



## CITY OF FREEPORT

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

**May 29, 2018** - Regular Meeting Agenda  
Freeport City Hall - 7:00 pm

### Call to Order

- I. Approve Agenda
- II. Xcel Energy Variance Request Public Hearing
- III. Open Public Forum
- IV. Consent Agenda
  - a. April 24, 2018 Regular Meeting Minutes (1-4)
  - b. April 17, 2018 Special Meeting Minutes (5)
  - c. Claims 3139-3164 (6-9)
  - d. Sheriff's Report (10)
- V. Reports
  - a. Clerk Report (N/A)
  - b. Treasurer Report (N/A)
  - c. Public Works Report (11-14)
  - d. Engineer Report (N/A)
  - e. Attorney Report (15)
  - f. Fire Department Report (16)
- VI. Old Business
  - a. Xcel Energy Variance (17-31)
  - b. Public Nuisance Properties (32)
    - i.* Loehrer
    - ii.* Scherer
    - iii.* Beach
  - c. Ross Klaphake Shed (33)
  - d. Solar Gardens (34-59)
  - e. Treasurer Position (60-61)
  - f. Welle Addition Park-Set Meeting Date
- VII. Adjourn

Next Meeting: June 26, 2018



## CITY OF FREEPORT

125 Main Street E – PO Box 301 – Freeport, MN 56331 – 320-836-2112 – FAX 320-836-2116  
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**April 24, 2018** – Meeting Minutes

A regular meeting of the Freeport City Council was convened at 7:00pm by Mayor Rodney Atkinson with Councilmembers, Tim Hennen, Ben Ertle and Jake Renneker, present.

Staff in attendance: Clerk-Treasurer Adrianna Hennen, Public Works Director Loren Goebel, City Engineer Dave Blommel and City Attorney Scott Dymoke

Absent: Mike Eveslage

Others in attendance:

Pastor Mitch Wall (Harvest Church)  
Danny Bueckers (Danny's Disposal)  
Mike Elfering (208 4<sup>th</sup> Ave SE)  
Jeremy (Opatz-Holdingford)  
Bud Heidgerken (316 2<sup>nd</sup> Ave NE)

Andrea Remacher & Vern Fuchs (720 1<sup>st</sup> Ave N)  
Darrell Hoekstra (Waste Management)  
Tim Linn (423 Main St E)  
Mark Middendorf (711 Main St E)  
Matt Worms (124 9<sup>th</sup> St SE)

### **Approve Agenda**

Ertle moved to approve the agenda with the presented changes, seconded by Renneker. Motion carried 4-0.

### **Local Board of Appeal and Equalization Meeting**

Mayor Atkinson opened the meeting at 7:05pm. The only building in question of the Freeport Community Center. Members of the Community Care Board were Mike Elfering, Tim Linn, and Mark Middendorf. They are disputing the valuation of the building. It was decided that T. Hennen would abstain from all discussion and voting on this topic since he is a member of the Community Care Board. The members stated the valuation in 2016 was \$295,500, 2017-\$298,400 and 2018-\$308,400. Korte and Johnson explained the commercial sales, as a whole in the county, saw a 0-3% increase because of the market. They also explained that the County made an adjustment back in 2010 since the Community Center is a 501C3 and only another 501C3 could purchase the building.

Elfering asked to decrease the valuation by \$20,000 from a combination of the both the building and the land. Currently the land is valued at \$83,300 and the building is valued at \$225,100, which is \$19.23/ sq. ft. Bud Heidgerken stated that he knows of many buildings like the Community Center that don't pay taxes. Johnson confirmed that and the Community Center might be eligible, but there is an application process and from what he remembered there were a few items that may have kept the Community Center from obtaining tax exempt status in the past. Heidgerken stated that when the building was being established they had the option of trying to obtain the tax exempt status, but decided not to go down that route at that time. Johnson stated he would be willing to pass along the application and explain the process to the board if that is something they would be interested in. Heidgerken agreed.

Korte and Johnson said they would look up similar establishments in the area to compare valuations. A recess was called at 7:32 to allow Johnson and Korte to look up information. The meeting resumed at 8:12. Johnson stated Shady's in Albany is valued at \$360,800 or \$35.65/ sq. ft.; Landing in Avon valued at \$560,900 or \$44.30/sq. ft.; ElmerZ in Sauk Centre valued at \$28.64/sq. ft.; Greenwald Pub valued at \$216,000 or \$23.32/sq. ft.; Melrose Legion valued at \$386,200 or \$50.70/sq. ft.

Atkinson asked what can we decrease the valuation by and have reasoning behind it. Johnson stated the only item he could reason behind would be changing the depreciation from 2.3% instead of 3.3%. Atkinson moved to change the valuation of the Freeport Community Center from \$308,400 to \$305,400 due to a change in depreciation, seconded Renneker. Atkinson-yes, Eittle-yes, T. Hennen-abstain, Renneker-yes. Motion carried 3-0.

### **Open Public Forum**

No comment was given.

### **Consent Agenda**

Eittle moved to approve the consent agenda, seconded by Renneker. Motion carried 4-0.

### **Reports**

#### Clerk Report

A. Hennen stated she thought council should possibly consider hiring a 32 hour a week person for the Deputy Treasurer position, with prorated health insurance. A. Hennen stated finding another Joan is highly unlikely and changing the structure of the position might help with getting and retaining a qualified person. T. Hennen did agree that finding good help and getting them to stay is very difficult these days. A. Hennen part of this idea was thought up with Eveslage and he thought that having someone who could cover for A. Hennen later in the day could be an added bonus. Council agreed that they wanted to see a number break down since this would be a cost increase. Renneker stated that A. Hennen should post for the position as it is now for the time being.

#### Treasurer Report

A. Hennen addressed Atkinson's concerns regarding the electric budget line. A. Hennen stated she looked into it and it is normal for more electric usage in the winter months versus the summer months.

#### Public Works Report

Goebel stated that there were two alleys in town that he needed direction on. The alley behind Glen Meyer's house and the alley that runs along Mike Renneker's house. Goebel stated that the alley behind Glen Meyer's house could use some class 5 to build up and that should take care of it. He doesn't know how to address the Renneker alley. Council asked if Blommel had any ideas. Blommel stated he hasn't seen the alleys so he would have to look at them before giving a recommendation. Council agreed to do some research before making any decisions or doing anything.

Goebel asked if he could sweep the Community Center parking lot. Atkinson told Goebel to use his best discretion.

Goebel stated that something needs to happen with public nuisance properties. Dymoke recommended inviting the homeowners into the meeting since that has made progress in the past. A. Hennen stated the worst at the moment were the Buddy Loehrer and Scherer rental property. Council agreed to send them notices inviting them to the May meeting. Council also stated to send notice to Jennifer Beach regarding the home she's taking down on Main Street. Council stated to tell her she has until July 1<sup>st</sup> and that we want an update at the May meeting as well.

### Engineer Report

Blommel presented a few bids to do the tiling in the cul-de-sac on Industrial Drive. Blommel stated Mayers came in slightly under, but they did not bid it correctly, he had asked for 6" line and they bid a 4". Blommel stated with that change he could see them being over the Kotzer bid, but he would have to check with Mayers before knowing. T. Hennen moved to approve the Kotzer bid, seconded by Ettle. Motion carried 4-0. Atkinson stated to let the Vet Clinic know when this is being done in case they want them to fix the road alongside their building.

### Attorney Report

Dymoke stated that something the council should consider, that has been coming up more frequently, is solar garden regulations. Currently, Freeport has one sentence that states solar energy is allowed in Residential. It doesn't state what type of solar energy or how big. A. Hennen stated this keeps coming up because Sacred Heart Parish keeps being approached. Council agreed that something more concrete should be established since this is becoming a big thing.

### Fire Department Report

No report was given.

### **Old Business**

#### Welle Addition Park/Soccer Field

Atkinson stated he is reconsidering having it at the Welle Addition Park and instead having the meeting at City Hall. He stated when you get people in that environment you can't hear everyone and there are side conversations. Renneker agreed that he would rather have it at City Hall. Council stated that A. Hennen should find out when Eveslage is available before a date is set.

#### Xcel Energy Transmission Line

Ettle moved to approve the counter offer regarding the transmission line to Xcel Energy, seconded by Renneker. Atkinson-yes, Ettle-yes, T. Hennen-yes, Renneker-yes. Motion carried 4-0.

### **New Business**

#### Resolution 2018-07 Disbursement of Payment and Claims Policy

Atkinson stated he would like to see "credit card" added behind Central MN Credit Union as a preapproved vendor. Ettle moved to approve Resolution 2018-07 with Atkinson's recommendation, seconded by T. Hennen. Motion carried 4-0.

#### Danny's Disposal

Danny Bueckers stated that as of May 1<sup>st</sup> Waste Management would be taking over his business. Council thanked Danny for serving Freeport for many years.

#### Resolution 2018-08 – Liquor License Renewals

Ettle moved to approve Resolution 2018-08, seconded by Renneker. Atkinson-yes, Ettle-yes, T. Hennen-yes, Renneker-yes. Motion carried 4-0.

#### Resolution 2018-09 – Calling for a Public Hearing to Establish a Housing TIF District

A. Hennen stated that this is just to get the process going, this isn't to approve anything beyond getting the public hearing established. T. Hennen moved to approve Resolution 2018-09, seconded by Ettle. Motion carried 4-0.

Resolution 2018-10 – Calling for a Public Hearing to Establish a Industrial Park TIF District  
Reneker moved to approve Resolution 2018-10, seconded by T. Hennen. Motion carried 4-0.

Bud Heidgerken stated that the parade route would be changing this year. He also asked that a softball letter be sent out with the next water/sewer bills. Council stated to include the spring newsletter too with the water bills.

**Adjourn**

Ettle moved to adjourn at 9:32, seconded by Reneker. Motion carried 4-0.

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Mayor, Rodney Atkinson

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City Clerk-Treasurer, Adrianna Hennen



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**April 17, 2018** – Meeting Minutes

A special meeting of the Freeport City Council was convened at 6:30pm by Mayor Rodney Atkinson with Councilmembers, Tim Hennen, and Jake Renneker, present.

Staff in attendance: Clerk-Treasurer Adrianna Hennen and Public Works Director Loren Goebel

Absent: Ben Eittle and Mike Eveslage

Others in attendance: Karen Voz – MN Department of Health and Katie Breth-Stearns County Soil and Water Conservation District

### **Wellhead Protection Plan**

Karen Voz stated the purpose of the meeting was to briefly go over the WHP plan and to answer any questions that the council may have. Katie Breth introduced herself and stated that she helps with the implementation of the plan and the grant writing process. Voz explained the DWSMA map and what each of the areas meant and also explained that Freeport is a very low vulnerability area which is good. Voz then went through and showed Objectives and Plan of Action that were established by the WHP plan board. Breth explained this is where towns should use her as a resource because she comes in and helps write grants for the items that are coming up in the plan. A. Hennen stated that she and Breth had closed out a grant not too long ago. Atkinson stated he would like council to be made aware of grants. A. Hennen and Breth agreed to do that moving forward and to do so by having the council approve the grants before submitting them. There were questions and discussion had by the members present.

### **Adjourn**

Renneker moved to adjourn at 7:15, seconded by T. Hennen . Motion carried 3-0.

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Mayor, Rodney Atkinson

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City Clerk-Treasurer, Adrianna Hennen

05/23/18  
09:16:07

CITY OF FREEPORT  
Check Register  
For the Accounting Period: 5/18

Page: 1 of 1  
Report ID: AP300

Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
19981	S	15 ALBANY MUTUAL TELEPHONE ASSOCIATION	240.93	05/14/18	_____	CL 3165	240.93
19982	S	25 AMERIPRIDE LINEN & APPAREL SERVICES	58.40	05/14/18	_____	CL 3166	58.40
19983	S	70 CENTERPOINT ENERGY	275.53	05/14/18	_____	CL 3169	275.53
19984	S	76 CENTRAL MINNESOTA CREDIT UNION	247.81	05/14/18	_____	CL 3168	247.81
19985	S	636 DHIA LABORATORIES	58.00	05/14/18	_____	CL 3167	58.00
19986	S	145 FINKEN WATER SOLUTIONS	23.00	05/14/18	_____	CL 3170	23.00
19987	S	257 LEAGUE OF MN CITES INSURANCE TRUST	7159.00	05/14/18	_____	CL 3171	7159.00
19988	S	387 RAHNS OIL & PROPANE, INC	652.88	05/14/18	_____	CL 3172	652.88
19989	S	510 VERIZON WIRELESS	59.13	05/14/18	_____	CL 3173	59.13
19990	S	525 XCEL ENERGY	1595.41	05/14/18	_____	CL 3174	1595.41
Total for Claim Checks			10370.09				
Count for Claim Checks			10				

\* denotes missing check number(s)

# of Checks: 10                      Total: 10370.09

CITY OF FREEPORT  
Claim Approval List  
For the Accounting Period: 5/18

\* ... Over spent expenditure

Claim	Vendor #/Name/	Document \$/	Disc \$						Cash
Check	Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object	Proj	Account	
3175	647 BADGER METER INC	1,560.00							
	04/30/18 Annual Readcenter Agreement	780.00			601 43225	433		10100	
	04/30/18 Annual Readcenter Agreement	780.00			602 43250	433		10100	
3176	71 CENTRACARE HEALTH	630.00							
	102910053 05/01/18 7 Physicals	630.00*			225 42200	333		10100	
3177	107 DANNY'S DISPOSAL & RECYCLING,	164.91							
	Maintenance Building	135.44			101 43100	383		10100	
	Fire Hall	29.47			225 42200	383		10100	
3178	123 DYMOKE LAW OFFICE, P.A.	264.50							
	04/30/18 Zoning-C1 District	92.00			101 41000	302		10100	
	04/30/18 Xcel Powerline	57.50			101 41000	302		10100	
	04/30/18 Council Meeting	115.00			101 41000	302		10100	
3179	611 EMERGENCY RESPONSE SOLUTIONS	33.59							
	10921 04/23/18 Mask Bag-Multi Bag	33.59			225 42200	210		10100	
3180	157 FREEPORT FIRE DEPT RELIEF ASSOC	1,300.00							
	05/23/18 Lions-Meat Raffle	300.00*			225 42200	430		10100	
	05/23/18 Lions-Ham BBQ Donation	1,000.00*			225 42200	430		10100	
3181	577 GREAT PLAINS FIRE, INC	2,888.27							
	4775 04/25/18 4 Blue Devil Nozzle	2,196.00			225 42200	210		10100	
	4775 04/25/18 1 Blue Devil Nozzle 2.5''	654.00			225 42200	210		10100	
	4775 04/25/18 Freight	38.27			225 42200	210		10100	
3182	184 HACH COMPANY	145.95							
	10927404 04/19/18 Chlorine	54.78			601 43225	210		10100	
	10927404 04/19/18 Fluoride	73.38			601 43225	210		10100	
	10927404 04/19/18 Freight	17.79			601 43225	210		10100	
3183	185 HARDRIVES, INC	253.80							
	110658 05/12/18 Cold Patch	253.80			101 43100	225		10100	
3184	605 HEARTLAND DOOR SALES INC	146.25							
	23562 05/14/18 Stainless cable and labor	146.25			225 42200	220		10100	



CITY OF FREEPORT  
Claim Approval List  
For the Accounting Period: 5/18

\* ... Over spent expenditure

Claim	Vendor #/Name/	Document \$/	Disc \$	PO #	Fund Org Acct	Object Proj	Cash
Check	Invoice #/Inv Date/Description	Line \$					Account
3185	656 JASON HOPPE 05/07/18 Air Pack Batteries	18.94 18.94			225 42200	210	10100
3186	219 JOANN TIMP (4/24)-(5/21) 5 cleanings	180.00 180.00			101 41000	300	10100
3187	269 MARCO TECHNOLOGIES LLC 357714443 05/16/18 Contract Payment June-Sept 357714443 05/16/18 Supply Freight	339.11 324.11 15.00			101 41000 101 41000	410 410	10100 10100
3188	704 MCFOA TREASURER-MARTY BODE 05/23/18 Annual Dues	45.00 45.00			101 41400	433	10100
3189	294 MID CENTRAL HEATING & A/C, INC 192858 05/21/18 2-gal v nipple 192858 05/21/18 2 gal v brushing	23.82 6.82 17.00			601 43225 601 43225	220 220	10100 10100
3190	562 MINNESOTA DEPARTMENT OF HEALTH April-June Connection Fee	477.00 477.00			601 43225	431	10100
3191	309 MINNESOTA LIFE INSURANCE CO 05/14/18 Goebel 05/14/18 Hennen	7.40 3.40 4.00			101 43000 101 41400	131 131	10100 10100
3192	313 MINNESOTA POLLUTION CONTROL 1000005236 03/21/18 Water Permit Annual Fees	345.00 345.00*			101 43100	431	10100
3193	418 SEH, INC 350015 05/15/18 Industrial Drive Tile 350015 05/15/18 Water Sinking Fun Calculations 350015 05/15/18 Industrial Park Tile 350015 05/15/18 Tile Review on site	448.00 128.00 128.00 128.00 64.00			101 41000 101 41000 101 41000 101 41000	300 300 300 300	10100 10100 10100 10100
3194	440 STEARNS CO AUDITOR/TREASURER 60 05/16/18 Assessing Fees	4,797.25 4,797.25			101 41550	304	10100
3195	749 ST. ROSA LUMBER 05/07/18 Boards for truck floor	24.18 24.18			225 42200	210	10100

05/23/18  
09:13:44

CITY OF FREEPORT  
Claim Approval List  
For the Accounting Period: 5/18

Page: 3 of 3  
Report ID: AP100

\* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
3196			567 TRI-STATE PUMP & CONTROL INC	315.67					
	439711	04/30/18	Capaci tor kit	294.00			602 43250	300	10100
	439711	04/30/18	Shi ppi ng	21.67			602 43250	300	10100
3197			516 WEBER PRINTING	400.00					
	317123	05/10/18	Yearly Websi te Hosti ng	400.00			101 41000	300	10100
			# of Claims	23	Total:				14,808.64

# **FREEPORT CALLS - APRIL 2018**

<u>City</u>	<u>Date Received</u>	<u>Call #</u>	<u>Description</u>	<u>Actual Incid Location</u>
FREEPORT	04/13/2018 17:31:35	18029288	AGENCY ASSIST	101 / MM44
FREEPORT	04/13/2018 17:41:49	18029293	AGENCY ASSIST	
FREEPORT	04/18/2018 09:41:57	18030453	APPREHENSION & DETENTIC	
FREEPORT	04/27/2018 15:14:55	18033535	BEHAVIORAL HEALTH	
FREEPORT	04/26/2018 14:14:03	18033142	COUNTERFEITING	
FREEPORT	04/17/2018 10:01:13	18030121	COUNTERFEITING	
FREEPORT	04/15/2018 01:24:32	18029548	DRUGS-PARAPHERNALIA/PO	
FREEPORT	04/08/2018 08:57:11	18027768	FOLLOW UP	
FREEPORT	04/18/2018 13:16:53	18030573	MEDICAL EMERGENCY	
FREEPORT	04/06/2018 20:16:53	18027342	MEDICAL EMERGENCY	
FREEPORT	04/15/2018 02:51:04	18029559	MOTORIST ASSIST	
FREEPORT	04/09/2018 18:51:04	18028115	MOTORIST ASSIST	
FREEPORT	04/29/2018 12:56:32	18034078	NO PAY CUSTOMER	
FREEPORT	04/24/2018 17:50:12	18032624	PAPER SERVICE	
FREEPORT	04/03/2018 08:15:55	18026217	PAPER SERVICE	
FREEPORT	04/15/2018 22:05:46	18029664	PARKING VIOLATION	
FREEPORT	04/23/2018 23:14:36	18032391	REPORT WRITING	
FREEPORT	04/23/2018 00:45:22	18032107	SPECIAL DETAIL	
FREEPORT	04/24/2018 02:14:26	18032439	SPECIAL DETAIL	
FREEPORT	04/06/2018 16:01:51	18027276	STALLED VEHICLE	
FREEPORT	04/16/2018 18:44:15	18029886	SUSPICIOUS ACTIVITY	
FREEPORT	04/22/2018 23:43:39	18032095	SUSPICIOUS SMELL	
FREEPORT	04/30/2018 00:02:28	18034207	TRAFFIC STOP	
FREEPORT	04/30/2018 23:04:42	18034490	TRAFFIC STOP	
FREEPORT	04/30/2018 23:34:56	18034498	TRAFFIC STOP	
FREEPORT	04/27/2018 20:59:33	18033623	TRAFFIC STOP	
FREEPORT	04/20/2018 21:29:59	18031431	TRAFFIC STOP	
FREEPORT	04/22/2018 00:08:43	18031855	TRAFFIC STOP	
FREEPORT	04/22/2018 10:01:45	18031924	TRAFFIC STOP	
FREEPORT	04/01/2018 07:34:22	18025678	TRAFFIC STOP	
FREEPORT	04/16/2018 18:18:30	18029881	TRAFFIC STOP	
FREEPORT	04/24/2018 00:45:03	18032425	UAV TRAINING	
FREEPORT	04/26/2018 08:03:33	18033034	WEIGHT RESTRICTION	
FREEPORT	04/26/2018 12:40:24	18033116	WELFARE CHECK	

# Memo

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From: Adrianna Hennen, Clerk-Treasurer

To: Freeport City Council

Date: 5/23/18

Re: Public Works Report

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Council asked that more research be done before deciding what to do with the two alleys that were discussed at the April meeting.

The alley behind Glen Meyer and Scott Thelen's house will be taken care of with 2 loads of class 5. This will be done at the same time as the tiling of Industrial Dr.

The alley along side Mike Renneker's still has an undetermined remedy. Council may want to consider abandoning the alley.

Job Duty	Date	Initial
Well, tower, pond, lift station checks, water samples, garbage	MON 4/9/18	YJ
water samples to Sawk Center + to Albany to Mail in	"	YJ
Well, tower, pond checks, <del>work</del> at shop	Tue 4/10/18	YJ
Well, ponds, tower checks, Doug P. welfare check "He Quit", fire	Wed 4/11/18	YJ
hall sanitary frozen - ran hot water added salt.	"	YJ
Well, tower, pond, lift station checks, water samples, shop work	THUR 4-12-18	YJ
Filed papers, brought ballot machine to St. Cloud.	"	YJ
Well, tower, pond checks, Flowstation communication issues,	FRI 4/13/18	YJ
gasul vehicles	"	YJ
Well, tower, pond checks, plowed snow	SAT 4/14/18	YJ
Well, tower, pond checks, plowed snow	SUN 4/15/18	YJ
Well, tower, pond checks, lift station, water samples	MON 4/16/18	YJ
worked w/ Adci on billing letters, plowed snow	"	YJ
Well, tower, pond checks, went over bills w/ Adci, <sup>Filed</sup> <del>Filed</del>	Tue 4/17/18	YJ
out city govt for fire dept w/ Adci, pushed snow w/ ton truck	"	YJ
wellhead protection meeting	"	YJ
~~~~~ COUNCIL PACKET ~~~~~		
Well, tower, pond checks, covered flags, scraped <sup>(snow)</sup> streets	Wed 4/18/18	YJ
shop work	"	YJ
Well, tower, pond, lift station checks, water samples, scraped	THUR 4/19/18	YJ
streets, raised flags, checked Glen Meyer Alley	"	YJ
Well, tower, pond checks, scraped streets, Adci + I checked	FRI 4/20/18	YJ
Glen Meyer + Mike Renneker alleys + looked at some streets	"	YJ
+ hat a getting big pot holes.	"	YJ
Well, tower, pond checks	SAT 4/21/18	YJ
Well, tower, pond checks	SUN 4/22/18	YJ
Well, tower, pond, lift station checks, water samples, garbage, swept	MON 4/23/18	YJ
streets	"	YJ
Well, tower, pond checks, went over Electric bills, Radmacher extra	TUE 4/24/18	YJ
water meter, swept streets	"	YJ
Well, tower, ponds, pulled weeds, swept streets	Wed 4/25/18	YJ/Adi.
Well, tower, pond checks, lift station, water samples, meeting	THUR 4/26/18	YJ
w/ Adci in St Cloud "ADA PARKS", clean ditches	"	YJ
Well, tower, pond checks	FRI 4/27/18	YJ
Well, tower, pond checks	SAT 4/28/18	YJ
Well, tower, pond checks	SUN 4/29/18	YJ

Job Duty	Date	Initial
Well, tower, pond, lift station, water samples, pce discharge samples,	MON 4/30/18	YJ
garbages, Tim Hennen curb stop w/ Adam Hopper, water meter	"	YJ
readings, Lift Station 2 Electrical Issues looked at w/ <sup>Dan Roccini</sup> or ordered parts	"	YJ
Well, tower, pond checks, Met w/ Dave Blommel + Chris Kotzer about	Tue 5/1/18	
Cul-de-sac, Renzaker alley, Meyer alley, storm drains by red barn	"	
Storage into Interstate ditch, pond <del>checks</del> <sup>rock</sup> cleaned truck.	"	
Well, tower, ponds, swept streets in New Munich, greased	Wed 5/2/18	YJ
<del>equipment</del> at shop, Flushed Dead ends	"	YJ/ME
Well, tower, pond, lift station checks, water sampling, Flushed all hydrants	Thur 5/3/18	YJ/ME
Well, tower, pond checks, Flushed sanitary behind Charlies +	FRI 5/4/18	YJ/ME
behind Corner pub, pulled trees by Manhole behind Glen	"	YJ/ME
Meyers in the Field, replaced valve at ballpark in	"	YJ/ME
bathroom building, cleaned + opened bathrooms, cleaned	"	YJ
the intake at ponds.	"	YJ
Well, tower, pond checks	SAT 5/5/18	YJ
Well, tower, pond checks	SUN 5/6/18	YJ
Well, tower, lift station, pond checks, water samples, <sup>Adrian I</sup> <del>put</del> <sup>went to</sup>	MON 5/7/18	YJ
Buddy Loehner house per Bob Dickhouse request for	"	YJ/Adc
inspection gave him Mark Harrens #. <del>Helped</del> <sup>Adrian I</sup> letters	"	YJ/Adc
put cold patch down	"	YJ/ME
Well, tower, pond checks, Industrial lift station power issue	Tue 5/8/18	YJ
had EXCEL come to fix, cleaned, ran generator at 6:15 Am	"	YJ
at lift stations, gopher <del>1</del> <sup>2</sup> locates	"	YJ
Well, tower, pond checks, reports at City Hall, met w/	Wed 5/9/18	YJ
Kotzer on pond project, garbages, shop, gopher <del>1</del> <sup>2</sup> locates	"	YJ
get Dio Oxygen tester fixed.	"	YJ
Well, tower, lift station, pond checks, water samples, brought	Thurs 5/10/18	YJ
plastic from ballpark to Pungs, cleaned ballpark + bathrooms	"	YJ
garbages, worked on Industrial lift station	"	YJ
Well, tower, pond checks, Lift station #2 has electronic issues, talked	FRI 5/11/18	YJ
to Buddy about moving cars off street "48 parking rule", turned	"	YJ
water on far bank, garbages, started discharge	"	YJ
Well, tower, pond checks	SAT 5/12/18	YJ
Well, tower, pond checks	SUN 5/13/18	YJ
Well, tower, lift station, pond checks, water samples	MON 5/14/18	YJ
garbages, end of day took discharge sample	"	YJ



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

May 23, 2018

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 April 18, 2018 through May 23, 2018, we have given significant attention to the following projects on behalf of the City of Freeport:

- Xcel Easement  
Received notice of acceptance of the EDA's counter-offer from Xcel's attorney. Obtained Written Agreement from Xcel confirming the sale terms and forwarded to City Clerk for approval and execution by EDA
- Zoning Regulations  
Reviewed zoning regulations from Stearns County and surrounding communities. Prepared initial draft of amendments to the zoning ordinance regulating solar panels and forwarded to City Clerk.
- Loehrer Property  
Reviewed photos of conditions in and around Loehrer property. Discussed conditions with City Clerk, City Inspector and Sheriff's office. Recommended beginning nuisance proceedings against the property.

Respectfully submitted,  
Dymoke Law Office, P.A.

*Scott E. Dymoke*  
by Scott E. Dymoke



# Memo

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From: Adrianna Hennen, Clerk-Treasurer

To: Freeport City Council

Date: 5/22/18

Re: Fire Department

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John Gilk will be at the meeting to discuss the selling of the '68 pumper.

**AGREEMENT AS TO ELECTRIC LINE EASEMENT**

**THIS AGREEMENT**, between The Economic Development Authority in and for the City of Freeport (“EDA”) and Northern States Power Company d/b/a Xcel Energy, a Minnesota corporation (“Xcel Energy”).

**WHEREAS**, Xcel Energy is in the process of siting and developing a 69 kV transmission line (the “transmission line”) to connect from an existing Xcel Energy transmission line to a new electric substation being developed by Great River Energy;

**WHEREAS**, Xcel Energy has identified a route that it intends to use for construction of the transmission line that travels through the City of Freeport, including across lands owned by the EDA;

**WHEREAS**, Xcel Energy is in the process of obtaining the permits and authorizations necessary to construct the transmission line, including from the City of Freeport;

**WHEREAS**, Xcel Energy and the EDA have agreed upon the payment to be made by Xcel Energy to the EDA (\$93,000.00) for the easement, which is attached as Exhibit 1 hereto (the “Easement”); and

**WHEREAS**, Xcel Energy and the EDA agree that their respective obligations as set forth herein shall be contingent upon Xcel Energy obtaining the permits and authorizations from the City of Freeport necessary in order to build the transmission line through the Easement area;

**NOW THEREFORE**, the parties mutually agree as follows:

1. Recitals. The foregoing recitals are substantive in nature and are hereby incorporated by reference.
2. Easement. Subject only to contingency set forth in paragraph 3, below, the EDA shall execute and deliver the easement attached hereto as Exhibit 1 to Xcel Energy and, in exchange,

Xcel Energy shall pay the EDA the sum of Ninety-Three Thousand and no/100s Dollars (\$93,000) (the "Easement Payment").

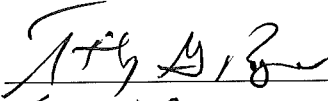
3. Contingency. EDA and Xcel Energy's respective obligations shall be contingent on the City of Freeport granting to Xcel Energy the necessary permits and authorizations to construction the transmission line, including through the Easement Area. Within 30 days of Xcel Energy's receipt of said permits and/or authorizations, Xcel Energy shall tender the Easement Payment and EDA shall deliver the fully-executed original Easement. If the City of Freeport does not grant to Xcel Energy the necessary permits and authorizations to construct the transmission line, this agreement shall terminate and the parties shall have no further obligations hereunder.

**THE ECONOMIC DEVELOPMENT  
AUTHORITY IN AND FOR THE CITY OF  
FREEPORT, MINNESOTA**

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

Its: \_\_\_\_\_

**NORTHERN STATES POWER  
COMPANY, d/b/a XCEL ENERGY**

By:  \_\_\_\_\_  
TIMOTHY G. ROGERS

Its: MANAGER, SITING AND LAND RIGHTS NORTH  
XCEL ENERGY SERVICES INC.  
AN AUTHORIZED AGENT FOR NORTHERN STATES  
POWER COMPANY, A MINNESOTA CORPORATION

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THE SPACE ABOVE THIS LINE IS RESERVED FOR RECORDING PURPOSES.

## EASEMENT

The undersigned The Economic Development Authority in and for the City of Freeport, Minnesota hereinafter called "Grantor," in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto Northern States Power Company, a Minnesota corporation, hereinafter called "Grantee," its successors and assigns, the right, privilege and easement to survey, construct, operate, maintain, rebuild, relocate, upgrade or remove electric lines with all towers, structures, poles, foundations, crossarms, cables, wires, guys, supports, counterpoises, fixtures, devices and equipment appurtenant thereto (collectively referred to as "Facilities"); said Facilities being necessary for the purposes of conducting electric energy, light, and communication impulses, through, over, under and across the following described lands situated in the County of Stearns, State of Minnesota, to wit:

See **Exhibit A** (the "Premises").

The easement granted herein shall be limited to that part of the Premises, more particularly described on Exhibit A as the "Easement Area."

Grantee shall have the right to enter upon the Premises to survey for and locate the Facilities, and construct, operate, maintain, relocate, or remove the Facilities, and also the right to trim or remove from said Easement Area any structures, trees (including tall or leaning trees located within the Premises adjacent to the Easement Area, which may endanger the Facilities) or objects, except fences, which in the opinion of Grantee will interfere with said lines.

The Facilities and supporting structures from time to time may be reconstructed or relocated on said Easement Area with changed dimensions and to operate at different voltages.

Grantee shall have the right to install within the Easement Area additional equipment and facilities for the distribution of energy, light, and communication impulses. All Facilities installed and placed by or on behalf of Grantee in the Easement Area shall remain the property of Grantee.

Grantor agrees to not erect any buildings, structures or other objects, permanent or temporary, except fences, upon the Easement Area. Grantor further agrees to not plant any trees within the Easement Area, and to not perform any act that will interfere with or endanger the Facilities.