



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

September 25, 2018 - Regular Meeting Agenda
Freeport City Hall - 7:00 pm

Call to Order

- I. Approve Agenda
- II. Public Hearing - Ordinance 2018-02 Solar Energy
- III. Open Public Forum
- IV. Consent Agenda
 - a. Aug. 28, 2018 Meeting Minutes (1-3)
 - b. Claims 3303-3349 (4-12)
 - c. Sheriff's Report (13)
 - d. Sacred Heart School OK 3.2 Liquor License (14)
- V. Reports
 - a. Clerk Report (15)
 - b. Treasurer Report (N/A)
 - c. Public Works Report (16-18)
 - d. Engineer Report (19)
 - e. Attorney Report (20)
 - f. Fire Department Report
- VI. Old Business
 - a. Ordinance 2018-02 Solar Energy (21-23)
 - b. Ordinance 2018-03 Solar Energy Summary (24-25)
 - i. Copy of Solar Ordinance (26-47)
 - c. Rental Housing (48-57)
 - d. Unfit for Habitation (58-63)
 - e. Parking Nuisance/ Ordinance 500.475 (64-67)
 - f. Public Nuisance by Zone (68-74)
 - g. Loehrer Update (75)
- VII. New Business
 - a. 2019 Preliminary Budget (76-98)
- VIII. Adjourn

Next Meeting: October 30, 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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August 28, 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 Ettle, Mike Eveslage and Jake Renneker, present.

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

Absent: None

Others in attendance:

Craig Timp (213 2nd Ave NW)

Al Williams (308 2nd Ave NW)

Andrea Ramacher (720 1st Ave N)

Kyle Rademacher & Brooke Fleischhaker (212 2nd Ave NW)

Chad Thielen (112 3rd St NW)

Mark Middendorf (711 Main St E)

Chad Thielen (112 3rd St NW)

Approve Agenda

Renneker moved to approve the agenda, seconded by Eveslage. Motion carried 5-0.

Open Public Forum

No comment was given.

Consent Agenda

Eveslage moved to approve the consent agenda, seconded by Ettle. Motion carried 5-0.

Reports

Clerk Report

A. Hennen gave recap on the Primary Election. A. Hennen named each individual that submitted an Affidavit of Candidacy for the open city council seats.

A. Hennen stated that Atkinson had brought up the topic earlier in the day of segregating certain areas of town or zones regarding nuisance requirements. Council decided that it should be something to look into to see what surrounding towns do.

Treasurer Report

No report was given.

Public Works Report

Goebel stated he was getting an estimate from Jesse James and Phil Osendorf for the grease trap in Charlie's Café. Council asked that he acquire one more estimate.

Engineer Report

Blommel presented an updated Capital Improvement Plan which he broke down into four different areas of town that will need attention in the very near future. Blommel explained that all of these areas need new street, storm water, water main, and sanitary sewer and broke them all down by price in each of those categories. Blommel explained that funding options are now limited as Freeport is ineligible for USDA grant dollars since Freeport's median income is higher than their threshold. Blommel explained that Freeport's best bet in receiving grant dollars would be from PFA, which requires a \$35,000 Facility Plan. The plan takes about 3-4 months complete and would be submitted in March of 2019. Blommel stated that Freeport should score well, but it isn't a guarantee and that if Freeport doesn't receive it right away, others ahead of Freeport would get it and Freeport would just keep moving up the list. T. Hennen asked if it was reasonable to estimate that Freeport apply for funding in 2019, hopefully be awarded in 2020 and get then in 2021 get the funds and break ground. Blommel said that is a very realistic timeline.

Attorney Report

Dymoke stated all of his items would be coming up in the agenda.

Fire Department Report

No report was given.

Old Business

Loehrer Update

A. Hennen stated that it unfortunately the Sheriff attempted five times before they were able to deliver the order to abate to Loehrer on August 22nd. This means that Loehrer has until September 22nd to clean up his property under the Freeport's orders. If he does not abide, then on September 23rd, Dymoke has the authority submit all of the information to the Stearns County Court. Eveslage asked now that Loehrer's water has been off for a week if anything else can be done or if the property can be considered "uninhabitable"? Dymoke explained that he has had some luck with the County Public Health Nurse when he was in a different county, but hasn't had a lot of luck with the Stearns County Nurse, but said it might be worth a try. Eveslage also recommended talking to Mark Harren or Dan Marthaler to see if anymore can be done now that the water has been off for a considerable amount of time.

Solar Gardens

Dymoke explained that staff unfortunately missed the deadline for getting the public hearing notice in the newspaper for changing the solar garden regulations, so it will be scheduled for the September meeting. At this time Dymoke went over all of the changes one more time to make sure that he got them all correct. There were no changes council made.

New Business

Wellhead Protection Plan Grant

Katie Breth with Stearns County Soil and Water Conservation District (SCWD) attended the meeting to explain her role, the Wellhead Protection Plan (WHPP) Grant and the process. She stated her role is to help city's implement their WHPP and to write grants that are offered by the MN Department of Health. Breth stated the grant Freeport is applying for is to cover the costs of prepping and sealing and old municipal well in the basement of the Creamery, to seal an individual's well within the DWSMA, and to get signs that will people will see when entering Freeport's DWSMA area. Breth explained the total for the grant application is

\$9,150. Breth also explained that if the contractor sealing the well gets in there and realizes the well is in way worse condition and will be more expensive, she stated the contractor should stop work, contact Breth and she can work with the MN Department of Health to move funds around. She said we can't get more money, but we can move the dollars around that might have been used for something else. She stated you want to stay in the amount your request in the grant, as anything above and beyond that becomes the City's responsibility. Eveslage moved to approve and submit the grant, seconded by Ettle. Motion carried 5-0.

Rental Housing

Dymoke explained that the housing ordinance that was presented from New Munich was to regulate all of their residential housing, not just rental. Dymoke questioned the council if they thought Freeport was ready for this type of step or if they wanted to focus these requirements on rental housing specifically. Council agreed that this type of ordinance was unnecessary for all residential housing, but would be good for rental housing. Council also liked the section about inhabitability and that something like that should be added as a rule for all residential housing. Dymoke stated he would speak to the building inspector and get his perspective.

A. Hennen Performance Review

Eveslage stated A. Hennen should focus and work on performance and keep working on improving in the job. Eveslage also appreciated seeing a percentage request for a wage increase instead of a dollar amount. Eveslage moved to accept A. Hennen's request of a 2.4% wage increase, seconded by Renneker. Atkinson-yes, Ettle-yes, Eveslage-yes, T. Hennen-abstain, Renneker-yes. Motion carried 4-0.

Atkinson stated, unrelated to A. Hennen's performance review, that he was concerned about the trend of the administrative employees. Atkinson is concerned that more money will be spent then work getting completed. He stated that at \$60,000 Freeport would be able to hire a person to do both the clerk and treasurer work. He stated he saw this trend with the public works when hiring Sam at full time, and is concerned this is a similar trend.

Ajourn

Ettle moved to adjourn at 8:20pm, seconded by Renneker. Motion carried 5-0.

Mayor, Rodney Atkinson

City Clerk-Treasurer, Adrianna Hennen

09/12/18
12:07:48

CITY OF FREEPORT
Claim Approval List
For the Accounting Period: 9/18

Page: 1 of 2
Report ID: AP100V

* ... Over spent expenditure

Claim/	Check	Vendor #/Name/	Document \$/	Disc \$					Cash
		Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object Proj	Account	
3303		15 ALBANY MUTUAL TELEPHONE	240.93						
	10321173	09/01/18 836-2411/2413	74.72*			225 42200	320	10100	
	10321539	09/01/18 836-7158	38.38			101 41000	320	10100	
	10321328	09/01/18 836-2685	19.77			601 43225	320	10100	
	10321328	09/01/18 836-2685	19.77			602 43250	320	10100	
	10321037	09/01/18 836-2112	88.29			101 41000	320	10100	
		Total for Vendor:	240.93						
3304		25 AMERIPRIDE LINEN & APPAREL	123.24						
	2201082289	08/10/18 Monthly rug service	59.29			101 41000	410	10100	
	2201093317	09/07/18 Monthly rug service	63.95			101 41000	410	10100	
		Total for Vendor:	123.24						
3305		76 CENTRAL MINNESOTA CREDIT UNION	1,194.67						
	08/31/18	Indeed Treasurer job ad	150.00*			101 41000	350	10100	
	08/31/18	UB postage	70.00*			601 43225	200	10100	
	08/31/18	UB postage	70.00			602 43250	200	10100	
	08/31/18	General postage	150.00			101 41000	200	10100	
	08/31/18	Glove dispenser	34.54*			225 42200	210	10100	
	08/31/18	Ziegler - black lightning	79.62			225 42200	220	10100	
	08/31/18	Charlie's Cafe-election lunch	19.00			101 41450	210	10100	
	08/31/18	Ziegler-coolant for truck 405	10.94			225 42200	401	10100	
	08/31/18	MN State Fire Chief Conference	600.00			225 42200	332	10100	
	08/31/18	Stearns Co Beacon fee	1.00			101 41000	433	10100	
	08/31/18	Interest charge	9.57			101 41000	430	10100	
		Total for Vendor:	1,194.67						
3306		636 DHIA LABORATORIES	93.00						
	77779	08/29/18 Effluent Predischarge	79.00			602 43250	460	10100	
	78275	08/31/18 Predischarge	14.00			602 43250	460	10100	
		Total for Vendor:	93.00						
3307		145 FINKEN WATER SOLUTIONS	23.00						
	1106585	09/01/18 Water softener rental	15.00			101 41000	410	10100	
	1106586	09/01/18 Maint water cooler	8.00			101 43100	410	10100	
		Total for Vendor:	23.00						

09/12/18
12:07:49

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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
3308		387 RAHNS OIL & PROPANE, INC	268.86					
	2828 08/31/18	Fire Dept fuel	28.14			225 42200	215	10100
	2828 08/31/18	Public Works fuel	232.16			101 43100	215	10100
	2828 08/31/18	Public Works supplies	8.56			101 43100	210	10100
		Total for Vendor:	268.86					
3309		437 STAR PUBLICATIONS LLC	26.93					
	171178 08/08/18	Test voting equip ad	25.62			101 41450	350	10100
	FC18888 08/31/18	Finance charge	1.31			101 41450	350	10100
		Total for Vendor:	26.93					
3310		510 VERIZON WIRELESS	59.01					
	9813830474 09/01/18	Cell phone - Sep	59.01			101 43100	320	10100
		Total for Vendor:	59.01					
3311		525 XCEL ENERGY	1,428.77					
	606269397 09/05/18	302188142	139.70			601 43225	381	10100
	606269397 09/05/18	302252262	75.63			101 43160	381	10100
	606269397 09/05/18	302290398	129.92			101 41000	381	10100
	606269397 09/05/18	302679657	70.10			101 43100	381	10100
	606269397 09/05/18	302700297	26.08			602 43250	381	10100
	606269397 09/05/18	302947044	163.82			601 43225	381	10100
	606269397 09/05/18	303193187	28.65			602 43250	381	10100
	606269397 09/05/18	303616049	127.97			225 42200	381	10100
	606269397 09/05/18	303936749	36.39			101 43160	381	10100
	606269397 09/05/18	303956738	370.96			101 43160	381	10100
	606269397 09/05/18	303963984	196.67			101 43160	381	10100
	606269397 09/05/18	303985901	31.90			101 43160	381	10100
	606269397 09/05/18	304083816	12.46			101 43160	381	10100
	606269397 09/05/18	304098414	18.52			602 43250	381	10100
		Total for Vendor:	1,428.77					
		# of Claims	9	Total:		3,458.41		

09/20/18
11:35:41

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Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
3312		617 ADRIANNA HENNEN	22.35					
	09/13/18	Mileage for MCFOA training	22.35			101 41400	335	10100
		Total for Vendor:	22.35					
3313		663 ALPENGLOW, BOB TIMP	390.00					
	09/16/18	Paint entry, 2nd office	390.00			101 41000	220	10100
		Total for Vendor:	390.00					
3314		756 ASSESSCO ENVIRONMENTAL SERVICES	650.00					
	For 37251	368th Street - City was reimbursed by Rick & Cindy Klaphake						
	7060 08/13/18	Asbestos inspection	650.00*			225 42200	300	10100
		Total for Vendor:	650.00					
3315		539 BEUNING MASONRY, INC	270.00					
	1116 07/15/18	City sidewalk repair Lions Prk	270.00			101 45200	220	10100
		Total for Vendor:	270.00					
3316		560 BOYER TRUCKS	565.36					
	51847R 08/28/18	Rescue van #404 injectors	565.36			225 42200	401	10100
		Total for Vendor:	565.36					
3317		84 CITI LITES, INC	42.00					
	58982 08/31/18	Mark streetlight wires	42.00			101 43160	300	10100
		Total for Vendor:	42.00					
3318		123 DYMOKE LAW OFFICE, P.A.	448.50					
	09/04/18	Solar ordinance	184.00			101 41000	302	10100
	09/04/18	Xcel franchise agreement	57.50			101 41000	302	10100
	09/04/18	Rental ordinance	92.00			101 41000	302	10100
	09/04/18	City Council meeting	115.00			101 41000	302	10100
		Total for Vendor:	448.50					
3319		129 EHLERS & ASSOCIATES, INC	12,000.00					
	77066 06/11/18	TIF Dist 2-3	3,200.00*			300 46500	300	10100
	77066 06/11/18	TIF Dist 2-3 discount	-784.91*			300 46500	300	10100
	77401 07/10/18	TIF Dist 2-3	3,200.00*			300 46500	300	10100

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Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
		77401 07/10/18 TIF Dist 2-3 discount	-784.91*			300 46500	300	10100
		77067 06/11/18 TIF Dist 2-3	4,750.00*			300 46500	300	10100
		77067 06/11/18 TIF Dist 2-3 discount	-1,165.09*			300 46500	300	10100
		77399 07/10/18 TIF Dist 2-3	4,750.00*			300 46500	300	10100
		77399 07/10/18 TIF Dist 2-3 discount	-1,165.09*			300 46500	300	10100
		Total for Vendor:	12,000.00					
3350		752 EXPERT T BILLING	351.00					
	4963 09/20/18 13	Fire calls billed	351.00*			225 42200	300	10100
		Total for Vendor:	351.00					
3320		626 FIRE SAFETY USA, INC	710.00					
	107746 01/25/18	Ys for fire hoses on truck	680.00			225 42200	401	10100
	107746 01/25/18	Shipping & handling	30.00			225 42200	401	10100
		Total for Vendor:	710.00					
3321		641 FREEPORT ELECTRIC, INC	92.73					
	Labor & materials to install junction box & generator cord on lift station							
	2476 08/29/18	Lift statn junc box, gen cord	92.73*			602 43250	311	10100
		Total for Vendor:	92.73					
3322		155 FREEPORT FARM CENTER, INC	291.87					
	100009 07/17/18	Lawnmower repair	271.87			101 45200	220	10100
	100009 07/17/18	Pond - welding extension	20.00*			602 43250	220	10100
		Total for Vendor:	291.87					
3323		167 GAIL OSENDORF	54.50					
	08/15/18	Mileage for election training	54.50			101 41450	335	10100
		Total for Vendor:	54.50					
3324		174 GOPHER STATE ONE CALL, INC	16.20					
	8080387 08/31/18	12 email tickets	8.10			601 43225	300	10100
	8080387 08/31/18	12 email tickets	8.10			602 43250	300	10100
		Total for Vendor:	16.20					

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Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
3325		179 GRANITE ELECTRONICS, INC	45.00					
	1530073191	08/21/18 Mini tor V charger	45.00			225 42200	245	10100
		Total for Vendor:	45.00					
3326		184 HACH COMPANY	360.76					
	11112147	08/28/18 Chlorine	164.34			601 43225	210	10100
	11112147	08/28/18 Fluoride	146.76			601 43225	210	10100
	11112147	08/28/18 Accuvac snapper	18.39			601 43225	210	10100
	11112147	08/28/18 Freight	31.27			601 43225	210	10100
		Total for Vendor:	360.76					
3327		194 HENNEN LUMBER CO, INC	43.93					
	34195	08/01/18 Window	108.30			101 45200	435	10100
	34195	08/01/18 Labor	40.00			101 45200	435	10100
	34818	08/24/18 Cutoff wheels	4.49			101 43100	220	10100
	32973	06/30/18 Lions Park repairs paid twice	-108.86			101 45200	220	10100
		Total for Vendor:	43.93					
3328		201 HOESCHEN AUTO	2,283.61					
	1003198	08/28/18 Truck 407 repairs	2,283.61			225 42200	401	10100
		Total for Vendor:	2,283.61					
3329		725 HOPPE'S DIRTWORK	295.00					
	113	09/13/18 Drain tile on 10th Street	295.00			101 43100	311	10100
		Total for Vendor:	295.00					
3330		569 IRENE GOEBEL	52.32					
	08/17/18	Mileage for election training	52.32			101 41450	335	10100
		Total for Vendor:	52.32					
3331		219 JOANN TIMP	144.00					
	09/17/18	4 cleanings (8/27-9/17)	144.00*			101 41000	300	10100
		Total for Vendor:	144.00					

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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
3332		230 JOYCE HOESCHEN	54.50					
	08/14/18	Mileage for election training	54.50			101 41450	335	10100
		Total for Vendor:	54.50					
3333		258 LEAGUE OF MN CITIES	843.00					
	275949 09/01/18	LMC 2018-2019 dues	843.00			101 41000	434	10100
		Total for Vendor:	843.00					
3334		529 LOREN GOEBEL	37.46					
	08/06/18	Printer ink	37.46*			225 42200	210	10100
		Total for Vendor:	37.46					
3335		268 MARC	470.58					
	0646064-IN 09/12/18	Bugs for pond	448.00			602 43250	210	10100
	0646064-IN 09/12/18	Freight	22.58			602 43250	210	10100
		Total for Vendor:	470.58					
3336		269 MARCO TECHNOLOGIES LLC	339.11					
	364447334 08/16/18	Contract pmt to 12/10/18	324.11			101 41000	410	10100
	364447334 08/16/18	Supply freight	15.00			101 41000	210	10100
		Total for Vendor:	339.11					
3337		274 MARY ANN LAING	81.75					
	08/14/18	Mileage for election training	81.75			101 41450	335	10100
		Total for Vendor:	81.75					
3338		704 MCFOA TREASURER-MARTY BODE	45.00					
	09/20/18	Member dues - Wall	45.00			101 41400	433	10100
		Total for Vendor:	45.00					
3339		713 NATL FIN SVCS FBO FREEPRT FIRE	2,226.30					
	07/01/18	Annual Relief Assoc Contribn	2,226.30			225 42200	315	10100
		Total for Vendor:	2,226.30					

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Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
3340		385 QUIL. COM	212.64					
	9485164	08/20/18 Copy paper	107.98			101 41000	210	10100
	9877322	09/04/18 Cork board	34.99			101 41000	210	10100
	9898575	09/04/18 Steel 24 key box	24.69			101 41000	210	10100
	1070876	09/11/18 Towel, non-perforated	44.98			101 41000	210	10100
		Total for Vendor:	212.64					
3341		389 RAMLER TRUCK & TRAILER REPAIR,	720.31					
	RI045998	08/30/18 Truck 407 repairs	304.13			225 42200	401	10100
	RI046051	09/06/18 Truck 406 repairs	13.68			225 42200	401	10100
	RI046042	09/06/18 Truck 406 repairs	402.50			225 42200	401	10100
		Total for Vendor:	720.31					
3342		397 RINKE-NOONAN, LTD	847.50					
	288499	09/13/18 Potential Bertram land donatio	847.50			300 46500	302	10100
		Total for Vendor:	847.50					
3343		413 SCHLENNER WENNER & CO	425.00					
	225149	06/30/18 2017 OSA state report filing	425.00			101 41500	300	10100
		Total for Vendor:	425.00					
3344		542 SCHMIDTY'S	345.03					
	07/31/18	Public Works fuel	217.18			101 43100	215	10100
	08/31/18	Public Works fuel	127.85			101 43100	215	10100
		Total for Vendor:	345.03					
3345		418 SEH, INC	1,150.50					
	355851	09/15/18 Capital improv plan estimates	256.00*			101 41000	300	10100
	355851	09/15/18 Contract	192.00*			101 41000	300	10100
	355851	09/15/18 Assessment review CIP	256.00*			101 41000	300	10100
	355851	09/15/18 2 Hours Botz 1 Hour Indus Park	384.00*			101 41000	300	10100
	355851	09/15/18 Memo review/pdf	18.75*			101 41000	300	10100
	355851	09/15/18 Contractor agreement	18.75*			101 41000	300	10100
	355851	09/15/18 Admin assistant	25.00*			101 41000	300	10100
		Total for Vendor:	1,150.50					

09/20/18
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Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
3346		442 STEARNS CO SHERIFF'S OFFICE	100.00					
	18-2014	08/21/18 Serve orders to abate	100.00*			101 41000	300	10100
		Total for Vendor:	100.00					
3347		554 SWANY WHITE FLOUR MILLS, LTD	1,492.23					
	07/31/18	TIF payment	1,495.23			265 46508	640	10100
	07/31/18	County TIF Fee	-3.00			265 46508	640	10100
		Total for Vendor:	1,492.23					
3348		750 WASTE MANAGEMENT	174.46					
	6780860176	08/30/18 Maintenance building	140.25			101 43100	383	10100
	6780521176	08/30/18 Fire hall	34.21			225 42200	383	10100
		Total for Vendor:	174.46					
3349		516 WEBER PRINTING	105.00					
	023682	09/05/18 2-pt carbonless notice forms	90.00			101 41000	210	10100
	023682	09/05/18 Typesetting updates	15.00			101 41000	210	10100
		Total for Vendor:	105.00					
		# of Claims	39	Total:	28,799.50			

09/19/18
13:04:55

CITY OF FREEPORT
Liability Check Detail

Page: 1 of 1
Report ID: W120

Liability Check 20139 BLUE CROSS BLUE SHIELD 365.13

Check #	Employee	Pay Date	Empl. Amount	Empr. Amount	Total Amount
-88868	Hennen, Adrianna M.	09/19/18	0.00	182.57	182.57
-88874	Hennen, Adrianna M.	09/05/18	0.00	182.56	182.56
Total Detail:		2	0.00	365.13	365.13

FREEPORT CALLS - AUGUST 2018

City	Date_Received	Call #	Description	Actual_Incid_Location
FREEPORT	08/04/2018 22:33:27	18066559	ACCIDENT	
FREEPORT	08/04/2018 22:40:50	18066560	AGENCY ASSIST	
FREEPORT	08/01/2018 08:41:49	18065328	AGENCY ASSIST	
FREEPORT	08/03/2018 23:23:37	18066273	AGENCY ASSIST	
FREEPORT	08/03/2018 11:57:57	18066090	BURGLARY	
FREEPORT	08/23/2018 14:05:48	18072689	BURGLARY	
FREEPORT	08/18/2018 19:05:22	18071077	CITIZEN CONTACT	
FREEPORT	08/27/2018 13:14:43	18074103	DOG COMPLAINT/BARKING	
FREEPORT	08/17/2018 22:38:31	18070806	FALSE ALARM	
FREEPORT	08/18/2018 14:56:07	18071020	FIRE OTHER	
FREEPORT	08/23/2018 21:25:26	18072862	JUVENILE/PROBLEM WITH	
FREEPORT	08/07/2018 22:07:56	18067515	LOUD MUSIC	
FREEPORT	08/10/2018 07:26:30	18068238	LOUD MUSIC	
FREEPORT	08/03/2018 23:20:26	18066271	MEDICAL EMERGENCY	
FREEPORT	08/24/2018 11:09:00	18073037	MEDICAL EMERGENCY	
FREEPORT	08/08/2018 14:08:55	18067719	NO PAY CUSTOMER	
FREEPORT	08/18/2018 04:47:04	18070918	NOISE COMPLAINT	
FREEPORT	08/08/2018 09:53:40	18067656	PAPER SERVICE	
FREEPORT	08/15/2018 04:56:38	18069857	PARKING VIOLATION	
FREEPORT	08/18/2018 15:38:25	18071024	PARKING VIOLATION	
FREEPORT	08/31/2018 20:00:15	18075847	PERSONAL ASSIST	
FREEPORT	08/27/2018 19:58:45	18074214	PHONE CALL	
FREEPORT	08/02/2018 12:44:56	18065705	PROPERTY DAMAGE	
FREEPORT	08/22/2018 14:47:37	18072286	SPECIAL DETAIL	
FREEPORT	08/23/2018 10:19:13	18072615	SPEED TRAILER	
FREEPORT	08/20/2018 08:03:13	18071472	SPEED TRAILER	
FREEPORT	08/27/2018 08:19:05	18074017	SPEED TRAILER	
FREEPORT	08/16/2018 12:34:51	18070270	STOLEN VEHICLE	
FREEPORT	08/30/2018 13:40:48	18075258	SUSPICIOUS ACTIVITY	
FREEPORT	08/17/2018 20:43:32	18070714	SUSPICIOUS PERSON	
FREEPORT	08/13/2018 22:59:18	18069463	SUSPICIOUS VEHICLE	
FREEPORT	08/15/2018 14:28:20	18069973	THEFT	
FREEPORT	08/15/2018 10:58:56	18069929	THEFT FROM VEHICLE	
FREEPORT	08/02/2018 13:01:12	18065713	TOWED VEHICLE	
FREEPORT	08/03/2018 20:48:55	18066235	TRAFFIC STOP	
FREEPORT	08/13/2018 11:15:33	18069259	TRAFFIC STOP	
FREEPORT	08/15/2018 18:33:27	18070051	TRAFFIC STOP	
FREEPORT	08/19/2018 22:08:19	18071424	TRAFFIC STOP	
FREEPORT	08/04/2018 08:19:17	18066366	TRAINING ONLINE	
FREEPORT	08/01/2018 07:33:14	18065320	VANDALISM IN PROGRESS	
FREEPORT	08/17/2018 19:53:01	18070687	WELFARE CHECK	

\$ 15.00

3.2 Malt Liquor
"ON SALE" LICENSE

No. 2018-01

License is hereby Granted to:

Sacred Heart School

TO SELL AT RETAIL

3.2 Malt Liquors

FOR CONSUMPTION ON THE PREMISES LOCATED AT

125 Main Street East

IN THE City OF Freeport COUNTY OF Stearns

FOR THE PERIOD COMMENCING

September 29 YEAR 2018 AND TERMINATING September 29 YEAR 2018 AT MIDNIGHT.

This license is granted pursuant to application and payment of fee therefore and is subject to all the provisions and conditions of the laws of the state and of the federal government pertaining to such sale; and is revocable for the violation thereof; Not transferable.

WITNESS THE GOVERNING BODY of the City of Freeport and the seal thereof this 25th day of September year 2018.

Attest: _____
Signature Title

Adrianna Hennen, Clerk-Treasurer

Seal

Memo

From: Adrianna Hennen, Clerk-Treasurer

To: Freeport City Council

Date: 9/19/18

Re: Clerk Report

Simon Hellermann is interested in knowing if the City wants to take over mowing the grass between his lot and the Wobegon Trail. The area he is mowing is technically state land alongside the trail. When I spoke with the state regarding them cutting grass along the trail in the past they have stated that they only budget the cutting of 3 feet on each side of the trail, anything beyond that they are not required to cut. They stated if abutting land owners want to cut it that they can but are also not required. Simon doesn't want to cut this area anymore, but said it will make the town look poor if uncut. He is wondering if the city wants to take over cutting the grass. I said that I would run this by council and let him know what you decided.

Memo

From: Adrianna Hennen, Clerk-Treasurer

To: Freeport City Council

Date: 9/19/18

Re: PW Report

Charlies Café grease traps:

Jesse James Plumbing: \$1250.00

Phil Osendorf: \$1029.00

Melrose Plumbing – didn't want to provide an estimate. Told Loren that they are too busy, didn't want the job, and if they did quote it, the quote would come back high. Loren opted not to get a quote from them.

Loren has asked that Jesse attend the Council meeting to discuss options and how to move forward with installing the grease trap.

Job Duty	Date	Initial
Well, tower, pond checks, got ^{PRE} discharge result on TSS, water meter readings	FRI 8/31/18	XJ
Well, tower, pond checks, start discharge	SAT 9/1/18	XJ
Well, tower, pond checks	SUN 9/2/18	XJ
Well, tower, lift station, pond checks, water samples (HOLIDAY)	MON 9/3/18	XJ
Well, tower, pond checks, reports at City hall, w/ Adci, & Filed reports	TUE 9/4/18	XJ
at city Hall & shop, cleaned at shop, water samples for discharge (pond), talked to a couple residence about 48 hr packing.	"	XJ
Well, tower, pond checks, discharge samples & brought to DHIA, mowed lawn	WED 9/5/18	LG
Well, tower, lift station, pond checks, water samples, pulled weeds at ponds, Flushed hydrants, mowed lawn, bugs at ponds	THUR 9/6/18	XJ
Well, tower, pond checks, changed chlorine cylinder at well house #1	FRI 9/7/18	XJ
Found storm drain collapse on corner of 10 th st & 3 rd Ave SE	"	XJ
did walk around with Fire extinguisher inspector. END DISCHARGE	SAT 9/8/18	XJ
Well, tower, pond checks	SUN 9/9/18	XJ
Well, tower, pond checks	MON 9/10/18	XJ
Well, tower, lift station, pond checks, water samples, Fixed pot hole in alley next next to ALQUIN NOTCH, Fire extinguisher inspector back w/ extinguishers, worked on lawn mower ^{zero} + yca, meter reading at Hiltner house on 10 th st, water back on at Biddy's, they tampered w/ top.	TUE 9/11/18	XJ
Well, tower, pond checks, check AC at city hall called MID central to fix, mowed lawn, water shut off notices, gopher calls	"	XJ
Found curb stop behind Hennen Flooring. need to fix. talked to Justin Berreck MPCA about a discharge issue.	"	XJ
Well, tower, pond checks, Fixed storm drain collapse w/ Adam Hopper on 10 th st & 3 rd Ave SE, picked rocks around storm drain by Wickwind Rd. worked on water meter issue's with Adci.	WED 9/12/18	XJ
Well, tower, lift station, pond checks, water samples, Fixed curb stops by Hennen Flooring & Jim Notch, spread dirt by ponds, gopher calls, did water meter set up w/ Adci, Worked on street lights & lights by gazebo & Memorial power.	THUR 9/13/18	XJ
Well, tower, pond checks, dropped SF meter by Jim Notch, talked to Buddy Loeber about water cleaned at shop, street lights w/ Freeport Electric, pulled tree by Sarah Overman	FRI 9/14/18	XJ
	"	XJ

council meeting 18



Building a Better World
for All of Us®

MEMORANDUM

TO: Freeport Mayor and City Council

FROM: Dave Blommel, PE

DATE: September 20, 2018

RE: Council Update
SEH No. FREEP GEN COR 14.00

The Minnesota Pollution Control Agency has released the Draft General Permit for Pond Wastewater Treatment Facilities for public comment. Communities that have wastewater ponds generally operate under this permit and Freeport is no exception. The comment period is open until October 16, 2018 should the city have any comments related to the new permit.

I have reviewed the new permit language and nothing has changed for the City. The limits specific to the city will be reviewed under a future release of a new Notice of Coverage (likely 2020 or later). Prior to the new notice of coverage being approved, an additional comment period will be required giving the City a chance to comment at that time.

The newest batches of permits (not including Freeport) are receiving Phosphorus limits at about a 50% rate. Should we be given a Phosphorus limit in 2020 we may have some operational changes at the ponds, but the majority of ponds can meet the limits without significant upgrades.

I plan to attend your meeting if you have questions.

dwb

p:\fj\freeport\common_ council mtg\2018\m council update 092018.docx

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

September 19, 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 August 22, 2018 through September 19, 2018, we have given significant attention the following projects on behalf of the City of Freeport.

- Unfit Housing Ordinance
Prepared draft of proposed ordinance for review and comment by City Council.
- Rental Housing Ordinance
Prepared draft of proposed ordinance for review and comment by City Council.
- Loehrer Nuisance
Prepared pleadings requesting court hearing to enforce council nuisance abatement order.
- Xcel Franchise Renewal
Completed mark-up of proposed franchise agreement to reflect recommended changes to agreement terms.

Respectfully submitted,
Dymoke Law Office, P.A.

Scott E. Dymoke
by Scott E. Dymoke

ORDINANCE NO. 2018-02

**AN ORDINANCE AMENDING THE FREEPORT CITY CODE OF 1995,
CHAPTER V, SECTION 500 REGULATING ZONING PLANNING AND LAND USE
WITHIN THE CITY OF FREEPORT, MINNESOTA**

THE CITY COUNCIL OF THE CITY OF FREEPORT, MINNESOTA DOES ORDAIN:

SECTION 1. The Freeport City Code of 1995, Chapter V, Section 500.06, Subd. 2 (Definitions), is amended to add the following:

Building Mounted Solar Energy System. A solar energy system that is mounted to the side walls of a building using brackets, stands, or other apparatus that is directly connected to and designed to serve the energy needs of the building to which it is attached.

Ground Mounted Solar Energy System. A freestanding solar energy system mounted to the ground by use of racks, poles, stabilizers or similar apparatus that is directly connected to and designed to serve the energy needs of the Principal Structure to which it is connected.

Roof Mounted Solar Energy System. A solar energy system that is mounted to the roof of a building using brackets, stands, or other apparatus that is directly connected to and designed to serve the energy needs of the building to which it is attached.

Solar Energy System. A solar energy system that collects or stores solar energy and transforms solar energy into another form of energy or transfers heat from a collector to another medium using mechanical, electrical, or chemical means.

Solar Garden. A freestanding solar energy system mounted to the ground by use of racks, poles, stabilizers or similar apparatus that provides electric power for sale at wholesale or retail.

SECTION 2. The Freeport City Code of 1995, Chapter V, Section 500.23 (A, Agriculture/Rural Residence District), Subd. 3 (Permitted Accessory Uses), is amended to add the following:

7. Roof mounted solar energy systems.

SECTION 3. The Freeport City Code of 1995, Chapter V, Section 500.25 (R-1, Single and Two-Family Residence District), Subd. 2 (Permitted Uses), is amended to delete the following:

- ~~5. Solar energy.~~

SECTION 4. The Freeport City Code of 1995, Chapter V, Section 500.25 (R-1, Single and Two-Family Residence District), Subd. 3 (Permitted Accessory Uses), is amended to add the following:

5. Roof mounted solar energy systems.

SECTION 5. The Freeport City Code of 1995, Chapter V, Section 500.29 (C-1, Central and Neighborhood Commercial District), Subd. 3 (Permitted Accessory Uses), is amended to add the following:

4. Roof mounted solar energy systems.

SECTION 6. The Freeport City Code of 1995, Chapter V, Section 500.33 (I-1, General Industrial District), Subd. 3 (Permitted Accessory Uses), is amended to add the following:

6. Roof mounted solar energy systems.

SECTION 7. The Freeport City Code of 1995, Chapter V, Section 500, is amended to add the following:

500.495 Solar Energy System Performance Standards

Subd.1 Roof Mounted Solar Energy Systems

All Roof Mounted Solar Energy Systems must meet the following standards:

1. The solar arrays or panels shall not exceed the maximum height allowed in the applicable zoning district.
2. The solar arrays or panels shall not extend into the required setbacks allowed in the applicable zoning district.
3. The solar arrays or panels shall be screened from routine view from abutting residential properties.
4. The solar arrays or panels on residential structures shall be installed or positioned parallel with the roof line, with no exposed brackets, stands, or other apparatus.
5. The solar arrays or panels shall be installed or positioned so as not to cause glare or reflective sunlight onto neighboring properties, right of ways, or structures.
6. The solar arrays or panels shall be installed or positioned so as not to obstruct views.
7. When installed, the Solar Energy System cannot prevent abutting properties from being developed in any manner that is in conformance with all applicable codes and regulations, including planting or installation of any landscaping, trees, fences, or screening.

Subd.2 Building Mounted Solar Energy Systems

Building Mounted Solar Energy Systems shall not be permitted in the City of Freeport.

Subd.3 Ground Mounted Solar Energy Systems

Ground Mounted Solar Energy Systems shall not be permitted in the City of Freeport.

Subd.4 Solar Gardens

Solar Gardens shall not be permitted in the City of Freeport.

SECTION 8. The Freeport City Code of 1995, Chapter V, Section 500.51 (Height and yard exceptions), Subd. 1 (Structures), is amended as follows:

Chimneys, cooling towers, elevator bulk head, fire towers, drive-in movie theater screens, grain elevators, silos, penthouses, stacks, tanks, water towers, pumping towers, radio, or television towers, monuments, cupolas, steeples, and mechanical appurtenances pertaining to and necessary to the permitted use of district in which they are located, must not be included in calculating the height of the principal structure. ~~Solar collectors will be considered on an individual basis as a variance as set forth in Subsection 500.55, subdivision 2.~~

SECTION 9. This Ordinance shall take effect and be in force from and after its passage and publication according to law or the publication of an Official Title and Summary.

Adopted the City Council of the City of Freeport _____ 2018.

Rodney Atkinson, Mayor

ATTEST: _____
Adrianne Hennen,
City Clerk/Treasurer

Published: Melrose Beacon _____, 2018.

OFFICIAL TITLE AND SUMMARY

ORDINANCE NO. 2018-03

AN ORDINANCE AMENDING THE FREEPORT CITY CODE OF 1995, CHAPTER V, SECTION 500 ZONING, PLANNING AND LAND USE WITHIN THE CITY OF FREEPORT, MINNESOTA

The following Official Summary of Ordinance No. 2018-02, “An Ordinance Amending the Freeport City Code of 1995, Chapter V, Section 500 Zoning, Planning and Land Use within the City of Freeport, Minnesota” has been approved by the City Council of the City of Freeport, Minnesota, as clearly informing the public of the intent and effect of the Ordinance.

SECTION 1. Adds definitions regarding solar energy systems.

SECTION 2. Adds roof mounted solar energy systems as a permitted accessory use in the A, Agriculture/Rural Residence District.

SECTION 3. Removes solar energy as a permitted use in the R-1, Single and Two-Family Residence District.

SECTION 4. Adds roof mounted solar energy systems as a permitted accessory in the R-1, Single and Two-Family Residence District.

SECTION 5. Adds roof mounted solar energy systems as a permitted accessory in the C-1, Central and Neighborhood Commercial District.

SECTION 6. Adds roof mounted solar energy systems as a permitted accessory use in the I-1, General Industrial District.

SECTION 7. Adopts performance standards for Solar Energy Systems in the City of Freeport.

SECTION 8. Removes allowance of variances for solar collectors from height and yard exceptions.

SECTION 9. Effective Date. This Ordinance shall take effect upon its passage and publication of this Official Title and Summary.

A printed copy of the Ordinance is available for inspection by any person at the Office of the City Clerk.

Adopted the City Council of the City of Freeport _____ 2018.

Rodney Atkinson, Mayor

ATTEST: _____
Adrianne Hennen,
City Clerk/Treasurer

Published: Melrose Beacon _____, 2018.

500.03 Short Title

This Section or Chapter of the City Code is the Zoning Code of Freeport, Minnesota and will be referred to herein as “this Section”, “this Code”, “the Zoning Ordinance”, and/or “the/this Ordinance”. A particular subpart of this Section shall be referred to as a “Subsection”.

500.07 General Provisions

Subd.1 Interpretation

In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare.

Subd.4 Conformance to Ordinance

No building or structure shall be erected, converted, enlarged, reconstructed, moved or structurally altered nor shall any building or land be used except for the purpose permitted in the district in which the building or land is located.

Subd.6 Uses Not Provided For Within Zoning Districts

Whenever in any zoning district a use is neither specifically permitted nor denied, the use shall be considered prohibited. The City Council or property owner, may, if appropriate, initiate an amendment to the Zoning Ordinance to provide for the particular use under consideration or may find that the use is not compatible for development within the City.

Subd.9 Building Permits

As required, no person shall erect, alter, or move any building or part thereof without first securing a building permit.

500.06 Rules and definitions

Subd.1 Rules

For the purpose of this Ordinance, words used in the present tense shall include the future; words in the singular shall include the plural, and the plural the singular; the word "building" shall include the word "structure"; the word "lot" shall include the word "plot" and the word "shall" is mandatory and not discretionary.

Subd.2 Definitions

For the purpose of this Code, the terms defined in this Section have the meanings given them.

Accessory Use or Structure. A subordinate detached building or use which is located on the same lot on which the main building or use is situated and which is reasonably necessary and incidental to the conduct of the primary use of such main building or use.

Agriculture. The growing of soil crops in the customary manner on open tracts of land, the raising of animals or poultry, including incidental retail selling by the producer of the product raised on the premises, providing customer parking space is furnished off the public right-of-way.

1 **Alley.** A public thoroughfare less than thirty (30) feet in width which provides secondary access to the
2 abutting property.
3

4 **Amendment.** Any modification of the Ordinance text or map. A map amendment shall be known as a
5 rezoning.
6

7 **Apartment.** A part of the building consisting of a room or suite of rooms which is designed for, intended
8 for or used as a residence for one family or an individual and is equipped with cooking facilities.
9

10 **Apartment Building.** Three (3) or more apartments grouped in one building sharing common hallways
11 and building entry.
12

13 **Appeal.** An action brought by an applicant where it is alleged that there is an error in any order, request,
14 decision or determination by the City Administrator in the enforcement of the Zoning Ordinance.
15

16 **Automobile repair, major.** General repair, rebuilding or reconditioning of engines, motor vehicles or
17 trailers, including body work, frame work and major painting service.
18

19 **Automobile repair, minor.** Incidental repairs, replacement of parts and motor service to automobiles,
20 but not including any operation specified under Automobile repair, major.
21

22 **Automobile service station.** Any building or premises used for the dispensing or sale of automobile
23 fuels, lubricating oil or grease, tires, batteries or minor automobile accessories. Services offered may
24 include the installation of tires, batteries or minor accessories; minor automobile repairs; and greasing or
25 washing of individual automobiles. When sales, services and repairs as detailed here are offered to the
26 public, the premises will be classified as a public garage. Automobile service stations shall not include the
27 sale or storage of vehicles; shall not include premises offering major automobile repairs, automobile
28 wrecking or detached car washes.

29 **Bed and Breakfast.** An owner-occupied single-family dwelling where lodging, in up to four guest
30 rooms, and breakfast are provided to the traveling public by the resident owner for compensation.
31

32 **Building.** Any structure for the shelter, support or enclosure of persons, animals, or property of any kind.
33

34 **Building Height.** The vertical distance from the average of the highest and lowest point of that portion
35 of a lot covered by a building to the highest point of the roof for flat roofs, to the deck line of mansard
36 roofs and to the mean height between eaves and ridge for gable, hip and gambrel roofs.
37

38 **Building Line.** An imaginary line on a development site corresponding with the series of points where
39 an exterior building wall meets the grade of the Earth.
40

41 **Building Mounted Solar Energy System.** A solar energy system that is mounted to the side walls of a
42 building using brackets, stands, or other apparatus that is directly connected to and designed to serve the
43 energy needs of the building to which it is attached.
44

45 **Cemetery.** Land used or intended to be used for the burial of the dead and dedicated for cemetery
46 purposes, including crematories, mausoleums, and mortuaries.
47

48 **City Council.** The City Council of Freeport.
49

Commercial Recreational Uses. Uses including, miniature golf, waterslides, amusement centers, bowling alley, pool hall, dance hall, skating and similar uses

Conditional Use. A land use or development as defined by ordinance that would not be appropriate generally but may be allowed with appropriate restrictions as provided by official controls upon a finding that certain conditions as detailed in the zoning ordinance exist, the use or development conforms to the comprehensive land use plan of the community, and the use is compatible with the existing neighborhood.

Condominium. A multiple dwelling or development containing individually owned dwelling units and jointly owned and shared areas and facilities, which dwelling or development is subject to the City of Freeport City Code Chapter 5 Zoning, provisions of the Minnesota Condominium Act, Minnesota Statutes, Chapter 515, or the Uniform Condominium Act, Minnesota Statutes, Chapter 515A.

Contractor Operations. An area and/or building devoted to use by a business that contracts to supply materials or work in the building trade field.

Convenience Store. A retail establishment, which generally sells a limited range of food products, nonprescription drugs, candy and other perishable goods. This includes soda and similar beverage dispensing and food products, which can be heated and/or prepared onsite, and retailing of nonautomotive goods.

Convenience Store with Motor Fuel Sales. A convenience store as defined herein that also sells gasoline from pump islands.

Day Care Facility. Any State licensed facility, public or private, which provides one or more persons with care, training, supervision, habitation, rehabilitation, or developmental guidance on a regular basis, for periods of less than twenty-four (24) hours per day, in a place other than the person's own home. Day care facilities include, but are not limited to: family day care homes, group family day care homes, day care centers, day nurseries, nursery schools, daytime activity center, day treatment programs, and day services as defined by Minn. Stat. Section 245.782, Subd. 5.

Deck. A horizontal, unenclosed platform with or without attached railings, seats, trellises, or other features, attached or functionally related to a principal use or site and at any point extending above ground.

Drive-In Establishments. Any use where products and/or services are provided to the customer under conditions where the customer does not have to leave the car or where fast service to the automobile occupants is a service offered regardless of whether service is also provided within a building.

Dwelling. A building or portion thereof designed or used exclusively for residential occupancy, including single-family, two-family and multiple-family dwelling units, but not including hotels, motels, boarding or lodging houses.

Dwelling Unit. One or more rooms in a dwelling designed for occupancy by one family for living purposes and having separate permanently installed cooking and sanitary facilities.

Earth Sheltered. A building constructed so that more than 50% of the exterior surface area of the building, excluding garages or other accessory buildings, is covered with earth and the building code standards are satisfied.

1 **Essential Services.** Erection, construction, alteration, or maintenance by public utilities or municipal
2 departments of commissions, of underground or overhead gas, electrical, communication, steam or water
3 transmissions, or distribution systems, including poles wires, mains, drains, sewers, pipes, conduits,
4 cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers, and other similar equipment
5 and accessories in connection therewith (but not including buildings) reasonably necessary for the
6 furnishing of adequate service by such public utilities or municipal departments or commissions for the
7 public health, safety, or general welfare.
8

9 **Expansion, Enlargement, or Intensification.** Any increase in a dimension, size, area, volume, or
10 height, any increase in the area of use, any placement of a structure or part thereof where none existed
11 before, any improvement that would allow the land to be more intensely developed, any move of
12 operations to a new location on the property, or any increase in intensity of use based on a review of the
13 original nature, function or purpose of the non-conforming use, the hours of operation, traffic, parking,
14 noise, exterior storage, signs, exterior lighting, types of operations, types of goods or services offered,
15 odors, area of operation, number of employees, and other factors deemed relevant by the City.
16

17 **Fence.** A partition, wall, hedge, or row(s) of continuous vegetative plantings that are erected as a dividing
18 marker, visual, or physical barrier, or enclosure.
19

20 **Fence, Permanent.** A fence constructed of wood, rust-resistant chain link steel, prefabricated and rust
21 resistant aluminum, prefabricated vinyl, landscape masonry units, landscape brick units, stone, or
22 decorative concrete. If wooden material is used it shall be made of processed wood, i.e. cedar, green
23 treated, brown treated, or resin (but not creosote) composite. For the purposes of this Ordinance trellises,
24 arbors, pagodas, and the like shall not be considered a fence.
25

26 **Fence, Natural Living.** A divider or barrier comprised of living vegetative materials. The owner of the
27 adjacent property may trim or prune parts of the living fence that extend onto their property.
28

29 **Finance, Insurance and Real Estate.** Establishments operating primarily in the fields of finance,
30 insurance and real estate including, but not limited to, depository institutions, credit institutions,
31 investment companies, security and commodity exchanges, insurance agents and brokers, real estate
32 developers, buyers, agents and lessees.
33

34 **Flood Plain.** The areas adjoining a watercourse or lake which have been or hereafter may be covered by
35 a regional flood.
36

37 **Frontage.** That part of a lot fronting on one side of a street between the side lot lines or between a street
38 right-of-way and a side lot line.
39

40 **Garage, Private.** An accessory building designed or used for the private (i.e. not commercial) storage of
41 automobiles or trucks owned and used by the occupants of the building to which it is accessory.
42

43 **Garage, Public.** Any premises except those described as a private or community garage used for the
44 storage or care of power driven vehicles, or where any such vehicles are equipped for operation, repair, or
45 kept for remuneration, hire or sale.
46

47 **Glare.** The effect produced by the intensity and direction of any artificial illumination sufficient to cause
48 annoyance, discomfort, or temporary loss or impairment of vision.
49

Ground Mounted Solar Energy System. A freestanding solar energy system mounted to the ground by use of racks, poles, stabilizers or similar apparatus that is directly connected to and designed to serve the energy needs of the Principal Structure to which it is connected.

Gross Floor Area. The sum of the gross horizontal areas of the several floors of the building, measured from the exterior faces of the exterior walls including basements.

Home Occupation. Home occupations are defined as and limited to all of the following:

1. Gainful occupations or professions engaged in by the occupant(s) of a dwelling;
2. Which are carried on within a dwelling unit or structure(s) accessory thereto; and,
3. Which are clearly incidental to the principal use of the property as a residential dwelling unit.

Hotel/Motel. Any building or portion thereof where lodging is offered to transient guests for compensation in which there are sleeping rooms, but not cooking facilities, within individual rooms or units.

Industry, Heavy. A use engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.

Industry, Light. A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing.

Landscaped Buffer. A portion of a required setback between adjoining properties wherein the natural terrain is altered to provide an opaque screen. Alteration of the natural terrain, may include, but is not limited to the planting of trees, ornamental grass, shrubs, other ground cover, and/or the construction of a berm or fence. Where berming or fencing is employed trees vegetative landscaping shall accompany the berm or fence.

Lot. One unit of a recorded plat or subdivision ~~land~~ occupied or to be occupied by a building and its accessory buildings, or by a dwelling group and its accessory buildings, together with such open spaces as are required under the provisions of this Code, having not less than a minimum area required by this Code for a building frontage on a street.

Lot Area. The area of a horizontal plane within the lot lines.

Lot, Corner. A lot situated at the intersection of two or more streets, or bounded on two or more adjacent sides by street lines.

Lot Coverage. The area or percentage of a lot's horizontal surface occupied by the combined sum of all structures.

Lot Depth. The shortest horizontal distance between the front lot line and the rear lot line measured from a ninety (90) degree angle from the street right-of-way within the lot boundaries.

1 **Lot, Double Frontage/Through.** A lot having its front and rear yards each abutting on a street, not
2 including an alley. Both street lot lines are considered to be front lot lines for applying yard and parking
3 requirements.
4

5 **Lot, Interior.** A lot other than a corner lot.
6

7 **Lot Line.** The property line bounding a lot.
8

9 **Lot Line, Front.** The lot line separating the lot from the street other than the alley. In the case of a corner
10 lot, the front lot line is the shortest lot line along a street other than an alley. In the case of a through lot,
11 each street has a front lot line.
12

13 **Lot Line, Rear.** The lot line which is opposite and most distant from the front lot line. In the case of an
14 irregular, triangular or other shaped lot, a line 10 feet in length within the lot paralleled to and at a
15 maximum distance from the front lot line.
16

17 **Lot Line, Side.** Any lot line not a front or rear lot line.
18

19 **Lot, Width.** The shortest horizontal distance between the side lot lines measured at the building setback
20 line.
21

22 **Lot of Record.** A lot or parcel for which a deed has been recorded in the office of the County Register of
23 Deeds prior to the date of adoption of this Ordinance.
24

25 **Luminaire.** A complete lighting unit consisting of a light source and all necessary mechanical, electrical
26 and decorative parts. A luminaire does not include a pole or other support.
27

28 **Manufactured Home Park.** Any site, lot, field or tract of land upon which two or more occupied
29 manufactured homes are located, either free of charge or for compensation, and includes any building,
30 structure, tent, vehicle or enclosure used or intended for use as part of the equipment of the manufactured
31 home park.
32

33 **Mobile (Manufactured) Home.** A factory-built structure or structures equipped with the necessary
34 service connections and made so as to be readily movable as a unit or units on its or their own running
35 gear and designed to be relocated as a structure or structures used for occupancy without a permanent
36 foundation. The phrase "without a permanent foundation" indicates that the support system is constructed
37 with the intent that the mobile home placed thereon will be moved from time to time at the convenience
38 of the owner.
39

40 **Modular Home.** A non-mobile housing unit that is fabricated at a factory and transported to a building
41 site where final installations are made, permanently affixing the module to the site. A modular home shall
42 be congruous to a one family dwelling.
43

44 **Multiple-Family Dwelling.** A dwelling containing three or more dwelling units designed with more
45 than one dwelling unit connecting to a common corridor or entranceway.
46

47 **Non-Conforming Use or Legal Non-Conformity.** Any land use, structure, physical form of land
48 development, lot of record or sign legally established before the effective date of this ordinance or
49 subsequent amendment to it that would not be permitted by, or is not in full compliance with, the

1 regulations of this ordinance. A non-conformity or non-conforming use is one of three types: non-
2 conforming land use, non-conforming structure or non-conforming lot of record.

3
4 **Non-Conforming Land Use.** An activity using land, buildings, and/or structures for a purpose that was
5 legally allowed when established but that is not currently allowed as a use in the zoning district in which
6 it is located.

7
8 **Non-Conforming Structure.** A legal non-conformity other than a non-conforming land use that
9 complied with ordinance standards at the time it was established but that does not currently conform to an
10 ordinance standard such as height, setback, or size.

11
12 **Non-Conforming Lot of Record.** An existing base lot of record at the time of approval of this Ordinance
13 that is non-conforming in terms of lot area or lot width or depth and that has not at any time been the site
14 of a principal use/structure.

15
16 **Nurseries or Greenhouses.** A place where plants are grown for sale, transplanting or experimentation.

17
18 **Nursing Home, Rest Home or Convalescent.** A private home for the care of children or the aged or
19 infirm, or a place of rest for those suffering bodily disorders, but not containing equipment for surgical
20 care or for treatment of disease or injury.

21
22 **Office.** A building or portion of a building wherein services are performed involving predominantly
23 administrative, professional, or clerical operations.

24
25 **On-sale liquor establishment.** Any establishment wherein alcoholic beverages are sold, served or
26 given away for consumption on the premises. Typical on-sale uses include but are not limited to the
27 following establishments: ballrooms, dance bars, piano bars, billiard and/or game parlors, nightclubs, or
28 other private clubs. This definition shall not include standard restaurants as defined herein, or veterans
29 clubs.

30
31 **Ordinary High Water Level (OHWL).** The boundary of public waters and wetlands, and shall be an
32 elevation delineating the highest water level which has been maintained for a sufficient period of time to
33 leave evidence upon the landscape, commonly that point where the natural vegetation changes from
34 predominantly aquatic to predominantly terrestrial, as determined by the Department of Natural
35 Resources. For watercourses, the ordinary high water level is the elevation of the top of the bank of the
36 channel.

37
38 **Personal Services.** An establishment or place of business primarily engaged in providing individual
39 services generally related to personal needs, such as a beauty salon, spa, tanning salon, tailor shop, or
40 similar.

41
42 **Person(s).** Any individual, firm, partnership, limited liability company, corporation, company,
43 association, joint stock association or body politic; includes any trustee, receiver, assignee or similar
44 representative thereof.

45
46 **Planned Unit Development.** An integrated development involving two or more principal uses or
47 structures, including but not specifically limited to single-family residential uses, multiple-family
48 residential uses, offices, or commercial uses, or any combination thereof, and similar such uses or
49 combinations.

1
2 **Premises.** A lot or plot with the required front, side and rear yards for a dwelling or other use allowed
3 under this Ordinance.
4

5 **Principal Use or Structure.** The main building on a lot in which the intended allowable use of the
6 property is conducted and any additions thereof.
7

8 **Restaurant, Fast Food.** An establishment whose principal business is the sale of food and/or beverages
9 in a ready-to-consume state for consumption:

- 10 1. Within restaurant building;
 - 11 2. Within a motor vehicle parked on the premises; or
 - 12 3. Off the premises as carry-out orders; and whose principal method of operation includes the
13 following characteristics:
 - 14 a. Food and/or beverages are usually packaged prior to sale and are served in edible containers
15 or in paper, plastic, or other disposable containers;
 - 16 b. The customer is not served food at a table by an employee, but receives it at a counter
17 window, or similar facility and carries it to another location on or off the premises for
18 consumption.
- 19

20 **Restaurant, Standard.** An establishment whose principal business is the sale of food and beverages,
21 including alcohol, to customers in a ready-to-consume state, but not including an on-sale liquor
22 establishment, and whose method of operation includes one or both of the following characteristics:

- 23 1. Customers, normally provided with an individual menu, are served their food and beverages by a
24 restaurant employee at the same table or counter at which food and beverages are consumed;
 - 25 2. A cafeteria-type operation where food and beverages generally are consumed within the restaurant
26 building.
- 27

28 **Retail Trade.** Establishments engaged in selling merchandise to the general public for personal or
29 household consumption and rendering services incidental to the sale of the goods. Retail trade includes
30 the selling and renting of goods and products including but not limited to apparel, health and beauty
31 products, food, appliances, furniture, tools, hardware, toys, and sporting goods.
32

33 **Right-of-way.** The area between property lines of a road, street, alley, pedestrian way or easement or
34 other street.
35

36 **Roof Mounted Solar Energy System.** A solar energy system that is mounted to the roof of a building
37 using brackets, stands, or other apparatus that is directly connected to and designed to serve the energy
38 needs of the building to which it is attached.
39

40 **Semipublic Use.** The use of land by a private, nonprofit organization to provide a public service that is
41 ordinarily open to some persons outside the regular constituency of the organization.
42

43 **Setback.** The minimum horizontal distance between a structure, sewage treatment system, or other
44 facility and an ordinary high water level, top of a bluff, road, highway, property line, or other facility.
45

46 **Sewage Treatment System.** A septic tank and soil absorption system or other individual or cluster type
47 sewage treatment system as described and regulated in Subsection 500.49 of this Chapter.
48

1 **Sewer System.** Pipelines or conduits, pumping stations, and force main, and all other construction,
2 devices, appliances, or appurtenances used for conducting sewage or industrial waste or other wastes to a
3 point of ultimate disposal.
4

5 **Single-Family Dwelling.** A detached dwelling designed exclusively for occupancy by one family.
6

7 **Solar Energy System.** A solar energy system that collects or stores solar energy and transforms solar
8 energy into another form of energy or transfers heat from a collector to another medium using mechanical,
9 electrical, or chemical means.
10

11 **Solar Garden.** A freestanding solar energy system mounted to the ground by use of racks, poles,
12 stabilizers or similar apparatus that provides electric power for sale at wholesale or retail.
13

14 **Story.** That portion of the building included between the surface of any floor and the surface of the next
15 floor above it, or, if there is not floor above it, the space between the floor and the ceiling next above it.
16

17 **Street.** A public way for vehicular traffic, whether designated as a street, highway, arterial, arterial
18 parkway, throughway, road, avenue, lane, place, or however otherwise designated.
19

20 **Street, Cul-De-Sac.** A street with a single common ingress and egress and with a turn-around at the end.
21

22 **Street, Dead-End.** A local street open at one end only and without a special provision for vehicles turning
23 around.
24

25 **Street Frontage.** That portion of a parcel of land abutting one or more streets. An interior lot has one
26 street frontage and a corner lot two such frontages.
27

28 **Street, Loop.** A short, independent street that usually terminates along the same collector street of its
29 origin.
30

31 **Street, Through.** A major collector or arterial street that serves more than one neighborhood, or carries
32 traffic between neighborhoods, or streets that extend continuously between other major streets in the
33 community. Through streets shall not include cul-de-sac streets, dead-end streets or loop streets.
34

35 **Structure.** Anything constructed or erected, the use of which requires location on the ground or
36 attachment to something having a location on the ground.
37

38 **Structural Alteration.** Any change or addition to the supporting members of a building such as bearing
39 walls, columns, beams or girders.
40

41 **Townhouse.** A single structure consisting of three or more dwelling units having the first story at or near
42 the ground level with no other dwelling unit connected to the other dwelling unit except by a party wall
43 with no openings.
44

45 **Twin Home.** A single structure consisting of two dwelling units, each designed for occupancy by one
46 family with separate entrances connected only by a party wall with no openings.
47

48 **Two-Family Dwelling.** A dwelling with two units designed with a common corridor or entryway
49 exclusively for occupancy by two families living independently of each other.

Use. The purpose for which land or premises of the building thereon is designated, arranged, or intended, or for which it may be occupied or maintained.

Variance. A modification or variation of the provisions of this chapter, as applied to a specific piece of property.

Wetland. A surface water feature classified as a wetland in the United States Fish and Wildlife Service Circular No. 39 (1971 edition).

Wholesale Trade. Establishments primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, farm, construction contractors, or professional business users; or to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies.

Yard. An open space between a building and any lot line which is open to the sky obstructed by any permanent or temporary uses or structures.

Yard, Front. A yard extending across the full width of the lot and lying between the front lot line and the front building line.

Yard, Rear. A yard extending across the width of the lot and lying between the rear lot line and the nearest line of the principal building.

Yard, Side. A yard extending from the front lot line to the rear lot line and lying between the side lot line and nearest line of a building.

Zoning Administrator. The City Official appointed by the City Council from time to time to administer the Zoning Ordinance, to include monitoring compliance with the Ordinance, maintaining the City of Freeport Zoning Map, and administering the application process for building permits, conditional use permits and variance requests and all other administrative matters pertaining to the Zoning Ordinance.

500.13 Zoning map

For the purpose of this Code, the City is divided into use districts as shown on a map entitled, "Official Zoning Map". The Clerk-Treasurer and/or his/her designee is directed to prepare and maintain in the City offices a map accurately delineating the boundaries of the various zoning districts and the zoning district classification of real property in the City. The Official Zoning Map and all notations, references, and other information shown thereon are incorporated in this Code and are as much a part of this Code as if fully set forth herein.

500.15 Zoning upon annexation

Land annexed to the city in the future is to be placed in the "A" Agricultural/Rural Residence District until placed into another district by action of the City Council.

500.17 Prohibitions in districts

Subd.1 Rules

1. Except for non-conforming uses, in each district land and structures may be used only for the purposes listed by this Code as permitted in the district. In each district, a building erected or structurally altered must
2. Be provided with the yards specified,
3. Be on a lot of the area and width specified, and
4. May not exceed the height specified in this Code for the district.
5. Open space or lots required for building may not, during the existence of that building, be occupied by or counted as open space for another building.

500.19 District classifications

The following district classifications are established and continued within the City of Freeport:

1. "A" Agricultural/Rural Residence
2. "R-1" Single and Two-Family Residential District
3. "R-2" Multiple Family Residential District
4. "C-1" Central and Neighborhood Commercial District
5. "C-2" Highway Commercial District
6. "C-3" Highway Commercial District
7. "I-1" General Industrial District
8. "S" Shore Land Overlay District

500.21 Zoning district boundaries

The boundaries of districts are shown on the zoning district map and are the center lines of streets; the center lines of alleys; the rear lot lines where there are no alleys; the side lines of recorded lots or designated distances where land is un-platted. Where uncertainty exists as to the exact location of a boundary line, the location of such line is to be determined by the City Council.

500.23 A, Agriculture/Rural Residence District

Subd.1 Purpose

The agricultural/rural residence district is established for the purpose of accommodating large lot residential and agricultural development in areas which are transitioning from rural to urban densities. This District allows space for both very low-density urban (with municipal utilities) residential uses and agricultural/farming/hobby farm operations in areas that have not yet developed to urban densities but are expected to do so in the future.

Subd.2 Permitted Uses

1. Agriculture, including farm dwellings and agricultural related buildings and structures subject to Minnesota Pollution Control standards, but not including commercial feed lots or similar commercial operations.
2. Single-family dwellings.
3. Public parks, recreational areas, wildlife areas, and game refuges.
4. Nurseries and tree farms.

5. Essential services.

Subd.3 Permitted Accessory Uses

1. Operation and storage of vehicles, machinery, and equipment which is incidental to permitted or conditional uses allowed in this district, subject to the standards contained in Subsection 500.475 of this Section.
2. Boarding or renting of rooms to not more than two persons.
3. Living quarters for persons employed on the premises.
4. Home occupations, subject to the standards contained in Subsection 500.485 of this Section.
5. Signs as regulated in the R-1 Single and Two Family Residential District.
6. Roadside stands for the sale of agricultural products.
7. **Roof mounted solar energy systems.**

Subd.4 Conditional Uses

The following uses require a conditional use permit based on the procedures set forth in Subsection 500.63 of this Code:

1. Governmental and public utility buildings and structures necessary for the health, safety, and general welfare of the community.
2. Commercial outdoor recreational areas including golf courses, club houses, swimming pools, and similar facilities.
3. Processing and packaging of agricultural products, including livestock, cold storage plants, livestock farming, and livestock feed lots and sales yards, subject to all applicable pollution control standards.
4. Kennels and animal hospitals, fur farming, stables and riding academies provided that the property containing such use is adequate and is adequately separated from residential, commercial and industrial districts.
5. Churches, schools, and similar uses.
6. Uses deemed by the City Council to be similar to those listed in the zoning district.

Subd.5 Lot, Yard, and Area

Lot Area – Existing Lots on 6/1/14	Lot Area - Lots Created After 6/1/14	Lot Width	Side Yard	Front Yard	Rear Yard
10 Acres	40 acres	250 ft.	60 ft.	100 ft.	100 ft.

500.25 R-1, Single and Two-Family Residence District

Subd.1 Intent

It is the intent of this district to permit the development of single-family and two-family dwellings in the City where adequate municipal utilities exist or are to be extended, to provide for reasonable standards for such development, to avoid overcrowding, and to prohibit the use of the land which would be incompatible with or detrimental to the essential residential character of the district.

Subd.2 Permitted Uses

1. Single and two-family dwellings.
2. Attached single family dwellings, not exceeding four units per structure.
3. State licensed residential facility or a housing with services establishment registered under chapter 144D serving six or fewer persons; licensed day care facility serving twelve (12) or fewer persons;

group family day care facility licensed under Minnesota Rules, parts 9502.0315 to 9502.0445 to serve fourteen (14) or fewer children, except that residential facilities whose primary purpose is to treat juveniles who have violated criminal statutes relating to sex offenses or have been adjudicated delinquent on the basis of conduct in violation of criminal statutes relating to sex offenses shall not be permitted.

4. Essential services.

~~5. Solar energy.~~

6. Existing farming operations.

7. Limit to two (2) cords of exposed wood.

8. Manufactured homes, if such manufactured houses comply with the following conditions:

a. The house may not have ground floor space of less than 800 square feet or a width of less than 20 feet at its narrowest point.

b. The house must be placed on a permanent foundation which complies with the State Building Code and which are solid for the complete circumference of the house.

i. The house must have exterior siding of conventional exterior dwelling-type materials. Metal siding must have horizontal edges and overlap in sections no wider than 12 inches. Sheet metal siding is not permitted.

ii. The house must be built in compliance with Minnesota State Building Code.

iii. Manufactured houses which vary from these requirements may be permitted in this zone when authorized by the Board of Adjustment. Before a variance is granted, the Board, must find that the value of the adjacent property will not be diminished by the placement of the manufactured house. The variance must state any conditions which may be set by the Board in granting the variance.

Subd.3 Permitted Accessory Uses

1. Private garages and parking spaces for passenger cars, trucks, recreational vehicles and equipment.

2. Home occupations, as provided under Subsection 500.485 of this Section.

3. Detached accessory structures, as provided under Subsection 500.48 of this Section.

4. Signs associated with home occupations, as provided under Subsection 500.35 of this Section.

~~5. Roof mounted solar energy systems.~~

Subd.4 Conditional Uses

1. Governmental and public utility buildings and structures necessary for the health, safety, and general welfare of the community, provided any structure is not within 30 feet of any lot line.

2. Residential planned unit developments regulated by Subsection 500.55 of this Code.

3. Public or semi-public recreational buildings, community centers, day-care centers, libraries, museums, memorial buildings, senior citizens' centers, and bed and breakfast housing, provided any structure is not within 30 feet of any lot line.

4. Churches and schools, provided any structure is not within 30 feet of any lot line.

5. Day care facilities and nursery schools, provided not less than 30 square feet of outside play space per pupil is available.

6. Nursing homes, rest homes, and retirement homes, provided the buildings are not less than 50 feet from a lot line abutting an R-1 single and two-family residential district.

7. Manufactured home parks, provided they shall:

a. Be served by public sewer and water systems.

b. Have any private roadways installed to City specifications as determined by the City Council.

c. State licensed residential facility serving from seven (7) through sixteen (16) persons or a licensed day care facility serving from thirteen (13) through sixteen (16) persons, providing:

- i. The conditional use permit requirements of this Ordinance are considered and satisfied.
- ii. When abutting a residential use in an area guided toward future residential development within the Comprehensive Plan the required side yard width is doubled and a landscaped buffer yard is provided. The required landscaped buffer yard shall screen the buildings/structures and parking lots from the view of the abutting residential use. The City Clerk or designee shall approve the appropriateness of the landscaped buffer yard.

8. The use complies with off-street parking requirements set forth in this Ordinance.

Subd.5 Interim Uses

Off-premise commercial site improvements adjacent to commercially zoned property including fences, driveways, retaining walls, and parking areas. A principal use or structure is not required.

Subd.6 Lot, Yard, Area and Height Requirements

Primary Use

	Lot Minimum		Setbacks (ft.)			Maximum
	Area Sq. feet	Width (ft.)	Front	Side	Rear	Height
Single and two-family existing lots (8/30/72)	5,000	50 or less	30	6	10	30'
Existing lots (8/30/72)	5,000	51 or more	30	10	10	30'
New lots	15,000	75	30	10	10	30'

* Subsection 500.25, Subd. 6 (C)-(K) apply

Accessory Use

	Lot Minimum		Setbacks (ft.)			Maximum
	Area Sq. feet	Width (ft.)	Front	Side	Rear	Height (ft.)
Single and two-family existing lots (8/30/72)	5,000	50 or less	Not allowed	6	5, unless rear loading then 10 ft.	18 feet
Existing lots (8/30/72)	5,000	51 or more	Not allowed	10	5, unless rear loading then 10 ft.	18 feet
New lots	15,000	75	Not allowed	10	5, unless rear loading then 10 ft.	18 feet

1. Property setbacks are from lot stakes to building overhang.
2. Where adjacent structures within the same block have front yard setbacks different from those required, the front yard minimum setback must be the average of the adjacent structures.
3. On corner lot, the width of the side yard setback on the street side may not be less than fifteen (15) feet.

4. Each attached single family dwelling must meet the lot, yard, area, and height requirements of this subdivision, with the exception that: (1) the side yard setback requirement is waived for the shared party wall, and (2) the lot area requirement is reduced to 7,500 square feet per dwelling unit. Single family attached dwellings sharing a party wall shall not house more than two dwelling units. Each attached single family dwelling unit must have separate and individual front and rear entrances, and separate and individual water and wastewater service.
5. Church spires, water towers, and chimneys are exempt from height requirements.
6. Lot coverage for principal and accessory buildings may not exceed 35% of the lot area, except that lots of 7,500 square feet or less may have lot coverage of up to but not exceeding 45 percent.
7. Lots platted prior to this Code and not serviced by municipal water and wastewater will be considered as build-able at their current size. However, newly platted lots must be a minimum of ten acres when utilizing individual water and wastewater systems. All lots with access to city water and wastewater must utilize those services.
8. Each lot must have a minimum frontage on a street of 35 feet.
9. For non-conforming lots refer to Subsection 500.53.

500.27 R-2, Multi-Family Residential District

Subd.1 Intent

It is the intent of this district to provide for multiple-family dwelling unit structures and directly related complementary uses.

Subd.2 Permitted Uses

1. All permitted uses as allowed in an “R-1” Single and Two-Family Residential District.
2. Multiple-family dwelling units.
3. Boarding and rooming houses.
4. Nursing homes, retirement homes.
5. Private clubs and lodges not operating for profit.
6. Churches, places of worship.

Subd.3 Permitted Accessory Uses

1. All permitted accessory uses as allowed in an “R-1” Single and Two-Family Residential District and subject to applicable setback and height criteria set forth in Subsection 500.25, Subd.6.
2. Off-street loading and parking as provided under Subsection 500.43 of this Chapter.

Subd.4 Conditional Uses

The following uses will require a conditional use permit based on the procedures set forth in Subsection 500.63 of this Code:

1. All conditional uses, subject to the same provisions as allowed in the “R-1” Single and Two Family Residential District.
2. Townhouses and residential planned unit developments.
3. Clinics and other buildings for treatment of human beings contingent upon adequate parking being provided.
4. Motels and hotels when located on property having access to state or federal highways.

Subd.5 Lot Area, Width, Setbacks, and Height

1. Minimum Lot Area.
 - a. Single and two-family: as set forth in Subsection 500.25, Subdivision 6.

- b. Town-houses: 7,000 square feet per lot.
- c. Multiple-family: 16,000 square feet minimum up to eight units; each unit over eight shall provide an additional 2,000 square feet of lot area per unit.
2. The minimum lot width will be:
 - a. Single and two-family: as set forth in Subsection 500.25, Subdivision 6. Each lot must have a minimum frontage on a street of 35 feet.
 - b. Town-houses: 60 feet. Each dwelling must have a minimum frontage on a front street of 35 feet.
 - c. Multiple-family: 150 feet with a minimum of 75 feet fronting on a public right-of-way.
3. Front yard setback: 30 feet.
4. Side yard setback: 15 feet for each interior side yard; 25 feet for street side yard on corner lots. Multiple family structures shall provide an additional one-half (1/2) foot of setback per one (1) foot of height in excess of thirty-five (35) feet.
5. Rear yard setback: 40 feet.
6. Where adjacent structures within the same block have front yard setbacks different from those required, the front yard minimum setback will be the average of adjacent structures. If there is only one adjacent structure, the setback will be the average of the required setback and the setback of the adjacent structure. In no case will the front yard setback requirement exceed 30 feet.
7. Maximum structural coverage: Forty-five (45) percent.
8. Maximum height:
 - a. Single and two family dwellings and townhomes: 30 feet.
 - b. Multiple family dwellings: 50 feet.
9. Lots without municipal water and sewer shall not be considered for multiple-family use.

500.29 C-1, Central and Neighborhood Commercial District

Subd.1 Intent

The purpose of the C-1 Central and Neighborhood Commercial District is to provide for the establishment of commercial and service activities which draw and serve customers from the community and its surrounding areas within the 'downtown' area of the original townsite. The C-1 Central and Neighborhood Commercial District is intended to provide areas appropriate for pedestrian oriented retail uses, professional offices, professional services uses, single family uses, multiple family uses and mixed commercial/residential uses particularly in transitional situations between zones of varying intensities.

Subd.2 Permitted uses

1. Business services including banks, professional offices, and professional services.
2. Post offices, City Hall, and other public/institutional uses.
3. Clothing sales and services including tailor and dry-cleaning and laundry establishments.
4. Retail sales and repair services including electronics, household appliances, furniture, lighting, or similar household trade items.
5. Plumbing, electrical, and HVAC contractor shops providing they have retail showrooms.
6. Food services including grocery stores, fruit, vegetable and meat markets, supermarkets, restaurants, cafes, delicatessens, candy shops, and bakeries whose products are sold only at retail on the premises.
7. Personal services including drug stores, hardware stores, stationary and bookstores, news shops, apparel shops, showrooms for articles to be sold at retail, flower shops, commercial greenhouses, Laundromats, convenience stores and video stores.

8. Personal services including barber and beauty shops, reducing salons, photographic shops, funeral homes, and tanning salons.
9. Dwelling unit(s) in conjunction with commercial uses provided:
 - a. Separate and independent access from the commercial unit(s) is provided.
 - b. The use is adjacent to or provides off-street parking, and the ground level is solely for permitted commercial activities.
 - c. Governmental and public utility buildings and structures.
 - d. Essential services.
 - e. Theaters, bowling lanes, clubs, and lodges.
 - f. Hotels, motels, taverns, private clubs, and lodges.
 - g. Clinics and other buildings for the treatment of human beings.

Subd.3 Permitted Accessory Uses

1. Off-street parking and loading areas in compliance with Subsection 500.43 of this Code.
2. Commercial or business buildings for a use accessory to the principal use providing the standards of Subsection 500.25, Subd.6 are met.
3. R-1 attached or detached garages where a non-conforming R-1 principal use has already been established, subject to Lot Area, Width, Setbacks, and Height requirements set forth under Ordinance 500.25, Subd.6.
4. Roof mounted solar energy systems.

Subd.4 Conditional Uses

1. Open outdoor sales, services, or rental as an accessory use provided:
 1. The area is fenced or screened from the abutting properties.
 2. Sales areas are properly surfaced to control dust.
2. Automobile service stations including sales, gasoline service stations, and automobile repair garages, provided that a filling station, public garage, or motor fuel station may not be located within 200 feet of a school, church, hospital, or meeting place having a seating capacity of more than 50 persons.
3. Public transportation terminals and service stations.
4. Buildings used for research and testing laboratories, storage buildings, or distributing station.

Subd.5 Lot, Yard, Area and Height Requirements

1. Lots of Record as of June 1, 2014:
 - a. Front yard: None.
 - b. Side yard: None, unless abutting a residential district, then a landscaped buffer approved by the City Council is required.
 - c. Rear yard: None, unless abutting a residential district, then a landscaped buffer approved by the City Council is required.
 - d. Height: Maximum height of 45 feet.
2. Lots created after June 1, 2014:
 - a. Minimum Lot Size: 10,000 square feet.
 - b. Minimum Lot Width: 100 feet.
 - c. Front/Corner Yard Setback: 20 feet.
 - d. Interior Side Yard Setback: 10 feet, plus landscaped buffer approved by the City Council if abutting a residential area.
 - e. Rear Yard Setback: 10 feet, plus a landscaped buffer approved by the City Council if abutting a residential area.
 - f. Maximum Height: 35 feet.

3. Maximum Structural Coverage: Fifty (50) percent of lot area.

500.31 C-2, Community Commercial District

Subd.1 Intent

The purpose of the C-2 Community Commercial District is to provide space for general business and commercial activities dependent upon high volumes of vehicular traffic. The intent of this Subsection is to provide locations where the vehicular-oriented activities can be maximized with minimal infringement on residential neighborhoods and with minimal conflicts with uses allowed in the C-1 Central and Neighborhood Commercial District.

Subd.2 Permitted Uses

1. Auto accessory stores.
2. Automobile (truck, snowmobile, motorcycle, and marine) sales and service.
3. Commercial recreational services.
4. Farm implement sales and services.
5. Motels and hotels.
6. Tourist oriented retail stores.
7. Residences when occupied in connection with the commercial use and part of the principal structure.
8. Restaurants, cafes, taverns, and grocery stores.
9. Drive-in restaurants, drive-through banks, and other drive-in services.

Subd.3 Permitted Accessory Uses

1. All permitted accessory uses in the “C-1” Central and Neighborhood Commercial District.
2. Off-street parking and loading facilities including semi-trailers as provided for under Subsection 500.43 of this Code.

Subd.4 Conditional Uses

The following uses require a conditional use permit based on the proceedings set forth in Subsection 500.63 of this Code:

1. All conditional uses allowed in the “C-1” Central and Neighborhood Commercial District.
2. Open air display areas for the sale of manufactured products such as lawn and garden furniture, hardware items, nursery stock, or rental of manufactured products or equipment, including mobile home sales lots.
3. Recreational camping areas provided:
 1. Land area is suitable and adequate for the proposed use.
 2. The site is serviced by a paved arterial street.
 3. Utilities are provided to each site and approved by the City Council.
4. Retail sales and services on an individual basis.

Subd.5 Lot, Yard, Area and Height Requirements

- 1.

		Setbacks (ft.)		
Lot Area	Lot Width	Front and Corner	Side	Rear
10,000 sf	100 ft.	30	10*	10*

* A fifteen (15) foot landscaped buffer yard approved by the City Council is required for every commercial parcel directly abutting a residential lot.

2. Where adjacent structures within the same block have front yard setbacks different from those required, the front yard minimum setback is the average of the adjacent structures. If there is only one adjacent structure, the setback is the average of the required setback and the setback of the existing structure. The front yard setback requirement will not exceed 30 feet in any case.
3. On corner lots, the side yard shall be 30 feet or in line with the adjacent structures on the same block provided this does not reduce the build-able width to less than 30 feet.
4. Height: Maximum Height: 30 feet.
5. Maximum Structural Coverage: Fifty (50) percent.
6. Minimum lot frontage on a public street: Fifty (50) feet.

500.315 C-3, Highway Commercial District

Subd.1 Intent

The purpose of the C-3 Highway Commercial District is to provide space for commercial activities dependent upon high volumes of vehicular traffic. The intent of this Subsection is to provide locations where the vehicular-oriented activities can be maximized with minimal infringement on residential neighborhoods and with minimal conflicts with uses allowed in the I-1 General Industrial District.

Subd.2 Permitted Uses

1. Auto accessory stores.
2. Automobile (truck, snowmobile, motorcycle, and marine) sales and service.
3. Commercial recreational services.
4. Farm implement sales and services.
5. Motels and hotels.
6. Tourist oriented retail stores.
7. Restaurants, cafes, and grocery stores.
8. Drive-in restaurants, and other drive-in services.
9. Plumbing, electrical, and HVAC contractor shops.
10. Laundromats, convenience stores and video stores.
11. Mini or self-storage facilities.
12. Outdoor recreational facilities.

Subd.3 Permitted Accessory Uses

1. All permitted accessory uses in the "C-1" Central and Neighborhood Commercial District.
2. Off-street parking and loading facilities including semi-trailers as provided for under Subsection 500.43 of this Code.

Subd.4 Conditional Uses

The following uses require a conditional use permit based on the proceedings set forth in Subsection 500.63 of this Code:

1. All conditional uses allowed in the "C-1" Central and Neighborhood Commercial District.

2. Open air display areas for the sale of manufactured products such as lawn and garden furniture, hardware items, nursery stock, or rental of manufactured products or equipment, including mobile home sales lots.
3. Recreational camping areas provided:
 - a. Land area is suitable and adequate for the proposed use.
 - b. The site is serviced by a paved arterial street.
 - c. Utilities are provided to each site and approved by the City Council.
 - d. Retail sales and services on an individual basis.

Subd.5 Lot, Yard, Area and Height Requirements

1.

Setbacks (ft.)				
Lot Area	Lot Width	Front and Corner	Side	Rear
10,000 sf	100 ft.	30	10*	10*

* A fifteen (15) foot landscaped buffer yard approved by the City Council is required for every commercial parcel directly abutting a residential lot.

2. Where adjacent structures within the same block have front yard setbacks different from those required, the front yard minimum setback is the average of the adjacent structures. If there is only one adjacent structure, the setback is the average of the required setback and the setback of the existing structure. The front yard setback requirement will not exceed 30 feet in any case.
3. On corner lots, the side yard shall be 30 feet or in line with the adjacent structures on the same block provided this does not reduce the build-able width to less than 30 feet.
4. Height: Maximum Height: 30 feet.
5. Maximum Structural Coverage: Fifty (50) percent.
6. Minimum lot frontage on a public street: Fifty (50) feet.

500.33 I-1, General Industrial District

Subd.1 Intent

It is the intent of this district to provide for and allow a wide range of industrial, warehousing, and wholesale bulk commercial activities in locations that will not conflict with other uses.

Subd.2 Permitted Uses

1. A branch of trade or industry employing labor and capital, activities not allowed in commercial districts, activities that do not require steam, diesel, or gasoline engines as a prime mover, excepting that no industry or use noxious by reason of odor, dust, smoke, noise, or gas may be included which interferes with other permitted uses.
2. Light industrial uses including light manufacturing, fabrication, assembly, and production.
3. Building materials, storage yards, lumber yards.
4. Contractor equipment and storage yards.
5. Food processing and distribution facilities.
6. Wholesale business and warehousing.
7. Industrial research laboratories.
8. Machine shops, public and private garages.
9. Public utility and service buildings and gas regulator stations.

10. Outdoor recreational facilities.

Subd.3 Permitted Accessory Uses

1. Off-street parking and loading as regulated by Subsection 500.43 of this Code.
2. Open and outdoor storage, as regulated by Subsection 500.475 of this Code.
3. Offices clearly subordinate and accessory to a principal use.
4. Residences when on the same parcel as the principal use which are clearly subordinate to the principal use and which are occupied by an individual employed by the principal use.
5. Signs, as regulated by Subsection 500.35 of this Code.
6. **Roof mounted solar energy systems.**

Subd.4 Conditional Uses

The following uses will require a conditional use permit based on the procedures set forth in Subsection 500.63 of this Code:

1. Industrial storage and material recycling.
2. Manufacturing of cement, concrete, lime gypsum, or plaster.
3. Grain elevators and storage subject to height restrictions set forth as part of the conditional use permit.
4. Livestock feeding yards, slaughtering of animals or stock yards.
5. Other heavy industrial uses, except for the following:
 - a. Distillation of bone, coal, tar, petroleum, refuse, grain, or wood.
 - b. Explosive manufacture or storage.
 - c. Garbage, offal, dead animals, refuse, rancid fats, incineration, glue manufacturing, size or gelatin manufacturing where the processes include the refining or recovery of products from animal refuse or offal.
 - d. Petroleum or asphalt refining, manufacturing or storage.
 - e. Smelting or refining of metals from ores.
 - f. Steam and board hammers and forging presses.
 - g. Storing, curing and tanning of raw, green, or salted hides or skins.
 - h. Corrosive acid manufacturing or bulk storage thereof.
 - i. Junk yards.

Subd.5 Lot, Yard Area and Height Requirements

		Setbacks (ft.)		
Lot Area	Lot Width	Front and Corner	Side	Rear
1 Acre	100 ft.	40	15	20

Lot structural coverage shall not exceed 50%.

500.495 Solar Energy System performance standards

Subd.1 Roof Mounted Solar Energy Systems

All Roof Mounted Solar Energy Systems must meet the following standards:

1. The solar arrays or panels shall not exceed the maximum height allowed in the applicable zoning district.
2. The solar arrays or panels shall not extend into the required setbacks allowed in the applicable zoning district.

3. The solar arrays or panels shall be screened from routine view from abutting residential properties.
4. The solar arrays or panels on residential structures shall be installed or positioned parallel with the roof line, with no exposed brackets, stands, or other apparatus.
5. The solar arrays or panels shall be installed or positioned so as not to cause glare or reflective sunlight onto neighboring properties, right of ways, or structures.
6. The solar arrays or panels shall be installed or positioned so as not to obstruct views.
7. When installed, the Solar Energy System cannot prevent abutting properties from being developed in any manner that is in conformance with all applicable codes and regulations, including planting or installation of any landscaping, trees, fences, or screening.

Subd.2 Building Mounted Solar Energy Systems

Building Mounted Solar Energy Systems shall not be permitted in the City of Freeport.

Subd.3 Ground Mounted Solar Energy Systems

Ground Mounted Solar Energy Systems shall not be permitted in the City of Freeport.

Subd.4 Solar Gardens

Solar Gardens shall not be permitted in the City of Freeport.

500.51 Height and yard exceptions

Subd.1 Structures

Chimneys, cooling towers, elevator bulk head, fire towers, drive-in movie theater screens, grain elevators, silos, penthouses, stacks, tanks, water towers, pumping towers, radio, or television towers, monuments, cupolas, steeples, and mechanical appurtenances pertaining to and necessary to the permitted use of district in which they are located, must not be included in calculating the height of the principal structure. ~~Solar collectors will be considered on an individual basis as a variance as set forth in Subsection 500.55, subdivision 2.~~

Subd.2 Attached Structures

Outside stairways, fire escapes, fire towers, porches, platforms, decks, balconies, boiler flues, and other similar projections will be considered as part of the building and not allowed as part of the required space for yards, courts, or unoccupied space. This provision does not apply to a fireplace or chimney, not more than eight feet in length and projecting not more than 30 inches into the allowable side yard space, unenclosed porches or other ground level unenclosed projections which may extend into a front or rear yard not more than eight feet or into a side yard not more than six feet.

Subd.3 Private Driveway and Sidewalks

Driveways and sidewalks shall be exempt from yard setbacks and lot coverage requirements.

Memo

From: Adrianna Hennen, Clerk-Treasurer

To: Freeport City Council

Date: 9/19/18

Re: Rental Ordinance

Following is a draft of the proposed rental housing ordinance.

1
2 **PROPOSED ORDINANCE REGULATING RENTAL HOUSING**
3 **WITHIN THE CITY OF FREEPORT, MINNESOTA**
4

5 **Section 1. Purpose.** This Ordinance's purpose is to protect the public health, safety, and general
6 welfare of the citizens of the City of Freeport. The general objectives include the following:
7

- 8 a. to protect the character and stability of residential areas within the City,
9
10 b. to correct and prevent housing conditions that adversely effect, or are likely to adversely effect,
11 the life, safety, general welfare, and health, including physical, mental, and social well-being of
12 persons occupying dwellings within the City, and
13
14 c. to preserve the value of land and buildings throughout the City.
15

16 **Section 2. City not an Arbiter.** With respect to rental disputes, and except as otherwise specifically
17 provided in this ordinance, the City Council does not intend on intruding upon fair and accepted
18 contractual relationships between tenants and owners. The City Council does not intend to interfere
19 or permit interference with legal rights to privacy. The City Council does not intend to intervene as
20 an advocate of either party, nor to act as an arbiter, nor to be receptive to complaints from tenants or
21 owners that are not specifically and clearly relevant to this ordinance's provisions. In the absence of
22 such relevancy, the City Council intends that contracting parties exercise any legal sanctions available
23 to them without the City Council's intervention.
24

25 **Section 3. General Requirements.** No person shall operate rental property in the City of Freeport
26 that does not comply with Minnesota Statutes and the Freeport City Code.
27

28 **Section 4. Licensing of Rental Units.**
29

- 30 a. Registration. No person shall operate rental property in the City without first filing a registration
31 statement with the City Clerk and securing a valid rental license from the City. A child renting

1 a dwelling unit owned by the child to their parent, and a parent renting a dwelling unit owned
2 by the parent to their child a shall be exempt from the requirement to obtain a rental license.
3 Any person filing such a registration statement consents to be bound by all of the provisions of
4 this chapter and the City Code, as they may relate to rental property. A registration statement
5 shall be filed and a rental license secured prior to the occupancy of the dwelling. The
6 registration statement shall be made and filed on forms furnished by the City for the purpose
7 and shall set forth the following information:
8

9 1. owner's name and residence and, if a corporation, the name of officers and registered office.
10 All owners must be listed.
11

12 2. rental property's name and address and the number of units to which the registration applies.
13

14 3. name and address of the operator, caretaker, or manager responsible for the maintenance
15 and care of the rental units.
16

17 4. name and address of the owner's agent for the receipt of notices of violations of the
18 provisions of these regulations and this code.
19

20 5. any other information the City may require.
21

22 b. Registration Statement Execution. The registration shall be made by the owner if the owner is a
23 natural person; if the owner is a corporation, by an officer; if the owner is a partnership, by one
24 of the partners; and if the owner is an unincorporated association, by the manager or managing
25 officer. Renewal of registrations as required by these regulations may be made by filling out
26 the required renewal form provided by the City to the owner of rental property and mailing the
27 form together with the required registration fee to the City Clerk.
28

29 c. Registrations. Registration of all rental dwellings shall be made or renewed every three years
30 pursuant to a schedule adopted by the City Council.
31

- 1 d. Transfers. Every new owner of a rental property, whether as fee owner, contract purchaser,
2 lessee of the entire dwelling, or otherwise, shall register before taking possession.
3
- 4 e. Registration License Fee. The City Council shall adopt a schedule of registration fees.
5 Registration fees shall be due upon registration or upon renewal on the first day of January in
6 the year in which registration is due. A delinquency penalty of 5% of the license fee for each
7 day of operation without a valid license shall be charged to owners of rental dwellings. Once
8 issued a license is nontransferable and the licensee shall not be entitled to a refund on any license
9 fee upon revocation or suspension. However, the licensee shall be entitled to a license fee
10 refund, pro-rated monthly, upon proof of transfer of ownership. In the case of new unlicensed
11 dwellings, license fees shall be due upon the issuance of the certificate of occupancy; in the
12 cases of licensing periods of less than three years, license fees shall be pro-rated by month.
13
- 14 f. Inspection Condition. No operating license shall be issued or renewed unless the owner of rental
15 units agrees in the registration statement to permit inspections pursuant to these regulations.
16
- 17 g. Posting of License. Every license of a multiple family dwelling shall cause to be conspicuously
18 posted in the main entryway or other conspicuous location therein the current license for the
19 respective multiple family dwelling.
20
- 21 h. License Not Transferable. No operating license shall be transferable to another person or to
22 another rental dwelling. Every person holding an operating license shall give notice in writing
23 to the City within 72 hours after having legally transferred or otherwise disposed of the legal
24 control of any licensed rental dwelling. Such notice shall include the name and address of the
25 person succeeding to the ownership or control of such rental dwelling.
26
- 27 i. Occupancy Register Required.
28
- 29 1. Every owner of a licensed rental dwelling shall keep, or cause to be kept, a current register
30 of occupancy for each dwelling which provides the following information:
31

1 i. dwelling unit address;

2
3 ii. number of bedrooms in dwelling unit;

4
5 iii. names of adult occupants and number of adults and children (under 18 years of age)
6 currently occupying the dwelling units;

7
8 2. The Owner shall make the register available for viewing or copying by the City at all
9 reasonable times.

10
11 **Section 5. Suspension or Revocation.** Every rental license is subject to suspension or revocation by
12 the City Council. Failure to operate or maintain the licensed rental dwelling in compliance with the
13 provisions of these regulations, the City Code, and the laws of the State of Minnesota shall be grounds
14 for suspension or revocation. In the event that a rental license is suspended or revoked by the City
15 Council, it shall be unlawful for the owner to permit any new occupancies of vacant or thereafter
16 vacated rental units until a rental license is restored.

17
18 a. When a rental license is revoked or suspended, the property shall be vacated as of the effective
19 date of the revocation or suspension and remain vacated until restoration of the license. In the
20 case of a suspension, restoration shall occur automatically at the end of the suspension period.
21 In the case of revocation, restoration of the license shall occur only after the owner of the
22 premises has made application for a new license, and paid a new license fee. The new license
23 may then be issued upon completion of the revocation period.

24
25 b. No suspension or revocation of a rental license shall occur until the licensed owner has been
26 afforded an opportunity for a hearing. This hearing shall be evidentiary in nature and conducted
27 before the City Council, which shall determine if a violation occurred warranting revocation or
28 suspension of the rental license. The determination of the City Council shall be final and subject
29 only to any rights of review or appeal to the state courts as provided by State Statutes. The
30 licensed owner must affirmatively request a hearing in writing to be received by the City Clerk
31 no later than seven days prior to the date on which the City Council is to consider the matter. If

1 request is not made, the right to an evidentiary hearing is deemed waived, the City Council may
2 presume the truth, and accuracy of the matter alleged and proceed to disposition at the time of
3 the hearing.
4

- 5 c. If the City Council determines that a violation has occurred warranting suspension or
6 revocation, the rental license shall be suspended or revoked for a period of not less than two
7 months nor more than 12 months. Execution of the suspension or revocation may be stayed by
8 the City Council on conditions as established by the City Council including, but not limited to,
9 the payment of a civil penalty not to exceed \$1,000. Upon the completion of one-half of the
10 period of revocation or suspension imposed by the City Council, the licensed owner may
11 petition the City Council for early restoration of the rental license. Upon receipt of the petition,
12 the licensed owner's request shall be heard by the City Council at the next regular scheduled
13 meeting, but at least 10 days from receipt of the request. At that time, the City Council may
14 order a restoration of the rental license if the licensed owner establishes by clear and convincing
15 evidence that one of the following two circumstances then exist:
16

- 17 1. the property has been sold since the occurrence of the original violation to a party unrelated to
18 the original owner. The sale must be for a fair consideration, negotiated at arm's length, and by
19 deed duly filed for record with the County Recorder. A sham or "paper" transfer of title to the
20 property to a related party or another party acting in cooperation with the owner for the purpose
21 of circumventing the license revocation shall not constitute a transfer for purposes of these
22 regulations; or
23
- 24 2. the licensed owner demonstrates to the City Council that a proper response to the revocation or
25 suspension has been made, that measures have been taken to successfully correct the violation
26 which originally resulted in suspension or revocation, and that additional steps have been taken
27 to assure that similar violations not occur in the future. Factors to be considered by the City
28 Council, may include: improvements and repairs to the premises; modification of the relevant
29 lease provisions; selection of future tenants; response to citizen's complaints; provision for
30 future supervision of the premises by the licensed owner; the licensed owner's compliance with

1 the revocation/suspension; and such other criteria as the City Council considers relevant to each
2 individual case.

- 3
- 4 3. Where the licensed owner is able to establish by clear and convincing evidence grounds for
5 restoration, the City Council may stay the execution of the remainder of the suspension or
6 revocation period for a period of up to one year and place terms and conditions upon the
7 licensed owner as may be relevant to further insure compliance with the City Code and State
8 laws.
- 9

10 **Section 6. Inspection Authority.** The Building Inspector shall administer and enforce the provisions
11 of these Regulations. The Building Inspector is authorized to cause inspections on a scheduled basis
12 for rental units, or otherwise when reason exists to believe that a violation of this ordinance has been
13 or is being committed. Inspections shall be conducted during daylight hours and the Building
14 Inspector shall present evidence of official capacity to the owner, operator, occupant, or other person
15 in charge of a respective dwelling unit.

16

17 **Section 7. Inspection Access.** When an owner, operator, occupant, or other person in charge of a
18 dwelling or dwelling unit refuses to permit free access and entry to the structure or premises under
19 their control for inspection pursuant to these regulations, the Building Inspector may seek a court
20 order authorizing inspection.

21

22 **Section 8. Compliance Order.**

23

- 24 a. Issuance. Whenever the Building Inspector determines that any dwelling, dwelling unit or
25 rooming unit, or the premises surrounding any of these, fails to meet the provisions of this
26 ordinance, the City Code, or state law, a Compliance Order may be issued setting forth the
27 violations and ordering the owner, occupant, operator, or agent to correct such violation. This
28 Compliance Order shall:
- 29

- 30 1. be in writing;
- 31

2. describe the location and nature of the violations of these regulations;
3. establish a reasonable time for the correction of such violation and notify of appeal recourse;
and
4. be served upon the owner, operator, or occupant, as the case may require. Such notice shall be deemed to be properly served upon such owner, operator, or occupant, if a copy of the Order is:
 - i. served personally, or
 - ii. sent by registered mail to last known address, or
 - iii. upon failure to effect notice as set out above, posted at a conspicuous place in or about the dwelling that is affected by the notice.

b. Right of Appeal. When it is alleged by any person to whom a Compliance Order is directed, that such Compliance Order is based upon an erroneous interpretation of this ordinance, such person may appeal the Compliance Order to the City Council. Such appeal must be in writing, must specify the grounds for the appeal, must be accompanied by a filing fee, paid in cash or cashier's check, in an amount determined by the City Council, and must be filed with the City Clerk within five business days after service of the Compliance Order. The filing of an appeal shall stay all proceedings in furtherance of the action, unless such a stay would cause imminent peril to life, health, or property.

c. City Council Decision. Upon at least five business days notice to the appellant of the time and place for hearing the appeal, and within 45 days after the appeal is filed, the City Council shall hold a hearing, taking into consideration any advice and recommendation from the Building Inspector. The City Council may reverse, modify, or affirm, in whole or in part, the Compliance Order and may order return of all or part of the filing fee if the appeal is upheld.

1 d. Restrictions on Transfer of Ownership. It shall be unlawful for the owner of any dwelling,
2 dwelling unit, or rooming unit upon whom a pending Compliance Order has been served to sell,
3 transfer, mortgage, lease, or otherwise dispose of the premises to another person until the
4 provisions of the Compliance Order have been complied with, unless such owner shall furnish
5 to the grantee, lessee, or mortgagee a true copy of any notice of violation or Compliance Order
6 and shall obtain and possess a receipt of acknowledgment. Anyone securing an interest in the
7 dwelling, dwelling unit, or rooming unit who has received notice of the existence of a violation
8 or Compliance Order shall be bound by it without further service of notice upon them and shall
9 be liable to all penalties and procedures provided by these regulations.

10
11 e. Penalties. Any person who fails to comply with a Compliance Order after right of appeal has
12 expired, and any person who fails to comply with a modified Compliance Order within the time
13 set, shall be guilty of a misdemeanor. Each day of such failure to comply shall constitute a
14 separate punishable offense.

15
16 f. Reinspection. The Building Official shall reinspect the property to determine if the owner or
17 operator has complied with the Compliance Order. If compliance has not been completed upon
18 reinspection, the owner or operator shall be assessed a reinspection fee, in an amount determined
19 by the City Council, for that reinspection and each subsequent reinspection for compliance.
20 Failure to pay the reinspection fee shall constitute a failure to comply with the Compliance
21 Order.

22
23 g. Execution of Compliance Orders by Public Authority. Upon failure to comply with a
24 Compliance Order within the time set and no appeal having been taken, or upon failure to
25 comply with a modified Compliance Order within the time set, the City Council may cause the
26 cited deficiency to be remedied as set forth in the Compliance Order. The cost of such remedy
27 shall be a lien against the subject real estate as provided by Minnesota Statutes, Chapter 429,
28 but the assessment shall be payable in a single installment.

29
30 **Section 9. Severability.** Every section, provision, or part of this ordinance is declared separable from
31 every other section, provision, or part to the extent that if any section, provision, or part of this

1 ordinance shall be declared invalid or unconstitutional, it shall not invalidate any other section,
2 provision, or part of this ordinance
3

4 **Section 10. Collection.**

- 5 a. Unpaid fees, charges, or penalties that relate to the maintenance of real property under this
6 ordinance, or to the City's enforcement thereof, may be collected as a special assessment against
7 the real property, together with administrative and legal expenses of the City in collecting the
8 unpaid fees, charges, or penalties.
9
- 10 b. Any unpaid charges, penalties, or fees will be certified to the County Auditor in accordance
11 with the procedures required by Minnesota Statutes, after providing the owner of the premises
12 involved notice and an opportunity for hearing.

Memo

From: Adrianna Hennen, Clerk-Treasurer

To: Freeport City Council

Date: 9/19/18

Re: Unfit for Habitation

Following is a draft of the proposed Unfit for Habitation ordinance.

1
2
3 **PROPOSED ORDINANCE REGULATING HOUSING**
4 **UNFIT FOR HUMAN HABITATION WITHIN**
5 **THE CITY OF FREEPORT, MINNESOTA**
6

7 **Section 1. Purpose.** This Ordinance's purpose is to protect the public health, safety, and general
8 welfare of the citizens of the City of Freeport. The general objectives include the following:
9

- 10 a. to protect the character and stability of residential areas within the City,
11
12 b. to correct and prevent housing conditions that adversely effect, or are likely to adversely effect,
13 the life, safety, general welfare, and health, including physical, mental, and social well-being of
14 persons occupying dwellings within the City, and
15
16 c. to preserve the value of land and buildings throughout the City.
17

18 **Section 2. Applicability.** Every building and its premises used in whole or in part as a home or
19 residence for a single family or person, and every building used in whole or in part as a home or
20 residence of two or more persons or families living in separate units shall conform to this Ordinance,
21 irrespective of when the building may have been constructed, altered, or repaired.
22

23 **Section 3. Unfitness for Human Habitation.**
24

- 25 a. Any dwelling, dwelling unit, or rooming unit which is damaged, decayed, dilapidated,
26 unsanitary, unsafe, vermin or rodent infested, or which lacks provision for basic illumination,
27 ventilation, or sanitary facilities to the extent that the defects create a hazard to the health, safety,
28 or welfare of the occupants or the public may be declared unfit for human habitation.
29
30 b. Whenever any dwelling, dwelling unit, or rooming unit has been declared unfit for human
31 habitation, the Building Inspector shall order the premises vacated within a reasonable time and

1 shall post a placard on the premises indicating that it is unfit for human habitation. It shall be
2 unlawful for any person to deface or remove the declaration placard from any dwelling, dwelling
3 unit, or rooming unit.

4
5 c. No person shall occupy as owner, occupant, or let to another for occupancy any dwelling,
6 dwelling unit, or rooming unit that is declared unfit for human habitation until the defective
7 conditions have been corrected and the Building Inspector has issued written approval.

8
9 d. Whenever any dwelling, dwelling unit, or rooming unit has been declared unfit for human
10 habitation, any license previously issued by the City of Freeport for the premises shall be
11 revoked.

12 13 **Section 4. Vacant Dwellings.**

14
15 a. The owner of any dwelling, dwelling unit, or rooming unit that is been declared unfit for human
16 habitation, or that is otherwise vacant for a period of 60 days or more, shall make the premises
17 safe and secure so that it is not hazardous to the public's health, safety, and welfare and does
18 not constitute a public nuisance.

19
20 b. Any vacant, unguarded dwelling with open doors or windows shall be deemed hazardous to the
21 public's health, safety, and welfare and a public nuisance.

22
23 **Section 5. Inspection Access.** When an owner, operator, occupant, or other person in charge of a
24 dwelling or dwelling unit refuses to permit free access and entry to the structure or premises under
25 their control for inspection pursuant to these regulations, the Building Inspector may seek a court
26 order authorizing inspection.

27 28 **Section 6. Compliance Order.**

29
30 a. Issuance. Whenever the Building Inspector determines that any dwelling, dwelling unit or
31 rooming unit is unfit for human habitation, a Compliance Order may be issued setting forth the

1 defective conditions and ordering the owner, occupant, operator, or agent to correct such
2 violation conditions. This Compliance Order shall:

- 3
- 4 1. be in writing;
- 5
- 6 2. describe the location and nature of the defective conditions;
- 7
- 8 3. establish a reasonable time for the correction of such conditions and notify of appeal
9 recourse; and
- 10
- 11 4. be served upon the owner, operator, or occupant, as the case may require. Such notice shall
12 be deemed to be properly served upon such owner, operator, or occupant, if a copy of the
13 Order is:
 - 14
 - 15 i. served personally, or
 - 16
 - 17 ii. sent by registered mail to last known address, or
 - 18
 - 19 iii. upon failure to effect notice as set out above, posted at a conspicuous place in or about
20 the dwelling that is affected by the notice.
- 21

22 b. Right of Appeal. When it is alleged by any person to whom a Compliance Order is directed, that
23 such Compliance Order is based upon an erroneous interpretation of this ordinance, such person
24 may appeal the Compliance Order to the City Council. Such appeal must be in writing, must
25 specify the grounds for the appeal, must be accompanied by a filing fee, paid in cash or cashier's
26 check, in an amount determined by the City Council, and must be filed with the City Clerk
27 within five business days after service of the Compliance Order.

28

29 c. City Council Decision. Upon at least five business days notice to the appellant of the time and
30 place for hearing the appeal, and within 45 days after the appeal is filed, the City Council shall
31 hold a hearing, taking into consideration any advice and recommendation from the Building

Inspector. The City Council may reverse, modify, or affirm, in whole or in part, the Compliance Order and may order return of all or part of the filing fee if the appeal is upheld.

e. Penalties. Any person who fails to comply with a Compliance Order after right of appeal has expired, and any person who fails to comply with a modified Compliance Order within the time set, shall be guilty of a misdemeanor. Each day of such failure to comply shall constitute a separate punishable offense.

f. Reinspection. The Building Official shall reinspect the property to determine if the owner or operator has complied with the Compliance Order. If compliance has not been completed upon reinspection, the owner or operator shall be assessed a reinspection fee, in an amount determined by the City Council, for that reinspection and each subsequent reinspection for compliance. Failure to pay the reinspection fee shall constitute a failure to comply with the Compliance Order.

Section 7. Restrictions on Transfer of Ownership. It shall be unlawful for the owner of any dwelling, dwelling unit, or rooming unit that is declared unfit for human habitation to sell, transfer, mortgage, lease, or otherwise dispose of the premises to another person until the provisions of the Compliance Order have been complied with, unless such owner shall furnish to the grantee, lessee, or mortgagee a true copy of any notice of the Compliance Order and shall obtain and possess a receipt of acknowledgment. Anyone securing an interest in the dwelling, dwelling unit, or rooming unit who has received notice that the dwelling, dwelling unit, or rooming unit has been declared unfit for human habitation or of the existence of a Compliance Order shall be bound by it without further service of notice upon them and shall be liable to all penalties and procedures provided by these regulations.

Section 8. Hazardous Building Declaration. If a dwelling has been declared unfit for human habitation and the owner has not remedied the defects within the prescribed time, the dwelling may be declared a hazardous building and treated consistent with state law.

Section 9. Severability. Every section, provision, or part of this ordinance is declared separable from every other section, provision, or part to the extent that if any section, provision, or part of this

1 ordinance shall be declared invalid or unconstitutional, it shall not invalidate any other section,
2 provision, or part of this ordinance
3

4 **Section 10. Collection.**

- 5 a. Unpaid fees, charges, or penalties that relate to the maintenance of real property under this
6 ordinance, or to the City's enforcement thereof, may be collected as a special assessment against
7 the real property, together with administrative and legal expenses of the City in collecting the
8 unpaid fees, charges, or penalties.
9
- 10 b. Any unpaid charges, penalties, or fees will be certified to the County Auditor in accordance
11 with the procedures required by Minnesota Statutes, after providing the owner of the premises
12 involved notice and an opportunity for hearing.

Memo

From: Adrianna Hennen, Clerk-Treasurer

To: Freeport City Council

Date: 9/19/18

Re: Park Nuisance & Recreational Vehicles

Attached is a draft ordinance to address parking nuisances. Following that is Freeport's current ordinance that addresses recreational vehicles being parked in yards. I'm proposing that Freeport adds trailers to this ordinance since that seems to be a reoccurring problem. These ordinances have to work together so we will be discussing them at the same time.

1
2 **PROPOSED ORDINANCE REGULATING NUISANCE PARKING AND STORAGE**
3 **WITHIN THE CITY OF FREEPORT, MINNESOTA**
4

5 **Section 1. Declaration of Nuisance.** The outside parking and storage on residentially zoned
6 property of large numbers of vehicles, materials, supplies, or equipment not customarily used for
7 residential purposes in violation of the requirements set forth below is declared to be a public
8 nuisance because it:

- 9
- 10 1. Obstructs views on streets and private property;
 - 11
 - 12 2. Creates cluttered and otherwise unsightly areas;
 - 13
 - 14 3. Introduces commercial advertising signs into areas where commercial advertising signs are
 - 15 otherwise prohibited;
 - 16
 - 17 4. Decreases adjoining landowners' and occupants' enjoyment of their property and
 - 18 neighborhood; and
 - 19
 - 20 5. Otherwise adversely affects property values and neighborhood patterns.

21
22 **Section 2. Unlawful Parking and Storage.**
23

- 24 1. A person must not place, store, or allow the placement or storage of ice fish houses,
- 25 skateboard ramps, playhouses, or other similar nonpermanent structures outside
- 26 continuously for longer than 24 hours in the front yard area of residential property, unless
- 27 more than 100 feet back from the front property line.
- 28
- 29 2. A person must not place, store, or allow the placement or storage of pipe, lumber, forms,
- 30 steel, machinery, or similar materials, including all materials used in connection with a

1 business, outside on residential property, unless shielded from public view by an opaque
2 cover or fence.

3
4 3. A person must not cause, undertake, permit, or allow the outside parking and storage of
5 vehicles on residential property unless it complies with the following requirements:

6
7 a. No more than four vehicles per lawful dwelling unit may be parked or stored anywhere
8 outside on residential property, except as otherwise permitted or required by the city
9 because of nonresidential characteristics of the property. This maximum number does
10 not include vehicles of occasional guests who do not reside on the property.

11
12 b. Vehicles that are parked or stored outside in the front yard area must be on a paved or
13 graveled parking or driveway area.

14
15 c. Vehicles, watercraft, and other articles stored outside on residential property must be
16 owned by a person who resides on that property. Students who are away at school for
17 periods of time but still claim the property as their legal residence will be considered
18 residents on the property.

500.475 Outdoor storage

Subd.1 Residential Uses

All outside storage of materials and equipment for residential uses shall be stored within a building or fully screened so as not to be visible from adjoining properties, except for the following:

1. Clothes line pole and wire.
2. Parking of licensed and operable vehicles in compliance with this Ordinance (Off-street parking). Junk vehicles as defined under Minnesota Statute 168B.011, Subd. 3, as may be amended, are specifically and completely prohibited from being stored outdoors. The property owner has the burden of proving a vehicle does not meet the 'junk vehicle' standard as set under the aforementioned statute.
3. Any combination of five (5) or fewer licensed and operable recreational vehicles (RV's, boats, snowmobiles on a trailer, etc.) and/or seasonal automobiles may be parked or stored on property outside a home, provided:
 - a. They are not stored within the front yard, except if parked on an approved driveway.
 - b. If stored within the side or rear yard, they are at least five feet from the property line, placed on an improved surface (e.g. crushed rock, gravel, asphalt, concrete, etc.) and landscaped/screened so as to be less visible from adjacent properties. Areas in which grass or weeds grow through the surface shall not meet said 'improved surface' requirement. If stored on a corner lot said storage must not interfere with motorist's views from intersecting streets. Such items shall not be stored on a turf surface.
 - c. Standards of the City's Abandoned Car Ordinance are met.
4. Parking of one (1) commercial motor vehicle of not over 32 feet in length used by the resident occupant, and parking of passenger cars, but not including the storage of vehicles which are inoperable or for sale or rent.
5. Construction and landscaping material currently being used on the premises for a period not to exceed six (6) months of any given project start date.
6. Lawn furniture or furniture used and constructed explicitly for outdoor use.
7. Playground equipment.
8. Dog houses.
9. Rear or side yard exterior storage of not more than one cord of firewood which is for consumption only by those inhabiting the property on which it is stored.

Memo

From: Adrianna Hennen, Clerk-Treasurer

To: Freeport City Council

Date: 9/19/18

Re: Public Nuisance Rules for Each Zoning District

Following is Freeport's current nuisance ordinance. I spoke with Melrose, Holdingford, St. Martin, and Albany and none of them differentiate public nuisances amongst their zoning districts.

All of their public nuisance ordinances looked very similar to Freeport's.

One item Melrose shared with me, which I thought was interesting, was that the Melrose Council has directed Melrose staff to actively seek out residential public nuisance violations, but commercial/industrial nuisances are only enforced if there is a specific complaint against the property.

Section 2010 – Public Nuisances

2010.01 Public Nuisances Affecting Health.....	1
2010.03 Public Nuisances Affecting Morals and Decency	1
2010.05 Public Nuisances Affecting Peace and Safety	2
Section 2010.06 – Building Maintenance Appearance.....	3
Subd. 1 Declaration of Nuisance	3
Subd. 2 Standards.....	4
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2010.11 Recovery of Cost.....	6
Subd.1 Personal Liability.....	6
Subd.2 Assessment	6

2010.01 Public Nuisances Affecting Health

Whoever by his act or failure to perform a legal duty intentionally maintains or permits any of the following conditions is guilty of maintaining a nuisance affecting the health, comfort and repose of the public, which is a misdemeanor:

1. Exposed accumulation of decayed or unwholesome food or vegetable matter;
2. All diseased animals running at large;
3. All ponds or pools of stagnant water;
4. Carcasses of animals not buried or destroyed within 24 hours after death;
5. Unreasonable accumulations of manure, refuse or other debris;
6. Privy vaults and garbage cans which are not rodent-free or fly-tight or which are so maintained as to constitute a health hazard or to emit foul and disagreeable odors;
7. The pollution of any public well or cistern, stream or lake, canal or body of water by sewage, industrial waste or other substances;
8. All noxious weeds and other rank growths of vegetation upon public or private property;
9. Dense smoke, noxious fumes, gas and soot, or cinders, in unreasonable quantities;
10. All public exposure of people having a contagious disease;
11. Any offensive trade or business as defined by law not operating under local license.

2010.03 Public Nuisances Affecting Morals and Decency

Whoever by his act or failure to perform a legal duty intentionally maintains or permits any of the following conditions is guilty of maintaining a public nuisance affecting morals and decency, which is a misdemeanor:

1. All gambling devices, slot machines and punch boards, except as otherwise authorized by federal, state or local law;
2. Betting, bookmaking, and all apparatus used in those occupations;

3. All house kept for the purpose of prostitution or promiscuous sexual intercourse, gambling houses, houses of ill fame and bawdy houses;
4. All places where intoxicating liquors is manufactured or disposed of in violation of law or where, in violation of law, people are permitted to resort for the purpose of drinking intoxicating liquor, or where intoxicating liquor is kept for sale or other disposition in violation of law, and all liquor and other property used for maintaining that place;
5. Any vehicle used for the unlawful transportation of intoxicating liquor, or for promiscuous sexual intercourse, or any other immoral or illegal purpose.

2010.05 Public Nuisances Affecting Peace and Safety

Whoever by his act or failure to perform a legal duty intentionally maintains or permits any of the following conditions is guilty of maintaining a public nuisance affecting peace and safety, which is a misdemeanor:

1. All snow and ice not removed from public sidewalks 24 hours after the snow or other precipitation causing the condition has ceased to fall;
2. All trees, hedges, billboards or other obstructions which prevent people from having a clear view of all traffic approaching an intersection;
3. All wires and limbs of trees which are so close to the surface of a sidewalk or street as to constitute a danger to pedestrians or vehicles;
4. All obnoxious noises in violation of Minn. Rules Ch. 7030, as they may be amended from time to time which are hereby incorporated by reference into this code;
5. The discharging of the exhaust or permitting the discharging of the exhaust of any stationary internal combustion engine, motor boat motor vehicle, motorcycle, all-terrain vehicle, snowmobile or any recreational devices except through a muffler or other device that effectively prevents loud or explosive noises there-from and complies with all applicable state laws and regulations;
6. The using or operation or permitting the using or operation of any radio receiving set, musical instrument, phonograph, paging system, machine or other device for producing or reproduction of sound in a distinctly and loudly audible manner so as to disturb the peace, quiet and comfort of any person nearby. Operation of any device referred to above between the hours of 10:00 p.m. and 7:00 a.m. in a manner so as to be plainly audible at the property line of the structure or building in which it is located, or at a distance of 50 feet if the source is located outside a structure or building shall be prima facie evidence of a violation of this section;
7. The participation in a party or gathering of people giving rise to noise which disturbs the peace, quiet or repose of the occupants of adjoining or other property;
8. Obstructions and excavations affecting the ordinary public use of streets, alleys, sidewalks or public grounds, except under conditions as are permitted by Freeport City ordinance or other applicable law;
9. Radio aerials or television antennae erected or maintained in a dangerous manner;
10. Any use of property abutting on a public street or sidewalk any use of a public street or sidewalk which causes large crowds of people to gather, obstructing traffic and the free use of the street or sidewalk;

11. All hanging signs, awnings and other similar structures over streets and sidewalks, so situated as to endanger public safety, or not constructed and maintained as provided by Freeport City ordinance and other applicable laws;
12. The allowing of rain water, ice or snow to fall from any building or structure upon any street or sidewalk or to flow across any sidewalk;
13. Any barbed wire fence less than six feet above the ground and within three feet of a public sidewalk or way;
14. All dangerous, unguarded machinery in any public place, or so situated or operated on private property as to attract the public;
15. Waste water cast upon or permitted to flow upon streets or other public properties;
16. Accumulations in the open of discarded or disused machinery, household appliances, automobile bodies, discarded or disused lumber or other building materials, wood, brush, yard waste, or other material in a manner conducive to the harboring of rats, mice, snakes or vermin, or the rank growth of vegetation among the items so accumulated, or in a manner creating fire, health or safety hazards from accumulation;
17. Any well, hole or similar excavation which is left uncovered or in another condition as to constitute a hazard to any child or other person coming on the premises where it is located;
18. Obstruction of the free flow of water in a natural waterway or a public street, drain, gutter or ditch with trash or other materials;
19. The placing or throwing on any street, sidewalk or other public property of any glass, tacks, nails, bottles or other substance which may injure any person or animal or damage any pneumatic tire when passing over the substance;
20. The depositing of garbage or refuse on a public right-of-way or on adjacent property;
21. Interferes with, obstructs or renders dangerous for passage any public highway or right-of-way, or waters used by the public; or
22. All other conditions or things which are likely to cause injury to the person or property of anyone.
23. Nothing in this section prohibits: i. the storage of machinery, auto bodies, or household appliances within a non-residential building, or ii. the storage in the open of lumber, building materials, or wood that is:
 - a. kept a minimum of 12 inches above the ground or other surface, and
 - b. fully screened so as not to be visible from any adjoining properties, public street, right-of-way, or sidewalk.

Section 2010.06 – Building Maintenance Appearance

Subd. 1 Declaration of Nuisance

Buildings, fences and other structures that have been so poorly maintained that their physical condition and appearance detract from the surrounding neighborhood are declared to be public nuisances because they: (a) are unsightly, (b) decrease adjoining landowners and occupants' enjoyment of their property and neighborhood, and (c) adversely affect property values and neighborhood patterns.

Subd. 2 Standards

A building, fence or other structure is a public nuisance if it does not comply with the following requirements:

1. No part of any exterior surface may have deterioration, holes, breaks, gaps, loose or rotting boards or timbers.
2. Every exterior surface that has had a surface finish such as paint applied must be maintained to avoid noticeable deterioration of the finish. No wall or other exterior surface may have peeling, cracked, chipped or otherwise deteriorated surface finish on more than 20% of:
 - a. Any one wall or other flat surface; or
 - b. All door and window moldings, eaves, gutters, and similar projections on any one side or surface.
3. No glass, including windows and exterior light fixtures, may be broken or cracked, and no screens may be torn or separated from moldings.
4. Exterior doors and shutters must be hung properly and have an operable mechanism to keep them securely shut or in place.
5. Cornices, moldings, lintels, sills, bay or dormer windows and similar projections must be kept in good repair and free from cracks and defects that make them hazardous or unsightly.
6. Roof surfaces must be tight and have no defects that admit water. All roof drainage systems must be secured and hung properly.
7. Chimneys, antennae, air vents, and other similar projections must be structurally sound and in good repair. These projections must be secured properly, where applicable, to an exterior wall or exterior roof.
8. Foundations must be structurally sound and in good repair.

2010.07 Duties of City Officers

The City Clerk, Building Official, or Peace Officer, shall enforce the provisions relating to nuisances. Any City Official or peace officer shall have the power to inspect private premises and take all reasonable precautions to prevent the commission and maintenance of nuisances.

2010.19 Abatement

Subd.1 Notice

1. Whenever the City Clerk, Building Official, or a peace officer determines that a public nuisance is being maintained or exists on a premises within the City, the City Clerk, Building Official, or peace officer shall notify in writing the owner of record or occupant of the premises of such fact and order that the nuisance be terminated and abated.

2. A Notice of Violation shall specify the steps to be taken to abate the nuisance, the time within which the nuisance is to be abated, and that if the Notice of Violation is not complied with within the time specified, the matter shall be reported to the City Council (during which time a hearing would be held).
3. A Notice of Violation shall be served by the City Clerk, Building Official, or a peace officer on the owner of record or occupant of the premises either in person or by certified or registered mail. If the premise is not occupied, the owner of record is unknown, or the owner of record or occupant refuses to accept the Notice of Violation, the Notice of Violation shall be served by posting it on the premises.

Subd.2 City Council Action

1. The City Council may, after notice to the owner or occupant and an opportunity to be heard, determine that the condition identified in the Notice of Violation is a nuisance and further order that if the nuisance is not abated within the time prescribed by the City Council, the City may seek injunctive relief by serving a copy of the City Council Order and a Notice of Motion for Summary Enforcement.
2. Except for those cases determined by the City to require summary enforcement, written notice of any City Council Order shall be served as provided in Minnesota Statutes Section 463.17 (Hazardous and Substandard Building Act).
3. Written notice of any Motion for Summary Enforcement shall be served as provided in Minnesota Statutes Section 463.17 (Hazardous and Substandard Building Act).

Subd.3 Emergency Procedure; Summary Enforcement

1. In cases of emergency, where delay in abatement required to complete the notice and procedure requirements set forth above will permit a continuing nuisance to unreasonably endanger the public health, safety, or welfare, the City Council may order summary enforcement and abate the nuisance. To proceed with summary enforcement, the City Clerk, Building Official, or a peace officer shall determine that a public nuisance exists or is being maintained on a premises within the City and that delay in abatement of the nuisance will unreasonably endanger public health, safety, or welfare. The City Clerk, Building Official, or peace officer shall notify in writing the occupant or owner of the premises of:
 - a. the nature of the nuisance,
 - b. the City's intention to seek summary enforcement, and
 - c. the time and place of the City Council meeting to consider the question of summary enforcement.
2. If the City Council determines the condition identified in the notice to the owner or occupant is a nuisance, and the public health, safety, or welfare will be unreasonably endangered by delay in abatement required to complete the procedures set forth above, the City Council may order that the nuisance be immediately terminated or abated. If the nuisance is not immediately terminated or abated, the City Council may order summary enforcement and abate the nuisance.
3. Nothing in this ordinance shall prevent the City, without notice or other process, from immediately abating any condition which poses an imminent and serious hazard to human life or safety.

2010.11 Recovery of Cost

Subd.1 Personal Liability

The owner of a premises on which a nuisance has been abated by the City shall be personally liable for the cost to the City of the abatement, including administrative costs. As soon as the work has been completed and the cost determined, the City Clerk or other official shall prepare a bill the cost and mail it to the owner. Thereupon the amount shall be immediately due and payable at the office of the City Clerk.

Subd.2 Assessment

If the nuisance is a public health or safety hazard on private property, the accumulation of snow and ice on public sidewalks, the growth of weeds on private property or outside the traveled portion of streets, or unsound or insect-infected trees, the City Clerk shall, on or before September 1 next following abatement of the nuisance, list the total unpaid charges along with all other charges, as well as other charges for current services to be assessed under Minnesota Statutes Section 429.101, against each separate lot or parcel to which the charges are attributable. The City Council may then spread the charges against the property under that statute and other pertinent statutes for certification to the County Auditor and collection along with current taxes the following year or in annual installments, not exceeding ten, as the City Council may determine in each case.

Memo

From: Adrianna Hennen, Clerk-Treasurer

To: Freeport City Council

Date: 9/20/18

Re: Loehrer Update

Loehrer has until Sept. 22nd to clean up the property. Dymoke has the documents ready to send off in the event the property is not cleaned by then. Monday morning Dymoke can file Council's order with the court and file a notice of lis pendens with the County Recorder. Dymoke then has to wait five business days to schedule the hearing and file the motion papers, so the following Monday, October 1st, he will file the balance of the papers with the court.

Memo

From: Joan Wall, Deputy Treasurer

To: Freeport City Council

Date: September 20, 2018

Re: 2019 Proposed Budget Notes

Before September 30th, Council will need to approve a preliminary levy and schedule a public hearing date between November 25th and December 28th. Along with this memo are a proposed 2019 budget and summaries of the major budget changes for each fund. A proposed preliminary budget & levy resolution is included with this packet (after the budget pages). Please keep in mind that the final levy, which will be approved in December, can be lowered from this preliminary levy, but cannot be increased.

Please notify me of any errors or discrepancies. Notes on budget line items are included with some of the budget figures and additional notes are below.

Fund 101 (General Fund)

Revenues

2019 Certified LGA is more than 2018 by \$267

Expenditures

Employee salaries were raised \$0.50 per hour

Included a carpet and tile cleaning quote of \$1,200

Included a \$10,000 transfer to the Capital Equipment fund – same as 2017 & 2018

Included a \$72,000 transfer to the Street Improvements fund – same as 2018

Included a \$5,000 transfer to the South End Park Fund – same as 2017 & 2018

Included a \$30,000 transfer to the Street Lights fund – same as 2018

Fund 225 (ASFA Fund)

Approved during annual fire department meeting, February 2018

Fund 300 (EDA)

Levy has been \$10,000 for at least the last nine years – increased to \$12,000 for 2019

2019 budget will be presented to the EDA for approval on 9/24/18

Fund 417 (Street Improvements Fund)

Legislature has not yet funded the Small City Transportation Program

Fund 601 (Water Fund)

Beginning in 2017, utility charges were shifted more to sewer & less to water

Fund 602 (Waste Water Fund)

Beginning in 2017, utility charges were shifted more to sewer & less to water

Fund 603 (Water – USDA Reserve)

USDA loan requires the City to set aside annual reserves

Fund 604 (Waste Water – USDA Reserve)

USDA loan requires the City to set aside annual reserves

Levy Comparisons (2018 Final vs 2019 Proposed)

Levy Description	Final 2018	Proposed 2019	Change	
			Amount	%
General Fund Levy (Fund 101)	\$260,000	\$275,000	\$15,000	5.8%
EDA Levy (Fund 300)	\$ 10,000	\$ 12,000	\$ 2,000	20.0%
2013 GO Bonds Levy (Fund 326)	\$ 94,500	\$ 95,500	\$ 1,000	1.1%
2012 GO Bonds Levy (Fund 331)	\$100,000	\$105,000	\$ 5,000	5.0%
Total Levy	\$464,500	\$487,500	\$23,000	5.0%

09/20/18
14:53:06

CITY OF FREEPORT
Expenditure Budget Report -- Multi Year Actuals
For the Year: 2019

Page: 1 of 5
Report ID: B240

101 General Fund		Actuals				Current	%	Prelim.	Budget	Final	% Old
Account	Object	2015	2016	2017	2018	Budget	Exp.	Budget	Changes	Budget	Budget
						2018	2018	19	19	19	19
41000 GENERAL GOVERNMENT											
200	Postage	687	195	431	307	10,000	3%	1,000		1,000	10%
210	Operating Supplies	2,457	1,153	1,418	1,226	2,000	61%	2,000		2,000	100%
220	Repair & Maint. Supplies	478	214	287	486	750	65%	750		750	100%
300	Professional Services	15,172	6,902	3,378	8,107	6,000	135%	8,700		8,700	145%
	Cleaning \$1,875 + Ehlers continuing disclosure bond report \$800 + Web hosting \$400 + Carpet & tile cleaning \$1,200 + Computer services + Kathleen Murphy + SEH 2015 was high due to outside help from Kathleen Murphy (hiring), KDV (consulting & training), and Schlenner Wenner (payroll) when former clerk terminated April 2015.										
	2016 also had some of the above outside services.										
302	Legal Consulting	10,884	5,335	5,106	3,554	5,000	71%	5,500		5,500	110%
305	Legal Prosecution					500	0%	500		500	100%
320	Telephone	1,991	1,965	1,529	1,047	1,550	68%	1,550		1,550	100%
	2017 removed fax line from budget										
350	Notices & Publication	1,849	734	854	1,081	1,000	108%	1,000		1,000	100%
	2015 includes employee hiring announcements, etc.										
351	Periodicals	223	38	240		0	0%			0	0%
	2017: removed St Cloud Times \$240, added Beacon & Herald \$260; Beacon & Herald pd for 3 yrs in 2017										
361	Liability Insurance	7,327	7,137	7,208	3,245	7,600	43%	7,600		7,600	100%
381	Electric	1,897	2,207	1,694	1,141	2,300	50%	2,300		2,300	100%
410	Rentals	2,034	2,022	2,093	1,760	2,200	80%	2,200		2,200	100%
	Ameripride \$660, Marco \$1,300, Finken \$180										
430	Miscellaneous	112	500	12	10	350	3%	350		350	100%
	2016 was to Girl Scouts										
433	Dues	3,244	3,945	3,467	128	3,450	4%	3,450		3,450	100%
	Black Mountain \$2,800, Stearns Cnty Beacon \$60, MAOSC \$440, Freeport Chamber \$150										
	2016 includes 1-time charge of \$630 for Black Mountain payroll setup										
434	League Dues	812	840	840	843	870	97%	870		870	100%
	Account:	49,167	33,187	28,557	22,935	43,570	53%	37,770	0	37,770	87%
41100 Legislative (Council/Board)											
100	Wages and Salaries	5,090	4,670	3,255	1,680	4,320	39%	4,320		4,320	100%
	Regular mtgs \$65 x 4 members x 12 mtgs = \$3,120										
	Special mtgs \$50 x 4 members x 6 mtgs = \$1,200										
121	Cities FICA 6.2%	316	290	202	104	268	39%	268		268	100%
	101. 41100. 100 x 6.2%										
122	Cities Share MED 1.45%	74	68	47	24	63	38%	63		63	100%
	101. 41100. 100 x 1.45%										
330	Training	903		884		890	0%	890		890	100%
	Newly elected officials training										
335	Mileage & Reimb Exp	160		151		287	0%	287		287	100%
	Newly elected officials training										
360	Workers Comp Insurance	59	23	7	5	50	10%	50		50	100%
	Account:	6,602	5,051	4,546	1,813	5,878	31%	5,878	0	5,878	100%

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		Actuals				Current	%	Prelim.	Budget	Final	%
		2015	2016	2017	2018	Budget	Exp.	Budget	Changes	Budget	Old
Account	Object	2015	2016	2017	2018	2018	2018	19	19	19	Budget

101 General Fund											

41300	Executive (Mayor/Manager)										
100	Wages and Salaries	1,825	1,405	1,215	720	1,590	45%	1,590	_____	1,590	100%
	Regular mtgs \$95 x 12 mtgs = \$1,140										
	Special mtgs \$75 x 6 mtgs = \$450										
121	Cities FICA 6.2%	113	87	75	45	99	45%	99	_____	99	100%
	101.41300.100 x 6.2%										
122	Cities Share MED 1.45%	26	20	18	10	23	43%	23	_____	23	100%
	101.41300.100 x 1.45%										
330	Training					300	0%	300	_____	300	100%
335	Mileage & Reimb Exp					110	0%	110	_____	110	100%
433	Dues	30	30		30	35	86%	35	_____	35	100%
	MN Mayors Membership Dues										
	Account:	1,994	1,542	1,308	805	2,157	37%	2,157	0	2,157	100%

41400	Clerk										
100	Wages and Salaries	48,294	44,631	46,781	33,338	47,943	70%	48,267	_____	48,267	101%
103	Assistant's Wages	16,836	19,311	18,723	7,205	21,321	34%	33,697	_____	33,697	158%
105	Misc Compensation	8,701	5,646	5,053	3,797	5,102	74%	8,618	_____	8,618	169%
	Add'l wages for health insurance										
120	Cities Share PERA	3,717	4,795	4,805	3,151	5,195	61%	6,147	_____	6,147	118%
121	Cities FICA 6.2%	4,230	4,314	4,283	2,840	4,611	62%	5,616	_____	5,616	122%
122	Cities Share MED 1.45%	989	1,009	1,002	664	1,078	62%	1,313	_____	1,313	122%
130	Health Insurance	833	3,679	3,938	3,286	3,898	84%	4,381	_____	4,381	112%
131	Life Insurance	29	24	26	14	24	58%	24	_____	24	100%
140	Unemployment Compensation	9,367	1,653			0	0%		_____	0	0%
	Former Clerk who terminated April 2015										
330	Training	2,034	1,845	20	295	2,465	12%	2,465	_____	2,465	100%
	LMC conf x 2 (Reg \$500), LMC regional mtgs (Reg \$45), MCFOA conf x 2 (Reg \$600 + Hotel \$1200), MCFOA region 3 mtgs (Reg \$120)										
335	Mileage & Reimb Exp	516	411		101	550	18%	550	_____	550	100%
	LMC conf (\$195), LMC regional mtgs (\$35), MCFOA conf (\$110), MCFOA region 3 mtgs (\$100) + Other \$110										
360	Workers Comp Insurance	501	389	431	210	700	30%	700	_____	700	100%
433	Dues	190	250	240	90	270	33%	270	_____	270	100%
	MCFOA \$90, IIMC \$180										
	Account:	96,237	87,957	85,302	54,991	93,157	59%	112,048	0	112,048	120%

41450	Elections										
105	Misc Compensation		1,669		1,032	1,792	58%			0	0%
	2019 not an election year										
210	Operating Supplies	415	476	427	19	1,570	1%	1,570	_____	1,570	100%
	Election equipment maintenance is annual county charge. County is purchased new election equipment & we will be charged \$1500 per year from now on. Also budgeting \$70 for other supplies.										
335	Mileage & Reimb Exp		320		243	350	69%			0	0%
	2019 not an election year										
350	Notices & Publication		388		113	400	28%			0	0%
	2019 not an election year										
	Account:	415	2,853	427	1,407	4,112	34%	1,570	0	1,570	38%

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		Actuals				Current	%	Prelim.	Budget	Final	% Old
Account	Object	2015	2016	2017	2018	Budget	Exp.	Budget	Changes	Budget	Budget
		2015	2016	2017	2018	2018	2018	19	19	19	19
101 General Fund											
41500 Auditor											
300 Professional Services	BerganKDV & Schlenner Wenner assistance, Stearns County Treasurer audit confirmations	12,944	3,825	150	425	1,000	43%	1,000		1,000	100%
301 Audit	Schlenner Wenner audit svcs	12,750	14,650	13,550	14,380	13,960	103%	14,805		14,805	106%
302 Legal Consulting	Dymoke auditor's letter	110	110			115	0%	115		115	100%
	Account:	25,804	18,585	13,700	14,805	15,075	98%	15,920	0	15,920	106%
41550 Assessor											
304 Assessing Fees		4,422	4,696	4,833	4,797	5,000	96%	5,000		5,000	100%
	Account:	4,422	4,696	4,833	4,797	5,000	96%	5,000	0	5,000	100%
41800 Planning / Zoning											
300 Professional Services		60				1,000	0%	1,000		1,000	100%
350 Notices & Publication						250	0%	250		250	100%
429 County Recording Fees			138			0	0%			0	0%
	Account:	60	138			1,250	0%	1,250	0	1,250	100%
42050 Building Official											
310 Contractor	2016 includes unusually large building permits: Sacred Heart gym and Albany Stone	2,262	13,483	4,732		4,000	0%	4,000		4,000	100%
436 State Surcharge	2016 includes unusually large building permits: Sacred Heart gym and Albany Stone	78	571	521	227	600	38%	600		600	100%
	Account:	2,340	14,054	5,253	227	4,600	5%	4,600	0	4,600	100%
42200 Fire & Rescue											
700 Transfers	City's fire protection contract	42,225	40,224	39,924	40,207	40,207	100%	42,056		42,056	105%
	Account:	42,225	40,224	39,924	40,207	40,207	100%	42,056	0	42,056	105%
43000 Public Works											
100 Wages and Salaries		48,413	41,428	42,526	30,955	42,119	73%	43,856		43,856	104%
103 Assistant's Wages		27,211	2,983	1,813	1,498	5,360	28%	3,120		3,120	58%
105 Misc Compensation	Add'l wages for health insurance	12,611			6,750	0	***%	9,000		9,000	****%
120 Cities Share PERA		4,543	3,331	2,557	2,394	3,159	76%	3,289		3,289	104%
121 Cities FICA 6.2%		4,738	2,753	2,736	2,490	2,944	85%	3,471		3,471	118%
122 Cities Share MED 1.45%		1,108	644	640	582	689	84%	812		812	118%
130 Health Insurance		1,667	10,227	9,000		9,000	0%			0	0%
131 Life Insurance		15	26	19	15	24	63%	24		24	100%
240 Clothing Replacement		624	241		211	200	106%	200		200	100%
330 Training	LMC Safety & Loss Control Workshop + other possible trainings	290			20	100	20%	100		100	100%
333 Physicals				75		0	0%			0	0%

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101 General Fund		Actuals				Current	%	Prelim.	Budget	Final	% Old
Account	Object	2015	2016	2017	2018	Budget	Exp.	Budget	Changes	Budget	Budget
						2018	2018	19	19	19	19
335	Mileage & Reimb Exp	173	98		100	100	100%	100		100	100%
360	Workers Comp Insurance	5,822	2,585	3,366	689	3,000	23%	3,000		3,000	100%
700	Transfers		10,000	10,000	10,000	10,000	100%	10,000		10,000	100%
	Set aside funds for future equipment purchases										
	Account:	107,215	74,316	72,732	55,704	76,695	73%	76,972	0	76,972	100%
43100 Highways, Streets & Roadways											
210	Operating Supplies	1,485	983	1,276	748	2,000	37%	2,000		2,000	100%
215	Gas & Oil	2,925	3,184	3,734	3,039	4,000	76%	4,000		4,000	100%
220	Repair & Maint. Supplies	2,522	887	7,689	493	2,500	20%	2,500		2,500	100%
225	Street Materials	7,563	10,633	5,693	7,901	6,300	125%	6,300		6,300	100%
	Crack sealing \$5,000, dust control \$800, road patch \$500										
	2016 includes \$5,328 for shoulder seal coat done by County										
	2018 includes \$6,610 for cul-de-sac work										
300	Professional Services		1,812	91		0	0%			0	0%
	2016: SEH fees for Industrial Park paving project										
311	Outside Maintenance	233	773	9,212	945	5,000	19%	5,000		5,000	100%
	2017: \$3400 mow brush around holding pond, \$2700 new lab room @ maint shop,										
	\$2176 clean out ditch & add topsoil										
320	Telephone	2,219	712	706	537	750	72%	750		750	100%
	Currently paying \$60 per month for cell phone										
350	Notices & Publication	116		30		0	0%			0	0%
361	Liability Insurance	2,058	2,035	2,185	1,126	2,400	47%	2,400		2,400	100%
381	Electric	1,222	1,166	1,220	920	1,500	61%	1,500		1,500	100%
382	Heating Gas	700	554	744	645	1,500	43%	1,500		1,500	100%
383	Garbage	1,506	1,712	1,643	1,088	1,680	65%	1,680		1,680	100%
	\$140 x 12 months										
401	Truck Repairs	12,318	4,108	3,186	2,173	4,500	48%	4,500		4,500	100%
	2015 includes repairs on Public Works truck										
410	Rentals	152	96	88	72	250	29%	250		250	100%
430	Miscellaneous	13,000	6,696	4,556		950	0%	950		950	100%
	2015 was for Sauk River Watershed District assessments										
	2016 was for Christmas banners & garland - offset by Lions donation in 101.36230										
	2017 \$557 is for 'Welcome to Freeport' banners, \$3999 is for Sauk River Watershed District assessment										
431	Permits/License	345	345	345	384	345	111%	400		400	116%
	Annual permit fee to Minnesota Pollution Control										
433	Dues		107	106	-106	150	-71%	150		150	100%
	Annual vehicle registration										
580	Other Equipment					0	0%	3,000		3,000	*****
	Electronic speed limit sign										
700	Transfers		70,000	70,000	72,000	72,000	100%	72,000		72,000	100%
	Set aside funds for future street improvement										
	Account:	48,364	105,803	112,504	91,965	105,825	87%	108,880	0	108,880	103%
43160 Street Lighting											
300	Professional Services	32	32	578	168	300	56%	300		300	100%
311	Outside Maintenance	1,261	905	430	685	1,200	57%	1,200		1,200	100%

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101 General Fund		Actuals				Current	%	Prelim.	Budget	Final	% Old
Account	Object	2015	2016	2017	2018	Budget	Exp.	Budget	Changes	Budget	Budget
						2018	2018	19	19	19	19
381 Electric		19,059	19,572	19,314	8,789	20,000	44%	20,000		20,000	100%
700 Transfers				10,000	30,000	30,000	100%	30,000		30,000	100%
	Set aside funds for future street light purchases										
	2017 note: want to set aside more per year in future years										
	Account:	20,352	20,509	30,322	39,642	51,500	77%	51,500	0	51,500	100%
45100 Recreation											
210 Operating Supplies					2,983	3,000	99%	3,000		3,000	100%
	Winter rec program										
	Account:				2,983	3,000	99%	3,000	0	3,000	100%
45200 Parks											
210 Operating Supplies		4,765	48	2,646	-1,499	500	***%	500		500	100%
	Paper towels, toilet paper, soap										
	2015 includes bagger/thatcher										
220 Repair & Maint. Supplies		2,447	2,372	32,741	1,051	2,500	42%	2,500		2,500	100%
	2017 includes Lions Park work										
260 Park Maintenance			273	451	96	1,000	10%	1,000		1,000	100%
	Mulch, playground equipment										
361 Liability Insurance		5,239	5,342	5,209	2,546	5,400	47%	5,400		5,400	100%
435 SR Citizen Building		525	1,732	3,557	1,156	3,000	39%	3,000		3,000	100%
	2017 Vinyl plank flooring & water heater										
700 Transfers				5,000	5,000	5,000	100%	5,000		5,000	100%
	Set aside funds for future south end park										
	Account:	12,976	9,767	49,604	8,350	17,400	48%	17,400	0	17,400	100%
	Fund:	418,173	418,682	449,012	340,631	469,426	73%	486,001	0	486,001	104%
											%
Grand Total :		418,173	418,682	449,012	340,631	469,426		486,001	0	486,001	

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101 General Fund										
Account	Actuals				Current	%	Prelim.	Budget	Final	% Old
	2015	2016	2017	2018	Budget	Rec.	Budget	Change	Budget	Budget
					2018	2018	19	19	19	19
31000 General Property Taxes										
31000 General Property Taxes	194,203	236,666	246,329	141,077	260,000	54%	275,000		275,000	105%
Group:	194,203	236,666	246,329	141,077	260,000	54%	275,000	0	275,000	105%
31800 Other Taxes										
31810 Franchise Fees	3,539	5,137	5,336		3,000	0%	3,000		3,000	100%
Group:	3,539	5,137	5,336		3,000	0%	3,000	0	3,000	100%
32100 Liquor Licenses										
32100 Liquor Licenses	8,115	8,090	8,130	8,135	8,100	100%	8,100		8,100	100%
Group:	8,115	8,090	8,130	8,135	8,100	100%	8,100	0	8,100	100%
32200 Special Events										
32200 Special Events		40	769		0	0%			0	0%
32210 Building Permits	2,759	15,172	7,626	4,320	500	864%	500		500	100%
32230 Zoning Permit	125	575	75	275	200	138%	200		200	100%
32231 Pet License	88	60	55	63	25	252%	25		25	100%
Group:	2,972	15,847	8,525	4,658	725	642%	725	0	725	100%
32300 Gambling Licenses										
32300 Gambling Licenses	125	230	100	125	100	125%	100		100	100%
Group:	125	230	100	125	100	125%	100	0	100	100%
33400 State Grants & Aid/PERA										
33400 State Grants & Aid/PERA	410	410	410	205	410	50%	410		410	100%
33401 LGA (Local Gov't Aid)	110,589	111,311	111,640	57,646	115,291	50%	115,558		115,558	100%
33402 HACA (Homestead Credit)	670	852	846		400	0%	800		800	200%
33431 Small City Transportation	14,466				0	0%			0	0%
During 2017 session, Legislature funded 2017 & 2018. Recorded those years in 417.33431 Street Improvements Fund.										
Group:	126,135	112,573	112,896	57,851	116,101	50%	116,768	0	116,768	100%
34000 Charges for Services										
34000 Charges for Services	665	835	880	80	100	80%	100		100	100%
Group:	665	835	880	80	100	80%	100	0	100	100%
35100 Fines										
35100 Fines	2,075	1,933	1,364	554	1,500	37%	1,500		1,500	100%
Group:	2,075	1,933	1,364	554	1,500	37%	1,500	0	1,500	100%

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101 General Fund										
Account	Actuals				Current	%	Prelim.	Budget	Final	% Old
	2015	2016	2017	2018	Budget	Rec.	Budget	Change	Budget	Budget
					2018	2018	19	19	19	19
36100 Special Assessments										
36100 Special Assessments	2,739					0 0%			0	0%
Group:	2,739					0 0%	0	0	0	0%
36200 Miscellaneous Revenues										
36200 Miscellaneous Revenues	311	1,885	100	93,008	1,140	***%	100		100	8%
2016 includes \$1875 from Albany Mutual Telephone										
2018 includes \$93,000 from Xcel Energy										
36210 Interest Earnings	2,938	3,009	3,920	5,495	3,000	183%	3,000		3,000	100%
36220 Rents and Royalties	1,500	1,500		1,500	1,500	100%	1,500		1,500	100%
36230 Donations - Private		6,696	32,000		0	0%			0	0%
2016: from Lions for Christmas decorations										
2017: from Lions for Lions Park										
36240 Insurance Claims	678				0	0%			0	0%
36250 Insurance Dividends	6,286	9,459	2,276		5,000	0%	2,200		2,200	44%
Group:	11,713	22,549	38,296	100,003	10,640	940%	6,800	0	6,800	63%
39100 Transfer From AFSA										
39100 Transfer From AFSA	3,500	3,500	3,500	3,500	3,500	100%	3,500		3,500	100%
Group:	3,500	3,500	3,500	3,500	3,500	100%	3,500	0	3,500	100%
39200 Transfer from other funds										
39200 Transfer from other funds	1,696				0	0%			0	0%
2015 was to close remainder of fund 315 to fund 101										
Group:	1,696				0	0%	0	0	0	0%
39500 Transfer from EDA										
39500 Transfer from EDA	5,000	5,000	5,000	5,000	5,000	100%	5,000		5,000	100%
Group:	5,000	5,000	5,000	5,000	5,000	100%	5,000	0	5,000	100%
39700 Transfer from Water										
39700 Transfer from Water	40,000	40,000	41,000	41,000	41,000	100%	41,000		41,000	100%
Group:	40,000	40,000	41,000	41,000	41,000	100%	41,000	0	41,000	100%
39800 Transfer From WasteWater										
39800 Transfer From WasteWater	40,000	40,000	41,000	41,000	41,000	100%	41,000		41,000	100%
Group:	40,000	40,000	41,000	41,000	41,000	100%	41,000	0	41,000	100%
Fund:	442,477	492,360	512,356	402,983	490,766	82%	502,593	0	502,593	102%
Grand Total :	442,477	492,360	512,356	402,983	490,766		502,593	0	502,593	

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225 AFSA Fund		Actuals				Current	%	Prelim.	Budget	Final	% Old
Account	Object	2015	2016	2017	2018	Budget 2018	Exp. 2018	Budget 19	Changes 19	Budget 19	Budget 19
42200	Fire & Rescue										
100	Wages and Salaries	7,752	6,396	7,380		7,000	0%	4,400		4,400	63%
115	Drills	7,638	11,172	9,552	2,550	12,000	21%	10,000		10,000	83%
	Every other year there are more drills										
116	Fire Calls	5,700	7,416	5,472		5,000	0%	7,000		7,000	140%
117	Rescue Calls	5,340	5,832	7,596		6,500	0%	6,500		6,500	100%
121	Cities FICA 6.2%	1,629	1,911	1,860		1,900	0%	1,736		1,736	91%
	28000 Est Wages x FICA rate										
122	Cities Share MED 1.45%	381	447	435		450	0%	406		406	90%
	28000 estimated wages x Medicare rate										
210	Operating Supplies	9,339	12,762	2,008	9,606	8,000	120%	9,000		9,000	113%
215	Gas & Oil	1,142	1,565	1,424	955	2,500	38%	2,500		2,500	100%
220	Repair & Maint. Supplies	1,213	2,070	1,107	589	3,000	20%	3,000		3,000	100%
240	Clothing Replacement	3,552		9	230	2,000	12%	2,000		2,000	100%
245	Radio/Pager Repair	336	1,499	713	568	1,500	38%	1,500		1,500	100%
300	Professional Services	400	670	1,104	1,399	400	350%	800		800	200%
	FEMA grant writer										
301	Audit		3,790	3,815	3,995	3,800	105%	3,850		3,850	101%
302	Legal Consulting	3,728				500	0%	500		500	100%
315	Fire Dept Aid 2%	19,118	19,603	19,281	2,226	14,226	16%	16,500		16,500	116%
	= to amount budgeted to receive from State (225.33400) + annual relief association contribution										
320	Telephone	877	881	1,248	905	900	101%	1,100		1,100	122%
330	Training	2,435	3,000	3,375		3,500	0%	4,000		4,000	114%
332	State/Chief Conference	250	600	600	600	750	80%	900		900	120%
333	Physicals	545	565	540	1,075	600	179%	600		600	100%
335	Mileage & Reimb Exp		766	843	70	750	9%	800		800	107%
360	Workers Comp Insurance	3,823	3,650	3,802	2,031	5,000	41%	5,000		5,000	100%
361	Liability Insurance	3,441	3,032	2,683	1,327	6,000	22%	6,000		6,000	100%
381	Electric	1,823	1,632	1,759	1,559	2,250	69%	2,250		2,250	100%
382	Heating Gas	891	982	1,281	1,146	1,750	65%	1,750		1,750	100%
383	Garbage	339	647	353	240	350	69%	400		400	114%
401	Truck Repairs	5,518	9,187	3,179	4,857	5,000	97%	5,000		5,000	100%
430	Miscellaneous	82	2,733	1,000	1,792	500	358%	500		500	100%
433	Dues	270	278	558	55	350	16%	500		500	143%
550	Motor Vehicles			424,822		0	0%			0	0%
560	Furniture and Fixtures			9,108		0	0%			0	0%
580	Other Equipment	591				0	0%			0	0%
700	Transfers	3,500	3,500	3,500	3,500	3,500	100%	3,500		3,500	100%
	Transfer to the Fire Contract revenue account 225.34202										
	Account:	91,653	106,586	520,407	41,275	99,976	41%	101,992	0	101,992	102%
	Fund:	91,653	106,586	520,407	41,275	99,976	41%	101,992	0	101,992	102%
	Grand Total:	91,653	106,586	520,407	41,275	99,976		101,992	0	101,992	%

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225 AFSA Fund										
Account	Actuals				Current	%	Prelim.	Budget	Final	% Old
	2015	2016	2017	2018	Budget	Rec.	Budget	Change	Budget	Budget
					2018	2018	19	19	19	19
33400 State Grants & Aid/PERA										
33400 State Grants & Aid/PERA	17,020	19,863	17,098		12,000	0%	12,250		12,250	102%
All funds received are paid back out to the relief association - see 225.42200.315										
33420 State Fire Dept Aid		7,208	3,800	3,628	4,000	91%	4,250		4,250	106%
Training & education reimbursements										
Group:	17,020	27,071	20,898	3,628	16,000	23%	16,500	0	16,500	103%
33600 Grants & Aids from Local Government										
33621 County Fire Dept Aid			200		0	0%			0	0%
Group:			200		0	0%	0	0	0	0%
34200 Public Safety										
34202 Fire Contract	89,700	85,084	84,448	85,314	85,048	100%	88,960		88,960	104%
Our auditors now require that the City of Freeport's portion is recorded as a revenue transfer instead of on this line. See also 225.39400.										
34203 Fire Revenues	2,880	3,233	3,669	2,711	500	542%	500		500	100%
34205 Rescue Revenues	11,650	8,990	9,781	3,215	5,250	61%	5,250		5,250	100%
Group:	104,230	97,307	97,898	91,240	90,798	100%	94,710	0	94,710	104%
36200 Miscellaneous Revenues										
36200 Miscellaneous Revenues	3,275			365,126	1,000	***%	1,000		1,000	100%
36210 Interest Earnings	2,640	3,927	9,097	1,823	1,000	182%	1,000		1,000	100%
Majority of cash will be used to purchase fire truck in 2017, therefore interest will be less in 2018										
36230 Donations - Private	3,200	6,717	23,717	23,700	3,000	790%	3,000		3,000	100%
Group:	9,115	10,644	32,814	390,649	5,000	***%	5,000	0	5,000	100%
39400 Transfer from General										
39400 Transfer from General	42,225	40,224	39,924	40,207	40,207	100%	42,056		42,056	104%
Our auditors now require that the City of Freeport's portion is recorded as a revenue transfer instead of on the Fire Contract line. See also 225.34202.										
Group:	42,225	40,224	39,924	40,207	40,207	100%	42,056	0	42,056	104%
Fund:	172,590	175,246	191,734	525,724	152,005	346%	158,266	0	158,266	104%
Grand Total :	172,590	175,246	191,734	525,724	152,005		158,266	0	158,266	

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		Actuals				Current	%	Prelim.	Budget	Final	% Old
		2015	2016	2017	2018	Budget	Exp.	Budget	Changes	Budget	Budget
Account	Object	2015	2016	2017	2018	2018	2018	19	19	19	19
<hr/>											
601 Water											
43225 Water											
200 Postage		592	705	766	613	725	85%	800		800	110%
210 Operating Supplies		4,827	1,444	460	1,367	2,000	68%	2,000		2,000	100%
220 Repair & Maint. Supplies		166	769	563	291	650	45%	650		650	100%
300 Professional Services		199	652	148	55	300	18%	300		300	100%
Gopher State One Call, SEH, Preferred Controls											
311 Outside Maintenance			8,358	1,500		4,000	0%	4,000		4,000	100%
2018 budget: Clean water tower \$3,000, Other \$1,000											
2016 includes \$7500 for water tower tank mixing system											
320 Telephone		616	233	243	159	300	53%	300		300	100%
330 Training			465	115	115	125	92%	125		125	100%
MRWA Technical Conference (half)											
335 Mileage & Reimb Exp						50	0%	50		50	100%
350 Notices & Publication			384	373	827	500	165%	850		850	170%
361 Liability Insurance		809	781	767	379	825	46%	825		825	100%
381 Electric		4,235	5,836	5,600	3,766	6,000	63%	6,000		6,000	100%
420 Depreciation		29,615	71,080	71,080		71,080	0%	71,080		71,080	100%
2016: needed to include depreciation that has been allocated to Fund 415 USDA in prior years. Fund 415 was merged into Fund 601 at the end of 2015.											
430 Miscellaneous		25		100		250	0%	250		250	100%
431 Permits/License		1,716	1,950	1,878	1,615	2,500	65%	2,500		2,500	100%
433 Dues		2,117	1,693	1,332	1,450	2,125	68%	2,125		2,125	100%
Black Mountain \$800, MRWA \$300, City well facility fees \$200, Badger Meter renewal \$825											
440 Chemical Purification		3,568	4,589	1,578	662	4,000	17%	4,000		4,000	100%
450 Sales Tax				1,368	698	1,000	70%	1,000		1,000	100%
For water sold to commercial customers											
600 Bond Principal					40,000	40,000	100%	41,000		41,000	103%
USDA loan \$26,000 + 2013A \$15,000											
610 Bond Interest			33,051	32,111	31,746	32,160	99%	31,360		31,360	98%
USDA loan \$24,620 + 2013A \$6,740											
700 Transfers		81,601	53,867	54,867	54,867	54,867	100%	54,867		54,867	100%
2017-2019: Transfer to General Fund \$41,000; Transfer to USDA Water Reserve Fund \$13,867.											
2016: Transfer to General Fund \$40,000; Transfer to USDA Water Reserve Fund \$13,867.											
2015: Includes \$41,601 transfer to USDA Water Fund for 2013-2015.											
Account:		130,086	185,857	174,849	138,610	223,457	62%	224,082	0	224,082	100%
Fund:		130,086	185,857	174,849	138,610	223,457	62%	224,082	0	224,082	100%
Grand Total :		130,086	185,857	174,849	138,610	223,457		224,082	0	224,082	

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Account	Actuals				Current	%	Prelim.	Budget	Final	% Old
	2015	2016	2017	2018	Budget	Rec.	Budget	Change	Budget	Budget
					2018	2018	19	19	19	19
<hr/>										
601 Water										
31300 General Sales and Use Tax										
31300 General Sales and Use Tax			1,080	650	0 ***%				0	0%
Group:			1,080	650	0 ***%		0	0	0	0%
33400 State Grants & Aid/PERA										
33400 State Grants & Aid/PERA				2,625	0 ***%				0	0%
2018 Source water protection grant										
Group:				2,625	0 ***%		0	0	0	0%
34000 Charges for Services										
34000 Charges for Services	160,675	158,027	118,635	71,002	114,280	62%	119,000		119,000	104%
Rate change effective Jan 1, 2017 - shift utility charges more to sewer & less to water										
34050 Hook-up fee	2,300			2,400	1,200	200%	1,200		1,200	100%
Group:	162,975	158,027	118,635	73,402	115,480	64%	120,200	0	120,200	104%
36100 Special Assessments										
36100 Special Assessments	604	10,953	7,330	21,636	9,900	219%	14,000		14,000	141%
Prior to 2016, these assessments were recorded in Fund 415 USDA Rural Development Project										
Group:	604	10,953	7,330	21,636	9,900	219%	14,000	0	14,000	141%
36200 Miscellaneous Revenues										
36210 Interest Earnings	2,260	3,310	4,066	1,912	4,000	48%	4,000		4,000	100%
Group:	2,260	3,310	4,066	1,912	4,000	48%	4,000	0	4,000	100%
39200 Transfer from other funds										
39200 Transfer from other funds	498,199				0	0%			0	0%
2015: Close fund 415 (USDA) to fund 601										
Group:	498,199				0	0%	0	0	0	0%
Fund:	664,038	172,290	131,111	100,225	129,380	77%	138,200	0	138,200	106%
603 Water - USDA Reserve										
39700 Transfer from Water										
39700 Transfer from Water	41,601	13,867	13,867	13,867	13,867	100%	13,867		13,867	100%
Reserve fund required by USDA										
Group:	41,601	13,867	13,867	13,867	13,867	100%	13,867	0	13,867	100%

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Account	Actuals				Current	%	Prelim.	Budget	Final	% Old
	2015	2016	2017	2018	Budget 2018	Rec. 2018	Budget 19	Change 19	Budget 19	Budget 19
Fund:	41,601	13,867	13,867	13,867	13,867	100%	13,867	0	13,867	100%
Grand Total :	705,639	186,157	144,978	114,092	143,247		152,067	0	152,067	

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602 Waste Water		Actuals				Current	%	Prelim.	Budget	Final	% Old
Account	Object	2015	2016	2017	2018	Budget 2018	Exp. 2018	Budget 19	Changes 19	Budget 19	Budget 19

43250 Sewage Collection and Disposal											
200	Postage	537	822	645	503	800	63%	800	_____	800	100%
210	Operating Supplies	180	4,232	2,163	2,179	2,300	95%	2,300	_____	2,300	100%
	Bill cards \$400, Misc \$100, Lagoon bugs & aquatic weed kill \$1,800										
220	Repair & Maint. Supplies				1,073	1,000	107%	1,000	_____	1,000	100%
	2018 plan to purchase hose & fittings										
300	Professional Services	14,924	1,586	4,112	470	2,000	24%	2,000	_____	2,000	100%
	Gopher State One Call, SEH										
	2015 includes \$11,200 for sewer televising & SEH review										
311	Outside Maintenance		2,348	19,401	19,030	7,500	254%	9,400	_____	9,400	125%
	2019: Johnson Jet-Line (yr 3 of 5 yr contract) \$5,325, Johnson Jet-Line add'l service \$1,675, Tri-State annual inspection of 3 lift stations \$1,400, Other maintenance \$1,000										
	2018: Johnson Jet-Line (yr 2 of 5 yr contract) \$5,325 + extra services \$2,650, Tri-State annual inspection of 3 lift stations \$1,365, Pond rock repair \$8,900, Other maintenance \$700										
	2017: Johnson Jet-Line (yr 1 of 5 yr contract) \$5,325, sanitary sewer by school \$13,425										
320	Telephone	218	233	243	159	250	64%	250	_____	250	100%
330	Training	250	113	115	115	125	92%	125	_____	125	100%
	MRWA Technical Conference (half)										
335	Mileage & Reimb Exp			100		100	0%	100	_____	100	100%
361	Liability Insurance	1,972	1,552	1,497	659	1,700	39%	1,700	_____	1,700	100%
381	Electric	651	911	750	677	900	75%	900	_____	900	100%
420	Depreciation	61,632	61,632	61,632		61,632	0%	61,632	_____	61,632	100%
430	Miscellaneous	26				0	0%	_____	_____	0	0%
431	Permits/License	1,570		100		30	0%	30	_____	30	100%
	Wastewater certification renewal										
	2015: WWTR Permit Application \$330, 5 yr permit \$1,240										
	2017: Loren's exam & initial certificate										
433	Dues	1,439	1,493	728	975	1,600	61%	1,600	_____	1,600	100%
	Black Mountain \$750, Badger Meter renewal \$850										
460	Lab Testing	1,149	902	882	504	1,000	50%	1,000	_____	1,000	100%
600	Bond Principal				25,000	25,000	100%	25,000	_____	25,000	100%
	2013 GO refunding bonds										
610	Bond Interest	3,805	2,368	1,986	3,133	3,150	99%	2,650	_____	2,650	84%
	2013 GO refunding bonds										
620	Fiscal Agents Fees	165				0	0%	_____	_____	0	0%
700	Transfers	48,400	42,800	43,800	43,800	43,800	100%	43,800	_____	43,800	100%
	2017-2019: Transfer to General Fund \$41,000; Transfer to USDA Waste Water Reserve Fund \$2,800.										
	2016: Transfer to General Fund \$40,000; Transfer to USDA Waste Water Reserve Fund \$2,800.										
	2015: Includes \$8,400 transfer to USDA Waste Water Fund for 2013-2015.										
	Account:	136,918	120,992	138,154	98,277	152,887	64%	154,287	0	154,287	101%
	Fund:	136,918	120,992	138,154	98,277	152,887	64%	154,287	0	154,287	101%
	%										
Grand Total :		136,918	120,992	138,154	98,277	152,887		154,287	0	154,287	

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Account	Actuals				Current	%	Prelim.	Budget	Final	% Old
	2015	2016	2017	2018	Budget	Rec.	Budget	Change	Budget	Budget
					2018	2018	19	19	19	19
<hr/>										
602 Waste Water										
34000 Charges for Services										
34000 Charges for Services	79,244	87,911	134,886	76,580	135,800	56%	136,000		136,000	100%
Sewer rates were raised by 10% beginning July 2016.										
Rate change effective Jan 1, 2017 - shift utility charges more to sewer & less to water.										
34050 Hook-up fee	1,200			2,400	1,200	200%	1,200		1,200	100%
Group:	80,444	87,911	134,886	78,980	137,000	58%	137,200	0	137,200	100%
36100 Special Assessments										
36100 Special Assessments	-462				0	0%			0	0%
Group:	-462				0	0%	0	0	0	0%
36200 Miscellaneous Revenues										
36210 Interest Earnings	662	188	429	285	200	143%	500		500	250%
Group:	662	188	429	285	200	143%	500	0	500	250%
Fund:	80,644	88,099	135,315	79,265	137,200	58%	137,700	0	137,700	100%
604 Waste Water - USDA Reserve										
39800 Transfer From WasteWater										
39800 Transfer From WasteWater	8,400	2,800	2,800	2,800	2,800	100%	2,800		2,800	100%
Reserve fund required by USDA										
Group:	8,400	2,800	2,800	2,800	2,800	100%	2,800	0	2,800	100%
Fund:	8,400	2,800	2,800	2,800	2,800	100%	2,800	0	2,800	100%
Grand Total :	89,044	90,899	138,115	82,065	140,000		140,500	0	140,500	

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Account	Object	Actuals				Current	%	Prelim.	Budget	Final	% Old
		2015	2016	2017	2018	Budget	Exp.	Budget	Changes	Budget	Budget
						2018	2018	19	19	19	19

265 TIF Swany White											
46508 TIF District Swany											
640	TIF Payment	2,744	2,915	2,986	1,492	3,000	50%	3,000		3,000	100%
	Account:	2,744	2,915	2,986	1,492	3,000	50%	3,000	0	3,000	100%
	Fund:	2,744	2,915	2,986	1,492	3,000	50%	3,000	0	3,000	100%
300 EDA											
46500 EDA Operations											
210	Operating Supplies	409	380	131	116	400	29%	150		150	38%
	EDA meeting meals										
300	Professional Services	1,565	440	3,669	17,923	560	***%	3,850		3,850	688%
	2015 \$1448 land sale closing costs, \$117 SEH										
	2016 Strack Consul ting										
	2017 \$1,589 land sale closing costs, \$2,080 SEH										
	2018 \$5,000 housing study, \$923 SEH, \$12,000 Ehlers set up TIF district										
302	Legal Consulting	1,934	826	192	848	2,000	42%	1,000		1,000	50%
335	Mileage & Reimb Exp					100	0%	100		100	100%
360	Workers Comp Insurance	42	19			50	0%	50		50	100%
429	County Recording Fees		46			50	0%	50		50	100%
430	Miscellaneous	12,000		21,666		2,000	0%	2,000		2,000	100%
	2015 value of land sold to MarVin Enterprises										
	2017 value of land sold to Carr's										
700	Transfers	43,552	5,000	5,000	5,000	5,000	100%	5,000		5,000	100%
	\$5000 transfer to General Fund										
	2015 includes \$38,552 for land sale proceeds transferred to bond fund 331										
	Account:	59,502	6,711	30,658	23,887	10,160	235%	12,200	0	12,200	120%
	Fund:	59,502	6,711	30,658	23,887	10,160	235%	12,200	0	12,200	120%
326 Bonds, 2013 (Refunding of Main St Improvements)											
47000 Debt Service											
600	Bond Principal		110,000	115,000	120,000	120,000	100%	120,000		120,000	100%
610	Bond Interest	7,150	13,200	10,950	9,031	8,600	105%	6,200		6,200	72%
620	Fiscal Agents Fees	165	495	495	495	495	100%	495		495	100%
	Account:	7,315	123,695	126,445	129,526	129,095	100%	126,695	0	126,695	98%
	Fund:	7,315	123,695	126,445	129,526	129,095	100%	126,695	0	126,695	98%

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		Actuals				Current	%	Prelim.	Budget	Final	% Old
Account	Object	2015	2016	2017	2018	Budget	Exp.	Budget	Changes	Budget	Budget
		2018	2018	2018	2018	2018	2018	19	19	19	19

331 Bonds, 2012 (Refunding of Industrial Park)											
47000 Debt Service											
600	Bond Principal	20,000	160,000	160,000	165,000	165,000	100%	170,000		170,000	103%
610	Bond Interest	20,603	19,568	17,568	15,209	15,209	100%	12,443		12,443	82%
620	Fiscal Agents Fees	495	495	495	495	495	100%	495		495	100%
	Account:	41,098	180,063	178,063	180,704	180,704	100%	182,938	0	182,938	101%
	Fund:	41,098	180,063	178,063	180,704	180,704	100%	182,938	0	182,938	101%

412 North End Park Fund											
45200 Parks											
220	Repair & Maint. Supplies			50		0	0%			0	0%
	Account:			50		0	***%	0	0	0	0%
	Fund:			50		0	0%	0	0	0	0%

417 Street Improvements											
43100 Highways, Streets & Roadways											
300	Professional Services			29		0	0%			0	0%
311	Outside Maintenance			10,251		0	0%			0	0%
	Account:			10,280		0	***%	0	0	0	0%
	Fund:			10,280		0	0%	0	0	0	0%

	Grand Total :	110,659	313,384	348,482	335,609	322,959		324,833	0	324,833	

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Account	Actuals				Current	%	Prelim.	Budget	Final	% Old
	2015	2016	2017	2018	Budget	Rec.	Budget	Change	Budget	Budget
	2015	2016	2017	2018	2018	2018	19	19	19	19
<hr/>										
265 TIF Swany White										
31100 Bond Levy										
31150 Tax Increments	2,744	2,915	2,986	1,492	3,000	50%	3,000		3,000	100%
Group:	2,744	2,915	2,986	1,492	3,000	50%	3,000	0	3,000	100%
Fund:	2,744	2,915	2,986	1,492	3,000	50%	3,000	0	3,000	100%
300 EDA										
31000 General Property Taxes										
31000 General Property Taxes	9,988	9,916	9,971	5,418	10,000	54%	12,000		12,000	120%
Group:	9,988	9,916	9,971	5,418	10,000	54%	12,000	0	12,000	120%
36200 Miscellaneous Revenues										
36210 Interest Earnings	174	196	267	97	160	61%	200		200	125%
36290 Sale Land/Property	40,000		14,383		0	0%			0	0%
Group:	40,174	196	14,650	97	160	61%	200	0	200	125%
Fund:	50,162	10,112	24,621	5,515	10,160	54%	12,200	0	12,200	120%
326 Bonds, 2013 (Refunding of Main St Improvements)										
31000 General Property Taxes										
31000 General Property Taxes		91,688	93,161	51,196	94,500	54%	95,500		95,500	101%
Group:		91,688	93,161	51,196	94,500	54%	95,500	0	95,500	101%
36100 Special Assessments										
36100 Special Assessments		11,591	7,557	4,602	8,281	56%	8,281		8,281	100%
Group:		11,591	7,557	4,602	8,281	56%	8,281	0	8,281	100%
36200 Miscellaneous Revenues										
36210 Interest Earnings	1,080	593	410	74	473	16%	346		346	73%
Group:	1,080	593	410	74	473	16%	346	0	346	73%
39200 Transfer from other funds										
39200 Transfer from other funds	157,877				0	0%			0	0%
2015 transfer was from Fund 325, which was closed										
Group:	157,877				0	0%	0	0	0	0%

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Account	Actuals				Current	%	Prelim.	Budget	Final	% Old
	2015	2016	2017	2018	Budget	Rec.	Budget	Change	Budget	Budget
	2015	2016	2017	2018	2018	2018	19	19	19	19
Fund:	158,957	103,872	101,128	55,872	103,254	54%	104,127	0	104,127	100%
331 Bonds, 2012 (Refunding of Industrial Park)										
31000 General Property Taxes										
31000 General Property Taxes	69,352	89,183	94,616	54,148	100,000	54%	105,000		105,000	105%
Group:	69,352	89,183	94,616	54,148	100,000	54%	105,000	0	105,000	105%
36100 Special Assessments										
36100 Special Assessments			21,666		0	0%			0	0%
2017: From Industrial Park lot sale										
Group:			21,666		0	0%	0	0	0	0%
36200 Miscellaneous Revenues										
36210 Interest Earnings	3,313	2,538	2,150	692	1,216	57%	935		935	76%
Group:	3,313	2,538	2,150	692	1,216	57%	935	0	935	76%
39200 Transfer from other funds										
39200 Transfer from other funds	421,755				0	0%			0	0%
2015 transfer was from Fund 330, which was closed										
Group:	421,755				0	0%	0	0	0	0%
Fund:	494,420	91,721	118,432	54,840	101,216	54%	105,935	0	105,935	104%
407 2006 Small Cities Grant										
36100 Special Assessments										
36101 Principal on Note	7,887	2,549	1,146	1,428	1,428	100%	1,428		1,428	100%
36102 Penalties and Interest	201	66	11	29	29	100%	14		14	48%
Group:	8,088	2,615	1,157	1,457	1,457	100%	1,442	0	1,442	98%
36200 Miscellaneous Revenues										
36210 Interest Earnings	572	702	803	364	750	49%	750		750	100%
Group:	572	702	803	364	750	49%	750	0	750	100%
Fund:	8,660	3,317	1,960	1,821	2,207	83%	2,192	0	2,192	99%

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CITY OF FREEPORT
Revenue Budget Report -- Multi Year Actuals
For the Year: 2019

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Account	Actuals				Current	%	Prelim.	Budget	Final	% Old
	2015	2016	2017	2018	Budget	Rec.	Budget	Change	Budget	Budget
					2018	2018	19	19	19	19
<hr/>										
410 South End Park Fund										
36200 Miscellaneous Revenues										
36210 Interest Earnings	12	13	42	31	50	62%	60		60	120%
Group:	12	13	42	31	50	62%	60	0	60	120%
39400 Transfer from General										
39400 Transfer from General			5,000	5,000	5,000	100%	5,000		5,000	100%
2017 Set aside funds for future south end park										
Group:			5,000	5,000	5,000	100%	5,000	0	5,000	100%
Fund:	12	13	5,042	5,031	5,050	100%	5,060	0	5,060	100%
412 North End Park Fund										
36200 Miscellaneous Revenues										
36210 Interest Earnings	12	14	23	10	20	50%	20		20	100%
36230 Donations - Private			1,000		0	0%			0	0%
Group:	12	14	1,023	10	20	50%	20	0	20	100%
Fund:	12	14	1,023	10	20	50%	20	0	20	100%
416 Bucket Fund - Old Tower Preservation										
36200 Miscellaneous Revenues										
36210 Interest Earnings	36	41	46	20	45	44%	45		45	100%
Group:	36	41	46	20	45	44%	45	0	45	100%
Fund:	36	41	46	20	45	44%	45	0	45	100%
417 Street Improvements										
33400 State Grants & Aid/PERA										
33431 Small City Transportation			8,980	4,592	8,980	51%			0	0%
During 2017 session, legislature funded 2017 & 2018.										
In 2015, \$14,466 received & was recorded in 101.33431.										
Legislature has not yet funded this for 2019, so \$0 budgeted.										
Group:			8,980	4,592	8,980	51%	0	0	0	0%

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CITY OF FREEPORT
Revenue Budget Report -- Multi Year Actuals
For the Year: 2019

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Account	Actuals				Current	%	Prelim.	Budget	Final	% Old
	2015	2016	2017	2018	Budget	Rec.	Budget	Change	Budget	Budget
					2018	2018	19	19	19	19
<hr/>										
417 Street Improvements										
36200 Miscellaneous Revenues										
36210 Interest Earnings		470	1,004	613	1,000	61%	1,200		1,200	120%
Group:		470	1,004	613	1,000	61%	1,200	0	1,200	120%
39400 Transfer from General										
39400 Transfer from General		70,000	70,000	72,000	72,000	100%	72,000		72,000	100%
Set aside funds for future street improvement										
Group:		70,000	70,000	72,000	72,000	100%	72,000	0	72,000	100%
Fund:		70,470	79,984	77,205	81,980	94%	73,200	0	73,200	89%
418 Capital Equipment										
36200 Miscellaneous Revenues										
36210 Interest Earnings		70	142	88	150	59%	180		180	120%
Group:		70	142	88	150	59%	180	0	180	120%
39400 Transfer from General										
39400 Transfer from General		10,000	10,000	10,000	10,000	100%	10,000		10,000	100%
Set aside funds for future equipment purchases										
Group:		10,000	10,000	10,000	10,000	100%	10,000	0	10,000	100%
Fund:		10,070	10,142	10,088	10,150	99%	10,180	0	10,180	100%
419 Street Lights										
36200 Miscellaneous Revenues										
36210 Interest Earnings			55	70	80	88%	150		150	187%
Group:			55	70	80	88%	150	0	150	187%
39400 Transfer from General										
39400 Transfer from General			10,000	30,000	30,000	100%	30,000		30,000	100%
Set aside funds for future street light purchases										
Group:			10,000	30,000	30,000	100%	30,000	0	30,000	100%
Fund:			10,055	30,070	30,080	100%	30,150	0	30,150	100%
Grand Total :	715,003	292,545	355,419	241,964	347,162		346,109	0	346,109	



CITY OF FREEPORT

125 Main Street E – PO Box 301 – Freeport, MN 56331 – 320-836-2112
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RESOLUTION 2018-10

A RESOLUTION ADOPTING PROPOSED 2019 BUDGET AND ORDERING CERTIFICATIONS OF PROPOSED 2019 LEVY TO COUNTY AUDITOR

WHEREAS; Minnesota State Statutes require that all local units of government formally adopt a preliminary tax levy for the proceeding fiscal year on or before September 30, 2018; and

WHEREAS; The Freeport City Council and City staff have done preliminary analysis of the demands for goods, services and other debt obligations to be provided for the City in 2019 and have attached such proposed budget in Appendix A; and

NOW, THEREFORE BE IT RESOLVED; The Freeport City Council has determined that the 2019 proposed tax levy shall be set, and directs the City Clerk to notify the Stearns County Auditor of this proposed levy amounts:

General Levy	\$275,000
EDA Levy	\$ 12,000
2013 GO Bond Levy	\$ 95,500
2012 GO Bond Levy	\$105,000
<hr/>	
Total Tax Levy	\$487,500

FURTHERMORE; The City Council hereby sets November 27, 2018 as the public hearing date for comment on the 2019 budget and tax levy. The meeting will be held at 7:00 pm at the Freeport City Hall, 125 Main Street East in the City of Freeport

Dated this 25th day of September 2018

Motion by:

Second by:

Council members in favor:

Opposed or abstained:

Rodney Atkinson, Mayor

ATTEST:

Adrianna Hennen, Clerk-Treasurer

Drafted by: Joan Wall, Deputy Treasurer
City of Freeport, MN, 125 Main Street East, PO Box 301, Freeport, MN 56331