

FAIRMONT CITY COUNCIL AGENDA

1. CALL TO ORDER -

- Regular meeting of the Fairmont City Council held on

MONDAY, MARCH 14, 2016

at **5:30 p.m.** in the City Hall Council Chambers

2. ROLL CALL -

Mayor Quiring
Councilors:

Anderson
Askeland
Clerc
Peters
Zarling

3. DETERMINATION OF QUORUM -

4. PLEDGE OF ALLEGIANCE

5. READINGS OF MINUTES -

5.1 Minutes of Regular Meeting, February 22, 2016 **(01-02)**

6. OPEN DISCUSSION -

6.1 Open Discussion **(03)**

7. RECOGNITIONS/PRESENTATIONS -

7.1 Proclaim the month of March as Heaven's Table Food Shelf Month **(04)**

7.1a Proclamation **(05)**

8. SCHEDULED HEARINGS –

9. ADMINISTRATIVE APPEALS –

10. FINANCIAL REPORTS –

10.1 Year End Fund Balance Designations (06)

10.1a Resolution 2016-07 (07-08)

10.2 Interfund Transfers (09)

10.2a 2015 Interfund Transfers (10)

11. REPORTS OF BOARDS, COMMITTEES, AND DEPARTMENT HEADS –

11.1 Municipal Airport Update (11)

11.1a Summary sheets of 2015 and 2016 projects at the airport (12-15)

12. LICENSES AND PERMITS –

12.1 Permit for Martin County Beyond the Yellow Ribbon Freedom 5K Race (16)

12.1a Permit Application (17)

12.2 Renewal of Consumption & Display (Set-Up) Permit (18)

13. OLD BUSINESS –

14. NEW BUSINESS –

- 14.1 Board and Commission Appointments (19)
- 14.2 Appoint a Council Person to the Fire Service Negotiating Committee (20)
- 14.3 Call for Public Hearing – Proposed Ordinance 2016-02 Amending Fairmont City Code Chapter 18 – Parks and Recreation (21)
 - 14.3a Maps (22-23)
 - 14.3b Draft Ordinance 2016-02 (24-34)
- 14.4 Consulting Agreement with Barr Engineering (35)
 - 14.4a Council Memo (36)
 - 14.4b Barr Engineering proposal (37-48)
- 14.5 Deterra Bag-Prescription Pill Take Back Program (49)
 - 14.5a Mayor Clinic Health Systems News Release (50-51)
 - 14.5b Verde Technologies Information (52-58)
 - 14.5c Star Tribune Article (59-61)

15. REGULAR AND LIQUOR DISPENSARY BILLS –

16. STATUS REPORTS/ORAL

17. ADJOURNMENT –

ADDITIONAL ATTACHMENTS –

The minutes of the Fairmont City Council meeting held on Monday, February 22, 2016 at the City Hall Council Chambers.

Mayor Quiring called the meeting to order at 5:30 p.m.

Council Members Terry Anderson, Chad Askeland, Wes Clerc, Bruce Peters and Jim Zarling were present. Also in attendance: City Administrator Mike Humpal, City Attorney Elizabeth Bloomquist, Public Works Director/City Engineer Troy Nemmers, Finance Director Paul Hoye, Chief Greg Brolsma and City Clerk Patricia Monsen.

It was moved by Council Member Peters, seconded by Council Member Askeland and carried to approve the minutes of the regular City Council meeting of February 8, 2016.

During open discussion, Council Member Anderson acknowledged and remembered Dave McKnight who recently passed away. Dave worked taping the City Council meetings for years and did an outstanding job.

Council Member Anderson also asked about evaluating the City Attorney. Humpal stated that he has an evaluation form prepared and was waiting until after the first of the year, and that he would be getting it out to the Council.

Mayor Quiring proclaimed March 6-12, 2016, Girl Scout Week in the City of Fairmont. Three junior Girl Scout troops were present at the meeting.

A request for funding was presented to the Council on behalf of the Interlaken Heritage Days Committee. Council Member Clerc made a motion to approve \$6,000.00 in funding to the Interlaken Heritage Days Committee for the 2016 community festival. Council Member Askeland seconded the motion and the motion passed.

Council Member Peters made a motion to approve **Resolution 2016-05**, awarding the bid for the sale and removal of the house at 506 Canyon Drive to Buhl & Spencer Contracting, Inc. of Sherburn, Minnesota. Council Member Askeland seconded the motion. On roll call: Council Members Jim Zarling, Terry Anderson, Chad Askeland, Wes Clerc and Bruce Peters all voted aye. No one voted nay. Mayor Quiring declared said motion passed.

A motion was made by Council Member Zarling to declare a list of inventory from the Police Department as excess property to be sold at auction. Council Member Askeland seconded the motion and the motion passed.

Council Member Zarling made a motion to approve the Financial Advisory Service Agreement with Northland Securities. Council Member Askeland seconded the motion and the motion carried.

Council Member Peters made a motion to adopt **Resolution 2016-06**, providing for the sale of \$3,300,000 General Obligation Crossover Refunding Bonds, Series 2016A. Council Member Zarling seconded the motion. On roll call: Council Members Anderson, Askeland, Clerc, Peters and Zarling all voted aye. No one voted nay. Mayor Quiring declared said motion passed.

Council Member Anderson made a motion to approve the payment of the bills for the month of February, 2016 in the amount of \$743,043.28. Council Member Askeland seconded the motion and the motion passed.

A motion was made by Council Member Zarling, seconded by Council Member Peters and carried to adjourn the meeting at 5:45 p.m.

ATTEST:

Randy J. Quiring
Mayor

Patricia J. Monsen, City Clerk

MEETING DATE: March 14, 2016

SUBJECT: Open Discussion

REVIEWED BY: Mike Humpal, CEcD, City Administrator 

SUBJECT INITIATION BY:

<input type="checkbox"/>	Petition	<input type="checkbox"/>	Board	<input checked="" type="checkbox"/>	Staff	<input type="checkbox"/>	Council	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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SUBJECT BACKGROUND:

INTRODUCED BY: Mayor Randy Quiring

COUNCIL LIAISON:

TYPE OF ACTION:

<input type="checkbox"/>	Motion (Voice Vote)	<input type="checkbox"/>	Resolution (Roll Call)	<input type="checkbox"/>	Discussion
<input type="checkbox"/>	Ordinance 1 st Reading (Introduction only)	<input type="checkbox"/>	Set Public Hearing (Motion)	<input checked="" type="checkbox"/>	Information Only
<input type="checkbox"/>	Ordinance 2 nd Reading (Roll call)	<input type="checkbox"/>	Hold Public Hearing (Motion to close)	<input type="checkbox"/>	

RECOMMENED ACTION BY:

<input type="checkbox"/>	City Staff	<input type="checkbox"/>	Board	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
<input type="checkbox"/>	Issuance	<input type="checkbox"/>	Approval	<input type="checkbox"/>	Authorization	<input type="checkbox"/>	No recommendation
<input type="checkbox"/>	Denial	<input type="checkbox"/>	Rejection	<input checked="" type="checkbox"/>	No action needed	<input type="checkbox"/>	

STATEMENT: Prior to regular business, is there any open discussion?

MOTION: None

VOTE REQUIRED:

ATTACHMENTS:


1. _____
2. _____
3. _____

Council Action: _____ Date: _____

CITY OF FAIRMONT-----AGENDA CONTROL SHEET-----AGENDA ITEM NO. 7.1

MEETING DATE: March 14, 2016

SUBJECT: Proclaim the month of March as Heaven’s Table Food Shelf Month

REVIEWED BY: Mike Humpal, CEcD, City Administrator 

SUBJECT INITIATION BY:

<input checked="" type="checkbox"/>	Petition	<input type="checkbox"/>	Board	<input type="checkbox"/>	Staff	<input type="checkbox"/>	Council	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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SUBJECT BACKGROUND: Mayor Randy J. Quiring

INTRODUCED BY: Mayor Randy J. Quiring

COUNCIL LIAISON:

TYPE OF ACTION:

<input type="checkbox"/>	Motion (Voice Vote)	<input type="checkbox"/>	Resolution (Roll Call)	<input type="checkbox"/>	Discussion
<input type="checkbox"/>	Ordinance 1 st Reading (Introduction only)	<input type="checkbox"/>	Set Public Hearing (Motion)	<input checked="" type="checkbox"/>	Information Only
<input type="checkbox"/>	Ordinance 2 nd Reading (Roll call)	<input type="checkbox"/>	Hold Public Hearing (Motion to close)	<input type="checkbox"/>	

RECOMMENED ACTION BY:

<input type="checkbox"/>	City Staff	<input type="checkbox"/>	Board	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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<input type="checkbox"/>	Issuance	<input type="checkbox"/>	Approval	<input type="checkbox"/>	Authorization	<input type="checkbox"/>	No recommendation
<input type="checkbox"/>	Denial	<input type="checkbox"/>	Rejection	<input checked="" type="checkbox"/>	No action needed	<input type="checkbox"/>	

STATEMENT: Mayor Randy J. Quiring will proclaim the month of March as Heaven’s Table Food Shelf Month.

MOTION: N/A

VOTE REQUIRED: N/A

ATTACHMENTS:

1. Proclamation
- 2.
- 3.

Council Action: _____ Date: _____



CITY OF FAIRMONT – 100 Downtown Plaza – Fairmont, MN 56031
www.fairmont.org

Phone (507) 238-9461

Fax (507) 238-9469

PROCLAMATION

WHEREAS, Heaven’s Table Food Shelf was established in 2012 to help feed hungry people in Fairmont and the surrounding communities in Martin County, and;

WHEREAS, March is Minnesota Food Share Month in Minnesota, and;

WHEREAS, the annual meeting and volunteer recognition for Heaven’s Table took place on March 5, 2016.

WHEREAS, Heaven’s Table is helping senior citizens with NAPS (Nutrition Assistance Program for Seniors) and students with the Backpack Program.

NOW THEREFORE, I, Randy J. Quiring, by virtue of the authority vested in me as Mayor of the City of Fairmont, do hereby proclaim the month of March, 2016, as:

Heaven’s Table Food Shelf Month

in the City of Fairmont.




Randy J. Quiring
Randy J. Quiring, Mayor
City of Fairmont

CITY OF FAIRMONT----AGENDA CONTROL SHEET----AGENDA ITEM NO. 10.1

MEETING DATE: March 14, 2015

SUBJECT: Year End Fund Balance Designations

REVIEWED BY: Mike Humpal, CECD, City Administrator 

SUBJECT INITIATION BY:

<input type="checkbox"/>	Petition	<input type="checkbox"/>	Board	<input checked="" type="checkbox"/>	Staff	<input type="checkbox"/>	Council	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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SUBJECT BACKGROUND: Paul Hoye, Finance Director

INTRODUCED BY: Paul Hoye, Finance Director

COUNCIL LIAISON:

TYPE OF ACTION:

<input type="checkbox"/>	Motion (Voice Vote)	<input checked="" type="checkbox"/>	Resolution (Roll Call)	<input type="checkbox"/>	Discussion
<input type="checkbox"/>	Ordinance 1 st Reading (Introduction only)	<input type="checkbox"/>	Set Public Hearing (Motion)	<input type="checkbox"/>	Information Only
<input type="checkbox"/>	Ordinance 2 nd Reading (Roll call)	<input type="checkbox"/>	Hold Public Hearing (Motion to close)	<input type="checkbox"/>	

RECOMMENED ACTION BY:

<input checked="" type="checkbox"/>	City Staff	<input type="checkbox"/>	Board	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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<input type="checkbox"/>	Issuance	<input checked="" type="checkbox"/>	Approval	<input type="checkbox"/>	Authorization	<input type="checkbox"/>	No recommendation
<input type="checkbox"/>	Denial	<input type="checkbox"/>	Rejection	<input type="checkbox"/>	No action needed	<input type="checkbox"/>	

STATEMENT: For many years, the City has been designating the general fund balance at the end of the year. The December 31, 2015 unrestricted general fund balance of \$6,238,640 is 69.77% of general fund operating expenditures for 2016, which is just over the 55-65% range established by the City’s fund balance policy.

MOTION: To adopt Resolution No. 2016-07 designating fund balances for specific purposes.

VOTE REQUIRED: Simple majority

ATTACHMENTS:

1. Resolution 2016-07
2. _____

Council Action: _____ Date: _____

RESOLUTION FOR COMMITTING FUND BALANCE

RESOLUTION NO. 2016-07

COMMITTING FUND BALANCES FOR SPECIFIC PURPOSES

WHEREAS, the City Council of the City of Fairmont, Minnesota, does hereby find as follows:

WHEREAS, the Governmental Accounting Standards Board's Statement No. 54 defines committed fund balance as amounts that can only be used for specific purposes pursuant to constraints imposed by formal action of the Council,

WHEREAS, Council action is required before year end to formalize the commitment of fund balance to specified purposes,

WHEREAS, those committed amounts cannot be used for any other purpose unless the City removes or changes the specified use by taking the same type of action it employed to previously commit those amounts.

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the City, that the specific portions of fund balance in the identified funds are committed as follows:

City of Fairmont				
General Fund Balance				
12/31/2015				
	Balance 12-31-14	Additions	Deletions	Balance 12-31-15
<u>Restricted</u>				
Fire Dept Capital	125,500.00	20,000.00		145,500.00
Citizens Square Clock	-			-
Library Operations	-			-
Comm Center Study	3,035.69		3,035.69	-
Dog Park	-			-
Focus on Fairmont	-			-
LaFrance Restoration	4,172.50			4,172.50
Bike Trails	1,950.00			1,950.00
	134,658.19			151,622.50
<u>Assigned</u>				
Police Equipment	35,723.03			35,723.03
Police Social Services	10,000.00			10,000.00
Police - Drug Enforcement	10,666.69	14,739.29	3,000.00	22,405.98
Civil Defense Sirens	-			-
Fire Equipment	25,000.00	500,000.00		525,000.00
Building Inspection	11,143.00			11,143.00
Engineering Equipment	122,800.27			122,800.27
Park Equipment	112,852.06			112,852.06
Aquatic Park	29,847.72			29,847.72
Cash Flow	3,000,000.00			3,000,000.00
Housing Demolition	47,712.75	42,500.00	31,443.72	58,769.03
Street Land & Bldg.	36,237.00			36,237.00
Park Land & Bldg.	86,280.44			86,280.44
Street/Park Bldg Replacement	800,000.00	450,000.00		1,250,000.00
Gen. Govt Land & Bldg.	101,825.87			101,825.87

Street - Capital Outlay	120,880.02			120,880.02
Finance Dept. Equip.	195,366.83			195,366.83
Planning & Zoning Equip.	20,000.00			20,000.00
FAYC	-			-
	4,766,335.68	1,007,239.29	34,443.72	5,739,131.25
Unassigned				
Unassigned	406,365.84			499,508.37
	5,307,359.71	1,007,239.29	34,443.72	6,390,262.12

The foregoing resolution was passed by the City Council of the City of Fairmont this 14th day of March, 2016.

Motion by:
 Seconded by:
 All in favor:
 Opposed:
 Abstained:
 Absent:


 Randy J. Quiring, Mayor

ATTEST:

 Patricia J. Monsen, City Clerk

MEETING DATE: March 14, 2016

SUBJECT: Interfund Transfers

REVIEWED BY: Mike Humpal, CEcD, City Administrator 

SUBJECT INITIATION BY:

<input type="checkbox"/>	Petition	<input type="checkbox"/>	Board	<input checked="" type="checkbox"/>	Staff	<input type="checkbox"/>	Council	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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SUBJECT BACKGROUND: Paul Hoye, Finance Director

INTRODUCED BY: Paul Hoye, Finance Director

COUNCIL LIAISON:

TYPE OF ACTION:

<input checked="" type="checkbox"/>	Motion (Voice Vote)	<input type="checkbox"/>	Resolution (Roll Call)	<input type="checkbox"/>	Discussion
<input type="checkbox"/>	Ordinance 1 st Reading (Introduction only)	<input type="checkbox"/>	Set Public Hearing (Motion)	<input type="checkbox"/>	Information Only
<input type="checkbox"/>	Ordinance 2 nd Reading (Roll call)	<input type="checkbox"/>	Hold Public Hearing (Motion to close)	<input type="checkbox"/>	

RECOMMENED ACTION BY:

<input checked="" type="checkbox"/>	City Staff	<input type="checkbox"/>	Board	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
<input type="checkbox"/>	Issuance	<input checked="" type="checkbox"/>	Approval	<input type="checkbox"/>	Authorization	<input type="checkbox"/>	No recommendation
<input type="checkbox"/>	Denial	<input type="checkbox"/>	Rejection	<input type="checkbox"/>	No action needed	<input type="checkbox"/>	

STATEMENT: As a part of the budget process, certain interfund transfers are budgeted. During the course of the year, other transfers are required for the sound operation of the City. These transfers must be approved by the City Council.

MOTION: To approve the interfund transfers for 2015 as listed on the attached schedule.

VOTE REQUIRED: Simple majority.

ATTACHMENTS:

1. 2015 Interfund Transfers
2. _____
3. _____


Council Action: _____ Date: _____

City Of Fairmont
Interfund Transfers
12/31/2015

FROM				TO
101 General Fund	Fire Calls		36,200.00	305 Fire Truck Fund
402 Capital Improvement Fund	Margaret Street Construction		25,000.00	477 2017 Improvement Prog
402 Capital Improvement Fund	Albion Ave Construction		359,765.87	474 2014 Improvement Prog
601 Water	Payment in Lieu of Taxes		116,676.36	101 General
601 Water	Payment in Lieu of Taxes		12,161.04	210 Economic Dev
602 Sewer	Payment in Lieu of Taxes		88,171.08	101 General
602 Sewer	Payment in Lieu of Taxes		9,189.96	210 Economic Development
604 Electric	Payment in Lieu of Taxes		572,284.56	101 General
604 Electric	Payment in Lieu of Taxes		59,649.00	210 Economic Development
609 Liquor Store Fund	Housing Demo		42,500.00	101 General Fund
609 Liquor Store Fund	Soccer Field Walking Path		20,000.00	101 General Fund
609 Liquor Store Fund	Soccer Field Parking Lot Lighting		15,000.00	101 General Fund
609 Liquor Store Fund	Winnebago Sports Complex Parking Lot Lighting		15,000.00	101 General Fund
609 Liquor Store Fund	Park Equipment		10,000.00	101 General Fund
609 Liquor Store Fund	To fund deficit		55,000.00	212 SMEC
609 Liquor Store Fund	Dog Park		31,056.51	875 Dog Park Fund
609 Liquor Store Fund	City Share of 2012 Airport Improvement Grant		600,000.00	450 Airport Construction Fund
			2,067,654.38	
File Name: PHCIF.xls				

MEETING DATE: March 14, 2016

SUBJECT: Municipal Airport Update

REVIEWED BY: Mike Humpal, CEcD, City Administrator 

SUBJECT INITIATION BY:

<input type="checkbox"/>	Petition	<input type="checkbox"/>	Board	<input checked="" type="checkbox"/>	Staff	<input type="checkbox"/>	Council	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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SUBJECT BACKGROUND: Troy Nemmers, PE, Director of Public Works/City Engineer

INTRODUCED BY: Troy Nemmers, PE, Director of Public Works/City Engineer

COUNCIL LIAISON: Councilor Anderson

TYPE OF ACTION:

<input type="checkbox"/>	Motion (Voice Vote)	<input type="checkbox"/>	Resolution (Roll Call)	<input type="checkbox"/>	Discussion
<input type="checkbox"/>	Ordinance 1 st Reading (Introduction only)	<input type="checkbox"/>	Set Public Hearing (Motion)	<input checked="" type="checkbox"/>	Information Only
<input type="checkbox"/>	Ordinance 2 nd Reading (Roll call)	<input type="checkbox"/>	Hold Public Hearing (Motion to close)	<input type="checkbox"/>	

RECOMMENED ACTION BY:

<input type="checkbox"/>	City Staff	<input type="checkbox"/>	Board	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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<input type="checkbox"/>	Issuance	<input type="checkbox"/>	Approval	<input type="checkbox"/>	Authorization	<input type="checkbox"/>	No recommendation
<input type="checkbox"/>	Denial	<input type="checkbox"/>	Rejection	<input checked="" type="checkbox"/>	No action needed	<input type="checkbox"/>	

STATEMENT: Lee Steinkamp (Airport Manager), Dennis Turner (Airport Advisory Board Chair), and Marcus Watson (consultant with KLJ) will provide an update to the Council about what is going on out at the City’s airport. Lee will provide a summary of activities that have occurred over the past year. Dennis will touch on the role and members of the Airport Advisory Board. Finally, Marcus will discuss the infrastructure needs study that was completed in 2015 and the upcoming 2016 hangar area pavement improvements.

MOTION #1: N/A

VOTE REQUIRED: None required

ATTACHMENTS:

1. Summary sheets of 2015 and 2016 projects at the airport
- 2.
- 3.

Council Action: _____ Date: _____

Fairmont Municipal Airport

Airport Infrastructure Needs Study: Project Overview

March 14, 2016 - Fairmont City Council

Project Overview

The Airport Infrastructure Needs Study was authorized by the City of Fairmont in 2015. This unique study evaluated the airport's key public building and utility infrastructure including terminal, hangars and support buildings. The report assessed the civil, architectural, structural, mechanical and planning needs for these key elements. A focus was made on energy efficiency. The report was finalized in November 2015 and funded 80 percent by MnDOT Office of Aeronautics.

Project Need & Benefits

Much of the airport infrastructure was constructed in the mid 1980s and is aging. The City of Fairmont needed critical information on the airport facility to understand and prioritize necessary improvements beyond the airfield. The recommendations from this study will help city leaders make funding decisions to preserve and enhance infrastructure at the Fairmont Municipal Airport. The study will become a living document to guide and prioritize airport improvements for years.

Main Hangar Recommendations



- Tighten metal wall panel system to reduce air and moisture leaks that cause additional energy use.
- Repair building envelope insulation.
- Replace windows and sealants.
- Remove drop down curtain wall to maximize highest and best use for aircraft storage. **COMPLETED**
- Remove office area to maximize use of hangar for aircraft storage; additional 2-3 aircraft can be accommodated.
- Install large industrial fans to circulate air.

Terminal Building Recommendations



- Mechanical systems are 32 years old and have reached the end of their useful life. Replace hot water boiler, cooling system and controls to improve energy efficiency.
- Replace door weather stripping, repair brick lintels, repair sidewalks, repair ceiling-level windows, repair brick sealant at expansion joints
- Rehabilitate building within the next 10 years, make ADA improvements to restroom.
- Consider alternative space layout (i.e. conference room, aviation business space) during future building rehabilitation project to maximize grant funding eligibility.

Crash Fire Rescue (CFR) Building Recommendations



- Repair ceiling vapor barrier and investigate roof conditions.
- Replace door/window sealants as well as wood framing to eliminate air leaks.
- Investigate ventilation system including louver flaps position for air leakage.
- Route and seal floor cracks.
- Repair damaged concrete masonry units.
- Inspect and repair ventilation system to meet code requirements. **COMPLETED**

Other Hangar Recommendations



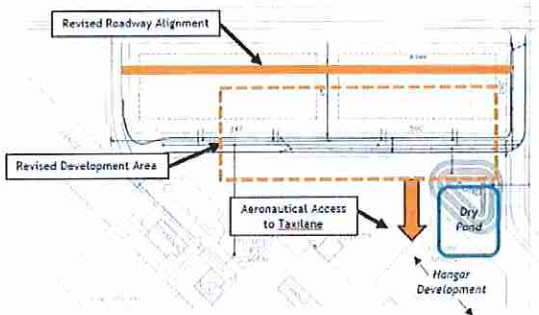
- Tighten exterior metal wall panel system to reduce air and moisture leaks that cause additional energy use (Hangar A & B, “Piper” Hangar)
- Straighten hangar doors and frames (Hangar A & B).
- In lieu of floor replacement, continue use of metal plates at wheel locations. Seal the existing pavement floors (Hangar A & B).
- Consider replacement windows (Hangar B) and replacement door/frame (“Piper” Hangar).
- Upon review of costs and benefits, no hangar stall partitions are recommended in Hangar A & B.

Site Utilities Recommendations



- Consider extending natural gas service to airport for public building heating to replace propane. Approximate payback period of initial investment and operating cost savings would be 15 years.
- Install larger septic holding tank to reduce city waste hauling costs only when larger hauling trucks are available.
- Consider extending water and sewer utilities to airport if other airport development is planned (i.e. industrial park).
- Due to funding rules and low project priority, plan on utilizing funding sources other than aviation grant funds to extend utilities to airport property.

Industrial Park Vision Recommendations



- Potential airport developable land to support community economic opportunities.
- Revise industrial park layout to promote direct aeronautical access to runways and taxiways. This would provide a unique opportunity for the city to market this land differently than existing city industrial park.
- Obtain FAA approval for non-aeronautical development including updating the ALP and obtaining a land use agreement.
- Seek funding through Minnesota Department of Employment and Economic development for site improvement costs, including extending water/sewer to property.

Total Infrastructure Needs & Implementation Plan

Projected Infrastructure Needs	
Terminal & CFR Building	\$664,500
Main Hangar	\$273,500
Other Hangars	\$106,500
Site Utilities	\$810,000
Industrial Park Vision	\$700,000
Grand Total	\$2,544,500



Implementation Plan	
Priority 1 (0-2 Years)	\$279,500
Priority 2 (3-5 Years)	\$381,000
Priority 3 (6-10 Years)	\$423,000
Priority 4 (11+ Years or Optional)	\$1,461,000

Fairmont Municipal Airport

2016 Airport Construction Project Overview

March 14, 2016 - Fairmont City Council

Project Overview

The proposed 2016 Airport Construction project will include the full-depth reconstruction of 11,300 square yards of the oldest pavement within the aircraft hangar area at the Fairmont Municipal Airport. Other newer hangar pavement areas will be crack sealed. The project implements the engineering design completed in 2015. Total estimated construction cost is \$932,076 with nearly 90 percent of the project funded by the Federal Aviation Administration (FAA) and Minnesota Department of Transportation (MnDOT) Office of Aeronautics.



Project Highlights

- Pavement removal, earthwork, aggregate base, paving and marking over 11,300 square yards of pavement.
- Asphalt pavement surface 4 inches in depth (concrete pavement is not eligible for FAA funding).
- A new 32-inch total pavement section to help reduce regular frost-heave action, as recommended by the geotechnical engineer.
- An underdrain system to help eliminate sub-surface water that currently contributes to pavement deterioration.
- Concrete valley gutter to promote positive surface site drainage away from pavements.
- Realignment of taxiway centerlines to meet FAA safety standards for maneuvering aircraft.
- Maximizes available FAA and State funding eligibility, including utilizing additional State funding for pavement connecting taxiways and hangars.
- A multi-phased plan to reduce impacts to hangar tenants, including local businesses.

Project Need

Most of the public hangar area pavements are approaching 40 years old. This pavement is needed for aircraft to maneuver between the public hangars and the airfield. The City has completed regular pavement maintenance in this area, however the pavement has reached the end of its useful life. This area historically has had a high water table and areas of poor drainage, which have both contributed to pavement deterioration. The latest pavement report identifies this pavement as in Very Poor condition with a Pavement Condition Index (PCI) value of 24 out of 100.

A complete pavement reconstruction is needed now to address pavement condition to extend its useful life to serve tenants of the Fairmont Municipal Airport. Funding is anticipated to be available from FAA for construction, with additional State aviation funding anticipated from MnDOT Aeronautics.

Preliminary Project Schedule*

Approve Bidding, Service Agreements	March 28
Advertisement for Bids	April 5, 12, 19
Open Project Bids	April 28
Award Project (Contingent on Grant Offer)	May 9
Anticipated FAA & State Grant Offer	July 15 (estimated)
Anticipated Construction Period	August - October 2016

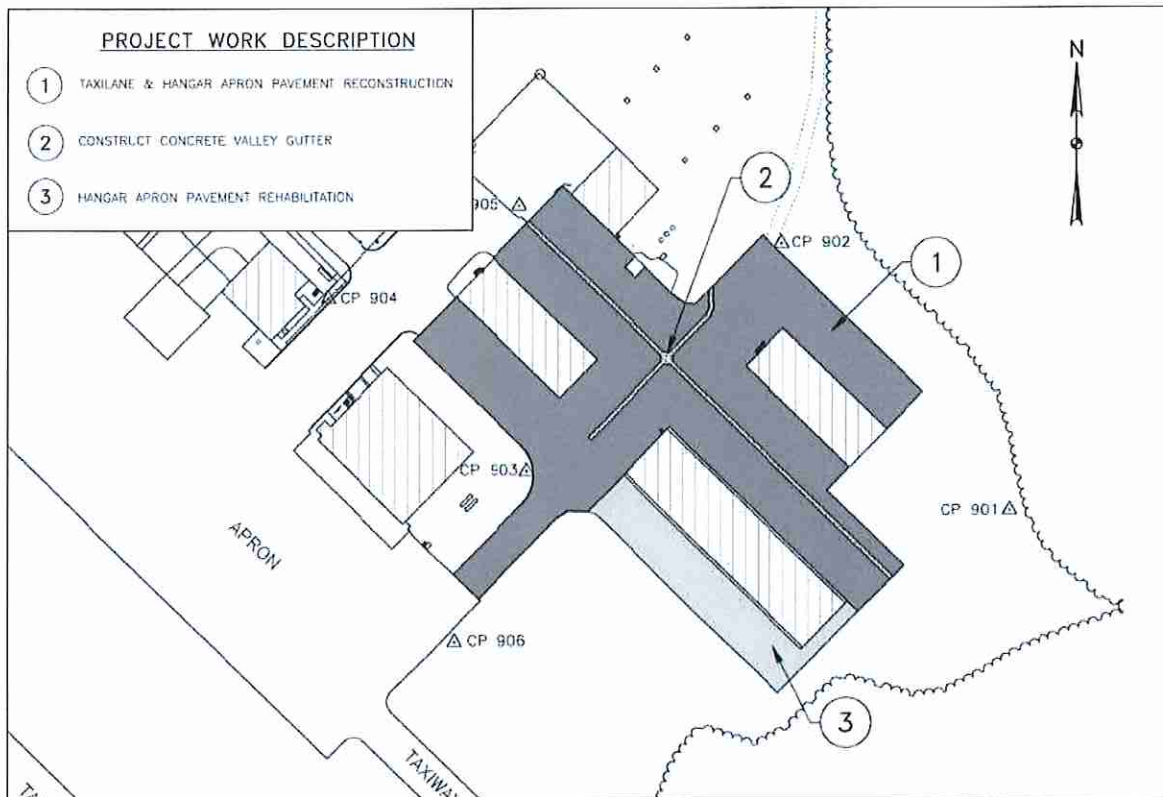
**Subject to change due to unforeseen circumstances*



2016 Airport Construction Project
March 2016 Project Overview



Project Work Description Map



Project Cost Estimate & Funding Summary

Construction Project Cost Estimate*	
Engineer's Construction Cost Estimate:	\$780,245
Bidding, Construction Administration/Observation, Testing, FAA Closeout Services:	\$158,000
Total Estimated Construction Project Cost:	\$938,245
Construction Project Funding	
Total FAA Share (42.84%):	\$401,944
Total State Share (44.30%):	\$415,642
Total City of Fairmont Share (12.86%):	\$120,659

**Costs subject to change based on actual project bids and final engineering agreements*

Project Contact

Marcus Watson, Project Manager
 KLJ
 St. Paul, MN
 651-222-2176
marcus.watson@kljeng.com




2016 Airport Construction Project
 March 2016 Project Overview



CITY OF FAIRMONT----AGENDA CONTROL SHEET----AGENDA ITEM NO. 12.1

MEETING DATE: March 14, 2016

SUBJECT: Permit for Martin County Beyond the Yellow Ribbon Freedom 5K Race

REVIEWED BY: Mike Humpal, CEcD, City Administrator 

SUBJECT INITIATION BY:

<input checked="" type="checkbox"/>	Petition	<input type="checkbox"/>	Board	<input type="checkbox"/>	Staff	<input type="checkbox"/>	Council	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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SUBJECT BACKGROUND: Mike Humpal, CEcD, City Administrator

INTRODUCED BY: Mike Humpal, CEcD, City Administrator

COUNCIL LIAISON:

TYPE OF ACTION:

<input checked="" type="checkbox"/>	Motion (Voice Vote)	<input type="checkbox"/>	Resolution (Roll Call)	<input type="checkbox"/>	Discussion
<input type="checkbox"/>	Ordinance 1 st Reading (Introduction only)	<input type="checkbox"/>	Set Public Hearing (Motion)	<input type="checkbox"/>	Information Only
<input type="checkbox"/>	Ordinance 2 nd Reading (Roll call)	<input type="checkbox"/>	Hold Public Hearing (Motion to close)	<input type="checkbox"/>	

RECOMMENED ACTION BY:

<input checked="" type="checkbox"/>	City Staff	<input type="checkbox"/>	Board	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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<input type="checkbox"/>	Issuance	<input checked="" type="checkbox"/>	Approval	<input type="checkbox"/>	Authorization	<input type="checkbox"/>	No recommendation
<input type="checkbox"/>	Denial	<input type="checkbox"/>	Rejection	<input type="checkbox"/>	No action needed	<input type="checkbox"/>	

STATEMENT: A Freedom 5K Martin County Beyond the Yellow Ribbon Race is being planned for July 4, 2016. This is the fourth year for this fundraiser. The 5K run, walk, or bicycle will go around Lake Sisseton. The applicant has made arrangements with Fire Chief Doug Borchardt and has gotten a special permit from the fireworks display company to use the bike trail.

MOTION: To approve a permit for the Freedom 5K Race event on July 4, 2016.

VOTE REQUIRED: Simple majority.

ATTACHMENTS:

1. Permit Application
- 2.

Council Action: _____ Date: _____

**CITY OF FAIRMONT
MISCELLANEOUS LICENSE & PERMIT APPLICATION**

Applicant's Name Martin County Beyond the Yellow Ribbon, % Tam Plumhoff

Applicant's Address 709 Shoreacres Dr.

Fairmont, MN 56031

Applicant's Telephone 238-2806

Applicant's Signature *Ang E. Reutzel*

Date of application 3-8-16

Type of application: (Include dates, time, location, requests from City, etc.)

Freedom 5K MCBTYR Fundraiser, Monday, July 4, 2016. 8:00 a.m. Registration, 8:30 a.m. Run, Walk, Bicycle around Lake Sisseton using the bike trail, Kings Road, Woodland Avenue, Albion Avenue, Lake Avenue, then back to the Armory. Free will donation for pancake breakfast. Applicant will coordinate with Doug Borchardt, Fire Chief and the Fireworks Display Representative. This is the Fourth Year for this event.

Fee (if applicable) \$15.00 ^{pl} 3/7/16

CITY USE ONLY


Application approved by _____ Date _____

Instructions/Comments _____

Application Distribution: City _____ Applicant _____ Police _____ Other _____

MEETING DATE: March 14, 2016

SUBJECT: Renewal of Consumption & Display (Set-Up) Permit

REVIEWED BY: Mike Humpal, CEcD, City Administrator 

SUBJECT INITIATION BY: Mike Humpal, CEcD, City Administrator

<input checked="" type="checkbox"/>	Petition		Board		Staff		Council		Commission		Committee
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SUBJECT BACKGROUND: Mike Humpal, CEcD, City Administrator

INTRODUCED BY: Mike Humpal, CEcD, City Administrator

COUNCIL LIAISON:

TYPE OF ACTION:

<input checked="" type="checkbox"/>	Motion (Voice Vote)		Resolution (Roll Call)		Discussion
	Ordinance 1 st Reading (Introduction only)		Set Public Hearing (Motion)		Information Only
	Ordinance 2 nd Reading (Roll call)		Hold Public Hearing (Motion to close)		

RECOMMENED ACTION BY:

<input checked="" type="checkbox"/>	City Staff		Board		Commission		Committee
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	Issuance	<input checked="" type="checkbox"/>	Approval		Authorization		No recommendation
	Denial		Rejection		No action needed		

STATEMENT: The Chain of Lakes Yacht Club has applied for renewal of its State and City Consumption & Display (Set-Up) permit application. They have paid their City application fee of \$37.50. City Council approval of this renewal application is recommended.

MOTION: To approve renewal of the Consumption & Display (Set-Up) license application for the Chain of Lakes Yacht Club.

VOTE REQUIRED: Simple majority

ATTACHMENTS:


1. _____
2. _____
3. _____

Council Action: _____ Date: _____

CITY OF FAIRMONT----AGENDA CONTROL SHEET----AGENDA ITEM NO. 14.1

MEETING DATE: March 14, 2016

SUBJECT: Board and Commission Appointments

REVIEWED BY: Mike Humpal, CEcD, City Administrator 

SUBJECT INITIATION BY:

<input type="checkbox"/>	Petition	<input type="checkbox"/>	Board	<input type="checkbox"/>	Staff	<input type="checkbox"/>	Council	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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SUBJECT BACKGROUND: Mike Humpal, CEcD, City Administrator

INTRODUCED BY: Mike Humpal, CEcD, City Administrator

COUNCIL LIAISON: None

TYPE OF ACTION:

<input checked="" type="checkbox"/>	Motion (Voice Vote)	<input type="checkbox"/>	Resolution (Roll Call)	<input type="checkbox"/>	Discussion
<input type="checkbox"/>	Ordinance 1 st Reading (Introduction only)	<input type="checkbox"/>	Set Public Hearing (Motion)	<input type="checkbox"/>	Information Only
<input type="checkbox"/>	Ordinance 2 nd Reading (Roll call)	<input type="checkbox"/>	Hold Public Hearing (Motion to close)	<input type="checkbox"/>	

RECOMMENED ACTION BY:

<input type="checkbox"/>	City Staff	<input type="checkbox"/>	Board	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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<input type="checkbox"/>	Issuance	<input checked="" type="checkbox"/>	Approval	<input type="checkbox"/>	Authorization	<input type="checkbox"/>	No recommendation
<input type="checkbox"/>	Denial	<input type="checkbox"/>	Rejection	<input type="checkbox"/>	No action needed	<input type="checkbox"/>	

STATEMENT: The Mayor is seeking approval on the following appointments:

Park Board: Jane Kollofski
 Planning Commission: Margaret Dillard

MOTION 1: To approve the appointment of Jane Kollofski to the Park Board

VOTE REQUIRED: Simple majority.

MOTION 2: To approve the appointment of Margaret Dillard to the Planning Commission

VOTE REQUIRED: Simple majority.

ATTACHMENTS:


1. _____

Council Action: _____ Date: _____

CITY OF FAIRMONT----AGENDA CONTROL SHEET----AGENDA ITEM NO. 14.2

MEETING DATE: March 14, 2016

SUBJECT: Appoint a Council Person to the Fire Service Negotiating Committee

REVIEWED BY: Mike Humpal, CEcD, City Administrator 

SUBJECT INITIATION BY:

<input type="checkbox"/>	Petition	<input type="checkbox"/>	Board	<input type="checkbox"/>	Staff	<input type="checkbox"/>	Council	<input checked="" type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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SUBJECT BACKGROUND: Mike Humpal, CEcD, City Administrator

INTRODUCED BY: Mike Humpal, CEcD, City Administrator

COUNCIL LIAISON:

TYPE OF ACTION:

<input checked="" type="checkbox"/>	Motion (Voice Vote)	<input type="checkbox"/>	Resolution (Roll Call)	<input type="checkbox"/>	Discussion
<input type="checkbox"/>	Ordinance 1 st Reading (Introduction only)	<input type="checkbox"/>	Set Public Hearing (Motion)	<input type="checkbox"/>	Information Only
<input type="checkbox"/>	Ordinance 2 nd Reading (Roll call)	<input type="checkbox"/>	Hold Public Hearing (Motion to close)	<input type="checkbox"/>	

RECOMMENED ACTION BY:

<input type="checkbox"/>	City Staff	<input checked="" type="checkbox"/>	Council	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
--------------------------	------------	-------------------------------------	---------	--------------------------	------------	--------------------------	-----------

<input type="checkbox"/>	Issuance	<input type="checkbox"/>	Approval	<input checked="" type="checkbox"/>	Authorization	<input type="checkbox"/>	No recommendation
<input type="checkbox"/>	Denial	<input type="checkbox"/>	Rejection	<input type="checkbox"/>	No action needed	<input type="checkbox"/>	

STATEMENT: City staff is negotiating a new fire service contract with the United Township Cooperative Fire Board. The City Administrator, Finance Director, Fire Chief and Deputy Fire Chief and a truck committee member make up the committee for the city. The management team believes a council representative should sit on the committee, as well.

MOTION: To appoint one council member to the Fire Service negotiating committee for 2016

VOTE REQUIRED: Simple majority


ATTACHMENTS:

Council Action: _____ Date: _____

CITY OF FAIRMONT----AGENDA CONTROL SHEET----AGENDA ITEM NO. 14.3

MEETING DATE: March 14, 2016

SUBJECT: Call for Public Hearing – Proposed Ordinance 2016-02 Amending Fairmont City Code Chapter 18 – Parks and Recreation

REVIEWED BY: Mike Humpal, CEcD, City Administrator 

SUBJECT INITIATION BY:

<input type="checkbox"/>	Petition	<input type="checkbox"/>	Board	<input checked="" type="checkbox"/>	Staff	<input type="checkbox"/>	Council	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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SUBJECT BACKGROUND: Mike Humpal, CEcD, City Administrator

INTRODUCED BY: Mike Humpal, CEcD, City Administrator

COUNCIL LIAISON:

TYPE OF ACTION:

<input type="checkbox"/>	Motion (Voice Vote)	<input type="checkbox"/>	Resolution (Roll Call)	<input type="checkbox"/>	Discussion
<input checked="" type="checkbox"/>	Ordinance 1 st Reading (Introduction only)	<input checked="" type="checkbox"/>	Set Public Hearing (Motion)	<input type="checkbox"/>	Information Only
<input type="checkbox"/>	Ordinance 2 nd Reading (Roll call)	<input type="checkbox"/>	Hold Public Hearing (Motion to close)	<input type="checkbox"/>	

RECOMMENED ACTION BY:

<input checked="" type="checkbox"/>	City Staff	<input type="checkbox"/>	Board	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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<input type="checkbox"/>	Issuance	<input checked="" type="checkbox"/>	Approval	<input type="checkbox"/>	Authorization	<input type="checkbox"/>	No recommendation
<input type="checkbox"/>	Denial	<input type="checkbox"/>	Rejection	<input type="checkbox"/>	No action needed	<input type="checkbox"/>	

STATEMENT: City staff have received requests to allow camping in certain parks and allowing food trucks in city parks. The Park Board discussed the proposed changes and is recommending the City Council amend the code.

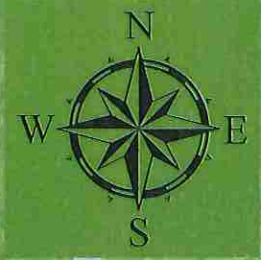
MOTION: To set a Public Hearing for March 28, 2016 on amending Fairmont City Code Chapter 18 – Parks and Recreation.

VOTE REQUIRED: Simple majority

ATTACHMENTS:

1. Maps
2. Draft Ordinance 2016-02

Council Action: _____ Date: _____



Amber Lake

RV Camping

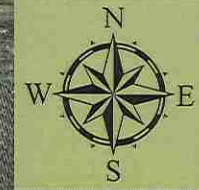
Primitive Camping

CEDAR PARK RD

20.

MARGARET ST.

PRAIRIE AVE.



RV Camping

Skate Park

Tent Camping

CHRISTINA ST.

Winnebago Sports Complex

ANNA ST.

RV Camping

TON ST.

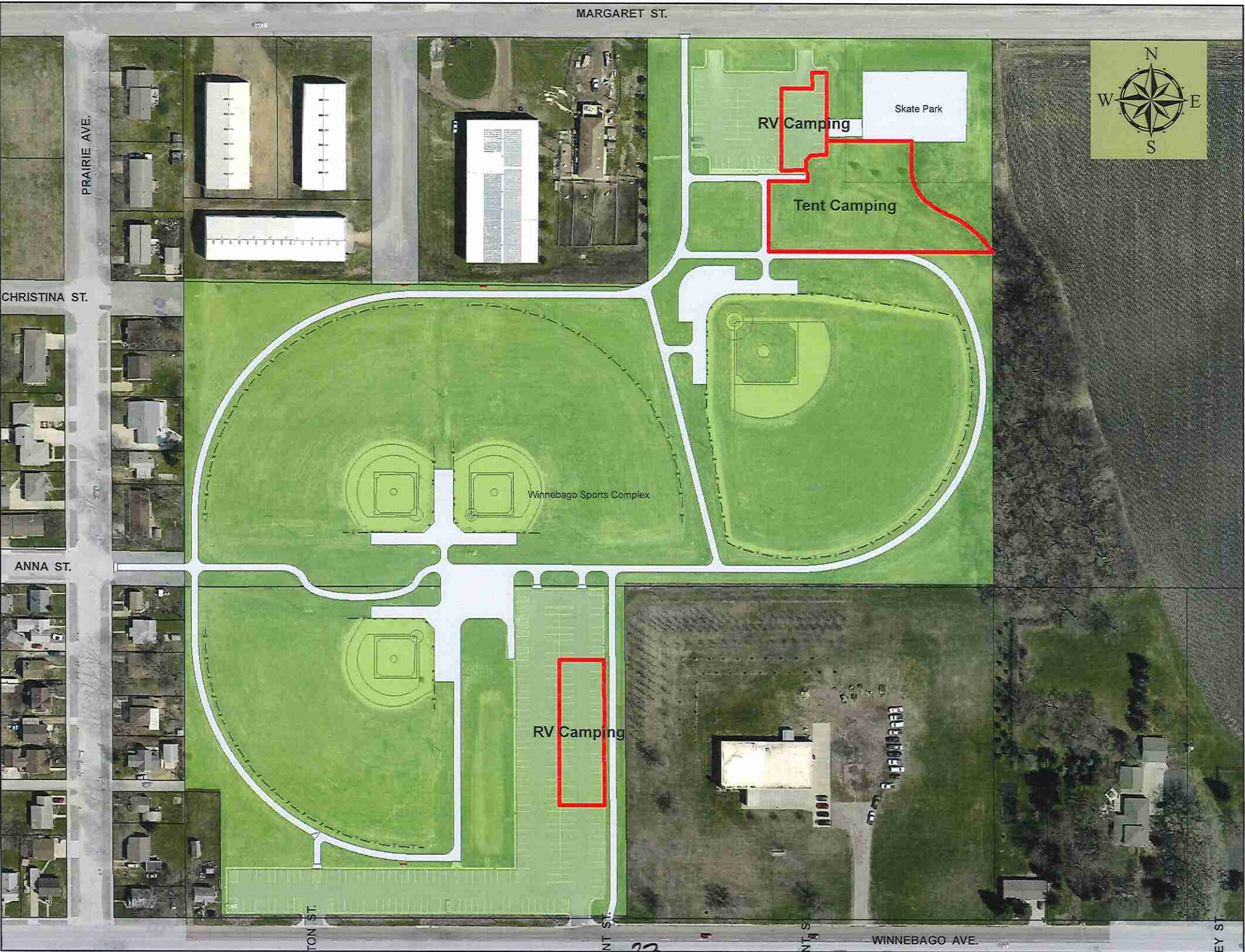
NT ST.

NT ST.

WINNEBAGO AVE.

EY ST.

23.



ORDINANCE 2016-02

AMENDING FAIRMONT CITY CODE CHAPTER 18 – PARKS AND RECREATION

WHEREAS, staff has reviewed Chapter 18 to address citizen requests for camping in certain parks and allowing food trucks in the parks; and,

WHEREAS, the Park Board met on February 23, 2016 reviewed and discuss the proposed changes. The Park Board recommends that the City Code be amended; and,

WHEREAS, after a public hearing the Fairmont City Council finds that it is in the best interest of the City to amend Chapter 18 - Parks and Recreation of the City Code.

NOW THEREFORE THE CITY OF FAIRMONT DOES ORDAIN, the Fairmont City Code Chapter 18 shall be amended as follows:

Chapter 18 - PARKS AND RECREATION
FOOTNOTE(S):

--- (1) ---

Cross reference— Snowmobiles, § 16-76 et seq.

ARTICLE I. - IN GENERAL

Secs. 18-1—18-15. - Reserved.

ARTICLE II. - PARK BOARD

FOOTNOTE(S):

--- (2) ---

Cross reference— Boards and commissions generally, § 2-236 et seq.

Sec. 18-16. - Established.

There is established a park board.

Sec. 18-17. - Members.

The park board shall consist of six (6) members.

(Code 1984, Title 3, § 710)

Sec. 18-18. - Meetings.

Meetings of the park board shall be on a regular basis, and at such times as may be deemed necessary, provided adequate notice is furnished.

(Code 1984, Title 3, § 720)

Sec. 18-19. - Functions.

The park board shall:

- (1) Provide recommendations to the council regarding the planning, development, funding, and operation of parks and recreational facilities within the city.
- (2) Receive guidelines and assignments from the city council for study and/or review of park and recreational needs and plans.
- (3) Conduct studies using appropriate resources. If expenditure of funds is necessary for such studies, the board must obtain prior approval from the council.
- (4) Develop rules and regulations to govern the use of city parks and recreational facilities for review by the council.
- (5) Maintain liaison with the city administrator and directors of the community development and community service divisions, to provide guidance on park board matters in the planning stages or policy development review.
- (6) Provide reports and plans to the council.

(Code 1984, Title 3, § 730)

Secs. 18-20—18-30. - Reserved.

ARTICLE III. - PARK RULES

Sec. 18-31. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Director means the person appointed by the city administrator to serve as chief administration officer of the park system.

Drugs means any substance defined as a controlled substance by Minnesota Statutes chapter 152 or federal law or regulation.

Domestic animal means a dog, cat or horse.

Fairmont parks means the organization or system of parks in the city.

Food wagon shall be defined as any vehicle, mobile stand or device parked on public property used for the purpose of selling food and/or drink ready to be consumed.

Intoxicating liquor means ethyl alcohol, distilled, fermented, spirituous, vinous and malt beverages, containing in excess of three and two-tenths (3.2) percent of alcohol by weight.

Primitive camping means overnight camping using primitive means (no campers or RVs) for not more than 3-days for recreation purposes.

Special event camping means limited camping to coincide with an approved special event, i.e. softball tournament, disc golf tournament, etc.

State Law reference— Similar provisions, M.S. § 340A.101, subd. 14.

Motorized recreation vehicle means any self-propelled off-the-road, or all terrain conveyance including but not limited to a snowmobile, mini bike, amphibious vehicle, motorcycle, go-cart, trail bike, dune buggy or four-wheel drive.

Nonintoxicating malt liquor means malt liquor that contains not less than one-half of one (.5) percent alcohol by volume nor more than three and two-tenths (3.2) percent alcohol by weight.

State Law reference— Similar provisions, M.S. § 340A.101, subd. 19.

Park means any land or water area and all facilities thereon established as part of the Fairmont parks.

Park visitor means any person within a park.

Vehicle means any motorized, propelled, animal drawn, or human powered conveyance.

Weapon means any device from which shots or projectiles of any kind can be discharged by means of an explosive gun, compressed air or otherwise propelled, including but not limited to fire arms, bow and arrows, slings and spring guns.

Wild life means all living creatures, not human, wild by nature endowed by sensation and power or voluntary motion, including quadrupeds, mammals, birds, fish, amphibians, reptiles, crustations and mollusks.

(Ord. No. 86-6, 8-25-86)

Sec. 18-32. - Purpose.

The purpose of this article is to secure the quiet, orderly and suitable use of public parks, trail systems and public access to lakes established by the city council and to further the safety, health, comfort and welfare of all persons in the use thereof.

(Ord. No. 86-6, 8-25-86)

Sec. 18-33. - Waiver.

Any provision of this article may be waived at the discretion and direction of the city council.

(Ord. No. 86-6, 8-25-86)

Sec. 18-34. - Exemption.

Nothing in this article shall prevent employees or agents of the park system from performing their assigned duties.

(Ord. No. 86-6, 8-25-86)

Sec. 18-35. - Rules and regulations.

- (a) The city council or director may issue administrative rules and regulations. Such rules must be approved by the council or park board.
- (b) It is unlawful for any person to use any city-owned or maintained parks, playgrounds, or recreational areas in any manner contrary to, or inconsistent with, rules and regulations adopted by the council and sign-posted at the entrance thereto, or sign-posted upon specific facilities to which such rules and regulations relate.

(Code 1984, Title 7, Ch. 9(D); Ord. No. 86-6, 8-25-86)

Sec. 18-36. - Revocation of permits or reservations.

The director shall have the authority to revoke for good cause any permit or reservation issued by him.

(Ord. No. 86-6, 8-25-86)

Sec. 18-37. - Liability of city.

The city shall not be liable for any loss, damage or injury sustained by a park visitor.

(Ord. No. 86-6, 8-25-86)

Sec. 18-38. - Closing parks.

Any park or portion thereof may be declared closed to the public by the city council or the director at any time and for any interval of time or to certain uses, as the city council or director finds reasonably necessary.

(Ord. No. 86-6, 8-25-86)

Sec. 18-39. - Obscene language, indecent conduct, etc.

It shall be unlawful for any person to use threatening, abusive, insulting, obscene or indecent language or to act in an indecent manner, or to do any act which constitutes a breach of the public peace in a park.

(Ord. No. 86-6, 8-25-86)

Sec. 18-40. - Alcoholic beverages.

It shall be unlawful for any person to:

- (1) Have in possession or bring into a park any nonintoxicating malt liquor or intoxicating liquor in kegs or barrels without written permission of the director.
- (2) Consume any alcoholic beverage in a park between ~~4:00~~ 11:00 p.m. and 7:00 a.m.

(Ord. No. 86-6, 8-25-86)

Sec. 18-41. - Disturbing park visitors.

It shall be unlawful for any person to disturb, harass or interfere with any park visitor or a park visitor's property.

(Ord. No. 86-6, 8-25-86)

Sec. 18-42. - Litter control.

It shall be unlawful for any person to:

- (1) Deposit, scatter, drop or abandon in a park any bottles, cans, broken glass, sewage, waste or other material, except in receptacles provided for such purpose. Household garbage is not to be deposited in any park receptacle.
- (2) Enter a park with glass beverage bottles or glass beverage containers.
- (3) Throw, discharge or place on or upon any lake, stream, creek, pond or other body of water in or adjacent to a park, or any tributary, stream, sanitary or storm sewer, or drain flowing into such waters any substance, liquid or gas.

(Ord. No. 86-6, 8-25-86)

Sec. 18-43. - Excavations.

It shall be unlawful for any person to dig trenches or make other excavations in a park.

(Ord. No. 86-6, 8-25-86)

Sec. 18-44. - Fires and fire prevention.

It shall be unlawful for any person to:

- (1) start a fire in a park, except a small fire for culinary purposes in a designated area, or fail to fully extinguish such a fire.
- (2) drop, throw or otherwise leave unattended in a park, lighted matches, burning cigars, cigarettes, tobacco, paper or other combustible material.
- (3) have any open fires at Winnebago Sports Complex and Jeffrey Kot Soccer Fields.

(Ord. No. 86-6, 8-25-86)

Sec. 18-45. - Business activities.

It shall be unlawful for any person to sell, solicit, or carry on any business or commercial enterprise or serve in a park unless during a special event and authorized to do so by the director City Administrator in writing.

(1) Food wagons

- a. Permit required. It is unlawful for any person to operate a food wagon without a permit from the City. Operations meeting the definition of a food wagon and operating under a valid food wagon permit do not need a solicitor's license as required Chapter 19-16 of the City Code.
- b. Permit issuance fee and display. Permits, include number, location and dates for which issued, shall be plainly visible on the outside of the food wagon. Permits will be issued on a per event basis for the duration of the event. An application on the form prescribed by the City shall be completed by the applicant and shall be accompanied by a fee as established by ordinance.
- c. Indemnification. Before a food wagon permit is issued by the City, the permittee shall execute and deliver to the City Clerk, on a form prescribed by the City, an Indemnification Agreement holding the City harmless for any personal injury or property damage resulting from the operation of the food wagon.

d. Restrictions.

- i. Food wagons shall be allowed only at approved locations within the City and shall not travel from point to point around the City.
- ii. No food wagon shall be allowed to dispense food on public right-of-way.

e. Regulations.

- i. No food shall be sold except directly from the food wagon.
 - ii. Radios and other audio devices shall be permitted only inside the food wagon. No music or noise shall be permitted that is audible 30 feet from the food wagon. No amplification device shall be permitted on the exterior of any food wagon.
 - iii. Food wagon sales shall be permitted only between the hours 7:00 a.m. and 11:00 p.m.
 - iv. Food wagon owners shall provide appropriate number of trash receptacles and remove all trash around their food wagons at the end of each business day.
 - v. All food wagons shall be kept in good repair and order.
 - vi. Must follow all applicable Department of Health regulations.
 - vii. There shall be no drainage of liquids allowed from the food wagon onto public property or public sewers.
 - viii. No permit shall be issued to any food wagon until proof of all appropriate and necessary licensure by the State of Minnesota and/or Martin County is provided.
 - ix. Food wagons shall provide their own utilities; they cannot connect to City water, sewer or electricity.
 - x. No city staff or city equipment will be provided to any food wagon. All food wagons should provide their own seating and staffing.
- f. Forfeiture and revocation. A food wagon license may be revoked or forfeited for violation of any of the provisions of this Section or any other violation of the City Code or other applicable laws and regulations. Food wagon licenses are not transferable.

(Ord. No. 86-6, 8-25-86)

Sec. 18-46. - Noise control.

It shall be unlawful for any person to:

- (1) Use loudspeakers or other amplifying systems in a park except with written permission from the director.
- (2) Operate sound producing radios or tape players at a level loud enough to disturb other park users.
- (3) Create any unnecessary noise between 10:00 11:00 p.m. and 7:00 a.m. that may disturb neighbors to the park or park users.

(Ord. No. 86-6, 8-25-85)

Cross reference— Noise generally, § 15-3.

Sec. 18-47. - Protection of natural resources and wildlife.

It shall be unlawful for any person to:

- (1) Injure, destroy, or remove any tree, flower, shrub, plant, rock, soil, and mineral in a park, including dead or fallen trees.
- (2) Kill, trap, hunt, pursue or in any manner disturb or cause to be disturbed any species of wildlife within a park except that fishing may be permitted in designated areas.
- (3) Bring a dog, cat, or other domestic animal into a park unless under the control of the owner or attendant and such custodian shall have the responsibility of cleaning up any feces of any animal and shall dispose of such in a sanitary manner. "Under control" shall mean appropriately leashed and tended. An exception to the leash requirement will be allowed only when a handler is working a retriever dog within fifty (50) feet of a boat launching area or within the City's designated dog park.
- (4) Bring or permit any domestic animal to enter a beach area, nature center area, picnic area, park building or skating rink.
- (5) Permit a domestic animal to disturb, harass or interfere with any park visitor or park visitor's property.
- (6) Release within a park any plant, chemical or other agent potentially harmful to the vegetation or wildlife or the park.
- (7) Remove any animal, living or dead, from a park and any animal so removed or taken contrary to the provisions of any city ordinance or law of the state shall be considered contraband and subject to seizure and confiscation.
- (8) Set, lay, prepare or have in his possession any trap, snare, artificial light, net, bird line, or any contrivance whatever, for the purpose of catching, taking, injuring, or killing any bird or animal in any park.
- (9) Feed any wild animals, including birds, except pursuant to a city approved program.

(Ord. No. 86-6, 8-25-86; Ord. No. 93-15, 10-25-93; Ord. No. 96-5, 6-17-96; Ord. No. 2004-07, 9-27-04)

Sec. 18-48. - Weapons.

It shall be unlawful for any person to:

- (1) Shoot any weapon in to a park from beyond the boundaries of the park;
- (2) Possess any weapon within a park.

(Ord. No. 86-6, 8-25-86)

Sec. 18-49. - Camping.

It shall be unlawful for any person to camp in any Fairmont park except:

- (1) The designated primitive camping area at Cedar Creek Park.
- (2) With a Special Event Camping permit approved by the City Administrator in designated RV camping area in Cedar Creek Park.
- (3) With a Special Event Camping permit approved by the City Administrator in designated RV or Tent camping areas in Winnebago Avenue Sports Complex.

In any case, camping stays are limited to three (3) days at a time; no more than six (6) days per month. These locations shall not be permitted as a temporary residence.

(Ord. No. 86-6, 8-25-86)

Sec. 18-50. - Swimming and beach areas.

It shall be unlawful for any person to:

- (1) Wade or swim within a park except at beaches designated for the purpose, and then only between sunrise and sunset, or such hours as may be designated by the director. Park visitors swim or wade at their own risk.
- (2) Take bottles or glass of any kind, except eyeglasses into a designated beach area.
- (3) Use air mattresses, innertubes or other inflatable devices except in designated beach areas.

(Ord. No. 86-6, 8-25-86)

Sec. 18-51. - Boating.

It shall be unlawful for any person to:

- (1) Launch or land any boat, yacht, canoe, raft or other watercraft upon any water, lagoon, lake, pond or slough within a park except at locations and times designated for that purpose.
- (2) Leave unattended any boat or watercraft except in areas designated for that purpose.
- (3) Operate any watercraft in a designated swimming area or other prohibited area.
- (4) Operate any watercraft in a park in violation of Minnesota Statutes chapter 361.

(Ord. No. 86-6, 8-25-86)

Cross reference— Boats and lakes, Ch. 5.

Sec. 18-52. - Fishing.

It shall be unlawful for any person to:

- (1) Leave any ice fishing shelter in any park for more than five (5) days past the end of game fishing season.
- (2) Leave debris, garbage, etc., around winter fishing shelters in a park or on the ice.
- (3) Deposit fish remains in a park in other than specified containers.

(Ord. No. 86-6, 8-25-86)

Cross reference— Boats and lakes, Ch. 5.

Sec. 18-53. - Horseback riding.

It shall be unlawful for any person to ride a horse or bring an untrailered horse into any park without permission of the public works director, with the exception of Cedar Creek Park.

(Ord. No. 86-6, 8-25-86)

Sec. 18-54. - Meetings, speeches, demonstrations and parades.

It shall be unlawful for any person to conduct public meetings, assemblies, entertainment, parades or demonstrations within a park without first obtaining a written permit from the city, and then only in the area designated in the permit. Such a permit will be issued if the public safety will not be endangered thereby.

(Ord. No. 86-6, 8-25-86)

Sec. 18-55. - Vehicles generally.

It shall be unlawful for any person to:

- (1) Operate any vehicle within a park except upon designated roadways and parking areas.
- (2) Operate a vehicle in a park at a speed in excess of posted speed limits.
- (3) Park or leave standing a vehicle within a park except at a designated parking area.
- (4) Operate a vehicle in a park which emits excessive or unusual noise, noxious fumes, dense smoke or other polluting matter.
- (5) Operate a vehicle in a reckless or careless manner in a park.
- (6) Wash, polish, grease, change oil or repair any vehicle in a park.

(Ord. No. 86-6, 8-25-86)

Cross reference— Motor vehicles and traffic, Ch. 16.

Sec. 18-56. - Motorized recreation vehicles.

It shall be unlawful for any person to operate a motorized recreation vehicle within a park except in or on designated roadways and parking areas.

(Ord. No. 86-6, 8-25-86)

Cross reference— Motor vehicles and traffic, Ch. 16.

Secs. 18-57—18-60. - Reserved.

ARTICLE IV. - TREES

Sec. 18-61. - Purpose.

It is the purpose of this article to promote and protect the public health, safety and general welfare by providing for the regulation of the planting, maintenance and removal of trees, shrubs and other plants within the city.

(Ord. No. 90-15, § 2(1), 12-10-90)

Sec. 18-62. - Tree board—Established.

There is hereby created a tree board for the city. The tree board will be one and the same as the park board.

(Ord. No. 90-15, § 2(2), 12-10-90)

Sec. 18-63. - Same—Duties and responsibilities.

It shall be the responsibility of the board to develop a written policy for the care, preservation, pruning, replanting, removal or disposition of trees and shrubs in parks, along streets and in other public areas. Once the policy is approved by the city council, the council may direct the board to review and/or update the policy as necessary.

(Ord. No. 90-15, § 2(3), 12-10-90)

Sec. 18-64. - Public tree care.

- (a) The city shall have the right to plant, prune, maintain, remove trees, plants and shrubs within the city right-of-ways and public grounds as may be necessary to insure public safety or to preserve or enhance the beauty of such public grounds.
- (b) The city may remove or order to be removed any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, other public improvements or other trees.

(Ord. No. 90-15, § 2(4), 12-10-90)

Sec. 18-65. - Private tree care.

- (a) The city shall have the right to enter private property, inspect, and declare trees or shrubs or parts thereof a public nuisance. A public nuisance may include trees, branches or shrubs that are diseased, infected, dead or dying, obstructing utility installations or traffic signs, impeding free passage of pedestrians or vehicles or in any other manner posing a threat to public safety.
- (b) Upon declaration of a public nuisance, the city will notify the owners of such tree shrubs or parts thereof in writing. Removal or correction shall be done by said owners at their own expense within sixty (60) days of notice. In the event of failure to comply with such provisions, the city shall have the authority to follow the order of the notice and charge the cost to the owners by property tax notice.

(Ord. No. 90-15, § 2(5), 12-10-90)

Sec. 18-66. - Permitted planting on public property.

- (a) No person shall trim, cut, or remove any part of a tree on public property or right-of-way without first procuring a permit from the city. No person shall plant a tree or trees on the city right-of-way or other public property without first procuring a permit from the city. In either case, the authority of the permit shall not be exceeded.
- (b) A permit required by subsection (a) above may be applied for at city hall. The tree board's designated agent will review the permit and return the permit form to the applicant indicating approval or disapproval of the request and noting suggestions for completion or reasons for denial of the permit.

(Ord. No. 90-15, § 2(6), 12-10-90)

Sec. 18-67. - Interference with city tree care.

It shall be unlawful for any person to prevent, delay or interfere with the city tree board's agent or city crews, while engaging in and about the planting, cultivating, mulching, pruning, spraying, or removing of any public trees or shrubs as authorized in this article.

(Ord. No. 90-15, § 2(7), 12-10-90)

Sec. 18-68. - Damage to public trees.

The tree board's agent shall place value on public trees damaged by accident or intention. The cost of repair or replacement of a damaged public tree, shrub or plant shall be borne by the party causing the damage or destruction. The city shall use as a reference "A Guide to the Professional Evaluation of Landscape Trees, Specimen Shrubs and Evergreens" as published by the International Society of Arboriculture.

(Ord. No. 90-15, § 2(8), 12-10-90)

Sec. 18-69. - Arborish bond.

The city must have in its possession a copy of insurance coverage of anyone contracted to work on public trees. Liability insurance of one million dollars (\$1,000,000.00) bodily injury and one million dollars (\$1,000,000.00) property damage indemnifying the city or any person injured or damage resulting from such contracted work on public trees.

(Ord. No. 90-15, § 2(9), 12-10-90)

Sec. 18-70. - Review by city council.

Any person may appeal any order or ruling of the tree board or its agents to the city council for a final decision.

(Ord. No. 90-15, § 2(10), 12-10-90)

Sec. 18-71. - Violations; penalties.

Any person violating any provision of this article shall be, upon conviction or a plea of guilty, subject to a fine of not more than seven hundred dollars (\$700.00) and/or ninety (90) days in jail.

(Ord. No. 90-15, § 2(11), 12-10-90)


PASSED, APPROVED AND ADOPTED, this _____ day of _____, 2016

Randy Quiring, Mayor

Patricia Monsen, City Clerk

MEETING DATE: March 14, 2016

SUBJECT: Consulting Agreement with Barr Engineering

REVIEWED BY: Mike Humpal, CEcD, City Administrator 

SUBJECT INITIATION BY:

<input type="checkbox"/>	Petition	<input type="checkbox"/>	Board	<input checked="" type="checkbox"/>	Staff	<input type="checkbox"/>	Council	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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SUBJECT BACKGROUND: Troy Nemmers, PE, Director of Public Works/City Engineer

INTRODUCED BY: Troy Nemmers, PE, Director of Public Works/City Engineer

COUNCIL LIAISON: Councilor Clerc

TYPE OF ACTION:

<input checked="" type="checkbox"/>	Motion (Voice Vote)	<input type="checkbox"/>	Resolution (Roll Call)	<input type="checkbox"/>	Discussion
<input type="checkbox"/>	Ordinance 1 st Reading (Introduction only)	<input type="checkbox"/>	Set Public Hearing (Motion)	<input type="checkbox"/>	Information Only
<input type="checkbox"/>	Ordinance 2 nd Reading (Roll call)	<input type="checkbox"/>	Hold Public Hearing (Motion to close)	<input type="checkbox"/>	

RECOMMENED ACTION BY:

<input type="checkbox"/>	City Staff	<input type="checkbox"/>	Board	<input checked="" type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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<input type="checkbox"/>	Issuance	<input checked="" type="checkbox"/>	Approval	<input type="checkbox"/>	Authorization	<input type="checkbox"/>	No recommendation
<input type="checkbox"/>	Denial	<input type="checkbox"/>	Rejection	<input type="checkbox"/>	No action needed	<input type="checkbox"/>	

STATEMENT: The attached memo gives some background and details about the lime pond decommissioning process. The City has been working with Barr Engineering to provide engineering services for the MPCA’s EIE process. The Public Utility Commission has reviewed this contract and is recommending approval of this work along with the required geotechnical exploration. A memo is attached for further explanation and background.

MOTION #1: To approve the engineering agreement with Barr Engineering for Phase 3 of the lime pond decommissioning project.

VOTE REQUIRED: Majority

ATTACHMENTS:

1. Council memo
2. Barr Engineering proposal
- 3.

Council Action: _____ Date: _____



MEMORANDUM

TO: Mayor and City Council
FROM: Troy Nemmers, PE, Director of Public Works/City Engineer *TN*
Cc: Mike Humpal, CEcD, City Administrator;
DATE: March 9, 2016
SUBJECT: Lime pond decommissioning project

The following is a brief summary and background of the existing lime ponds and the upcoming decommissioning of this facility. Three existing lime ponds are located west of the intersection of Lair Road and CR 39 adjacent to the current composting (tree dump) site and just south of Dutch Creek. Prior to the new water treatment plant, the City pumped lime slurry from the old water plant to these ponds and would then de-water to Dutch Creek as the lime solids would settle out over time. The new water plant operates with a more efficient lime disposal system and there is no longer a need for a separate disposal site.

As part of the old de-watering process, the City required an NPDES (National Pollutant Discharge Elimination System) permit from the MN Pollution Control Agency. This permit regulated how and when the City would perform de-watering and the amount that was discharged into Dutch Creek annually. In order to have this NPDES permit closed out, the MPCA is requiring that the City go through an EIE (Environmental Impact Evaluation) process to determine the appropriate disposal methods for the existing lime in the basins. There are two options that are available to close out this permit and permanently decommission the lime ponds. The first is complete removal of all lime sludge and re-grading of existing slopes and the second is leaving the existing material in place and capping the ponds by covering them with a specified amount of clay material. Based on some previous work completed there is an estimated 200,000 cubic yards of lime sludge that would need to be removed in the first option. Staff's preference and likely the least costly alternative is capping in place.

The EIE process is broken down into several phases. Working with Barr Engineering, the City has completed Phase 1 and Phase 2 and based on the results of these findings, the MPCA has approved the City moving ahead with Phase 3. Phase 3 consists of completing a Facility Closure Plan which outlines the methods that will be used to cap the existing lime ponds in place. This phase will involve extensive geotechnical exploration, material testing, preliminary construction plans, and a report documenting the closure plan. Barr Engineering is proposing fees of \$99,200 for their work and an additional \$20,000 to \$30,000 for a drilling contractor. The Public Utility Commission has been updated on all 3 phases and is recommending approval of this contract to continue with Phase 3 of this project. The proposal is attached to the agenda packet.

Per the current permit requirements, the closure of the ponds by capping in place would need to be completed by the spring of 2019. Please contact me with any questions or concerns.



February 22, 2016

Troy Nemmers
Director of Public Works/City Engineer
City of Fairmont
100 Downtown Plaza
City of Fairmont 56031-1709

Re: Proposal for EIE Phase III Facility Closure Plan

Dear Mr. Nemmers:

Barr Engineering Co. is pleased to offer this proposal to provide the City of Fairmont (City) with assistance in meeting the requirements of the Environmental Impact Evaluation (EIE) (Phase III, up to submittal of a Closure Plan) and the facility National Pollutant Discharge Elimination (NPDES) permit for closure of the water treatment plant spent lime storage ponds.

Project understanding

The city is working toward closing lime storage ponds that are no longer needed for water treatment residual sludge storage. Under the Minnesota Pollution Control Agency (MPCA) EIE process, proper closure and decommissioning of the existing lime storage ponds requires several steps. Each of the steps and the status of work that has been started or completed are outlined below:

- NPDES permit modification (issued on August 21, 2014 by the MPCA)
- EIE Phase I site investigation: desktop study (submitted October 12, 2015, approved January 3, 2016)
- EIE Phase II enhanced site evaluation: field data collection (submitted January 26, 2016, approval pending)
- EIE Phase III facility closure:
 - Facility closure plan: construction quality assurance/quality control plan, bidding documents, construction drawings, technical specifications (February 29, 2016, paragraph 1.5; MPCA has acknowledged that schedule extension is reasonable for this item)
 - Construction (permit completion date: April 30, 2019, paragraphs 1.6, 1.11)
 - Closure documentation report (July 30, 2019, paragraph 1.12)

MPCA EIE Phase III Process

The MPCA's January 2014 EIE guidance provides a phased approach to closing and decommissioning water treatment lime storage ponds. As noted above, Phase I has been completed, and Phase II is nearing completion. Guidance for "Phase III: permit application or facility closure," reads as follows:

This phase is completed by the owner and submitted to the MPCA.

If the results of Phase I or Phase II results in a favorable recommendation for final disposal as capping in place, the owner has two options depending on whether the facility is active or not. If the facility is active, the owner must submit an application for a solid waste permit in order to continue to operate and maintain the site. Upon receipt of the application, the MPCA will follow the permitting process.

If the facility is no longer active or the owner wishes to cease the operation of the site, the owner must submit a facility closure plan for MPCA review and concurrence that meets the requirements of 7035.2500 INDUSTRIAL SOLID WASTE LAND DISPOSAL FACILITY ABANDONMENT and a detailed construction quality assurance/quality control plan as described in Minn. R. 7001.3300, item Q. The MPCA recommends that the facility closure plan consider the Demolition Debris Landfill and Industrial Waste Landfill Final Cover Recommendation. After completion of construction, the owner is also required to submit construction documentation (as-built plan sheets) to the MPCA.

Due to current city water treatment operations with a newly constructed facility that does not generate significant quantities of lime and the outcomes of the evaluations completed under Phases I and II, the City of Fairmont intends to pursue facility closure under the EIE process. This proposal assumes that the MPCA will approve the Phase II submittal and the MPCA determines that closure under Phase III is appropriate.

Scope of Work

EIE Phase III, as laid out in the MPCA guidance document, includes engineering, construction, and construction documentation work. Regulatory steps include review of the construction planning documents and approval of the construction documentation report. This proposal includes only the tasks needed to bring the design to a point where the Facility Closure Plan can be submitted to the MPCA for its review and concurrence. The guidance indicates that the MPCA will not issue a formal approval of this submittal. Future scope, the costs of which are not included in this proposal, would include response to any comments the MPCA may have and preparation of final construction documents, construction support, and construction documentation report preparation.

1.0 Geotechnical investigation and analysis

Geotechnical analyses will be completed to support development of closure design and to address anticipated MPCA questions regarding the feasibility of cover construction over relatively wet, soft lime sludge. Information needed for the geotechnical analyses will be collected during a geotechnical investigation.

The geotechnical investigation will consist of soil borings through the containment dikes and lime sludge. These borings will be used to assess subsurface conditions and collect samples for laboratory testing. It is understood that the City will contract directly with the drilling contractor and testing laboratory meaning

the costs of that portion of the investigation are not included in the costs of this proposal. It is recommended that the geotechnical investigation begin by early- to mid-March to allow access onto the frozen lime sludge surface. If the investigation cannot be completed when the sludge is frozen, a substantial increase in geotechnical investigation costs should be anticipated due to access difficulties.

Geotechnical investigation tasks to be performed by Barr include:

- Development of a geotechnical investigation work plan.
- Development of geotechnical investigation plans and specifications that can be used by the City during the bidding process.
- Assistance with bidding the work, as requested by the City.
- Coordination with the drilling contractor and testing laboratory. Barr will also provide personnel to be on site during the geotechnical investigation to provide drilling contractor oversight, collect samples, log soil borings, and confirm that the work is being performed in accordance with the plans and specifications.
- Preparation of boring logs to document subsurface conditions encountered during the geotechnical investigation.
- Recommendations for laboratory testing and coordination with the testing laboratory.

Following the conclusion of the geotechnical investigation, the geotechnical analysis tasks listed below will be performed:

- Assessment of laboratory testing results.
- Assessment of dike stability.
- Analysis of lime sludge dewatering and trafficability during cover placement.
- Description of the results of the geotechnical investigation and analysis in a technical memorandum.

We assume the following work will be provided by the City:

- Contracting directly with the drilling contractor
- Contracting with the laboratory for geotechnical testing (tests to be recommended by Barr)
- Provide the drilling contractor with access to the site

2.0 Preliminary design

Preliminary design development will commence after the geotechnical investigation field work has been completed, and will occur in parallel with geotechnical analysis activities. Work will be delayed on the preliminary design until the MPCA has approved the Phase II report, or until the City authorizes start of the design.

The preliminary design will bring the design drawings, specifications, and construction quality assurance manual (CQAM) to a point where they are sufficiently detailed to submit to the MPCA for their review and concurrence. For similar solid waste and lined pond facilities, this equates to a design that is approximately 60 percent complete. Technical specifications will be developed for the materials in which the MPCA will have an interest (cover soils, vegetation, drainage erosion protection, etc.). The CQAM will

be developed to a point where we do not anticipate revisions during final design, as any changes to the CQAM will likely require MPCA review and concurrence. Expectations for CQAM content and acceptable testing standards have been established through MPCA solid waste guidance documents and past project experience, so we believe this is a reasonable goal for this phase of the work.

Liner and cover systems for solid waste facilities must be evaluated with the Hydrologic Evaluation of Landfill Performance (HELP) computer simulation model. Since there are no performance standards for lime pond closure covers in the EIE, and since the ponds are not permitted as a solid waste facility, evaluation of the facility with the HELP model has not been included in this scope of work.

2.1 Conceptual design

A conceptual design for pond closure will be developed in partnership with City staff. Up to three site concept-level grading alternatives will be developed. The deliverables to describe the three alternatives will be limited to simple CAD-based figures, hand sketches, or descriptive text. One alternative will be brought forward to the remaining steps in this scope of work. The conceptual design will include minimal detailed content, but will establish closure grading design concepts that will be used to guide the remaining portions of the preliminary design. While an attempt will be made to bring the conceptual grading plan to a rough on-site material balance (plus or minus 20 percent), other project quantities and cost estimates will not be developed during this task. It is assumed for this task that excess excavation material can be spoiled on site and will not need to be hauled off site to limit the amount of analysis needed to arrive at an acceptable alternative.

2.2 Drawings for MPCA submittal

Preliminary drawings will be prepared to lay out design concepts, grading, final cover design, drainage design and other information for MPCA review and concurrence. It is assumed that eight (8) drawings will be needed for the submittal:

- Cover Sheet
- Existing Conditions
- Grading Plan
- Typical Sections (two drawings)
- Grading Details
- Drainage Details
- Cover Details

2.3 Preliminary technical specifications

Technical specifications will be prepared for the key components of the proposed construction. The MPCA will be interested in reviewing the specifications for grading, cover soil requirements, vegetation, permanent drainage and erosion controls, etc. It is assumed that four (4) technical specifications sections will be sufficient for MPCA review, including:

- Earthwork
- Vegetation
- Riprap/other erosion control materials

- Dewatering

2.4 Construction Quality Assurance Manual (CQAM)

A construction quality assurance/quality control (CQA/QC) plan will be prepared to identify the material tests, measurements and observations to be performed and the frequency at which each item will be performed to demonstrate that the construction meets the design requirements. The CQA/QC plan will be prepared to meet MPCA requirements for such plans, and will be presented in a Construction Quality Assurance Manual (CQAM) to be submitted to the MPCA for review and concurrence.

2.5 Water management plan

A component that will contribute to the success of the project is control of water before and during construction. A water management plan will be developed to dewater the lagoons prior to construction, and to minimize water impacts during construction. A plan will be developed with City and county input to divert water draining from the county road ditch away from the lime storage lagoons in 2016. A plan to pump or otherwise remove water from the ponds will be developed. The plan will also identify any water treatment that may be needed before it is discharged into the environment. It is assumed that existing treatment facilities that the City has used to treat discharge will continue to be used for this purpose.

2.6 Drainage plan

A key component to demonstrating appropriate closure of the lime ponds will be developing a drainage plan that results in efficient drainage of the cover areas, minimizes potential for erosion, and releases water off the site safely. It is anticipated that following closure surface water from the regraded ponds will drain to Dutch Creek. The preliminary design that is submitted to the MPCA will include information and drawing details to demonstrate that drainage and discharge of surface water will protect the final cover system and the environment.

Stormwater modeling or analysis will be conducted to develop a basis of design for drainage features to control erosion, ensure positive drainage, and to release runoff in a controlled manner. Hydrologic and hydraulic modeling will be done with HydroCAD, or similar software. Stormwater modeling work will be delayed if the MPCA has not approved the Phase II report, or if the City has not yet authorized start of the modeling, until such authorization to proceed has been given.

3.0 Facility Closure Plan/Design Basis Report

A facility closure plan will be prepared in the general form of a design basis report to describe the design process, assumptions used, and to present the results of the design in calculations, permit-level design drawings, technical specifications, and input and output for any computer modeling performed in developing the design. The document will be prepared in anticipation that it will be submitted to the MPCA for their review and concurrence. The sections that will be included in the

- Introduction and Background
- Environmental Impact Evaluation Requirements for Closure
- Site Civil Design
- Drainage Plan

- Geotechnical Evaluation (gathered in section 3.2)
- Water Management Plan
- Appendices:
 - Phase III Review Drawings
 - Phase III Review Technical Specifications
 - CQAM
 - Geotechnical Analysis
 - Hydrologic and Hydraulic Analysis

4.0 Preliminary construction cost estimate

The preliminary design will be used to develop an engineering opinion of probable project cost for the City's planning and budgeting purposes. Some design detail will be developed as part of preparing construction documents, so the estimate to be prepared under this scope of work would be classified as a Class 2 estimate, as described by the American Association of Cost Engineers (AACE) International. A Class 2 estimate for this project is expected to have a confidence range of -15 percent to +30 percent. The cost estimate will be prepared based on quantities obtained from the design, available bid prices from other projects of a similar size, nature, and within the same region, vendor and contractor quotes, or standard cost estimating methods, as appropriate.

5.0 Meetings, project management and administration

Two meetings are planned at the City: the first to review conditions at the lime pond site as design is getting underway, which would include reviewing the concept closure plans, and the second to review design documents with City personnel prior to completing the Closure Plan. The first site visit is planned early in the project to give project engineers an opportunity to see conditions at the site for consideration as the geotechnical investigation and civil design is started. This site visit will also provide an opportunity for the design team and City staff to discuss initial design concepts and future plans for the property with a focus on how the final site design can support those plans. It is expected that the engineer of record, project engineer, design engineer and project geotechnical engineer will attend this meeting.

The second meeting should be conducted before finalizing the MPCA submittal package to verify the proposed design with site conditions and to conduct a review of the design with City staff to verify that the City's goals are being supported. It is expected that the project manager, engineer of record, and project engineer will attend this meeting.

Periodic conference calls to provide updates on project and solicit feedback from City staff will be conducted throughout the project. It is anticipated that 10, one- to two-hour-long conference calls will be conducted.

Project management and administration activities will be conducted as necessary to coordinate and monitor project work.

Deliverables

Deliverables for this scope of work include:

1. Work plan for geotechnical investigation
2. Concept level design drawings; up to three layouts, one or two drawings each layout
3. Geotechnical evaluation report
4. Water management plan
5. Facility Closure Plan for MPCA submittal including:
 - a. Design basis report
 - b. Closure drawings
 - c. Technical specifications
 - d. CQAM
6. Construction cost estimate
7. Meeting minutes
8. Biweekly email updates

Assumptions

The scope of work included in this proposal is expected to culminate in a Facility Closure Plan submittal to the MPCA as part of the Phase III EIE requirements. While other tasks remain in the pond closure project, we recommend that such tasks be scoped after the MPCA has reviewed the Facility Closure Plan so that any changes that might result from their comments are incorporated into the final construction design.

Future tasks Barr will assist the City with after this scope of work include:

1. Preparing construction drawings
2. Preparing construction technical specifications
3. Preparing bidding documents
4. Conducting construction observation and quality control/quality assurance testing
5. Preparing a construction documentation report
6. Conducting administrative activities as required by the permit and MPCA guidance

Assumptions include:

- The current survey is adequate for preparing documents to submit to the MPCA. A topographic survey will be needed before construction drawings and designs are completed.
- Collecting geotechnical information will be much easier while the ground is frozen. The costs in this proposal assume that the field work for the geotechnical investigation will be completed before ground conditions around and in the ponds will no longer support the drill rig.
- The City will contract for drilling services directly with a qualified firm and Barr will provide field oversight and direction to the drilling contractor, and that the City will also directly contract with Soil Engineering Testing in Richfield, Minnesota, for laboratory testing.
- The City will provide a surveyor to locate and determine surface elevation for soil borings that are conducted as part of the geotechnical investigation.
- The City will provide information to support progress of the work in a timely manner. Information concerning water treatment requirements and existing water treatment equipment is an example of information we will need.

Project team

Barr proposes to utilize staff who have been involved in the design/construction and evaluation/monitoring of numerous similar material management facilities that are comparable to the City's lime pond. Staff for this project includes:

- **Brian LeMon, PE**, will be the principal in charge.
- **Michelle Stockness, PE**, will be the project contact and responsible for project management.
- **Bill Bangsund, PG**, will oversee hydrogeologic and environmental impact aspects.
- **Paul Swenson, PE**, will direct engineering during the assessment and be the engineer of record.
- **Kurt Schimpke, PE**, will lead the geotechnical evaluation and design.
- **Jim Berkas, PE**, will lead the civil design.
- **Stephanie Dar, Civil Specialist**, will assist with grading and drainage engineering and design.
- **Joe Hjerpe, Civil Specialist**, will provide civil design modeling and detailed engineering.

Other team members will be added to meet specialty technical needs or provide additional capacity as needed to keep the project on schedule.

Fee estimate

The tasks listed in this letter proposal will be performed on the basis of the estimated fee below.

For the services provided, you will pay us according to the attached Standard Terms. We will bill you on a time and materials basis, not to exceed the total fee listed below without prior approval from the City.

Task	Fee estimate
Phase III Environmental Impact Evaluation (EIE) Facility Closure Plan	
1. Geotechnical Investigation and Analysis	\$28,000
2. Preliminary Design	\$38,000
3. Facility Closure Plan/Design Basis Report	\$9,700
4. Cost Estimate	\$1,800
5. Meetings, Project Management & Administration	\$17,000
Total Estimated Fees	\$94,500
Contingencies (Approx 5%)	\$4,700
Total Estimated Fees w/ Contingencies	\$99,200

Costs for the drilling contractor, geotechnical testing laboratory, and surveyor are currently estimated to be in the \$20,000 to \$30,000 range. Firm costs can be determined after the geotechnical investigation

work plan has been developed and a driller has been contracted. Additional cost detail information is available on request.

Project schedule

The city submitted the EIE Phase I report on October 12, 2015 and the EIE Phase II report on January 26, 2016. The MPCA approved the Phase I report on January 3, 2016. The EIE Phase II report is currently under review by the MPCA.

While the City's NPDES permit establishes a Closure Plan submittal date of February 29, 2016, the MPCA has acknowledged that the process has not moved as quickly as the permit had anticipated, and that the City is making a good faith effort toward pond closure under the EIE process. In light of these considerations, it is important to move forward with a complete submittal as quickly as reasonable, but not in advance of appropriate MPCA review. The proposed schedule for EIE Phase III is provided below, with more detail on activities prior to submitting the Closure Plan to the MPCA. An updated schedule with more detail of closure design and construction activities will be provided once the MPCA issues its concurrence with the Closure Plan.

Task	Barr Schedule	NPDES schedule
Phase III Environmental Impact Evaluation (EIE)		
1. Geotechnical Investigation Field Work	March 31, 2016	
2. Conceptual Design	March 31, 2016	
3. Geotechnical Analysis and Preliminary Design	May 16, 2016	
4. Draft Facility Closure Plan/Design Basis Report	June 30, 2016	
5. Facility Closure Plan/Design Basis Report	July 15, 2016	February 29, 2016
6. Cost Estimate	June 30, 2016	
7. Construction Design & Bidding Documents*	January 31, 2017	
8. Construction Start*	June 1, 2017	
9. Construction Complete*	October 31, 2018	
10. Final Closure Complete*	May 2, 2019	May 2, 2019

*These are future work tasks are not included in this scope of work

Future tasks not addressed by this proposal

Work completed under prior authorizations combined with work to be performed if this proposal is approved will bring the EIE closure process to the point where a Closure Plan has been submitted to the MPCA. Work yet to be completed for approved closure of the lime ponds will include:

- responding to comments from the MPCA on the Closure Plan
- preparing plans and specifications and bidding documents for closure construction

- completing construction of the closure activities, primarily anticipated to include grading, soil cover placement, and drainage controls
- conducting construction observation and verification
- preparing and construction documentation report with certification of final closure

If you have any comments or questions, please contact Michelle Stockness at 952-832-2754 or Brian LeMon at 952-832-2774.

Enclosure: Standard Terms- Professional Services If the terms of this sub-agreement are acceptable to the City of Fairmont, please date and sign in the space provided below. Our standard contract terms are attached. This Agreement will be effective for the duration of the services unless earlier terminated by either you or us. We will commence work upon receipt of a copy of this letter signed by you. Please keep one copy for your records and return a copy to Barr Engineering Co.

BARR ENGINEERING CO.

By



Brian K. LeMon

Its Vice President

Accepted this _____ day of _____, 2016

CITY OF FAIRMONT

By _____

Its _____



STANDARD TERMS—PROFESSIONAL SERVICES

Our Agreement with you consists of the accompanying letter or other authorization, Work Orders, and these Standard Terms – Professional Services.

Section 1: Our Responsibilities

- 1.1 We will provide the professional services ("Services") described in this Agreement. We will use that degree of care and skill ordinarily exercised under similar circumstances by reputable members of our profession practicing in the same locality.
- 1.2 We will select the means, methods, techniques, sequences, or procedures used in providing our Services. If you direct us to deviate from our selections, you agree to hold us harmless from claims, damages, and expenses arising out of your direction.
- 1.3 We will acquire all licenses applicable to our Services and we will comply with applicable law.
- 1.4 Our duties do not include supervising your contractors or commenting on, supervising, or providing the means and methods of their work unless we accept any such duty in writing. We will not be responsible for the failure of your contractors to perform in accordance with their undertakings.
- 1.5 We will provide a health and safety program for our employees, but we will not be responsible for contractor, job, or site health or safety unless we accept that duty in writing.
- 1.6 Estimates of our fees or other project costs will be based on information available to us and on our experience and knowledge. Such estimates are an exercise of our professional judgment and are not guaranteed or warranted. Actual costs may vary. You should add a contingency.
- 1.7 The information you provide to us will be maintained in confidence except as required by law.

Section 2: Your Responsibilities

- 2.1 You will provide access to property as required.
- 2.2 You will provide us with prior reports, specifications, plans, changes in plans, and information about the project which may affect the delivery of our Services. You will hold us harmless from claims, damages, and related expenses, including reasonable attorneys' fees, involving information not timely called to our attention or not correctly shown on documents you furnished to us.
- 2.3 You agree to provide us with emergency procedure information and information on contamination and dangerous or hazardous substances or processes we may encounter in performing the Services.
- 2.4 You agree to hold us harmless as to any claim that we are an owner, operator, generator, transporter, treater, storer, or a disposal facility within the meaning of any law governing the handling, treatment, storage, or disposal of dangerous or hazardous materials.
- 2.5 Site remediation services may involve risk of contamination of previously uncontaminated air, soil, or

water. If you are requesting that we provide services that include this risk, you agree to hold us harmless from such contamination claims, damages, and expenses, including reasonable attorneys' fees, unless the loss is caused by our negligence.

- 2.6 You agree to make disclosures required by law. If we are required by law or legal process to make such disclosures, you agree to hold us harmless and indemnify us from related claims and costs, including reasonable attorneys' fees.

Section 3: Reports and Records

- 3.1 We will retain analytical data relating to the Services for seven years and financial data for three years.
- 3.2 Monitoring wells are your property and you are responsible for their permitting, maintenance and abandonment unless we accept that duty in writing. Samples remaining after tests are conducted and field and laboratory equipment that cannot be adequately cleansed of contaminants are your property. They will be discarded or returned to you, at our discretion, unless within 15 days of the report date you give written direction to store or transfer the materials at your expense.
- 3.3 Our reports, notes, calculations, and other documents, and our computer software and data are instruments of our Services, and they remain our property, subject to a license to you for your use in the related project for the purposes disclosed to us. You may not use or transfer our reports to others for a purpose for which they were not prepared without our written approval. You agree to indemnify and hold us harmless from claims, damages, and expenses, including reasonable attorneys' fees, arising out of any unauthorized transfer or use.
- 3.4 Because electronic documents may be modified intentionally or inadvertently, you agree that we will not be liable for damages resulting from change in an electronic document occurring after we transmit it to you. In case of any difference or ambiguity between an electronic and a paper document, the paper document shall govern. When accepting document transfer in electronic media format, you accept exclusive risk relating to long-term capability, usability, or readability of documents, software application packages, operating systems, and computer hardware.
- 3.5 If you do not pay for the Services in full as agreed, we may retain reports and work not yet delivered to you and you agree to return to us our reports and other work in your possession or under your control. You agree not to use or rely upon our work for any purpose until it is paid for in full.

Section 4: Compensation

- 4.1 You will pay for the Services as agreed upon or according to our then current fee schedules if there is no other written agreement as to price. An estimated cost is

not a firm figure unless stated as such and you should allow for a contingency in addition to estimated costs.

- 4.2 You agree to notify us of billing disputes within 15 days and to pay undisputed portions of invoices within 30 days of invoice date. For balances not paid under these terms, you agree to pay interest on unpaid balances beginning 10 days after invoice date at the rate of 1.5% per month, but not to exceed the maximum rate allowed by law.
- 4.3 If you direct us to invoice another, we will do so, but you agree to be responsible for our compensation unless you provide us with that person's written acceptance of the terms of our Agreement and we agree to extend credit to that person.
- 4.4 You agree to compensate us in accordance with our fee schedule if we are asked or required to respond to legal process arising out of a proceeding to which we are not a party.
- 4.5 If we are delayed by factors beyond our control, or if the project conditions or the scope of work change, or if the standards change, we will receive an equitable adjustment of our compensation.
- 4.6 In consideration of our providing insurance to cover claims made by you, you hereby waive any right of offset as to payment otherwise due us.

Section 5: Disputes, Damage, and Risk Allocation

- 5.1 Each of us will exercise good faith efforts to resolve disputes without litigation. Such efforts will include a meeting attended by each party's representative empowered to resolve the dispute. Disputes (except collections) will be submitted to mediation as a condition precedent to litigation.
- 5.2 We will not be liable for special, incidental, consequential, or punitive damages, including but not limited to those arising from delay, loss of use, loss of profits or revenue, loss of financing commitments or fees, or the cost of capital. Each of us waives against the other and its subcontractors, agents, and employees all rights to recover for losses covered by our respective property/casualty or auto insurance policies.
- 5.3 We will not be liable for damages unless you have notified us of your claim within 30 days of the date of your discovery of it and unless you have given us an opportunity to investigate and to recommend ways of mitigating damages, and unless suit is commenced within two years of the earlier of the date of injury or loss and the date of completion of the Services.
- 5.4 For you to obtain the benefit of a fee which includes a reasonable allowance for risks, you agree that our aggregate liability will not exceed the fee paid for our services or \$50,000, whichever is greater, and you agree to indemnify us from all liability to others in excess of that amount. If you are unwilling to accept this allocation of risk, we will increase our aggregate liability to \$100,000 provided that, within 10 days of the date of our Agreement, you provide payment in an amount that will increase our fees by 10%, but not less than \$500, to compensate us for the greater risk undertaken. This

increased fee is not the purchase of insurance.

- 5.5 If you fail to pay us within 60 days following invoice date, we may consider the default a total breach of our Agreement and, at our option, we may terminate all of our duties without liability to you or to others.
- 5.6 If we are involved in legal action to collect our compensation, you agree to pay our collection expenses, including reasonable attorneys' fees.
- 5.7 The law of the state in which the project site is located will govern all disputes. Each of us waives trial by jury. No employee acting within the scope of employment shall have any individual liability for his or her acts or omissions and you agree not to make any claim against individual employees.

Section 6: Indemnification

- 6.1 Each of us will indemnify and hold harmless the other from and against demands, damages, and expenses to the comparative extent they are caused by the negligent acts, omissions, or breach of contract of the indemnifying party or of those others for whom the indemnifying party is legally responsible.
- 6.2 To the extent that may be necessary to indemnify either of us under Section 6.1, you and we expressly waive, in favor of the other only, any immunity or exemption from liability that exists under any worker compensation law.

Section 7: Miscellaneous Provisions

- 7.1 We will provide a certificate of insurance to you upon request. Any claim as an Additional Insured shall be limited to losses caused by our sole negligence.
- 7.2 This Agreement is our entire agreement, and it supersedes prior agreements. Only a writing signed by both of us making specific reference to the provision modified may modify it.
- 7.3 Neither of us will assign this Agreement without the written approval of the other. No other person has any rights under this Agreement.
- 7.4 A writing may terminate this Agreement. We will receive an equitable adjustment of our compensation if our work is terminated prior to completion as well as our fees and expenses on the basis agreed upon through the effective date of termination.
- 7.5 We will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, religion, age, genetic information, marital status, sexual orientation, gender identity, familial status, disability, status with regard to public assistance, membership or activity in a local human-rights commission, or status as a protected veteran. We will take affirmative action to ensure that applicants are considered, and employees are treated during their employment, without regard to those factors. Our actions will include, but are not limited to notifications, hiring, promotion or employment upgrading, demotion, transfer, recruitment or recruitment advertising, layoffs or terminations, rates of pay and other forms of compensation, and selection for training or apprenticeship. *End of Standard Terms*

MEETING DATE: March 14, 2016

SUBJECT: Deterra Bag-Prescription Pill Take Back Program

REVIEWED BY: Mike Humpal, CEcD, City Administrator 

SUBJECT INITIATION BY:

<input type="checkbox"/>	Petition	<input type="checkbox"/>	Board	<input checked="" type="checkbox"/>	Staff	<input type="checkbox"/>	Council	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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SUBJECT BACKGROUND: Greg Brolsma, Chief of Police

INTRODUCED BY: Mike Humpal, CEcD, City Administrator

COUNCIL LIAISON:

TYPE OF ACTION:

<input type="checkbox"/>	Motion (Voice Vote)	<input type="checkbox"/>	Resolution (Roll Call)	<input type="checkbox"/>	Discussion
<input type="checkbox"/>	Ordinance 1 st Reading (Introduction only)	<input type="checkbox"/>	Set Public Hearing (Motion)	<input checked="" type="checkbox"/>	Information Only
<input type="checkbox"/>	Ordinance 2 nd Reading (Roll call)	<input type="checkbox"/>	Hold Public Hearing (Motion to close)	<input type="checkbox"/>	

RECOMMENED ACTION BY:

<input type="checkbox"/>	City Staff	<input type="checkbox"/>	Board	<input type="checkbox"/>	Commission	<input type="checkbox"/>	Committee
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<input type="checkbox"/>	Issuance	<input type="checkbox"/>	Approval	<input type="checkbox"/>	Authorization	<input type="checkbox"/>	No recommendation
<input type="checkbox"/>	Denial	<input type="checkbox"/>	Rejection	<input type="checkbox"/>	No action needed	<input type="checkbox"/>	

STATEMENT: Chief Brolsma and Joel Moore, RPh, PHD, Pharmacy Director at Mayor Clinic in Fairmont will present information about the “Deterra Bag-Prescription Pill Take Back” program and partnership between Mayo Clinic and law enforcement in Martin County.

MOTION:

VOTE REQUIRED: N/A

ATTACHMENTS:

1. Mayo Clinic Health Systems News Release
2. Verde Technologies Information
3. Star Tribune Article

Council Action: _____ Date: _____

News Release

Feb. 1, 2016

For Immediate Release

Mayo Clinic Health System, Martin County law enforcement partner to address drug problems
New drug deactivation system will allow patients to easily and safely dispose of prescription drugs

FAIRMONT, Minn. — Mayo Clinic Health System and numerous Martin County law enforcement agencies have partnered to distribute free drug deactivation pouches throughout area communities to offer a more convenient, safer and environmentally friendly method for disposing unused prescription drugs properly. The mechanism is 99 percent effective in rendering narcotics, antibiotics and transdermal patches disabled.

Starting in February, Mayo Clinic Health System patients in Fairmont, Sherburn, Trimont and Truman will receive a drug deactivation pouch at the time of their medication pickup. Martin County law enforcement agencies will deliver the pouches to certain community groups and citizens as well.

The drug deactivation system uses a molecular absorption technology to neutralize active chemicals in prescription drugs when water is added. A small pouch can deactivate up to 15 pills, two ounces of liquid or two patches. In addition, the packaging is biodegradable and safe for landfills.

“Medication abuse is a serious concern all throughout the United States, and Fairmont isn’t immune,” says Perry Sweeten, Pharm.D., Mayo Clinic Health System regional director of Pharmacy. “Through this collaborative effort with law enforcement, we’re offering an efficient, effective way to reduce the improper use of controlled substances and simplify disposal.”

Per federal regulations, Mayo Clinic Health System isn’t allowed to take back controlled substance prescription medications. As abuse of medications not prescribed to the offending person is rising, safe disposal reduces access to these drugs with the intent to misuse.

Fairmont Police Chief Greg Broolsma, says “Prescription pill misuse and addiction is one of several substance problems that negatively impact our youth, adults and community. The most recent MN Student Survey of Martin County youth shows misuse of pharmaceuticals to be almost twice as high as the MN state average. Disposing leftover pills is one of several important strategies to combat that problem, so law enforcement officials in Martin County appreciate working with community partners to reduce the pills available for misuse. We encourage citizens to take advantage of this effort or the “Take it to the Box” disposal

Fairmont
800 Medical Center Drive
Fairmont, MN 56031
mayoclinichealthsystem.org

Contact:

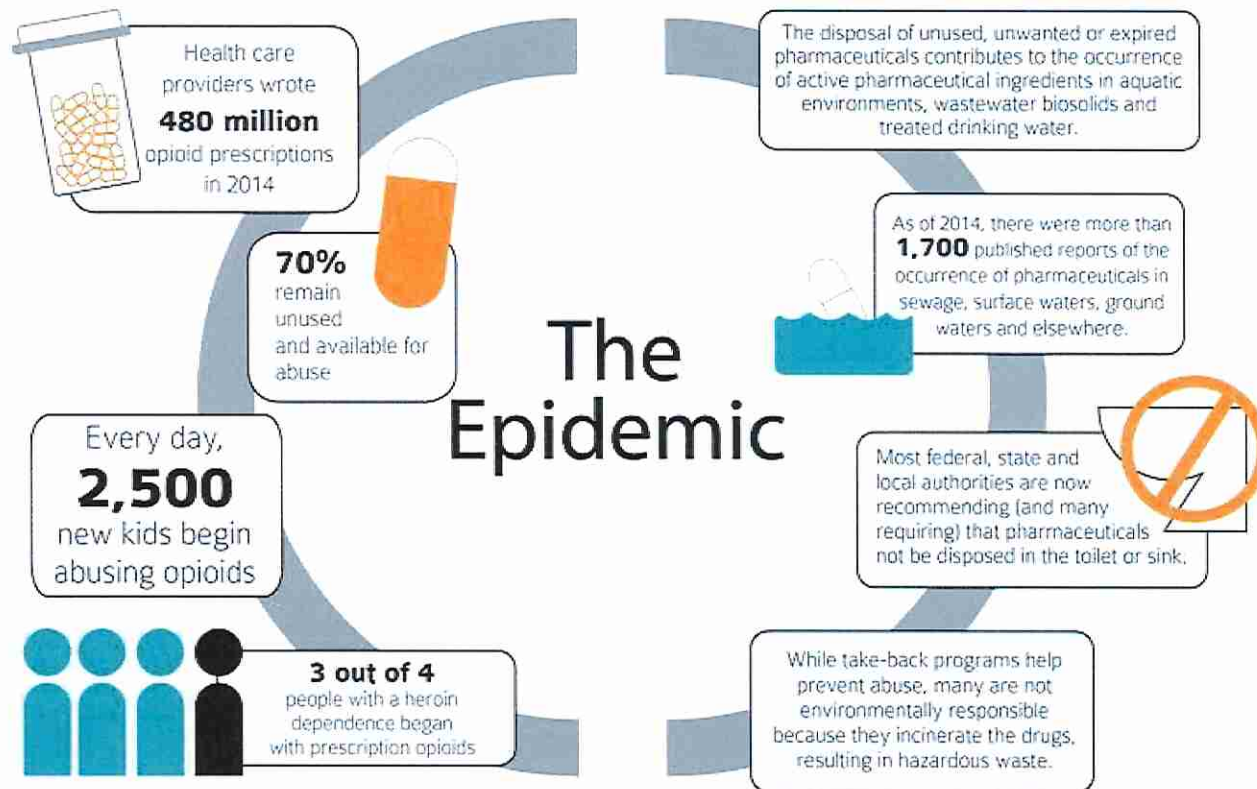
Micah Dorfner
507-304-7178
dorfner.micah@mayo.edu

bin in the lobby of the Law Enforcement Center in Fairmont. Your cooperation makes it safer for your loved ones and the entire community.”

The Mayo Clinic Health System in Fairmont Foundation funded the purchase of the drug deactivation pouches.

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Mayo Clinic Health System consists of clinics, hospitals and other health care facilities that serve the health care needs of people in more than 60 communities in Georgia, Iowa, Minnesota and Wisconsin. The community-based providers, paired with the resources and expertise of Mayo Clinic, enable patients in the region to receive the highest-quality health care close to home.



0:12:00

Partnerships



"We all play an important role in ensuring responsible use of pain medication, by working together, we can help prevent unused medications from ending up in the wrong hands."

-Mario Saltarelli
M.D., PhD.,
Chief Science Officer



"..abuse of prescription drugs in the United States affects everyone who participates in the country's health care system. From doctors, nurses and pharmacists to patients to health insurance companies and the federal government.

-OptumRx
Annual Report 2014



"Having a product like Deterra that we can provide to our community is important in battling prescription drug abuse."

-Rob Reynolds
Chief of Police, Eden Prairie, MN
President, Minnesota Chiefs of Police



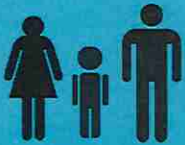
" We're very excited that this system is the solution we've been waiting for!"

- Mayo Clinic



<http://www.ksdk.com/story/news/health/2015/05/06/deterra-keeping-kids-heroin/70910686/>

Verde's largest customer-base is with advocacy programs, across the country.



0:12:00

Reasons for using Rx Pain Relievers:



Easy to get from parents' medicine cabinet **62%**

Are available everywhere **52%**

They are not illegal **51%**

Easy to get through others' prescriptions **50%**



They are cheap 43%

They are safer than illegal drugs 35%

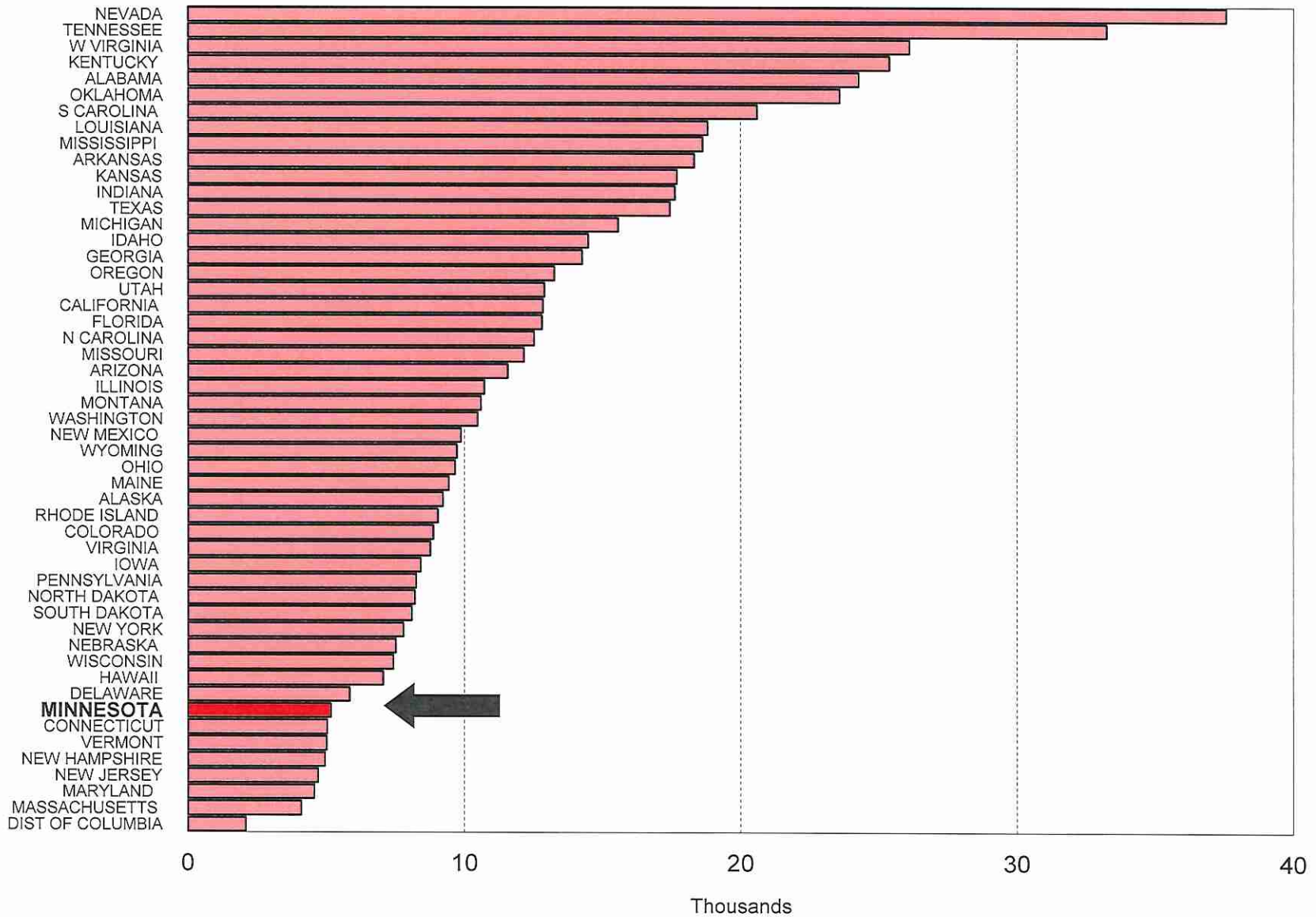
Less shame attached to using 33%

Easy to purchase over the Internet 32%

SOURCE: Partnership Attitude Tracking Survey (PATs), Partnership for a Drug-Free America.
N= 7,218 adolescents in grades 7 – 12, Spring 2005.



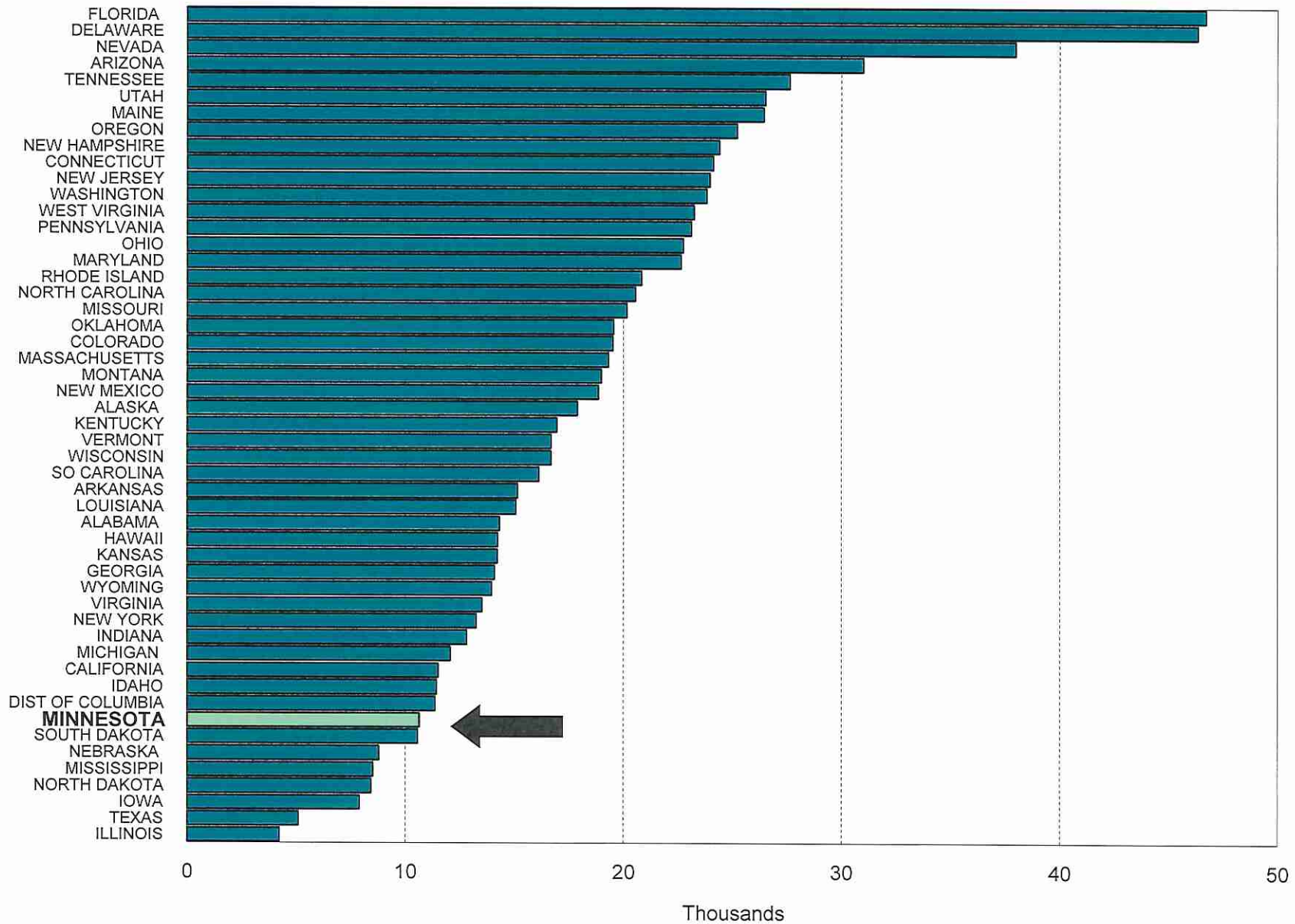
HYDROCODONE - Cumulative distribution by state in grams per 100,000 population - 2008



SOURCE: US Department of Justice, Drug Enforcement Administration, Office of Diversion Control, ARCOS, run 7/9/2009. Reporting period: 1/1/2008 - 12/31/2008



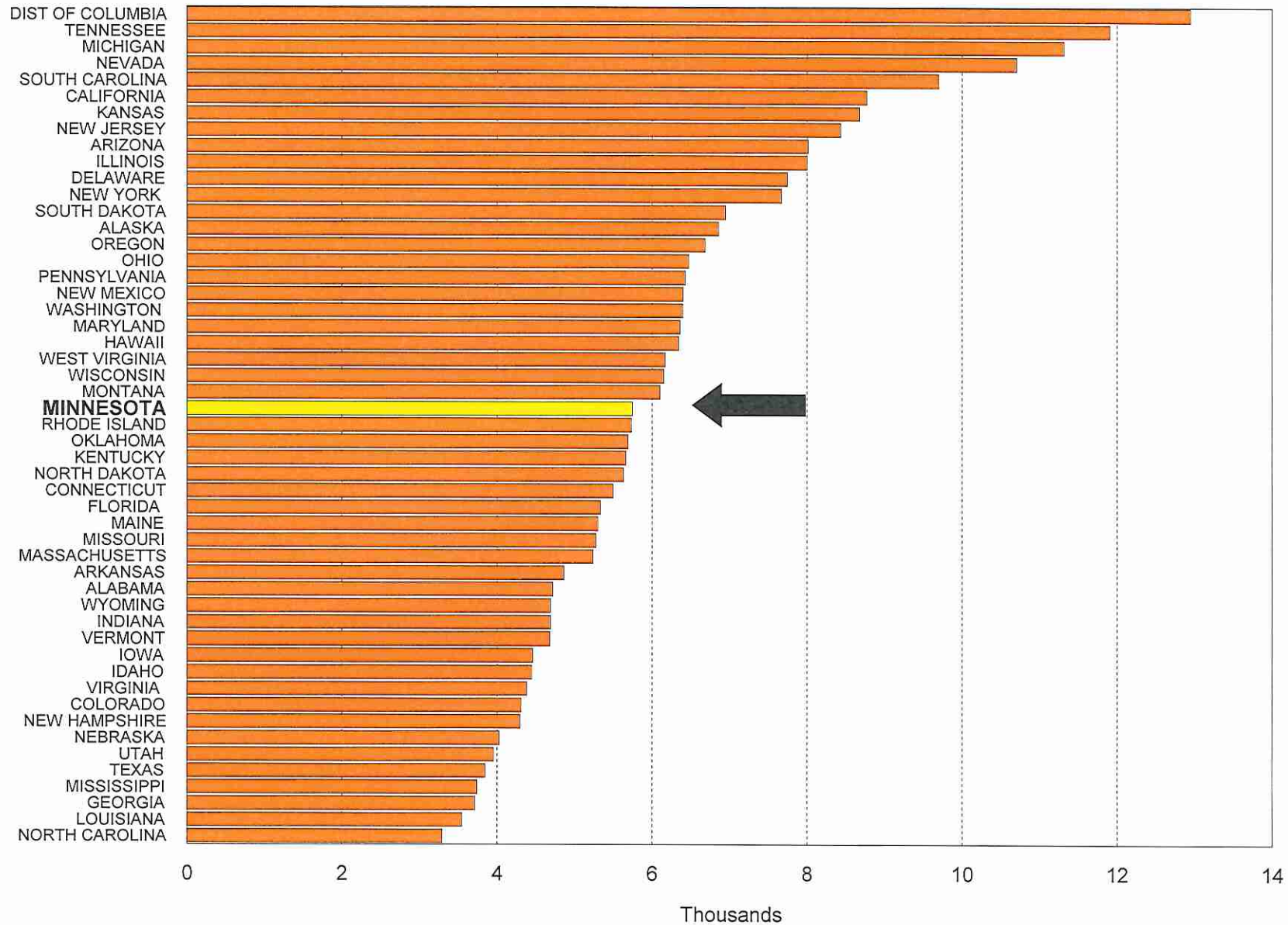
OXYCODONE - Cumulative distribution by state in grams per 100,000 population - 2008



SOURCE: US Department of Justice, Drug Enforcement Administration, Office of Diversion Control, ARCOS, run 7/9/2009. Reporting period: 1/1/2008 - 12/31/2008



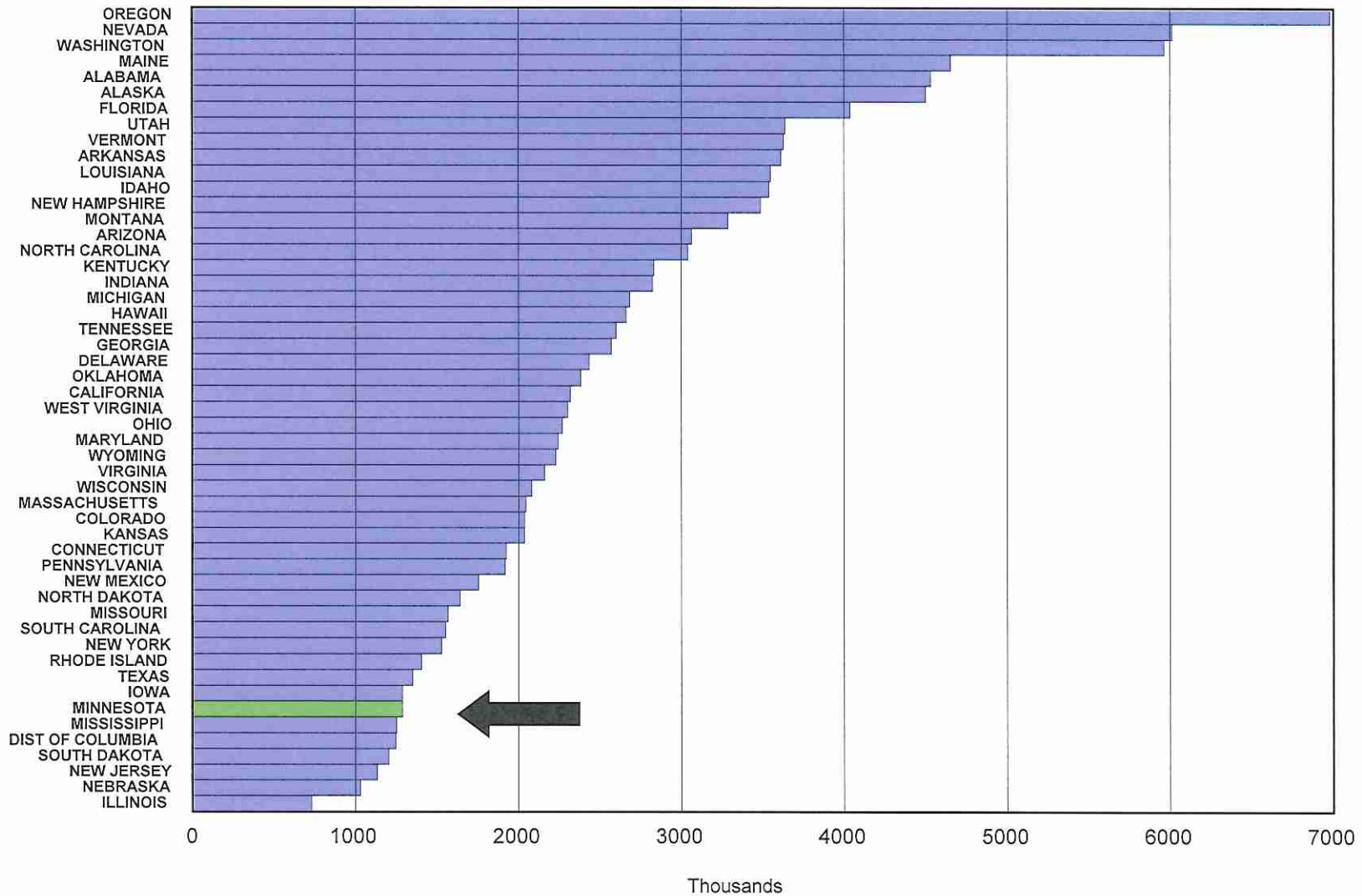
CODEINE - Cumulative distribution by state in grams per 100,000 population - 2008



SOURCE: US Department of Justice, Drug Enforcement Administration, Office of Diversion Control, ARCOS, run 7/9/2009. Reporting period: 1/1/2008 - 12/31/2008



METHADONE - Cumulative distribution by state in grams per 100,000 population - 2008



SOURCE: US Department of Justice, Drug Enforcement Administration, Office of Diversion Control, ARCOS, run 7/9/2009. Reporting period 1/1/2008 - 12/31/2008. Excludes Narcotic treatment programs (NTPS).

LOCAL

Opioid overuse kills more Minnesotans than homicide

The runaway use and abuse of prescription opioid painkillers such as oxycodone and hydrocodone has emerged as a public health threat in Minnesota.

By Jeremy Olson (<http://www.startribune.com/jeremy-olson/101258184/>) Star Tribune

NOVEMBER 28, 2015 — 8:07PM

David Taylor, 47, had crushing leg pain from a degenerative knee condition. Michael McAlpin, 37, struggled with a bad back and the stress of losing a million-dollar business. Debbie Thomas, 60, just wanted to garden and work again after a head-on car collision.

The trio of Minnesotans had no common ties save one: When they died last year, it wasn't from the physical or mental disorders that hijacked their lives. It was from the medication that was supposed to take their pain away.

The runaway use and abuse of prescription opioid painkillers such as oxycodone and hydrocodone has emerged as a public health threat in Minnesota. They now cause more deaths each year than homicides, according to a Star Tribune review of state death records.

Combined with other prescription-related deaths, they also account for more fatalities than car wrecks. Deaths from prescription and illegal opioids such as heroin have risen nearly sixfold since 2000, reaching 317 last year, state records show.

That sharp increase precisely tracks the rise in opioid prescriptions — caused by pharmaceutical company promotions, patient demands for quick fixes, and doctors who unknowingly hooked their patients on addictive drugs by providing excessive quantities for minor pains or procedures, said Dr. Chris Johnson, an ER physician who worked the last 12 years at Methodist Hospital in St. Louis Park.

"What has been the consequence?" Johnson said. "Well, we're dying."

David Taylor had been taking painkillers since 2005 and tried to wean himself for good last fall, when he gave a pill bottle to his father for safekeeping and took a week off from his IT job. A week later, his sister found him motionless in front of his TV at home in St. Peter. His father found a fresh bottle of 120 oxycodone pills that had been prescribed by a new doctor.

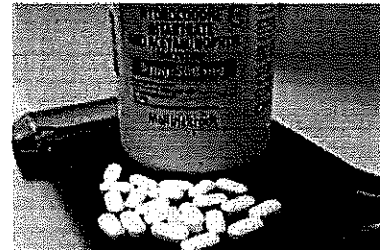
The death was an accidental overdose. Counting pills left in the new bottle, his father concluded that Taylor had taken 13 pills a day.

"All I know is he knew that he had to quit taking these things when he gave me his prescription," said his father, Roger Taylor, of Nicollet. "At least for a while, he tried."

Now state health officials are pushing back. They are trying to expand the use of an online monitoring program that informs doctors and dentists if addicted patients are shopping around for painkillers. And last week, the state gathered experts to create a program that will identify and retrain doctors who prescribe the pills too liberally — or boot them from the state Medicaid program if they don't change their ways.

Sharp rise in deaths

Johnson said the preoccupation with pain pills accelerated in 1995, when the American Pain Society made pain the "fifth vital sign," akin to blood pressure. Oversight groups such as the Joint Commission then required medical clinics to routinely assess patients' pain levels, to display 10-point pain rating scales in exam rooms and to check patients' pain levels. That pushed doctors to treat pain in and of itself, Johnson said, and they could do little more in brief office visits than write prescriptions.



(<http://stmedia.startribune.com/images/1/painkiller102513.jp>)
TOBY TALBOT, ASSOCIATED PRESS FILE

Hydrocodone bitartrate and acetaminophen pills, also known as Vicodin.

Some of the doctors behind the vital sign decision received financial support from drug manufacturers, and promoted junk science suggesting opioids were safe and caused addiction in less than 1 percent of patients, Johnson said. Meanwhile, drug companies pumped millions into marketing and coupons for free first prescriptions.

"Tell me that doesn't sound like the guy hanging around the high school," Johnson said.

Regardless of intent, the numbers alarm doctors. The United States represents just 5 percent of the world population but consumes 80 percent of the prescription opioids.

In Minnesota, records show 212 deaths linked to prescription opioids last year, up from 23 in 2000. Deaths from heroin overdoses also increased, from two in 2000 to 98 last year, which isn't surprising considering that most heroin addicts start out abusing prescription pills.

The cost of opioid abuse also is reflected in deaths from methadone, an addictive pain reliever used as a replacement therapy for opioid addicts. Methadone-related deaths increased from five in 2000 to 79 last year.

None of those figures includes ancillary victims, such as the two Carlton County road workers killed in 2012 when a woman who had injected an oral dose of methadone drove her car into their truck.

Johnson, who is part of the state's new opioid prescribing work group, asserts that "all opiates are heroin" because legal and illegal versions are chemically similar. Opioids block receptors in the brain that transmit pain signals to injured parts of the body, and stimulate "reward" signals in the brain via the release of dopamine. They also slow the portion of the brain responsible for breathing — and when taken to excess cause respiratory failure.

National spike

In the case of Michael McAlpin, he'd built up a \$5 million per year storm repair company before his troubles began. Complaining frequently of back pain, he started taking more medications. Along the way his business and marriage failed and he isolated himself from friends and family. Now his parents have little doubt that he was addicted to opioids that had proved far too easy to obtain. McAlpin died from a combination of two opioids along with an anti-anxiety medication.

"If one was good, he would think two would be better — I'll get better faster," said his father, William McAlpin. "And on it went from there."

McAlpin's case is a snapshot of a greater trend. Last month, Princeton economists found a surprising increase from 1999 to 2013 in the U.S. death rate of white, middle-aged Americans, and cited opioid overdoses as a principal cause. Their findings challenged misconceptions that opioid and heroin abuse was a problem confined to minority or low-income populations.

A Star Tribune review of state records for 132 people, whose deaths in 2013 and 2014 were caused by prescription opioids, found similar results. Nine in 10 victims were white, and 114 had jobs (ranging from psychologist to DJ to gemologist) or were students. The average age was 45, though five deaths were among teenagers, including an 18-year-old who received oxycodone following a dental procedure.

Of those deaths, 21 were suicides — though doctors say the line between a suicide and an overdose to make pain go away can be thin.

Thomas, the Buffalo woman injured in a car crash, was taking 14 different medications for pain control when she was found dead in her home in June 2014. She had grown discouraged by her lack of mobility, and her husband clashed with her over her reliance on the medications. The husband, Paul Thomas, believes she got confused.

"She had a tendency of forgetting that she took her medication. If I were taking the amount of stuff she was taking, I would forget too," he said. "She was home alone and she took too much of the morphine sulfate."

Necessary pain?

Little research endorses prescription opioids for chronic pain — discomfort that lasts beyond the immediate stage of healing from an injury or surgery. Opioids will help only a small share of people with chronic migraines, at best reducing their pain by 30 percent, despite being commonly prescribed for that purpose, said Dr. Alfred Clavel, a neurologist and pain management specialist for the HealthPartners system.

"If people are solely focused on a pill for solving a complex problem," he said, "it is really setting them up for failure."

Therapy should focus on managing pain so patients can work on recovery, rather than eliminating pain itself, said Dr. Jeffrey Schiff, medical director of Minnesota's Medicaid programs and the leader of the state's opioid work group. "From a medical point of view, pain is necessary for life. You need to know a burner [on a stove] hurts so you don't keep your hand on it," Schiff said. "How we deal with the suffering associated with pain is really something we need to rethink."

Minnesota leaders are hopeful additional monitoring of patients and doctors will help. Nearly 10,000 prescribers (including doctors and dentists) are now registered with the state's monitoring program, meaning they can instantly check on patients who might be acquiring opioid prescriptions from multiple locations. Some lawmakers will seek next year to make registration mandatory. The Minnesota Board of Pharmacy also has received funding to search the system for patients who appear to be "doctor shopping," and has sent letters to doctors about 212 suspect patients.

"After we sent out letters, 80 to 90 percent of them did not show up again in the system as being doctor shoppers," said Cody Wiberg, executive director of the pharmacy board. "We hope doctors aren't just saying 'Get out of my office and don't come back!' We hope ... they are referring their patients to whatever treatment is needed."

Some doctors worry the fervor to reduce opioid prescriptions will go too far. While alternatives are needed, it remains possible, though unproven, that opioids work for chronic pain, said Dr. Lynn Webster, a Utah physician who has written a book on chronic pain.

Inattentive doctors might be as much to blame as drugs themselves, he said. "It's not so much the drug. It's our health care system that traps them in a downward spiral that too often ends in death."

HealthPartners has launched an alternative pain clinic in Anoka County, where a spike in heroin deaths drew attention to the state's opioid problems. The clinic gives patients medical care but also physical therapy and oversight by a psychologist and an addiction specialist. The clinic also emphasizes patient self-help through diet and exercise, and Clavel said in its first four months it has helped 10 patients wean themselves off opioids.

Patients need to cope with pain as part of their recovery, and excessive pain relievers make that challenging, Clavel said.

"People who are on high-dose opiates can't do any of that because they are disconnected from it all ... and we say we are treating their suffering."

jeremy.olson@startribune.com