

Greenwood City Council Meeting

Tuesday, October 6, 2009

Council Chambers 20225 Cottagewood Road Deephaven MN 55331 3952-474-6633

AGENDA

Welcome to the Greenwood City Council meeting. We are glad you are here! Members of the public are invited to address the Council regarding any item on the agenda. If your topic is not on the agenda, you may speak during Matters from the Floor. See the back of this page for Public Comment Guideline. And as a friendly reminder, please turn off your cell phones.

- 7:00 PM 1. Call to Order – Roll Call – Approve Agenda
- 7:00 PM 2. Approve Consent Agenda
- A. *Recommendation:* Approve 9-1-09 Council Minutes
 - B. *Recommendation:* Approve 9-17-09 Special Council Minutes
 - C. *Recommendation:* Approve August treasurer's report
 - D. *Recommendation:* Approve September payables **\$72,902.97**
- 7:05 PM 3. Matters from the Floor
- This is an opportunity for the public to address the Council regarding matters not on the agenda. The Council will not engage in discussion or take action on items presented at this time. However, the Council may ask for clarification and may include items on a future agenda. Comments are limited to three minutes. (see back for Public Comments Guidelines.)*
- 7:10 PM 4. Announcements, Presentations and Staff Reports
- A. Announcement: New recycling contract begins October 1, - same provider as before (Vintage Waste)
 - B. Announcement: Southshore Center Octoberfest Open House: 6-9pm, October 9
 - C. Announcement: Cub Food Dash for ICA Food Shelf, 10 am, October 13, Cub Foods at Hwys. 7 & 41
- 7:15 PM 5. Public Hearings
- A. 2010 Budget/Levy
 - B. Assessment of delinquent sewer/recycling charges
Recommendation: Approve Resolution #18-09
- 7:20 PM 6. Unfinished Business
- A. Second reading: Ordinance #174 amendment to the liquor code section 820.15 to add a food/liquor sales ratio requirement
 - B. Second reading: Ordinance #175 amending Chapter 12 Penalties, Separability, Name and Citation of Code and/or Definitions
 - C. Consider: Load limit fees on building permit application
- 7:40 PM 7. New Business
- A. Consider: Establishing an agreement with Minnetonka for administrative hearings
 - B. 1st Reading: Ordinance #176 updating Section 510 Licenses, Permits and Fees and other fee-related sections of the code
 - C. Consider: 2010 Lake Minnetonka Communications Commission budget
 - D. Consider: Waiver form of Monetary Limits on Tort Liability
 - E. 1st Reading: Ordinance #177 adding new Section 515 Civil Fines & Fees and updating related sections of the code
 - F. Consider: Resolution #19-09 Establishing an Administrative Civil Citation & Hearing Process
- 8:10 PM 8. Other Business
- None
- 8:10 PM 9. Council Reports
- A. Kind: Computer back-up, Police, Met Council
 - B. Fletcher: Planning Commission, Street Sweeping, Milfoil
 - C. Page: Lake Minnetonka Conservation District
- 8:25 PM 10. Adjournment

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 - B. Fletcher: Planning Commission, Street Sweeping, Milfoil
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GREENWOOD CITY COUNCIL MEETING
Tuesday, September 1, 2009 7:00 p.m.
Council Chambers 20225 Cottagewood Road Deephaven MN 55331

1. CALL TO ORDER- ROLL CALL - APPROVAL OF AGENDA

Mayor Kind called the meeting to order at 7:00 p.m.

Members present: Mayor Kind, Councilmembers Page, Rose, Fletcher and Quam

Others present: City Administrator Whipple, City Attorney Kelly, and Recording Secretary Link

Councilmember Page moved to approve the meeting agenda. Councilmember Fletcher seconded the motion. Motion carried unanimously.

2. APPROVE CONSENT AGENDA

Councilmember Fletcher moved to approve the following Consent items with the Treasurer's Report being moved to Item 8B for discussion.

- A. Recommendation: Approve 8-4-09 Assessor meeting minutes
- B. Recommendation: Approve 8-6-09 budget worksession minutes
- C. Recommendation: Approve 8-6-09 Council meeting minutes
- E. Recommendation: Approve August payables \$34,685.18

Councilmember Quam seconded the motion. Motion approved unanimously.

3. MATTERS FROM THE FLOOR

- A. **Kristi Anderson, Southshore Community Center** - Anderson introduced herself as the new director of the Southshore Community Center. She discussed improvements underway on the interior and programming plans. A re-grand opening will be held on October 9.

4. ANNOUNCEMENTS, PRESENTATIONS & STAFF REPORTS

A. Announcement: Beautiful Boulevards Award Winners

Mayor Kind announced the winners of the Beautiful Boulevards awards for 2009. She asked that if anyone knows who maintains the landscaping around the Greenwood sign near Deephaven to call city hall.

B. Announcement: League of Women Voter's Mayors' Forum "Lively Issues" 7:00 p.m., September 10, 2009, Shorewood City Hall

Mayor Kind announced a League of Women Voters' sponsored forum for the South Lake area mayors.

C. Dick Osgood/Rob Roy - Milfoil Presentation

Dick Osgood representing the Lake Minnetonka Association, discussed the results of milfoil treatments in the bays in Greenwood. He highlighted the next steps that should be taken noting that no specific proposal is being presented this evening.

Councilmember Page asked if the milfoil in Gray's Bay is completely gone. Osgood stated there is milfoil, but on an operational standpoint, it is gone.

Rob Roy 21270 Excelsior Blvd. Greenwood, MN discussed fundraising efforts for the future.

5. **PUBLIC HEARINGS**

A. **Public Hearing Regarding an Amendment to the Liquor Code Section 820.15 to add a Food/Liquor Sales Ratio Requirement**

Councilmember Page moved to open the public hearing for an amendment to the liquor code Section 820.15. Quam seconded the motion. Motion carried. Mayor Kind opened the floor for public comments. There were none.

Councilmember Page moved to close the public hearing. Rose seconded the motion. Motion carried unanimously.

6. **UNFINISHED BUSINESS**

A. **Remove from table: Variance Request, William Brand, 21290 Excelsior Blvd.**

Councilmember Quam moved to reopen the public hearing. Fletcher seconded the motion. Motion carried unanimously.

Kind noted this item was continued to tonight's meeting to allow staff time to research hardcover issues. She read the definition of hardcover. **Rick Storlien, architect** discussed hardcover changes made since the last meeting. He stated they had been under the assumption that landscaped areas were not hardcover. He noted the hardcover would be reduced to 39.46%.

William Brand, 21290 Excelsior Blvd. stated the variance is needed, because he has to back down the driveway. They propose to add a

turnaround for safety reasons.

Rob Roy stated he supported this request because of the existing hazard. Mayor Kind moved to adopt Resolution #09-16 with the condition that the lower garage on Excelsior Blvd. be removed for a hardcover percentage of approximately 37.44%. Councilmember Rose seconded the motion. Quam stated he is not in favor of forcing them to remove the lower garage. Kind stated her concern is allowing five garage stalls and the possible precedence. Page stated he didn't believe a hardship exists on the property. The property does not support five garage stalls. The neighbors' trees can be trimmed back and not be considered a hardship. The applicant bought the property with knowledge of the configuration. He stated if the garage is removed and the concrete in the same area, he would support the request.

Quam stated the lack of a front door is a hardship, and he supported the motion.

Rose stated he also supported the motion.

Page proposed a friendly amendment to the motion that the area remain in a natural state should the garage and concrete be removed. Kind accepted the amendment as did Rose.

Motion carried unanimously.

7. **NEW BUSINESS**

A. **Consider Appointment of Brian Malo to Planning Commission Alternate Seat 2**

Brian Malo, 5070 Greenwood Circle was present to introduce himself as an applicant for the Planning Commission Alternate Seat 2.

Quam moved to appoint Malo as the 2nd alternate on the Planning Commission. Fletcher seconded the motion. Motion carried unanimously.

Fletcher moved to move Item 71 to this portion of the agenda. Page seconded the motion. Motion carried unanimously.

I. **Review City Recycling Proposals**

Kind noted the recycling contract with Vintage Recycling will expire. The

City pursued RFPs for recycling. Only one proposal was received from Allied Waste. The service will be bi-weekly.

Rich Hirstein, Allied Waste was present to discuss the proposed recycling contract. He noted residents can request more than one recycling container.

Fletcher suggested the Mayor or a Councilmember also review the contract. Hirstein noted it will take sixty days to order the carts.

Kind moved to approve the recycling contract contingent upon the review by Fletcher and City Attorney's approval. Fletcher seconded the motion. Motion carried unanimously.

B. Review Greenwood's 2010 Preliminary Budget

Mayor Kind distributed revised copies of the 2010 preliminary budget.

Fletcher moved to adopt Resolution #17-09 approving the tax levy collectable in 2010 in the amount of \$677,167. Rose seconded the motion. Motion carried 4-1. Page voted against the motion.

Fletcher moved to approve the proposed 2010 budget o \$742,402. Rose seconded the motion. Motion carried 4-1. Page voted against the motion.

C. Set date for public hearing for adoption of 2010 levy & budget (12-01-09)

Kind asked the Council whether they would like to hold a special meeting for the adoption of the 2010 levy & budget prior to the December 1st meeting. She suggested the item be included on all meetings prior to December 1st in case items such as the audit change the dollar amount.

Page moved to set budget discussions at meetings in October and November. Quam seconded the motion. Motion carried unanimously.

Quam moved to set December 1, 2009 7:00 PM, as the meeting date to approve the final levy and budget. Page seconded the motion. Motion carried unanimously.

D. Consider requesting Planning Commission review of fence ordinance

Kind stated the current fence ordinance does not speak to how fence height

is determined. She asked the Council to request the Planning Commission review this ordinance. She indicated Chairman Lucking has suggested the City Council consider changing the ordinance. Fletcher noted all ordinance changes require a public hearing at the Planning Commission level. Councilmembers discussed how to determine fence height.

Quam moved to direct the Planning Commission to review the fence ordinance to include language discussing the height definition. Fletcher seconded the motion. Motion carried unanimously.

E. Consider requesting Planning Commission review of pervious surface materials

Kind discussed the need to create ordinance language to give credit for pervious surface materials.

Quam moved to direct the Planning Commission to create ordinance language to give credit for pervious surface materials. Fletcher seconded the motion. Motion carried unanimously.

F. 1st Reading: Ordinance #174 amendment to the liquor code Section 820.15 to add a food/liquor sales ratio requirement

Kind stated the City Attorney was directed to write an amendment to the liquor code to add a food/liquor sales ratio requirement.

Kelly reviewed the proposed amendments.

Quam asked why it is just the first year that the food sales calculation is reported. Fletcher suggested they be required to report food and liquor sales every year. Councilmembers discussed the proposed percentage and concurred it would be 60% food sales and 40% liquor sales.

Fletcher moved to approve the first reading of Ordinance #174 with a change to 60% food and the City Attorney provide language requiring annual reporting. Quam seconded the motion. Motion carried unanimously.

G. 1st reading Ordinance #175 amending Chapter 12 Penalties, Separability, Name and Citation of Code and/or Definitions

Kind stated this is part of the ongoing project to develop an administrative hearing process to enforce city codes using Minnetonka's process as an

example.

Kelly stated this would replace Chapter 12 in its entirety.

Kind moved to approve the first reading of Ordinance #175 and direct Mark Kelly to prepare an ordinance for the second reading and a summary. Fletcher seconded the motion. Motion carried unanimously.

H. Approve winter use permit for Three Rivers Park District

Kind stated the park district requires Council action for the winter use permit, and this is the same as other years.

Quam moved to approve the 2009-2010 winter use permit. Fletcher seconded the motion. Motion carried unanimously.

The Council recessed at 8:35 p.m. and reconvened at 8:45 p.m.

J. Review proposals for preparation of 2009 city audit

Kind stated we received four proposals for the preparation of the 2009 audit. Fletcher stated he was assured the price proposed will be the final bill.

Rose moved to approve a three-year contract with LarsonAllen subject to City Attorney review. Quam seconded the motion. Rose amended the motion to include approval subject to City Council and Councilmember Fletcher approval. Motion carried unanimously.

K. Consider including load limit fees in building permit applications

Fletcher suggested load limit fees be included as part of the building permit application. Kind also suggested a bond be required for all larger building projects. Fletcher asked Quam to check to see if other cities charge load limit fees as part of the building permit application.

8. OTHER BUSINESS

A. Discuss Community Survey

Rose moved to remove the community survey from the table for discussion purposes. Fletcher seconded the motion. Motion carried unanimously.

Kind noted there haven't been any changes to the community survey draft since the last meeting. She reviewed the questions proposed as part of the survey. Whipple noted it will be sent out the end of September with utility bills.

Fletcher moved to approve the community survey with an October 15 deadline. Quam seconded the motion. Motion carried 4-1. Rose opposed.

Kind moved to remove the "Note". Rose seconded the motion. Motion carried unanimously.

B. July Treasurer's Report

Quam questioned the amount shown for road improvements.

Quam moved to approve the July Treasurer's Report as amended. Fletcher seconded the motion. Motion carried unanimously.

9. COUNCIL REPORTS

A. Page: Lake Minnetonka Conservation District

Page stated the regular meeting was cancelled, and an educational lake tour was proposed. The event was cancelled due to lack of interest.

Kelly discussed changes which will be made to the variance resolution for Brands.

10. ADJOURNMENT

There being no further business, it was moved by Page to adjourn the meeting at 9:08 p.m. Fletcher seconded the motion. Motion carried unanimously.

Respectfully submitted,

Clare T. Link
Recording Secretary

Greenwood City Council Work Session Minutes
20225 Cottagewood Road Deephaven, MN 55331 #952-474-6633
Thursday, September 17, 2009

1. Call to Order/Roll Call/Approve Agenda

Mayor Kind called the meeting to order at 5:00 PM

Councilmembers present: Page, Rose, Fletcher, Kind and Quam

Staff present: Attorney Kelly and Administrator Whipple

Councilmember Quam moved to approve the agenda. Second by Page

Motion carried 5-0

2. Consider Recycling Options

Since the September 1, 2009, City Council meeting the Mayor learned that

Allied Waste did not meet the requirements in the recycling RFP. No haulers other than

Vintage Waste were willing to meet the City's load requirements. Vintage Waste

submitted a proposal that would increase the monthly recycling fee by \$1.50.

Councilmember Rose moved to accept Vintage Waste's proposal for one year, beginning

October 1, 2009 – September 30, 2010. Second by Councilmember Quam.

Motion carried 5-0.

Meeting adjourned at 5:14 PM with the Closed Session immediately following.

Respectfully submitted,

Roberta Whipple
Greenwood City Administrator

City of Greenwood Treasurer's Report August 2009

Fund	Assets	Liabilities	Total Fund Balance
101 General	\$56,566.88	\$4,285.26	\$52,281.62
401 Park Improvement	\$27,054.92	-	\$27,054.92
402 Road Improvement	\$33,092.05	\$16,220.00	\$16,872.05
502 Stormwater Fund	\$3,712.25	-	\$3,712.25
602 Sewer *	\$839,765.97	\$520,235.83	\$319,530.14
605 Marina	\$37,149.65	-	\$37,149.65
	\$997,341.72	\$540,741.09	\$456,600.63
*sewer cash	\$351,786.19		
Bridgewater Bank - Ckg.	\$214,589.21		
Bridgewater Bank - MM	\$250,710.62		
	\$465,299.83		
2008 Ending Reserve Fund Bal	\$130,336.00		
2007 Ending Reserve Fund Bal	\$90,125.00		
2006 Ending Reserve Fund Bal	-\$1,787.00		
2005 Ending Reserve Fund Bal	-\$55,378.00		
2004 Ending Reserve Fund Bal	-\$61,445.00		
Money Market Balance	250,710.62		
General Fund Cash	-214,320.13		
= amount borrowed from sewer fund to General Fund	36,390.49		

2D

Check Issue Date(s): 09/01/2009 - 09/30/2009

Per	Date	Check No	Vendor No	Payee	Amount
09/09	09/01/2009	9741	3	KELLY LAW OFFICES	1,161.50
09/09	09/01/2009	9742	745	Vintage Waste Systems	1,128.75
09/09	09/01/2009	9743	145	XCEL	203.61
09/09	09/17/2009	9745	51	BOLTON & MENK, INC.	8,972.50
09/09	09/17/2009	9746	660	CLARE T. LINK	200.00
09/09	09/17/2009	9747	754	Lake Minnetonka Association	500.00
09/09	09/17/2009	9748	26	LEAGUE OF MN CITIES	800.00
09/09	09/17/2009	9749	105	METROPOLITAN COUNCIL ENV SERV	3,113.87
09/09	09/17/2009	9750	68	ONE CALL CONCEPTS	31.90
09/09	09/17/2009	9751	701	Popp Telecom	117.39
09/09	09/17/2009	9752	38	SOUTH LAKE MINNETONKA POLICE	12,519.00
09/09	09/17/2009	9753	136	Sun Newspapers	797.23
09/09	09/17/2009	9754	735	TGR Consulting	95.00
09/09	09/17/2009	9755	145	XCEL	403.19
09/09	09/30/2009	9762	596	BARBER CONSTRUCTION, INC.	5,011.01
09/09	09/30/2009	9763	9	CITY OF DEEPHAVEN	5,253.99
09/09	09/30/2009	9764	168	CITY OF SHOREWOOD	99.68
09/09	09/30/2009	9765	52	EXCELSIOR FIRE DISTRICT	28,175.70
09/09	09/30/2009	9766	3	KELLY LAW OFFICES	2,692.50
09/09	09/30/2009	9767	742	Marco, Inc.	195.27
09/09	09/30/2009	9768	578	Minnesota Life	3.45
09/09	09/30/2009	9769	600	Union Security Insurance Compa	112.25
09/09	09/30/2009	9770	745	Vintage Waste Systems	1,128.75
09/09	09/30/2009	9771	145	XCEL	186.43
Totals:					<u>72,902.97</u>

GL Acct No	Vendor	Vendor Name	Description	Invoice No	PO No	Inv Date	Amount
101-20100	GENERAL FUND - ACCOUNTS PAYABLE						
	51	BOLTON & MENK, INC.	System ADJ: 09/01/2009 02:01 PM	0122249		09/01/2009	267.50 -
	51	BOLTON & MENK, INC.	System ADJ: 09/01/2009 02:01 PM	0122249		09/01/2009	267.50
							.00 *
101-41400-139	GENERAL FUND - COUNCIL - ADMINISTRATION - CLERKS INSURANCE						
	578	Minnesota Life	Clerk's Life Insurance	1009		09/14/2009	3.45
	600	Union Security Insurance Compa	Clerk's short-term disability	1009		09/16/2009	13.50
	600	Union Security Insurance Compa	Clerk's long-term disability	1009		09/16/2009	98.75
							115.70 *
101-41400-202	GENERAL FUND - COUNCIL - ADMINISTRATION - DUPLICATING						
	9	CITY OF DEEPHAVEN	COPIES	09092		09/25/2009	37.80
101-41400-309	GENERAL FUND - COUNCIL - ADMINISTRATION - PROFESSIONAL SERVICES-OTH						
	735	TGR Consulting	Professional Computer Services	0809		08/31/2009	95.00
101-41400-310	GENERAL FUND - COUNCIL - ADMINISTRATION - CLERKS CONTRACTURAL						
	9	CITY OF DEEPHAVEN	DEPUTY CLERK	09092		09/25/2009	34.07
	660	CLARE T. LINK	Council Minutes	9/09		09/02/2009	200.00
							234.07 *
101-41400-311	GENERAL FUND - COUNCIL - ADMINISTRATION - OFFICE-RENT						
	9	CITY OF DEEPHAVEN	RENT & EQUIPMENT	09092		09/25/2009	942.68
101-41400-321	GENERAL FUND - COUNCIL - ADMINISTRATION - COMMUNICATIONS-TELEPHONE						
	701	Popp Telecom	Local, Long dist. & DSL	1810007		08/31/2009	117.39
101-41400-322	GENERAL FUND - COUNCIL - ADMINISTRATION - POSTAGE						
	9	CITY OF DEEPHAVEN	Postage	09092		09/25/2009	339.93
101-41400-351	GENERAL FUND - COUNCIL - ADMINISTRATION - PRINTING-LEGAL NOTICES						
	136	Sun Newspapers	Ordinances	0909		08/31/2009	797.23
101-41400-411	GENERAL FUND - COUNCIL - ADMINISTRATION - RENTALS-OFFICE EQUIPMENT						
	742	Marco, Inc.	Copier lease	133181164		09/13/2009	195.27
101-41600-304	GENERAL FUND - COUNCIL - LEGAL SERVICES - LEGAL SERVICES-GENERAL						
	3	KELLY LAW OFFICES	GENERAL LEGAL	5625		08/25/2009	874.00
	3	KELLY LAW OFFICES	GENERAL LEGAL	5635		09/29/2009	1,897.50
	3	KELLY LAW OFFICES	Conrad ROW	5635		09/29/2009	450.00
							3,221.50 *
	Total COUNCIL						6,096.57
101-42100-304	GENERAL FUND - LAW ENFORCEMENT - LAW ENFORCEMENT - LEGAL SERVICES-PROSECUTIO						
	3	KELLY LAW OFFICES	Prosecution	5626		08/25/2009	287.50
	3	KELLY LAW OFFICES	Prosecution	5635		09/29/2009	345.00
							632.50 *
101-42100-310	GENERAL FUND - LAW ENFORCEMENT - LAW ENFORCEMENT - LAW ENFORCEMENT-CONTRACT						
	38	SOUTH LAKE MINNETONKA POL	OCTOBER operating	10092		09/17/2009	12,519.00
101-42200-309	GENERAL FUND - LAW ENFORCEMENT - FIRE - FIRE PROTECTION						
	52	EXCELSIOR FIRE DISTRICT	3rd qtr operations	1009		10/01/2009	14,599.63
101-42200-311	GENERAL FUND - LAW ENFORCEMENT - FIRE - FIRE SIDE LEASE						
	52	EXCELSIOR FIRE DISTRICT	3rd qtr buildings	1009		10/01/2009	13,576.07
101-42400-308	GENERAL FUND - LAW ENFORCEMENT - ZONING - ZONING CONTRACT						
	9	CITY OF DEEPHAVEN	ZONING	09092		09/25/2009	89.40

GL Acct No	Vendor	Vendor Name	Description	Invoice No	PO No	Inv Date	Amount
101-42500-381	GENERAL FUND - LAW ENFORCEMENT - CIVIL DEFENSE - UTILITY SERVICES-ELECTRIC						
	145	XCEL	SIREN	286377079		08/24/2009	3.63
	145	XCEL	SIREN	290617758		09/24/2009	3.72
							7.35 *
101-42600-303	GENERAL FUND - LAW ENFORCEMENT - ENGINEERING - ENGINEERING FEES						
	51	BOLTON & MENK, INC.	ENGINEER FEES	0127480		08/31/2009	55.00
Total LAW ENFORCEMENT							41,478.95
101-43100-381	GENERAL FUND - CONTRACT UTILITY AND ROADS - CONTRACT UTILITY AND ROADS - S&R-UTILITY SERVICES-ELE						
	145	XCEL	4925 MEADVILLE ST.	286377078		08/24/2009	9.19
	145	XCEL	Street Light - Sleepy Hollow	286970158		08/27/2009	18.25
	145	XCEL	Street Lights	287712001		09/02/2009	384.94
	145	XCEL	Street Light -Meadville	290617757		09/24/2009	9.15
	168	CITY OF SHOREWOOD	Share/relamp @ Christmas Rd	2416		09/16/2009	99.68
							521.21 *
101-43900-310	GENERAL FUND - CONTRACT UTILITY AND ROADS - PUBLIC WORKS - STREETS-CONTRACTURAL						
	9	CITY OF DEEPHAVEN	Roads	09092		09/25/2009	1,148.18
	9	CITY OF DEEPHAVEN	STREETS	09092		09/25/2009	2,129.54
							3,277.72 *
101-43900-313	GENERAL FUND - CONTRACT UTILITY AND ROADS - PUBLIC WORKS - TREE/WEED-CONTRACT						
	9	CITY OF DEEPHAVEN	WEED & TREE	09092		09/25/2009	456.33
Total CONTRACT UTILITY AND ROADS							4,255.26
101-49000-310	GENERAL FUND - MISCELLANEOUS - MISCELLANEOUS - RECYCLING CONTRACT						
	745	Vintage Waste Systems	City Recycling Contract	0809		08/26/2009	1,128.75
	745	Vintage Waste Systems	City Recycling Contract	0909		09/25/2009	1,128.75
							2,257.50 *
101-49000-433	GENERAL FUND - MISCELLANEOUS - MISCELLANEOUS - MISC.-DUES & SUBSCRIPTION						
	26	LEAGUE OF MN CITIES	Membership Dues 2009-2010	0909		09/01/2009	800.00
Total MISCELLANEOUS							3,057.50
Total GENERAL FUND							54,888.28
402-43200-303	ROAD IMPROVEMENT FUND - STORMWATER FUND EXPENSES - ROAD FUND EXPENSES - ENGINEERING-ROADS						
	51	BOLTON & MENK, INC.	ENG.-Roads	0127480		08/31/2009	90.00
	51	BOLTON & MENK, INC.	ENG.-Roads	0127482		08/31/2009	7,364.50
							7,454.50 *
Total STORMWATER FUND EXPENSES							7,454.50
402-45100-303	ROAD IMPROVEMENT FUND - 402-45 - 402-45100 - PROF. SVCE.-ENGINEERING F						
	596	BARBER CONSTRUCTION, INC.	Pay request - Final GW Circle	0909		09/16/2009	5,011.01

GL Acct No	Vendor	Vendor Name	Description	Invoice No	PO No	Inv Date	Amount
Total 402-45							5,011.01
Total ROAD IMPROVEMENT FUND							12,465.51
602-43200-303	SEWER FUND - SEWER FUND EXPENSES - SEWER FUND EXPENSES - ENGINEERING-SEWER						
	51	BOLTON & MENK, INC.	Sewer Engineering	0127481		08/31/2009	1,463.00
602-43200-309	SEWER FUND - SEWER FUND EXPENSES - SEWER FUND EXPENSES - PROFESSIONAL SVCS-METRO W						
	105	METROPOLITAN COUNCIL ENV	Monthly wastewater Charge	0000908272		09/02/2009	3,113.87
602-43200-310	SEWER FUND - SEWER FUND EXPENSES - SEWER FUND EXPENSES - SEWER-CONTRACTURAL						
	9	CITY OF DEEPHAVEN	SEWER	09092		09/25/2009	76.06
602-43200-381	SEWER FUND - SEWER FUND EXPENSES - SEWER FUND EXPENSES - UTILITY SERVICES-ELECTRIC						
	145	XCEL	Lift Station 1	286442326		08/24/2009	31.76
	145	XCEL	Lift Station 2	286448547		08/24/2009	34.75
	145	XCEL	Lift Station 4	286451452		08/24/2009	30.00
	145	XCEL	Lift Station 3	286480348		08/24/2009	23.82
	145	XCEL	LIFT STATION #6	286482728		08/24/2009	70.46
	145	XCEL	Lift Station 1	290492327		09/23/2009	25.98
	145	XCEL	Lift Station 2	290495321		09/23/2009	29.59
	145	XCEL	Lift Station 4	290498193		09/23/2009	28.05
	145	XCEL	Lift Station 3	290500483		09/23/2009	27.01
	145	XCEL	Lift Station 6	290522888		09/23/2009	62.93
							364.35 *
602-43200-439	SEWER FUND - SEWER FUND EXPENSES - SEWER FUND EXPENSES - MISCELLANEOUS						
	68	ONE CALL CONCEPTS	Gopher State One Call	9080537		08/31/2009	31.90
Total SEWER FUND EXPENSES							5,049.18
Total SEWER FUND							5,049.18
605-45100-309	MARINA FUND - MARINA FUND EXPENSES - MARINA FUND EXPENSES - PROFESSIONAL SERVICES-OTH						
	754	Lake Minnetonka Association	St. Albans Plant Inventory Study	0909		09/06/2009	500.00
Total MARINA FUND EXPENSES							500.00
Total MARINA FUND							500.00
Grand Total:							72,902.97

Pay Per Date	Jrnl	Check Date	Check Number	Payee	Emp No	Amount
09/13/09	PC	09/14/09	9744	WHIPPLE, ROBERTA L.	21	1,484.25
09/27/09	PC	09/28/09	9756	Debra J. Kind	34	277.05
09/27/09	PC	09/28/09	9757	Fletcher, Thomas M	33	84.70
09/27/09	PC	09/28/09	9758	H. Kelsey Page	35	184.70
09/27/09	PC	09/28/09	9759	Quam, Robert	32	184.70
09/27/09	PC	09/28/09	9760	WHIPPLE, ROBERTA L.	21	1,595.18
09/27/09	PC	09/28/09	9761	William Rose	36	184.70
Grand Totals:						<u>3,995.28</u>

Report Criteria:

Account.Acct No = All
Account Detail

Acct No	Account Description	01/08-09/08 Pri YTD Actual	01/08-09/08 Pri YTD Budget	01/09-09/09 Cur YTD Actual	01/09-09/09 Cur YTD Budget	Unexpended Amount
GENERAL FUND						
TAXES						
101-31010	CURRENT AD VALOREM	312,259	641,696	344,962	687,057	342,095
101-31020	DELINQUENT AD VALOREM	3,780	1,000	0	1,000	1,000
101-31040	FISCAL DISPARITIES	2,193	3,500	2,461	2,200 (	261)
101-31800	SUR-CHARGE REVENUE	24	34	17	25	8
101-31910	PENALTIES	42	200	342	100 (	242)
	TAXES Totals:	318,298	646,430	347,782	690,382	342,600
LICENSES & PERMITS						
101-32110	3.2 BEER, LIQ & CIGARETTE LICE	7,735	7,302	3,250	2,965 (	285)
101-32180	OTHER BUSINESS LICENSES/P	1,700	1,500	2,134	1,600 (	534)
101-32210	BUILDING PERMITS-PUBLIC W	19,492	68,500	13,767	28,000	14,233
101-32211	ELEC PERMIT	1,750	3,000	745	2,000	1,255
101-32215	MANAGEMENT REVIEW-BLDG	0	1,000	0	200	200
101-32240	ANIMAL LICENSE	100	0	75	0 (	75)
	LICENSES & PERMITS Totals:	30,777	81,302	19,971	34,765	14,794

Revenue
Compare
08/09

Acct No	Account Description	01/08-09/08	01/08-09/08	01/09-09/09	01/09-09/09	Unexpended Amount
		Pri YTD Actual	Pri YTD Budget	Cur YTD Actual	Cur YTD Budget	
<u>GENERAL FUND</u>						
<u>INTERGOVERNMENTAL AID</u>						
101-33402	HOMESTEAD CREDIT	0	0	0	0	0
101-33423	OTHER STATE GRANTS/AIDS	2,442	2,000	0	2,000	2,000
101-33610	HENNEPIN COUNTY ROAD AID	0	1,675	0	1,675	1,675
101-33630	AID FROM OTHER LOCAL GOV'	0	4,884	0	0	0
	INTERGOVERNMENTAL AID Totals:	2,442	8,559	0	3,675	3,675
<u>PUBLIC CHARGES FOR SERVICE</u>						
101-34103	ZONING & SUBDIVISIONS	2,400	5,000	1,300	1,500	200
101-34107	ASSESSMENT SEARCHES	0	0	0	0	0
101-34207	FALSE ALARM FEE	0	50	200	50	(150)
101-34304	LOAD LIMITS	2,425	3,500	225	3,500	3,275
101-34409	RECYCLING FEES	8,691	12,094	10,545	13,478	2,933
101-34960	REFUNDS	2,504	0	0	0	0
	PUBLIC CHARGES FOR SERVICE Totals:	16,020	20,644	12,270	18,528	6,258
<u>FINES & FORFEITURES</u>						
101-35101	COURT FINES	5,872	5,300	4,814	5,300	486
	FINES & FORFEITURES Totals:	5,872	5,300	4,814	5,300	486

Revenue

Acct No	Account Description	01/08-09/08 Pri YTD Actual	01/08-09/08 Pri YTD Budget	01/09-09/09 Cur YTD Actual	01/09-09/09 Cur YTD Budget	Unexpended Amount
GENERAL FUND						
SPECIAL ASSESSMENTS						
101-36100	SPECIAL ASSESSMENTS	0	0	0	1,500	1,500
101-36101	SA - PRINCIPAL	0	0	0	0	0
101-36102	INTEREST	3,884	7,000	2,081	7,000	4,919
101-36201	COPIES	40	50	0	50	50
101-36220	OTHER INCOME	1,198	19,500	0	20,100	20,100
101-36230	DONATIONS	0	0	0	0	0
	SPECIAL ASSESSMENTS Totals:	5,122	26,550	2,081	28,650	26,569

OTHER FINANCING SOURCES

101-39200	INTERFUND OPERATING TRANS	0	0	20,100	0 (	20,100)
	OTHER FINANCING SOURCES Totals:	0	0	20,100	0 (	20,100)

COUNCIL

101-41100-103	COUNCIL SALARIES	10,400	13,200	11,000	13,200	2,200
101-41100-122	FICA CONTRIBUTIONS	645	975	682	975	293
101-41100-123	MEDICARE CONTRIBUTIONS	151	220	160	220	61
101-41100-209	OFFICE SUPPLIES	0	50	0	150	150
101-41100-309	MISC PROFESSIONAL SERVICE	0	0	0	0	0
101-41100-371	TRAINING/CONF-REGISTRATIO	0	300	855	1,325	470
101-41100-372	MEALS/LODGING	10	110	0	110	110
101-41100-433	MISC-DUES & SUBSCRIPTIONS	0	50	0	50	50

END OF REVENUES

EXPENSES

Compare
08/09

Acct No	Account Description	01/08-09/08 Pri YTD Actual	01/08-09/08 Pri YTD Budget	01/09-09/09 Cur YTD Actual	01/09-09/09 Cur YTD Budget	Unexpended Amount
<u>GENERAL FUND</u>						
<u>COUNCIL (Cont.)</u>						
101-41100-439	MISCELLANEOUS-OTHER	0	0	0	0	0
	COUNCIL Totals:	11,206	14,905	12,697	16,030	3,334
<u>ELECTIONS</u>						
101-41200-103	ELECTION SALARIES-PART TM	660	1,700	0	0	0
101-41200-122	FICA CONTRIBUTIONS	0	0	0	0	0
101-41200-123	MEDICARE CONTRIBUTIONS	0	0	0	0	0
101-41200-214	OPERATIONAL SUPP.-FORMS/P	0	500	0	0	0
101-41200-219	ELECTION OPERAT. SUPP.-OT	0	135	0	0	0
101-41200-249	MINOR EQUIPMENT-OTHER	0	80	0	0	0
101-41200-309	PROFESSIONAL SERVICES	0	0	0	0	0
101-41200-319	EQUIPMENT MAINTENANCE-OTH	0	292	161	400	239
101-41200-322	POSTAGE-ELECTION	80	360	55	40	(15)
101-41200-372	MEALS/LODGING	0	35	0	0	0
101-41200-438	MISCELLANEOUS-SALES TAX	0	0	0	0	0
101-41200-439	MISCELLANEOUS-OTHER	183	0	0	0	0
	ELECTIONS Totals:	923	3,102	216	440	224
<u>ADMINISTRATION</u>						
101-41400-101	CLERKS SALARIES-FULL TIME	46,412	63,000	48,431	71,000	22,569
101-41400-121	PERA CONTRIBUTIONS	3,017	4,095	3,263	4,795	1,532

Expense

Acct No	Account Description	01/08-09/08	01/08-09/08	01/09-09/09	01/09-09/09	Unexpended Amount
		Pri YTD Actual	Pri YTD Budget	Cur YTD Actual	Cur YTD Budget	
GENERAL FUND						
ADMINISTRATION (Cont.)						
101-41400-122	FICA CONTRIBUTIONS	2,878	3,906	3,003	4,410	1,407
101-41400-123	MEDICARE CONTRIBUTIONS	673	914	702	1,030	328
101-41400-125	OTHER RETIREMENT	0	0	0	0	0
101-41400-139	CLERKS INSURANCE	1,175	1,430	936	1,440	504
101-41400-149	UNEMPLOYMENT COMPENSATION	0	0	0	0	0
101-41400-201	OFFICE SUPPLIES	334	800	162	800	638
101-41400-202	DUPLICATING	1,656	5,000	144	500	356
101-41400-203	OFFICE SUPPLIES-COMPUTER	0	0	0	0	0
101-41400-204	STATIONARY	0	300	425	400	(25)
101-41400-209	OFFICE SUPPLIES-OTHER	0	0	40	200	160
101-41400-214	FORMS/PRINTING	54	200	17	150	133
101-41400-249	MINOR EQUIPMENT-OTHER	70	100	0	400	400
101-41400-309	PROFESSIONAL SERVICES-OTH	4,081	820	740	3,500	2,760
101-41400-310	CLERKS CONTRACTURAL	595	800	1,575	8,500	6,925
101-41400-311	OFFICE-RENT	8,304	11,100	7,541	11,500	3,959
101-41400-313	PROFESSIONAL SERVICES-COM	3,666	3,710	3,760	3,900	140
101-41400-321	COMMUNICATIONS-TELEPHONE	1,315	1,550	1,029	1,500	471
101-41400-322	POSTAGE	921	1,300	799	1,400	601
101-41400-331	TRANSPORTATION-TRAVEL EXP	325	275	83	300	217
101-41400-334	FREIGHT & EXPRESS	0	0	0	0	0
101-41400-339	OTHER	10	0	0	25	25
101-41400-349	ADVERTISING-OTHER	0	0	0	0	0
101-41400-351	PRINTING-LEGAL NOTICES	1,979	2,200	5,252	2,000	(3,252)
101-41400-352	GENERAL NOTICES & PUBLIC	0	0	0	0	0
101-41400-353	ORDINANCE PUBLICATIONS	0	0	0	0	0
101-41400-359	OTHER	0	0	0	0	0
101-41400-371	TRAINING	200	300	0	0	0

Expense

Acct No	Account Description	01/08-09/08 Pri YTD Actual	01/08-09/08 Pri YTD Budget	01/09-09/09 Cur YTD Actual	01/09-09/09 Cur YTD Budget	Unexpended Amount
<u>GENERAL FUND</u>						
<u>ADMINISTRATION (Cont.)</u>						
101-41400-372	MEALS/LODGING	207	450	0	50	50
101-41400-411	RENTALS-OFFICE EQUIPMENT	706	0	1,642	2,280	638
101-41400-433	MISC-DUES & SUBSCRIPTIONS	70	100	35	100	65
101-41400-437	BANK SERVICES	0	50	0	50	50
101-41400-438	MISCELLANEOUS-SALES TAX	0	0	0	0	0
101-41400-439	MISCELLANEOUS-OTHER	1,388	2,200	284	400	116
101-41400-530	CAP OUTLAY-IMP OTHER THAN	0	0	0	0	0
101-41400-560	CAP OUTLAY-FURNITURE-FIXIT	0	0	0	0	0
101-41400-570	OFFICE EQUIP & FURNISHING	0	300	0	0	0
101-41400-590	CAPITAL OUTLAY-OTHER	0	0	0	0	0
	ADMINISTRATION Totals:	80,036	104,900	79,863	120,630	40,767
<u>ASSESSOR</u>						
101-41500-209	ASSESSORS SUPPLIES	0	100	0	100	100
101-41500-309	ASSESSORS-CONTRACT	6,110	13,400	0	13,500	13,500
101-41500-439	ASSESSORS-OTHER	11	50	12	25	13
	ASSESSOR Totals:	6,121	13,550	12	13,625	13,613
<u>LEGAL SERVICES</u>						
101-41600-304	LEGAL SERVICES-GENERAL	15,275	25,000	15,721	20,000	4,280
101-41600-308	LEGAL SERVICES-PROJECTS	0	0	0	0	0

Expense

Acct No	Account Description	01/08-09/08 Pri YTD Actual	01/08-09/08 Pri YTD Budget	01/09-09/09 Cur YTD Actual	01/09-09/09 Cur YTD Budget	Unexpended Amount
<u>GENERAL FUND</u>						
<u>LEGAL SERVICES (Cont.)</u>						
101-41600-309	LEGAL SERVICES-SPECIAL	0	0	0	0	0
	LEGAL SERVICES Totals:	15,275	25,000	15,721	20,000	4,280
<u>AUDITING</u>						
101-41700-301	AUDITING	11,000	10,000	12,855	13,000	145
	AUDITING Totals:	11,000	10,000	12,855	13,000	145
<u>LAW ENFORCEMENT</u>						
101-42100-304	LEGAL SERVICES-PROSECUTIO	2,859	6,000	4,129	6,000	1,872
101-42100-310	LAW ENFORCEMENT-CONTRACT	118,130	139,500	112,671	150,232	37,561
101-42100-311	POLICE SIDE LEASE	47,396	46,000	35,736	47,649	11,913
101-42100-439	PUBLIC SAFETY-OTHER	968	700	3,112	0 (	3,112)
	LAW ENFORCEMENT Totals:	169,353	192,200	155,648	203,881	48,234
<u>FIRE</u>						
101-42200-309	FIRE PROTECTION	38,990	51,986	43,799	58,314	14,515
101-42200-311	FIRE SIDE LEASE	40,232	53,642	40,728	55,825	15,097

Expense

Acct No	Account Description	01/08-09/08 Pri YTD Actual	01/08-09/08 Pri YTD Budget	01/09-09/09 Cur YTD Actual	01/09-09/09 Cur YTD Budget	Unexpended Amount
<u>GENERAL FUND</u>						
<u>FIRE (Cont.)</u>						
	FIRE Totals:	79,222	105,628	84,527	114,139	29,612
<u>ZONING</u>						
101-42400-308	ZONING CONTRACT	3,958	2,400	2,146	4,000	1,854
101-42400-309	PUBLIC NOTICES	0	0	1,409	0	(1,409)
101-42400-310	BLDG. INSPECTIONS-CONTRAC	22,949	57,000	9,218	30,000	20,782
101-42400-438	MISCELLANEOUS-SALES TAX	0	400	0	400	400
	ZONING Totals:	26,907	59,800	12,773	34,400	21,628
<u>CIVIL DEFENSE</u>						
101-42500-310	CIVIL DEFENSE	21,484	25,000	0	0	0
101-42500-381	UTILITY SERVICES-ELECTRIC	30	350	25	100	75
	CIVIL DEFENSE Totals:	21,514	25,350	25	100	75
<u>ENGINEERING</u>						
101-42600-303	ENGINEERING FEES	11,455	6,000	951	8,000	7,049

Expense

Acct No	Account Description	01/08-09/08 Pri YTD Actual	01/08-09/08 Pri YTD Budget	01/09-09/09 Cur YTD Actual	01/09-09/09 Cur YTD Budget	Unexpended Amount
<u>GENERAL FUND</u>						
<u>ENGINEERING (Cont.)</u>						
	ENGINEERING Totals:	11,455	6,000	951	8,000	7,049
<u>ANIMAL CONTROL</u>						
101-42700-309	ANIMAL CONTROL	0	3,600	0	0	0
	ANIMAL CONTROL Totals:	0	3,600	0	0	0
<u>CONTRACT UTILITY AND ROADS</u>						
101-43100-229	R&M SUPPLIES-OTHER	0	0	0	0	0
101-43100-309	PROFESSIONAL SVCS-OTHER	431	500	0	500	500
101-43100-381	S&R-UTILITY SERVICES-ELEC	2,939	4,400	2,817	4,600	1,783
101-43100-409	R&M CONTRACTURAL-OTHER(RE	0	75,000	0	75,000	75,000
	CONTRACT UTILITY AND ROADS Totals:	3,370	79,900	2,817	80,100	77,283
<u>PUBLIC WORKS</u>						
101-43900-219	OPERATIONAL SUPPLIES-OTHE	0	0	0	0	0
101-43900-226	SIGNS	853	1,025	329	1,000	671
101-43900-309	PROFESSIONAL SERVICES-OTH	0	2,000	0	2,000	2,000
101-43900-310	STREETS-CONTRACTURAL	8,832	8,000	4,556	8,350	3,794

*Expense
Compare
9/1/09*

Acct No	Account Description	01/08-09/08 Pri YTD Actual	01/08-09/08 Pri YTD Budget	01/09-09/09 Cur YTD Actual	01/09-09/09 Cur YTD Budget	Unexpended Amount
<u>GENERAL FUND</u>						
<u>PUBLIC WORKS (Cont.)</u>						
101-43900-311	STORM SEWER-CONTRACTURAL	2,093	2,750	532	2,750	2,218
101-43900-312	SNOW PLOWING-CONTRACUTRAL	8,435	12,875	9,679	12,500	2,821
101-43900-313	TREE/WEED-CONTRACT	12,540	7,500	8,717	12,000	3,283
101-43900-314	TENNIS COURTS-CONTRACTURA	138	200	0	200	200
101-43900-315	TAR BIKE PATH-CONTRACT.	1,469	1,000	342	1,000	658
101-43900-438	MAINTENANCE CONTRACTURAL	0	0	0	0	0
	PUBLIC WORKS Totals:	34,360	35,350	24,155	39,800	15,645
<u>OUTSIDE CONTRACTORS</u>						
101-45100-225	R&M SUPPLIES-LANDSCAPING	11	0	0	0	0
101-45100-309	PARKS-PROFESSIONAL SVCS-O	0	0	0	0	0
101-45100-310	TREE/WEED/MOWING-CONTRACT	99	1,000	0	1,000	1,000
101-45100-311	TENNIS COURTS-CONTRACTURA	0	0	0	0	0
101-45100-312	TAR BIKE PATH-CONTRACT.	0	0	0	0	0
101-45100-313	PARKS-CONTRACTURAL	0	0	0	0	0
101-45100-438	MISCELLANEOUS-SALES TAX	0	0	0	0	0
	OUTSIDE CONTRACTORS Totals:	110	1,000	0	1,000	1,000

Expense

Acct No	Account Description	01/08-09/08 Pri YTD Actual	01/08-09/08 Pri YTD Budget	01/09-09/09 Cur YTD Actual	01/09-09/09 Cur YTD Budget	Unexpended Amount
GENERAL FUND						
DEPARTMENT 101-49000						
101-49000-000	MISCELLANEOUS	0	200	0	0	0
101-49000-310	RECYCLING CONTRACT	6,445	8,400	10,231	13,185	2,954
101-49000-311	GARBAGE-CLEAN UP	3,978	4,500	0	4,500	4,500
101-49000-369	MISCELLANEOUS-INSURANCE	318	6,800	618	7,000	6,382
101-49000-433	MISC.-DUES & SUBSCRIPTION	6,721	8,100	5,853	11,213	5,360
101-49000-439	OTHER-3% Contingency	1,200	23,000	100	22,757	22,657
101-49000-440	RESERVE REPLENISHMENT	0	57,500	0	57,500	57,500
101-49000-720	OPERATING TRANSFER	0	0	75,000	0 (	75,000)
DEPARTMENT 101-49000 Totals:		18,662	108,500	91,802	116,155	24,353
GENERAL FUND Totals: (		110,983)	0 (	87,044)	0	87,042

Expense

CITY OF GREENWOOD
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 9 MONTHS ENDING SEPTEMBER 30, 2009

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>FINES & FORFEITURES</u>					
101-35101 COURT FINES	4,813.84	4,813.84	5,300.00	(486.16)	90.83
TOTAL FINES & FORFEITURES	4,813.84	4,813.84	5,300.00	(486.16)	90.83
<u>SPECIAL ASSESSMENTS</u>					
101-36100 SPECIAL ASSESSMENTS	.00	.00	1,500.00	(1,500.00)	.00
101-36101 SA - PRINCIPAL	.00	.00	.00	.00	.00
101-36102 INTEREST	2,081.02	2,081.02	7,000.00	(4,918.98)	29.73
101-36201 COPIES	.00	.00	50.00	(50.00)	.00
101-36220 OTHER INCOME	.00	.00	20,100.00	(20,100.00)	.00
101-36230 DONATIONS	.00	.00	.00	.00	.00
TOTAL SPECIAL ASSESSMENTS	2,081.02	2,081.02	28,650.00	(26,568.98)	7.26
<u>OTHER FINANCING SOURCES</u>					
101-39200 INTERFUND OPERATING TRANS	20,100.00	20,100.00	.00	20,100.00	.00
TOTAL OTHER FINANCING SOURCES	20,100.00	20,100.00	.00	20,100.00	.00
TOTAL FUND REVENUE	407,018.13	407,018.13	781,300.00	(374,281.87)	52.09

YTD

CITY OF GREENWOOD
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 9 MONTHS ENDING SEPTEMBER 30, 2009

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>COUNCIL</u>					
101-41100-103 COUNCIL SALARIES	11,000.00	11,000.00	13,200.00	2,200.00	83.33
101-41100-122 FICA CONTRIBUTIONS	682.00	682.00	975.00	293.00	69.95
101-41100-123 MEDICARE CONTRIBUTIONS	159.50	159.50	220.00	60.50	72.50
101-41100-209 OFFICE SUPPLIES	.00	.00	150.00	150.00	.00
101-41100-309 MISC PROFESSIONAL SERVICE	.00	.00	.00	.00	.00
101-41100-371 TRAINING/CONF-REGISTRATIO	855.00	855.00	1,325.00	470.00	64.53
101-41100-372 MEALS/LODGING	.00	.00	110.00	110.00	.00
101-41100-433 MISC-DUES & SUBSCRIPTIONS	.00	.00	50.00	50.00	.00
101-41100-439 MISCELLANEOUS-OTHER	.00	.00	.00	.00	.00
TOTAL COUNCIL	12,696.50	12,696.50	16,030.00	3,333.50	79.20
<u>ELECTIONS</u>					
101-41200-103 ELECTION SALARIES-PART TM	.00	.00	.00	.00	.00
101-41200-122 FICA CONTRIBUTIONS	.00	.00	.00	.00	.00
101-41200-123 MEDICARE CONTRIBUTIONS	.00	.00	.00	.00	.00
101-41200-214 OPERATIONAL SUPP.-FORMS/P	.00	.00	.00	.00	.00
101-41200-219 ELECTION OPERAT. SUPP.-OT	.00	.00	.00	.00	.00
101-41200-249 MINOR EQUIPMENT-OTHER	.00	.00	.00	.00	.00
101-41200-309 PROFESSIONAL SERVICES	.00	.00	.00	.00	.00
101-41200-319 EQUIPMENT MAINTENANCE-OTH	161.00	161.00	400.00	239.00	40.25
101-41200-322 POSTAGE-ELECTION	55.48	55.48	40.00	(15.48)	138.70
101-41200-372 MEALS/LODGING	.00	.00	.00	.00	.00
101-41200-438 MISCELLANEOUS-SALES TAX	.00	.00	.00	.00	.00
101-41200-439 MISCELLANEOUS-OTHER	.00	.00	.00	.00	.00
TOTAL ELECTIONS	216.48	216.48	440.00	223.52	49.20

VTD

CITY OF GREENWOOD
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 9 MONTHS ENDING SEPTEMBER 30, 2009

GENERAL FUND

		PERIOD		BUDGET		% OF
		ACTUAL	YTD ACTUAL	AMOUNT	VARIANCE	BUDGET
<u>ADMINISTRATION</u>						
101-41400-101	CLERKS SALARIES-FULL TIME	48,430.57	48,430.57	71,000.00	22,569.43	68.21
101-41400-102	CLERKS SALARIES-FULL-OT	.00	.00	.00	.00	.00
101-41400-107	VACATION	.00	.00	.00	.00	.00
101-41400-108	SICK	.00	.00	.00	.00	.00
101-41400-109	OTHER	.00	.00	.00	.00	.00
101-41400-111	SEVERANCE	.00	.00	.00	.00	.00
101-41400-112	HOLIDAY	.00	.00	.00	.00	.00
101-41400-119	OTHER	.00	.00	.00	.00	.00
101-41400-121	PERA CONTRIBUTIONS	3,262.97	3,262.97	4,795.00	1,532.03	68.05
101-41400-122	FICA CONTRIBUTIONS	3,002.68	3,002.68	4,410.00	1,407.32	68.09
101-41400-123	MEDICARE CONTRIBUTIONS	702.24	702.24	1,030.00	327.76	68.18
101-41400-125	OTHER RETIREMENT	.00	.00	.00	.00	.00
101-41400-139	CLERKS INSURANCE	936.10	936.10	1,440.00	503.90	65.01
101-41400-149	UNEMPLOYMENT COMPENSATION	.00	.00	.00	.00	.00
101-41400-201	OFFICE SUPPLIES	161.61	161.61	800.00	638.39	20.20
101-41400-202	DUPLICATING	144.00	144.00	500.00	356.00	28.80
101-41400-203	OFFICE SUPPLIES-COMPUTER	.00	.00	.00	.00	.00
101-41400-204	STATIONARY	425.22	425.22	400.00	(25.22)	106.31
101-41400-209	OFFICE SUPPLIES-OTHER	40.09	40.09	200.00	159.91	20.05
101-41400-213	PUBLICATIONS	.00	.00	.00	.00	.00
101-41400-214	FORMS/PRINTING	16.89	16.89	150.00	133.11	11.26
101-41400-219	OPERATIONAL SUPPLIES-OTHE	.00	.00	.00	.00	.00
101-41400-249	MINOR EQUIPMENT-OTHER	.00	.00	400.00	400.00	.00
101-41400-308	ZONING SERVICES	.00	.00	.00	.00	.00
101-41400-309	PROFESSIONAL SERVICES-OTH	740.00	740.00	3,500.00	2,760.00	21.14
101-41400-310	CLERKS CONTRACTURAL	1,574.77	1,574.77	8,500.00	6,925.23	18.53
101-41400-311	OFFICE-RENT	7,541.44	7,541.44	11,500.00	3,958.56	65.58
101-41400-312	ZONING ADMIN.	.00	.00	.00	.00	.00
101-41400-313	PROFESSIONAL SERVICES-COM	3,760.00	3,760.00	3,900.00	140.00	96.41
101-41400-319	EQUIPMENT MAINTENANCE-OTH	.00	.00	.00	.00	.00
101-41400-321	COMMUNICATIONS-TELEPHONE	1,029.38	1,029.38	1,500.00	470.62	68.63
101-41400-322	POSTAGE	798.68	798.68	1,400.00	601.32	57.05
101-41400-329	OTHER	.00	.00	.00	.00	.00
101-41400-331	TRANSPORTATION-TRAVEL EXP	83.05	83.05	300.00	216.95	27.68
101-41400-334	FREIGHT & EXPRESS	.00	.00	.00	.00	.00
101-41400-339	OTHER	.00	.00	25.00	25.00	.00
101-41400-349	ADVERTISING-OTHER	.00	.00	.00	.00	.00
101-41400-351	PRINTING-LEGAL NOTICES	5,251.72	5,251.72	2,000.00	(3,251.72)	262.59
101-41400-352	GENERAL NOTICES & PUBLIC	.00	.00	.00	.00	.00
101-41400-353	ORDINANCE PUBLICATIONS	.00	.00	.00	.00	.00
101-41400-359	OTHER	.00	.00	.00	.00	.00
101-41400-371	TRAINING	.00	.00	.00	.00	.00
101-41400-372	MEALS/LODGING	.00	.00	50.00	50.00	.00
101-41400-379	OTHER	.00	.00	.00	.00	.00
101-41400-411	RENTALS-OFFICE EQUIPMENT	1,642.33	1,642.33	2,280.00	637.67	72.03
101-41400-433	MISC-DUES & SUBSCRIPTIONS	35.00	35.00	100.00	65.00	35.00
101-41400-437	BANK SERVICES	.00	.00	50.00	50.00	.00
101-41400-438	MISCELLANEOUS-SALES TAX	.00	.00	.00	.00	.00
101-41400-439	MISCELLANEOUS-OTHER	284.48	284.48	400.00	115.52	71.12
101-41400-530	CAP OUTLAY-IMP OTHER THAN	.00	.00	.00	.00	.00
101-41400-560	CAP OUTLAY-FURNITURE-FIXIT	.00	.00	.00	.00	.00

YTD

CITY OF GREENWOOD
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 9 MONTHS ENDING SEPTEMBER 30, 2009

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
101-41400-570 OFFICE EQUIP & FURNISHING	.00	.00	.00	.00	.00
101-41400-590 CAPITAL OUTLAY-OTHER	.00	.00	.00	.00	.00
TOTAL ADMINISTRATION	79,863.22	79,863.22	120,630.00	40,766.78	66.21
 ASSESSOR					
101-41500-209 ASSESSORS SUPPLIES	.00	.00	100.00	100.00	.00
101-41500-309 ASSESSORS-CONTRACT	.00	.00	13,500.00	13,500.00	.00
101-41500-322 ASSESSOR-POSTAGE	.00	.00	.00	.00	.00
101-41500-439 ASSESSORS-OTHER	12.00	12.00	25.00	13.00	48.00
TOTAL ASSESSOR	12.00	12.00	13,625.00	13,613.00	.09
 LEGAL SERVICES					
101-41600-304 LEGAL SERVICES-GENERAL	15,720.50	15,720.50	20,000.00	4,279.50	78.60
101-41600-308 LEGAL SERVICES-PROJECTS	.00	.00	.00	.00	.00
101-41600-309 LEGAL SERVICES-SPECIAL	.00	.00	.00	.00	.00
TOTAL LEGAL SERVICES	15,720.50	15,720.50	20,000.00	4,279.50	78.60
 AUDITING					
101-41700-301 AUDITING	12,854.60	12,854.60	13,000.00	145.40	98.88
TOTAL AUDITING	12,854.60	12,854.60	13,000.00	145.40	98.88
 LAW ENFORCEMENT					
101-42100-304 LEGAL SERVICES-PROSECUTIO	4,128.50	4,128.50	6,000.00	1,871.50	68.81
101-42100-310 LAW ENFORCEMENT-CONTRACT	112,671.00	112,671.00	150,232.00	37,561.00	75.00
101-42100-311 POLICE SIDE LEASE	35,736.00	35,736.00	47,649.00	11,913.00	75.00
101-42100-439 PUBLIC SAFETY-OTHER	3,112.00	3,112.00	.00	(3,112.00)	.00
TOTAL LAW ENFORCEMENT	155,647.50	155,647.50	203,881.00	48,233.50	76.34
 FIRE					
101-42200-309 FIRE PROTECTION	43,798.89	43,798.89	58,314.00	14,515.11	75.11
101-42200-311 FIRE SIDE LEASE	40,728.21	40,728.21	55,825.00	15,096.79	72.96
TOTAL FIRE	84,527.10	84,527.10	114,139.00	29,611.90	74.06

VTD

CITY OF GREENWOOD
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 9 MONTHS ENDING SEPTEMBER 30, 2009

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>ZONING</u>					
101-42400-214 OPERATIONAL SUPP.-FORMS/P	.00	.00	.00	.00	.00
101-42400-308 ZONING CONTRACT	2,145.60	2,145.60	4,000.00	1,854.40	53.64
101-42400-309 PUBLIC NOTICES	1,408.56	1,408.56	.00	(1,408.56)	.00
101-42400-310 BLDG. INSPECTIONS-CONTRAC	9,218.15	9,218.15	30,000.00	20,781.85	30.73
101-42400-438 MISCELLANEOUS-SALES TAX	.00	.00	400.00	400.00	.00
TOTAL ZONING	12,772.31	12,772.31	34,400.00	21,627.69	37.13
<u>CIVIL DEFENSE</u>					
101-42500-310 CIVIL DEFENSE	.00	.00	.00	.00	.00
101-42500-381 UTILITY SERVICES-ELECTRIC	25.21	25.21	100.00	74.79	25.21
TOTAL CIVIL DEFENSE	25.21	25.21	100.00	74.79	25.21
<u>ENGINEERING</u>					
101-42600-303 ENGINEERING FEES	951.00	951.00	8,000.00	7,049.00	11.89
TOTAL ENGINEERING	951.00	951.00	8,000.00	7,049.00	11.89
<u>ANIMAL CONTROL</u>					
101-42700-309 ANIMAL CONTROL	.00	.00	.00	.00	.00
101-42700-439 MISCELLANEOUS-OTHER	.00	.00	.00	.00	.00
TOTAL ANIMAL CONTROL	.00	.00	.00	.00	.00
<u>CONTRACT UTILITY AND ROADS</u>					
101-43100-229 R&M SUPPLIES-OTHER	.00	.00	.00	.00	.00
101-43100-309 PROFESSIONAL SVCS-OTHER	.00	.00	500.00	500.00	.00
101-43100-381 S&R-UTILITY SERVICES-ELEC	2,816.96	2,816.96	4,600.00	1,783.04	61.24
101-43100-409 R&M CONTRACTURAL-OTHER(RE	.00	.00	75,000.00	75,000.00	.00
TOTAL CONTRACT UTILITY AND ROADS	2,816.96	2,816.96	80,100.00	77,283.04	3.52

YTD

CITY OF GREENWOOD
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 9 MONTHS ENDING SEPTEMBER 30, 2009

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>PUBLIC WORKS</u>					
101-43900-219	.00	.00	.00	.00	.00
101-43900-226	328.52	328.52	1,000.00	671.48	32.85
101-43900-309	.00	.00	2,000.00	2,000.00	.00
101-43900-310	4,555.78	4,555.78	8,350.00	3,794.22	54.56
101-43900-311	532.39	532.39	2,750.00	2,217.61	19.36
101-43900-312	9,678.53	9,678.53	12,500.00	2,821.47	77.43
101-43900-313	8,717.05	8,717.05	12,000.00	3,282.95	72.64
101-43900-314	.00	.00	200.00	200.00	.00
101-43900-315	342.25	342.25	1,000.00	657.75	34.22
101-43900-438	.00	.00	.00	.00	.00
101-43900-439	.00	.00	.00	.00	.00
TOTAL PUBLIC WORKS	24,154.52	24,154.52	39,800.00	15,645.48	60.69
<u>OUTSIDE CONTRACTORS</u>					
101-45100-225	.00	.00	.00	.00	.00
101-45100-309	.00	.00	.00	.00	.00
101-45100-310	.00	.00	1,000.00	1,000.00	.00
101-45100-311	.00	.00	.00	.00	.00
101-45100-312	.00	.00	.00	.00	.00
101-45100-313	.00	.00	.00	.00	.00
101-45100-438	.00	.00	.00	.00	.00
TOTAL OUTSIDE CONTRACTORS	.00	.00	1,000.00	1,000.00	.00
<u>COUNCIL</u>					
101-49000-000	.00	.00	.00	.00	.00
101-49000-309	.00	.00	.00	.00	.00
101-49000-310	10,230.95	10,230.95	13,185.00	2,954.05	77.60
101-49000-311	.00	.00	4,500.00	4,500.00	.00
101-49000-369	618.00	618.00	7,000.00	6,382.00	8.83
101-49000-433	5,852.96	5,852.96	11,213.00	5,360.04	52.20
101-49000-439	100.00	100.00	22,757.00	22,657.00	.44
101-49000-440	.00	.00	57,500.00	57,500.00	.00
101-49000-720	75,000.00	75,000.00	.00	(75,000.00)	.00
TOTAL COUNCIL	91,801.91	91,801.91	116,155.00	24,353.09	79.03
<u>TOTAL FUND EXPENDITURES</u>					
	494,059.81	494,059.81	781,300.00	287,240.19	63.24

YTD

CITY OF GREENWOOD
 EXPENDITURES WITH COMPARISON TO BUDGET
 FOR THE 9 MONTHS ENDING SEPTEMBER 30, 2009

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
NET REVENUES OVER EXPENDITURES	(87,041.68)	(87,041.68)	.00	(661,522.06)	.00

2010 Greenwood PRELIMINARY Budget Expenses

			2008 Actual	2008 Budget	YTD 8/09	2009 Budget	2010 Budget	% Change	% of Budget
Council									
1	101-41100-103	Council Salaries (gross)	12,600	13,200	8,800	13,200	13,200	0.00%	
2	101-41100-122	FICA Contributions (6.2%)	781	975	546	975	818	-16.06%	
3	101-41100-123	Medicare Contributions (1.45%)	183	220	128	220	191	-13.00%	
4	101-41100-209	Office Supplies (nameplates)	90	50	0	150	150	0.00%	
5	101-41100-309	Misc Professional Services	0	0	0	0	0		
6	101-41100-371	Training/Conference Registration (League of Minnesota Cities Training)	40	300	855	1,325	600	-54.72%	
7	101-41100-372	Meals/Lodging (LMCD Banquet, Mayor's Breakfast)	10	110	0	110	50	-54.55%	
8	101-41100-433	Misc. Dues & Subscriptions (Mayor's Association)	0	50	0	50	0	-100.00%	
9	101-41100-439	Misc. Other	0	0	0	0	0		
10		Total Council	13,704	14,905	10,329	16,030	15,010	-6.36%	2.21%
11									
Elections									
12									% change from 08 actual
13	101-41200-103	Election Salaries (part-time election judge salaries)	1,354	1,700	0	0	1,500	11%	
14	101-41200-214	Operational Support - Forms (ballots, voter reg. rosters)	209	500	0	0	300	44%	
15	101-41200-219	Election Operations/Support (Deeplaven Public Works)	330	135	0	0	350	6%	
16	101-41200-249	Minor Equipment - Other/Supplies (pens, ink, etc.)	0	80	0	0	25		
17	101-41200-309	Professional Services	0	0	0	0	0		
18	101-41200-319	Equipment Maintenance (ES & S Maintenance Agreement/Programming)	0	292	161	400	400		
19	101-41200-322	Postage Election (Mailing AB's County Postal Verification Cards)	81	360	55	40	100	23%	
20	101-41200-372	Meals Lodging (Election judge snacks)	58	35	0	0	75	29%	
21	101-41200-439	Misc. Other	183	0	0	0	200	9%	
22		Total Elections	2,215	3,102	216	440	2,950	33%	0.43%
23									
Administration									
24									% change from 09 actual
25	101-41400-101	City Administrator Salary (includes insurance credit of \$1719)	61,652	63,000	41,413	71,000	52,855	-19.52%	
26	101-41400-102	City Administrator Salary (overtime)	0	0	0	0	0		
27	101-41400-121	PERA Contributions (7%)	3,969	4,095	2,789	4,795	3,700	-22.84%	
28	101-41400-122	FICA Contributions (6.2%)	3,786	3,906	2,568	4,410	3,277	-25.69%	
29	101-41400-123	Medicare Contributions (1.45%)	885	914	600	1,030	766	-25.59%	
30	101-41400-125	Other Retirement	0	0	0	0	0		
31	101-41400-139	City Administrator Insurance (LTD \$99, STD \$14, Life \$5.55 = \$118.55/mo.)	1,529	1,430	936	1,440	1,423	-1.21%	
32	101-41400-201	Office Supplies (Credit Card)	671	800	162	800	600	-25.00%	
33	101-41400-202	Duplicating	1,768	5,000	144	500	400	-20.00%	
34	101-41400-203	Office Supplies/Computer	0	0	0	0	0		
35	101-41400-204	Stationary	276	300	425	400	300	-25.00%	
36	101-41400-209	Office Supplies - Other (dog tags)	13	0	40	200	0	-100.00%	
37	101-41400-214	Forms/Printing (Am Bus Forms, I-9, W-2)	54	200	17	150	100	-33.33%	
38	101-41400-249	Minor Equip - Other	70	100	0	100	100	0.00%	
39	101-41400-309	Professional Services - Other (ISP, IT consult, Web site, email)	4,417	820	740	3,500	3,500	0.00%	
40	101-41400-310	Clerk's Contractual (minutes, part-time help)	695	800	1,575	8,500	3,250	-61.76%	
41	101-41400-311	Office - Rent/Equipment	11,072	11,100	7,541	11,500	11,580	0.70%	
42	101-41400-313	Professional Services - (Civic Accounting, 4.25%)	3,666	3,710	3,760	3,900	4,100	5.13%	
43	101-41400-319	Equipment Maintenance Other	0	0	0	300	100	-66.67%	
44	101-41400-321	Communications - telephone	1,667	1,550	1,029	1,500	1,500	0.00%	

2010 Greenwood PRELIMINARY Budget Expenses

			2008 Actual	2008 Budget	YTD 8/09	2009 Budget	2010 Budget	% Change	% of Budget
45	101-41400-322	Postage	1,179	1,300	799	1,400	1,400	0.00%	
46	101-41400-329	Other	0	0	0	0	0		
47	101-41400-331	Transportation/Travel expenses	391	275	83	300	400	33.33%	
48	101-41400-339	Other (recognition, gifts)	10	0	0	25	25	0.00%	
49	101-41400-351	Newspaper Legal Notices (all publications)	2,385	2,200	5,252	2,000	2,500	25.00%	
50	101-41400-359	Other	0	0	0	0	0		
51	101-41400-371	Training (Clerk mtgs./MFCOA annual conference)	200	300	0	0	250		
52	101-41400-372	Meals/Lodging	207	450	0	50	50	0.00%	
53	101-41400-411	Rentals - office equipment (Copier Lease)	1,340	0	1,642	2,280	2,280	0.00%	
54	101-41400-433	Misc Dues/subscriptions (MCFOA Dues/notary fee)	70	100	35	100	100	0.00%	
55	101-41400-437	Bank Services	0	50	0	50	50	0.00%	
56	101-41400-439	Misc. Other COMPUTER Software/Hardware	3,888	2,200	284	400	400	0.00%	
57	101-41400-570	Office Equipment & Furnishings	214	300	0	0	0		
58		Total Administration	106,074	104,900	71,834	120,630	95,006	-21.24%	14.00%
59									
60		Assessor							
61	101-41500-209	Assessor's Supplies (Henn Co. TNT Notices)	62	100	0	100	100	0.00%	
62	101-41500-309	Assessor's Contract (Hennepin Co.)	12,860	13,400	0	13,500	14,000	3.70%	
63	101-41500-439	Assessor's - Other (Henn Co. Processing, Tax Rolls)	11	50	12	25	25	0.00%	
64		Total Assessor	12,933	13,550	12	13,625	14,125	3.67%	2.08%
65									
67		Legal Services							
68	101-41600-304	Legal Services - General (regular)	22,855	25,000	15,721	20,000	20,000	0.00%	
69	101-41600-308	Legal Services - Projects	0	0	0	0	0		
70	101-41600-309	Legal Services - Special	0	0	0	0	0		
71		Total Legal Services	22,855	25,000	15,721	20,000	20,000	0.00%	2.95%
72									
73		Auditing							
74	101-41700-301	Auditing	11,000	10,000	12,855	13,000	11,500	-11.54%	
75		Total Auditing	11,000	10,000	12,855	13,000	11,500	-11.54%	1.69%
76									
77		Law Enforcement							
78	101-42100-304	Legal Services - Prosecution	4,032	6,000	4,129	6,000	6,000	0.00%	
79	101-42100-310	Law Enforcement - Contract monthly	141,756	139,500	112,671	150,232	151,352	0.75%	
80	101-42100-311	Police Side Lease (facilities quarterly)	47,396	46,000	35,736	47,649	47,901	0.53%	
81	101-42100-439	Police Side Safety Other (reserve officer's fund)	1,058	700	3,112	0	1,000		
82		Total Law Enforcement	194,242	192,200	155,648	203,881	206,253	1.16%	30.40%
83									
84		Fire							
85	101-42200-309	Fire Protection (operations quarterly)	51,986	51,986	43,799	58,314	63,990	9.73%	
86	101-42200-311	Fire Side Lease (facilities quarterly)	53,642	53,642	40,728	55,825	58,520	4.83%	
87		Total Fire	105,628	105,628	84,527	114,139	122,510	7.33%	18.06%
88									
89									
90									

2010 Greenwood PRELIMINARY Budget Expenses

			2008 Actual	2008 Budget	YTD 8/09	2009 Budget	2010 Budget	% Change	% of Budget
91		Zoning							
92	101-42400-308	Zoning Contract	4,457	2,400	2,146	4,000	4,000	0.00%	
93	101-42400-309	Public Notices	0	0	1,409	0	0		
94	101-42400-310	Building Inspections - Contract (elec & bldg)	21,402	57,000	9,218	30,000	6,500	-78.33%	
95	101-42400-438	Misc. (duplicating)	0	400	46	400	200	-50.00%	
96		Total Zoning	25,859	59,800	12,819	34,400	10,700	-68.90%	1.58%
97									
98		Civil Defense							
99	101-42500-310	Civil Defense (new siren)	21,484	25,000	0	0	0		
100	101-42500-381	Utility Services - Electric (siren)	40	350	25	100	100	0.00%	
101		Total Civil Defense	21,524	25,350	25	100	100	0.00%	0.01%
102									
103		Engineering							
104	101-42600-303	Engineering Fees (beginning 2010, charge excess of \$5000 to sewer and stormwater fund)	15,547	6,000	15,153	8,000	5,000	-37.50%	
105		Total Engineering Fees	15,547	6,000	15,153	8,000	5,000	-37.50%	0.74%
106									
107		Animal Control							
108	101-42700-309	Animal Control (part of police contract)	0	3,600	0	0	0		
109		Total Animal Control	0	3,600	0	0	0		0.00%
110									
111		Contract Utility & Roads							
112	101-43100-229	Repair & Maintenance Supplies - Other	0	0	0	0	0		
113	101-43100-309	Professional Services - Other (Const. Bulletin)	431	500	0	500	500	0.00%	
114	101-43100-381	S&R - Utility Services - Elec	4,442	4,400	2,817	4,600	3,500	-23.91%	
115	101-43100-409	Other - Road Fund	0	75,000	75,000	75,000	100,000	33.33%	
116		Total Contract Utility & Roads	4,873	79,900	77,817	80,100	104,000	29.84%	15.33%
117									
118		Public Works (Deephaven Public Works)							
119	101-43900-226	Signs	927	1,025	329	1,000	2,000	100.00%	
120	101-43900-309	Professional Services - Other (culvert cleaning)	0	2,000	0	2,000	2,000	0.00%	
121	101-43900-310	Streets - Contractural (sweeping, charge excess of \$5000 to stormwater fund beginning 2010)	8,832	8,000	4,556	8,350	5,000	-40.12%	
122	101-43900-311	Storm Sewer - Contractural (charge to stormwater fund beginning 2010)	2,166	2,750	532	2,750	0	-100.00%	
123	101-43900-312	Snow Plowing - Contractural	10,806	12,875	9,679	12,500	13,000	4.00%	
124	101-43900-313	Tree/Weed - Contractural	19,553	7,500	8,717	12,000	12,000	0.00%	
125	101-43900-314	Tennis Courts - Contractural (pressure wash)	138	200	0	200	200	0.00%	
126	101-43900-315	Tar Bike Path - Contractural	1,542	1,000	342	1,000	1,000	0.00%	
127	101-43900-438	Maintenance - Contractural	0	0	0	0	0		
128		Total Public Works	43,964	35,350	24,155	39,800	35,200	-11.56%	5.19%
129									
130		Outside Contractors							
131	101-45100-225	R&M Supplies - Landscaping (trail beautification)	11	0	0	0	0		
132	101-45100-309	Parks - Professional Services	0	0	0	0	0		
133	101-45100-310	Tree/Weed/Mowing	330	1,000	0	1,000	1,000	0.00%	
134	101-45100-311	Tennis Courts - Contractural	0	0	0	0	0		
135		Total Outside Contractors	341	1,000	0	1,000	1,000	0.00%	0.15%

2010 Greenwood PRELIMINARY Budget Expenses

			2008 Actual	2008 Budget	YTD 8/09	2009 Budget	2010 Budget	% Change	% of Budget
136		Miscellaneous							
137	101-49000-000	Misc. (\$100 Meadville Fire Lane Padlock)	0	200	100	0	100		
138	101-49000-310	Recycling Contract	9,771	8,400	7,901	13,185	14,000	6.18%	
139	101-49000-311	Spring Clean-Up Day	3,978	4,500	2,330	4,500	4,000	-11.11%	
140	101-49000-369	Misc. Insurance (LMCIT Ins: Work Comp/Liability)	6,407	6,800	618	7,000	7,500	7.14%	
141	101-49000-433	Misc. Dues & Subscriptions (SoShore \$1200, LMC \$780, LMCD \$6344, 4th July \$1200)	8,129	8,100	5,853	11,213	9,524	-15.06%	
142		Total Misc.	28,285	28,000	16,802	35,898	35,124	-2.16%	4.73%
143									
144		Total Operating Budget	609,044	708,285	497,913	701,043	678,478	-3.22%	
145									
146	101-49000-439	Other - 5% contingency	1,200	23,000	0	22,757	33,924	49.07%	
147	101-49000-440	Reserve Replenishment	0	57,500	0	57,500	10,000	-82.61%	
148	101-43100-409 ???	Other - Bridge Fund	0	0	0	0	20,000		
150									
151		Total Expenses	610,244	788,785	497,913	781,300	742,402	-4.98%	

2010 Greenwood PRELIMINARY Budget Revenue

			2008 Actual	2008 Budget	8/09 YTD	2009 Budget	2010 Budget	% Change
	Taxes							
1	101-31010	Current Ad Valorem (Tax Levy)	621,067	641,696	344,962	687,057	677,167	-1.44%
2	101-31020	Delinquent Ad Valorem	4,325	1,000	0	1,000	1,000	0.00%
3	101-31040	Fiscal Disparities	4,923	3,500	2,461	2,200	2,200	0.00%
4	101-31800	Sur Charge Revenue	32	34	14	25	25	0.00%
5	101-31910	Penalties	41	200	342	100	50	-50.00%
6		Total Taxes	630,388	646,430	347,779	690,382	680,442	-1.44%
7	Licenses & Permits							
8	101-32110	3.2 Beer, Liquor, Cigarette License	7,735	7,302	3,250	2,965	3,250	9.61%
9	101-32180	Other Business Licenses/Permits (Rental, Peddler, Comm. Marina, Trash)	1,724	1,500	2,034	1,600	3,355	109.69%
10	101-32210	Building Permits	26,307	68,500	10,672	28,000	12,000	-57.14%
11	101-32211	Electric Permit	2,279	3,000	659	2,000	1,200	-40.00%
12	101-32215	Management Review - Bldg	0	1,000	0	200	0	-100.00%
13	101-32240	Animal License	100	0	75	0	100	
14		Total License & Permits	38,145	81,302	16,690	34,765	19,905	-42.74%
15	Intergovernment Aid							
16	101-33402	Homestead Credit (Market Value Credit)	610	0	0	0	0	
17	101-33423	Other State Grants/Aids (Recycle Grant)	4,845	2,000	0	2,000	0	-100.00%
18	101-33610	Hennepin County Road Aid (CAM)	1,775	1,675	0	1,675	0	-100.00%
19	101-33630	Aid from Other Local Government (LGA)	2,442	4,884	0	0	0	
20		Total Intergovernmental Aid	9,672	8,559	0	3,675	0	-100.00%
21	Public Charges for Services							
22	101-34103	Zoning & Subdivisions (Variances)	2,400	5,000	1,300	1,500	2,500	66.67%
23	101-34107	Assessment Fee	0	0	0	0	0	
24	101-34207	False Alarm Fee	0	50	50	50	50	0.00%
25	101-34304	Load Limits	3,800	3,500	75	3,500	1,000	-71.43%
26	101-34409	Recycling Fees	11,971	12,094	9,734	13,478	13,480	0.01%
27	101-34960	Refunds	1,055	0	0	0	0	
28		Total Public Charges for Service	19,226	20,644	11,159	18,528	17,030	-8.09%
29	Fines & Forfeitures							
30	101-35101	Court Fines (St of MN - Henn Dist. Ct.)	7,120	5,300	4,123	5,300	5,000	-5.66%
31	Special Assessments							
32	101-36100	Special Assessments	1,375	0	0	1,500	0	-100.00%
33	101-36101	SA Principal	0	0	0	0	0	
34	101-36102	Interest	4,665	7,000	1,735	7,000	5,000	-28.57%
35	101-36201	Copies (Labels)	53	50	0	50	25	-50.00%
36	101-36220	Other Income: Marina Fund Transfer	341	19,500	20,100	20,100	15,000	-25.37%
37	???	Other Income: Sewer & Stormwater Fund Transfers	0	0	0	0	0	
38	101-36230	Donations	0	0	0	0	0	
39		Total Special Assessments	6,434	26,550	21,835	28,650	20,025	-30.10%
40								
41		Revenue Total	710,985	788,785	401,586	781,300	742,402	-4.98%

CITY OF GREENWOOD CASH FLOWS AND BALANCES BY FUND

	General Fund	Sewer Fund	Marina Fund	Non-Major Road Improvement Fund	Bridge Fund	Park Fund
12/31/07 Balance	\$97,349	\$375,234	\$23,453	\$877	\$0	\$23,221
Revenues	\$710,986	\$104,672	\$20,100		\$0	\$0
Expenses (Does not include depreciation)	\$610,241	\$123,835	\$4,446	\$58,228	\$0	\$1,411
Increase in Net Receivables - General Fund	\$11,547					
Transfer from General Fund to Road Fund	-\$75,000			\$75,000	\$0	
Transfer from Marina Fund to General Fund	\$20,100		-\$20,100		\$0	
Transfer from General Fund to Park Fund	-\$5,245				\$0	\$5,245
Net Cash Flow	\$29,053	-\$19,163	-\$4,446	\$16,772	\$0	\$3,834
12/31/08 Balance	\$126,402	\$356,071	\$19,007	\$17,649	\$0	\$27,055
GENERAL FUND RESERVES						
12/08 Reserves	\$126,402					
Budgeted 2009 Contribution	\$57,500					
Expected 2009 Year-End Reserves	\$187,836					
2010 Proposed Operating Budget	\$678,478					
Reserves as a % of the Operating Budget	27.68%					
8.27% of \$253,248 2008 YE Fire Reserves	\$20,944					
8% of \$179,548 2008 YE Police Reserves	\$14,364					
Potential 2009 Year-End Reserves	\$223,144					
2010 Proposed Operating Budget	\$678,478					
Reserve % including Fire & Police Reserves	32.89%					
POSSIBLE GOALS	25%-35%	\$250,000	\$50,000	\$0	\$200,000	\$0

Note: The above summary is performed on a cash basis and does not consider fixed, depreciable assets.

Note: Expenses include capital items but do not include depreciation

Updated: 9/28/09

City of Greenwood
Resolution #18-09

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA

WHEREAS, the City Council of the City of Greenwood has caused a notice to be published fixing the time and place of the Council meeting to pass upon the proposed assessment roll for delinquent sewer and recycling charges, more specifically described in the Notice of Hearing published September 24, and October 1, 2009, in the MN Sun Publications and

WHEREAS, notice of said meeting has been given to all property owners whose property is to be assessed therefore, by publication thereof in the manner required by law; and

WHEREAS, all persons have had an opportunity to be heard in connection with said manner.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA:

1. That the assessment roll, as prepared by the City Clerk be, and that the same is hereby approved, and the assessments therein contained are hereby determined to be the special assessments for the services therein included.
2. That said assessments are found to be properly assessed upon the properties so served.
3. That each of such unpaid assessments shall bear interest at the rate of 8% per annum accruing on the full amount from December 1, 2009, together with a service charge on each assessment.

Levy Number 17472 Delinquent Sewer/Recycling/Stormwater

4. That each of such unpaid assessments shall bear the penalty of \$20.00, per Ordinance Section 310.20
5. Prior to certification of the assessment to the County Auditor, the owner of any lot, piece or parcel of land assessed hereby may at any time pay the whole of such assessment inclusive of the penalties, to the City Treasurer, prior to November 19, 2009.
6. That the City Clerk is hereby directed to certify such assessments to the County Auditor for collection and remittance to the City Treasurer in the same manner as assessments for local improvements.

Adopted this 6th day of October, 2009, by the City Council of Greenwood, Hennepin County, Minnesota.

_____ AYES _____ Nays

BY:

Debra J. Kind Greenwood Mayor

ATTEST:

Roberta Whipple Greenwood City Administrator

Ordinance #174

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING THE INTOXICATING LIQUOR ORDINANCE, CODE SECTION 820:15
Persons and Places Ineligible for License, BY THE ADDITION OF A FOOD/LIQUOR SALES
RATIO REQUIREMENT and RELATED LICENSE CONDITIONS and ENFORCEMENT
TERMS TO SECTIONS 820:55 and 820:70.**

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

SECTION 1.

Section 820:15. Persons and Places Ineligible for License is hereby amended to read as follows:

“Section 820:15. Persons and Places Ineligible for License. No license shall be issued to:

1. A person not citizen of the United States or resident alien.
2. A person under 21 years of age.
3. A person who has had an intoxicating liquor or 3.2 percent malt liquor license revoked within five years of the license application, or to any person who at the time of the violation owns any interest, whether as a holder of more than five percent of the capital stock of a corporation licensee, as a partner or otherwise, in the premises or in the business conducted thereon, or to a corporation, partnership, association, enterprise, business, or firm in which any such person is in any manner interested.
4. A person not of good moral character and repute.
5. A person who has a direct or indirect interest in a manufacturer, brewer, or wholesaler.
6. No new retail license may be issued to, and the governing body of a municipality may refuse to renew the license of, a person who, within five years of the license application, has been convicted of a felony or a willful violation of a federal or state law or local ordinance governing the manufacture, sale, distribution, or possession for sale or distribution of an alcoholic beverage. The Alcohol and Gambling Enforcement Division or licensing authority may require that fingerprints be taken and forwarded to the Federal Bureau of Investigation for purposes of a criminal history check.
7. A person who is not a real party in interest.
8. Foreign corporations, a corporation not chartered in the State of Minnesota, and not otherwise licensed to do business in the State.
9. No license may be issued or renewed unless the applicant makes a bona fide estimation that at least sixty percent (60%) of the gross receipts of the establishment during its first year of business will be attributable to the sale of food. Thereafter license holders shall annually in conjunction with their request to renew their license hereunder submit a verified statement, (subject to audit under Section 820:55, Subd. 16), of the percent of the gross receipts of the licensed establishment during the previous twelve months of operations attributable to the sale of food. Failure to demonstrate to the satisfaction of the city that the sale of food was at least sixty percent (60%) of gross receipts of the establishment in the preceding twelve months shall subject the license holder and license to fines, license suspension, and revocation as provided under Section 820:70, Subd.4.”

SECTION 2.

Section 820:55. Conditions of License. is hereby amended by the addition of the following subdivisions:

“Subd. 16. Compliance with Section 820:15. The Licensee shall at all times be compliant with the terms and conditions imposed under Section 820:15.

Subd. 17. Compliance with Section 820:70. The Licensee shall at all times be compliant with the terms and conditions imposed under Section 820:70.

Subd.18 Audit. For the purpose of verifying compliance with the requirement of Section 820:15, that at least sixty percent (60%) of the gross receipts of the establishment during each year of licensed operations are attributable to the sale of food, all licensees shall be subject to audit by a city representative at the sole expense of the licensee.”

SECTION 3.

Section 820:70. Fines, Revocation or Suspension of License is hereby amended to read as follows:

“Section 820:70. Fines, Revocation or Suspension of License.

Subd. 1. Sale or transfer of alcoholic beverages to an inebriated or under-age individual [~~Delete: Fine, Suspension and Revocation~~].

Upon evidence that a licensee has failed to comply with any applicable statute, regulation, or ordinance relating to sale or transfer of alcoholic beverages to an inebriated or under-age individual, the City Clerk/ Administrator shall impose the following civil penalties and requirements on the licensee:

(1) First violation in a 24-month period:

a. Civil fine in the amount set forth in Chapter Five of this code [~~Delete: Section 510~~].

(2) Second violation in a 24-month period:

a. Civil fine in the amount set forth in Chapter Five of this code [~~Delete: Section 510~~];
and

b. Requirement that licensee enroll all employees of licensee in an alcohol merchant/employee training program, and provide proof of completion of same to Clerk within ninety (90) days of City demand for civil fine.

(3) Third violation in a 24-month period:

a. Civil fine in the amount set forth in Chapter Five of this code [~~Delete: Section 510~~];
and

b. requirement that licensee enroll all employees of licensee in an alcohol merchant/employee training program, and provide proof of completion of same to Clerk that within ninety (90) days of City demand for fine; and

c. schedule a hearing before the City Council for the purpose of determining whether or not to suspend or revoke the license as provided [~~Delete:in Subd. 2~~] below.

(4) Fourth violation in a 24-month period:

- a. Civil fine in the amount set forth in **Chapter Five of this code** ~~[Delete: Section 510]~~; and
- b. Requirement that licensee enroll all employees of licensee in an alcohol merchant/employee training program, and provide proof of completion of same to Clerk within ninety (90) days of demand for civil fine; and
- c. schedule a hearing before the City Council for the purpose of determining whether or not to suspend or revoke the license as provided ~~[Delete:in Subd. 2]~~ below.

~~[Delete: Subd. 2.]~~

In the event the City Council shall find that there has been a third sale of alcoholic beverages to an inebriated or under-age individual in a 24-month period, the City Council shall suspend the issued license for a period of three business days. Upon a finding of a fourth or more sale of alcoholic beverages to an inebriated or underage individual within a 24-month period, the Council shall revoke the license. No suspension or revocation shall take effect until the licensee has been afforded an opportunity for hearing **provided** pursuant to **Chapter twelve of this code** ~~[Delete: Minnesota Administrative Procedure Act]~~.

~~[Delete: Subd. 3.]~~

Subd. 2. Lapse of required insurance, bond, deposit or failure to pay fines or fees.

Lapse of required dram shop insurance or bond, or withdrawal of a required deposit of cash or securities or failure to timely pay fines **or fees** levied hereunder shall effect an immediate suspension of any license issued pursuant to this ordinance without further action of the City Council. Notice of cancellation, lapse of a current liquor liability policy or bond, or withdrawal of deposited cash or securities or failure to timely pay fines levied hereunder shall also constitute notice to the licensee of the impending suspension of the license. The holder of a license who has received notice of lapse of required insurance or bond, or withdrawal of a required deposit, or of the suspension or revocation of a license, may request a hearing thereon and if such a request is made in writing to the clerk, a hearing shall be **provided pursuant to Chapter Twelve of this code** ~~[Delete: granted within 10 days or such longer period as may be requested.]~~ Any suspension under this paragraph shall continue until the City Council determines that the financial responsibility requirements of this ordinance have again been met.

~~[Delete: Subd. 4.]~~

Subd. 3. Appearance at Hearings Mandatory.

The licensee shall appear at any hearing required hereunder. Failure to appear shall cause to suspend the license pursuant to Subd. 3 above. The licensee, by accepting a liquor license under Section 820:00, et seq agrees and accepts the foregoing potential penalties.

Subd. 4 Failure to Demonstrate That Sale of Food Was At Least Sixty Percent (60%) of Gross Receipts.

- (1) **If at the time of liquor license renewal the license holder fails to demonstrate to the satisfaction of the City that the percent of the gross receipts of the licensed establishment during the previous twelve months of operations attributable to the sale of food is at least sixty percent 60% of total gross receipts, the liquor license at issue may be renewed by the City Council on a probationary basis for one additional year term on the following conditions: (1) the license holder demonstrates at the next**

annual liquor license renewal application by audit under Section 820:55, Subd. 16 that the percent of the gross receipts of the licensed establishment during the twelve month probationary period attributable to the sale of food was at least sixty percent 60% of total gross receipts, and (2) payment of the civil fine as provided in Chapter Five of this Code

- (2) If at the end of the probationary license term the license holder fails to demonstrate to the satisfaction of the city that the sale of food was at least sixty percent (60%) of gross receipts of the establishment, the liquor license may be renewed on a probationary basis by the City on the following conditions: (1) the license holder demonstrates at the next annual liquor license renewal application by audit under Section 820:55, Subd. 16), that the percent of the gross receipts of the licensed establishment during the twelve month probationary period attributable to the sale of food was at least sixty percent 60% of total gross receipts, (2) payment of the civil fine equal to *two times* the fine provided in Chapter Five of this Code, and (3), in the sole discretion of the City, suspension of the issued liquor license for a period of Seven days (7) business days of the city's choice.
- (3) In the event of a subsequent failure of the licensee in a ten year period to demonstrate to the satisfaction of the City that the percent of the gross receipts of the licensed establishment during the previous twelve months of operations attributable to the sale of food is at least sixty percent 60% of total gross receipts, the liquor license holder shall be subject to the following: (1) payment of the civil fine equal to *three times* the fine provided in Chapter Five of this Code, (2) suspension of the issued liquor license for a period of seven (7) business days of the city's choice, and, (3), in the sole discretion of the City Council, revocation of the liquor license in question.
- (4) A suspended license cannot be administratively reinstated by the city without first payment of the applicable civil fine. A revoked license cannot be administratively reinstated and cannot be reconsidered by the city without first payment of the applicable civil fine. The holder of a revoked license shall reapply and pay all investigation fees and liquor license fees, then applicable.
- (5) No suspension or revocation shall take effect until the licensee has been afforded an opportunity for hearing provided pursuant to Chapter Twelve of this code."

SECTION 4.

Effective Date. This ordinance shall be effective upon publication according to law.

ENACTED BY THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA, THIS ____ DAY OF _____, 2009.

Ayes____, Nays_____.

CITY OF GREENWOOD

Attest:

By: _____
Debra J. Kind, Mayor

Roberta L. Whipple, City Administrator
Ordinance xxx liquor

Ordinance #175

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING CHAPTER XII, PENALTIES, SEPARABILITY, NAME AND CITATION OF
CODE AND /OR DEFINITIONS.**

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

SECTION 1.

Greenwood Ordinance Code Chapter XII is hereby amended to read as follows:

“CHAPTER XII.

GENERAL PROVISIONS; PENALTIES

SECTION 1200. TITLE; GENERAL PROVISIONS.

1200.00. Title.

This codification of the ordinances of the city of Greenwood is known as “The 1996 Ordinance Code of Greenwood” or “the city code.” It may also be referred to within this codification as “this code,” or “the code,” or “the ordinance code.”

1200.10. Interpretation.

1. This code must be construed liberally to carry out its purposes. The rules of statutory construction contained in Minn. Stat. §§ 645.08 through 645.43 apply to the interpretation of this code.
2. Use of the words “chapter” or “section” is a clear reference to all the sections, including paragraphs and subparagraphs, that have the same number appearing before the decimal point. Use of the words “chapter” or “section” does not expand the meaning of the citation unless the meaning clearly refers to more than one chapter or section.
3. All headings used in divisions of this code are not part of the subject matter of the code and are intended for convenience only.
4. Grammatical errors do not negate an ordinance. A transposition of words and clauses may be used when a sentence is without meaning as written. Words and phrases that may be necessary for the proper interpretation of an ordinance may be added if they do not conflict with its obvious intent and do not affect its scope and operation.
5. The singular includes the plural, and all pronouns include the masculine, feminine and neuter.

1200.15. Adoption by Reference.

Various state laws and rules and certain codes are adopted by reference into this code. At least one copy of the adopted item will be kept for public review by the city clerk or the clerk’s designee. Adoption of a state law or rule includes any subsequent amendments.

1200.20. Relation to State Law.

When this code imposes a more stringent rule or standard of conduct than contained in similar provisions in state laws or rules, the provisions of this code will prevail to the extent permitted by law.

1200.25. Inconsistent Provisions.

The regulatory provisions of this code are minimum requirements. If the provisions in one section of this code differ from those in any other section, the provisions that are more restrictive or that impose the higher standard will prevail.

1200.30. Separability.

Every section, subdivision, paragraph, and subparagraph of this code is separable from every other code provision. If a provision of the code is held invalid, it will not affect any other code provision.

SECTION 1205. DEFINITIONS.

1205.00. Definitions.

1. Unless the context clearly indicates otherwise, the words and phrases below are defined for the purpose of this code as follows:

- a. "City" and "municipality" means the city of Greenwood, located in Hennepin county, Minnesota, including all territory lying within its boundaries.
- b. "Clerk" means the Greenwood city clerk.
- c. "Council" means the city council of the city of Greenwood.
- d. "County" means Hennepin county, Minnesota.
- e. The term "et seq." following a section or subsection means the sections or subsections designated, together with the following sections or subsections that pertain to the same subject matter or that are related.
- f. [Reserved].
- g. "Intersection" has the same meaning as that contained in Minn. Stat. § 169.01.
- h. "Administrator" means the Greenwood city Administrator.
- i. "This ordinance" means the chapter or section in which it appears and related sections, subsections, paragraphs and subdivisions under the same chapter or section.
- j. "Person" means a natural person of either sex, a firm, partnership, limited liability company, corporation, any other association of people, and includes the manager or agent of that person or organization.
- k. "Public property" and "public place" means any place or property dedicated to public use, or owned or occupied by the city or any other governmental agency.

1. "Private property" means all property not included within the definition of public property or public place.
 - m. "State" means the state of Minnesota.
 - n. "Street" has the same meaning as that contained in Minn. Stat. § 169.01.
2. In addition to the definitions in paragraph 1, the definitions contained in Minn. Stat. § 609.02 are adopted by reference as the definitions for words or phrases in this code, unless the context clearly indicates otherwise.
3. References to elected or appointed city officials and employees include their duly authorized representatives.

SECTION 1210. PENALTIES.

1210.00. Prohibited Acts.

1. A person must not do any of the following:
 - a. violate, fail to comply with, or assist, authorize or permit the violation of a provision of this code;
 - b. violate, fail to comply with, or assist, authorize, or permit the violation of the terms and conditions of a city approval, including permits and licenses, required and granted under this code;
 - c. knowingly make or submit a false statement, document, or material omission in connection with an application or procedure required by this code; or
 - d. perform an act or takes an action which requires a city issued permit or license, (variance, condition use permit, license, permit, or other city approval) without the necessary permit or license first obtained and fees paid.
2. No section or part of this code designating the duties of an official, employee, or appointee of the city may be construed to make that person liable for the penalties provided below.

1210.10. Penalties.

1. A person who violates section 1210.00 is guilty of a misdemeanor and upon conviction will be punished in accordance with state law; provided, that if a different punishment is stated in this code, that provision governs the punishment for the violation.
2. Designation as a petty misdemeanor or a petty offense means that upon conviction the sentence will be in accordance with state law. If not designated as "petty misdemeanor" or a "petty offense", a violation is a misdemeanor (penal offense) as set forth above in paragraph 1. Any reference in this code to a "penal offense" shall mean a misdemeanor offense as defined by state law.
3. Each calendar day that section 1210.00 is violated constitutes a separate offense.
4. A person who violates section 1210.00 (1)(d) must pay **in addition to any civil or criminal fine for the violation** twice the applicable **municipal permit or license** fee related to the violation.

5. A violation of section 1210.00 constitutes sufficient grounds for denial of an application required by this code that is related to the violation.
6. A violation of section 1210.00 constitutes sufficient grounds for revocation of the license or permit issued under this code that is related to the violation.
7. Action prohibited by section 1210.00 may, at the option of the city, void a city approval that is related to the violation.
8. The city attorney may institute a legal proceeding in the name of the city of Greenwood to prevent, restrain, remedy, or abate a violation of section 1210.00.
9. Nothing in this section prevents the city from taking other action permitted by law **including seeking court ordered civil injunctive relief or criminal prosecution in District Court for any violation without need to first issue an administrative civil citation**; and the penalties and remedies provided here and under other law are cumulative.

1210.15. Administrative Citations and Civil Penalties.

Sections 1210.15 through 1210.55 govern administrative citations and civil penalties for violations of the city code.

1210.20. Purpose.

The city council finds that there is a need for alternative methods of enforcing the city code. While criminal fines and penalties have been the most frequent enforcement mechanism, there are certain negative consequences for both the city and the accused. The delay inherent in that system does not ensure prompt resolution. Citizens resent being labeled as criminals for violations of administrative regulations. The higher burden of proof and the potential of incarceration do not appear appropriate for most administrative violations. The criminal process does not always regard city code violations as being important. Accordingly, the city council finds that the use of administrative citations and the imposition of civil penalties is a legitimate and necessary alternative method of enforcement. This method of enforcement is in addition to any other legal remedy that may be pursued for city code violations.

1210.25. General Provisions.

1. Provisions of the city code may by separate ordinance identify specific code violations to be an administrative offense subject to a specific civil administrative fine memorialized in Chapter Five of the City Code City Code accordingly. Such ordinance shall specify the civil fines for each offense or repeat offense on a per day per violation basis. Each day a violation exists constitutes a separate offense.
2. At the sole election of the city any violation of the city code, not otherwise specified as provided above by ordinance, may be cited as an administrative offense by the City Administrator or City Zoning Administrator in which event each offense shall be subject to a civil administrative fine of Three Hundred dollars (\$300) or such larger amount as may then be the applicable maximum for petty misdemeanor offenses under Minnesota Statutes. Each day a violation exists constitutes a separate offense.
3. The designation of a city code provision as an administrative offense subject to civil fines shall not limit or prevent the city from electing to prosecute violations, including first offenses, in the District Court without first resort to administrative citations

3. An administrative offense may be subject to a civil penalty not exceeding the dollar amount set by the City Council from time to time and memorialized in Chapter Five of the City Code, or if none so specified, a civil administrative fine of Three Hundred dollars (\$300) or such larger amount as may then be the applicable maximum for petty misdemeanor offenses under Minnesota Statutes on a per day per violation basis. Provided that civil fines payable on repeat or ongoing offenses, if not otherwise specified in the code, shall be subject to a multiplier of two for the second offense, three for the third offense, and four for a fourth offense.
4. The city council is not bound by that schedule when a matter is appealed to it for administrative review. The city council may adopt a schedule of fees to be paid to administrative hearing officers.
5. The city Administrator must adopt procedures for administering the administrative citation program.

1210.30. Administrative Citation.

1. A person authorized to enforce provisions of the city code may issue an administrative citation upon belief that a code violation has occurred. The citation must be issued in person or by mail to the person responsible for the violation or attached to the motor vehicle in the case of a vehicular offense. The citation must state the date, time, and nature of the offense, the name of the issuing officer, the amount of the scheduled fine, and the manner for paying the fine or appealing the citation. Recipients of administrative citations must cause the alleged violation to be brought into code compliance within 14 days from the date of the administrative citation. Thereafter additional administrative citations may, in the sole discretion of the city, be issued for each day the alleged violation continues unabated.
2. The person responsible for the violation must either pay the scheduled fine or request a hearing within Fourteen (14) days after issuance. An administrative hearing fee in an amount set by the council and memorialized in Chapter Five shall be paid at the time of the request for hearing. Payment of the fine constitutes admission of the violation. A late payment fee of 10 percent of the scheduled fine amount may be imposed under section 1210.50.

1210.35. Administrative Hearing.

1. The city council will periodically approve a list of lawyers, from which the city Administrator will randomly select a hearing officer to hear and determine a matter for which a hearing is requested. The accused will have the right to request no later than five (5) days before the date of the hearing that the assigned hearing officer be removed from the case. One request for each case will be granted automatically by the city Administrator. A subsequent request must be for good cause directed to the assigned hearing officer who will decide whether he or she cannot fairly and objectively review the case. The city enforcement officer may remove a hearing officer only by requesting that the assigned hearing officer find that he or she cannot fairly and objectively review the case. If such a finding is made, the officer shall remove himself or herself from the case, and the city Administrator will assign another hearing officer. The hearing officer is not a judicial officer but is a public officer as defined by Minn. Stat. § 609.415. The hearing officer must not be a city employee. The city Administrator must establish a procedure for evaluating the competency of the hearing officers, including comments from accused violators and city staff. These reports must be provided to the city council.
2. Upon the hearing officer's own initiative or upon written request of an interested party demonstrating the need, the officer may issue a subpoena, (using the form approved and available from for download at www.mncourts.gov) for the attendance of a witness or the production of books, papers, records or other documents that are material to the matter being heard. The party requesting the subpoena is responsible for serving the subpoena in the manner provided for civil actions and for paying the mileage fees and witness fees due a witness as

prescribed by statute. A person served with a subpoena may file an objection with the hearing officer promptly but no later than the time specified in the subpoena for compliance. The officer may cancel or modify the subpoena if it is unreasonable or oppressive. A person who, without just cause, fails or refuses to attend and testify or to produce the required documents in obedience to a subpoena is guilty of a misdemeanor. Alternatively, the party requesting the subpoena may seek an order from district court directing compliance.

3. Notice of the hearing must be served in person or by mail on the person responsible for the violation at least 10 days in advance, unless a shorter time is accepted by all parties. At the hearing, the parties will have the opportunity to present testimony and question any witnesses, but strict rules of evidence will not apply. The hearing officer must tape record the hearing and receive testimony and exhibits. The officer must receive and give weight to evidence, including hearsay evidence, that possesses probative value commonly accepted by reasonable and prudent people in the conduct of their affairs.

4. The hearing officer has the authority to determine that a violation occurred, to dismiss a citation, to impose the scheduled fine, and to reduce, stay, or waive a scheduled fine either unconditionally or upon compliance with appropriate conditions. When imposing a penalty for a violation, the hearing officer may consider any or all of the following factors:

- a. the duration of the violation;
- b. the frequency or reoccurrence of the violation;
- c. the seriousness of the violation;
- d. the history of the violation;
- e. the violator's conduct after issuance of the notice of hearing;
- f. the good faith effort by the violator to comply;
- g. the economic impact of the penalty on the violator;
- h. the impact of the violation upon the community; and
- i. any other factors appropriate to a just result.

The hearing officer may exercise discretion to impose a fine for more than one day of a continuing violation, but only upon a finding that (1) the violation caused a serious threat of harm to the public health, safety, or welfare or that (2) the accused intentionally and unreasonably refused to comply with the code requirement. The hearing officer's decision and supporting reasons must be in writing.

5. Except for matters subject to administrative review under section 1210.40, the decision of the hearing officer is final without any further right of administrative appeal. In a matter subject to administrative review under section 1210.40, the hearing officer's decision may be appealed to the city council by submitting a request in writing to the city administrator within 10 days after the hearing officer's decision.

6. The failure to attend the hearing constitutes a waiver of the violator's rights to an administrative hearing and an admission of the violation. A hearing officer may waive this result upon good cause shown. Examples of "good cause" are: death or incapacitating illness of the accused; a court order requiring the accused to appear for another hearing at the same time; and

lack of proper service of the citation or notice of the hearing. "Good cause" does not include: forgetfulness and intentional delay.

1210.40. Administrative Review.

1. The hearing officer's decision in any of the following matters may be appealed by a party to the city council for administrative review:
 - a. an alleged failure to obtain a permit, license, or other approval from the city council as required by an ordinance;
 - b. an alleged violation of a permit, license, other approval, or the conditions attached to the permit, license, or approval, that was granted by the city council; and
 - c. an alleged violation of regulations governing a person or entity who has received a license granted by the city council.
2. The appeal will be heard by the city council after notice served in person or by registered mail at least 10 days in advance. The parties to the hearing will have an opportunity to present oral or written arguments regarding the hearing officer's decision.
3. The city council must consider the record, the hearing officer's decision, and any additional arguments before making a determination. The council is not bound by the hearing officer's decision, but may adopt all or part of the officer's decision. The council's decision must be in writing.
4. If the council makes a finding of a violation, it may **impose a civil penalty pursuant to Section 1210:25**, and may consider any or all of the factors contained in section 1210.35(4). The council may also reduce, stay, or waive a fine unconditionally or based on reasonable and appropriate conditions.
5. In addition to imposing a civil penalty, the council may suspend or revoke a city-issued license, permit, or other approval associated with the violation, if the procedure in city code section 400:25 – 400:35, inclusive has been followed. The hearing required in that section **is satisfied by the hearing before the hearing officer with the right of appeal to the city council as provided under Chapter Twelve of this code.**

1210.45. Judicial Review.

An aggrieved party may obtain judicial review of the decision of the hearing officer or the city council by proceeding under a writ of certiorari in district court.

1210.50. Recovery of Civil Penalties.

1. If a civil penalty is not paid within the time specified, it will constitute:
 - a. a lien on the real property upon which the violation occurred if the property or improvements on the property was the subject of the violation and the property owner was found responsible for that violation; or
 - b. a personal obligation of the violator in all other situations.
2. A lien may be assessed against the property and collected in the same manner as taxes.

3. A personal obligation may be collected by appropriate legal means.
4. A late payment fee of 10 percent of the fine shall be assessed for each 30-day period, or part thereof, that the fine remains unpaid after the due date.
5. During the time that a civil penalty remains unpaid, the provisions of city code section 400 et. seq. apply to a license, permit, or other city approval sought by the violator or for property under the violator's ownership or control.
6. Failure to pay a fine is grounds for suspending or revoking a license related to the violation.

1210.55. Criminal Penalties.

The following are misdemeanors, punishable in accordance with state law:

1. failure, without good cause, to appear at a hearing that was scheduled under section 1210.35;
2. failure to pay a fine imposed by a hearing officer within 30 days after it was imposed, or such other time as may be established by the hearing officer, unless the matter is appealed under section 1210.40; and
3. failure to pay a fine imposed by the city council within 30 days after it was imposed, or such other time as may be established by the city council.

If the final adjudication in the administrative penalty procedure is a finding of no violation, then the city may not prosecute a criminal violation in district court based on the same set of facts. This does not preclude the city from pursuing a criminal conviction for a violation of the same provision based on a different set of facts. A different date of violation will constitute a different set of facts.

SECTION 1215. ORDINANCES.

1215.05. Ordinance Enactment.

Ordinances must be enacted in accordance with state law, city charter and this code. Ordinances will be integrated into this code in accordance with this chapter.

1215.10. Form.

An ordinance amending this code must specify the number of the provision to be amended. Only the text of a separately identified provision need be included for an amendment; the larger section of which it is a part may be omitted.

1215.15. Integration into Code.

1. Matters omitted. When an ordinance is integrated into this code, the following may be omitted:
 - a. title;
 - b. enacting clause;
 - c. section numbers;

- d. validation and repealing clauses;
 - e. validating signatures and dates;
 - f. penalty provisions; and
 - g. punctuation and other matters not an integral part of the ordinance text.
2. Post-adoption changes. When integrating ordinances into the code, the city clerk may:
- a. correct obvious grammatical, punctuation, and spelling errors;
 - b. change reference numbers to conform with applicable sections of the code;
 - c. substitute figures for written words and vice versa;
 - d. substitute the actual date for the words "the effective date of this ordinance"; and
 - e. take other similar actions to ensure a uniform code of ordinances if they do not alter the meaning of the ordinances enacted.
3. Source notes. When an ordinance is integrated into the code, a source note should be added at the end of the section affected. The note should indicate the action taken, the ordinance that authorized the action, and the effective date of the ordinance.
4. Other standards. The city clerk may establish and implement other standards to ensure the expeditious integration of ordinances into this code. He/she may also establish and implement further policies regarding the preparation, editing and format of ordinances.

1215.20. Recordkeeping; Special Ordinances.

The city clerk is responsible for the safe and orderly keeping of ordinances. The clerk must maintain a current record of ordinances that have been adopted. An ordinance not included in this code is a special ordinance. Examples of special ordinances are those that rezone property, name streets, and grant franchises. The council may direct that a special ordinance be included in an appendix to this code.”

SECTION 2.

Effective Date. This ordinance shall be effective upon publication according to law.

ENACTED BY THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA, THIS ____ DAY OF _____, 2009.

Ayes____, Nays_____.

CITY OF GREENWOOD

Attest:

By: _____
Debra J. Kind, Mayor

Roberta L. Whipple, City Administrator

Ordinance Amending Chapter 12. 9.28.09

10-6-09

City of Minnetonka – David Maeda
Re: Administrative hearings

Most hearings are health related, i.e. restaurant cleanliness. Some are dog related or yard nuisances.

The City Court takes place at Minnetonka City Hall.
The charge is \$50 for use of the site, only.

They choose from a pool of attorneys and the City is billed for the attorney's time.

Excelsior has used this agreement for over a year, and no one has yet gone to Court. (Court is generally a last resort as arbitration usually takes care of the issue.)

City of
minnetonka

Where quality comes naturally

City Court



City Clerk's Office
City of Minnetonka
14600 Minnetonka Boulevard
Minnetonka, Minnesota 55345
952.939.8219

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INTRODUCTION

The Minnetonka City Court is used instead of the regular court system to review alleged violations of City ordinances. The process is intended to be more informal and less intimidating to alleged violators. Nevertheless, you may choose instead to go through the regular court system, which is called District Court. The way you make that choice is explained later in this booklet.

The City Court is authorized by Minnetonka City ordinances. This manual will explain the process in plain language, but you may request a copy of the ordinances from the City Clerk, if you wish.

AFTER RECEIVING A CITATION

When you receive a citation, you must respond within 7 days. You have three options. You may (1) pay the fine, (2) request a hearing, or (3) choose instead to be charged with a criminal violation through the district court system. Each of these is discussed in this booklet.

If you do not respond within the required time, the fine will increase by 10% for each 30 days. Additionally, your silence will be considered a choice to avoid the City Court process and to instead proceed with a criminal charge against you in District Court. The City will then issue a criminal charge through that system for each alleged ordinance violation. Instead of waiting for the 7 days to pass, you may also call the City Clerk's office at 952-939-8200 and ask that the matter go through District Court instead.

If the citation states that this is a continuing violation, you cannot just pay the fine. You must request a hearing and appear before a hearing officer. A hearing officer may impose a fine for each day that the violation continues. Please note: if you do not correct the continuing violation, the City may take other action to require compliance with the ordinances.

PAYING THE FINE

The City has established the amount of the fine for each ordinance violation. The fine schedule is attached. If you wish to pay the fine, you must pay with cash, check, or a money order. A check or money order must be payable to the City of Minnetonka for the correct amount. You may either pay in person at City Hall or mail one copy of the citation with your payment to:

**City Court
City Clerk's Office
City of Minnetonka
14600 Minnetonka Blvd.
Minnetonka, MN 55345**

If the payment arrives more than 30 days after your citation was issued, you will be required to pay an additional 10% penalty for each 30 days that has passed. For example, if the payment arrives on the 31st day, the fine will increase by 10%. If the payment arrives on the 61st day, the fine will increase by 20%. On the 91st day, it increases by 30%, and so forth.

BY PAYING THE FINE, YOU ARE ADMITTING THAT YOU VIOLATED THE CITY ORDINANCE.

REQUESTING A HEARING

If you believe that you did not violate the City ordinance or if you wish to provide an explanation, you may request a hearing. The hearing will be held before an independent hearing officer, who is not a City employee. The hearing officer will be a lawyer who does not live in the City of Minnetonka and has no connection with the City other than serving on the City Court.

To request a hearing, you must speak with the City Clerk's office, either in person or by telephone at 952-939-8200.

The clerk will send you a confirmation of the date, time and location for your hearing.

BEFORE THE HEARING IS HELD

5.1 Selection of Hearing Officer.

The City Clerk's office will randomly select a hearing officer from the list of independent lawyers. The notice of the hearing which is sent to you will include the name of the assigned hearing officer.

5.2 Changing the Assigned Hearing Officer.

No later than five days before the hearing, you may file a written request with the City Clerk's office to change the assigned hearing officer. You do not need to provide a reason. Your first request will automatically be granted. Any subsequent request for the same case and any request by the City will be referred to the assigned hearing officer, who will decide whether he or she cannot fairly and objectively hear the case. The hearing officer will issue a written decision which will be either mailed to you or given to you on the scheduled date of the hearing. If the request is granted, the City Clerk's office will assign another hearing officer and will notify you of a new date and time for the hearing. If the request is not granted, the hearing will go forward as scheduled.

5.3 Contacting the Hearing Officer.

You may not contact the hearing officer before the hearing to discuss your case. Direct all questions to the City Clerk's office.

5.4 Subpoenas.

You may request that subpoenas be issued. You may use a subpoena to require the presence of a witness or documents at the hearing. Your request must be in writing stating the reason why you need the subpoena, submitted to the City Clerk's office at least seven working days before the scheduled hearing. If you request the presence of a City employee, that person will attend the hearing without the need for a subpoena if he or she has information which is relevant to your case. Your request for other people or documents will be given to the assigned hearing officer, who will decide if you have shown a valid need for a subpoena. If your request is granted, the City Clerk's office will notify you that your subpoena is available to be picked up.

You must serve the subpoena by giving it directly to the person that you want to attend or who has custody of the documents that you want. If you do subpoena a witness you may be required to pay a witness fee and mileage. A person served with a subpoena may file an objection with the hearing officer. The hearing officer may cancel or modify the subpoena. Failure to comply with a subpoena is a misdemeanor and is contempt of court.

THE HEARING

6.1 Failure to Appear.

If you fail to appear for the hearing, you are admitting the charges against you. The hearing officer may impose a penalty in your absence. In addition, you may be subject to criminal penalties for failing to appear. If the City representatives fail to appear, the charge will be dismissed.

If you have a good reason for missing the hearing, contact the City Clerk's office within one day after the scheduled hearing. Place your reasons in writing. The City Clerk will ask the hearing officer to decide whether you had a good reason for your absence. Examples of good reasons are: death; illness which incapacitates you; a court order requiring you to appear for another hearing at the same time; and lack of proper service of the citation or notice of the hearing. Good reasons do not include: forgetfulness and intentional delay.

6.2 Hearing Procedure.

The hearing will be informal, without strict rules of evidence. The hearing will be tape recorded. The hearing officer will decide whether you may make an opening and/or closing statement. The City bears the burden of proving a violation and will present testimony first. You have the right to cross-examine the City's witnesses. After the City has finished its case, you may present witnesses, but you are not obligated to present any evidence. If you wish to testify, you may do so after being sworn to tell the truth. All witnesses must be sworn.

6.3 Representation by an Attorney.

The City will not be represented by an attorney at the hearing. Use of attorneys at these hearings is discouraged in order to promote efficiency and informality. If you wish to have an attorney present, the attorney will be allowed to advise you but may not make any of the presentations.

6.4 Decision.

The hearing officer may decide the case immediately after testimony has finished. If it is a complicated case, however, the hearing officer may take some time to make a decision. A copy of the decision will then be mailed to you.

If the hearing officer decides that you violated the City ordinance, the hearing officer has the authority to:

- a. impose the fine established in the approved schedule,
- b. reduce the established fine amount,
- c. decide that no fine is appropriate because of the circumstances, or

d. give you the option of complying with certain requirements rather than paying a fine.

In deciding which action to take the hearing officer may consider any or all of the following factors:

- a. how long the violation lasted,
- b. how often it occurred,
- c. how serious it was,
- d. what the history was,
- e. what your conduct was after the citation was issued,
- f. whether you made any good faith effort to comply with the ordinance,
- g. what your financial means are,
- h. what kind of impact the violation had on the community, and
- i. any other factors which are appropriate.

The hearing officer cannot impose a fine greater than the established fine. The hearing officer can impose a fine for each day that the violation continued if:

- a. the violation caused a serious threat of harm to the public health or safety,
or
- b. you intentionally and unreasonably refused to comply with the City ordinance.

AFTER THE HEARING

7.1 Appeal.

In most cases, the decision cannot be appealed to someone else in the City. You may, however, appeal the decision by proceeding under a Writ of certiorari in district court. You should consult with a lawyer about how to do that.

You may appeal to the Minnetonka City Council if your case involved:

- a. A failure to obtain a permit, license, or other approval from the City Council,
- b. A violation of a permit, license, other approval, or the conditions attached, which was granted by the City Council, or
- c. A violation of regulations governing a person who has received a license from the City Council.

To appeal to the City Council, you must submit a request in writing to the City Clerk within ten days after the hearing officer's decision. You will then be notified at least 10 days in advance about which Council meeting to attend.

When you appear before the Council, you may give your reasons why you disagree with the hearing officer's decision. This can either be verbally or in writing. No new evidence or witnesses are allowed. The Council will have the transcript of the hearing to review.

NOTE: The City Council has the authority to impose a fine which is higher than the fine imposed by the hearing officer or which is higher than the amount listed on the attached schedule of fines. It can impose a fine up to \$2000 for each day the ordinance was violated.

7.2 Failure to Pay.

If you do not pay the fine, the City may:

- a. Add the fine to your property taxes if you own property in the City, the property was the subject of the violation, and you were responsible for the violation.

- b. Get a judgment against you and begin collection procedures.
- c. Suspend or revoke a City-issued license that is associated with the violation.
- d. Start a criminal proceeding in District Court charging you with the original violation plus a violation for failing to pay.
- e. Add a late payment fee of 10% of the fine for each 30-day period that the payment is late.

**CITY OF MINNETONKA
CITY COURT
FINE SCHEDULE**

General Rule

All violations of city ordinances are Level Three Violations subject to a \$150 penalty, unless:

1. The offense is listed below as a Level One, Two, or Four Violation.
2. The enforcement officer indicates that the offense should be lowered to a Level Two Violation because it is a minor infraction, or
3. The enforcement officer indicates that the offense should be increased to a Level Four Violation because it involves critical unsafe conditions or significantly endangered life or property.

Level One Violations: \$50

All violations of Section 1135 (park rules), except as otherwise noted

All violations of Section 925 (animal regulations), except as otherwise noted

Preparation of garbage for collection, except Subd. 2 and 3 (explosives, contagious) – Section 835.015

Mosquito breeding sites – Section 845.005(8)

No street numbers – Section 1110.015

Level Two Violations: \$75

A Level Three Violation which is a minor infraction. The designation as a minor infraction must be supported by the enforcement officer's written justification.

Curfew – Section 1005.015

Alcoholic beverage in parks – Section 1135.020(21)

Interfering with animal impoundment – Section 925.020(2)

Animal health and maintenance standards – Section 925.080

Confining animal in motor vehicle – 925.090(1)

Dutch elm, Oak wilt – Section 840.020

All violations of Section 850 (noise regulations)

All violations of Section 930 (traffic regulations), Section 935 (recreational motor vehicles), Section 940 (snowmobiles), and Section 945 (aircraft), except 930.090 (seasonal weight restrictions).

Snow removal restrictions – Section 1130.010

Level Three Violations: \$150

Any violation not specifically listed as a Level One, Two, or Four violation.

Killing wild animals in parks – Section 1135.020(4)

Destroying vegetation in parks 1135.020(5)

Interfering with a police canine – Section 925.085(7)

Failing to prevent animal causing injury – Section 925.085(8)

Encouraging animal to cause injury – Section 925.085(9)

Owning animal for fighting – Section 925.085(10)

Possessing wild animal – Section 925.095(1)

Non-compliance with dangerous animal requirements – Section 925.105

Level Four Violations: \$400

A violation conducted in such a manner that the violation significantly endangered life or property or involved critical unsafe conditions.

Repeat Violations within 24 Months: Double

Double the amount of the scheduled fine for the previous violation, up to a maximum of \$2,000. For example, if there were four occurrences of a Level One Violation, the fine for the fourth occurrence would be \$400 (first: \$50; second: \$100; third: \$200; fourth: \$400). The amount that is doubled is the scheduled fine, not the fine actually imposed.

Continuing Violations : Fine for each Day

A fine for more than one day of a continuing violation may be imposed only by a hearing officer. The hearing officer must find that either (1) the violation caused a serious threat of harm to the public health, safety, or welfare, or (2) the violator intentionally and unreasonably refused to comply with the code require

EXAMPLE

7A

JOINT POWERS AGREEMENT FOR CITY CODE VIOLATION ADMINISTRATIVE SERVICES

This agreement is made and entered into by the city of Excelsior ("Excelsior") and the city of Minnetonka ("Minnetonka"), both of which are Minnesota municipal corporations.

This agreement is authorized by Minn. Stat. Sec. 471.59, Subd. 1.

1. **Purpose.** Excelsior and Minnetonka have the power and responsibility to enforce city code violations within their respective jurisdictions. Both cities have established by ordinance an administrative penalty process as an alternative to the district court system to review alleged violations of city ordinances. Excelsior wishes for Minnetonka to provide certain administrative services for its administrative penalty process.

2. **Provision of Services.** Excelsior will enforce its code and issue administrative citations for alleged violators as necessary. For an administrative citation, Excelsior will give the alleged violator three options:

- a. pay the fine,
- b. request an administrative hearing, or
- c. choose to be charged with a criminal violation through the district court system.

In addition, Excelsior agrees to:

- a. Forward a copy of the citation issued and applicable ordinance to Minnetonka;
- b. Collect all payment of fines and notify Minnetonka immediately of the receipt of payment;
- c. Notify Minnetonka immediately if the alleged violator chooses to be charged with a criminal violation through the district court system;
- d. Provide the staff to answer any and all questions regarding the actual violation and issuance of the citation; and
- e. Provide the necessary supplies (letterhead, city envelopes, etc.).

For alleged violations of Excelsior's ordinances, Minnetonka agrees to provide the following administrative services:

- a. If after seven days there is no response to a citation, Minnetonka will send a notice of unanswered citation to the alleged violator;
- b. If after 30 days there is no response to a citation, Minnetonka will notify Excelsior and Excelsior will begin the criminal proceedings at its discretion;
- c. If an alleged violator requests an administrative hearing regarding the violation, Minnetonka will send out the necessary notifications and arrange for a hearing officer along with the date, time, and location of the hearing;

- d. Minnetonka will tape the hearing. If a transcript of the hearing is requested, Minnetonka will immediately notify Excelsior who will arrange for the transcription; and
- e. Minnetonka will maintain a database to provide information, reports, and data to Excelsior.

The parties agree to cooperate with each other in every way possible to adhere to these provisions.

3. **Fees.** Excelsior will pay Minnetonka \$50 per case, regardless of the number of citations issued for that case. Excelsior will pay Minnetonka \$150 to cover the costs of a hearing officer if needed.

4. **Hearing Officers.** Minnetonka agrees to provide a list of hearing officers to be used for the administrative hearings. Excelsior will notify Minnetonka if it wishes to exclude any of the hearing officers provided on the list. Excelsior will notify Minnetonka if it wishes to include additional hearing officers for the list. Excelsior will provide the name and contact information for these additional hearing officers. The hearing officers for any particular hearing will be chosen at random.

5. **Term.** This agreement will begin September 1, 2007 and continue through December 31, 2008.

6. **Termination.** Either party may terminate the agreement without cause upon 60 days' prior written notice. Excelsior may terminate this agreement if Minnetonka fails to perform the services provided in paragraph two by giving 30 days advance written notice. Excelsior will not be responsible for paying fees during any time that Minnetonka fails to provide the required services. Minnetonka may terminate the agreement if Excelsior fails to pay the fees due within 30 days after Minnetonka notifies Excelsior in writing of the delinquent payment.

6. **Renegotiation.** After June 1, 2008 the parties will analyze the fees to determine if they accurately reflect the costs incurred by Minnetonka in providing the administrative services to Excelsior. The parties agree to negotiate in good faith a potential extension of this agreement with or without a revision in the fee structure.

7. **Amendment.** This agreement may be amended only in writing signed by both parties.

8. **Confidentiality.** Both cities will maintain the confidentiality and privacy of documents in accordance with the Minnesota Data Practices Act.

9. **Hold Harmless and Indemnification Agreement.** . Minnetonka agrees to defend, indemnify, and hold harmless Excelsior against any and all claims, liability, loss, damage, or expense arising under the provisions of this Agreement and caused by or resulting from negligent acts or omissions of Minnetonka and/or those of Minnetonka employees or agents. Excelsior agrees to defend, indemnify, and hold harmless

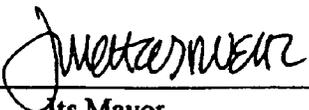
Minnetonka against any and all claims, liability, loss, damage, or expense arising under the provisions of this Agreement and caused by or resulting from negligent acts or omissions of Excelsior and/or those of Excelsior employees or agents. All parties to this agreement recognize that liability for any claims arising under this agreement are subject to the provisions of the Minnesota Municipal Tort Claims Law; Minnesota Statutes, Chapter 466. In the event of any claims or actions filed against either party, nothing in this agreement may be construed to allow a claimant to obtain separate judgments or separate liability caps from the individual parties. Under no circumstances, however, may a party be required to pay on behalf of itself and the other party any amounts in excess of the limits on liability established in Minnesota Statutes Chapter 466 applicable to any one party. The limits of liability for both parties may not be added together to determine the maximum amount of liability for either party. The intent of this paragraph is to impose on each party a limited duty to defend and indemnify each other subject to the limits of liability under Minnesota Statutes Chapter 466. The purpose of creating this duty to defend and indemnify is to simplify the defense of claims by eliminating conflicts among the parties and to permit liability claims against both parties from a single occurrence to be defended by a single attorney.

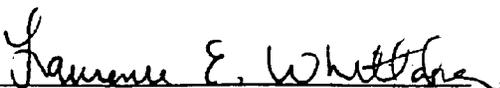
10. **Insurance.** During the entire term of this agreement, each party shall maintain comprehensive general liability insurance in amounts sufficient to cover the maximum liability limits provided by state law, to protect Excelsior and Minnetonka from liability which arises directly or indirectly from the provision of services pursuant to this agreement. This insurance shall include coverage of the indemnification obligation in paragraph nine above.

11. **Notices.** All notices required or permitted in this agreement are required to be in writing and must be given by first class mail addressed to the relevant city at its city hall.

Date: 9-18-07

CITY OF EXCELSIOR

By 
Its Mayor

And 
Its City Manager

Date: _____

CITY OF MINNETONKA

By *Joni A. Carrin*
Its Mayor

And *Jolly*
Its City Manager

Ordinance #176

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
UPDATING SECTION 510 LICENSES, PERMITS, AND FEES
AND OTHER FEE-RELATED SECTIONS OF THE CODE**

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

SECTION 1.

The Greenwood Ordinance Code Section 510 is hereby amended to add the following:

“

Type of License, Permit, Fee or Fine	Section	Fee	Conditions & Terms
Boat Launch Permit (for Meadville fire lane)	425.40	\$50	Annual
Event Permit: Home Showcase Events	1060.10	\$50	Per instance
Event Permit: Garage Sales (more than 1 in 12-month period)	1060.10	\$50	Per instance
Zoning: Preliminary Administrative Plan Review Fee	1102.00	\$200	Per instance

”

SECTION 2.

The Greenwood Ordinance Code Section 510 is hereby amended to delete the following:

“

Type of License or Permit	Section	Fee	Conditions & Terms
Animal: Dog-At-Large Fee, 1st Offense	445:30	To Be Determined	In addition to impound fees
Animal: Dog-At-Large Fee, 2nd Offense	445:30	To Be Determined	In addition to impound fees
Animal: Dog-At-Large Fee, 3+ Offenses	445:30	To Be Determined	In addition to impound fees
Liquor: On-Sale Intoxicating Civil Fine, 1st Offense	820:70	\$500	Per 24-month period
Liquor: On-Sale Intoxicating Civil Fine, 2nd Offense	820:70	\$750	Per 24-month period
Liquor: On-Sale Intoxicating Civil Fine, 3rd Offense	820:70	\$1,500	Per 24-month period
Liquor: On-Sale Intoxicating Civil Fine, 4th Offense	820:70	\$2,000	Per 24-month period

”

SECTION 3.

Greenwood Ordinance Code Section 425:30, Subd. 2 is hereby amended to read as follows:

“The use of that certain public access lying westerly of Meadville Street located between property tax ID parcels 261172332-0004 and 261172332-0011 is subject to the following terms and conditions: the City may offer watercraft permits hereat for up to two (2) watercraft. The City shall not be responsible for providing any docking facilities at this site. Boatlifts (to be supplied by the watercraft permittee) may be used under permit issued pursuant to Section 425 et seq. The City may refuse permits for watercraft or boatlifts because of size considerations. Any watercraft space permittee that desires to place a boatlift at this assigned site shall request preapproval from the City Clerk's office. **The watercraft permit fee for this site shall be set forth in Chapter 5.** Watercraft spaces hereat shall be reserved to sailboat, to a maximum length of 16 feet with flat bottom, mooring subject to the right of 1997 watercraft space permittees, at this site, to renew their permits for watercraft of similar size and type in subsequent boating seasons. All renewal applications must be timely made pursuant to Section 425 et seq.”

SECTION 4.

Greenwood Ordinance Code Section 730, Subd. 6 is hereby amended to read as follows:

“Variance. The City Council of the City of Greenwood or its designated agent may on application thereto and a finding of undue hardship grant a permit for operation of a vehicle in excess of the stated weight restriction. **A load-limit fee shall be assessed on each vehicle weight variance granted. The fee shall be set forth in Chapter 5.**”

SECTION 5.

Effective Date. This ordinance shall be effective upon publication according to law.

ENACTED BY THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA, THIS
____ DAY OF _____, 2009.

Ayes _____, Nays _____.

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Roberta L. Whipple, City Administrator

Section 510:00 Greenwood Licenses, Permits, and Fees

Subd. 1. No person, partnership, corporation, or other association shall engage in the following types of activity without first paying the fee listed.

Type of License, Permit, Fee or Fine	Section	Fee	Conditions & Terms
Animal: Dog License	445:10	\$25	Every two years
Animal: Potentially Dangerous Animal License	445:25	\$500	Plus proof \$1 million insurance
Animal: Private Kennel License	445:05	\$50	Annual
Animal: Wild Animal Permit	445:15	\$10	72-hour limit
Boat Launch Permit (for Meadville fire lane)	425.40	\$50	Annual
Building Moving Permit	300:20	Per building code	Required per structure
Building Permit	300:10	Per building code	Required per structure
Docks: Commercial Marina License, Base	430:10	\$110	Base per year
Docks: Commercial Marina License, Per Slip	430:10	\$5	Per slip, per year
Docks: Municipal Watercraft Space Permit	425:10	\$850	Per slip, per season
Docks: Municipal Sailboat Space Permit	425:10	\$300	Per slip, per season
Docks: Municipal Canoe/Kayak Permit		\$60	Per space, per season
Duplicating Fee		\$0.25	Per copy
Event Permit: Home Showcase Events	1060.10	\$50	Per instance
Event Permit: Garage Sales (more than 1 in 12-month period)	1060.10	\$50	Per instance
Excavation/Filling Permit	440:00	Per building code	Per instance
False Alarm Permit: Fire (after 2nd Offense in 12 mo. period)	1051:03	\$75	
False Alarm Permit: Police (after 3rd Offense in 12 mo. period)	1050.10	\$75	
Fire/Police Alarm Non-Compliance Fine	1050.35 & 1051:07	\$1,000	According to state statute
Garbage/Refuse Collector License	475:20	\$150	Annual
Liquor: Off-Sale Non-Intoxicating License	800:15	\$100	Annual
Liquor: Off-Sale Non-Intoxicating, Investigation Fee	800:30	\$500 plus all costs and expenses associated with investigation outside of MN as allowable by state statute	
Liquor: On-Sale Intoxicating License	820:40	\$10,000 per state statute	Annual
Liquor: On-Sale Intoxicating, Wine License	820:40	\$2,000	Annual
Liquor: On-Sale Intoxicating, Sunday License	820:40	\$200	Annual
Liquor: On-Sale Intoxicating, Delimited License	820:40	\$2,500	Annual
Liquor: On-Sale Intoxicating, Investigation Fee	820:35	\$500 plus all costs and expenses associated with investigation outside of MN as allowable by state statute	
Liquor: On-Sale Intoxicating, Renewal Applications or Change of Status Fee	820:35	\$250 per person to be investigated (not to exceed \$500)	Annual
Liquor: On-Sale Surety Bond	820:45	\$1,000	In conjunction w/application
Load Limit Fee	740:00	\$50	Per instance
Peddler Permit	465:10	\$70	For 6 months
Plumbing Permit	410:25	Per building code	Required per structure
Recycling: Collection Fee	475:30	\$11.50	Quarterly
Rental Property License	320:30	\$50 first unit, \$20 per additional unit	Annual
Sewer Rates: Residential	520:10	\$75 per residential sanitary service unit	Quarterly
Sewer Rates: Commercial	520:10	\$75 per commercial sanitary service unit	Quarterly
Sewer: Lateral Connection Fee		\$5,120	Per instance
Sewer: Metro Waste Fee		As set by Metro Waste Control	
Sewer: Cap Fee		\$75.00	Per instance
Sewer: Re-Connection Fee		\$75.00	Per instance
Sewer/Recycling: Delinquent Accounts	525:15	\$20, plus 20%	Certified to county annually
Stormwater Management Utility Fee	525:00	\$12	Quarterly
Street Excavation Permit	640:30	\$75	Per site
Tobacco License	415:04	\$50	Annual
Tree Trimming/Removal Permit		To Be Determined	Per application
Zoning: Code Amendment Application Fee	1160:05	\$400	Per application
Zoning: Conditional Use Permit	1150:15	\$400 first item, \$300 per additional item	Per application
Zoning: Preliminary Administrative Plan Review Fee	1102.00	\$200	Per instance
Zoning: Shoreland Compliance Review Fee	1176:03	\$200	Per application
Zoning: Simple Suvdivision Fee	600:07	\$150	Plus publication cost
Zoning: Variance Application Fee	1155:20	\$400 first item, \$300 per additional item	Per application



LMCC

LAKE MINNETONKA COMMUNICATIONS COMMISSION

7c

4071 SUNSET DRIVE ■ BOX 385 ■ SPRING PARK, MN 55384-0385 ■ 952.471.7125 ■ FAX 952 471 9151 ■ lmcc@lmcc-tv.org

August 26, 2009

RE: Approval of LMCC 2010 Budget

DEEPHAVEN

EXCELSIOR

Dear Mayor and Council Members:

GREENWOOD

The Lake Minnetonka Communications Commission (LMCC) passed the enclosed budget for 2010, at the last full LMCC meeting on August 18, 2009.

INDEPENDENCE

LONG LAKE

This budget is not funded with tax dollars, but rather a cable company franchise fee paid annually to the LMCC. We are also receiving a PEG (public, educational, governmental) access fee for community use of the production studio.

LORETTO

MAPLE PLAIN

I am submitting the budget to all city members of the LMCC for review and approval according to our Joint Powers Agreement. Please send me the minutes or resolution of your actions regarding the LMCC Budget as we keep a record of approval on file at the LMCC Offices.

MEDINA

MINNETONKA BEACH

If you would like me to attend your council meeting to answer any questions please let me know the date and time of the meeting or the time I would be placed on the agenda. The LMCC needs approval of the majority of the cities to proceed with the proposed budget.

MINNETRISTA

ORONO

Thank you for your continued support and use of the television facilities and especially your participation in the candidate's statements and forums that appeared on LMCC Channel 21.

ST. BONIFACIUS

Sincerely,

SHOREWOOD

LAKE MINNETONKA COMMUNICATIONS COMMISSION

SPRING PARK

TONKA BAY

Sally Koenecke
Executive Director

VICTORIA

Enclosure

WOODLAND

Lake Minnetonka Communications Commission Year 2010 Budget

The Lake Minnetonka Communications Commission is not funded by tax dollars and its operating budget is derived from cable franchise fees and PEG fees to cable subscribers.

The Lake Minnetonka Communications Commission maintains a fund balance as a reserve to continue operations if unforeseeable funding losses should occur. These could include lowered franchise revenue, legislation resulting in reduced funding, or other revenue losses. The LMCC has some financial obligations, such as the recent building purchase payments, that would have to be accounted for even if the legislature eliminated franchise funding. The LMCC studio and offices are located at 4071 Sunset Drive in Spring Park.

The 2010 Budget Committee is maintaining staff and service budget considerations made in past years due to the favorable reception to video streaming and improvement of our programming efforts. The LMCC has maintained its budgeted balance for the first seven months of 2009. The LMCC continues to provide excellent service to area residents with its programming and streaming services. The streaming service, begun in 2006, continues to exhibit growth in the numbers of residents accessing the "on demand" city council meetings. The LMCC earned two national programming awards this year, a Telly Award and a National Association of Telecommunications Officers and Advisors Award for excellence in community programming. Other programming produced for and with the cities included public safety programming, city events and festivals, state of the city addresses, Tonka Report with city administrators, candidate forums, community development programs, school district and non-profit organizational programming. The LMCC continues to resolve cable subscriber complaints and monitors the franchise agreement with Mediacom.

The following is a summary of the budget considerations made by the 2008 Budget Committee:

The budget is proportioned into three categories, Franchise, Studio and Capital:

Franchise Fund

This fund is supported entirely by franchise fees and interest on investments. Activities accounted for in this fund are related to the oversight responsibility of the Commission representing the member cities' interest in the cable operator's compliance with the franchise agreement. This fund also supports the complaint process and resolution of subscriber complaints reported to the LMCC. The LMCC also represents its member cities by monitoring and participating in the legislative activities at the state and federal levels.

Studio Salaries and Studio Capital Fund

Last year due to an FCC ruling the studio budget was presented a little differently. Due to the possibility that the PEG fee may only be used for capital expenditures the Budget Committee put Studio Salaries as an operating expense. The other funds needed for the studio are classified as Access Studio Capital as the expenses incurred here result in a product, that being community programs. The Budget page for studio is divided into two categories, Access Studio Operating (salaries) and Access Studio Capital. LMCC Attorney, Bob Vose was consulted on this decision and he stated that it was good that we have been putting the budget into two categories (Franchise and Studio) in previous years.

Capital Improvement Fund

The Capital Improvement Fund supports the acquisition of new equipment and the need for replacement of equipment and leasehold improvements presently existing. A listing of proposed equipment is included. The equipment list is projected, as pricing may have changed prior to the time of purchase. Purchases are subject to approval by the commission and may change if technology dictates better options. In 2010 the capital budget will be kept at a minimal amount due to the economy and the purchase of the building we are occupying and with the possibility that the franchise fees may go down. The fund balance was increased due to this, however, franchise fees did not go down in the second quarter but continued to increase. A five-year capital plan that staff has developed in strategic planning projects increases in 2011 and 2012. The LMCC will also be researching possible improvements to the building in 2010 since we now own it. Maintaining a higher fund balance in 2010 is a safeguard for future planned expenditures.

Submitted by:
Sally Koenecke
LMCC Executive Director

**Lake Minnetonka Communications Commission
2010 Proposed Budget**

**Franchise Administration
Expenses**

	2008 Adopted	2008 Actual	2009 Proposed	2009 6 Mo. Act.	2009 Projected	2010 Proposed
<u>Personal Services</u>						
101 Salaried Full-time	42,084	44,608	43,346	21,401	44,608	45,946
103 Salaried Part-time	20,629	21,092	21,660	10,762	21,660	22,309
121 Pera Cont.	4,300	5,012	4,387	2,326	4,652	4,790
122 FICA Cont.	6,136	6,166	6,700	2,525	5,500	5,660
131 Health Insurance	10,707	11,897	11,000	5,647	11,294	11,000
151 Workers Comp. Insurance	500	729	650	694	694	700
Total Personal Services	84,356	89,504	87,743	43,355	88,408	90,405
<u>Supplies</u>						
200 Office Supplies	1,250	1,311	1,300	572	1,300	1,300
210 Special Events/Meetings	480	341	500	216	500	500
220 Repair & Maint. Supplies	400	52	300	0	300	200
Total Supplies	2,130	1,704	2,100	788	2100	2000
<u>Professional Services</u>						
301 Accounting/Audit Fees	5,868	6,601	6,040	1,825	6,040	6,220
304 Legal Fees	2,250	3,226	2,250	3,561	4,500	3,000
314 Payroll Services	645	674	650	386	650	700
318 Janitorial Services	1,300	1,080	1,200	370	1,200	1,200
319 Security Services	470	490	470	200	470	470
325 Computer/Consulting	1,800	1,199	1,800	200	1,000	1,250
326 Training	500	0	400	0	400	400
Total Professional Services	12,833	13,270	12,810	6,542	14,260	13,240
<u>Other Services and Charges</u>						
309 Copier Expense	2,900	2,627	2,900	1,621	2,900	3,000
321 Telephone/Communications	1,050	881	1,100	497	1,000	1,100
322 Postage	1,300	1,367	1,300	627	1,300	1,300
331 Travel School & Conference	9,000	9,669	9,000	2,570	9,000	9,000
332 Mileage	600	1,183	650	342	650	670
350 Printing and Publishing	2,040	732	2,000	550	1,750	1,800
360 Insurance	2,250	1,754	2,250	1,864	2,250	2,000
380 Utilities	4,275	3,677	4,700	2,039	4,500	4,700
384 Refuse & Recycling Collection	300	161	300	253	400	400
401 Contracted Building Repair	1,500	1,127	1,500	409	1,500	1,500
404 Maint. Repair Equip.	750	310	400	101	400	250
412 Building Rent	10,755	10,708	10,970	5,086	10,970	12,746
413 Equipment Rental	500	278	400	0	300	300
433 Dues & Subscriptions	1,900	1,681	1,900	1,791	1,792	1,800
438 Property Taxes	2,442	2,442	2,442	1,221	2,442	0
439 Contingency	2,300	738	1,200	640	1,200	1,200
440 Advertising	300	0	300	0	150	300
395 Bank Finance fee	0	20	25	0	20	20
443 Licenses	200	100	200	100	100	200
Total Other Charges	44,362	39,455	43,537	19,711	42,624	42,286
<u>Capital Outlay</u>						
599 Building Improvements	1,000	655	1,000	0	1,000	2,000
Total Expenditures	144,681	144,588	147,190	70,396	148,392	149,931
<u>Other Communications Projects</u>						
49855 Cable Operator Audit	0	0	14,000	14,150	14,150	\$21,150
49856 Broadband Connectivity Feasibility	0	0	1,500		15,377	
49857 Purchase 4071 Sunset Dr. (contingency)	55,115	0	41,462	85,907	85,907	

**Lake Minnetonka Communications Commission
2010 Proposed Budget**

Access Studio Operating

	2008 Adopted	2008 Actual	2,009 Proposed	2009 6 Mo. Act.	2009 Projected	2010 Proposed
Personal Services						
101 Salaried Full-time	161,264	167,499	169,327	81,140	168,500	173,555
103 Hourly Part-time	23,400	21,691	21,000	12,783	24,000	24,720
121 Pera Cont.	10,391	11,694	12,751	5,427	12,751	13,130
122 FICA Cont.	13,657	13,210	13,857	7,089	14,000	14,420
131 Health Insurance	18,232	20,505	18,232	9,614	18,232	25,417
151 Workers Comp. Insurance	650	948	790	902	790	815
Total Personal Services	227,594	235,547	235,957	116,955	238,273	252,057
Access Studio Capital Supplies						
200 Office Supplies	1,100	1,311	1,130	572	1,130	1,160
210 Special Events/Meetings	1,100	795	1,130	504	1,130	1,160
220 Repair & Maint. Supplies	400	52	400	0	400	400
225 Studio Expendables	3,500	2,734	3,600	1,249	3,000	3,100
Total Supplies	6,100	4,892	6,260	2,325	5,660	5,820
Professional Services						
301 Acct. Fees	5,868	6,601	6,040	1,825	6,040	6,220
302 Access Contractors	23,750	24,061	25,072	12,404	25,072	25,825
304 Legal Fees	1,750	1,452	1,800	1,602	2,500	2,000
314 Payroll Services	1,500	1,573	1,550	901	1,800	1,850
318 Janitorial Services	3,000	2,520	2,500	1,199	2,500	2,575
319 Security Services	470	490	470	200	400	450
325 Consulting-computer	4,200	2,796	4,500	466	2,500	3,000
310 Training	1,000	-	600	0	600	600
Total Professional Services	41,538	39,493	42,532	18,597	41,412	42,520
Other Services and Charges						
309 Copier Expense	2,900	2,627	2,900	1,621	2,900	3,000
321 Telephone/Communicat	2,450	2,605	2,525	1,159	2,525	2,550
322 Postage	1,300	1,367	1,350	627	1,350	1,350
331 Travel School & Conference	4,500	3,751	4,630	70	4,630	4,770
332 Mileage	900	1,061	900	639	900	1,000
350 Printing and Publishing	2,040	732	1,800	550	1,500	1,800
360 Insurance	5,250	4,093	3,500	4,348	4,348	4,478
380 Utilities	9,975	8,579	11,000	4,741	11,000	10,000
384 Refuse & Recycling Collection	300	161	320	253	500	500
401 Contracted Building Repair	1,500	1,126	1,500	409	1,000	1,500
404 Maint. Repair Equip.	4,100	672	4,000	101	2,000	2,000
412 Building Payment	32,267	32,125	32,913	15,257	32,913	38,238
413 Equipment Rental	500	278	500	0	300	500
433 Dues & Subscriptions	1,800	1,682	1,800	1,792	1,800	1,800
438 Property Taxes	7,326	7,326	7,326	3,663	7,326	0
439 Contingency	1,300	738	1,300	640	1,300	1,300
440 Advertising	300	1,734	1,000	26	1,000	1,000
441 Van Operation	1,300	1,300	1,300	1716	2,000	1,500
442 Webstreaming/Broadband	10,585	3,898	10,585	9,346	10,585	10,585
443 Licenses	600	300	400	300	400	350
Total Other Charges	91,193	76,155	91,549	47,258	90,277	88,221
Total Expenditures	366,425	356,087	140,341	68,180	137,349	136,561
Building Improvements		655	100	\$0	\$0	1,100
Total	366,425	356,742	376,398	\$185,135	\$375,622	\$389,718

2010 Capitol Budget

Qty:	Description:	Mfg.:	Part #:	Cost Each:	Tax Each:	x Qty	Total:
2	Pro Series Headphones	Sony	MDR-750	\$93.25	\$6.43	2	\$198.62
1	Camcorder	Canon	XL-2	\$4,211.01	\$290.56	1	\$4,501.57
1	Camcorder Carrying Case	Canon	0133V669	\$323.76	\$22.34	1	\$346.10
3	Viewfinders for Canon XL2s	Delvcam	DELV-Pro56	\$215.00	\$14.84	3	\$229.84
3	Viewfinder Cases for Canon XL2s	Delvcam	DELV-CC	\$35.00	\$2.41	3	\$112.23
3	Viewfinder Adaptors	Delvcam	DELV-SM	\$31.00	\$2.14	3	\$99.42
1	Ratio Converter for Canon XL2	Canon	RC-72	\$399.00	\$27.53	1	\$426.53
2	Tri Pod Heads	Bogen	501HD	\$207.00	\$14.82	2	\$443.64
1	Professional Series Tri-Pod	Bogen	503HDVK1	\$1,099.99	\$75.90	1	\$1,175.89
1	Shotgun Mic & Extension Pole	Shure	SM89	\$749.99	\$51.75	1	\$801.74
1	Wind Sock for Shotgun Mic	Shure	RK257WS	\$39.99	\$2.76	1	\$42.75
2	Announcer Headphone Mics	Shure	SM2	\$245.00	\$16.90	2	\$523.80
3	50' S-VHS Cables	Comprehensive	S4P-S4P-50HR	\$39.00	\$2.69	3	\$125.07
1	Teleprompter	Mirror Image	LC-110	\$3,110.00	\$214.59	1	\$3,324.59
2	DVD Players(Back Up)	Panasonic	DVD-S35K	\$89.99	\$6.21	2	\$192.40
1	32" LCD Monitor for Studio	Sony	KDL32L5000	\$594.00	\$40.99	1	\$634.99
6	19" LCD Monitor/TV's	Insignia	NS-LCD19-09	\$299.98	\$20.71	6	\$1,924.14
2	DVD Recorders(Back Up)	Sony	RDR-VX560	\$199.00	\$13.73	2	\$425.46
1	All in 1 DVD Printer/Duplicator	Microboards	MX1-1000	\$3,110.00	\$214.59	1	\$3,324.59
1	Phone System	Toshiba	CIX40	\$4,577.38	\$315.84	1	\$4,893.22
						Total:	\$23,746.59

Reducing Your City's LMCIT Premiums

By Tracie Chamberlin

As the financial picture continues to tighten, many cities are focused even more on ways to reduce costs. City expenditures are an important element in rating liability premiums for the League of Minnesota Cities Insurance Trust (LMCIT).

It's important to understand how budget cuts affect premiums. There are some things to consider, and things not to consider, if you're looking for ways to reduce the city's premiums.

Budget cuts and your premiums.

A reduction of X percent in the city's budget will not translate into the same percentage reduction in the city's premiums. The liability premium is typically about half of the city's total premium. Property and auto premiums make up the rest, and budget changes don't affect the rating for those risks.

Also, while city expenditures are important in calculating liability premiums, they are just one of several elements. Other rating bases, such as miles of streets, are also part of the liability premium calculation, and they presumably won't change.

Type of expense matters. Reductions in capital expenditures will have a much smaller effect on premiums than reductions in operating expenditures. City expenditures enter into the premium calculation in two ways: (1) a basic rate is applied to city expenditures, excluding construction projects, significant capital purchases (i.e., those exceeding 5 percent of the budget), certain contract expenditures, and expenditures for certain operations; and (2) a much smaller rate is applied to total expenditures, including capital and contract expenditures.

Thus, for example, the dollar savings from eliminating a street department staff position will have a much greater effect on liability premiums than the same dollar savings from canceling or deferring a construction project.

Reductions in operating expenditures for pools and beaches, community centers and arenas, golf courses, or municipal liquor stores will also have only a minor effect on premiums. These exposures are rated on other bases. Cuts in these areas would have the same relatively minor effect on premiums as cuts in capital expenditures.

Other areas to consider:

- **Auto coverage.** Drop physical damage coverage on older low-value vehicles. If you have some older, relatively low-value vehicles that are not critical to the city's operations, consider deleting them from the physical damage coverage.

- **Liability coverage.** Don't waive the statutory liability limits. Liability coverage is more expensive if the city waives the limits. Waiving the limits does not give the city any better protection; the benefit is only to the party who is making a liability claim against the city.

- **Property coverage.** Drop rented buildings from the city's coverage. If your city has a building leased out, the tenant is insuring it, and you have assurance that the tenant has the needed insurance and that the insurance protects the city's interest, you could drop that building from the city's coverage. Use a high deductible if you're buying flood insurance on city buildings through the National Flood Insurance Program (NFIP). Compared to other types of property insurance, NFIP flood insurance is expensive.

- **Bond coverage.** Make sure you're not buying duplicate bond coverage. The LMCIT bond coverage is designed to meet all of the city's needs for bond coverage on public officials.

- **Risk level.** Consider retaining more risk. Some cities still have property/casualty deductibles as low as \$500. For most cities, a deductible in the neighborhood of \$1,000 to \$5,000 will make more sense economically.

- **Loss amounts.** Premiums for municipal liability, auto liability, and work comp are all experience-rated, which means avoiding losses can reduce premiums. Remember that employment liability and land use claims are weighted more heavily in the experience rating formula, so avoiding these types of claims provides an even greater payback.

- **Reduce coverage limits.** Finally, another less desirable way to lower premiums is to reduce coverage limits. While this can save money, LMCIT recommends that you proceed with caution before taking such steps. Look first at suggestions mentioned earlier.

Reducing coverage limits means the city is retaining the risk of any large loss. Large losses do happen. Consider the police liability claim that settled for \$3 million; the statutory liability limits didn't apply because it was a federal civil rights claim.

Think about the potential for substantial defense costs in land use claims and the fact that the land use coverage limit is an annual aggregate limit. Remember that employee dishonesty losses can involve very large amounts. Employee dishonesty losses in the \$200,000 range aren't unheard of even in small cities. Even more alarming was a recent crime loss due to fraud that was in the millions of dollars.

For more information, see the LMCIT risk management memo *If You're Looking for Ways to Cut Your City's LMCIT Premiums* at www.lmc.org/media/document/1/ifyourelookingforwaystocutpremiums.pdf. Contact your LMCIT underwriter at (651) 281-1200 or (800) 925-1122 to explore any of these considerations. ■

Tracie Chamberlin is loss control manager with the League of Minnesota Cities. Phone: (651) 281-1210. E-mail: tchamberlin@lmc.org.

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SECTION I: LIABILITY COVERAGE WAIVER FORM

Cities obtaining liability coverage from the League of Minnesota Cities Insurance Trust must decide whether or not to waive the statutory tort liability limits to the extent of the coverage purchased. The decision to waive or not to waive the statutory limits has the following effects:

If the city does not waive the statutory tort limits, an individual claimant would be able to recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether or not the city purchases the optional excess liability coverage.

If the city waives the statutory tort limits and does not purchase excess liability coverage, a single claimant could potentially recover up to \$1,500,000 on a single occurrence. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to \$1,500,000 regardless of the number of claimants.

If the city waives the statutory tort limits and purchases excess liability coverage, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

This decision must be made by the city council. Cities purchasing coverage must complete and return this form to LMCIT before the effective date of the coverage. For further information contact LMCIT. You may also wish to discuss these issues with your city attorney.

City of Greenwood accepts liability coverage limits of \$1,500,000 from the League of Minnesota Cities Insurance Trust (LMCIT). \$1.2 million per occurrence

Check one:

The city DOES NOT WAIVE the monetary limits on municipal tort liability established by Minnesota Statutes 466.04.

The city WAIVES the monetary limits on tort liability established by Minnesota Statutes 466.04, to the extent of the limits of the liability coverage obtained from LMCIT.

Date of city council meeting October 6, 2009

Signature Robert A. [unclear] Position City Administrator

Return this completed form to LMCIT, 145 University Ave. W., St. Paul, MN. 55103-2044

Ordinance #177

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING THE ORDINANCE CODE OF THE CITY OF GREENWOOD
BY ADDING A NEW SECTION 515, CIVIL FINES & FEES
AND UPDATING RELATED SECTIONS OF THE CODE**

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

SECTION 1.

The Greenwood Ordinance Code is hereby amended by adding the following section, which shall read as follows:

“Section 515 – Civil Fines & Fees. To aid in the enforcement of the Greenwood Ordinance Code, the following civil fines and fees authorized by Chapter 12 of this code have been established by the Greenwood City Council:

Type of Violation	Section	Civil Fine	Notes
Animal Code Violation: Dog-At-Large 1st offense in 12-month period	445:30	\$50	In addition to impound fees
Animal Code Violation: Dog-At-Large 2nd offense in 12-month period	445:30	\$100	In addition to impound fees
Animal Code Violation: Dog-At-Large 3-plus offenses in 12-month period	445:30	\$150	In addition to impound fees
Animal Code Violation: Nuisance	445:15	\$300	
Liquor Code Violation: 60/40 Food/Liquor Sales 1st offense	820.70	\$2,000	1-year probation
Liquor Code Violation: 60/40 Food/Liquor Sales 2nd offense	820.70	\$4,000	7-day suspension of license and possible additional year probation
Liquor Code Violation: 60/40 Food/Liquor Sales 3rd offense in 10-year period	820.70	\$6,000	7-day suspension of license and possible revocation of license
Liquor Code Violation: Sale to Minor or Intoxicated Person, 1st offense in 24-month period	820:70	\$500	3-day suspension of license
Liquor Code Violation: Sale to Minor or Intoxicated Person, 2nd offense in 24-month period	820:70	\$1,000	3-day suspension of license. Proof of training completion.
Liquor Code Violation: Sale to Minor or Intoxicated Person, 3rd offense in 24-month period	820:70	\$1,500	3-day suspension of license. Proof of training completion. Possible revocation of license.
Liquor Code Violation: Sale to Minor or Intoxicated Person, 4th offense in 24-month period	820:70	\$2,000	3-day suspension of license. Proof of training completion. Possible revocation of license.
Nuisance Code Violation	1000 et seq	\$100	Must comply within 14 days. Each day thereafter is a separate offense.
Penal Code Violation	900 et seq	\$300	Must comply within 14 days. Each day thereafter is a separate offense.
Zoning Code Violation	1100 et seq	\$300	Must comply within 14 days. Each day thereafter is a separate offense.
Code Violation Fees	Section	Fee	Notes
Administrative Hearing Officer Fee	1210.25	\$100	Per instance
Late Fee	1210.50	10% of the fine amount. Applies for each 30-day period, or part thereof, that the fine is not paid.	

”

SECTION 2.

The Greenwood Ordinance Code Section 445.30, Subd. 5 is hereby amended to read as follows:

“Owner to Pay Fees Upon Impoundment. Every owner or person having the custody of an animal may redeem the same from the animal enforcement officer by paying for impounding fees as charged by the Animal Enforcement Officer or company and where necessary veterinary care, flea bath, and board and associated costs, for each day or fraction thereof as such animal is held in custody by the animal enforcement officer, and the cost of obtaining a license for said animal in accordance with this ordinance if license has not been issued for said animal. The owner of any dog found “running at large” also shall pay the City of Greenwood the civil fine in the amount set forth in **Chapter 5.**”

SECTION 3.

Effective Date. This ordinance shall be effective upon publication according to law.

ENACTED BY THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA, THIS
____ DAY OF _____, 2009.

Ayes____, Nays_____.

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Roberta L. Whipple, City Administrator

Resolution #19-09

**A RESOLUTION OF THE CITY OF GREENWOOD, MINNESOTA
ESTABLISHING AN ADMINISTRATIVE CIVIL CITATION & HEARING PROCESS**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENWOOD that the following outlines the steps for the Administrative Civil Citation & Hearing Process.

1. A violation of city code is brought to the attention of the City Administrator or City Zoning Administrator.
2. The administrator prepares a written report regarding the violation (who, what, were, why, when) and includes the names of witnesses and witness statements.
3. The administrator completes the standard citation form (see attached), checks the box for "warning," and attaches a copy of the applicable code.
4. The administrator shall cause the warning citation to be delivered to the offender via regular US mail AND certified US mail, or in person by a Community Service Officer or process server.
5. The offender has 14 days to bring the violation into compliance.
6. If the offender does not bring the violation into compliance, the administrator shall issue a civil fine citation using the standard form.
7. The administrator shall cause the civil fine citation to be delivered to the offender via regular US mail AND certified US mail, or in person by a Community Service Officer or process server.
8. The offender has 14 days to bring the violation into compliance AND pay the fine, or reply within 14 days to request a hearing before an Administrative Hearing Officer.
9. Payment of the fine constitutes an admission of the violation.
10. If a hearing is requested, the administrator will contact the City of Minnetonka to schedule the hearing.
11. If no hearing is requested AND the fine is not paid, while the violation still exists, a citation may be issued for each subsequent day the violation exists.
12. If no hearing is requested AND the fine is not paid, but the violation has been resolved, a 10% late fee shall be issued for every 30-day period, or part thereof, that the fine is not paid.
13. In the case of non-payment for 6 months or more, the City may pursue remedies described in Chapter 12 of the code, and/or the administrator may certify unpaid civil fines and late fees to the offender's property taxes.
14. In any event the City may choose to prosecute in District Court.

The City Administrator and City Zoning Administrator are hereby instructed to implement the Administrative Civil Citation & Hearing Process as outlined above.

This resolution is enacted pursuant to the codes of the City of Greenwood, Minnesota.

Adopted by the City Council of the City of Greenwood this ___ day of _____, 2009.

Ayes_____, Nays_____.

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Roberta L. Whipple, City Administrator

CIVIL CITATION



Citation Date: _____
 Citation Issued To: _____
 Check One or More: Property Owner Animal Owner Other
 Address: _____
 Violation Date: _____
 Description of Violation: _____
 Code Section: _____
 Issuing Officer & Phone Number: _____

On the ____ day of _____, 20__ a representative of the City of Greenwood had reasonable belief that _____ committed the civil offense checked below and for that reason this civil citation has been issued. A copy of the applicable city code and the Administrative Civil Citation & Hearing Process are attached. You must pay the appropriate civil fine checked below, remedy the code violation, and complete other requirements as noted OR request an Administrative Hearing within 14 days by checking the appropriate blank below and remitting the hearing fee of \$100. Payment of the fine constitutes an admission of the violation.

Type of Violation	Section	Civil Fine	Notes
Warning		\$0	You have 14 days to bring code violation into compliance. A citation for a civil fine will be issued if you do not comply.
Animal Code Violation: Dog-At-Large 1st offense in 12-month period	445:30	\$50	In addition to impound fees
Animal Code Violation: Dog-At-Large 2nd offense in 12-month period	445:30	\$100	In addition to impound fees
Animal Code Violation: Dog-At-Large 3-plus offenses in 12-month period	445:30	\$150	In addition to impound fees
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Penal Code Violation	900 et seq	\$300	Must comply within 14 days. Each day thereafter is a separate offense.
Nuisance Code Violation	1000 et seq	\$100	Must comply within 14 days. Each day thereafter is a separate offense.
Zoning Code Violation	1100 et seq	\$300	Must comply within 14 days. Each day thereafter is a separate offense.
City Code Citation Not Otherwise Designated		\$300	

Code Compliance Required: _____

Late Fee (if applicable): _____

I request an Administrative Hearing regarding this citation. A \$100 check for the hearing fee is enclosed.

Remit payment to the City of Greenwood at the address below.