



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

May 28, 2024 - Regular Meeting Agenda
Freeport City Hall - 7:00 pm

Call to Order

- I. Approve Agenda
- II. Public Forum
- III. Consent Agenda
 - a. April 30, 2024 Meeting Minutes (1-4)
 - b. May 20, 2024 Special Meeting Minutes (5-19)
 - c. Claims Report (20-21)
 - d. Sheriff's Report (22)
- IV. Reports
 - a. Clerk-Treasurer Report (23)
 - b. Fire Department Report (N/A)
 - c. Public Works Report (24)
 - d. Engineer Report (25)
 - e. Attorney Report (26)
- V. New Business
 - a. Creamery Property (27)
 - b. County 11 Sidewalk Repair (28-31)
 - c. Sidewalk Grant Acceptance (32)
 - d. Billboards for Welle Four Addition (33)
- VI. Adjourn

Next Regular Meeting: May 28, 2024



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cityfrpt@albanytel.com

April 30, 2024 – Council Meeting Minutes

A regular meeting of the Freeport City Council was convened at 7:00 pm by Mayor Mike Eveslage, and council members Nick Arnzen, Sarah Blake, Tim Hennen & Jake Renneker.

Staff in attendance: City Clerk-Treasurer Jon Nelson, Public Works Director Loren Goebel, Fire Chief Andy Grieve, Engineer Dave Blommel, City Attorney Scott Dymoke, & Financial Advisor Ashley Feldewerd

Others in attendance: Carol Moorman – Star Post, Cheryl Fuechtmann – Freeport Screen Printing, Jason Hoeschen, Al Notch, Shauna Bloch – Pionner Inn, Jim Notch, Jim Hemker, Jason Murray – David Drown Associates, & Ryan Schmidt – Schlenner Wenner & Co.

Approve Agenda

- Hennen motioned to approve the agenda, seconded by Blake. Motion carried.

Public Forum

- Fuechtmann was looking for an update on the sidewalk in front of Freeport Screen Printing. Engineer Blommel will go over that in his report.
- Al Notch is looking for a solution for his lawn that isn't growing from the 2021 sewer project, it has been seeded five times. Kuechle will add black dirt and reseed when they are in town for the Welle project.

Consent Agenda

- Renneker motioned to approve the consent agenda, seconded by Arnzen. Motion carried.

Reports

a. Clerk-Treasurer Report – Jon Nelson

- Nelson stated that the items he has been working on are on the agenda.

b. Fire Department Report – Fire Chief Andy Grieve

- 8 calls last month.
- Put new tires on the old pumper
- New rescue rig is getting painted
- A new tanker is scheduled for 2026. Grieve has been gathering quotes.
- The fire hall is in need of some structural repairs that should be addressed before the new roof is put on.

- c. Public Works Report – Public Works Director Loren Goebel
 - Kotzer will be digging out a ditch to create proper drainage in the 5th Ave NE / 1 ½ St NE area.
- d. Engineer Report – City Engineer Dave Blommel
 - All materials are on order for the 2024 streetlight project, we do not have ship dates on all of them yet.
 - Although we scored very well, we did not receive funds from MnDOT’s Transportation Alternatives Grant.
- e. Attorney Report – Attorney Scott Dymoke
 - Dymoke assisted Nelson with multiple public data requests from a company called FOIA Buddy.

New Business

- a. 2023 Audit Presentation – Ryan Schmidt, Schlenner Wenner & Co.
 - Schmidt reviewed the city’s audit with council. Ryan and his team found no areas of concern and the audit process went very smoothly. Having segregation in duties and the oversight of Abdo contributed to another clean audit.
- b. 2024A General Obligation Tax Abatement Bonds – Jason Murray, David Drown Associates
 - Murray Reviewed bonding scenarios for Welle Country Acres Four. The city was able to secure local funding with a very low interest rate and chose to forego the USDA funding that has been a hang up during this whole process.
 - The local funding will be at a better rate than USDA and will only be a 15-year term, vs. the 40-year term that many EDA and council members were not comfortable with.
 - Resolution 2024-08 – A Resolution Calling for a Public Hearing for Tax Abatement to Finance Welle’s Country Acres Four:

Pursuant to due call and notice thereof, a regular meeting of the City Council of Freeport, Minnesota was duly held at City Hall on the 30th day of April 2024 at 7:00 o'clock p.m. for the purpose, in part, of calling for a public hearing on the approval of a property tax abatement.

The following Council Members were present: Mayor Eveslage, Arnzen, Blake, Hennen, & Renneker

and the following were absent: none

Mayor Eveslage introduced the following resolution and moved its adoption;

**RESOLUTION 2024-08 SETTING DATE FOR A PUBLIC HEARING
ON THE APPROVAL OF A TAX ABATEMENT RESOLUTION
TO FINANCE WELLE’S COUNTRY ACRES FOUR**

WHEREAS:

1. The City of Freeport has determined it necessary and feasible to assist with public costs – specifically the public infrastructure cost for Welle housing subdivision, within its corporate limits; and
2. The City Council intends to abate its share of property taxes on benefitting parcels benefiting from the project to finance the costs constructing said improvements, under the authority of Minnesota Statutes 469.1812 to 469.1815 (the “Abatement Law”); and
3. Prior to approving an abatement resolution and the use of tax abatement the City must hold a public hearing.

BE IT RESOLVED by the City Council as follows:

1. Public Hearing. The City Council shall hold a public hearing on the use of tax abatement and the issuance of general obligation tax abatement bonds to finance the costs related to the public infrastructure cost for Welle housing subdivision at 7:00 P.M. on Monday, May 20th, 2024, at the Freeport City Hall. Staff is directed to publish notice of this hearing as required by Abatement Law.

The motion for the adoption of the foregoing resolution was duly seconded by Council Member Hennen and upon vote being taken thereon, the following voted in favor: Eveslage, Hennen, Arnzen, Blake, & Renneker

and the following voted against the same: none

Whereupon said resolution was declared duly passed and adopted.

- c. Food Trucks – Shauna Bloch, Pioneer Inn
 - Bloch is hiring food trucks to serve outside the Pioneer Inn throughout the summer. She requested that council approve her blocking off public parking spaces to accommodate the trucks in front of her building.
 - Mayor Eveslage expressed concern about setting the precedence of food trucks coming and setting up in public spaces as he wants to protect our brick & mortar establishments.
 - After discussion, both parties agreed that it would be best for the food trucks to park in the Pioneer Inn’s rear parking lot.
- d. 2024 First Quarter Report – Ashley Feldewerd, Abdo
 - Feldewerd reviewed 2024 first quarter revenues and expenses with council.
- e. Resolution 2024-09 Approving Annual Liquor License Renewals
 - Arnzen motioned to approve Resolution 2024-09, seconded by Hennen. Motion carried.
- f. 7th St SE Ditch Grading Bids
 - Nelson reached out to Kotzer Excavating, Kuechle Underground, & Hoppe’s Dirtwork for quotations to grade the ditch along the residential side of 7th St SE. The ditch has been difficult for residents to mow after the street reconstruction that steepened the grade

of the ditch. The project would make the grade more gradual and the affected areas would be hydroseeded upon completion.

- Nelson received quotations back from Hoppe's Dirtwork in the amount of \$8,632 and from Kuechle Underground in the amount of \$12,075.
- Hennen motioned to award the project to Hoppe's Dirtwork, seconded by Arnzen. Motion carried with Eveslage abstaining.

Adjourn

Arnzen motioned to adjourn, seconded by Blake. Motion carried.

Mayor Mike Eveslage

Clerk-Treasurer Jon Nelson



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May 20, 2024 – Special Council Meeting Minutes

A special meeting of the Freeport City Council was convened at 7:00pm by acting Mayor Tim Hennen and council members Nick Arnzen, Sarah Blake & Jake Renneker. Mayor Mike Eveslage showed up late.

Staff in attendance: City Clerk-Treasurer Jon Nelson

Others in attendance: Jim Hemker, Fritz Hoeschen, Jason Murray – David Drown Associates

Approve Agenda

- Arnzen motioned to approve the agenda, seconded by Blake. Motion carried.

Public Hearing

- Acting Mayor Hennen opened the public form at 7:08pm.
- Hoeschen asked if his property was included in the tax abatement and what affects it would have on it. Hoeschen's property was on the list and Murray explained that there will be no negative impacts on his property and that the process of the tax abatement if for the City of Freeport to show that we have enough properties to pay our debts back.
- Mayor Eveslage closed the public hearing at 7:19pm.

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Freeport, Stearns County, Minnesota, was duly called and held at the Freeport City Hall, located at 125 East Main Street, in the City of Freeport, on Monday, May 20, 2024, at 7:00 P.M., for the purpose of approving tax abatements on property within the City for costs associated with public infrastructure cost for Welle housing subdivision.

The following Council members were present: Eveslage, Arnzen, Hennen, Renneker & Blake
and the following were absent: none

Council member Hennen introduced the following resolution and moved its adoption:

RESOLUTION 2024-10

RESOLUTION AUTHORIZING A TAX ABATEMENT ON PROPERTY WITHIN THE CITY OF FREEPORT FOR PUBLIC INFRASTRUCTURE FOR THE WELLE HOUSING SUBDIVISION PROJECT

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

Section 1. Recitals.

1.01. The City has contemplated granting a property tax abatement in order to finance costs associated with public infrastructure cost for Welle housing subdivision in the City (the "Project"), pursuant to Minnesota Statutes Sections 469.1812 through 469.1815 (the "Act").

1.02. Pursuant to Section 469.1813, subd. 2(a) of the Act, the City may identify particular parcels and provide, by resolution, that the City may reduce all or a portion of the City's share of property taxes on the parcels in question to pay for public infrastructure despite whether or not said parcels are located on or adjacent to said improvements.

1.03. The City has identified certain parcels (the "Abatement Property" – parcel numbers below), from which the City proposes to collect 100% of the City's share of taxes over a fifteen-year period commencing with taxes payable 2025 to fund up to \$1,551,000 of the Project costs identified above.

54.32079.0000	54.32127.0009	54.32269.0142
54.32127.0006	54.32127.0008	54.32269.0140
54.32127.0005	54.32127.0007	54.32269.0138
54.32127.0004	54.32269.0100	54.32269.0136
54.32127.0002	54.32269.0102	54.32269.0134
54.32127.0001	54.32269.0103	54.32269.0132
54.32127.0000	54.32269.0104	54.32269.0130
54.32127.0021	54.32269.0106	54.32269.0128
54.32127.0020	54.32269.0108	54.32269.0126
54.32127.0019	54.32269.0110	54.32269.0160
54.32127.0018	54.32269.0112	54.32269.0161
54.32018.0002	54.32269.0114	54.32269.0162
54.32127.0017	54.32269.0116	54.32269.0163
54.32127.0016	54.32269.0118	54.32269.0164
54.32127.0015	54.32269.0120	54.32269.0165
54.32127.0014	54.32269.0122	54.32269.0166
54.32127.0013	54.32269.0124	54.32269.0184
54.32127.0012	54.32269.0148	
54.32127.0011	54.32269.0146	
54.32127.0010	54.32269.0144	

1.04. On May 20, 2024, the Council conducted a duly noticed public hearing on the Abatement at which the views of all interested persons were heard.

Section 2. Findings.

2.01. It is hereby found and determined that the benefits to the City from the abatement will be at least equal to the costs to the City of the Abatement, because the Project will result in much needed public improvements that will benefit the City.

2.02. It is hereby found and determined that the abatement is in the public interest for the following reasons:

- (a) the abatement will finance public infrastructure

Section 3. Actions Ratified; Abatement Approved.

3.01. The Council hereby ratifies all actions of the City's staff and consultants in arranging for approval of this resolution in accordance with the Act.

3.02. Subject to the provisions of the Act, the Abatement is hereby approved and adopted subject to the terms and conditions noted herein.

3.03 In accordance with Section 469.1813, subdivision 8 of the Act, in no year shall the abatement, together with all other abatements approved by the City under the Act and paid in that year exceed the greater of 10% of the City's Net Tax Capacity for that year or \$200,000 (the "Abatement Cap"). The City may grant any other abatements permitted under the Act after the date of this resolution, provided that to the extent the total abatements in any year exceed the Abatement Cap, the allocation of Abatement Cap to such other abatements is subordinate to the Abatements under this Resolution.

The motion for the adoption of the foregoing resolution was duly seconded by Council member Arnzen and upon vote being taken thereon, the following voted in favor: Eveslage, Arnzen, Hennen, Renneker & Blake

and the following voted against the same: None

Whereupon said resolution was declared duly passed and adopted.

Pursuant to due call and notice thereof, a regular or special meeting of the City Council of the City of Freeport, Stearns County, Minnesota, was duly called and held at the City Hall on May 20, 2024, at 7:00 P.M., for the purpose, in part, of authorizing the issuance and sale of a \$1,551,000 General Obligation Tax Abatement Bond, Series 2024A.

The following members were present: Eveslage, Arnzen, Hennen, Renneker & Blake

and the following were absent: none

Member Renneker introduced the following resolution and moved its adoption:

RESOLUTION 2024-11

**RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF A \$1,551,000
GENERAL OBLIGATION TAX ABATEMENT BOND, SERIES 2024A AND
PLEDGING TAX ABATEMENTS AND LEVYING A TAX FOR THE PAYMENT
THEREOF**

A. WHEREAS, the City Council of the City of Freeport, Minnesota (the "City"), has heretofore determined and declared that it is necessary and expedient to issue a \$1,551,000 General Obligation Tax Abatement Bond, Series 2024A (the "Bond"), pursuant to Minnesota

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Statutes, Chapter 475 and Sections 469.1812 through 469.1815, particularly Section 469.1814, to finance the public infrastructure cost for Welle housing subdivision located in the City (the "Project"); and

B. WHEREAS, on the date hereof, following duly published notice thereof, the Council held a public hearing on the proposed abatement to finance the Project and all persons who wished to speak or provide written information relative to the public hearing were afforded an opportunity to do so; and

C. WHEREAS, the City has heretofore established a tax abatement program (the "Program") pursuant to the provisions of Minnesota Statutes, Sections 469.1812 through 469.1815, with respect to providing for the abatement of property taxes for a period of ten (10) years on various properties in the City, as described in the resolution adopted by the City Council on the date hereof, approving the Program (the "Tax Abatement Resolution"); and

D. WHEREAS, the amount of the property taxes abated are estimated to be at least equal to the principal on the Bond and pursuant to the provisions of the Tax Abatement Resolution, Bond proceeds are to be expended to provide money to pay for the Project; and

E. WHEREAS, the City has retained David Drown Associates, Inc., in Minneapolis, Minnesota ("David Drown"), as its independent municipal advisor for the sale of the Bond and was therefore authorized to sell the Bond by private negotiation in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9); and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Freeport, Minnesota, as follows:

1. Acceptance of Offer. The offer of Freeport State Bank, in Freeport, Minnesota (the "Purchaser"), to purchase the Bond and to pay therefor the sum of \$1,551,000 ("Purchase Price"), all in accordance with the terms and at the rate of interest hereinafter set forth, is hereby accepted.

2. Original Issue Date; Denomination; Maturities; Interest Rate and Redemption. The City shall forthwith issue the Bond, which shall be in fully registered form without interest coupons, and shall be dated, mature, bear interest, be subject to redemption and be payable as provided in the form of the Bond.

3. Purpose. The Bond shall provide funds to finance construction of the Project. Pursuant to the Tax Abatement Resolution, the City's share of real estate taxes generated on the property identified in the Program (the "Tax Abatements") have been pledged to the payment of the Bond. The principal amount of the Bond does not exceed the estimated amount of Tax Abatements, which is \$1,551,000. Proceeds of the Bond shall be expended on costs or uses permitted by Minnesota Statutes, Sections 469.1812 through 469.1815, and shall not be expended on any costs or devoted to any other uses. The total cost of the Project, which shall include all costs enumerated in Minnesota Statutes, Section 475.65, is estimated to be at least equal to the amount of the Bond. The City covenants that it shall do all things and perform all

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acts required of it to assure that work on the Project proceeds with due diligence to completion and that any and all permits and studies required under law for the Project are obtained.

4. Registrar. The City Clerk-Treasurer, in Freeport, Minnesota, is appointed to act as Registrar and transfer agent with respect to the Bond (the "Registrar"), and shall do so unless and until a successor Registrar is duly appointed, all pursuant to any contract the City and Registrar shall execute which is consistent herewith. The Registrar shall also serve as paying agent unless and until a successor paying agent is duly appointed. Principal and interest on the Bond shall be paid to the registered holder (or record holder) of the Bond in the manner set forth in the form of Bond.

5. Form of Bond. The Bond, together with the Certificate of Registration, shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MINNESOTA
STEARNS COUNTY
CITY OF FREEPORT

R-1

\$1,551,000

GENERAL OBLIGATION TAX ABATEMENT BOND, SERIES 2024A

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>
3.00%	February 1, 2040	June 3, 2024

REGISTERED OWNER: FREEPORT STATE BANK, FREEPORT, MINNESOTA

PRINCIPAL AMOUNT: ONE MILLION FIVE HUNDRED FIFTY-ONE THOUSAND DOLLARS

THE CITY OF FREEPORT, STEARNS COUNTY, MINNESOTA (the "Issuer" or the "City"), certifies that it is indebted and for value received promises to pay to the registered owner specified above, or assigns duly certified on the Certificate of Registration attached to and made a part of this Bond (the "Owner"), in the manner hereinafter set forth, the \$1,551,000 principal amount of this Bond in the principal installments due on February 1 of the years and in the amounts, respectively, as follows, with each such principal installment bearing interest until paid at the interest rate of 3.00% per annum:

Principal Installments	
<u>Due February 1</u>	<u>Amount</u>
2026	\$83,000
2027	86,000
2028	88,000
2029	91,000
2030	94,000
2031	96,000
2032	99,000
2033	103,000
2034	106,000
2035	109,000
2036	112,000
2037	116,000
2038	119,000
2039	123,000
2040	126,000

Interest. Interest shall be payable semiannually on February 1 and August 1 of each year, commencing February 1, 2025, and shall be calculated on the basis of a 360 day year consisting of twelve thirty day months.

Payment Instructions. Payments of principal and interest and the payment due at the maturity of the Bond shall be paid by check, ACH debit, wire transfer or draft mailed to the Owner at the address listed on the Certificate of Registration attached to and made a part of this Bond. At the time of final payment of all principal and interest on this Bond, the Owner shall surrender this Bond to the City Clerk-Treasurer, City of Freeport, Minnesota (the "Registrar").

Redemption. This Bond is subject to redemption and prepayment at the option of the City on February 1, 2032 and on any date thereafter, in whole or in multiples of \$1,000, upon written notice to the Registered Owner, at the redemption price equal to par plus accrued interest to date of prepayment. If redemption is in part, the City may select the specific principal installments hereof, or applicable portions thereof, to be prepaid.

Issuance; Purpose; General Obligation. This Bond is in the total principal amount of \$1,551,000, pursuant to and in full conformity with the Constitution and laws of the State of Minnesota and a resolution adopted by the City Council on May 20, 2024 (the "Resolution"), for the purpose of providing funds to finance the public infrastructure cost for Welle housing subdivision located in the City that benefit the property for which property taxes are levied and/or abated as described in the Resolution. This Bond is payable out of the General Obligation Tax Abatement Bond Fund of the Issuer. This Bond constitutes a general obligation of the Issuer, and to provide moneys for the prompt and full payment of its principal, premium, if any, and interest when the same become due, the full faith and credit and taxing powers of the Issuer have been and are hereby irrevocably pledged.

Transfer. This Bond is transferable, as provided in the Resolution, upon the Register kept by the Registrar upon surrender of this Bond together with a written instrument of transfer duly executed by the Owner or the Owner's attorney duly authorized in writing, and thereupon a new, fully registered Bond in the same aggregate principal amount shall be issued to the transferee in exchange therefor (or the transfer shall be duly recorded on the Register and the Certificate of Registration hereof), upon the payment of charges and satisfaction of applicable conditions, if any, as therein prescribed. The Issuer may treat and consider the person in whose name this Bond is registered as the absolute Owner hereof for the purpose of receiving payment of or on account of the principal of and interest on this Bond and for all other purposes whatsoever.

Fees upon Transfer or Loss. The Registrar may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection with the transfer or exchange of this Bond and any legal or unusual costs regarding transfers and lost Bond.

Date of Payment Not a Business Day. If the nominal date for payment of any principal of or interest on this Bond shall not be a business day of the Issuer or of the Owner, then the date for such payment shall be the next such business day and payment on such business day shall have the same force and effect as if made on the nominal date of payment.

Treatment of Registered Owner. The Issuer and Registrar may treat the person in whose name this Bond is registered as the holder hereof for the purpose of receiving payment as herein provided and for all other purposes, whether or not this Bond shall be overdue, and neither the Issuer nor the Registrar shall be affected by notice to the contrary.

Registration. This Bond shall not be valid or become obligatory for any purpose or be entitled to any security unless the Certificate of Registration hereon shall have been executed by the Registrar.

Qualified Tax-Exempt Obligation. This Bond has been designated by the City as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to happen and to be performed, precedent to and in the issuance of this Bond, have been done, have happened and have been performed, in regular and due form, time and manner as required by law, and that this Bond, together with all other debts of the Issuer outstanding on the date of original issue hereof and the date of its issuance and delivery to the original purchaser, does not exceed any constitutional or statutory limitation of indebtedness.

IN WITNESS WHEREOF, the City of Freeport, Stearns County, Minnesota, by its City Council has caused this Bond to be executed on its behalf by the manual or facsimile signatures of its Mayor and its City Clerk-Treasurer, the corporate seal of the Issuer having been intentionally omitted as permitted by law.

Date of Registration:

CITY OF FREEPORT,
STEARNS COUNTY, MINNESOTA

June 3, 2024

REGISTRABLE BY AND
PAYABLE AT:

/s/ _____
Mayor

City Clerk-Treasurer
City of Freeport, Minnesota

/s/ _____
City Clerk-Treasurer

CERTIFICATE OF REGISTRATION

The transfer of ownership of the principal amount of the attached Bond may be made only by the registered owner or the registered owner's legal representative last noted below:

DATE OF REGISTRATI ON	REGISTERED OWNER	SIGNATURE OF REGISTRAR (CITY CLERK- TREASURER)
June 3, 2024	Freeport State Bank 111 Main Street East P.O. Box 187 Freeport, MN 56331	X

6. Execution. The Bond shall be executed on behalf of the City by the manual or facsimile signatures of its Mayor and City Clerk-Treasurer, the seal of the City having been omitted as provided by law. In the event of disability or resignation or other absence of either officer, the Bond may be signed by the signature of the officer who may act on behalf of the absent or disabled officer. In case either officer whose signature shall appear on the Bond shall cease to be such officer before the delivery of the Bond, the signature shall nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until delivery.

7. Delivery; Application of Proceeds. The Bond when so prepared and executed shall be delivered by the City Clerk-Treasurer to the Purchaser upon receipt of the Purchase Price, and the Purchaser shall not be obliged to see to the proper application thereof.

8. Fund and Accounts. There is hereby established a special fund to be designated "General Obligation Tax Abatement Bond Fund" (the "Fund") to be administered and maintained by the City Clerk-Treasurer as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the City. The Fund shall be maintained in the manner herein specified until the Bond and the interest thereon have been fully. There shall be maintained in the Fund two (2) separate accounts, to be designated the "Construction Account" and "Debt Service Account," respectively.

(a) Construction Account. To the Construction Account there shall be credited the proceeds of the sale of the Bond, less capitalized interest. From the Construction Account there shall be paid all costs and expenses of the Project, including the cost of any construction contracts heretofore let and all other costs incurred and to be incurred of the kind authorized in Minnesota Statutes, Section 475.65. Moneys in the Construction Account shall be used for no other purpose except as otherwise provided by law. Proceeds of the Bond may be used to the extent necessary to pay interest on the Bond due prior to the anticipated date of commencement of the collection of Tax Abatements and taxes herein levied or covenanted to be levied and if upon completion of the Project there shall remain any unexpended balance in the Construction Account, the balance shall be transferred to the Debt Service Account.

(b) Debt Service Account. To the Debt Service Account there is hereby irrevocably appropriated and pledged, and there shall be credited (i) Tax Abatements; (ii) capitalized interest in the amount of \$30,761.50 (together with interest earnings thereon and subject to such other adjustments as are appropriate) to provide sufficient funds to pay interest due on the Bond on or before February 1, 2025; (iii) all collections of taxes herein and hereafter levied (the "Taxes") for the payment of the Bond; (iv) all funds remaining in the Construction Account after completion of the Project and payment of the costs thereof; (v) all investment earnings on funds held in Debt Service Subaccount; and (vi) any and all other moneys which are properly available and are appropriated by the governing body of the City to the Debt Service Subaccount. The amount of any surplus remaining in the Debt Service Account when the Bond and interest thereon are paid shall be used consistent with Minnesota Statutes, Section 475.61, Subdivision 4. The Debt Service Subaccount shall be used solely to pay the principal and interest on the Bond.

No portion of the proceeds of the Bond shall be used directly or indirectly to acquire higher yielding investments or to replace funds which were used directly or indirectly to acquire higher yielding investments, except (1) for a reasonable temporary period until such proceeds are needed for the purpose for which the Bond was issued and (2) in addition to the above in an amount not greater than the lesser of five percent of the proceeds of the Bond or \$100,000. To this effect, any proceeds of the Bond and any sums from time to time held in the Construction Account or Debt Service Account (or any other City account which will be used to pay principal or interest to become due on the bonds payable therefrom) in excess of amounts which under then-applicable federal arbitrage regulations may be invested without regard to yield shall not be invested at a yield in excess of the applicable yield restrictions imposed by said arbitrage regulations on such investments after taking into account any applicable "temporary periods" or "minor portion" made available under the federal arbitrage regulations. Money in the Fund shall not be invested in obligations or deposits issued by, guaranteed by or insured by the United States or any agency or instrumentality thereof if and to the extent that such investment would cause the Bond to be "federally guaranteed" within the meaning of Section 149(b) of the Internal Revenue Code of 1986, as amended (the "Code").

9. Tax Abatements; Use of Tax Abatements. The Council has adopted the Tax Abatement Resolution and has thereby approved the Tax Abatements, including the pledge thereof to the payment of principal and interest on the Bond. The Council hereby confirms the Tax Abatement Resolution, which is hereby incorporated as though set forth herein.

10. Tax Levy. To provide moneys for payment of principal and the interest on the Bond, there is hereby levied upon all of the taxable property in the City a direct annual ad valorem tax which shall be spread upon the tax rolls and collected with and as part of other general property taxes in the City for the years and in the amounts as follows:

<u>Year of Tax Levy</u>	<u>Year of Tax Collection</u>	<u>Amount</u>
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See Attached Tax Levy and Abatement Schedule – Exhibit A

11. Coverage Test. The Taxes are such that if collected in full they, together with estimated collections of Tax Abatements, will produce at least five percent in excess of the amount needed to meet when due the principal and interest payments on the Bond. The Taxes shall be irrevocable so long as the Bond is outstanding and unpaid, provided that the City reserves the right and power to reduce the levies in the manner and to the extent permitted by Minnesota Statutes, Section 475.61, Subdivision 3.

12. General Obligation Pledge. For the prompt and full payment of the principal of and interest on the Bond as the same respectively become due, the full faith, credit and taxing powers of the City shall be and are hereby irrevocably pledged. If the balance in the Debt Service Account is ever insufficient to pay all principal and interest then due on the Bond payable therefrom, the deficiency shall be promptly paid out of any other accounts of the City which are available for such purpose, and such other funds may be reimbursed without interest from the Debt Service Account when a sufficient balance is available therein.

13. Defeasance. When the Bond has been discharged as provided in this paragraph, all pledges, covenants and other rights granted by this resolution to the registered holder of the Bond shall, to the extent permitted by law, cease. The City may discharge its obligation with respect to the Bond which is due on any date by irrevocably depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full; or if the Bond should not be paid when due, it may nevertheless be discharged by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit. The City may also discharge its obligation with respect to the prepayable Bond called for redemption on any date when it is prepayable according to its terms, by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full, provided that notice of redemption thereof has been duly given. The City may also at any time discharge its obligation with respect to the Bond, subject to the provisions of law now or hereafter authorizing and regulating such action, by depositing irrevocably in escrow, with a suitable banking institution qualified by law as an escrow agent for this purpose, cash or securities described in Minnesota Statutes, Section 475.67, Subdivision 8, bearing interest payable at such times and at such rates and maturing on such dates as shall be required, without regard to sale and/or reinvestment, to pay all amounts to become due thereon to maturity or, if notice of redemption as herein required has been duly provided for, to such earlier redemption date.

14. Compliance With Reimbursement Bond Regulations. The provisions of this paragraph are intended to establish and provide for the City's compliance with United States Treasury Regulations Section 1.150-2 (the "Reimbursement Regulations") applicable to the "reimbursement proceeds" of the Bond, being those portions thereof which will be used by the City to reimburse itself for any expenditure which the City paid or will have paid prior to the Closing Date (a "Reimbursement Expenditure").

The City hereby certifies and/or covenants as follows:

(a) Not later than sixty days after the date of payment of a Reimbursement Expenditure, the City (or person designated to do so on behalf of the City) has made or will have made a written declaration of the City's official intent (a "Declaration") which effectively (i) states the City's reasonable expectation to reimburse itself for the payment of the Reimbursement Expenditure out of the proceeds of a subsequent borrowing; (ii) gives a general and functional description of the property, project or program to which the Declaration relates and for which the Reimbursement Expenditure is paid, or identifies a specific fund or account of the City and the general functional purpose thereof from which the Reimbursement Expenditure was to be paid (collectively the "Project"); and (iii) states the maximum principal amount of debt expected to be issued by the City for the purpose of financing the Project; provided, however, that no such Declaration shall necessarily have been made with respect to: (i) "preliminary expenditures" for the Project, defined in the Reimbursement Regulations to include engineering or architectural, surveying and soil testing expenses and similar preliminary costs, which in the aggregate do not exceed twenty percent of the "issue price" of the Bond, and (ii) a *de minimis* amount of Reimbursement Expenditures not in excess of the lesser of \$100,000 or five percent of the proceeds of the Bond.

Page

(b) Each Reimbursement Expenditure is a capital expenditure or a cost of issuance of the Bond or any of the other types of expenditures described in Section 1.150-2(d)(3) of the Reimbursement Regulations.

(c) The "reimbursement allocation" described in the Reimbursement Regulations for each Reimbursement Expenditure shall and will be made forthwith following (but not prior to) the issuance of the Bond, and not later than three years after the later of (i) the date of the payment of the Reimbursement Expenditure, or (ii) the date on which the Project to which the Reimbursement Expenditure relates is first placed in service.

(d) Each such reimbursement allocation will be made in a writing that evidences the City's use of Bond proceeds to reimburse the Reimbursement Expenditure and, if made within 30 days after the Bond is issued, shall be treated as made on the day the Bond is issued.

Provided, however, that the City may take action contrary to any of the foregoing covenants in this paragraph upon receipt of an opinion of its Bond Counsel for the Bond stating in effect that such action will not impair the tax-exempt status of the Bond.

15. Certificate of Registration and Tax Levy. A certified copy of this resolution is hereby directed to be filed with the County Auditor of Stearns County, Minnesota, together with such other information as the County Auditor shall require, and there shall be obtained from the County Auditor a certificate that the Bond has been entered in the County Auditor's Bond Register, and that the tax levy required by law has been made.

16. Records and Certificates. The officers of the City are hereby authorized and directed to prepare and furnish to the Purchaser, and to the attorneys approving the legality of the issuance of the Bond, certified copies of all proceedings and records of the City relating to the Bond and to the financial condition and affairs of the City, and such other affidavits, certificates and information as are required to show the facts relating to the legality and marketability of the Bond as the same appear from the books and records under their custody and control or as otherwise known to them, and all such certified copies, certificates and affidavits, including any heretofore furnished, shall be deemed representations of the City as to the facts recited therein.

17. Negative Covenant as to Use of Bond Proceeds and Project. The City hereby covenants not to use the proceeds of the Bond or to use the Project, or to cause or permit them to be used, or to enter into any deferred payment arrangements for the cost of the Project, in such a manner as to cause the Bond to be a "private activity bond" within the meaning of Sections 103 and 141 through 150 of the Code.

18. Tax-Exempt Status of the Bond; Rebate. The City shall comply with requirements necessary under the Code to establish and maintain the exclusion from gross income under Section 103 of the Code of the interest on the Bond, including without limitation (i) requirements relating to temporary periods for investments, (ii) limitations on amounts invested at a yield greater than the yield on the Bond, and (iii) the rebate of excess investment earnings to the United States, if the Bond (together with other obligations reasonably expected to

be issued and outstanding at one time in this calendar year) exceeds the small issuer exception amount of \$5,000,000.

For purposes of qualifying for the small issuer exception to the federal arbitrage rebate requirements for governmental units issuing \$5,000,000 or less of bonds, the City hereby finds, determines and declares that (i) the Bond is issued by a governmental unit with general taxing powers, (ii) the Bond is not a private activity bond, (iii) ninety-five percent or more of the net proceeds of the Bond is to be used for local governmental activities of the City (or of a governmental unit the jurisdiction of which is entirely within the jurisdiction of the City), and (iv) the aggregate face amount of all tax-exempt bonds (other than private activity bonds) issued by the City (and all entities subordinate to, or treated as one issuer with the City) during the calendar year in which the Bond is issued and outstanding at one time is not reasonably expected to exceed \$5,000,000, all within the meaning of Section 148(f)(4)(D) of the Code.

19. Designation of Qualified Tax-Exempt Obligation. In order to qualify the Bond as a "qualified tax-exempt obligation" within the meaning of Section 265(b)(3) of the Code, the City hereby makes the following factual statements and representations:

- (a) the Bond is issued after August 7, 1986;
- (b) the Bond is not a "private activity bond" as defined in Section 141 of the Code;
- (c) the City hereby designates the Bond as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Code;
- (d) the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds, treating qualified 501(c)(3) bonds as not being private activity bonds) which will be issued by the City (and all entities treated as one issuer with the City, and all subordinate entities whose obligations are treated as issued by the City) during this calendar year 2024 will not exceed \$10,000,000;
- (e) not more than \$10,000,000 of obligations issued by the City during this calendar year 2024 have been designated for purposes of Section 265(b)(3) of the Code; and
- (f) the aggregate face amount of the Bond does not exceed \$10,000,000.

The City shall use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designation made by this paragraph.

20. Severability. If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

21. Headings. Headings in this resolution are included for convenience of reference only and are not a part hereof, and shall not limit or define the meaning of any provision hereof.

The motion for the adoption of the foregoing resolution was duly seconded by member Hennen and, after a full discussion thereof and upon a vote being taken thereon, the following voted in favor thereof: Eveslage, Arnzen, Hennen, Renneker & Blake

and the following voted against the same: none

Whereupon the resolution was declared duly passed and adopted.

Adjourn

Hennen motioned to adjourn, seconded by Blake. Motion carried.

Mayor Mike Eveslage

Clerk-Treasurer Jon Nelson

05/23/24
09:18:45

CITY OF FREEPORT
Claim Details
For the Accounting Period: 5/24

Page: 1 of 2
Report ID: AP100

For doc #s from 5889 to 5906
* ... Over spent expenditure

Claim	Vendor #/Name/	Document \$/	Disc \$						Cash
Line #	Check Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object Proj	Account		
5889	829 ABDO	7,970.00							
1	488650 04/30/24 Payroll Prep - Apr 2024	470.00			101 41000	300	10100		
2	488484 04/30/24 Monthly Fee - Apr 2024	7,500.00			101 41000	300	10100		
5890	647 BADGER METER INC	27.27							
1	80158665 05/02/24 Beacon MBL Hosting Unit	13.64			601 43225	433	10100		
2	80158665 05/02/24 Beacon MBL Hosting Unit	13.63			602 43250	433	10100		
5891	858 CODE CONSULTING PROFESSIONALS,	25,140.44							
1	2024-514 05/14/24 Final for 2023	13,276.76*			101 42050	310	10100		
2	2024-514 05/14/24 Bldg Prmt Chrg thru 5/1/24	11,863.68*			101 42050	310	10100		
5892	123 DYMOKE LAW OFFICE, P.A.	464.00							
1	05/01/24 General Matters - Apr 2024	464.00			101 41000	302	10100		
5893	174 GOPHER STATE ONE CALL, INC	22.95							
1	4040409 04/30/24 Email Tickets - Apr 2024	22.95			601 43225	300	10100		
5894	187 HAWKINS, INC	30.00							
1	6757303 05/15/24 Chlorine Cylinders	30.00			601 43225	440	10100		
5895	219 JOANN TIMP	150.00							
1	05/23/24 May Cleaning	150.00			101 41000	300	10100		
5896	269 MARCO	147.02							
1	36561190 05/13/24 Copier Agreement	147.02			101 41000	410	10100		
5897	888 MID-STATE WHOLESALE TIRE	3,437.20							
1	427677 04/10/24 Tires	950.78*			403 42201	580	10100		
2	427739 04/12/24 Tires	2,486.42*			403 42201	580	10100		
5898	562 MINNESOTA DEPARTMENT OF HEALTH	729.00							
1	05/16/24 Service Fee 4/1/24-6/30-24	729.00			601 43225	431	10100		
5899	309 MINNESOTA LIFE INSURANCE CO	1.70							
1	05/23/24 Goebel - Life Ins June 2024	1.70			101 43000	131	10100		
5900	713 RBC FBO FREEPORT FIRE DEP RELIEF	5,412.16							
1	05/23/24 Annl Relief Contribution 2024	5,412.16			225 42200	315	10100		

05/23/24
09:18:45

CITY OF FREEPORT
Claim Details
For the Accounting Period: 5/24

Page: 2 of 2
Report ID: AP100

For doc #s from 5889 to 5906
* ... Over spent expenditure

Claim	Vendor #/Name/	Document \$/	Disc \$						Cash
Line #	Check Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object	Proj	Account	
5901	782 RMB ENVIRONMENTAL LABORATORIES	423.23							
1	D058392 05/07/24 Predischarge	140.03*			602 43250	430		10100	
2	D059034 05/20/24 Discharge	283.20*			602 43250	430		10100	
5902	413 SCHLENNER WENNER & CO	14,465.00							
1	318720 04/30/24 Addtnl Adit Fees/OSA/GASB96	7,650.00*			101 41500	301		10100	
2	317484 03/31/24 OSA/DC Table/TB	6,815.00*			225 42200	301		10100	
5903	418 SEH, INC	1,511.50							
1	466243 05/15/24 7th St SE Improements	390.00*			417 43100	300		10100	
2	466258 05/15/24 2024 Street Lighting	1,121.50*			419 43160	300		10100	
5904	440 STEARNS CO AUDITOR-TREASURER	4,884.25							
1	2024-0050 04/30/24 Annual Assessing Fees	4,884.25*			101 41550	304		10100	
5905	809 VALLI INFORMATION SYSTEMS, INC	75.00							
1	94205 04/30/24 Online Monthly Maintenance	75.00			101 41000	300		10100	
5906	525 XCEL ENERGY, INC	85.57							
1	878342946 05/21/24 Water Tower 51-0584811-7	85.57			601 43225	381		10100	
# of Claims		18	Total:	64,976.29					

FREEPORT ALL CALLS

City	Date Received	Call #	Description
FREEPORT	04/20/2024 22:38:09	24029970	AGENCY ASSIST
FREEPORT	04/24/2024 06:32:56	24030761	MEDICAL EMERGENCY
FREEPORT	04/19/2024 20:02:10	24029686	PAPER SERVICE
FREEPORT	04/03/2024 10:23:09	24024942	PERSONAL ASSIST
FREEPORT	04/05/2024 21:36:05	24025718	PERSONAL ASSIST
FREEPORT	04/19/2024 14:11:24	24029582	PERSONAL ASSIST
FREEPORT	04/20/2024 22:29:19	24029968	SUICIDE THREAT
FREEPORT	04/06/2024 16:20:36	24025901	TRAFFIC STOP
FREEPORT	04/19/2024 10:15:22	24029504	TRAFFIC STOP
FREEPORT	04/19/2024 10:29:25	24029510	TRAFFIC STOP
FREEPORT	04/29/2024 14:21:13	24032165	WARRANT
FREEPORT	04/24/2024 06:48:36	24030764	WELFARE CHECK
FREEPORT	04/05/2024 10:56:25	24025542	WELFARE CHECK

Memo

From: Jon Nelson - Clerk-Treasurer

To: Freeport City Council

Date: 5/24/24

Re: Clerk-Treasurer Report

1. Working on liquor licensing.
2. We have received a few calls on the deterioration of the "Charlie's House." It is in the works to demo the house within a month.
3. Loren & I are planning to present public works vehicle replacements next month.
4. City-wide garage sales will be June 6, 7, & 8.

	Job Duty	Date	Initial
	Well, tower, pond checks, shop maint, DO. reader clean + recal.	Wed 4/24/24	JK
	Well, tower, lift station, pond checks, water samples, "salt" city hall	THUR 4/25/24	JK
	softer, garbages	"	JK
RAIN 1"	Well, tower, pond checks, garbages, Tower well check @ 8:00AM, paperwork, got equipment + buffers from Hark. - calibrated new P.H.	FRI 4/26/24	JK
	Well, tower, pond checks	SAT 4/27/24	JK
	Well, tower, pond checks	SUN 4/28/24	JK
RAIN RA. 1.3 5/23	Well, tower, lift station, pond checks, water samples, storm drain behind 5th Ave now flowing, met w/ kotzer to clean out, shop maint. -	MON 4/29/24	JK
	Well, tower, pond checks, lift station 2 pump 1 kicked out - reset, checked 5th Ave storm, insulation from inlet at ponds, got pre-discharge samples + sent to lab - council meeting.	TUE 4/30/24	JK
	Well, tower, pond checks, MPCA + MDH reports, water meter readings	"	JK
	Well, tower, lift station, pond checks, water samples, shop maint, city hall reports.	Wed 5/1/24	JK
	Well, tower, pond checks, got lawn mowers ready got bagger ready, ponds.	THUR 5/2/24	JK
	Well, tower, pond checks	FRI 5/3/24	JK
	Well, tower, pond checks	SAT 5/4/24	JK
	Well, tower, pond checks	SUN 5/5/24	JK
	Well, tower, lift station, pond checks, water samples, mowed lawn	MON 5/6/24	JK
	Well, tower, pond checks, mowed lawn, maint at shop	TUE 5/7/24	JK
	Well, tower, pond checks, mowed, Flushed hydrants, replaced bulbs in street lights	Wed 5/8/24	JK
	Well, tower, lift station, pond checks, water samples, pre discharge results, clean bathrooms, got water on, garbages, mowed	THUR 5/9/24	JK
	Well, tower, pond checks, clean shop equipment.	FRI 5/10/24	JK
	Well, tower, pond checks	SAT 5/11/24	JK
	Well, tower, pond checks, Started discharge, samples, Alarm Well (10:00pm Creamery)	SUN 5/12/24	JK
	Well, tower, lift station, pond checks, water samples, discharge sampling	MON 5/13/24	JK
	mowed lawn, garbages	"	JK
	Well, tower, pond checks, discharge sampling, mowed, resident meter	TUE 5/14/24	JK
	Well, tower, pond checks, discharge sampling + deliver to DHA, water shut off at resident leaking valve, mowed	Wed 5/15/24	JK
	Well, tower, lift station, pond checks, water sampling, mowed, ball park bathroom cleaning, garbages.	THUR 5/16/24	JK
	Well, tower, pond checks, mowed lawn, Talked w/ Huster MDH annual inspection next week.	FRI 5/17/24	JK
	Well, tower, pond checks	SAT 5/18/24	JK



Building a Better World
for All of Us®

MEMORANDUM

TO: Freeport City Council

FROM: Dave Blommel, PE (Lic. MN)

DATE: May 21, 2024

RE: Council Update
SEH No. FREEP GEN 14.00

Active Transportation Sidewalk

The city was selected for Active Transportation funding for the sidewalk project along CSAH 11! The construction project was fully funded and now can move into project development. We will need to install the walk in 2025. The city will have a funding share in the project as engineering is an ineligible cost. We will work with Stearns County to get the project number into the system and move things forward. There will be a couple of kickoff meetings with MnDOT staff over the next month or two. Look for design in the late summer / fall and bidding over the winter.

Welle Country Acres

With the approval of the funding at the special meeting, the contractor has the paperwork in progress as I write this memorandum. They were uncomfortable signing the documents with a changing funding source. They expect to begin grading work in the next few weeks with underground piping shortly thereafter. I hope to have concrete dates available at the meeting.

Lighting Project

Latest shipping dates for remaining key components:
June 7 – Light Fixtures
July 11 – Poles

Given these delivery dates I anticipate work beginning after the 3rd weekend in July.

CSAH 11 / I-94 bridge replacement

I got word from MnDOT that the project has been again pushed back a year. We are now programmed for 2029 replacement. The staff had minimal assurance that the project is fixed in that timeframe. They did reiterate that the bridge is structurally sound, so unless something changes, the urgency is a bit less. They also noted that we were welcome to continue our efforts to fund an alternative replacement strategy locally until the funding becomes available for MnDOT's share. Our previous unofficial funding deadline of spring 2025 is now spring 2026.

dwb

x:\fj\freep\common_council meeting\2024.05.21 m council update.docx

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 2351 Connecticut Avenue, Suite 300, Sartell, MN 56377-2485

320.229.4300 | 800.572.0617 | 888.908.8166 fax

SEH is 100% employee-owned. Affirmative Action—Equal Opportunity Employer

Dymoke Law Office, P.A.

408 Main Street East, Unit 5

PO Box 127

Melrose, Minnesota 56352

Telephone (320) 256-4205

Fax (320) 256-7201

May 22, 2024

Jon Nelson
City of Freeport
125 Main Street East
Freeport, MN 56331

BY ELECTRONIC MAIL

Re: Monthly Legal Report

Dear Mr. Nelson:

During the period from April 24, 2024 through May 22, 2024, we have not given significant attention to any projects on behalf of the City of Freeport:

Respectfully submitted,
Dymoke Law Office, P.A.

Scott E. Dymoke
by Scott E. Dymoke

cc: M. Eveslage

Memo

From: Jon Nelson, Clerk-Treasurer

To: Freeport City Council

Date: 05/24/24

Re: Creamery Property

The creamery has been subject to complaints over the past month or so. Some complaints include loud, speeding vehicles entering and exiting the property and large gatherings during quiet hours (10pm-7am) disturbing the peace.

I invited property owner Micah Pace to join us at the meeting to discuss corrective actions.

Memo

From: Jon Nelson, Clerk-Treasurer

To: Freeport City Council

Date: 05/24/24

Re: Sidewalk Repair

After discussion, it was decided that we would look into repairing the sidewalk in front of D'Lish, Freeport Screen Printing, & Uptown Hair Studio. Engineer Blommel requested quotes from two companies to repair the sidewalks and has received one back at the time of this memo. The quote consists of lifting and grinding the sidewalk, which this company determined to be the best repair for our situation. If we were to just grind the sidewalk, it would create pools in areas where water would collect and freeze in the winter.

The following is city code for sidewalk repairs:

800.03 Repairs by City

If the city council determines that a public sidewalk within the city is unsafe, the council may cause a notice to be served by certified mail or personal service upon the record owner of the property and the occupant, if the owner does not reside within the city or cannot be found therein, ordering the owner to have the sidewalk repaired and made safe within 30 days, and stating that if the owner fails to do so, the city will do so, and that the expenses thereof must be paid by the owner and that if unpaid, it will be made a special assessment against the property concerned. If the sidewalk is not repaired within 30 days after receipt of the notice, the maintenance engineer must report the facts to the council and the council may by resolution order the maintenance engineer to repair the sidewalk and make it safe or order the work be done by contract in accordance with the law. The maintenance engineer must keep a record of the total cost of the repair attributable to each lot or parcel of property and report such information to the city clerk-treasurer. The cost of the repairs will be assessed against the property in the manner provided by Minnesota Statutes, section 429.101.

Prepare to review available quotes and make a decision on ordering repair of the sidewalk.



Estimate

2405-1908-3977

2024-05-20

Granite City Concrete Raising
 41038 county road 1
 Rice MN 56367
 ddierkes@gcconcreteraising.com
 (320) 204-6061

SEH - David Blommel
 115 1st ave
 Freeport MN 56331
 dblommel@schinc.com
 (320) 293-5464

Freeport City Sidewalk
 115 1st ave, Freeport, MN, 56331

Hydrofoam 402

<i>Description</i>	<i>Total</i>
<u>Freeport screen printing main entrance</u>	\$325.00
<u>Freeport screen printing main entrance</u>	\$405.09
<u>Freeport screen printing sidewalk</u>	\$255.64
<u>Freeport screen printing sidewalk panel</u>	\$129.63
<u>Freeport screen printing panel at end of building</u>	\$162.04
<u>Uptown Hair main walkway along curb</u>	\$868.06
<u>Uptown Hair walkway panels by alley</u> Panels around light pole will need to be replaced.	\$104.17
<u>Jeanne B walkway area</u>	\$305.56
<u>D-Lish main walkway</u> There is a waterman shutoff in this panel	\$462.96
<u>D-Lish panels along building</u>	\$324.07
	\$3,342.22

Caulking

<i>Description</i>	<i>Total</i>
<u>Caulking along curb</u>	\$368.94

Place 1" Backer Rod as needed in joints or cracks. Caulk joints/cracks with commercial polyurethane sealant. 1 Year Warranty from debonding.

Caulking along curb in front of Uptown Hair. \$305.95

Place 1" Backer Rod as needed in joints or cracks. Caulk joints/cracks with commercial polyurethane sealant. 1 Year Warranty from debonding.

Caulking along curb in front of Jeanna B's \$170.97

Place 1" Backer Rod as needed in joints or cracks. Caulk joints/cracks with commercial polyurethane sealant. 1 Year Warranty from debonding.

Caulking along curb in front of D-Lish \$215.97

Place 1" Backer Rod as needed in joints or cracks. Caulk joints/cracks with commercial polyurethane sealant. 1 Year Warranty from debonding.

Caulking main joint in sidewalk \$840.13

Place 1/2" Backer Rod as needed in joints or cracks. Caulk joints/cracks with commercial polyurethane sealant. 1 Year Warranty from debonding.

Caulking rest of sidewalk. \$1,428.25

Place 5/8" Backer Rod as needed in joints or cracks. Caulk joints/cracks with commercial polyurethane sealant. 1 Year Warranty from debonding.

\$3,330.21

Grinding

<i>Description</i>	<i>Total</i>
--------------------	--------------

<u>Grind panel with water main in front of Freeport screen printing. This edge won't go down. Grind down trip hazard.</u>	\$150.00
---	----------

Total \$6,822.43

Credit cards accepted. Deposits are free of fees, if used for final payment the 3% fee will be attached.

The customer agrees to pay the foreman upon completion of the project or any discounts may be void. Initials _____

Granite City Concrete Raising recommends sealing of all joints and cracks. By doing so, extends the warranty from settlement from 3 years to 5 years.

TERMS AND CONDITIONS 1. COMPENSATION. GCCR is providing an estimate. The client shall pay GCCR as set forth in the estimate. Price is subject to change, with the customer's approval, if the void under the slab is greater than anticipated. If the crew is turned away from the job site less than 24 hour prior cancellation notification is given, the customer will be responsible for payment of \$100.

1. INVOICING & PAYMENT. GCCR shall invoice the Client upon completion of the Work. The client shall pay the invoice within 10 days of the Client's receipt of the invoice. Client shall also pay to GCCR a late charge of 1-1/2% per month on all balances unpaid 30 days after the invoice date. If the client fails to pay on time and GCCR refers your account(s) to a third party for collection, GCCR will charge all costs associated with the non-payment, including but not limited to, accumulated late fees, return check fees (\$30.00), insufficient funds fees, collection agency

fees, and court and attorney costs. GCCR will try in every attempt to collect in house, but if all attempts are failed GCCR will refer account to a third party collection, in this event all correspondents and/or payments must be made through the collection agency.

ALLOCATION OF RISK.

A. IN NO EVENT SHALL GCCR BE LIABLE TO CLIENT OR ANY THIRD-PARTY FOR INCIDENTAL OR CONSEQUENTIAL DAMAGES (INCLUDING, WITHOUT LIMITATION, CLAIMS FOR LOSS OF BUSINESS OR LOST PROFITS) RESULTING FROM OR ARISING OUT OF THE WORK.

I. GCCR IS NOT RESPONSIBLE FOR LANDSCAPING, DAMAGE TO PLUMBING, IRRIGATION, OR ELECTRICAL, CRACKS IN SLABS, STAINING OF CONCRETE DUE TO CONTACT WITH FOAM, FLOOR OR WALLS OR ANY DAMAGE WHICH HAS OCCURRED OR MIGHT OCCUR AS A RESULT OF THE SETTLING OR THE CONCRETE LIFTING PROCESS. IF THE CONCRETE CANNOT BE RAISED AND MUST BE REPLACED, IT IS THE HOMEOWNER'S/ BUSINESS'S RESPONSIBILITY TO REPLACE IT AT CURRENT REPLACEMENT COST.

B. GCCR MAXIMUM LIABILITY TO THE CLIENT FOR THE WORK, WHETHER IN CONTRACT, TORT OR OTHERWISE, IS \$500.00 OR THE AMOUNT PAID TO GCCR FOR THE WORK, WHICHEVER IS GREATER. IT IS EXPRESSLY AGREED THAT THE CLIENT'S SOLE AND EXCLUSIVE REMEDY AGAINST GCCR FOR THE WORK PERFORMED UNDER THIS AGREEMENT, WHETHER BASED IN CONTRACT, TORT OR OTHERWISE, IS THE AWARD OF DAMAGES NOT TO EXCEED THE STIPULATED \$500.00 FIGURE, OR THE AMOUNT PAID TO GCCR FOR THE WORK, WHICHEVER IS GREATER.

C.(For Wash and Seal Clients only) GCCR is not responsible for and scaled or loose concrete that maybe removed during the pressure washing process. I.E scaling, loose surface rocks of slab, cracked or broken concrete. GCCR takes precautions to make sure no vegetation is effected by the sealing and wash process but occasionally contact does occur and we will be not held liable when out of our control. Sometimes concrete is poured at different times and has different coloration to adjacent slabs. Although rare sealing concrete can highlight this process for a short period of time. We cannot be held liable for color variations due to different installation times of concrete.

1. LIEN WAIVERS. The client is entitled to written lien waivers upon receipt by GCCR of full payments as called for in this Proposal.

1. INSURANCE. Owner to carry fire, tornado and other necessary insurance on above work. GCCR to carry Public Liability Insurance.

2. GOVERNING LAW; VENUE. This Agreement shall be construed and governed under the laws of the State of Minnesota, without application of conflict of law principles. All actions or counterclaims regarding the enforcement or interpretation of this Agreement shall be initiated and prosecuted exclusively in the state court sitting in, or the federal court having jurisdiction over, the county in which the Work was performed. GCCR and Client both consent to the jurisdiction and venue of such courts and expressly waive objections based on the doctrines of personal jurisdiction and forum non-conveniens.

Signature _____ **Date** _____

Memo

From: Jon Nelson, Clerk-Treasurer

To: Freeport City Council

Date: 05/24/24

Re: Alternative Transportation Grant

The City of Freeport was selected to receive funding from the Alternative Transportation Grant for our CSAH 11 Sidewalk Project. The total project is estimated at \$485,000 and we will receive \$407,165 in grant money, leaving a total of \$77,835 in ineligible costs that will be the city's responsibility.

Recommendation: Accept the awarded grant money.

Memo

From: Jon Nelson, Clerk-Treasurer

To: Freeport City Council

Date: 05/24/24

Re: Billboards for Welle Four

I had a request to explore options for billboards to advertise Welle Four lots. There are many long-term options readily available along I-94.

Pricing is determined by size of billboard, length of lease, and the estimated weekly impressions of the billboard. Prices range from \$250-575 for four weeks + production cost.

Prepare to discuss pursuing a billboard lease and the imagery of the billboard.