



## **CITY COUNCIL**

1. Call Meeting of City Council to Order
  - 1.1 Pledge of Allegiance
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 items listed as part of the Consent Agenda will be approved by a single motion, unless a request to discuss one or more of the items is made prior to the motion being made. Anyone present at the meeting may request an item to be removed from the Consent Agenda for discussion. Please inform the City Council when they approve the meeting agenda of your request to have an item removed for discussion.)
  - 4.1 Approve minutes of March 23, 2020 meeting
  - 4.2 Approve payment of Claims
  - 4.3 Approve Young America Baseball Club Gambling Permit
5. Public Hearings
6. Old Business
7. New Business
  - 7.1 Discuss Ladder Truck Purchase Option
  - 7.2 Approve Covid-19 Pandemic City Responses
  - 7.3 Approve Cable Access Station Policy
  - 7.4 Resolution 2020-14, Approving the Change of Control of Jaguar Communications, Inc.
  - 7.5 Approve Norwood Young America Market Enrichment Grant Program
  - 7.6 Approve Central School Community Education Contribution
  - 7.7 Approve awarding quote for Concrete Clean-up
  - 7.8 Approve awarding quote to regrade and slope Compost Site
  - 7.9 Approve purchase of Stationary Generator for Serenity Pointe Lift Station
  - 7.10 Resolution 2020-13, Declaring the Official Intent to Reimburse Certain Expenditures from the Proceeds of Bonds to be issued by the City
8. Council Member & Mayor and Staff 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: Carver County Sheriff's Office February report; February Building Permit Report.

## **UPCOMING MEETINGS / EVENTS**

- April 14 Planning Commission – 6:00 p.m.  
April 21 Parks and Recreation Commission – 4:45 p.m.  
April 27 Work Session, EDA, City Council – 6:00 p.m.  
May 13 Economic Development Commission – 6:00 p.m.  
May 21 Senior Advisory Committee – 9:00 a.m.  
TBA Joint Meeting – City Council, EDC, Planning Commission, Parks & Recreation Commission, and Chamber of Commerce Board – 6:30 p.m.



ATTENDEES: Carol Lagergren, Craig Heher, Charlie Storms, Dick Stolz.  
STAFF: Steve Helget, City Administrator.  
ABSENT: Mike McPadden

## **CITY COUNCIL**

1. Call Meeting of City Council to Order 6:01pm

2. Approve Agenda

*Motion: CS/CH to approve the agenda with the addition of 7.5 Approve Resolution 2020-12. Vote 4-0. Motion carried.*

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

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 March 9 and 18, 2020 meetings

4.2 Approve payment of Claims

4.3 Accept Economic Development Commission Resignation

4.4 Approve appointments to Economic Development Commission

*Motion: DS/CS to approve the consent agenda. Vote 4-0. Motion carried.*

5. Public Hearing - none

6. Old Business - none

7. New Business

7.1 Approve Finance Committee Appointment

Included in the update of City Code Chapter 2 was the addition of a Finance Committee. Three members shall serve on this committee to include the City Administrator, Mayor and one Council member.

*Motion: CH/CS to appoint Dick Stolz as a member of the Finance Committee. Vote 4-0. Motion carried.*

7.2 Approve Transient Merchant License

Justin Spande, owner of Fireman's Barbeque, submitted a Transient Merchant application to do business out of his food truck at the CarQuest parking lot. Helget confirmed that the license is non-transferable to other food trucks at the same location.

*Motion: CS/CH to approve the Transient Merchant Application from Justin Spande, dba Fireman's Barbeque, LLC, and not to exceed 120 consecutive days at the location of 309 Faxon Road North as listed in Chapter 3, Section 310 of the City Code. Vote 4-0. Motion carried.*

7.3 Approve 2020 Swimming Pool Rates

Lagergren presented a spreadsheet of comparable rates from neighboring communities with outdoor swimming pools or aquatic centers. Rates have been appropriately changed to reflect the amenities of our current pool. It was noted that the Parks & Recreation Commission normally recommends these changes, however, given the time circumstances and the need to distribute the information to the public, the City Council will approve without their recommendations.

*Motion: CS/CH to approve the updated 2020 Swimming Pool fees. Vote 4-0. Motion carried.*

7.4 Approve Resolution 2020-11, Amending and Restating Resolution 2117-15 a CUP to allow Accessory Outdoor Storage at 600 Railroad Street West

Heher reported on the Planning Commissions recommendation for changes of the CUP to include the lower required bunker height of four feet and the stockpile near the southern property boundary to not exceed a total of 10,500 cubic yards combined.

*Motion: CH/CS to approve Resolution 2020-11, Amending and Restating Resolution 2017-15 a CUP to allow Accessory Outdoor Store at 600 Railroad Street West. Vote 4-0. Motion carried.*

7.5 Approve Resolution 2020-12 City of NYA Proclamation Concerning the Declared Local Emergency. City attorney Jay Squires made some recommendations for options in the Proclamation:

- (1) Ordinance and regulatory requirements for operations, civil and legal proceedings, events and resources which allows the purchasing of necessary resources such as laptops during an emergency. The laptops can be used for employees who need to work from home. Storms brought up the option of laptops for Council. Given the uncertainty of finances for city due to the Governor's order for approving the delay in tax payments, there may be a chance the city would have to utilize savings reserves. Future discussion will be held for additional laptops.
- (2) New employee protocol, strategies and processes can be set for purposeful social distancing while public services are still maintained. Lagergren shared that city staff will be doing an every-other staggered work week with three Public Service Department staff on at all times and City Administrator, Mayor and one office staff worker at all times.
- (3) Aid and resources at the county, state and federal levels are being discussed every morning with county Mayors, City Administrators and Fire Chiefs. Stolz recommended detailed lists of all resources related to the emergency be tracked for the potential reimbursement from FEMA.
- (4) Cities have the option of conducting public meetings via phone conference or other electronic means. All decisions must be made via roll call and Open Meeting Law public posting is required with all council and commission meetings.

*Motion: DS/CH to approve Resolution 2020-12 Proclamation Concerning the Declared Local Emergency. Vote 4-0. Motion carried.*

#### 8. Council Member & Mayor and Staff Reports

Lagergren presented Council members with an updated Commission list of all current members and contact information. Storms requested a social distance meeting at City Hall with the Parks & Recreation Commission. Lagergren will call commissioners. Stolz recommended to cancel the April Senior Advisory meeting. Economic Development could do virtual meeting, however, will verify with staff. Heher requested meeting at City Hall with social distancing and allow Smith-Strack to remote call in. Council members would also prefer to have meetings at City Hall, if possible, in order to have everyone on camera.

Carver County is having conversation on March 24, 2020 about staffing/staggered work schedule and potential of additional PTO, paid administrative leave or unemployment. According to the state, city staff is not an essential worker. Lagergren explained there will be two weeks of a staggered schedule for our city staff and then will revisit the situation. Council discussed with weather change, there is a job need change with maybe a possibility of extended days. Other local cities have gone on lockdown with no public presence and/or work from home. Lagergren and Helget will have discussion with other cities for next meeting.

NYA Fire Department will be present at the next meeting to talk about an available ladder truck.

The City of NYA is now a Tree USA City due to the efforts of Tony Voigt and the city Arbor day celebration. The plaque is at City Hall.

#### 9. Adjournment

*Motion: CH/DS to adjourn at 6:41. Vote 4-0. Motion carried.*

Respectfully Submitted,

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Karen Hallquist, Economic Development Marketing Director

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Carol Lagergren, Mayor



**VOUCHER LIST / CLAIMS ROSTER  
and CHECK SEQUENCE**

**To Be Approved: April 13, 2020**

<b>Payroll EFT</b> (Check Sequence 505867 – 505881)	<b><u>\$15,420.29</u></b>
<b>Voided check</b>	
<b>Prepays</b>	
<b>Claims Pending Payment</b> (Check Sequence 30359 – 30425)	<b><u>\$220,516.68</u></b>

**Grand Total      \$235,936.97**



TO: Honorable Mayor Lagergren and City Council Members  
FROM: Steven Helget, City Administrator  
DATE: April 13, 2020  
SUBJECT: The Young America Baseball Club Lawful Gambling Except Permit

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The Young America Baseball Club is applying for a Lawful Gambling permit to hold a raffle on July 11, 2020 at Willkommen Memorial Park.

**Recommended Motion:**

**Motion to appoint approve The Young America Baseball Club Gambling Except Permit.**

*Norwood Young America*

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310 Elm Street West PO Box 59 – Norwood Young America, MN 55368 – (952)467-1800 – [www.cityofnya.com](http://www.cityofnya.com)



TO: Mayor Lagergren and Council Members  
FROM: Steve Zumberge, Fire Chief  
DATE: April 13, 2020  
RE: 2018 Pierce Ascendant 107' Quint

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The Norwood Young America Fire Department has an opportunity to purchase a used, 2018 Pierce Ascendant 107' Quint. This truck would replace the current 1996 Ladder 11 that is scheduled to be replaced in 2022.

Priced at \$850,000 including:

- new 3rd party aerial cert
- new annual pump service test
- full service of all fluids and filters
- completion of a customer walk around shop list
- a one year major component warranty
- complete service and repair records
- Excluding Ladder 11 trade value

This truck new, lists for \$1,050,000.00.

*Proposed Action:*

**Discuss whether this is a viable purchase option at this time.**

*Norwood Young America*

## Steve Helget

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**From:** Steve Zumberge <SteveZ@locherbros.com>  
**Sent:** Thursday, April 9, 2020 12:10 PM  
**To:** Steve Helget  
**Attachments:** Letterhead\_Memo\_Fire\_Chief.docx

Chief

Thank you for your time on the phone today and for the opportunity to try to help you with your aerial search. Here is the aerial that you are considering along with pricing:

<http://www.firetruckmall.com/AvailableTruck/13164/2018-Pierce-Ascendant-107%27-Quint>  
Priced at \$850,000 including:

- new 3rd party aerial cert
- new annual pump service test
- full service of all fluids and filters
- completion of a customer walk around shop list
- and a one year major component warranty

We are very excited to own this truck and we feel like that at approximately \$200,000 below the price of a comparable new truck that it gives a fire department that opportunity to get a great value and to get the benefit of not waiting 9 to 18 months for a new build.

Because of the COVID situation we are currently offering some additional and upgraded purchase options on our trucks. Here are a few of those along with some info that might be helpful as you consider a "sight unseen" purchase:

1. If you decide to move forward with a sight unseen purchase I will shoot a walk around video of the truck and post to You-Tube so you can see the cosmetic condition of the truck. We have been selling trucks sight unseen for a number of years so this isn't new to us. Before I shoot the video I will do a walk around myself and note any cosmetic deficiencies so I can point them out in the video. Part of the purpose of the video is to make you aware of any deficiencies so there will be no surprises when the truck is delivered.
2. We have 19 Certified EVT technicians at our Company and collectively they have more than 150 EVT certifications. We would have one of those guys do a mechanical inspection (that includes a DOT inspection) and send you a list of all mechanical deficiencies, once again so there would be no surprises. We would try to include repairing all of the deficiencies that we find in the cost of the truck. That decision will be made based on the final price that we negotiate to.
3. Since the truck is being sold with a new aerial cert, a new pump test and a major component warranty and since you will also get to see a walk around video and see the results of a mechanical inspection and DOT inspection done by an EVT the risk factor in making a sight unseen purchase is already exceedingly low.
4. Additionally because of the COVID situation I am able to include in the sales agreement a guarantee that the truck will be in the condition described to you when it arrives or Brindlee will simply take the truck back. This takes all of the risk factor off of you decision makers in purchasing the truck sight unseen. If it isn't what we told you it is then we just take it back.

5. Further, we anticipate that the slowdown related to the virus will likely last a few more weeks. In order to keep our business strong and healthy we need to find ways to continue to sell trucks, even if that means selling them at lower prices than before. Because of our great need to sell trucks now we have been selling trucks at some of the lowest prices I've seen in the 10 years that I've been with Brindlee. And I've seen fire departments buy trucks in the last few weeks well below market value just because we need to sell them. The truck you are looking at is easily the most expensive fire truck that we own and that gives your fire department a lot of leverage to try to get a really great deal during the slowdown.
6. We are also one of the only companies in the country that can offer you a trade in value on your 1996 aerial against a used truck purchase.

I hope this information will be helpful to you all as you consider this fire truck. We are thankful to be in the business of being able to help fire departments get great used fire trucks. If you decide to move forward with this truck you will have all of the weight and history and great reputation of Brindlee Mountain Fire Apparatus and our 19 years in business behind you in making sure this truck is a good purchase for your fire department and your town.

Please let me know what else I can do to try to help you with this.

Thank you again for the opportunity!

Jeremy

**Jeremy McCoy**  
Apparatus Sales  
Brindlee Mountain Fire Apparatus  
15410 US Highway 231  
Union Grove, AL 35175  
256.776.7786 - Office  
256.361.6532 - Mobile  
256.498.0924 - Fax

Do you have suggestions for how we can better serve you? Send a message to our company president, James Wessel here: [Let Us Know](#)







TO: Honorable Mayor Lagergren and City Council Members  
FROM: Steven Helget, City Administrator  
DATE: April 13, 2020  
SUBJECT: Covid-19 Pandemic City Responses

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The City Council approved Resolution 2020-09, Declaring a Local Emergency due to the COVID-19 Pandemic on March 18<sup>th</sup>. The spread of COVID-19 presents a serious threat to the Norwood Young America community, especially our most vulnerable citizens, as well as for City staff working to continue delivering essential services to the community under these extraordinary circumstances.

#### PTO Reimbursement

As discussed at the March 18<sup>th</sup> Emergency Council meeting, City staff were to commence a staggered work schedule on Monday, March 21<sup>st</sup> on a two-week trial basis. Proposed was staff were to work every other day and be compensated 40-hours per week. Based on the Council's discussion, this modified work schedule was only implemented for 4-days. Staff were required to utilize PTO for the two days they were off. Proposed is to discuss crediting back the 16 hours of PTO to employees. I've checked with the League of MN Cities and the PTO hours can be credited back upon Council approval.

#### Waiving Utility Bills Late fee and Credit Card Fee

Due to COVID-19, proposed is to waive the late penalties on City utility bills for the months of March & April. Also, to provide a payment incentive during this pandemic, proposed is to waive the credit card fee payment of utility bills. The fee is 5% of the payment amount.

#### **Recommended Motion:**

**Motion to credit back 16-hours of Paid Time Off (PTO) to employees who utilized PTO the week of March 21, 2020 due to the modified work schedule.**

**Motion to waive the late penalties for Utility Bills for the months of March and April 2020.**

**Motion to waive the fee for Utility Bill payments made by credit card for the months of April and May.**

*Norwood Young America*



TO: Economic Development Commission

FROM: Karen Hallquist, Economic Development Marketing Director

DATE: April 8, 2020

SUBJECT: NYATV Rules and Procedures Policy

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**Background**

As of Friday, April 3, 2020, the NYATV channels – 8 MediaCom and 901 Jaguar Communications – are synced and running through the new cable access equipment which is now housed at NYA City Hall audio video room. All downloads, design and scheduling will be done by city staff. NYATV is to provide opportunities for educational, governmental, civic and charitable groups to share and promote open expression, economic growth, public forums, enrichment of the multi-cultural, artistic and civic aspects of life in the community of Norwood Young America.

All groups who submit videos/information for NYATV will be required to sign an agreement which binds them to all program guidelines and formats.

The Rules and Procedures for the NYA Local Access Channel (NYATV) have been reviewed and approved by the city attorney.

**Action**

Approve the Rules and Procedures for the Norwood Young America Local Access Channel (NYATV).

*Norwood Young America*

# Rules and Procedures for the Norwood Young America Local Access Channel (NYATV)

## 1. Mission and Philosophy

It is the mission of the Norwood Young America Access Channels (NYATV) to provide opportunities for educational, governmental, civic and charitable groups to cablecast / broadcast programs that will promote open expression, economic growth, public forums, and enrichment of the multi-cultural, artistic and civic aspects of life in the community of Norwood Young America, MN.

## 2. Channel Use Guidelines

a. NYATV shall be available to any group or other entity wishing to cablecast / broadcast programs of nature consistent with the mission statement above who is a resident or doing its principal business in the City of Norwood Young America or the county of Carver and will not discriminate on the basis of race, religion, sex, age, national origin, or handicap.

b. NYATV's equipment and facilities are for the use of public purposes only.

## 3. Program Guidelines

a. Programs cablecast / broadcast may not contain:

- i. obscene or indecent content as defined by applicable law;
- ii. fundraising material not in compliance with law;
- iii. libel, slander, incitement or invasions of privacy;
- iv. Content protected by copyright, unless the proper authorization has been obtained; and
- v. Any other content that is improper or in violation of the law as determined by the City.

b. NYATV will not exercise editorial control over the content of any person's programs. NYATV does not assume responsibility for previewing programs. All program content is the responsibility of the person producing the program.

c. Access equipment, facilities, and channels may not be used for the presentation or production of material designed to promote the sale of commercial products or services or the dissemination of any information directly or indirectly involving lotteries as defined in Section 76.213 of the Rules of the Federal Communications Commission.

d. Violations of Section 3(a) (b) and (c) may result in cancellation of the User's program, or in the case of repeated violations of the Rules and Procedures, suspension of the privilege to use channels.

e. Programs cablecast / broadcast may have underwriters that can be acknowledged at the beginning, middle and/or end of the program.

f. Any person submitting or producing a program to be cablecast / broadcast assumes responsibility for program content and will be required to sign a Cablecast Request Form.

g. Any program, which fails to abide by the Program Guidelines, will not be accepted for cablecasting.

h. Programs may be cablecast up to 6 times and then may be placed at the end of the filler rotation for later air dates.

- i. NYATV studios will not retain copies of any program or programs submitted or produced other than Norwood Young America City Government meetings.
- j. Complaints of programs which may violate these Rules and Procedures will result in a suspension of the program from the schedule until the program is reviewed by the City's Attorney. Complaints must be submitted in writing to Norwood Young America City Staff and need to be specific to the program and detailed on the alleged violation.
- k. Any submitted or produced program found to violate this policy will be immediately removed from the cablecast / broadcast schedule and not allowed to air. The person submitting or producing the program will be notified of the violation.

#### **4. General**

a. NYATV is a branch of the City of Norwood Young America. The guidelines of its channels will be implemented on an operational basis by NYATV's cable coordinator. Day to day decisions on particular matters will be at the discretion of NYATV's cable coordinator and will include but not be limited to the following:

- i. Whether or not staff will tape, produce, edit, or cablecast / broadcast any particular program, activity or event.
- ii. Whether or not a particular program will air, the time it will air, what channel it will air on, and what forms or permission may be necessary for airing.

#### **5. Community Announcements**

Currently, there are no airtime charges for community announcements. Announcements shall contain all pertinent information, including a contact person and a phone number.

#### **6. Format**

NYATV supports the following formats: DVD, MPEG4

#### **7. Preferences**

- a. The City will have the final determination over any conflicting preferences in these Rules and Procedures or dispute not covered by these Rules and Procedures.
- b. Programs cablecast / broadcast do not necessarily reflect the views and opinions of the City and/or its employees.



TO: Honorable Mayor Lagergren and City Council Members  
FROM: Steven Helget, City Administrator  
DATE: April 13, 2020  
SUBJECT: Resolution No. 2020-14, Approving the Change of Control of Jaguar Communications, Inc.

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Jaguar Communications has provided the City with written notice of a transaction that affects the ownership and control of Jaguar's parent company, Provincial Real Estate Holdings, LLC. According to an Equity Purchase Agreement dated January 17, 2020, MetroNet Holdings, LLC. will acquire 100% of the issued and outstanding equity interests of Provincial Real Estate.

In accordance with Section 5.1(e) of the City's Franchise Agreement with Jaguar Communications, the City has the right to consent to the change of control, though consent cannot be unreasonably withheld.

The Council can choose to call a public hearing, but should do so by April 13, within 30 days of receipt of the notice. The City also has the right of first refusal, so the City could elect to buy Jaguar Communications.

Enclosed is Resolution 2020-14, approving the change of control of Jaguar Communications. Also enclosed is a copy of the March 13, 2020 letter from Jaguar Communications. The City Attorney has reviewed the proposed Resolution 2020-14.

**Recommended Motion:**

**Motion to adopt Resolution No. 2020-14, approving the Change of Control of Jaguar Communications, Inc.**

*Norwood Young America*



March 13, 2020

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

Re: Cable Franchise and Change of Control of Cable System

Dear Mr. Helget:

On or about May 31, 2016, the City of Norwood Young America, Minnesota ("City") granted Jaguar Communications, Inc. ("Jaguar") a cable franchise ("Franchise"). The Franchise was granted for a term of fifteen (15) years and governs the provision of cable services in the City.

This letter is to inform you of a transaction that affects the ownership and control of Jaguar's parent company, Provincial Real Estate Holdings, LLC ("Provincial"). Pursuant to an Equity Purchase Agreement dated January 17, 2020, MetroNet Holdings, LLC ("MetroNet"), will acquire 100% of the issued and outstanding equity interests of Provincial (the "Transaction").

After consummation of the Transaction, Jaguar will remain the grantee under the Franchise and Jaguar will continue to provide cable service to its subscribers in the City. Jaguar cable subscribers will see no gap in cable service and effectively no change as a result of the Transaction. Moreover, the City will continue to receive updates and fee payments from Jaguar. The only change will be the ownership and control of Jaguar, which will be indirectly held by MetroNet.

Under the Franchise and/or Minnesota Statutes, Chapter 238, the Transaction will result in a change of control of Jaguar and therefore may require the City's consent. To that end, this letter serves as a written request to the City to: (i) approve the Transaction; and (ii) waive any right to purchase the cable system under the Franchise or Minnesota Statutes, Chapter 238. The enclosed Resolution addresses each of these matters.

We look forward to closing the Transaction in the near future and hope that the City's schedule will permit the City to act on the enclosed Resolution on or before April 30, 2020. We would be happy to have appropriate representatives present at the meeting during which the enclosed Resolution is considered to answer any questions or concerns.



March 13, 2020

Mr. S. Helget

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On behalf of Jaguar it remains our pleasure to serve the City and we are confident that once the Transaction is completed we will continue to provide high quality cable services to your residents. If you have any questions concerning this letter or the enclosed Resolution, please feel free to contact me at (507) 214-0269 or [kanderson@jagcom.net](mailto:kanderson@jagcom.net). Kindly provide a copy of the executed final resolution to Kristine Anderson at Jaguar via mail, email at [kanderson@jagcom.net](mailto:kanderson@jagcom.net), or fax at 507-214-1003. Thank you for your prompt attention to this matter.

Sincerely,

JAGUAR COMMUNICATIONS, INC.

A handwritten signature in black ink, appearing to read "Kristine Anderson", written over a circular stamp or mark.

Kristine Anderson  
In-House Counsel

Enclosures

# NORWOOD YOUNG AMERICA, MINNESOTA

## RESOLUTION NO. 14 Approving the Change of Control of Jaguar Communications, Inc.

### RECITALS:

1. Jaguar Communications, Inc. ("Grantee") currently holds a cable franchise ("Franchise") granted by the City of Norwood Young America, Minnesota ("City"), to own, operate and maintain a cable communications system ("System") in the City.
2. The Franchise includes a fifteen (15) year franchise term which will expire on or about May 31, 2031.
3. Pursuant to an Equity Purchase Agreement dated January 17, 2020, MetroNet Holdings, LLC, will acquire one hundred percent (100%) of the issued and outstanding equity interests of Provincial Real Estate Holdings, LLC, the parent company of Grantee (the "Transaction").
4. The Franchise and/or Minnesota Statutes, Section 238.083, require that the Grantee obtain the City's consent to the change of control contemplated under the Transaction.

NOW, THEREFORE, THE City of Norwood Young America, Minnesota hereby resolves as follows:

1. Each of the foregoing recitals is incorporated herein by reference.
2. The Franchise is in full force and effect and Grantee is the lawful holder of the Franchise and has complied with all terms and conditions of the Franchise.
3. The City hereby (i) consents to and approved the Transaction, and (ii) waves any right the City may have under Minnesota Statutes, Chapter 238, or the Franchise to purchase the System.
4. In the event the Transaction is not completed, for any reason, the City's consent shall not be effective and shall be null and void.

This Resolution shall take effect and continue and remain in effect from and after the date of its passage, approval and adoption.

Passed and adopted by the City of Norwood Young America, Minnesota this 13<sup>th</sup> day of April 2020.

**Attest:** **City of Norwood Young America, Minnesota**

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

Its: Mayor \_\_\_\_\_ Its: City Administrator \_\_\_\_\_

**ACCEPTANCE**

The terms and conditions of Resolution No. 2020-14 are hereby accepted by Jaguar Communications, Inc., this \_\_\_\_ day of \_\_\_\_\_, 2020.

**JAGUAR COMMUNICATIONS, INC.**

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

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

Sworn to before me this \_\_\_\_  
day of \_\_\_\_\_, 2020

\_\_\_\_\_  
Notary Public



TO: Economic Development Commission  
FROM: Karen Hallquist, Economic Development Marketing Director  
DATE: April 8, 2020  
SUBJECT: NYA Market Enrichment Grant Program

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### **Background**

To continue revitalization efforts of the NYA business community, the EDC Commissioners requested staff to review the 2016 No Interest Loan Program and develop a smaller financial incentive program to resemble the Small Cities Development Program Grant for our local businesses. The two historic downtowns were focused on specifically for the SCDPG award, whereas the proposed NYA Market Enrichment Grant Program would be available to any Norwood Young America business located in the C-2 General Commercial, C-3 Downtown District or B-1 Business Industrial districts. Property owners or tenants are only allowed one matching grant per calendar year which means that those property owners who have applied for the Small Cities Development Grant would not be eligible for the Market Enrichment Grant.

The 2016 No Interest Loan Program had two applicants for a total request of \$15,000. Prior to this there was a 2011 NYA Rehabilitation Loan Program for businesses to receive up to \$5,000 in a deferred loan program. Seven business utilized the program at that time.

EDC Commissioners recommend the NYA Market Enrichment Grant Program allow five (5) property owners the opportunity to receive up to \$10,000 in grant monies with a 20% contribution. This contribution can also be a capital contribution to mimic the Small Cities Grant. The City's Revolving Loan Fund has a current balance of \$135,000, of which the \$50,000 would come from. Should the program be successful, the EDC will revisit additional opportunities for 2021.

### **Action**

Motion to approve the implementation of the NYA Market Enrichment Grant Program which allows five (5) grants up to \$10,000 with a 20% contribution as required, with applications available starting April 15, 2020.

Motion of one City Council member to serve as a member of an application review panel along with the Economic Development Director and two EDC Commissioners for the NYA Market Enrichment Grant Program.

*Norwood Young America*



# NYA Market Enrichment Grant Program Guidelines

## **Purpose**

The City of Norwood Young America is offering a grant opportunity to NYA businesses for building improvements. The purpose of this program is to provide financial assistance to property and business owners to stimulate investment in the NYA business districts. The goal of this program is to provide an incentive to businesses and property owners to enhance the aesthetics of their buildings in hopes of strengthening the vitality of all NYA business districts, which will have a lasting impact on the entire NYA business community.

## **Program Eligibility**

The intent of the NYA Market Enrichment Grant Program is to focus on those buildings and properties that need improvement due to age, a desire to improve the overall impression of the property and increase the value of buildings. Commercial structures and mixed-use commercial/rental dwellings in the C-2 General Commercial, C-3 Downtown District, and B-1 Business Industrial Districts are eligible for the Program.

All improvements must result in building improvements that add to the goals above. Due to the limited amount of funds, all applications are subject to a competitive selection process which will be based on project goals, impact, and readiness of the project. All applications and plans are subject to the review and approval of the City. Submitting the application and improvement plan does not guarantee approval.

## **Eligible Applicants:**

- The applicant must be the property owner or a tenant with written permission from the property owner to make improvements to commercial or retail buildings
- There must be no delinquent bills, charges, or taxes due to the City
- Projects must be located in the designated zoning area of eligibility
- All projects must result in permanent building improvements
- Property must have conforming uses
- Property owner or tenants are only allowed one matching grant per calendar year. If grant funds remain after the first year, additional grants may be applied for on a case-by-case basis.
- All improvements must follow the principles and guidelines of the Norwood Young America Building Code, Zoning Code and the NYA Market Enrichment Grant Program Guidelines

## **Eligible Improvements:**

- Exterior painting
- Surface treatment (i.e. siding, stucco replacement/repair)
- Masonry repairs and tuckpointing
- Decorative awnings or canopy installation
- Window and/or door replacements or entrance modifications
- Exterior lighting
- Installation or repair of exterior signage
- Outdoor patios and decks
- Landscaping – when part of a larger project (not to exceed more than 10% of total project cost)
- Replacement of roofs
- ADA compliance improvements and/or C-2, C-3, or B-1 building code violations
- Improvements to building access for pedestrians and people with disabilities
- Mechanicals and HVAC systems
- Parking area improvements

## **Ineligible Improvements:**

- Improvements in progress or completed prior to preliminary approval
- Site furnishings, non-permanent structures or improvements, or movable equipment
- Billboards or temporary signage
- Security systems
- New construction
- Purchase of property
- Fencing (unless part of a landscaping project)
- Purchase or rental of tools and equipment or for labor performed by the building or business owner, family members, employees or any other person with a financial interest in the property or business. Grant funds may be used to pay for materials.
- Any renovations that are solely the result of ordinary repair and maintenance are not eligible for funding through this program. *Ordinary repair and maintenance is defined as "any work, the purpose and effect of which is to correct or prevent any deterioration or decay, or damage to, a structure, site or any part thereof and to restore the structure or site as nearly practicable, to its condition prior to such deterioration, decay, or damage using materials that are of a design, color, and outer appearance as close as practicable to the original."* Roof will be considered under extenuating circumstances.

Exclusions to this clause may be made when a new owner purchases a structure and is renovating the structure and the deterioration has not been caused by the new owner or any affiliate or agent.

### **Grant Terms & Conditions**

The NYA Market Enrichment Grant Program reimburses business or property owners for the following funding requirements:

1. The Program provides a one-time loan for eligible expenses. Grants range from \$2,000 to \$10,000 with a 5-year deferred loan with 0% interest.
2. 80% NYA Market Enrichment Grant Program funds/ 20% Owner Funds (May be non-eligible improvements)
3. If applicant is not the property owner, a signed letter of support from the property owner is required. The property must be up to date on all property taxes, utilities and assessments at the time of application submittal.
4. The applicant must maintain the property during the repayment period. Failure to do so will cause the loan to be paid back prorated.
5. If the benefitting property is sold within the period of the loan, the loan must be paid back prorated.
6. Business owners and property owners are only allowed one matching grant per calendar year. If grant funds remain after the first year, additional grants may be applied for on a case-by-case basis.
7. This is a reimbursement program. Applicants must complete all improvements within one (1) year from the award date of the loan. All loan funds will be paid to the applicant upon receipt of evidence of paid invoices for the project along with a release of any and all mechanics or contractor's liens.

### **Application Process**

#### **Step 1: Ensure project eligibility**

Before applying, be sure your proposed project is eligible for the program.

- The property is located within the zone areas of C-2 General Commercial, C-3 Downtown District, and B-1 Business Industrial Districts of Norwood Young America.
- The property is up to date on all property taxes, utilities and city assessments.
- All construction management is your responsibility.
- Review the Downtown Redevelopment Plan Design Guidelines.
- This is a reimbursement program; you must complete and pay for the improvement for the work before the program administrator will issue a reimbursement check

#### **Step 2: Meet with program administrator**

Schedule a meeting with the program administrator to discuss your project.

### **Step 3: Complete and submit application**

Submit the grant application to the program administrator, including:

- A written description of the project, including drawings, photographs of the building and other supporting materials that accurately represent scope and intent of project improvements.
- At least two contractors' bids that meet the following guidelines:
  - Evidence the contractors are licensed, bonded and/or insured.
  - Bids must be for identical scopes of work.
  - If qualified to do so, you may perform the work yourself. However, grant funds can only be used to compensate for materials, not for labor or the purchase or rental of tools and equipment. Sweat equity labor includes that of a friend, relative or anyone with a financial interest in the business or property.
  - Grant amounts are based on the lower bid; however, applicants are free to accept the higher bid.
- All complete applications are reviewed and approved by a grant committee, the makeup of which varies. Incomplete applications will be returned to the applicant.

### **Step 4: Grant award**

The applicant will receive a signed copy of the grant application from the program administrator after the project has been approved. Before proceeding, the applicant must obtain all necessary city permits for the project or ensure your contractor pulled the necessary permits. Payment verification for permits and taxes is required prior to grant disbursements.

If the application is not approved, a meeting can be scheduled with the applicant and the program administrator to further discuss project eligibility. If other, more appropriate applications are pending, they will take precedence. However, efforts will be made to help applicants succeed.

### **Step 5: Submit required documents after project completion**

Complete the project and submit documentation to the program administrator within one (1) year of the start date stated on the application.

Grant funds will be disbursed to the applicant by the program administrator within 30 days upon receipt of the following items:

- Proof of final inspection by the City of NYA building inspector for work requiring a city permit.
- Final invoice from the contractor clearly indicating the total project cost.
- Proof of payment paid to contractor in the form of a lien waiver and invoice of payment in full. Applicants should be totally satisfied with the work performed prior to payment.
- Before and after photos highlighting the improvement project.

**Note:** If more than one contractor is used, you must submit all items for each contractor.

### **Step 6: Grant reimbursement**

Grant reimbursements will occur after the work is completed in accordance with the grant requirements. Please be aware that once work is finalized and the required documentation is submitted to the city for reimbursement, it can take up to 30 days for reimbursement. Reimbursement may take longer if additional documentation is required.

### **Contact**

Karen Hallquist  
Economic Development Marketing Director  
City of NYA  
(952)467-1810  
Economicdev@cityofnya.com



# NYA Market Enrichment Grant Program Application

Date \_\_\_\_\_

Business Name \_\_\_\_\_

Business Owner Name \_\_\_\_\_

Property Address \_\_\_\_\_

Property Owner Name \_\_\_\_\_

Property Owner Address (if diff from applicant) \_\_\_\_\_

Home Phone \_\_\_\_\_ Mobile Phone \_\_\_\_\_

Grant Application Name \_\_\_\_\_

Type of Business \_\_\_\_\_

Business Phone \_\_\_\_\_ Mobile Phone \_\_\_\_\_

Email \_\_\_\_\_ Website \_\_\_\_\_

Lease Agreement Expiration Date (if applicant is leasing) \_\_\_\_\_

**\*\*If the applicant is NOT the property owner, the owner must sign on page 3 to approve the proposed improvements and provide letter of support. If applicant is leasing the building, indicate expiration date of current lease.)**

**\*\*The property must be up to date on all property taxes and assessments**

### Application Requirements

- Review program terms and conditions
- Completed application form and signature(s)
- Property owner letter (if applicable)
- Description of proposed project
- Photo of current conditions
- Bid estimates

### Description of Proposed Improvements

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Total Improvement Cost \$ \_\_\_\_\_

Grant Request Amount \$ \_\_\_\_\_

**\*\*The amount of the grant request should not exceed \$10,000.**

What will you contribute the 20% requirement? \_\_\_\_\_

Timeline for Completion \_\_\_\_\_

## Submit two written bids/estimates/quotes for the project cost

- If two bids cannot be supplied, provide evidence of that multiple bids were sought.
- Verify contractors are licensed, bonded and insured.
- Grant amounts are based on the lower bid; however, you are free to accept the higher bid.

### Contractor Information

1. Contractor Name \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Bid Amount \$ \_\_\_\_\_

2. Contractor Name \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Bid Amount \$ \_\_\_\_\_

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### Review Terms

The grant applicant will receive a grant in the amount specified pending grant applicant's compliance with this agreement and grant program guidelines and available funding. Final determination of eligibility rests with the City of Norwood Young America.

1. The grant applicant certifies that he/she is an owner of record of the property where the funds will be used to finance repairs and/or improvements; or where not the owner of record of the property, has obtained the owner's written authorization to cause the repairs or improvements to be made. The property owner certifies that all property taxes are paid and up to date and will remain so throughout the entire project, until grant funds are disbursed.
2. Work performed at the property shall be as stated in the contractor(s) bid(s) obtained by the grant applicant and as state in this application.
3. Any contractor(s) who performs work at the property must meeting City of Norwood Young America licensing, building permit and building code requirements.
4. If the grant applicant is performing any work, the grant applicant understands that upon completion (1) all work must meet City of Norwood Young America zoning code, building permit and building code requirements, and (2) grant funds can only be used to compensate for materials, not for the purchase or rental of tools and equipment or the labor of the grant applicant, a relative or someone with financial interest in the business or property receiving the grant funds.
5. All improvements must be complete and reimbursement request documents provided to the program administrator within nine months of the grant approval date. The grant applicant is responsible for ensuring that the work has been completed satisfactorily before paying the contractor(s).
6. Grant funds will be disbursed to the grant applicant by the program administrator based upon the receipt and review of the items below. The grantee must submit the following items to the program administrator upon completion of the work. If more than one contractor is used, the items listed below must be provided for each contractor:
  - a. Proof of final inspection by the City of Norwood Young America for work requiring a city permit (send a copy of the permit signed by the building inspector). For work NOT requiring a city permit, call the program administrator at 952-467-1810 to notify them work is complete.
  - b. Final invoice from the contractor(s) showing the total project cost.

I hereby affirm that all information above is true and accurate to the best of my knowledge. I have read and agree to the NYA Market Enrichment Grant Program.

Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_

Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

**Application Submittal**

Submit application and attachments to program administrator by mail or email to:

Karen Hallquist  
City of NYA  
PO Box 59  
Norwood Young America, MN 55368  
(952)467-1810  
[Economicdev@cityofnya.com](mailto:Economicdev@cityofnya.com)

Internal Use Only - to be completed by program administrator

Date application received \_\_\_\_\_

Grant amount requested \_\_\_\_\_

Private 20% match \_\_\_\_\_

Total project cost \_\_\_\_\_

Grant approval date \_\_\_\_\_

Project completion date \_\_\_\_\_

Program administration signature \_\_\_\_\_  
Karen Hallquist, EDMD - Program Administrator





TO: Honorable Mayor Lagergren and City Council Members  
FROM: Karen Hallquist, Economic Development Marketing Director  
DATE: Monday, April 13, 2020  
RE: Funding Request from District 108 Community Education for Summer Programing

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#### Background

Julie Kuenzel, Director of Norwood Young America District 108 Community Education, has requested financial support for both the 2020 Summer Enhanced Program and the Summer Recreation Program. The City of Norwood Young America has historically supported these programs. The Summer Enhanced Program allows middle school and high school aged youth to participate in up to twenty recreational and enrichment activities within various events and locations. This program also includes funding for Music in the Park at NYA Legion Park every Thursday night throughout the summer. The Summer Recreation Program includes activities and park programs for preschool and elementary school aged children.

The total of the request is \$5,000, of which \$3,000 is assisting the funding for the Summer Enhanced Program and \$2,000 for the Summer Recreation Program. All monies are used to help pay salaries and supplies for the programs. The \$5,000 contribution has been included in the Parks & Recreation Commission 2020 Budget.

#### Action

Approve the funding contribution of \$5,000 to support the Norwood Young America District 108 Community Education Summer Enhanced Program and Summer Recreation Program.

*Norwood Young America*

City of NYA  
10 1<sup>st</sup> Ave NE  
NYA, MN 55397

Dear Mayor and City Council Members,

We are again planning the Summer Enhanced program for Middle and High School Youth in Norwood Young America. For several years the city contributed \$6,000 towards this program. Because of tight financial times over the past few years, we only requested \$3,000, and we are asking for that amount again this year. For your dollars, middle school and high school youth will be able to participate in a large number of recreational and enrichment activities and also trips set up to various locations. Even though the amount request is less, the programing will remain the same.

Your contributions help pay for salaries and supplies for the programs held in Norwood Young America. We like to offer these activities free or as inexpensively as possible so that all youth have a chance to participate and enjoy the summer.

We are estimating that up 20 different activities will be offered this summer to middle and high school age youth. We will also be providing the Music in the Park series this summer. There will be some type of entertainment provided in the parks every Thursday throughout the summer, your funds also help us pay for these groups also for the community.

Our goal is not only to enrich our children's lives, but also to give many kids constructive things to do, which may, in turn, prevent boredom and sometimes trouble.

On behalf of the Community Education Advisory Council, I want to sincerely thank you for your consideration in funding this excellent program for your youth.

Sincerely,

Julie Kuenzel, Director of Community Education  
318 Hwy 212  
NYS, MN 55368

City of NYA  
NYA, MN 55368

Dear Mayor and City Council Members,

We are again planning the Summer Recreation Program for our cities. As in the past, we are asking for a contribution to help defray the costs. We are requesting \$2,000. We feel in these tight times we need to be able to offer more programs for the same amount of money, therefore we will not be asking for any increases in funding. \$2,000 is the same amount you donated towards the park program the last several summers. The "Preschool in the Park" programs we added several years ago have been very successful so we will be doing two preschool age park programs and two school age park programs, one at Willkommen Park and the other at the Legion Memorial Park (pool Park).

Your contributions help pay for salaries and supplies for the summer recreation and park programs held in Norwood Young America. We like to offer these activities free or as inexpensively as possible so that all children have a chance to participate and enjoy the summer.

The local park program is held Monday – Thursday at both city parks for school age youth and for preschoolers 2 hours a day both parks. Last summer we served over 100 children from NYA who were signed up for the park programs. I hope you agree with us as to the importance of offering these activities to our youth. Our goal is not only to enrich our children's lives, but also to give many kids constructive things to do, which may, in turn, prevent boredom and sometimes trouble.

If for some reason, you've decided not to participate in this summer's program, I need to hear from you ASAP. If you have questions or concerns, please call me at 952-467-7391. If this request is granted please send payment to: Com. Ed., PO Box 367, NYA, MN 55368 by March 1st.

On behalf of the Community Education Advisory Council, I want to sincerely thank you for your consideration in funding this excellent program for your youth.

Sincerely,

Julie Kuenzel, Director of Community Education



TO: Honorable Mayor Lagergren and City Council Members  
FROM: Tony Voigt, Public Service Director  
DATE: April 13, 2020  
RE: Remove Concrete and restore hillside behind the Public Services Building

---

At a previous City Council meeting there was some concern about the conditions, outdoor storage and the lack of maintenance on the City's property behind the Public Services building. One of the concerns was exposed concrete on the hillside directly behind the building. The staff has been working hard cleaning up the property and correcting the concerns that were brought forward. The City does not own equipment required to complete this project. Therefore, I solicited quotes from local contractors to remove the concrete and haul dirt to backfill the site and restore the hillside. The following quotes were received:

Schneider Excavating	\$5,000
Henning Excavating	\$10,000

City staff would seed and blanket the project when completed which I would estimate would cost about \$900 of materials.

**Recommended Motion:**

**Motion to approve hiring Schneider Excavating in the amount of \$5,000 to remove the concrete behind the Public Services building and restore the hillside.**

*Norwood Young America*



PO Box 814  
Norwood, MN 55368 US  
9524672659

## Estimate

**ADDRESS**

CITY OF NYA  
PO BOX 59  
NYA, MN 55368

**ESTIMATE #** 1302  
**DATE** 03/31/2020

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DATE	ACTIVITY	QTY	RATE	AMOUNT
03/31/2020	<b>Concrete removal</b> Remove concrete from slope east of the main shop	1	2,000.00	2,000.00
03/31/2020	<b>Import topsoil</b> Import 300 c.y. of topsoil from Tacoma stockpile and cover slope	1	3,000.00	3,000.00
03/31/2020	<b>Import topsoil</b> City to load dirt from stockpile			
			<b>TOTAL</b>	<b>\$5,000.00</b>

Accepted By

Accepted Date



17510 62nd Street  
New Germany MN 55367  
952-353-2119 or 952-353-2180

David Henning  
Jeremy Henning  
Ryan Henning

**BID**

City of Norwood Young America

**Bid Date:**

April 9 2020

Removing concrete chunks from behind city shop	
Hauling away concrete chunks and dumping dirt on slope	
Dirt to come from Oak Grove site or from	
compost site	\$10,000.00

EXCAVATING\*GRADING\*LAND CLEARING GRAVEL, DIRT & ROCK HAULING\*  
FARM DRAINAGE SYSTEMS



TO: Honorable Mayor Lagergren and City Council Members  
FROM: Tony Voigt, Public Service Director  
DATE: April 13, 2020  
RE: Regrade and slope Compost Site for drainage

---

We are continuing our efforts at the Compost Site to make the site more accessible and keep it organized. We have started installing cameras on site to control unwanted dumping. We plan to add additional signage to help residents navigate the piles more efficiently. We are looking for more avenues to dispose of excess compost dirt and wood chips as well.

In the process of turning compost with the loader and having contractors on site to remove the brush pile we are experiencing areas that are getting very muddy. Due to the soft ground the site is built on and the previous stated actions has caused the original grade to get disrupted. I am proposing we hire a contractor to correct the poor drainage on site and put some aggregate materials down to help firm up the surface of the site.

I solicited quotes from local contractors and received the following proposals;

Schneider Excavating	\$2,000
Henning Excavating	\$5,000

**Recommended Motion;**

**Motion to approve hiring Schneider Excavating to grade and slope the Compost Site in the amount of \$2,000.**

*Norwood Young America*



PO Box 814  
Norwood, MN 55368 US  
9524672659

# Estimate

**ADDRESS**

CITY OF NYA  
PO BOX 59  
NYA, MN 55368

**ESTIMATE # 1303**  
**DATE 04/08/2020**

---

DATE	ACTIVITY	QTY	RATE	AMOUNT
04/08/2020	<b>Tacoma Recycle Yard</b> Regrade pad for brush pile - Includes: Remaining mud from soft spots and backfilling with black dirt from the south pile	1	2,000.00	2,000.00
TOTAL				<b>\$2,000.00</b>

Accepted By

Accepted Date



17510 62nd Street  
New Germany MN 55367  
952-353-2119 or 952-353-2180

David Henning  
Jeremy Henning  
Ryan Henning

*BID*  
City of Norwood Young America

*Bid Date:*  
April 9 2020

Regrading compost site, leveling	
Hauling millings from behind city shop to compost site leveling	\$5,000.00

EXCAVATING\*GRADING\*LAND CLEARING GRAVEL, DIRT & ROCK HAULING\*  
FARM DRAINAGE SYSTEMS



TO: Honorable Mayor Lagergren and City Council Members  
FROM: Tony Voigt, Public Service Director  
DATE: April 13, 2020  
RE: Approve Purchase of Stationary Generator for Serenity Pointe Lift Station

---

The City currently operates and maintains 7 lift stations throughout the city to collect wastewater and pump it towards the Wastewater Treatment Plant. The lift stations are placed around the city in selected locations according to elevation and distance from the plant. The lift stations play a key role in system operations. Each lift station has 2 pumps which alternate or can run simultaneously during peak flow events. These are extremely important during spring melt and heavy rain events due to I&I in the systems and the increased flow we receive. If we have a power outage during these inclement weather events, we do not have a lot of response time to get the power back on and the pumps running.

We currently have 3 lift stations with stationary generators and one portable generator. We have placed the 3 stationary generators at locations that either experience increased flow or minimal holding capacity during these high flow events.

I am proposing we install a stationary generator at the Serenity Pointe Lift Station located near the intersection of Tacoma Ave and Lakewood Trail. This lift station services the Serenity Pointe development and the entire Preserve development.

Included in the 2020 budget is \$25,000 for an onsite stationary generator. I solicited from reputable contractors and received the follows quotes:

Advanced Power Systems	\$19,250
Xtreme Electric	\$28,131
Ziegler Cat	\$30,360

All quotes include a generator with the correct power output for the location, transfer switch, concrete pad, wiring, installation, and start-up. The quotes do not include gas line installation.

*Norwood Young America*

The quote I received for the gas line install to be approximately \$2,500. The gas line installation is approximate since we have not committed to this project and completed the application with CenterPoint Energy.

**Recommended Motion:**

**Motion to approve hiring Advanced Power Systems to install a stationary generator at the Serenity Pointe Lift Station for \$19,250 and the project not to exceed \$21,750**



Sales Engineer: Lucas Braun  
[lbrown@advancedpowerservice.com](mailto:lbrown@advancedpowerservice.com)

Bill To:

Company Name: City of Young America  
 First Name: Tony  
 Last Name: Voligt  
 Address  
 City: Young America  
 State: MN  
 Zip:



Ship To:

Company Name: City of Young America  
 First Name:  
 Last Name:  
 Address  
 City: Young America  
 State: MN  
 Zip:

Part Number	Model Number/Description	Phase	Price	Price Total
30KW Cummins Quiet Connect Natural Gas	30KW NG Generator	120/208V 3Phase		
Coolant Heater	100A Breaker			\$18,600.00
12V Battery/12V 6A Charger	Coolant Heater			
Asco Transfer Switch (Qty 1)	Battery, Group 34-Cold Start	120V, 1600W		
Start Up and Testing	300 Series 100A, 3 Pole, Nema 1	120/208V 3Phase		
Customer Training				
Installation of Concrete Pad				
				\$ 650.00
<b>ADDITIONS</b>				
Start up Included				
Freight Included				
Installation Not Included				
Customer Training Included				
Tax Not Included				
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
<b>TOTAL</b>				<b>\$19,250.00</b>

Sub Total \$19,250.00  
 Project & Equipment Total \$19,250.00

This quote was prepared by:

Date: April 8, 2020

Proposal by

**ZIEGLER**  
Power Systems



Proposal No. EPG248415

8050 State Highway 101  
Shakopee, MN 55379  
952-887-4535

To: City of Norwood Young America

Re: Standby Generator

Attn: Tony Voigt

*WE PROPOSE TO FURNISH IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS, TERMS AND CONDITIONS*

QUANTITY: One (1) New CATERPILLAR Natural Gas Emergency Standby Generator  
In Level 2 Sound Attenuated Outdoor Enclosure

MODEL: DG50

RATING: 50KW Stand-by

VOLTAGE: 277/480 Volts, 3 phase, 60 HZ, 1800 RPM

SWITCHGEAR One (1) Asco 300SE Service Entrance Rated Open transition automatic transfer  
100 amp, 3 pole, Nema 3R, 480 volt, 44G Strip heater

WARRANTY Two (2) year 1000 hour

INSTALLATION: None - By Others

**EQUIPMENT PRICE      \$ 30,360 .00\***

**\*Price does not include state or local sales and/or use tax**

\*Please refer to the attached Bill of Material.

**DELIVERY** 12-14 weeks after approval

*F.O.B.* Jobsite, on truck

**TERMS** Net 20 days

*THIS PROPOSAL SUBJECT TO ALL PROVISIONS OF THE CONTRACT AND WARRANTY ON REVERSE SIDE*

**ACCEPTED:**

*Respectfully submitted,*  
**ZIEGLER INC.**

By Doug Eckerman  
Doug Eckerman, Sales Engineer

By

Subject to approval by

**APPROVED:**

**ZIEGLER INC.**

Its

By

## ***BILL OF MATERIAL***

***EPG248415***

***-1 -***

**One (1) Emergency Standby Generator Set, Rated at 50KW Standby 3ph, 60 HZ, 480 volt, 1800 RPM.**

### **ENGINE SPECIFICATIONS**

Meets EPA Regulations

UL2200

5.7 Liter

Electronic governor

Oil filter, spin-on type

Radiator cooling system, blower fan

Water pump

12V. DC starting system

Jacket water heater, 120 volt, 1500 watt

Alternator, 30 ampere, 12 VDC

Fuel system: Natural gas

### **STANDARD ENGINE SAFETY FEATURES**

Shutdowns with individual warning lamps

Fail to start / overcrank

High coolant temperature

Low lube oil pressure

Over-speed

Over-voltage

### **GENERATOR SPECIFICATIONS**

Class H insulation, rotor and stator, single bearing design

Flexible coupling

Brushless excitation

Solid-state regulator, +/- 1% regulation

UL mainline circuit breaker, 100 amp, shunt trip

### **SYSTEM CONTROLS**

• Voltage (all phases) • Current (all phases)

• Power factor • kW

• kVAR

• Transfer switch status

• Engine speed

• Low fuel pressure

• Run hours

• Service reminders

• Fault history

• Oil pressure

• Coolant temperature

• Time and date

• Low oil pressure shutdown

• High coolant temperature shutdown

• Overvoltage

• Overspeed

• Low coolant level

• Not in auto position (flashing light)

• Exercise speed

Protection

## ***BILL OF MATERIAL***

***EPG248415***

***-2 -***

- Fail to start shutdown
- Low oil pressure shutdown
- Low/High battery voltage
- Battery charger failure
- Underspeed/Overspeed
- Loss of engine speed detection
- I<sup>2</sup>T function for alternator protection from line to neutral and line to line short circuits
- Emergency stop
- Programmable auto crank function
- 2 wire start for any transfer switch
- Adjustable engine speed at exerciser
- RS232 port for GenLink® control
- RS485 port remote communication
- Canbus addressable
- Governor controller and voltage regulator are built into the master control board
- Temperature range -40 °C to 70 °C

### **SWITCHGEAR**

One (1) Asco 300SE Open transition automatic transfer switch  
Service Entrance Rated  
100 amp, 3 pole, Nema 3R outdoor enclosure, 480 volt  
44G Strip heater

### **ANCILLARY EQUIPMENT**

Level 2 Outdoor Insulated Enclosure,  
Color, white  
Battery charger, 10 ampere, static, generator mounted  
Battery, with battery rack and cables  
Exhaust silencer, critical grade,  
Exhaust-flex connector

### **PROJECT MANAGEMENT SERVICES**

Submittal drawings  
Dimensional drawings  
Electrical schematics  
Product specifications  
Prototype testing  
Production testing  
Technical assistance - coordinated through Ziegler project manager  
Jobsite startup  
Operation and maintenance manual  
Engine, generator  
Warranty, two (2) year, 1000 hours  
Training of owner's personnel - at the time of jobsite testing and start-up

## ***BILL OF MATERIAL***

***EPG248415***

**-3 -**

### **NOTES**

No installation included, electrical, gas, concrete, rigging by others

Ziegler limits the scope of supply for this quotation to the equipment and services listed.

Equipment not listed is assumed to be provided by others.

Orders are subject to re-stocking charges if cancelled after release for production.

State and local permits for fire, air, fuel tanks or building permits are not included and provided by others.

### **Terms:**

- Extension of contract beyond term must be at the mutual agreement of the parties.
- Ziegler Inc. shall not be liable for consequential damages or damages beyond our control.
- This quotation is subject to availability at time of order
- Customer is responsible for adequate site conditions and security.
- Customer is responsible for scheduled maintenance and fuel costs.
- Customer must provide adequate insurance to cover equipment damage or loss.
- Price(s) do not include state or local sales and/or use taxes.
- Quotation is valid for 90 days.

## **PROVISIONS OF THE CONTRACT AND WARRANTY**

The prices quoted are current and are subject to change to those in effect at the time of shipment. Caterpillar products are sold subject to the terms of the applicable Caterpillar warranty. Copies of the warranties applicable to this purchase are attached hereto, and the purchaser by signing this order acknowledges receipt of the Caterpillar warranties on Forms.

The Purchaser agrees to pay any and all taxes, assessments, licenses, and government charges of every kind and nature whatsoever upon said equipment which may be imposed or assessed against or resulting to the Seller on account of the possession or use of said equipment by Purchaser. All provisions hereof are contingent upon government restrictions, strikes, accidents, delays of carrier and other delays unavoidable and beyond Seller's control.

It is intended and understood that title and ownership of said equipment is and shall remain vested in the Seller, notwithstanding delivery or possession, until the entire price is paid in full.

**XTREME  
ELECTRICAL  
SERVICES, INC.**

**311 W Railroad Street  
Norwood YA, MN 55368  
Ph # 952-466-5777  
Fax # 952-466-5756**

**PROPOSAL AND CONTRACT**

Date: April 8, 2020

We are pleased to submit the following proposal. We will furnish materials and labor necessary for the completion of the Contract Work, in accordance with all electrical codes and regulations. The Contract Work will consist of all work necessary or reasonably inferable from the building plans, so as to produce the intended results.

This proposal may be withdrawn if not signed within 30 days.

Submitted to: City of Norwood Young America Attn: Tony Voigt  
Address: 310 Elm St W, PO Box 59  
City, State and Zip: Norwood Young America, MN 55368  
Phone #: 320-761-5008  
952-467-1830  
Fax #  
Email: tvoigt@cityofnya.com

Project Description: New Generator for Lift Station  
Property Owner/Buyer Name:  
Property Owner/Buyer Address: Serenity Pointe Location on Tacoma Ave

**DESCRIPTION OF CONTRACT WORK**

(1) Kohler model 30 CCL 277-480V 3 phase  
Level 2 sound enclosure  
Generator set on pad by city, no crane service in bid  
(1) Automatic transfer switch  
10 ft. trenching  
(1) Set of feeders to generator  
Head bolt heater wired  
Battery charger wired  
(1) Low voltage run on control wiring between generator and transfer switch  
1 year warranty  
Start up and training  
Pour concrete pad  
Permit

Proposal Total: \$28,131.00

Thank you for the opportunity to bid this project.

Please call me with any questions.

Thanks  
Todd Miller

### CONTRACT TERMS

**Contract Amount** We will perform all Contract Work listed above for the sum of (\$28,131.00) Twenty Eight Thousand One Hundred Thirty One Dollars.

**Terms of Payment:** Payment of \$\_\_\_\_\_ will be due at completion of rough in and payment of \$28,131.00 will be due within 30 days of substantial completion of this Contract Work. Rough in and Substantial completion defined as inspection and approval by city building official of this Contract Work. We do accept payment by credit card. Payment by credit card will be assessed a 4% processing fee.

**Late Payment Charges** Amounts not paid according to these payment terms will be charged a service charge of 1.5% per month or the maximum legal rate allowable. Xtreme Electrical will also be entitled to recover all reasonable costs, charges, expenses and attorney fees expended or incurred.

**Payment Delay** If for any reason Xtreme Electrical does not receive payment from the Customer within thirty (30) calendar days after the time payment is due, in addition to any other legal remedies, Xtreme Electrical **may stop** its Contract Work until payment of the full amount owing to the Contractor has been received.

## CUSTOMER'S OBLIGATIONS

**Customer's Ability To Pay** The Customer grants Xtreme Electrical Inc and or its Agents, permission and right to contact consumer and commercial credit reporting agencies to obtain any trade reports or bank references necessary to confirm the financial ability to pay for the Contract Work.

## CHANGE ORDERS, WARRANTY AND CLAIMS

**Change Orders & Contract Extras** Any alteration or deviation from the specifications involving extra costs will be executed by written change order and will become an extra charge over and above the proposed Contract amount, with adjustment in the Contract Price and/or Contract time or both.

**Warranty and Claims** Xtreme Electrical agrees to warranty all labor and material to the extent of all manufacturers warranties, for the services provided and paid by the Customer within 1 year. Bulbs will be warranted within 30 days. The Customer will give written notice of all claims within thirty (30) calendar days of the date of completion of Contract Work. All Customer property claims must be submitted through the Property Owner's insurance. Xtreme Electrical will NOT be liable for any damages or losses caused by delay, fire, strikes, stolen materials, lock out or acts of God or public enemy.

## CONTRACTOR'S LIEN NOTICE TO OWNER

**ANY PERSON OR COMPANY SUPPLYING LABOR OR MATERIALS FOR THIS IMPROVEMENT TO YOUR PROPERTY MAY FILE A LIEN AGAINST YOUR PROPERTY IF THAT PERSON OR COMPANY IS NOT PAID FOR THE CONTRIBUTIONS.**

**UNDER MINNESOTA LAW YOU HAVE THE RIGHT TO PAY PERSONS WHO SUPPLIED LABOR OR MATERIALS FOR THIS IMPROVEMENT DIRECTLY AND DEDUCT THIS AMOUNT FROM OUR CONTRACT PRICE, OR WITHHOLD THE AMOUNTS DUE THEM FROM US UNTIL 120 DAYS AFTER COMPLETION OF THE IMPROVEMENT UNLESS WE GIVE YOU A LIEN WAIVER SIGNED BY PERSONS WHO SUPPLIED ANY LABOR OR MATERIALS FOR THE IMPROVEMENT AND WHO GAVE YOU TIMELY NOTICE.**

## CONTRACT INTERPRETATION

**Law and Effect** This Contract will be governed by the laws of the State of Minnesota.

**Entire Agreement** This Contract is for the benefit of the parties listed below and represents the entire agreement between the parties and unless specifically referenced herein supersedes all prior negotiations, representations or agreements, either written or oral.

**Cancellation:** The Customer has an unconditional right to cancel the contract, without penalty or obligation, until midnight of the third business day after he/she signs the contract. Cancellation must be done by giving the contractor written notice indicating the owner's intention NOT to be bound. Notice of cancellation shall be deemed given when deposited in a

mailbox, properly addressed and postage prepaid. Upon cancellation, any property traded in, any payment made under this contract, and any negotiable instrument executed by you will be returned within 10 business days following receipt Xtreme Electrical of a cancellation notice. Any securing interest arising out of this transaction will be cancelled.

Xtreme Electrical has the right to accept, reject or cancel this Proposal. This Proposal and Contract is NOT accepted or enforceable until both parties sign this Agreement.

**ACCEPTANCE OF PROPOSAL AND CONTRACT TERMS**

All terms and conditions are hereby agreed to by the parties listed below. Original signature required on each copy.

**Signed Customer:** \_\_\_\_\_ Date \_\_\_\_\_  
Print Name: \_\_\_\_\_, Title: \_\_\_\_\_

**Xtreme Electrical Inc:** \_\_\_\_\_ Date \_\_\_\_\_  
Print Name: \_\_\_\_\_, Title: \_\_\_\_\_



**TO:** Honorable Mayor Lagergren and City Council Members  
**FROM:** Steven Helget, City Administrator  
**DATE:** April 13, 2020  
**SUBJECT:** Resolution 2020-13, Declaring the Official Intent to Reimburse Certain Expenditures from the Proceeds of Bonds to be issued by the City

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Enclosed is Resolution 2020-13, which declares the City's intent to reimburse expenditures associated with the Highway 212 Underpass / CSAH 33/Highway 5 Roundabout Project from tax-exempt bond proceeds that will be issued later this year. Adoption of such a resolution is required prior to the City making any construction related payments for the project.

Since tax-exempt bonds are given a subsidy by the federal government, treasury regulations put limits on what qualifies for tax-exempt bond issuance. One such limit is a provision intended to prevent a city from issuing new bonds to reimburse expenditures after the fact. However, the federal government understands that projects are sometimes phased, and it could be advantageous to cashflow a project internally for a period before seeking permanent financing mid-stream or at completion. An exception is allowed if a declaration has been made within 60-days of making the initial project expenditure intended for reimbursement.

The attached Resolution 2020-13 identifies that the City may reimburse its project expenditures from tax-exempt bonds issued up to the amount of \$1,400,000 which is the same maximum amount approved following the public hearing held on February 24<sup>th</sup> and the Council's action to approve Resolution 2020-08, providing for the issuance and sale of general obligation street reconstruction refunding bonds.

**Recommended Motion:**

**Motion to approve Resolution 2020-13, Declaring the Official Intent to Reimburse Certain Expenditures from the Proceeds of Bonds to be issued by the City.**

*Norwood Young America*

**NORWOOD YOUNG AMERICA, MINNESOTA**

**RESOLUTION NO. 13**

**DECLARING THE OFFICIAL INTENT TO REIMBURSE  
CERTAIN EXPENDITURES FROM THE PROCEEDS  
OF BONDS TO BE ISSUED BY THE CITY**

WHEREAS, the Internal Revenue Service has issued Treas. Reg. § 1.150-2 (the "Reimbursement Regulations") providing that proceeds of tax-exempt bonds used to reimburse prior expenditures will not be deemed spent unless certain requirements are met; and

WHEREAS, the City expects to incur certain expenditures that may be financed temporarily from sources other than bonds, and reimbursed from the proceeds of a tax-exempt bond;

WHEREAS, the City has determined to make this declaration of official intent ("Declaration") to reimburse certain costs from proceeds of bonds in accordance with the Reimbursement Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NORWOOD YOUNG AMERICA, MINNESOTA AS FOLLOWS:

1. The City proposes to undertake the following project in the City in 2020 (the "Project"): Joint Highway 212, Trunk Highway 5 and 25 intersection and underpass improvement project with MnDOT and Carver County, Minnesota.

2. The City reasonably expects to reimburse the expenditures made for certain costs of the Project from the proceeds of bonds in an estimated maximum principal amount of \$1,400,000. All reimbursed expenditures will be capital expenditures, costs of issuance of the bonds, or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Reimbursement Regulations.

3. This Declaration has been made not later than 60 days after payment of any original expenditure to be subject to a reimbursement allocation with respect to the proceeds of bonds, except for the following expenditures: (a) costs of issuance of bonds; (b) costs in an amount not in excess of \$100,000 or 5 percent of the proceeds of an issue; or (c) "preliminary expenditures" up to an amount not in excess of 20 percent of the aggregate issue price of the issue or issues that finance or are reasonably expected by the City to finance the project for which the preliminary expenditures were incurred. The term "preliminary expenditures" includes architectural, engineering, surveying, bond issuance, and similar costs that are incurred prior to commencement of acquisition, construction or rehabilitation of a project, other than land acquisition, site preparation, and similar costs incident to commencement of construction.

4. This Declaration is an expression of the reasonable expectations of the City based on the facts and circumstances known to the City as of the date hereof. The anticipated original expenditures for the Project and the principal amount of the bonds described in paragraph 2 are consistent with the City's budgetary and financial circumstances. No sources other than

proceeds of bonds to be issued by the City are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside pursuant to the City's budget or financial policies to pay such Project expenditures.

5. This Declaration is intended to constitute a declaration of official intent for purposes of the Reimbursement Regulations.

Approved by the City Council of Norwood Young America this 13<sup>th</sup> day of April 2020.

NORWOOD YOUNG AMERICA, MINNESOTA

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Carol Lagergren, Mayor

Attest:

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Steven Helget, City Administrator