



CITY COUNCIL AGENDA

October 8, 2018 – 6:00 p.m.
City Council Meeting

CITY COUNCIL

1. Call Meeting of City Council to Order
2. Approve Agenda
3. Introductions, Presentations, Proclamations, Awards, and Public Comment
(Individuals may address the City Council about any non-agenda item of concern. Speakers must state their name, address, and limit their remarks to three minutes. The City Council will not take official action on these items, but may refer the matter to staff for a future report or direct that the matter be scheduled for a future meeting agenda.)
4. Consent Agenda
(NOTE TO THE PUBLIC: All those items listed as part of the Consent Agenda will be approved by a single motion, unless a request to discuss one of those items is made prior to that time. Anyone present at the meeting may request an item to be removed from the consent agenda. Please inform the Council when they approve the agenda for this meeting.)
 - 4.1 Approve minutes of September 24, 2018 meeting
 - 4.2 Approve payment of claims
5. Public Hearings
 - 5.1 Ordinance No. 310, City Council Salary Increase
6. Old Business
7. New Business
 - 7.1 Adopt Ordinance No. 310, City Council Salary Increase
 - 7.2 Review Carver County 2040 Comprehensive Plan
 - 7.3 Discuss Economic Development Coordinator Position
 - 7.4 Discuss Refuse Licenses Renewal
 - 7.5 Discuss Forest Hills Cemetery Ownership Transfer
8. Council Member & Mayor Reports
9. Adjournment

The following informational items have been included in the Council packet for informational purposes, council review and discussion. No action is required by the City Council. *September Building Permit Report*

UPCOMING MEETINGS / EVENTS

October 10	Economic Development Commission – 6:00 p.m.
October 16	Parks and Recreation Commission – 5:30 p.m.
October 17	Joint Meeting – City Council, EDC, Planning Commission, and Chamber of Commerce Board – 6:00 p.m.
October 18	Senior Advisory Committee – 9:00 a.m.
October 22	Work Session, EDA, City Council – 6:00 p.m.
November 6	General Election – polls open 7:00 a.m. to 8:00 p.m. at the Pavilion
November 7	Planning Commission – 6:00 p.m.
November 12	Personnel Committee – 5:00 p.m.
November 12	City Council – 6:00 p.m.



Attendees: Carol Lagergren, Craig Heher, Mike McPadden, Dick Stolz, Charlie Storms
Staff: Steve Helget, Kelly Hayes, Tony Voigt
Others: Alvera Clark

1. Call Meeting of City Council to Order
Meeting was called to order by Mayor Lagergren at 6:28pm with all members present.

2. Approve Agenda
Addition: 7.7 Planning Commission Appointment

Motion: MM/DS to approve the agenda with the addition of 7.7 Planning Commission Appointment. Vote 5 – 0. Motion carried.

3. Introductions, Presentations, Proclamations, Awards, and Public Comment - none

4. Consent Agenda
 - 4.1 Approve minutes of September 10, 2018 meeting
 - 4.2 Approve payment of claims
 - 4.3 Schedule Public Hearing regarding Delinquent Utilities and Special Assessments
 - 4.4 Approve St. John's Lutheran Church Street Closing Request
 - 4.5 Approve West Carver Lions Club Temporary Liquor License – Harvest Moon Wine Tasting event
 - ~~4.6 Approve Rental Facility Refund~~ moved to new business 7.8
 - 4.7 Approve Manufacturer's Week Proclamation
DS requested to move 4.6 Approve Rental Facility Refund to new business.

Motion: DS/CS to approve the consent agenda, excluding item 4.6. Vote 5 – 0. Motion carried.

5. Public Hearings
 - 5.1 Ordinance No. 308, Mediacom Franchise Agreement
Public Hearing for Ordinance No. 308 Mediacom Franchise Agreement was opened at 6:30pm. Administrator Helget reviewed the agreement. Agreement is for 15 years (this is the maximum allowed). Free services at City Hall, Sheriff's Office, Public Works building. Section 8 discusses franchise fees, currently it is 3%. City can assess up to 5% by law. 3% = approximately \$13,000 for the year; money is currently going into the general fund.

Motion: CH/DS to close the public hearing at 6:39pm. Vote 5 – 0. Motion carried.

6. Old Business - none

7. New Business
 - 7.1 Adopt Ordinance No. 308, Mediacom Franchise Agreement

Motion: CH/MM to adopt Ordinance No. 308, an ordinance granting a Franchise to Mediacom Minnesota LLC to construct, operate, and maintain a cable television system in the city of Norwood Young America; setting forth conditions accompanying the grant of the Franchise; providing for regulation and use of the system; and prescribing penalties for the violations of its provisions. Vote 5 – 0. Motion carried.

- 7.2 Approve Abdo Eick & Meyers Service Contract

Motion: MM/DS to approve the three year contract with Abdo Eick & Meyers, LLP. Vote 5 – 0. Motion carried.

- 7.3 Approve purchase of Ford F350 Truck
\$45,000 was budgeted for a new truck. Current truck is very rusty and has been repaired numerous times. Tony Voigt, Public Services Director received three bids.

Motion: CS/DS to approve the purchase of a 2019 Ford F350 from Midway Ford in the amount of \$37,255.94 and to hire Crysteel Manufacturing to install the plow mount, tool box and strobe mount for \$4,188.13. Vote 5 – 0. Motion carried.

- 7.4 Approve Downtown Street Light Banners and Brackets Purchase

Motion: CS/MM to authorize staff to purchase 28 banners and 24 brackets from Temple Display at a cost of \$4,560. Vote 5 – 0. Motion carried.

7.5 Approve Oak Grove 2018-2019 Snow Removal Service Prices

CDA requested a proposal for snow removal for the 2018-2019 snow season for the Oak Grove property. Voigt recommended two increases from the 2017/2018 season: increase the flat fee from \$60 to \$70 and increasing the sanding from \$65 to \$70. All other prices would remain the same.

Motion: DS/CS to approve the Oak Grove property snow removal pricing for the 2018-2019 winter season to include the changes as discussed. Vote 5 – 0. Motion carried.

7.6 Approve hiring Public Service Technician

Due to Joey Cano's resignation, the council approved to post the Public Service Technician position. 8 applications were received. Interviews for the top four candidates were scheduled, one candidate didn't show up for the interview. The Personnel Committee recommends hiring Bill Koch.

Motion: CH/MM to hire Bill Koch as a Public Service Technician at paygrade 9, step 4 with a start date of October 1, 2018. Vote 5 – 0. Motion carried.

7.7 Planning Commission Appointment

Motion: CH/MM to appoint Jerry Barr to the Planning Commission. Vote 5 – 0. Motion carried.

7.8 Approve Rental Facility Refund

Tracy Montgomery requested a refund for her rental of the Pavilion in October. Due to the groom being in the service and not knowing where he would be stationed, it was decided to cancel the wedding reception.

Motion: DS/CS to refund the entire amount of the rental fee on behalf of Sydney and Jevon for Tracy Montgomery. Vote 5 – 0. Motion carried.

8. Council Member & Mayor Reports

CH – With the appointment of Jerry Barr, the Planning Commission is fully staffed.

MM – Stiftungsfest meeting reviewed the results of this year.

DS – Senior living sites are almost 100% filled. Southwest Transportation Corridor – Highway 212 increase to four lanes from Cologne to Chaska in 2020 is about \$46 million – all but \$12 million is being covered by grants.

CS – Parks looked at identifying handicapped seats in the grandstand. Church group is going to be painting the grandstand.

CL – EDC discussed hotel study and monument signs. Joint meeting discussed plans for historic designation of the downtowns. County is looking at installing a round-about for Highway 5 and 212. Presented information regarding the underpass to the school board. Recently attended ribbon cutting for On Point Nutrition (located at the former "Flame" on Elm Street.

UPCOMING MEETINGS / EVENTS

October 2 Planning Commission – 6:00 p.m.

October 8 Personnel Committee – 5:00 p.m.

October 8 City Council – 6:00 p.m.

October 10 Economic Development Commission – 6:00 p.m.

October 16 Parks and Recreation Commission – 5:30 p.m.

October 18 Senior Advisory Committee – 9:00 a.m.

October 22 Work Session, EDA, City Council – 6:00 p.m.

October 17 Joint Meeting – City Council, EDC, Planning Commission, and Chamber of Commerce Board – 6:00 p.m.

9. Adjournment

Motion: MM/CH to adjourn at 7:30pm. Vote 5 – 0. Motion carried.

Respectfully Submitted:

Carol Lagergren, Mayor

Kelly Hayes, City Clerk / Treasurer



CITY COUNCIL WORK SESSION MINUTES

September 24, 2018 – 6:00 p.m.

Attendees: Carol Lagergren, Craig Heher, Mike McPadden, Dick Stolz, Charlie Storms

Staff: Steve Helget, Kelly Hayes, Tony Voigt

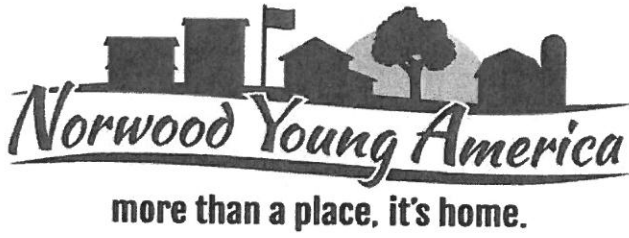
Others: Alvera Clark

1. Call Meeting of City Council Work Session to Order
Meeting was called to order by Dick Stolz at 6:00pm. Mayor Lagergren is at the school board meeting and will be in shortly.
2. Approve Agenda
Motion: CS/MM to approve the agenda. Vote 4 – 0. Motion carried.
 - 2.1 Review Carver County 2040 Comprehensive Plan
Comments need to be brought to the county by November 2. Administrator Helget briefly went through key points that pertained to Norwood Young America. Things discussed include: population, average income, projections. Projected population in 2040 to be 9,200. A complete copy of the plan can be viewed at City Hall. It was recommended to bring the plan back to the next council meeting.
3. Adjournment
Motion: DS/MM to adjourn at 6:26pm. Vote 5 – 0. Motion carried.

Respectfully Submitted:

Carol Lagergren, Mayor

Kelly Hayes, City Clerk / Treasurer



VOUCHER LIST / CLAIMS ROSTER
and CHECK SEQUENCE

To Be Approved: October 8, 2018

ITEM	CHECK #		
Payroll 10/4/2018	EFT	\$	15,253.20
Claims Pending Payment	28537-28581	\$	55,803.90
		\$	<u>71,057.10</u>
TOTAL		\$	71,057.10

Void Checks 28535 and 28536, accidentally printed report on blank checks.

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Payments

Current Period: OCTOBER 2018

Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total	\$660.00
Refer	0 BOLTON & MENK, INC		Ck# 028541 10/8/2018			
Cash Payment	E 101-41500-303 Engineering Fees		Emma Street Improvements			\$406.00
Invoice	0223532 9/30/2018					
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total	\$406.00
Refer	0 BOLTON & MENK, INC		Ck# 028541 10/8/2018			
Cash Payment	E 101-41500-303 Engineering Fees		Misc engineering			\$2,236.25
Invoice	0223540 9/30/2018					
Cash Payment	E 101-46500-500 Capital Outlay		Misc engineering			\$722.25
Invoice	0223540 9/30/2018					
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total	\$2,958.50
Refer	0 BOLTON & MENK, INC		Ck# 028541 10/8/2018			
Cash Payment	G 812-22100 Escrow Collected		Vickerman			\$2,800.00
Invoice	0222160 8/30/2018					
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total	\$2,800.00
Refer	0 BOLTON & MENK, INC		Ck# 028541 10/8/2018			
Cash Payment	G 807-22100 Escrow Collected		Preserve 5th addition			\$1,533.00
Invoice	0222161 8/30/2018					
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total	\$1,533.00
Refer	0 BOLTON & MENK, INC		Ck# 028541 10/8/2018			
Cash Payment	E 101-41500-303 Engineering Fees		Misc engineering			\$137.50
Invoice	0222162 8/30/2018					
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total	\$137.50
Refer	0 QUILL CORPORATION		Ck# 028567 10/8/2018			
Cash Payment	E 101-41400-200 Office Supplies					\$79.95
Invoice	1485515 9/26/2018					
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total	\$79.95

Fund Summary

	10100 CHECKING
812 Vickerman - 2018 Expansion	\$2,800.00
807 Escrow - Preserve 5	\$1,533.00
603 STORM WATER UTILITY	\$3,609.31
602 SEWER FUND	\$5,181.37
601 WATER FUND	\$3,426.62
522 Underpass Project	\$1,950.20
520 2013 INFRASTRUCTURE	\$475.00
519 2011A GO Debt Service	\$475.00
518 2010B Gen OBLIGATION REFUNDING	\$475.00
251 HARBOR / HAVEN	\$169.52
101 GENERAL FUND	\$35,708.88
	<u>\$55,803.90</u>

Pre-Written Checks	\$55,803.90
Checks to be Generated by the Computer	\$0.00
Total	<u>\$55,803.90</u>

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Payments

Current Period: OCTOBER 2018

Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total	\$778.12
Refer	0 PRO AUTO			Ck# 028566 10/8/2018		
Cash Payment	E 101-42200-221 Repair/Maintenance Equi					\$612.42
Invoice 61085	9/7/2018					
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total	\$612.42
Refer	0 NYA TIMES			Ck# 028565 10/8/2018		
Cash Payment	E 101-41320-350 Print/Publishting/Postage					\$37.80
Invoice 633446	9/20/2018					
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total	\$37.80
Refer	0 NYA TIMES			Ck# 028565 10/8/2018		
Cash Payment	E 101-41320-350 Print/Publishting/Postage					\$41.58
Invoice 633447	9/20/2018					
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total	\$41.58
Refer	0 NYA TIMES			Ck# 028565 10/8/2018		
Cash Payment	E 101-41320-350 Print/Publishting/Postage					\$26.46
Invoice 633444	9/20/2018					
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total	\$26.46
Refer	0 NYA TIMES			Ck# 028565 10/8/2018		
Cash Payment	E 101-41320-350 Print/Publishting/Postage					\$30.24
Invoice 633445	9/20/2018					
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total	\$30.24
Refer	0 TASC			Ck# 028573 10/8/2018		
Cash Payment	G 101-21713 Health Care Reimbursement					\$15.00
Invoice IN1341398	9/18/2018					
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total	\$15.00
Refer	0 USPS			Ck# 028576 10/8/2018		
Cash Payment	E 101-41400-350 Print/Publishting/Postage					\$225.00
Invoice permit#20	9/20/2018					
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total	\$225.00
Refer	0 BURANDT, MEAGAN			Ck# 028543 10/8/2018		
Cash Payment	E 601-49400-432 Refund					\$15.37
Invoice 092718	9/27/2018					
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total	\$15.37
Refer	0 UFC FARM SUPPLY			Ck# 028575 10/8/2018		
Cash Payment	E 101-41940-223 Repair/Maintenance Bldg					\$20.96
Invoice 892472	9/7/2018					
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total	\$20.96
Refer	0 NYA TIMES			Ck# 028565 10/8/2018		
Cash Payment	E 101-41400-350 Print/Publishting/Postage MEDIACOM					\$2,555.28
Invoice 092518	10/4/2018					
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total	\$2,555.28
Refer	0 STRACK CONSULTING LLC			Ck# 028572 10/8/2018		
Cash Payment	E 101-41320-305 Other Professional Fees					\$660.00
Invoice 1104	9/25/2018					

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Payments

Current Period: OCTOBER 2018

Refer	0 TURFWERKS	Ck# 028574 10/8/2018			
Cash Payment	E 101-43100-221 Repair/Maintenance Equi				\$164.33
Invoice	E107727 9/28/2018				
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total \$164.33
Refer	0 MID-COUNTY CO-OP OIL ASSN	Ck# 028560 10/8/2018			
Cash Payment	E 602-49450-212 Motor Fuels				\$1,416.44
Invoice	43703 9/17/2018				
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total \$1,416.44
Refer	0 MID-COUNTY CO-OP OIL ASSN	Ck# 028560 10/8/2018			
Cash Payment	E 101-43100-212 Motor Fuels				\$858.00
Invoice	43661 9/11/2018				
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total \$858.00
Refer	0 MID-COUNTY CO-OP OIL ASSN	Ck# 028560 10/8/2018			
Cash Payment	E 101-43100-212 Motor Fuels				\$100.00
Invoice	26 9/19/2018				
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total \$100.00
Refer	0 MID-COUNTY AGRONOMY	Ck# 028559 10/8/2018			
Cash Payment	E 101-43100-212 Motor Fuels				\$21.78
Invoice	60051 9/24/2018				
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total \$21.78
Refer	0 GOPHER STATE ONE-CALL, INC.	Ck# 028550 10/8/2018			
Cash Payment	E 601-49400-223 Repair/Maintenance Bldg				\$75.60
Invoice	8090626 9/30/2018				
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total \$75.60
Refer	0 DWK CLEAN WATER SERVICES LL	Ck# 028548 10/8/2018			
Cash Payment	E 601-49400-314 Contracts Payments				\$520.00
Invoice	0918 10/1/2018				
Cash Payment	E 602-49450-314 Contracts Payments				\$520.00
Invoice	0918 10/1/2018				
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total \$1,040.00
Refer	0 BOND TRUST SERVICES CORP.	Ck# 028542 10/8/2018			
Cash Payment	E 518-49330-604 Bond Service Charge				\$475.00
Invoice	100118 10/1/2018				
Cash Payment	E 519-49330-604 Bond Service Charge				\$475.00
Invoice	100118 10/1/2018				
Cash Payment	E 520-49330-604 Bond Service Charge				\$475.00
Invoice	100118 10/1/2018				
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total \$1,425.00
Refer	0 VERIZON WIRELESS	Ck# 028578 10/8/2018			
Cash Payment	E 101-42200-321 Telephone				\$175.05
Invoice	9815274442 9/23/2018				
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total \$175.05
Refer	0 SMITH OIL CO	Ck# 028570 10/8/2018			
Cash Payment	E 101-42200-212 Motor Fuels				\$778.12
Invoice	093018 9/30/2018				

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Payments

Current Period: OCTOBER 2018

Cash Payment	E 101-41940-210 Operating Supplies					\$55.76
Invoice 092418	9/24/2018					
Cash Payment	E 101-45200-223 Repair/Maintenance Bldg					\$56.62
Invoice 092418	9/24/2018					
Cash Payment	E 101-43100-221 Repair/Maintenance Equi					\$17.91
Invoice 092418	9/24/2018					
Cash Payment	E 101-43100-223 Repair/Maintenance Bldg					\$2.87
Invoice 092418	9/24/2018					
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$258.46
Refer	0 SCHNEEWIND, BRIAN					
Cash Payment	E 101-43100-417 Uniform					\$150.00
Invoice 092918	9/29/2018					
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$150.00
Refer	0 PRO AUTO					
Cash Payment	E 101-43100-221 Repair/Maintenance Equi					\$48.31
Invoice 60982	8/24/2018					
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$48.31
Refer	0 PRO AUTO					
Cash Payment	E 101-43100-221 Repair/Maintenance Equi					\$116.20
Invoice 61097	9/10/2018					
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$116.20
Refer	0 SRF CONSULTING GROUP INC					
Cash Payment	E 522-43100-528 Underpass Expenses					\$1,950.20
Invoice 11012.00-9	8/31/2018					
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total	\$1,950.20
Refer	0 SRF CONSULTING GROUP INC					
Cash Payment	E 101-41320-310 Other Professional Servi					\$7,630.45
Invoice 10479.00-14	8/31/2018					
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total	\$7,630.45
Refer	0 METRO WEST INSPECTION SERVI					
Cash Payment	E 101-42400-312 Building Inspection Fee					\$10,916.95
Invoice 1703	9/28/2018					
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total	\$10,916.95
Refer	0 AMERICAN LEAK DETECTION					
Cash Payment	E 101-49860-223 Repair/Maintenance Bldg					\$950.00
Invoice 22343	10/2/2018					
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total	\$950.00
Refer	0 LANO EQUIPMENT					
Cash Payment	E 101-43100-221 Repair/Maintenance Equi Bobcat3400					\$179.31
Invoice 18860A	9/28/2018					
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total	\$179.31
Refer	0 MAYER LUMBER CO.					
Cash Payment	E 101-45200-223 Repair/Maintenance Bldg					\$60.00
Invoice 161875	9/7/2018					
Transaction Date	10/4/2018	Due 0	CHECKING	10100	Total	\$60.00

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Payments

Current Period: OCTOBER 2018

Cash Payment	E 101-43100-437 Maintenance Contract					\$820.00
Invoice	1104	9/22/2018				
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$820.00
Refer	0	WATER CONSERVATION SERVICE	Ck# 028580	10/8/2018		
Cash Payment	E 601-49400-310 Other Professional Servi					\$2,147.00
Invoice	8858	9/21/2018				
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$2,147.00
Refer	0	CNH CAPITAL	Ck# 028545	10/8/2018		
Cash Payment	E 101-45200-221 Repair/Maintenance Equi					\$465.05
Invoice	092118	9/21/2018				
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$465.05
Refer	0	DAVIS, DAN	Ck# 028546	10/8/2018		
Cash Payment	E 101-45200-432 Refund		DEPOSIT REFUND 8/18			\$300.00
Invoice	092618	9/26/2018				
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$300.00
Refer	0	KOHLBRECHER EQUIPMENT, INC.	Ck# 028553	10/8/2018		
Cash Payment	E 602-49450-221 Repair/Maintenance Equi		PUMP ON STORAGE TANK			\$499.49
Invoice	33818	9/21/2018				
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$499.49
Refer	0	EMERGENCY AUTOMOTIVE TECH.	Ck# 028549	10/8/2018		
Cash Payment	E 101-43100-221 Repair/Maintenance Equi					\$907.84
Invoice	MP0921118-203	9/21/2018				
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$907.84
Refer	0	MID-COUNTY AGRONOMY	Ck# 028559	10/8/2018		
Cash Payment	E 101-45200-223 Repair/Maintenance Bldg					\$292.99
Invoice	60050	9/24/2018				
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$292.99
Refer	0	USPS	Ck# 028576	10/8/2018		
Cash Payment	E 601-49400-350 Print/Publishing/Postage					\$134.31
Invoice	100818	10/8/2018				
Cash Payment	E 602-49450-350 Print/Publishing/Postage					\$134.30
Invoice	100818	10/8/2018				
Cash Payment	E 603-49500-350 Print/Publishing/Postage					\$134.31
Invoice	100818	10/8/2018				
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$402.92
Refer	0	LINDNER, STACIE	Ck# 028555	10/8/2018		
Cash Payment	E 601-49400-432 Refund		OVERPAYMENT REFUND			\$13.03
Invoice	092118	9/21/2018				
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$13.03
Refer	0	HOME SOLUTIONS	Ck# 028552	10/8/2018		
Cash Payment	E 602-49450-210 Operating Supplies					\$3.86
Invoice	092418	9/24/2018				
Cash Payment	E 101-41940-223 Repair/Maintenance Bldg					\$79.78
Invoice	092418	9/24/2018				
Cash Payment	E 101-43100-210 Operating Supplies					\$41.66
Invoice	092418	9/24/2018				

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Payments

Current Period: OCTOBER 2018

Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$149.34
Refer	0 UTILITY CONSULTANTS			<u>Ck# 028577 10/8/2018</u>		
Cash Payment	E 602-49450-217 Lab Fees					\$943.55
Invoice	99503 9/28/2018					
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$943.55
Refer	0 DPC INDUSTRIES INC			<u>Ck# 028547 10/8/2018</u>		
Cash Payment	E 602-49450-216 Chemicals and Chem Pr					\$126.00
Invoice	827001775-18 9/14/2018					
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$126.00
Refer	0 DPC INDUSTRIES INC			<u>Ck# 028547 10/8/2018</u>		
Cash Payment	E 602-49450-216 Chemicals and Chem Pr					\$162.99
Invoice	827001776-18 9/14/2018					
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$162.99
Refer	0 MAYER LUMBER CO.			<u>Ck# 028557 10/8/2018</u>		
Cash Payment	E 101-45200-223 Repair/Maintenance Bldg					\$117.12
Invoice	162642 9/25/2018					
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$117.12
Refer	0 SCHNEIDER EXCAVATING & GRA			<u>Ck# 028569 10/8/2018</u>		
Cash Payment	E 603-49500-223 Repair/Maintenance Bldg					\$975.00
Invoice	SE1694 9/24/2018					
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$975.00
Refer	0 MINNESOTA VALLEY TESTING LA			<u>Ck# 028562 10/8/2018</u>		
Cash Payment	E 602-49450-217 Lab Fees					\$25.00
Invoice	940372 9/28/2018					
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$25.00
Refer	0 VERIZON WIRELESS			<u>Ck# 028578 10/8/2018</u>		
Cash Payment	E 101-43100-321 Telephone					\$168.43
Invoice	9814951328 9/19/2018					
Cash Payment	E 101-45200-321 Telephone					\$72.19
Invoice	9814951328 9/19/2018					
Cash Payment	E 601-49400-321 Telephone					\$144.70
Invoice	9814951328 9/19/2018					
Cash Payment	E 602-49450-321 Telephone					\$144.69
Invoice	9814951328 9/19/2018					
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$530.01
Refer	0 A-1 ELECTRIC SERV OF WACONIA			<u>Ck# 028537 10/8/2018</u>		
Cash Payment	E 602-49450-223 Repair/Maintenance Bldg WWTP-LOW PRESSURE ALARM SWITCH					\$313.60
Invoice	21048 9/22/2018					
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$313.60
Refer	0 MINI BIFF			<u>Ck# 028561 10/8/2018</u>		
Cash Payment	E 101-45200-418 Other Rentals (Biffs)					\$110.16
Invoice	A-99740 9/20/2018					
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$110.16
Refer	0 BJS LAWN SERVICE			<u>Ck# 028540 10/8/2018</u>		

CITY OF NORWOOD YOUNG AMERICA

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Payments

Current Period: OCTOBER 2018

Cash Payment	E 601-49400-383 Gas Utilities					\$57.20
Invoice	092618	9/26/2018				
Cash Payment	E 602-49450-383 Gas Utilities					\$625.88
Invoice	092618	9/26/2018				
Cash Payment	E 101-49860-383 Gas Utilities					\$85.77
Invoice	092618	9/26/2018				
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$1,037.74
Refer	0 MN VALLEY ELECTRIC COOPERA			<u>Ck# 028563 10/8/2018</u>		
Cash Payment	E 601-49400-381 Electric Utilities					\$135.73
Invoice	092718	9/27/2018				
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$135.73
Refer	0 MN VALLEY ELECTRIC COOPERA			<u>Ck# 028563 10/8/2018</u>		
Cash Payment	E 101-43100-380 Street Lighting					\$101.63
Invoice	092718-2	9/27/2018				
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$101.63
Refer	0 MN VALLEY ELECTRIC COOPERA			<u>Ck# 028563 10/8/2018</u>		
Cash Payment	E 602-49450-381 Electric Utilities					\$35.01
Invoice	092718-3	9/27/2018				
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$35.01
Refer	0 LOFFLER COMPANIES, INC.			<u>Ck# 028556 10/8/2018</u>		
Cash Payment	E 101-41400-437 Maintenance Contract					\$89.50
Invoice	23436009	9/26/2018				
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$89.50
Refer	0 SCHNEIDER EXCAVATING & GRA			<u>Ck# 028569 10/8/2018</u>		
Cash Payment	E 603-49500-223 Repair/Maintenance Bldg					\$2,500.00
Invoice	SE1695	9/24/2018				
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$2,500.00
Refer	0 SMITH OIL CO			<u>Ck# 028570 10/8/2018</u>		
Cash Payment	E 101-45200-212 Motor Fuels					\$49.51
Invoice	093018	9/30/2018				
Cash Payment	E 101-43100-212 Motor Fuels					\$145.08
Invoice	093018	9/30/2018				
Cash Payment	E 251-46331-212 Motor Fuels					\$169.52
Invoice	093018	9/30/2018				
Cash Payment	E 601-49400-212 Motor Fuels					\$154.25
Invoice	093018	9/30/2018				
Cash Payment	E 602-49450-212 Motor Fuels					\$154.26
Invoice	093018	9/30/2018				
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$672.62
Refer	0 VOIGT, TONY			<u>Ck# 028579 10/8/2018</u>		
Cash Payment	E 101-41940-223 Repair/Maintenance Bldg					\$43.61
Invoice	092718	9/27/2018				
Cash Payment	E 602-49450-331 Travel/Meeting Expense					\$76.30
Invoice	092718	9/27/2018				
Cash Payment	E 601-49400-331 Travel/Meeting Expense					\$29.43
Invoice	092718	9/27/2018				

CITY OF NORWOOD YOUNG AMERICA

10/04/18 1:39 PM

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Payments

Current Period: OCTOBER 2018

Batch Name	10/08/2018					
Payment		Computer Dollar Amt	\$55,803.90	Posted		
Refer	0 HOLIDAY FLEET		Ck# 028551 10/8/2018			
Cash Payment	E 101-43100-212 Motor Fuels					\$126.06
Invoice	091818 9/18/2018					
Transaction Date	9/21/2018	Due 0	CHECKING	10100	Total	\$126.06
Refer	0 MAYER LUMBER CO.		Ck# 028557 10/8/2018			
Cash Payment	E 101-41940-223 Repair/Maintenance Bldg					\$57.05
Invoice	k62460 9/20/2018					
Transaction Date	9/21/2018	Due 0	CHECKING	10100	Total	\$57.05
Refer	0 MAYER LUMBER CO.		Ck# 028557 10/8/2018			
Cash Payment	E 101-41940-223 Repair/Maintenance Bldg					\$160.40
Invoice	162412 9/18/2018					
Transaction Date	9/21/2018	Due 0	CHECKING	10100	Total	\$160.40
Refer	0 XTREME ELECTRICAL		Ck# 028581 10/8/2018			
Cash Payment	E 101-41940-223 Repair/Maintenance Bldg					\$60.58
Invoice	18-2070 9/20/2018					
Transaction Date	9/21/2018	Due 0	CHECKING	10100	Total	\$60.58
Refer	0 NCPERS 855401LIFE INS		Ck# 028564 10/8/2018			
Cash Payment	G 101-21705 PERA Life					\$16.00
Invoice	85541018 9/21/2018					
Transaction Date	9/27/2018	Due 0	CHECKING	10100	Total	\$16.00
Refer	0 ANCOMCOMMUNICATIONS, INC.		Ck# 028539 10/8/2018			
Cash Payment	E 101-42200-323 Radio Units					\$90.00
Invoice	82022 9/25/2018					
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$90.00
Refer	0 LANO EQUIPMENT		Ck# 028554 10/8/2018			
Cash Payment	E 101-42200-210 Operating Supplies		FD GRASS RIG TRAILER			\$38.60
Invoice	27734 9/21/2018					
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$38.60
Refer	0 MID-COUNTY CO-OP OIL ASSN		Ck# 028560 10/8/2018			
Cash Payment	E 101-42200-212 Motor Fuels					\$912.63
Invoice	43725 9/19/2018					
Transaction Date	10/2/2018	Due 0	CHECKING	10100	Total	\$912.63
Refer	0 CENTER POINT		Ck# 028544 10/8/2018			
Cash Payment	E 101-41940-383 Gas Utilities					\$43.09
Invoice	092618 9/26/2018					
Cash Payment	E 101-42200-383 Gas Utilities					\$12.76
Invoice	092618 9/26/2018					
Cash Payment	E 101-43100-383 Gas Utilities					\$122.17
Invoice	092618 9/26/2018					
Cash Payment	E 101-45200-383 Gas Utilities					\$90.87
Invoice	092618 9/26/2018					



TO: Honorable Mayor Lagergren and City Council Members
FROM: Steven Helget, City Administrator
DATE: October 8, 2018
SUBJECT: Ordinance No. 310, City Council Salary Increase

The City Council at its September 10th regular meeting scheduled a public hearing for 6:00 p.m., October 8th for the purpose of considering an increase in the Mayor's and Councilmember's salaries. The enclosed Ordinance No. 310 reflects an increase of \$50.00 per month to the Mayor's and Councilmember's salaries.

Per Minn. Stat. §415.11, an ordinance changing council salaries must be adopted and published prior to the November 6, 2018 general election in order for them to take effect January 1, 2019.

Suggested Motion:

Motion to adopt Ordinance No. 310, an ordinance amending Section 220 of the City Code relating to Mayor and Councilmembers salaries.

Motion to approve the summary of Ordinance No. 310 and its publication.

CITY OF NORWOOD YOUNG AMERICA

CARVER COUNTY, MINNESOTA

ORDINANCE NO. 310

**AN ORDINANCE AMENDING SECTION 220 OF THE CITY CODE RELATING TO
MAYOR AND COUNCILMEMBERS SALARIES**

- I. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, CARVER COUNTY, MINNESOTA HEREBY ORDAINS CHAPTER 2, SECTION 220.01 AND SECTION 220.02 SHALL BE AMENDED AS FOLLOWS:**

Section 220 – Mayor and Councilmembers Salaries

220.01 Mayor Salary. The salary of the Mayor shall be ~~\$300~~ \$350 per month.

220.02 Councilmembers Salary. The salary of each Councilmember shall be ~~\$200~~ \$250 per month.

- II. EFFECTIVE DATE: THIS ORDINANCE IS EFFECTIVE ON JANUARY 1, 2019 AND UPON PUBLICATION AS PRESCRIBED BY LAW.**

Adopted by the City Council of the City of Norwood Young America this 8th day of October, 2018.

Carol Lagergren, Mayor

Attest:

Kelly Hayes, City Clerk/Treasurer

(S E A L)

**City of Norwood Young America
Summary of Ordinance No. 310
Amending City Code Chapter 2**

The City of Norwood Young America has adopted Ordinance No. 310 entitled “An Ordinance Amending Section 220 of the City Code relating to Mayor and Councilmembers salaries.

Section 220 – Mayor and Councilmembers Salaries

220.01 Mayor Salary. The salary of the Mayor shall be ~~\$300~~ \$350 per month.

220.02 Councilmembers Salary. The salary of each Councilmember shall be ~~\$200~~ \$250 per month.

Effective Date: This ordinance becomes effective on January 1, 2019 and upon its passage and publication according to law. The ordinance was adopted by the City Council on October 8, 2018.

A copy of the complete ordinance is available for review at the Norwood Young America City Offices, located at 310 Elm St W. If you have any questions, please contact the City at (952) 467-1800.



TO: Honorable Mayor Lagergren and City Council Members

FROM: Steven Helget, City Administrator

DATE: October 8, 2018

SUBJECT: Forest Hills Cemetery Ownership Transfer

=====

Enclosed is a letter from Paul Melchert, Melchert, Hubert, Sjodin Attorneys at Law, requesting the City of Norwood Young America consider taking over ownership and maintenance of the Forest Hill Cemetery. As Mr. Melchert states, there are currently no living board members of the Forest Hill Cemetery Association. At the meeting, Mr. Melchert will provide information on the process of transferring the cemetery to the City.

Suggested Motion:

No specific action suggested.

Norwood Young America



TO: Honorable Mayor Lagergren and City Council Members

FROM: Steven Helget, City Administrator

DATE: October 8, 2018

SUBJECT: Forest Hills Cemetery Ownership Transfer

=====

Enclosed is a letter from Paul Melchert, Melchert, Hubert, Sjodin Attorneys at Law, requesting the City of Norwood Young America consider taking over ownership and maintenance of the Forest Hill Cemetery. As Mr. Melchert states, there are currently no living board members of the Forest Hill Cemetery Association. At the meeting, Mr. Melchert will provide information on the process of transferring the cemetery to the City.

Suggested Motion:

No specific action suggested.

Keith E. Sjodin*
R. Lawrence Harris
Bradley W. Solheim**
J. Michael Melchert**
Kelly C. Dohm***
P. David Melchert
Racheal M. Holland***
Kathryn J. Barnes
Jason M. Thiemann
Matthew D. McDougall
Erin H. Jensen
Arian S. Tavakolian
Lisa D. Hill
Deja L. Weber
Quinn P. O'Reilly
Of Counsel:
Paul A. Melchert
David P. Hubert
Luke L. Melchert
Mac R. Willemssen
Neil J. Jensen

*Civil Trial Law Specialist, certified by the
Minnesota State Bar Association
**Real Property Law Specialist, certified by
the Minnesota State Bar Association
***Labor and Employment Law Specialist,
certified by the Minnesota State Bar
Association
Also admitted in ND and SD



MELCHERT • HUBERT • SJODIN
A Professional Limited Liability Partnership
ATTORNEYS AT LAW

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121 West Main Street, Suite 200
Waconia, Minnesota 55387
Telephone: (952) 442-7700

CHASKA OFFICE
102 West 5th Street
Chaska, MN 55318
Telephone: (952) 448-2225

HUTCHINSON OFFICE
22 Main Street North
Hutchinson, MN 55350
Telephone: (320) 587-2046
Facsimile: (320) 587-1061

Firm Administrator
Marcia A. Willmsen

WEB PAGE
www.mhslaw.com

July 31, 2018

Steve Helget
City Administrator of NYA
310 Elm Street West
P.O. Box 59
Norwood Young America, MN 55368

Re: Forest Hill Cemetery Association

Dear Mr. Helget:

The purpose of this letter is to formally request that the City of Norwood Young America consider taking over ownership and maintenance of the Forest Hill Cemetery. The Forest Hill Cemetery is now owned by the Forest Hill Cemetery Association, a public cemetery corporation under the provisions of the Public Cemetery Association Code of State of Minnesota. The Articles of Incorporation of the Forest Hill Cemetery Association were signed on May 12, 1960, and filed in the office of the Carver County Register of Deeds on May 19, 1960, in Book "C" of Corporations at Pages 267 and 268.

At the present time there are no living board members of the Forest Hill Cemetery Association. Back in August of 2016, Lyle A. Zieper stated to me that he was the sole surviving board member and that he had talked to Mayor Diedrick relative to the possibility of the City of Norwood Young America taking over the cemetery. He then resigned and shortly thereafter passed away. The administration of Lyle's estate after his passing ended up in litigation, but matters have been resolved and his estate is being closed out. However, at this time there is no one in a position to legally act on behalf of the Forest Hill Cemetery Association.

It, therefore, is requested that the City of Norwood Young America agree to accept a transfer of the Forest Hill Cemetery to the City of Norwood Young America under the provisions of Minnesota Statutes § 306.025. As you know, Minnesota Statutes § 306.025 provides that the City in which the cemetery is wholly or partly located may accept a transfer of the cemetery and

Steve Helget
July 31, 2018
Page 2

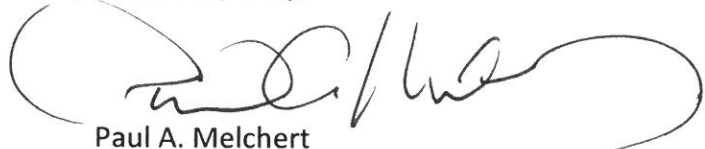
of its property and funds, and may continue to operate, maintain, manage and conduct the cemetery, and to sell lots and provide for the burial of the dead in the cemetery.

If the City of Norwood Young America is willing to accept the transfer of the cemetery under the provisions of Minnesota Statutes § 306.025, we would then, or you may have your city attorney, prepare a resolution to this effect to be adopted by the city council. We will then proceed to give notice of a meeting to known lot owners under the provisions of Minnesota Statutes § 306.111 to elect officers and then proceed to authorize a transfer by the Forest Hill Cemetery Association to the City of Norwood Young America. Forest Hill Cemetery Association by its board must adopt a resolution to that effect by a unanimous vote of the members of the board after which the President and Secretary would be authorized to execute the proper instruments to evidence the transfer.

However, as we have discussed, there presently are no board members. All board members are deceased. In situations such as this, three or more lot owners of the cemetery may mail a notice to all the lot owners known to them that a meeting of the lot owners will be held not less than 14 days after the mailing at a time and place to be fixed by them and designated in the notice under the provisions of Minnesota Statutes § 306.111, subd. 2. We would also publish the notice of meeting in the Norwood Times since there is no comprehensive existing list of lot owners. The lot owners then can elect the necessary board members and President and Secretary at the meeting. A resolution could then be adopted authorizing the transfer of the cemetery to the City of Norwood Young America. It would be deeply appreciated if the city council could pass a motion agreeing to accept such a transfer in order that these proceedings may be commenced as to Forest Hill Cemetery Association. If any further documentation or information is requested by the city council at this time, please be sure to contact me accordingly.

Thank you in advance to the Honorable City Council of the City of Norwood Young America for considering this matter which we firmly believe would be to the benefit of the Norwood Young America community.

Yours very truly,



Paul A. Melchert

PAM/jm

cc: Mr. and Mrs. Gerald Schimelpfenig



TO: Honorable Mayor Lagergren and City Council Members

FROM: Steven Helget, City Administrator

DATE: October 8, 2018

SUBJECT: Review Carver County Draft 2040 Comprehensive Plan

=====

At the September 24th City Council Work Session, the Council discussed and reviewed Carver County's draft 2040 Comprehensive Plan update. Per Minnesota Statute §473.858 Subd. 2 and the Metropolitan Council, Carver County is submitting their 2040 draft Comprehensive Plan update for the City's review. The County is requesting the City send them any comments by November 2, 2018.

Please bring to the meeting the copy of the County's draft 2040 Comprehensive Plan update that was included in the September 24th City Council packet.

Suggested Motions:

Motion to submit the following comments to Carver County on its draft 2040 Comprehensive Plan Update:

OR

Motion to not submit any comments to Carver County on its draft 2040 Comprehensive Plan Update and to waive any further review.

Norwood Young America



TO: Honorable Mayor Lagergren and City Council Members

FROM: Steven Helget, City Administrator

DATE: October 8, 2018

SUBJECT: Discuss Economic Development Coordinator Position

=====

Jo Foust, Municipal Development Group, has informed me that she will not be pursuing to renew her contract with the City for 2019. Enclosed is a copy of the current contract with Municipal Development Group which includes the scope of their services.

Proposed is to discuss possible options for filling the role and duties of the City's economic development coordinator. Possible options include the following:

1. The City Administrator take over 100% of the responsibilities and duties of economic development;
2. Seek to hire another consultant; or
3. Consider hiring a full-time community development director who would be responsible for both economic development and planning. For 2019, the preliminary budget reflects \$38,000 for our two consultants (planning & economic development) which is probably less than half the cost for a full-time staff person.

Suggested Motions:

No motions proposed.

Norwood Young America



TO: Honorable Mayor Lagergren and City Council Members

FROM: Steven Helget, City Administrator

DATE: October 8, 2018

SUBJECT: Discuss Refuse Hauler Licenses Renewal

=====

Proposed is to discuss renewal of the refuse licenses for Waste Management and Randy's Environmental Services. In accordance with Section 320.15 of the City Code, no more than two (2) refuse haulers may be licensed for any calendar year, the license is valid for three (3) years and each license shall be renewable. The current license fee is \$100 for three years. The two current licensed refuse and recycling haulers are Waste Management and Randy's Environmental Services.

Enclosed is a copy of the proposals the City received in 2015 from Waste Management and Randy's Environment Services. In addition, enclosed is Section 320 of the City Code which pertains to Garbage, Refuse, and Recyclables. Lastly, enclosed are sections of the State Statute pertaining to licensing of solid waste collection and organized collection.

The following is the section of the December 14, 2015 City Council minutes pertaining to the Council's discussion and action for approving the current refuse licenses.

Refuse and Recycling Collection Proposals

Proposals were received by three vendors for Refuse and Recycling Collection. A spokesperson from each vendor approached the council to review their proposal and answer any questions.

- Darrell Hoeckstra - Waste Management – currently provides service to nearly half of NYA.*
- Tracy Nelson - Elite Waste Disposal – Family owned business in Jordan. Provides service to nearly 9,000 customers in or around the metro area.*
- Deb Gatz - Randy's Environmental Services – Family owned business in Delano. Within the last year, Randy's has gone door-to-door and handed out flyers to attract new customers in NYA - currently services about 700 customers.*
- Concerns were brought forward from attorneys for Waste Management (Micah Hamstra) and Randy's (Kieran Dwyer) regarding NYA's process and how it may not comply with the MN law regarding an Open System versus Organized Collection (Minn Stat 115A.94). NYA's City Attorney, Jay Squires, noted that NYA's request for proposals was within this MN law.*

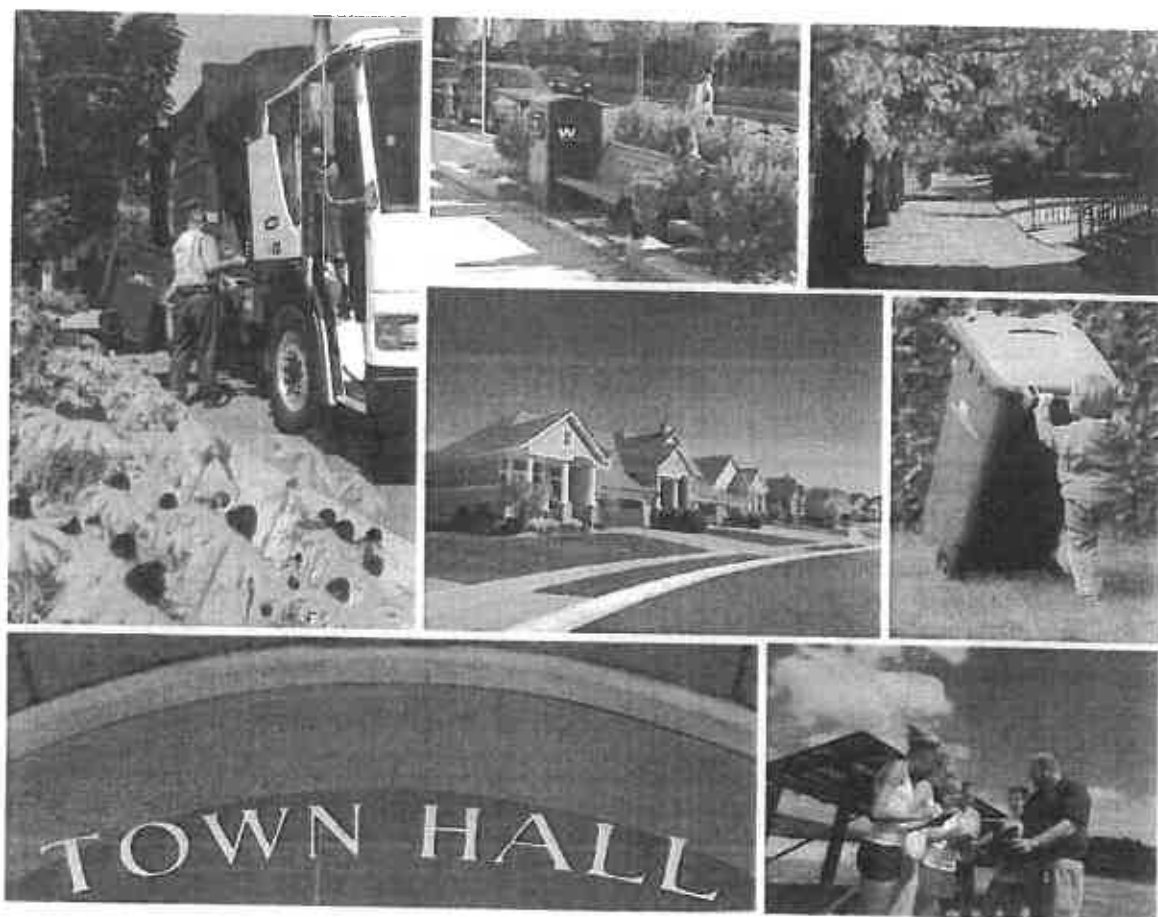
Norwood Young America

- *Concern from resident Charlie Storms regarding the cost to residents if they are required to terminate their contract with current company. He was told that there would be a fee to pick up container and to clean it of around \$46.*

Motion: *CL/CH, MM, TD in favor of a three year license agreement offered to Waste Management and Randy's Environmental Services for Refuse and Recycling Collection. DS opposed. Motion carried 4-1.*

Suggested Motion:

No motion suggested.



Response to RFP to Solid Waste Collection and Recycling Services for the City of Norwood Young America, Minnesota

December 9, 2015

Mike Donnelly, Public Sector Sales Representative

mdonnell@wm.com | 952-229-5333



THINK GREEN.®

Letter of Transmittal

Steve Helget, City Administrator
City of Norwood Young America
310 Elm Street West
P.O. Box 59
Norwood Young America, MN 55368

Dear Mr. Helget;

On behalf of Waste Management of Minnesota Inc., thank you for providing us the opportunity to respond to the Request for Proposal to Provide Solid Waste Collection and Disposal and recycling Services for the City of Norwood Young America. We appreciate the chance to demonstrate our willingness and ability to continue to provide a high level of service to the City of Norwood Young America.

It is Waste Management of Minnesota, Inc.'s position that the City's RFP violates Minnesota law. By submitting a response to the City's RFP, Waste Management of Minnesota, Inc. does not waive any arguments it has regarding the failure of the City's RFP to comply with applicable law.

Waste Management of Minnesota, Inc. is a Minnesota Corporation. We are part of a national company, but our employees live in, and support the communities we service. We are incorporated in Minnesota, pay taxes on our property in Norwood Young America and all of our Minnesota properties. Contrary to what other haulers will say, and what many people believe, we are a local company. The five Waste Management employees who currently live in Norwood Young America support this. Yes, we are part of a large national company, which has its benefits. We have financial strength and security. Waste Management is a Fortune 500 company currently ranked #207, just missing out on Fortune 200 status. We are a leader in the trash and recycling business and have been, and plan to continue to be for years to come

Community partnerships are important to Waste Management. We have been, and will continue to provide service at no charge for the NYA Sports Complex, City Parks, Waste Water Treatment Plant, Public Works and Roy Clay Building. We have no obligation to provide this service valued at approximately \$3600.00 per year in service, but do so as a community partner. We will work shoulder-to-shoulder with your community to understand its needs, customize municipal programs, and build in cost efficiencies. You can rely on us for high-quality solutions to protect your residents, comply with increasingly complex government regulations, and benefit local businesses and non-profit organizations. We want to be your environmental services partner, offering a comprehensive suite of services. We are proud of the comprehensive, custom trash and recycling programs that we create for cities like Norwood Young America.

It would be our privilege to continue to provide collection, transportation and disposal of residential refuse and recycling to the City of Norwood Young America. We look forward to continue to grow our relationship with the City in the upcoming years. Please do not hesitate to contact me if you have any questions.

Best Regards,


Mike Donnelly

Waste Management of Minnesota, Inc.
Public Sector Representative / Office: 952-229-5333



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Qualifications

Corporate Organization

Waste Management is the largest publicly owned company providing integrated environmental services in North America and the industry leader in providing comprehensive waste management services. Waste Management serves commercial, industrial, municipal, and residential customers throughout the United States, and Canada.

Waste Management is headquartered in Houston, Texas, employs 42,700 people and operates an extensive network that includes:

- 262 Active solid waste landfill disposal sites
- 5 Hazardous waste landfill sites
- 390 Collection operations
- 17 Waste-to-energy plants
- 137 Beneficial-use landfill gas projects
- 140 Material recovery facilities, including 50 single stream recycling facilities
- 310 Transfer stations
- 36 Organics processing facilities

Local Organization

Waste Management of Minnesota, Inc. proposes the following to serve as the key team members for the City. For further detail, please see the summaries of qualifications included below.

The Waste Management Team and is an experienced team of industry professionals with over 35 years of experience.

Key Contacts	Position/Title
Mike Donnelly Office: 952-229-5333 Cell: 612-419-1486	Public Sector Representative Responsible for overall relationship, RFP & Quoting
Dan Behnke	District Manager
Grant Henkelmann	Route Manager
Linda Engelke	Operations Specialist

Service Delivery Optimization

Waste Management offers a service guarantee. We guarantee to provide service to all residents. If a resident is missed, we guarantee recovery the next business day.

Having a large fleet of trucks in our Winsted facility, it allows us to easily recover any misses. Many times, we discover residents did not have their containers out on time and report them as misses. Either way, we still go back to recover them. We are close to the City of Mayer, and have the equipment to recover when a miss occurs. Misses, or customers not having their containers out, are often recovered the same day.



THINK GREEN®

Pricing

Residential Pricing: Includes all fees and surcharges. Pricing shows base price and price with MSW tax/fee. There will be a 3 % increase in years two and three. The MSW tax in Minnesota is 9.75%.

Cart Size	2016 Base Rates	Taxes/Fees	Total
32 Gallon Trash	\$7.06	\$.69	\$7.75
64 Gallon Trash	\$8.67	\$.85	\$9.52
96 Gallon Trash	\$10.00	\$.98	\$10.98
32, 64, 96 Gallon Recycling Every Other Week	\$2.99	\$0.00	\$2.99
32, 64, 96 Gallon Recycling Weekly	\$5.99	\$0.00	\$5.99
Townhomes: 64 Gallon Trash	\$5.94	\$.58	\$6.52

Recycling is currently done every other week. The City has asked for a weekly option which we have provided pricing for. We prefer to provide additional containers at no charge to adding another truck to the city streets. By recycling every other week, it cuts recycling truck traffic in half.

Commercial Pricing: Includes all fees and surcharges. Pricing shows base price and price with MSW tax/fee. Shown next to the base rate. There will be a 3 % increase in years two and three. The MSW tax in Minnesota is 17%.

Container Size Trash	1 x week	2 x week	3 x week	4 x week	5 x week
2 yard MSW	\$88.00/\$102.96	\$175.00/\$204.75	\$260.00/\$304.20	\$340.00/\$397.80	\$420.00/\$491.40
3 yard MSW	\$98.00/\$114.66	\$192.00/\$224.64	\$290.00/\$339.30	\$395.00/\$462.15	\$490.00/\$573.30
4 yard MSW	\$115.00/\$134.55	\$225.00/\$263.25	\$335.00/\$391.85	\$445.00/\$520.65	\$560.00/\$655.20
6 yard MSW	\$139.00/\$162.63	\$270.00/\$315.90	\$390.00/\$456.30	\$545.00/\$637.65	\$695.00/\$813.15
8 yard MSW	\$165.00/\$193.05	\$325.00/\$380.25	\$475.00/\$555.75	\$650.00/\$760.50	\$810.00/\$947.70
Container Size Recycling	1 x week	2 x week	3 x week	4 x week	5 x week
2 yard Recycling	\$77.00	\$147.00	\$223.00	\$295.00	\$365.00
3 yard Recycling	\$84.00	\$161.00	\$241.00	\$318.00	\$394.00
4 yard Recycling	\$89.00	\$173.00	\$255.00	\$340.00	\$424.00
6 yard Recycling	\$95.00	\$197.00	\$297.00	\$391.00	\$487.00
8 yard Recycling	\$115.00	\$222.00	\$330.00	\$440.00	\$545.00



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Every Other Week Trash & Recycling Rates

Container Size Trash	Every Other Week
2 yard MSW	\$47.00 / \$54.99
3 yard MSW	\$52.00 / \$60.84
4 yard MSW	\$59.00 / \$69.03
6 yard MSW	\$73.00 / \$85.41
8 yard MSW	\$86.00 / \$100.62
Container Size Recycling	Every Other Week
2 yard Recycling	\$45.00
3 yard Recycling	\$48.00
4 yard Recycling	\$53.00
6 yard Recycling	\$59.00
8 yard Recycling	\$67.00

Roll Off Pricing: Includes all fees, taxes and surcharges. Pricing shows base price and price with MSW tax/fee. Residential tax of 9.75% is shown first. Commercial tax of 17% shows second on totals. Shown next to the base rate. There will be a 3 % increase in years two and three.

Roll Off Container Size Trash	Price Per Haul /Disposal	Total
20 yard: Includes 2 tons	\$323.00	\$354.49 / \$377.91
20 yard: Includes 3 tons	\$365.00	\$400.59 / \$427.05
20 yard: Includes 4 tons	\$399.00	\$437.90 / \$466.83
30 yard: Includes 2 tons	\$323.00	\$354.49 / \$377.91
30 yard: Includes 3 tons	\$365.00	\$400.59 / \$427.05
30 yard: Includes 4 tons	\$399.00	\$437.90 / \$466.83
Roll Off Container Size Recycling		
20 yard	\$220.00	\$220.00
30 yard	\$220.00	\$220.00



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Pricing for Bulk, Appliances and Electronics

Waste Management will pick up bulk, appliances and electronics for a fee. The fee will be based on the item and will range from \$25-\$50 plus applicable taxes and fees. Example: Mattresses, refrigerators & large appliances would be \$50.00. A computers or TV would be \$25.

Residents are encouraged to recycle appliances, electronics and cell phones. Many retailers, who sell electronics, also accept them at no charge or little charge. Cell phones can be donated to a number of organizations who provide them to battered women, low income and other groups involving persons of need.

Citywide Cleanup

Waste Management of Minnesota, Inc. would be willing to provide a Citywide Cleanup using a City designated Drop Site. This being a "Hauling License Only" we feel a drop site would be the best model. No hauler has 100% of the City and should not be expected to collect materials curbside from the competitor's stops. A drop site will allow all residents of the City of Norwood Young America to participate. There would be a charge for the event based on current hauling and disposal rates. The City and Waste Management of Minnesota Inc. would work together on determining the number of rear load trucks required. The fee would be \$120 per hour per truck. This includes the labor. The disposal fee will be the current rates at Spruce Ridge Landfill at the time of the cleanup. MSW taxes/fees would be in addition to the rates noted.

Compost Drop Site

Waste Management of Minnesota, Inc. would provide an open top roll off container for yard waste. The fee for the compost container would be \$250.00 per haul. No disposal fee. Volume of yard waste/compost customers for curbside collection would not support having an additional truck in the City for curbside collection service. The City of Hamburg currently has a roll off, and adds a second one at peak times to handle the additional volume.

Service Day

Waste Management of Minnesota, Inc. will continue to provide residential service on Wednesdays. The Residential recycling will be every other Wednesday on the same schedule as we currently do. This cuts the truck traffic for recycling in half being every other week as opposed to a weekly recycling service. We have proposed weekly recycling at the City's request, but offer additional recycling containers at no charge and feel from an environmental standpoint, every other week is a better solution.

Commercial service is provided up to five days per week, Monday-Friday) to meet the needs of your business community. Our goal is to "right size" the level of service for our customers. We would prefer to dump a six-yard container one time per week to a two-yard container three times per week. Some situations where space is an issue we need to be out there more frequently.

Vehicle Description

Waste Management: full weights are approximate and can vary based on materials collected.

Make/Model	Year	Axles / Axle Weight	Weight
Freightliner Condor	2005	4 axles: 4 tons per axle	19 tons empty/31.5 tons full
Freightliner Condor	2006	3 axles: 5.083 tons per axle	15.25 tons empty / 28.5 tons full
Mack MRU613	2011	4 axles: 4.75 tons per	19 tons empty / 31.5 tons



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		axle	full
Mack MRU613	2006	4 axles: 4.75 tons per axle	19 tons empty / 31.5 tons full
Mack MR688S	2001	3 axles: 5.083 tons per axle	19 tons empty/28.5 tons full

Preventive Maintenance Program



Waste Management is committed to maintenance excellence. Our preventive maintenance (PM) program establishes a standard to minimize vehicle failures by monitoring the current condition of the equipment and correcting defects before they develop into safety concerns or costly repairs. The program establishes a systematic procedure to inspect, lubricate, and maintain all vehicles owned and/or operated by Waste Management. These procedures reduce breakdowns and accidents within our fleet, and provide us with trouble-free, safe and efficient operations. Our company goal and objective is to provide Norwood Young America with the safest, cleanest, and most reliable equipment in operation. The following is a summary of our PM program.

Scope

This PM program applies to all of Waste Management's collection vehicles. As changes occur, Technical Service Bulletins may be issued to amend this process. Our inspection program encompasses the mandatory Department of Transportation (DOT) inspection criteria set forth in section 396 of the Federal Motor Carrier Safety Regulations (FMCSR). This serves as the inspection process for Waste Management's equipment. Any vehicle found that does not meet these minimum standards will not be operated until those defects that violated these standards have been properly corrected. We perform quality control audits and self-inspections for compliance of our maintenance programs. This enables us to identify areas of improvement and correct deficiencies.

Preventive Maintenance Intervals

The Preventive Maintenance Program for collection operations is based on vehicle utilization by hours and/or days. Prescribed service intervals must meet the minimum requirements set by Waste Management. If severe operating conditions exist, the Market Area Fleet Manager may request, in writing, to the appropriate Fleet Director an increase in the frequency of preventive maintenance service intervals for a specific site. The Vice President of Fleet Services and Logistics is the only approving authority for any changes extending preventative maintenance inspection (PMI) intervals. Any changes to the frequency of PMI service intervals must be documented and included in the vehicle or equipment's maintenance file. For specialty collection equipment, it is very difficult to establish company-wide PMI frequency schedules. If you have specialty or an odd piece of equipment that requires periodic inspections, follow the manufactures recommended PMI and service schedules accordingly.

The PM program will adhere to the following cycle. Each vehicle will receive three (3) PM 150s consecutively, and then receive a PM 600. The annual basic cycle will appear as below:

(PM 150) - (PM 150) - (PM 150) - (PM 600) - (PM 150) - (PM 150) - (PM150) - (PM 600 & 1200)



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(PM 150) - (PM 150) - (PM 150) - (PM 600) - (PM 150) - (PM 150) - (PM150) - (PM 600 & 1200 & 2400)

The acceptable variance for PMI compliance is 015 hours or 5 days (whichever occurs first) for collection PM 150, and 5% (hours) or 10 days for all other inspection intervals. For example, a PM 600 has a variance of 30 Hours or 10 days. California sites subject to Biennial Inspection of Terminals (BIT) cannot exceed 90 days between PMI intervals. The federal annual inspection must never expire. If allowed to expire, the vehicle will not be used until the inspection and appropriate documentation is complete.

Fluid Sampling and Filter Change Intervals

All heavy vehicles with diesel engines receive an oil change, along with new filters and sampling every 600 hours. All other components (transmissions, Hydraulics, and Axles) are sampled every 1200 hours. Fluid samples are taken according to the preventive maintenance-sampling schedule in the appropriate TSBs. Records of analysis will be retained in the unit's history file or by electronic means in the Castrol web-based information system (LABCHECK at www.castrolusa.com). Samples must be sent to Waste Management's approved sampling services supplier on a timely basis (the next business day).

Mandated Annual Inspection

The 150 and 600-hour PMI sheets include inspection elements required to meet state, provincial or federal annual inspection in accordance with section 396 to subpart B of 49 CFR. The items on the 150 and 600-hour sheets that are gray shaded must meet minimum inspection criteria as outlined in appendix G of subpart B, 49 CFR, before the inspection can be certified as a federal annual inspection. Each commercial motor vehicle subject to DOT shall have this inspection performed annually and documentation of the last inspection shall be with the vehicle. Some states require documentation of this mandated inspection at increased intervals (six months). Therefore, it is extremely important that the Fleet Manager is familiar, and complies, with State/Provincial regulations

Inspector Training, Certification, and Qualification

Each technician performing inspections shall be trained and qualified to properly complete a Waste Management preventive maintenance inspection in accordance with the inspection methods contained within this manual. Each technician performing mandated federal annual inspections shall meet the qualifications as stated in Para. 19, section 396, subpart B, 49 CFR. Evidence and documentation of the qualifications of an inspector shall be retained for the period during which that individual is performing inspections and one year thereafter.

Waste Management has in this local market area over 400 vehicles from which to draw from in case of a catastrophic event. Local repairs are performed in house by a skilled Waste Management technician. In case of breakdowns, the driver will call into the shop for a road call repair. If the truck is not repairable, it will be towed to the shop and spare will be given to the driver. Thirty minutes would be typical down time for either of these situations.

Safety



Dedication to safety is at the top Waste Management's list of core values. Our comprehensive safety program ensures that our employees and the communities we service remain protected at all times. We focus on safety throughout our operations. From our employee screening process on, we ensure that our staff receives the information necessary to remain safe in all aspects of their jobs.

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The safety programs and equipment Waste Management provides our employees and furnishes on the route trucks will enhance the safety of the citizens in Norwood Young America:

- Extensive new employee background investigation checks
- Three day orientation training for all new hires
- 90 day on the job training and evaluation program
- A District Driver Trainer at each transportation location
- Random Alcohol and Drug Testing
- Monthly Driver Safety Meetings
- Operations Supervisor conducts monthly on the job observations
- Hazardous Waste Identification
- Environmental Storm Water and Spill Response Training

Waste Management facilities must meet or exceed industry and government safety standards. We have implemented a comprehensive program to meet the requirements of Employee Right-To-Know, Community Right-to-Know, and Emergency Response regulations of U.S. Department of Transportation (DOT), OSHA, and the U.S. Environmental Protection Agency (EPA).

No other waste company in the nation has an OSHA TRIR rating better than Waste Management. OSHA has recognized Waste Management for our progress and ongoing effort to eliminate unsafe work behaviors.

Employee Screening

We begin by ensuring that we hire the highest quality drivers—we do not hire applicants with poor driving records, and we review motor vehicle reports for employees every six months. For the life of each driver's employment with Waste Management and for three years after, we maintain a Driver Qualification File (DQF). Candidates for employment at Waste Management landfills, hauling operations, and recycling facilities must successfully complete a comprehensive background check and drug test before being hired. Employees who will perform safety sensitive functions or driving waste collection vehicles must complete medical exams.

Employee Training

After we have approved new employees for hire, we properly trained them to operate safely. Waste Management's two-phase safety training program includes classroom and on-the-job training, route observation, safety data gathering, and driver training. Phase one provides classroom training that shows workers how to safely perform day-to-day tasks while working the route. These courses standardize the company's safety practices and illustrate exemplary everyday operations—such as how to safely operate trucks, compactors, and other equipment and how to pick up garbage safely. We hold training courses at Waste Management locations across the country.

Phase two of our training program offers classroom as well as on-the-job training for drivers and helpers. They learn how to safely operate their vehicles, mount and dismount equipment, and move and lift containers. They also learn how to work in hot and cold weather.

We are also able to draw from our corporate offices to offer the latest in safety and environmental training. Waste Management, Inc. conducts regular health and safety programs for its employees throughout the country. These programs provide guidance to the operating locations in meeting the compliance requirements safety standards of OSHA, the EPA and the DOT. We frequently conduct in-depth training programs on local issues or on issues of regional concern including: hazard communication, employee right-to-know, asbestos management, industry



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specific defensive driving, quality customer service, integrity of ethics, code of conduct, control of hazardous energy (Lock Out/Tag Out), confined spaces, and emergency response.

Incident Reviews

When safety incidents occur, Waste Management responds quickly and thoroughly to lower the risk of repeat occurrence. We create, distribute, and safety advisory notices to the company intranet site when serious safety incidents occur. These reader-friendly write-ups are posted by managers who sign off and indicate the date that the newsletter was posted. We also hold meetings at the sites to ensure the information is conveyed to the drivers.

A safety advisory includes a description of the safety problem that was encountered and the steps that must be taken to prevent the problem from recurring across the company. Each safety alert includes a statement reminding readers that corrective actions are not optional and full compliance is required.

Reporting

Waste Management requires employees to report any unsafe conditions in the workplace. We have developed and implemented reporting procedures and policies for safety incidents that are integrated throughout our business. One example is Waste Management's customer service program, Service Machine®, discussed earlier in the Quality Management section of this proposal.

We require our employees to report and track all injuries and accidents in the Accident & Injury Management System (AIMS). AIMS is used by sites to track incidents, which include any unplanned work-related event resulting in, or which could result in: personal injury, vehicle damage, property damage, loss of assets, fires, explosions, spills, releases, or adverse publicity, regardless of severity. AIMS reporting allows Waste Management to fulfill its regulatory requirements, provides data for making informed management decisions, and is important in helping Waste Management provide a safe work environment for all employees. Waste Management requires that all incidents be entered into the AIMS system within 48 hours of occurrence and to our insurance carrier within 24 hours of the first report of the incident.

We issue a new safety report each week and archive all safety reports on the company intranet website. Details of any accidents in the past week are provided, often with photos. Information includes the location of the accident, the driver's years of service, and any follow up action being taken. These reports serve to inform employees of safety incidents and failures while reminding all readers to carefully observe safety rules and avoid committing the mistakes that can cause accidents.

Accident Response

Waste Management has a Spill Prevention, Control, and Countermeasure (SPCC) Plan designed to train our drivers to handle non-hazardous spills while on route. Each vehicle is equipped with a spill kit that has various absorbent materials that contain spills while a crew is dispatched for immediate clean up. Waste Management has on site, at its facility, a mobile spill cleanup trailer that is dispatched with trained personnel should a more thorough cleanup be needed. We train our drivers to pick up spillage during collection and provide them with brooms and shovels on each vehicle.



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Landfill and Recycling Facility

Waste Management of Minnesota, Inc. operates the Spruce Ridge Landfill located at 12755 137th St. Glencoe MN 55336. We have the ability to capture methane gas and turn it into an alternative fuel source that provides electricity to close to half of the homes in the City of Glencoe.

The recycling collected in Norwood Young America will be taken to the McLeod County Recycling Facility located at 1065 5th Ave SE, Hutchinson MN 55350. This facility is operated by McLeod County and provides a number of jobs for the disabled members of the community.

Customer Service Policies and Procedures

Waste Management of Minnesota, Inc. has a customer service department who handles new account set up, change in service, billing and other questions. They also handle situations where the resident's cart may be damaged during the service process, complaints. For all calls, our goal is one call resolution. If a call would escalate to the City, our Operations Specialist in Winsted would be able to assist. The Operations Specialist has direct contract with the Route Managers and Drivers.

If a new resident calls to set up service, they have an account set up and delivery is scheduled. To minimize truck traffic in the City, we deliver, swap and remove carts one day per week. Our trash and recycling trucks are not used as a delivery truck. For safety reasons, and to allow the truck to deliver more containers efficiently, we use a separate delivery truck.

Handling of Spills and Walk Up Service

Simply put, if we cause the mess, we clean it up. Our drivers make every effort not to have issues with material spilling out of containers or the truck. When it happens, it is their responsibility to get out and clean it up to the best of their ability. They are not responsible for situations where a neighbor's dog, birds, raccoons etc. tipped a container over and made a mess.

Waste Management of Minnesota, Inc. will provide walk up/valet service to residents in need. It is a courtesy service for physically impaired and elderly. In some cases a resident may need it short term due to an injury. We will provide it to them at no charge as well.

Recycling

Opportunity for Additional Recycling and Public Education

Recycling is currently done every other week. The City has asked for a weekly option which we have provided pricing for. We prefer to provide additional containers at no charge to adding another truck to the city streets. By recycling every other week, it cuts recycling truck traffic in half.

Waste Management recognizes the opportunity for additional recycling and a greater opportunity for Public Education. We provide recycling information, along with a recycling calendar to residents at their request. When following the Organized Collection model, we provide every resident a calendar that includes acceptable and unacceptable materials. In some cases, we partner with the City to help enhance recycling efforts through the City's newsletter.



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A great video that can be posted to the City website is "Recycle Right Recycle Often". It has plenty of information for residents as well as schools:

<http://recycleoftenrecycleright.com/>

Recycling Marketing Materials and Newsletters

Please see the following sample brochures and recycling newsletters. We would be willing to corroborate with the City to provide information for a City newsletter. It would be as simple or as detailed as the City would like. It could be as simple as some quick facts about recycling.

Acceptable Materials List

You will notice Waste Management has expanded the acceptable plastic material we collect. This will help increase participation, tonnages collected and increase your SCORE funding from Carver County.

The following items are listed as acceptable or unacceptable items for single sort recycling. I have also attached the Waste Management Single-Sort Recycling brochure.

Acceptable	Unacceptable
Magazines	needles & sharps
Brown Paper Bags	plastic bags
Newspapers	No stretch wrap, bubble wrap or packaging plastic
Paperboard	scrap metal
Junk Mail	polystyrene plastic foam
Phone Books	Electronics & appliances
Paper Cardboard, Dairy and Juice Containers	Furnace filters
Aluminum Cans	Hoses
Tin and Steel Cans	Wire; extension cords, Christmas lights, etc.
Glass Bottles and Jars	Gutters and siding
Cardboard	Wood
Plastic Bottles and Containers marked #1-7	Batteries
Shredded paper is accepted in a paper bag with the top stapled or rolled shut	Tires
	Propane canisters, i.e., 1, 5, 20 pound, etc.
	Aerosol Cans

Refuse Haulers License Application

The original copy of the Refuse Haulers License Application, along with the check will be sent upon receipt. Request for check has been made, but not received in our office as of 12/7/15. It will be sent as soon as it is available.



THINK GREEN:



REFUSE HAULERS LICENSE APPLICATION

Company Name Waste management

Owner's Name _____

Contact Person Dan Behnke

Phone # 320 485-4061

Address 490 Industrial Blvd - Winsted, MN 55395

Federal ID # 36-2698820 MN Tax ID # 3514432

Place of disposal of the waste collected: MSW to Spruce Ridge
Recycle to McLeod County

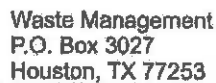
Attach the following information to this form with payment and return to the City:

1. Attach a copy of the insurance agreement with the extent and source of public liability and property damage insurance carried on the motor vehicles and equipment.
2. Attach a description of the types and makes of motor vehicles and equipment used.
3. Attach a schedule of the charges made to customers and the time period that the charges shall remain effective.
4. Please sign below and return to the City with payment.

Annual Fee \$ 100.00 Amount Paid \$ _____ Date Paid _____

Haulers Signature: Dan Behnke Date 11-30-15

City Official _____ Date _____



Check No. 0012390347

For inquiries, please call 1-866-834-2080, option 4.

Doc Date	Invoice Number / Description	Original Amount	Discount Amount	Amount Paid
11/30/2015	1593-113015 UPS to **1593** Winsted	100.00	0.00	100.00
Vendor Number 0000010023	Name City Of Norwood Young America			
Check Number	Date	Total Amount	Discounts Taken	Total Paid Amount
0012390347	12/08/2015	\$100.00	\$0.00	\$100.00

THIS DOCUMENT HAS A COLORED BACKGROUND AND MICROPRINTING IN THE ENDORSEMENT SIGNATURE LINE. THE REVERSE SIDE OF THIS DOCUMENT HAS AN ARTIFICIAL WATERMARK.



ED

BANK OF AMERICA
COMMERCIAL DISBURSEMENT ACCOUNT
NORTHBROOK, IL

CHECK NO

0012390347

70-2328 / 719

DATE: 12/08/2015

PAY EXACTLY

****ONE HUNDRED AND XX / 100 DOLLAR****

Security features included. Details on back.

PAY EXACTLY

\$100.00***

VOID AFTER 90 DAYS

TO THE
ORDER
OF

CITY OF NORWOOD YOUNG AMERICA
PO Box 59
Nya, MN 55368

Lucina Rankin

AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

11001239034711 1:0719232841 876540317811



CERTIFICATE OF LIABILITY INSURANCE

1/1/2016

DATE (MM/DD/YYYY)
12/10/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	LOCKTON COMPANIES 5847 SAN FELIPE, SUITE 320 HOUSTON TX 77057 866-260-3538	CONTACT	
		NAME:	
INSURED	WASTE MANAGEMENT HOLDINGS, INC. & ALL AFFILIATED, RELATED & SUBSIDIARY COMPANIES INCLUDING: WASTE MANAGEMENT 490 INDUSTRIAL BOULEVARD WINSTED MN 55395-0809	PHONE	FAX
		(A/C, No, Ext):	(A/C, No):
		E-MAIL ADDRESS:	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A: ACE American Insurance Company	
		INSURER B: Indemnity Insurance Co of North America	
INSURER C: ACE Property & Casualty Insurance Co			
INSURER D: ACE Fire Underwriters Insurance Company			
INSURER E:			
INSURER F:			

COVERAGES MNWINSTE CERTIFICATE NUMBER: 12094041 REVISION NUMBER: XXXXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADOL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> XCU INCLUDED <input checked="" type="checkbox"/> ISO FORM CG00010413 GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER	Y	Y	HDO G27341251	1/1/2015	1/1/2016	EACH OCCURRENCE \$ 5,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 5,000,000 MED EXP (Any one person) \$ XXXXXXXX PERSONAL & ADV INJURY \$ 5,000,000 GENERAL AGGREGATE \$ 6,000,000 PRODUCTS - COM/PO/AGG \$ 6,000,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> MCS-90 <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	Y	Y	MMT H08830472	1/1/2015	1/1/2016	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX
C	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB DED RETENTION \$	Y	Y	XOO G2742305A	1/1/2015	1/1/2016	EACH OCCURRENCE \$ 15,000,000 AGGREGATE \$ 15,000,000 \$ XXXXXXXX
B A D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	Y	WLR C4814181A (AOS) WLR C48141821 (CA & MA) SCF C48141833 (WI)	1/1/2015 1/1/2015 1/1/2015	1/1/2016 1/1/2016 1/1/2016	<input checked="" type="checkbox"/> PER STATUTE E.L. EACH ACCIDENT \$ 3,000,000 E.L. DISEASE - EA EMPLOYEE \$ 3,000,000 E.L. DISEASE - POLICY LIMIT \$ 3,000,000
A	EXCESS AUTO LIABILITY	Y	Y	XSA H08830460	1/1/2015	1/1/2016	COMBINED SINGLE LIMIT \$9,000,000 (EACH ACCIDENT)

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
BLANKET WAIVER OF SUBROGATION IS GRANTED IN FAVOR OF CERTIFICATE HOLDER ON ALL POLICIES WHERE AND TO THE EXTENT REQUIRED BY WRITTEN CONTRACT WHERE PERMISSIBLE BY LAW. CERTIFICATE HOLDER IS NAMED AS AN ADDITIONAL INSURED (EXCEPT FOR WORKERS' COMP/EL) WHERE AND TO THE EXTENT REQUIRED BY WRITTEN CONTRACT.

CERTIFICATE HOLDER

CANCELLATION

12094041

CITY OF NORWOOD YOUNG AMERICA
310 ELM STREET WEST
P.O. BOX 59
NORWOOD YOUNG AMERICA MN 55368

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

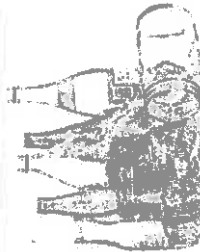
ALWAYS RECYCLE!



Metal Cans



Plastic Bottles & Containers 1-7



Glass Bottles & Jars



Flattened Cardboard & Paperboard



Dairy & Juice Cartons



Paper

DO NOT INCLUDE IN YOUR RECYCLING CART:



Plastic Bags

Sharps & Medical Waste

Foam Cups & Containers

Food Waste

Questions? Please contact Customer Service toll free at 1-888-960-0008.

2014 - 2015 Holiday Schedule:

- Thanksgiving Day - Thursday, November 27, 2014
Thursday & Friday service day will be delayed by one day.
- Christmas Day - Thursday, December 25, 2014
Thursday & Friday service day will be delayed by one day.
- New Year's Day - Thursday, January 1, 2015
Thursday & Friday service day will be delayed by one day.
- Memorial Day - Monday, May 25, 2015
Service will be delayed by one day all week.
- Independence Day - Saturday, July 4, 2015
No delay in service. All routes are on schedule.
- Labor Day - Monday, September 7, 2015
Service will be delayed by one day all week.
- Thanksgiving Day - Thursday, November 26, 2015
Thursday & Friday service will be delayed by one day.
- Christmas Day - Friday, December 25, 2015
Friday service will be delayed by one day.

Single SortSM Recycling

Every Other Week Recycling

Gold Week Holiday Holiday Week

2015



January

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
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How to Recycle:

- Recycle bottles, cans and paper products only.
- Keep items clean and dry.
- No plastics bags.

Roll cart to the end of your driveway every other week on your service day.

Face the lid toward the street and the handle toward the house.

August

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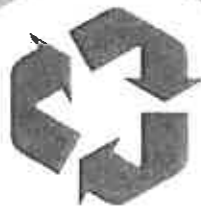
December

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SSCAL15GLD

WASTE MANAGEMENT



**RECYCLE OFTEN.
RECYCLE RIGHT.**

2015 Gold Week Calendar Inside

Ever wonder, "Why and how to recycle?" Sure, it's good for the environment, but there's more to it than that. When you use Recycle Often. Recycle Right.SM, great things happen.

By recycling properly, we can save tons of raw materials, which in turn saves time, energy and expense. Consider this: recycling just one aluminum can saves enough energy to:

- Run a TV for two hours.
- Power a 14-watt CFL bulb for 20 hours.
- Power a computer for three hours.

The Main Rules of Recycling:

1. Recycle all bottles, cans and paper
2. Keep items clean and dry
3. NO plastic bags.

We need your help to sustain recycling. Certain offenders can slow down the recycling process or even ruin the load.

If we all do our part, the results can really add up. Last year alone, Waste Management recycled enough material to fill nearly 169,000 737s.

To learn more visit RecycleOftenRecycleRight.com.

4351 US Hwy 12 SE
PO Box 169
Delano MN 55328-0169



www.RandysSanitation.com
Phone: 763.972.3335
Fax: 763.972.6042

December 9, 2015

City of Norwood Young America
Steve Helget
City Administrator

RE: Licensing Trash Hauler

Steve,

We have submitted a range of pricing that we offer in NYA. This range varies by service level and service requested within those individual service levels. As your request does not define a uniform pricing formula, this is what we assume you are looking for. Per our discussions Randy's Environmental Services feels very strongly that this request goes beyond what you would typically ask for in granting a license. Our attorney has noticed your city attorney as to our concerns.

Randy's is committed to providing our customers in Norwood Young America the very finest service that we have to offer. That exceptional service goes beyond the services that you outlined in your request.

We currently are providing Blue Bag Organics service to just over 40 homes in NYA. This curbside organics service is essential in NYA meeting the counties goals for diversion.

Regards,

Jim Wollschlager
Chief Operating Officer

Enclosure – Letter from Dorsey and Whitney LLP to Mr. Jay T. Squires City Attorney for Norwood Young America

Randy's Environmental Services
Family Owned and Operated Since 1979

MICHAEL DRYSDALE
Of Counsel
(612) 340-5652
FAX (612) 340-8800
drysdale.michael@dorsey.com

December 8, 2015

**BY UNITED STATES MAIL AND
ELECTRONIC MAIL**

Mr. Jay T. Squires
City Attorney for Norwood Young America
527 Marquette Avenue South, Suite 1200
Minneapolis, MN 55402
Office: (612) 436-4300
Fax: (612) 436-4340
jay.squires@raswlaw.com

Re: Norwood Young America — Request for Proposals of Solid Waste Collection
and Disposal and Recycling Collection Services

Dear Mr. Squires:

Dorsey & Whitney LLP represents Randy's Environmental Services, Inc. ("Randy's") a licensed hauler of residential mixed municipal solid waste ("MMSW") in the City of Norwood Young America ("City"). I write to follow-up on our prior telephone and e-mail communications regarding certain issues related to the City's "Request for Proposals of Solid Waste Collection and Disposal and Recycling Collection Services" ("RFP"), covering MMSW collection in the City. As we have discussed, the RFP as presently structured constitutes "organized collection," as that term is defined and regulated under Minn. Stat. § 115A.94. As such, the City cannot lawfully proceed with the RFP without complying with the procedural requirements of Minn. Stat. § 115A.94. Randy's therefore respectfully requests that the RFP be withdrawn, and the City move forward with a licensing or organized collection approach to MMSW collection that complies with Minnesota law.

Background

As you know, there are two basic systems for solid waste collection. In an "open system," a government prescribes the criteria for licensing, and licenses are issued to those haulers who qualify. Licensed haulers then compete with each other for business. Under "organized collection," in contrast, the government itself provides solid waste collection to its residents as a City service, and conducts the service either with City-owned equipment and personnel or contracts with one or more haulers to provide that service.

In 2012, the Minnesota Legislature recognized that the switch from an open system to organized collection had the potential to create significant political disruption in communities and

Mr. Jay T. Squires
December 8, 2015
Page 2

to create hardship to the haulers, who had often made significant investments and built up long-standing relationships with their customers. Consequently, the Legislature mandated that cities or counties proposing to switch from an open system to organized collection must employ a careful, orderly process with substantial public and hauler input and participation. These steps and procedures are laid out at Minn. Stat. § 115A.94 Subd. 4a-d.

The Legislature further expressly provided that in enacting Minn. Stat. § 115A.94, it was not expressing any preference for any system of solid waste collection, and cities and counties are neither required nor prevented from organizing collection. But should they choose to switch to organized collection, the steps set forth at Minn. Stat. § 115A.94 Subd. 4a-d are required.

The RFP is Proposing Organized Collection

As provided to me, the City's RFP envisions a process where the City would choose which haulers to award collection licenses, based on ten subjects of information provided at Section IV of the RFP. The information to be provided, among other items, includes rates, truck specifications, special service details, whether composting pick-up would be provided, and the days of the week the proposer would be willing to provide service. Based on this information, the City would make an "award decision," including "which individual day specified in their proposal that the City has selected, and that pick-up day will be included in the contract or licensed [sic] issued by the City." *Id.* at Section IV ¶ 2.

Minn. Stat. § 115A.94 defines "organized collection" as follows:

"Organized collection" means a system for collecting solid waste in which a *specified collector*, or a member of an organization of collectors, is authorized to collect from a defined geographic service area or areas some or all of the solid waste that is released by generators for collection.

(emphasis added). As we have previously discussed, the key element of organized collection that distinguishes it from an open system is a city's "specification" of collector or collectors who get the franchise to haul city solid waste. That is, rather than a system in which a city provides a set of criteria that haulers must meet to obtain a license, but then haulers who meet the criteria are awarded non-exclusive licenses, under organized collection a city actively chooses which hauler or haulers "best" meet the city's goals. In an open system, haulers compete for the customers' business; under organized collection haulers compete for the city's favor.

For these reasons, the City's RFP clearly constitutes organized collection. The very fact that it is an RFP signals the City is organizing collection. The City plans to make "award decisions" in which the winning haulers will obtain licenses and all other haulers will be excluded. In the case of Randy's, if Randy's is not awarded a license then all of the hundreds of stops that Randy's has painstakingly competed for and invested in over the years will be taken away in an instant. And even if Randy's is awarded a license, it is subject to the City's whim as to which day will be awarded, again potentially throwing the Randy's routes and customers into chaos.

Mr. Jay T. Squires
December 8, 2015
Page 3

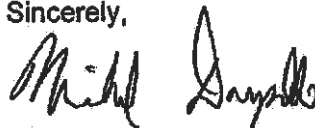
The enactment of Minn. Stat. § 115A.94 was intended precisely to avoid the scenario now posed by the City's RFP. What the City is proposing can be legal, but only if the City undertakes the procedures set forth in Minn. Stat. § 115A.94 Subd. 4a-d.

Next Steps

Licenses cannot be lawfully awarded or renewed based on the process provided in the City's RFP. Should the City proceed on its current course, Randy's anticipates that it will need to sue to protect its rights. Should the City wish to avoid litigation, there are two potential paths that Randy's can presently see to achieve the City's legitimate objectives. First, the City can update its solid waste ordinance to implement regulations applicable to all licensees, such as measures to protect streets or limited days of service. Randy's is prepared to work with City staff to provide information that would assist the City in drafting any regulatory changes that might be warranted. Second, the City can commence the statutory process for organizing collection. In Randy's experience the alleged benefits of organized collection are frequently oversold and meet with public resistance, but that remains a lawful path. The current path is not.

Should you have any questions or concerns, you may contact me on legal issues, or City staff may contact Jim Wollschlager directly on all other topics. Thank you for your consideration.

Sincerely,



Michael Drysdale

MD/gle

cc: City Administrator Steve Helget
Jim Wollschlager



PROPOSAL

1. Monthly rates, surcharges, cart fees, fees for customers less than 1-year, lost or stolen containers, and other additional fees for garbage and recycling collection, to include dumpsters, along with size of collection containers (i.e. gallons, yards). Rates shall be identified for residential, multiple-family, commercial/industrial, and municipal. Provide information on billing procedures. Identify if rates will increase during three year license period and approximately what that would be. See attached Rate sheet
2. Proposers shall specify in their proposals all individual day(s) during the week that they will be willing to conduct residential pick-up service. The City desires to coordinate the pick-up service day(s) of the successful proposers in order to minimize traffic and impacts on the City's streets that can result from excessive hauler traffic. Randy's will service North of 212 on Thursday and south of 212 on Tuesday
3. Description of vehicles to be utilized for garbage and recycling collection, to include vehicle make, age, and axle weight. The City is placing emphasis on haulers utilizing smaller vehicles. See License attachment
4. Identify landfill and recycling collection center to be utilized. See separate Solid Waste Disclosure Form
5. Provide customer service policies/procedures for new accounts, change in service, complaints, questions, etc. Provide contact information and days/hours of operation. What is your standard response time to complaints? Explain process for dropping off and picking up containers. Customer service employees are fully trained and continually educated on means of quality customer service. The drivers understand and appreciate what it means to provide quality service to each and every customer Randy's has. Phones are answered by employees, not automated systems. Our hours are 8:00am to 5:00pm Monday through Friday. Randy's Website is city specific and has a contact Randy's email address for residents as an option of communication. Our onboard computerized Fleet Management System in the trucks provide effective communications bringing pertinent information to dispatcher, supervisor and customer service representatives. The system includes driver messages, vehicle map location, route status, and alert information.
6. In the event garbage or recyclables are spilled during the process of dumping, will your drivers get out of truck to pick-up items? Yes Do you provide service to the house for physical impairment due to age or disability? Yes
7. Provide rates for miscellaneous household wastes such as televisions, radios, cell phones, computers and computer accessories, furniture, mattresses, etc. Identify if you would be willing to provide a special community city wide pick-up day. Would there be a fee/charge? If there is a charge identify what that would be. Rates for miscellaneous household wastes can always be obtained by calling our customer service department. Some examples are: Television \$17, Mattresses \$25. Randy's also has three conveniently located drop sites located in Delano, Burnsville and St. Michael. Our drop site hours are Monday – Friday 8:00am to 5:00 pm and Saturdays 8:00 am to noon. Randy's has many different city clean up options which we currently provide in many of the cities we service. We would be happy to work with the city of Norwood Young America once a program is identified.

8. Would you provide a compost pick-up? Would there be a fee/charge? If there is a charge identify what that would be. Residents may call in for a yard waste pickup. Minimum of \$16 and we take 8 bags of leaves or grass clippings. Additional bags may be taken for a minimal charge. We also have an Extended Compost Program. 2015 the charge was \$78. This program allows a weekly collection.
9. Any other information the Proposer determines would be helpful to the City in analyzing proposals, or understanding the elements of the Proposer's proposal.
10. Completed Haulers Application (see enclosure).

12/9/2015 Submitted in Proposal with License Application

Randy's Residential Rates for Norwood Young America Residential Customers

Monthly Rate (Quarterly Invoice)- Includes weekly trash, every other week recycling and organics recycling (food waste) collection if chosen.

(Organics collection is year round as it is co collected with trash)

Randy's asks our residential customs to retain service for a minimum of one year to avoid a \$35 Early Termination Fee.

All rates are subject to variable fuel/environmental fee. (December 1, 2015 is 25.535%)

Recycle Rates subject to variable Recycle Commodity Adjustment (Dec 1, 2015 is 19.525%)

Trash rates are subject to 9.75% MN Solid Waste Mgmt Tax.

Below is our standard rate structure and range of rates.

	Standard rates	With Fuel/Env and Recycle Commodity Adj.	
35 gallon	\$12.00	\$15.71	<u>Rates can range from:</u>
			35 gallon \$6.00 to \$19.00
65 gallon	\$13.00	\$17.06	65 gallon \$6.50 to \$21.00
95 gallon	\$14.00	\$18.41	95 gallon \$7.00 to \$23.00

Randy's Commercial Rates for Norwood Young America Commercial Customers (includes multiple-family, industrial and municipal)

All rates are subject to variable fuel/environmental fee. (December 8, 2015 is 24.987%)

Recycle Rates subject to variable Recycle Commodity Adjustment (Dec 8, 2015 is 20.075%)

Trash rates are subject to 17% MN Solid Waste Mgmt Tax.

Trash Pricing based on average weight of 100 lbs. per cubic yd.

Commercial accounts are billed monthly.

Size	Service Frequency	Monthly Trash Rate	With Fuel/Env and Tax	Monthly Single Stream Recycling Rate	With Fuel/Env and Recycle Commodity Adj.
2 yard	1x/week	\$60.00	\$87.74	\$38.00	\$55.12
3 yard	1x/week	\$75.00	\$109.68	\$42.00	\$60.93
4 yard	1x/week	\$90.00	\$131.61	\$46.00	\$66.73
6 yard	1x/week	\$120.00	\$175.48	\$50.00	\$72.53
8 yard	1x/week	\$150.00	\$219.35	\$54.00	\$78.33

Rate increases for Residential and Commercial services largely depend on disposal facility pricing increase, which are not determined at this time.



December 2016

Haulers License Attachment

2012 Peterbilt – 9,625 axle weight (commercial)

2012 Peterbilt – 8,325 axle weight (residential)

2013 Peterbilt – 9,750 axle weight (commercial)

2014 Autocar – 9,815 axle weight (commercial)



REFUSE HAULERS LICENSE APPLICATION

Company Name Randy's Environmental Services

Owner's Name Randy and Sandy Roskowiak

Contact Person Rhonda Saler – Operations Coordinator

Phone # 763 972-3335

Address P O Box 169 Delano, MN 55328

Federal ID # 41-1481876 **MN Tax ID** #4981443

Place of disposal of the waste collected: See Solid Waste Disclosure

Attach the following information to this form with payment and return to the City:

1. Attach a copy of the insurance agreement with the extent and source of public liability and property damage insurance carried on the motor vehicles and equipment.
2. Attach a description of the types and makes of motor vehicles and equipment used.
3. Attach a schedule of the charges made to customers and the time period that the charges shall remain effective.
4. Please sign below and return to the City with payment.

Annual Fee \$ 100.00

Amount Paid \$ 100.00

Date Paid 12-9-15

Haulers Signature: Rhonda Saler, signing for Corporation **Date** 12-9-15

City Official _____ **Date** _____

LICENCE EXPIRES DECEMBER 31, 2018.



Solid Waste Disclosure Form

February 2015

Dear Customer:

The Waste Management Act, as amended in 1993, requires that a person who collects construction debris, industrial waste, or mixed municipal solid waste for transportation to a waste facility shall disclose annually to each waste generator from whom waste is collected the name, location, type of, and the number of the permit issued by the Minnesota Pollution Control Agency, or its counterpart in another state, for the processing or disposal facility or facilities at which the waste will be deposited. The collector shall note both the primary facility at which the collector most often deposits waste and any alternative facilities regularly used by the collector. Pursuant to Minnesota Statute 115A.9302, Randy's Environmental Services hereby discloses that mixed municipal solid waste collected will be delivered to one of the following facilities during the time period January through December. If an additional facility becomes either a primary facility or an alternate facility during this period, the hauler is required to provide you with updated information within 30 days. In addition the Minnesota Legislature requires Minnesota waste haulers make the following disclosure to their customers:

"You may be responsible for any liability that results from contamination at the facility where your waste has been deposited. Minnesota believes that its' waste management system provides substantially more financial and environmental protection than depositing waste in landfills in other states. Managing your waste in Minnesota may minimize your potential liability."

Carver County

- *Primary - Burnsville Sanitary Landfill Inc, 2650 W Cliff Rd, Burnsville, MN 55337 Sanitary Landfill #SW56
- *Primary - Spruce Ridge, 12755 137th St, Glencoe, MN 55336 Sanitary Landfill #SW6
- *Secondary - Hennepin Energy Resource Company, 505 6th Ave N, Minneapolis, MN 55405 Sanitary Landfill #SW396
- *Secondary - Great River Energy Resource Processing Plant, 10700 165th Ave NW, Elk River, MN 55330 Sanitary Landfill #SW-305

Randy's Environmental Services uses only properly licensed and permitted facilities which either meet or exceed all federal and state environmental regulations.

Randy's Sanitation, Inc.

U52379

CITY OF NORWOOD YOUNG AMERICA

Check date:
12/9/15

Check Number:
052379

Memo:

\$100.00



Randy's Sanitation, Inc.

P.O. Box 189 - (763) 972-3335
DELANO, MN 55328

STATE BANK OF DELANO
DELANO, MN 55328

75-344/919

Account:

PAY One Hundred and 00/100 Dollars

WZ523217-10-15

DATE

Dec 9, 2015

AMOUNT

100.00

TO THE
ORDER
OF

CITY OF NORWOOD YOUNG AMERICA



Randy A. Rasmussen
AUTHORIZED SIGNATURE

Memo:

SECURITY FEATURES INCLUDED. DETAILS ON BACK.

⑈052379⑈ ⑈091903446⑈

01 351 4⑈

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

052379



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/12/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Marsh & McLennan Agency LLC 7225 Northland Dr N #300 Minneapolis MN 55428		CONTACT NAME: MaryPat Thorp PHONE (A/C, No, Ext): 763-746-8254 E-MAIL ADDRESS: marypat.thorp@marshmma.com FAX (A/C, No): 212-948-9225	
INSURED Randy's Sanitation, Inc. Randy's Rentals, LLC Randy's Environmental Services P O Box 169 Delano MN 55328		INSURER(S) AFFORDING COVERAGE INSURER A: Western National Mutual Insurance C INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 24465	

COVERAGES**CERTIFICATE NUMBER:** 1371973119**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADOL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:		CPP001071808	10/1/2015	10/1/2016	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$300,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS		CPP001059108	10/1/2015	10/1/2016	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$10,000		UMB001009508	10/1/2015	10/1/2016	EACH OCCURRENCE \$10,000,000 AGGREGATE \$10,000,000 \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N/A	WCV001008308	10/1/2015	10/1/2016	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER**CANCELLATION**

For Your Information

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2014 ACORD CORPORATION. All rights reserved.

310.11 Violations and Penalties. Any person who violates any provision of this Section shall be guilty of a misdemeanor and upon conviction of any violation shall be subject to a fine not to exceed seven hundred dollars (\$700) or a jail sentence not to exceed ninety (90) days, or both, plus the cost of prosecution. Each day a violation exists shall constitute a separate violation for the purposes of this Section.

Section 320 – Garbage, Refuse and Recyclables

320.01 Declaration of Public Policies and Purpose. The City Council finds that it shall be in the best interest of the public to encourage, and in certain instances, compel, the use of methods of disposing of waste which help preserve and benefit our environment; and the benefits to be derived from the enactment of this Section shall be in the best interest of the public.

320.02 Definitions. As used in this Section the following words and phrases shall have the meanings ascribed to them:

Approved Landfill Site or Disposal Depot. “Approved Landfill Site or Disposal Depot” shall mean a site for the disposal of waste approved by the County, and operated in accordance with the rules and regulations of the Minnesota Pollution Control Agency (MPCA).

Collection. “Collection” shall mean the aggregation of mixed municipal solid waste from the place at which it is generated and shall include all activities up to the time the waste is delivered to a waste facility.

Collector. “Collector” shall mean any person or company collecting or hauling the waste, garbage, or rubbish of another for hire.

Commercial Establishment. “Commercial Establishment” shall mean any premise where a commercial, industrial or agricultural enterprise of any kind is carried on, and shall include clubs, churches and schools.

Commingled (e.g., dumpster-type) Residential Collection. “Commingled Residential Collection” shall mean collections from any building consisting of more than one dwelling unit wherein each unit has an individual kitchen and wherein the mixed municipal solid waste of each unit is mixed with the waste of other units prior to the collection efforts of licensed haulers.

Construction Debris. “Construction Debris” shall mean waste building materials, packaging and rubble resulting from construction, remodeling, repair and demolition of building and roads.

Generator. “Generator” shall mean any person or company who produces or causes the production of mixed municipal solid waste.

Garbage. “Garbage” shall mean putrescible animal, vegetable or organic refuse resulting from the handling, preparation, cooking and consumption of food.

Individual (e.g., curbside) Residential Collection. “Individual (e.g., curbside) Residential Collection” shall mean collection from any building consisting of one or more dwelling units wherein each unit has an individual kitchen and wherein the mixed municipal solid waste of each unit is separately collected by licensed haulers.

Mixed Municipal Solid Waste. “Mixed Municipal Solid Waste” shall mean garbage, refuse, and other solid waste from residential, commercial, industrial and community activities which is generated and collected in aggregate, but excluding auto hulks or large auto parts, street sweepings, ash, construction debris, mining waste, sludges, household hazardous waste, tree and agricultural wastes, tires, lead acid batteries, used oil, yard waste, and other materials collected, processed, and disposed of as separate waste streams.

Multiple Dwelling. "Multiple Dwelling" shall mean any building used for residential purposes consisting of more than two (2) dwelling units with individual kitchen facilities for each.

Recyclable. "Recyclable" shall mean materials which can be separated from the mixed municipal solid waste stream for collection and preparation from reuse in their original form, or for other uses in manufacturing processes that do not cause the destruction of the recyclable materials in a manner that precludes further use.

Recycling Center or Recycling Depot. "Recycling Center or Recycling Depot" shall mean a site, either publicly or privately owned and operated, equipped to receive, handle, store and process recyclable materials.

Residential Dwelling. "Residential Dwelling" shall mean any single building consisting of two (2) or less dwelling units with individual kitchen facilities for each.

Rubbish. "Rubbish" shall mean nonputrescible solid waste of all kinds, combustible or noncombustible, consisting of tin cans, glass, paper, cardboard, yard clippings, wood, ashes, street sweepings and all other inorganic refuse.

Special Pick-up. "Special Pick-up" shall mean any collection of materials other than garbage, recyclables or yard waste, including white goods (e.g., large appliances), furniture, oversized materials, construction debris, and other materials collected, processed, and disposed of as separate waste streams.

Targeted Recyclables. "Targeted Recyclables" shall mean metal containers, glass containers, newsprint, or other materials described as follows:

- A. Aluminum Recyclables. "Aluminum Recyclables" shall mean clean aluminum foil and all disposable containers fabricated primarily of aluminum and commonly used for soda, beer, or other beverages.
- B. Bi-metal Recyclables. "Bi-metal Recyclables" shall mean cans containing or using two metals. More specifically, "tin" cans manufactured of steel and tin and which have all paper removed therefrom and both ends flattened. Bi-metal recyclables may be commingled with aluminum.
- C. Glass Recyclables. "Glass Recyclables" shall mean all glass bottles and jars which shall be rinsed clean. Glass recyclables shall be considered to be three colors: clear, green, brown; and, each color shall be placed in a separate bag or box according to color and placed in the recycling container.
- D. Paper Recyclables. "Paper Recyclables" shall mean paper of the type commonly referred to as newsprint. Bundled and tied, or placed in large brown paper grocery bags. Expressly excluded from paper recyclables; however, shall be all magazines with glossy paper or similarly constructed periodicals and paper products.
- E. Waste. "Waste" shall be all encompassing and shall include all discarded matter or materials.
- F. Yard Waste. "Yard Waste" shall mean organic materials consisting of grass clippings, leaves and other forms of organic garden waste, but excluding bushes, fibrous brush, woody materials, or other materials that are not readily compostible within a calendar year.

320.03 Compliance with Section Required. Every person occupying a residential dwelling, multiple dwelling, motel, store, restaurant, mobile home park, or commercial establishment, or combination thereof shall dispose of waste as provided in this Section.

320.04 Certain Accumulations Declared a Nuisance; Abatement. Any accumulation of garbage and other putrescible matter not stored in containers which comply with this Section or which has remained on the premises for more than one (1) week, or which is offensive by reason of appearance, odor or sanitation, or which creates a fire hazard, shall be hereby declared to be a nuisance and shall be abated as provided by Minnesota Statutes and

this Code. The cost of abatement may be assessed against the property where the nuisance was found as provided in said Sections.

320.05 Standards for Containers.

Subd. 1 Generally; Notice of Defective Container. It shall be the duty of each person owning or maintaining containers for waste to maintain them in a sanitary condition. The containers shall be located in such a manner as to prevent them from being overturned and shall be kept free from any substance which shall attract or breed flies, mosquitoes, other insects or rodents. No waste container for a residential dwelling unit shall have ragged or sharp edges, or any defects liable to impede or injure the person collecting the contents thereof. Containers not complying with the requirements of this Section shall be promptly replaced by the person owning or maintaining upon notice by the City. Whenever a container is in poor repair the collector shall tag the container with a notice of defects and the requirements to repair or replace the container. A copy of the notice shall be given to the City, and if, upon the next collection date, the container has not been repaired or replaced, the collector shall notify the City and discontinue collection from the premises. The City shall then enforce the provisions of the penal section of this Code against the person owning or maintaining the defective container.

Subd. 2 Garbage. Garbage containers shall be easily handled and contain waste in such a manner as to not leak or spill its contents.

Subd. 3 Recyclables. Recyclable containers shall be of a kind suitable for collection purposes, and shall be of such size and weight that they can be handled by one (1) person.

320.06 Container Requirements for Multiple Dwellings. Multiple dwellings having more than two (2) family units shall either be equipped with waste containers and pickup service as provided in this Section or be equipped with a commercial incinerator complying with the requirements of the MPCA. Waste containers provided as an alternative to or in addition to the incinerator shall be at least one (1) cubic yard in capacity, shall be conveniently located in relationship to the residence units for which they are provided, shall be watertight, insectproof, rodentproof, and fireproof, and provided with a lid with the exception of recyclable containers. The person or company owning or operating the multiple residence shall provide for pickup from the containers. Waste discard shall not be permitted to accumulate at or near the enclosure except in the container.

320.07 Reservation of Right to Alter Method Waste Collection. No collector licensed pursuant to this Section shall acquire a vested right in the license issued, and the City may, upon a finding that the public necessity requires, establish other means of waste collection.

320.08 Duty of Collectors Generally.

- A. It shall be the duty of each licensed waste collector to pick up all waste of the licensee's customers which has been deposited for collection in the manner provided in this Section.
- B. All waste, waste bags, wrappings, cans and disposable containers deposited for pickup as provided in this Section shall be picked up by the licensed collector so that no items shall be left adjacent to the street or alley. After pickup, reusable waste cans and containers shall be returned by the collector to the same place where deposited or situated for pickup.
- C. Each licensee shall be responsible for his or her own billings, however, the licensee shall submit with his or her application for a license or renewal, a copy of the rates to be charged so that the city may verify compliance with State law.

320.09 Preparation of Waste for Collection; Prohibited Substances. Except as otherwise provided in this Section, all waste accumulated on any property shall be drained of all liquids, shall be wrapped or bagged and placed and kept in containers. No explosive or highly inflammable materials shall be prepared and placed in

containers for collection. The explosive and highly inflammable materials shall only be disposed of as directed by the fire marshal of the City at the expense of the owner or possessor thereof.

320.10 Frequency of Disposal.

Subd. 1 Residential and Multiple Dwellings. Waste shall be disposed of at least once each week from residential dwellings and multiple dwellings.

Subd. 2 Commercial Establishments. Waste at any commercial establishment shall be disposed of at least once each week and at more frequent intervals if deemed necessary to protect the public health, and by order of the City.

320.11 Place Containers for Collection. In those areas where the premises are served by an alley, on the day of collection the waste containers shall be deposited for pickup adjacent to the alley from which the pickup is to be made. In those areas where the premises are not served by an alley, on the day of collection the waste or containers shall be deposited for pickup in a place on the premises, at a place either adjacent to the curbside or the building in accordance with the agreement between generator and collector.

320.12 Disposal of Waste to Be at Approved Sites Only. No person or company shall dispose of waste anywhere within the City except at an approved landfill site or disposal depot, recycling center or depot as defined in Section 320.01.

320.13 Owners Permitted to Dispose of Garbage. Nothing in this Section shall be construed so as to prohibit the owner or occupant from disposing of waste by delivering same to an approved landfill site, disposal depot, recycling center or depot.

320.14 Collection Vehicles. A licensed collector shall comply with the following requirements. Failure to observe these provisions may be grounds for the suspension or revocation of a license:

- A. The licensee shall operate in a manner consistent with the application materials submitted to the City and shall provide notice to the City within ten (10) days of any change in the information.
- B. No collection of mixed municipal solid waste or recyclable material shall be made except between the hours of 6:00 a.m. and 4:30 p.m., Monday through Friday. Operations during these hours may also be conducted on Saturday, to accommodate recognized national holidays or a special pick-up. No collection of yard waste shall be made except between the hours of 6:00 a.m. and 4:30 p.m., Monday through Saturday. Customers shall be reasonably notified by the licensee of the specific day and hours for the collection of their yard waste, mixed municipal solid waste and/or recyclables and the licensee shall collect the materials within those time periods.
- C. Each licensed collector shall only use vehicles and equipment so constructed that the contents shall not leak or spill. The vehicles and equipment shall be kept clean and as free from offensive odors as possible, and shall not stand in any street, alley, or public place longer than is reasonably necessary to collect mixed municipal solid waste, yard waste, and/or recyclables. The licensee shall also ensure that the collection site shall be left tidy and free of litter.
- D. Each licensed collector shall provide its customers with an opportunity to recycle through the weekly curbside collection of targeted recyclables. The curbside collection of targeted recyclables shall be on the same day as the collection of the customer's mixed municipal solid waste, but may occur at a different time within that day. The targeted recyclables collection shall be from a location at or near the customer's mixed municipal solid waste collection site, or such other location mutually agreeable to the hauler and the customer. The licensee may specify how a customer is to place and prepare their targeted recyclables for collection. Upon collection the licensee shall also be deemed the owner of the recyclables and upon collection, the licensee may market or sell them. Nothing in this Section shall be construed to

prevent a licensee from offering curbside collection for other recyclable material or other "special" pickups, in addition to the targeted recyclables.

320.15 License Required.

- A. No person shall collect or haul mixed municipal solid waste or recyclables collected in the City without first securing a license from the City. No more than two concurrent licenses shall be issued in any calendar year.
- B. The license shall be valid for one calendar year and shall expire on December 31 of each year unless revoked sooner. Each license shall be renewable.
- C. An applicant for a license shall make application to the City Administrator through forms and procedures prescribed by the City Administrator.
- D. The annual license fee shall be as established by resolution of the City Council from time-to-time and shall be payable in full in certified funds at the time of application.
- E. The City Administrator shall issued a license only after receipt, review, and approval by the Council of all required forms and fees.
- F. The license requirements of this Section shall not apply to persons who haul garbage, refuse, or recyclables from their own residents or business properties, provided that the following conditions shall be met:
 - 1. Garbage shall be hauled in containers equipped with tight fitting covers and which shall also be watertight on all sides and the bottom;
 - 2. Waste and recyclables shall be hauled in a manner that prevents leakage or any possibility of a loss of cargo;
 - 3. Garbage and waste, except recyclables, shall only be dumped or unloaded at designated sanitary landfills or other facilities authorized by Carver County;
 - 4. Recyclables shall only be dumped or unloaded at a recycling facility, an organized recycling drive, or through licensed collectors;
 - 5. Yard waste shall be privately composted or shall only be dumped or unloaded at a composting facility authorized by Carver County, or through a licensed collector.

320.16 Contents of Application. Each application for license required by this Section shall include:

- A. The name, address, telephone number, Social Security number and Minnesota Tax Identification number of the owner or owners of the business;
- B. A description of the types and makes of motor vehicles and equipment used;
- C. The extent and source of public liability and property damage insurance carried on the motor vehicles and equipment used;
- D. A schedule of the charges to be made to customers and the time period that the charges shall remain effective;
- E. The place of disposal of waste collected; and
- F. Such other information as may be required.

320.17 Insurance Requirements.

- A. The minimum limits of coverage for insurance required by this Section shall be:
 - 1. Each person injured, at least \$250,000.00.
 - 2. Each accident, at least \$500,000.00.
 - 3. Property damage, at least \$100,000.00.

- B. The insurance shall be kept in force during the term of the license and shall provide for notification to the City prior to termination or cancellation. The license shall provide evidence of effective insurance coverage to the City within five (5) days of a written request for certification of coverage.
- C. Any license issued pursuant to this Section shall automatically be revoked upon notice of termination or cancellation of the insurance and shall remain revoked until and unless other insurance shall be provided as required in this Section.

320.18 Suspension or Revocation of License. Upon the recommendation of the City Administrator or on its own motion, the City Council may suspend or revoke the license of any person whose conduct shall be found to be in violation of the provisions of this Chapter. Suspension or revocation may also be based on other health, safety, or welfare concerns arising out of the performance of the licensee, its employees and agents, and/or its vehicles and equipment. Revocation or suspension of a license by the Council shall be preceded by a public hearing conducted in accordance with Minnesota Statutes, Sections 14.57 to 14.70. The City Council may appoint a hearing examiner or may conduct a hearing itself. The hearing notice shall be given at least ten (10) days prior to the hearing, include notice of the time and place of the hearing, and shall state the nature of the charges against the licensee.

320.19 Unlawful Collection. It shall be a misdemeanor for any person or business to scavenge, collect, or otherwise remove mixed municipal solid waste, recyclables, or yard waste that has been placed at the curb or in recycling containers, without a license from the City and an account relationship with the owner, lessee, or occupant of the premises.

320.20 Additional Recyclables. Additional recyclable materials may be designated as targeted recyclables by resolution of the City Council after the effective date of the enactment of this Code. The designation process shall be as follows:

- A. Each licensed collection shall be given 120 days written notice of proposed additions to the list of targeted recyclables. The notice shall specifically describe the material(s) proposed for addition and also describe how the addition might affect the duties and obligations of a licensee.
- B. Each licensed collector shall also be given written notice at least ten (10) days in advance of the time and date of the City Council meeting that shall consider the proposed addition to the list of the targeted recyclables.
- C. Notice shall be deemed given by regular mail, to the address provided on the most recent license application or renewal form.

Section 330 – Telecommunications

330.01 Definitions. The terms defined in this Section have the meanings given them.

Company. “Company” shall mean a natural or corporate person, business association, political subdivision, public or private agency of any kind, its successors and assigns, who or which seeks or is required to construct, install, operate, repair, maintain, remove or relocate facilities in the city.

Director. “Director” shall mean the director of public works or his or her designated representative.

Facilities. “Facilities” shall mean telecommunications equipment of any kind, including but not limited to audio, video, paging, facsimile or similar service, not governed by Minnesota Statutes, chapter 238, including all trunks, lines, circuits, physical connections, switching equipment, wireless communication equipment of all kinds, and any necessary appurtenances owned, leased or operated by a company on, over, in, under, across, or along public ground.

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115A.93 LICENSING OF SOLID WASTE COLLECTION.

Subdivision 1. License and registration required; reporting. (a) A person may not collect mixed municipal solid waste for hire without a license from the jurisdiction where the mixed municipal solid waste is collected. The local licensing entity shall submit a list of licensed collectors to the agency.

(b) A person may not collect recyclable materials for hire unless registered with the agency. If a person is licensed under paragraph (a), the person need not register with the agency under this paragraph.

(c) The agency, in consultation with the Solid Waste Management Coordinating Board, the Association of Minnesota Counties, the Minnesota Solid Waste Administrators Association, and representatives from the waste industry, shall, by July 1, 2016, develop uniform short and long reporting forms that will reduce duplicative reporting to governmental units by collectors of solid waste and recyclable materials.

(d) A collector of mixed municipal solid waste or recyclable materials shall separately report to the agency on an annual basis information including, but not limited to, the quantity of mixed municipal solid waste and the quantity of recyclable materials collected:

- (1) from commercial customers;
- (2) from residential customers;
- (3) by county of origin; and
- (4) by destination of the material.

Subd. 2. Licensing. (a) Each city and town may issue licenses for persons to collect mixed municipal solid waste for hire within their jurisdictions.

(b) County boards shall by resolution adopt the licensing authority of a city or town that does not issue licenses. A county may delegate its licensing authority to a consortium of counties or to municipalities to license collection of mixed municipal solid waste within the county.

Subd. 3. License requirements; pricing based on volume or weight. (a) A licensing authority shall require licensees to impose charges for collection of mixed municipal solid waste that increase with the volume or weight of the waste collected.

(b) A licensing authority may impose requirements that are consistent with the county's solid waste policies as a condition of receiving and maintaining a license.

(c) A licensing authority shall prohibit mixed municipal solid waste collectors from imposing a greater charge on residents who recycle than on residents who do not recycle.

(d) The commissioner may exempt a licensing authority from the requirements of paragraph (a) if the county within which the authority is located has an approved solid waste management plan that concludes that variable rate pricing is not appropriate for that jurisdiction because it is inconsistent with other incentives and mechanisms implemented within the jurisdiction that are more effective in attaining the goals of this chapter to discourage on-site disposal, littering, and illegal dumping.

(e) In the interim between revisions to the county solid waste management plan, the commissioner may exempt a licensing authority from the requirements of paragraph (a) if the commissioner makes the determination otherwise made by the plan in paragraph (d) and finds that the licensing authority:

- (1) operates or contracts for the operation of a residential recycling program that collects more categories of recyclable materials than required in section 115A.552;

(2) has a residential participation rate in its recycling programs of at least 70 percent or in excess of the participation rate for the county in which it is located, whichever is greater; and

(3) is located in a county that has exceeded the recycling goals in section 115A.551.

An exemption granted by the commissioner in the interim between revisions to the county solid waste management plan is only effective until the county solid waste management plan is revised.

Subd. 3a. Volume requirement. A licensing authority that requires a pricing system based on volume instead of weight under subdivision 3 shall determine a base unit size for an average small quantity household generator and establish, or require the licensee to establish, a multiple unit pricing system that ensures that amounts of waste generated in excess of the base unit amount are priced higher than the base unit price.

Subd. 4. Date certain. By January 1, 1993, each county shall ensure that each city or town within the county requires each mixed municipal solid waste collector that provides curbside collection service in the city or town to obtain a license under this section or the county shall directly require and issue the licenses. No person may collect mixed municipal solid waste after January 1, 1993, without a license.

Subd. 5. Customer data. Customer lists provided to counties or cities by solid waste collectors are private data on individuals as defined in section 13.02, subdivision 12, with regard to data on individuals, or nonpublic data as defined in section 13.02, subdivision 9, with regard to data not on individuals.

History: 1Sp1989 c 1 art 20 s 8; 1991 c 337 s 42,43; 1992 c 593 art 1 s 25,26; 1993 c 351 s 23; 1996 c 470 s 12; 1Sp2005 c 1 art 2 s 161; 1Sp2015 c 4 art 4 s 111

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115A.94 ORGANIZED COLLECTION.

Subdivision 1. Definition. "Organized collection" means a system for collecting solid waste in which a specified collector, or a member of an organization of collectors, is authorized to collect from a defined geographic service area or areas some or all of the solid waste that is released by generators for collection.

Subd. 2. Local authority. A city or town may organize collection, after public notification and hearing as required in subdivisions 4a to 4d. A county may organize collection as provided in subdivision 5. A city or town that has organized collection as of May 1, 2013, is exempt from subdivisions 4a to 4d.

Subd. 3. General provisions. (a) The local government unit may organize collection as a municipal service or by ordinance, franchise, license, negotiated or bidded contract, or other means, using one or more collectors or an organization of collectors.

(b) The local government unit may not establish or administer organized collection in a manner that impairs the preservation and development of recycling and markets for recyclable materials. The local government unit shall exempt recyclable materials from organized collection upon a showing by the generator or collector that the materials are or will be separated from mixed municipal solid waste by the generator, separately collected, and delivered for reuse in their original form or for use in a manufacturing process.

(c) The local government unit shall invite and employ the assistance of interested persons, including persons licensed to operate solid waste collection services in the local government unit, in developing plans and proposals for organized collection and in establishing the organized collection system.

(d) Organized collection accomplished by contract or as a municipal service may include a requirement that all or any portion of the solid waste, except (1) recyclable materials and (2) materials that are processed at a resource recovery facility at the capacity in operation at the time that the requirement is imposed, be delivered to a waste facility identified by the local government unit. In a district or county where a resource recovery facility has been designated by ordinance under section 115A.86, organized collection must conform to the requirements of the designation ordinance.

Subd. 4. [Repealed, 2013 c 45 s 7]

Subd. 4a. Committee establishment. (a) Before implementing an ordinance, franchise, license, contract, or other means of organizing collection, a city or town, by resolution of the governing body, must establish an organized collection options committee to identify, examine, and evaluate various methods of organized collection. The governing body shall appoint the committee members.

(b) The organized collection options committee is subject to chapter 13D.

Subd. 4b. Committee duties. The committee established under subdivision 4a shall:

(1) determine which methods of organized collection to examine, which must include:

(i) a system in which a single collector collects solid waste from all sections of a city or town; and

(ii) a system in which multiple collectors, either singly or as members of an organization of collectors, collect solid waste from different sections of a city or town;

(2) establish a list of criteria on which the organized collection methods selected for examination will be evaluated, which may include: costs to residential subscribers, miles driven by collection vehicles on city streets and alleys, initial and operating costs to the city of implementing the organized collection system, providing incentives for waste

reduction, impacts on solid waste collectors, and other physical, economic, fiscal, social, environmental, and aesthetic impacts;

(3) collect information regarding the operation and efficacy of existing methods of organized collection in other cities and towns;

(4) seek input from, at a minimum:

(i) the governing body of the city or town;

(ii) the local official of the city or town responsible for solid waste issues;

(iii) persons currently licensed to operate solid waste collection and recycling services in the city or town; and

(iv) residents of the city or town who currently pay for residential solid waste collection services; and

(5) issue a report on the committee's research, findings, and any recommendations to the governing body of the city or town.

Subd. 4c. Governing body; implementation. The governing body of the city or town shall consider the report and recommendations of the organized collection options committee. The governing body must provide public notice and hold at least one public hearing before deciding whether to implement organized collection. Organized collection may begin no sooner than six months after the effective date of the decision of the governing body of the city or town to implement organized collection.

Subd. 4d. Participating collectors proposal requirement. Prior to establishing a committee under subdivision 4a to consider organizing residential solid waste collection, a city or town with more than one licensed collector must notify the public and all licensed collectors in the community. The city or town must provide a 60-day period in which meetings and negotiations shall occur exclusively between licensed collectors and the city or town to develop a proposal in which interested licensed collectors, as members of an organization of collectors, collect solid waste from designated sections of the city or town. The proposal shall include identified city or town priorities, including issues related to zone creation, traffic, safety, environmental performance, service provided, and price, and shall reflect existing haulers maintaining their respective market share of business as determined by each hauler's average customer count during the six months prior to the commencement of the 60-day negotiation period. If an existing hauler opts to be excluded from the proposal, the city may allocate their customers proportionally based on market share to the participating collectors who choose to negotiate. The initial organized collection agreement executed under this subdivision must be for a period of three to seven years. Upon execution of an agreement between the participating licensed collectors and city or town, the city or town shall establish organized collection through appropriate local controls and is not required to fulfill the requirements of subdivisions 4a, 4b, and 4c, except that the governing body must provide the public notification and hearing required under subdivision 4c.

Subd. 5. County organized collection. (a) A county may by ordinance require cities and towns within the county to organize collection. Organized collection ordinances of counties may:

(1) require cities and towns to require the separation and separate collection of recyclable materials;

(2) specify the material to be separated; and

(3) require cities and towns to meet any performance standards for source separation that are contained in the county solid waste plan.

(b) A county may itself organize collection under subdivisions 4a to 4d in any city or town that does not comply with a county organized collection ordinance adopted under

this subdivision, and the county may implement, as part of its organized collection, the source separation program and performance standards required by its organized collection ordinance.

Subd. 6. Organized collection not required or prevented. (a) The authority granted in this section to organize solid waste collection is optional and is in addition to authority to govern solid waste collection granted by other law.

(b) Except as provided in subdivision 5, a city, town, or county is not:

(1) required to organize collection; or

(2) prevented from organizing collection of solid waste or recyclable material.

(c) Except as provided in subdivision 5, a city, town, or county may exercise any authority granted by any other law, including a home rule charter, to govern collection of solid waste.

Subd. 7. Anticompetitive conduct. (a) A political subdivision that organizes collection under this section is authorized to engage in anticompetitive conduct to the extent necessary to plan and implement its chosen organized collection system and is immune from liability under state laws relating to antitrust, restraint of trade, unfair trade practices, and other regulation of trade or commerce.

(b) An organization of solid waste collectors, an individual collector, and their officers, members, employees, and agents who cooperate with a political subdivision that organizes collection under this section are authorized to engage in anticompetitive conduct to the extent necessary to plan and implement the organized collection system, provided that the political subdivision actively supervises the participation of each entity. An organization, entity, or person covered by this paragraph is immune from liability under state law relating to antitrust, restraint of trade, unfair trade practices, and other regulation of trade or commerce.

History: 1987 c 348 s 27; 1989 c 325 s 26,27; 1990 c 600 s 1,2; 1991 c 337 s 46; 1993 c 249 s 20,21; 2013 c 45 s 1-6

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