responsibility to maintain the outer side of the fence, including trimming of grass and weeds.

d. Wood fences must be slated so as to allow air flow through the fence.

7. Fence Standards Applicable to Living Fences. The following standards apply to living fences in all zoning districts:

a. Living fences shall be maintained by the property owner, except that the owner of adjacent property may trim or prune parts of the living fence that extend onto their property.

~~6.8.~~ Standards Applicable to Fences in Commercial and Industrial Districts. In addition to the standards contained in Chapter 500.45, Subd. 1, Subd. (d) as may be amended the following standards apply to fences in Commercial and Industrial Districts:

a. Required permanent fencing. In commercial districts (C-1 and C-2) adjacent to residential districts, and not divided by streets, alleys, or roads recognized by the City Council, the commercial property owner must erect and maintain a fence not to exceed eight (8) feet in height or be less than six (6) feet in height and must screen the adjacent residential lot from eighty percent (80%) of the light emitted from cars, signs, or other lights as a direct cause of the commercial property's activities and screen the litter produced by the users of the commercial property. The fence shall be placed from the property line at a distance of two (2) feet or greater, as to achieve compliance, to allow the commercial property owner to maintain the fence and ground from the fence to the adjacent residential district property line.