

WORK SESSION: CITY COUNCIL ROLES
REGULAR WASECA CITY COUNCIL MEETING
WEDNESDAY, AUGUST 3, 2022, 7:00 PM
AGENDA

1. CALL TO ORDER/ROLL CALL
2. MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE
3. APPROVAL OF AGENDA
4. PUBLIC COMMENT

Those wishing to speak must state their name and address for the record. Each person will have three (3) minutes to make his/her remarks. Speakers will address all comments to the City Council as a whole and not one individual councilmember. The Council **may not take action** on an item presented during the Public Comment period. When appropriate, the Council may refer inquiries and items brought up during the Public Comment period to the City Manager for follow up.

5. REQUESTS AND PRESENTATIONS
6. CONSENT AGENDA
 - A. Minutes: Council Meeting & Work Session –July 19, 2022
 - B. Payroll & Expenditures
 - C. Approval of contract payment for Heselton Construction
 - D. Approval of contract payment for MetCon
 - E. Approval of contract payment for MetCon
 - F. Approval of final contract payment for Nielsen Concrete
 - G. Approval of contract payment for Wencil Construction
 - H. RCCA: Final payment for the 2022 Sidewalk Project (CITY PROJECT NO. 2022-04)
7. ACTION AGENDA
 - A. RCCA: Edibles & Beverages Infused with THC
 - B. RCCA: Tax Abatement Assignment
8. REPORTS
 - A. City Manager's Report
 - B. Commission Reports
9. ANNOUNCEMENTS
10. ADJOURNMENT

MINUTES
REGULAR WASECA CITY COUNCIL MEETING
TUESDAY, JULY 19, 2022

CALL TO ORDER/ROLL CALL

- 1 The regular Waseca City Council meeting was called to order by Mayor Srp at 7:00 p.m.

Councilmembers Present: Mayor Roy Srp Daren Arndt
Mark Christiansen Jeremy Conrath
Allan Rose

Councilmembers Absent: John Mansfield

Staff Present: Lee Mattson, City Manager
Carl Sonnenberg, Utilities and Public Works Director
Alicia Fischer, Finance Director
Nate Willey, City Engineer
Bill Green, Planning and Zoning Coordinator
Julia Hall, City Clerk

MOMENT OF SILENT PRAYER/PLEDGE OF ALLEGIANCE

- 2 A moment of silence was observed. The Pledge of Allegiance to the Flag was recited.

APPROVAL OF AGENDA

3. Councilmember Conrath requested adding Action Item 7F: Park Vandalism to the agenda.

Motion to approve agenda as amended was made by Arndt, seconded by Conrath. Motion carried 5-0.

PUBLIC COMMENT

4. A. Donald Hubschman of 801 3rd Avenue SE would like to start a process that would help homeowners stop unauthorized people from creating action against homes. Because the action he is looking for would need to be implemented with the County the City Manager and Councilmember Conrath encouraged Mr. Hubschman to discuss his concerns with the Waseca County Commissioners. The City Manager will also contact County Administrator Michael Johnson

REQUESTS AND PRESENTATIONS

5. None

CONSENT AGENDA

6. Motion was made by Christiansen to approve consent agenda, seconded by Rose. Motion carried 5-0.

ACTION AGENDA

- 7.
- A. RCCA: Nuisance 805 8th Ave NW Public Hearing.
1. Public Hearing was opened at 7:11 p.m.
 2. There being no comment the Public Hearing was closed at 7:12 p.m.

Motion was made by Christiansen to pass Resolution 22-29 to give the final 30-day notice to bring the property at 805 8th Ave NE into compliance before legal action and abatement, seconded by Rose. Motion carried 5-0.

- B. RCCA: 4th Avenue NW No Parking Zone. Motion was made by Conrath to approve the RCCA as recommended, seconded by Arndt. Motion carried 5-0.
- C. RCCA: Cost participation for the Woodville Township Overlay of 14th Ave SE/139th Street/345th Ave. Christiansen made a motion to proceed with Option 1, seconded by Rose J. Motion carried 4-1. (Nay Conrath).
- D. RCCA" Internet for the Airport and Wastewater Treatment Plant. Motion made by Rose to approve recommendation, seconded by Conrath. Motion carried 5-0.
- E. Resolution No. 22-30 – A Resolution of the Waseca City Council Amending the Technology Reimbursement Program for City Council. Christiansen made the motion to approve the resolution, seconded by Arndt. Motion carried 4-1, (Nay Rose).
- F. Park Vandalism has continued to be an ongoing problem. Due to the most recent vandalism during the day at University Park a recommendation was made to lock the restrooms at the park until further notice and bring the conversation to the Parks Board to discuss possible solutions going forward. Motion was made by Arndt approving the recommendation and locking the restrooms at University Park, seconded by Christiansen. Motion carried 5-0,

REPORTS

- 8.
- A. City Manager's Report
1. A steel wheelchair is on site at the waterpark.
 2. SMMPA Rates Update – 90-day notice period during which rates may increase. Could be \$500,000 per year.
 3. Future IQ has provided a proposal for and review and refresh of the current 2030 Vision. The review and update would be approximately \$18,000. Christiansen made the recommendation that City Staff continue looking into the proposal and proceed with paying half the cost if Waseca County will also pay half, seconded by Conrath. Motion carried 5-0,
 4. Lower Property meetings with Southwest Minnesota Housing Partnership continue.

5. Tina Wilson has been hired for the Economic Development Manager position, she is expected to begin August 29th.
6. Acquisition of electric services for Fox Meadows second subdivision has begun.

B. Commission Reports

1. Economic Development Authority presented by Mayor Srp:
 - a. Paul Snook gave an update on the website and marketing.
 - b. Discussed inviting EDA Board members to the Community Development Ventures meeting.
 - c. The prior Corcoran's building has sold to a trucking company that delivers for Daikin.
2. Park Board presented by Christiansen
 - a. No new business was presented
 - b. Would like clarification of the use of motorized/electric bikes/scooters on trails. City Manager was going to investigate that.
 - c. Downtown walkway restrooms are closed. There is still discussion on what could be down with the walkway.
 - d. Memorial benches have been added to the dog park.
 - e. Clear Lake Park playground equipment installation is proceeding nicely.
 - f. Emerald Ash Borer treatment has begun on City trees.

ANNOUNCEMENTS

9.
 - A. Council member Conrath announced:
 1. The next Council Meeting will be held Wednesday August 3 because Tuesday August 2nd is the City of Waseca's Nite to Unite at the Waterpark.
 - B. Council member Christiansen announced:
 1. 5th Street SE has gotten "really rough".
 - C. Mayor Srp issued two Proclamations for Waseca Citizens who are turning 100 years old.
 1. Dolores Sommers
 2. Audrey Stafford
 - D. Mayor Srp announced:
 1. He spoke with Joe Schumacher who is a local electrician and was told that ALL electricians in the City support each other and if needed will provide other electricians as recommended if they cannot provide the service themselves.

ADJOURNMENT

10. There being no further business to be brought before the Council, it was moved by Arndt seconded by Conrath to adjourn the meeting at 8:19 p.m. Motion carried 5-0.

R. D. SRP
MAYOR

JULIA HALL
CITY CLERK

MINUTES
WASECA CITY COUNCIL WORK SESSION
TUESDAY, JULY 19, 2022

CALL TO ORDER/ROLL CALL

The Waseca City Council Work Session began at 6:00 p.m.

Councilmembers Present: Mayor Roy Srp Daren Arndt
Mark Christiansen Jeremy Conrath
Allan Rose

Councilmembers Absent: John Mansfield

Staff Present: Lee Mattson, City Manager
Carl Sonnenberg, Utilities and Public Works Director
Alicia Fischer, Finance Director
Nate Willey, City Engineer
Julia Hall, City Clerk

1. The City Manager presented on the General Fund and Personnel budgets. This being the beginning of many budget sessions Council was asked to review the budget and any questions they have will be discussed in future work sessions.

There being no further discussion and no action taken, the work session adjourned at 6:45 p.m.

R. D. SRP
MAYOR

JULIA HALL
CITY CLERK

LIST OF EXPENDITURES

June 21, 2022

Lee A. Miller

City Council	3,757.65
Streets	28,263.67
Parks	17,085.51
Wastewater	10,400.60
Utility Administration	4,972.19
Utility Offices	7,632.92
Electric	22,016.66
Water	9,227.93
Building and Code Compliance	2,953.11
Police	60,735.30
Administration	8,620.09
Community Aides	0.00
Fire	10,064.68
Paid On Call Fire Department	0.00
PEG	274.21
Election Judges	0.00
Finance	9,515.15
Connections	3,068.15
Community Development	2,097.55
Engineering	16,588.09
Recreation	19,419.89
Econ Development	<u>3,624.82</u>

Total Gross Payroll	240,318.17
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*Less- Payroll Deductions	<u>(72,356.12)</u>
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Net Payroll Cost	\$ 167,962.05
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*These costs are included in Accounts Payable totals below

Accounts Payable

Expenditures dated:

July 15, 2022-July 28, 2022

Includes check #'s 158265-158301

Bank ACH Withdrawals.....	<u>1,139,681.71</u>
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GRAND TOTAL EXPENDITURES	<u>\$ 1,307,643.76</u>
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Check Issue Date	Check Number	Payee	Description	Invoice GL Account	Check Amount	
General Fund						
07/28/2022	72224	MN Sales and Use Tax Payable	June Sales Tax Payable	101-20210-0000	5,580.13	M
Total 101202100000:					5,580.13	
07/28/2022	72235	ACH Internal Revenue Service	FEDERAL WITHHOLDING TAX Pay Period: 7/24/2022	101-21701-0000	21,574.09	M
Total 101217010000:					21,574.09	
07/28/2022	72230	MN Department of Revenue	STATE WITHHOLDING TAX Pay Period: 7/24/2022	101-21702-0000	10,064.62	M
Total 101217020000:					10,064.62	
07/28/2022	72235	ACH Internal Revenue Service	SOCIAL SECURITY Pay Period: 7/24/2022	101-21703-0000	10,009.34	M
07/28/2022	72235	ACH Internal Revenue Service	SOCIAL SECURITY Pay Period: 7/24/2022	101-21703-0000	10,371.22	M
Total 101217030000:					20,380.56	
07/27/2022	72232	Public Employees Retirement Assn (ACH	7.28.22 PR adi	101-21704-0000	.07	M
07/27/2022	72232	Public Employees Retirement Assn (ACH	PERA COORD Emplr 1% Pay Period: 7/24/2022	101-21704-0000	1,365.27	M
07/27/2022	72232	Public Employees Retirement Assn (ACH	PERA COORDINATED Employee Pay Period: 7/24/2022	101-21704-0000	8,874.57	M
07/27/2022	72232	Public Employees Retirement Assn (ACH	PERA POLICE Employee Pay Period: 7/24/2022	101-21704-0000	7,456.33	M
07/27/2022	72232	Public Employees Retirement Assn (ACH	DEF CONTRIBUTION/EMPL Pay Period: 7/24/2022	101-21704-0000	58.70	M
07/27/2022	72232	Public Employees Retirement Assn (ACH	PERA COORDINATED Employer Pay Period: 7/24/2022	101-21704-0000	8,874.57	M
07/27/2022	72232	Public Employees Retirement Assn (ACH	PERA POLICE Employer Pay Period: 7/24/2022	101-21704-0000	11,184.50	M
07/27/2022	72232	Public Employees Retirement Assn (ACH	DEF CONT Employer Pay Period: 7/24/2022	101-21704-0000	58.70	M
Total 101217040000:					37,872.71	
07/27/2022	158265	NCPERS Minnesota - 8266711	LIFE INSURANCE - PERA Pay Period: 7/24/2022	101-21711-0000	160.00	
Total 101217110000:					160.00	
07/28/2022	72235	ACH Internal Revenue Service	MEDICARE Pay Period: 7/24/2022	101-21712-0000	3,209.17	M
07/28/2022	72235	ACH Internal Revenue Service	MEDICARE Pay Period: 7/24/2022	101-21712-0000	3,293.81	M
Total 101217120000:					6,502.98	
07/28/2022	72236	MSRS- (DEF COMP)	MSRS - ROTH (AFTER TAX) Pay Period: 7/24/2022	101-21713-0000	1,300.00	M
07/28/2022	72236	MSRS- (DEF COMP)	MSRS - DEF COMP Pay Period: 7/24/2022	101-21713-0000	844.00	M
Total 101217130000:					2,144.00	
07/28/2022	72234	Vantagepoint Transfer Agents 457	ICMA - ROTH (AFTER TAX) Pay Period: 7/24/2022	101-21714-0000	350.00	M
07/28/2022	72234	Vantagepoint Transfer Agents 457	ICMA DEF COMPENSATION Pay Period: 7/24/2022	101-21714-0000	582.69	M
Total 101217140000:					932.69	
07/28/2022	72231	AFLAC	AFLAC AFTER TAX Pay Period: 7/10/2022	101-21715-0000	364.59	M
07/28/2022	72231	AFLAC	AFLAC PRE TAX Pay Period: 7/10/2022	101-21715-0000	771.76	M
07/28/2022	72231	AFLAC	AFLAC AFTER TAX Pay Period: 7/24/2022	101-21715-0000	364.59	M
07/28/2022	72231	AFLAC	AFLAC PRE TAX Pay Period: 7/24/2022	101-21715-0000	771.76	M
Total 101217150000:					2,272.70	
07/28/2022	72220	Further	Flex Reimbursements	101-21716-0000	24.98	M

Check Issue Date	Check Number	Payee	Description	Invoice GL Account	Check Amount	
07/28/2022	72227	Further	Flex Reimbursement	101-21716-0000	11.04	M
07/28/2022	72238	Medsurety	HSA Contribution Pay Period: 7/24/2022	101-21716-0000	555.90	M
Total 101217160000:					591.92	
07/28/2022	72232	MN Child Support Payment Center	CHILD SUPPORT FLAT AMT Pay Period: 7/24/2022	101-21717-0000	972.76	M
Total 101217170000:					972.76	
07/28/2022	72237	MN Public Employees Insurance Progra	PEIP Family Pay Period: 7/10/2022	101-21720-0000	15,785.01	M
07/28/2022	72237	MN Public Employees Insurance Progra	PEIP Single Pay Period: 7/10/2022	101-21720-0000	13,984.89	M
07/28/2022	72237	MN Public Employees Insurance Progra	PEIP Employee + 1 Pay Period: 7/10/2022	101-21720-0000	937.92	M
07/28/2022	72237	MN Public Employees Insurance Progra	PEIP Employee + 1 Pay Period: 7/10/2022	101-21720-0000	3,751.86	M
07/28/2022	72237	MN Public Employees Insurance Progra	PEIP Family Pay Period: 7/10/2022	101-21720-0000	3,946.30	M
07/28/2022	72237	MN Public Employees Insurance Progra	Gedicke July COBRA	101-21720-0000	755.94	M
07/28/2022	72237	MN Public Employees Insurance Progra	Matson July COBRA	101-21720-0000	755.94	M
07/28/2022	72237	MN Public Employees Insurance Progra	PEIP Single Pay Period: 7/24/2022	101-21720-0000	13,984.89	M
07/28/2022	72237	MN Public Employees Insurance Progra	Rugger July COBRA	101-21720-0000	755.94	M
07/28/2022	72237	MN Public Employees Insurance Progra	PEIP Employee + 1 Pay Period: 7/24/2022	101-21720-0000	937.92	M
07/28/2022	72237	MN Public Employees Insurance Progra	Timlin July Adj	101-21720-0000	755.94	M
07/28/2022	72237	MN Public Employees Insurance Progra	PEIP Employee + 1 Pay Period: 7/24/2022	101-21720-0000	3,751.86	M
07/28/2022	72237	MN Public Employees Insurance Progra	Armendariz July COBRA	101-21720-0000	2,076.98	M
07/28/2022	72237	MN Public Employees Insurance Progra	PEIP Family Pay Period: 7/24/2022	101-21720-0000	3,946.30	M
07/28/2022	72237	MN Public Employees Insurance Progra	Anderson July Adj	101-21720-0000	2,076.98	M
07/28/2022	72237	MN Public Employees Insurance Progra	PEIP Family Pay Period: 7/24/2022	101-21720-0000	15,785.01	M
07/28/2022	72237	MN Public Employees Insurance Progra	Ferguson July Fam plan change Adj	101-21720-0000	1,321.04	M
Total 101217200000:					82,668.64	
07/28/2022	20220609	Personalized Printing Inc.	Summer Newsletter	101-41110-3500	797.60	
Total 101411103500:					797.60	
07/28/2022	20220619	Waseca Area Senior Citizens Center	City Contribution	101-41110-4455	1,125.00	
Total 101411104455:					1,125.00	
07/28/2022	158267	Amazon	Whiteboards	101-41320-2000	15.99	
Total 101413202000:					15.99	
07/28/2022	158275	First Source Solutions	Annual Fee	101-41320-3000	500.00	
Total 101413203000:					500.00	
07/28/2022	20220623	Wilson, Tina	Travel Expenses	101-41320-3350	1,313.96	
Total 101413203350:					1,313.96	
07/28/2022	20220618	Waseca Area Chamber of Commerce	Employee Recognition-Girtler 25yrs	101-41320-4930	50.00	
Total 101413204930:					50.00	
07/28/2022	158292	South Central College	May Safety Services	101-41320-4940	650.00	
07/28/2022	158292	South Central College	June Monthly Safety Services	101-41320-4940	650.00	

Check Issue Date	Check Number	Payee	Description	Invoice GL Account	Check Amount
Total 101413204940:					1,300.00
07/28/2022	20220583	A. H. Hermel Company	Pop for Vending Machine	101-41320-4945	46.71
Total 101413204945:					46.71
07/28/2022	72225	Further	Admin Fees	101-41500-1600	258.50 M
Total 101415001600:					258.50
07/28/2022	20220598	Innovative Office Supply	Expandable File Divider-Ryan	101-41500-2000	20.41
Total 101415002000:					20.41
07/28/2022	72226	MN Department of Revenue	Tax correction	101-41500-4330	.19 M
Total 101415004330:					.19
07/28/2022	158299	Waseca County Treasurer	Legal Services Contract payment	101-41600-3000	5,370.33
Total 101416003000:					5,370.33
07/28/2022	20220608	Pantheon Computer Systems Inc.	Maintenance Agreement	101-41920-3100	7,178.38
Total 101419203100:					7,178.38
07/28/2022	158267	Amazon	Notepads and binder clips	101-41940-2000	15.66
07/28/2022	20220598	Innovative Office Supply	Office Supplies	101-41940-2000	66.49
07/28/2022	158290	Quadient Finance	Envelope Sealer-1 jug and Meter Tapes	101-41940-2000	57.00
Total 101419402000:					139.15
07/28/2022	158297	Waseca County Highway Department	Monthly billing	101-41940-2120	39.95
Total 101419402120:					39.95
07/28/2022	158272	Cintas Corporation	Floor mat service	101-41940-3100	54.58
07/28/2022	158289	Orkin Pest Control	City Hall Pest Control	101-41940-3100	102.00
07/28/2022	20220614	Stoltz Cleaning Services LLC	City Hall Cleaning	101-41940-3100	367.50
07/28/2022	20220614	Stoltz Cleaning Services LLC	City Hall	101-41940-3100	367.50
Total 101419403100:					891.58
07/28/2022	158273	Consolidated Communications	Monthly Billing	101-41940-3200	229.06
07/28/2022	158273	Consolidated Communications	Monthly Billing	101-41940-3200	149.01
Total 101419403200:					378.07
07/28/2022	158271	Centerpoint Energy	Monthly Billing	101-41940-3800	77.60
Total 101419403800:					77.60
07/28/2022	20220598	Innovative Office Supply	Office Supplies - Police	101-42100-2000	98.90
07/28/2022	20220598	Innovative Office Supply	Office Supplies - Police	101-42100-2000	85.14

Check Issue Date	Check Number	Payee	Description	Invoice GL Account	Check Amount
Total 101421002000:					184.04
07/28/2022	158297	Waseca County Highway Department	Monthly billing	101-42100-2120	3,612.60
Total 101421002120:					3,612.60
07/28/2022	20220583	A. H. Hermel Company	paper products PD	101-42100-2170	205.12
07/28/2022	158267	Amazon	USB flash drives	101-42100-2170	47.99
Total 101421002170:					253.11
07/28/2022	158289	Orkin Pest Control	Orkin - Police	101-42100-3000	101.00
Total 101421003000:					101.00
07/28/2022	158272	Cintas Corporation	Floor Mats	101-42100-3100	9.65
07/28/2022	158272	Cintas Corporation	Floor Mats	101-42100-3100	8.98
07/28/2022	20220601	Lenz Lawn Care & Landscaping Inc.	Mow/Trim 600 5th St SE	101-42100-3100	75.00
07/28/2022	20220614	Stoltz Cleaning Services LLC	Public Safety Restroom cleaning	101-42100-3100	78.75
07/28/2022	20220614	Stoltz Cleaning Services LLC	Public Safety Restroom Cleaning	101-42100-3100	78.75
Total 101421003100:					251.13
07/28/2022	158273	Consolidated Communications	Monthly Billing	101-42100-3200	229.06
07/28/2022	158273	Consolidated Communications	Monthly Billing	101-42100-3200	428.11
07/28/2022	158273	Consolidated Communications	Monthly Billing	101-42100-3200	45.13
Total 101421003200:					702.30
07/28/2022	158271	Centerpoint Energy	Monthly Billing	101-42100-3800	97.97
Total 101421003800:					97.97
07/28/2022	20220583	A. H. Hermel Company	Night to Unite Supplies	101-42100-4640	162.36
Total 101421004640:					162.36
07/28/2022	158297	Waseca County Highway Department	Monthly billing	101-42200-2120	476.32
Total 101422002120:					476.32
07/28/2022	20220587	Central Fire Protection Inc.	Extingusher refill	101-42200-2160	38.25
Total 101422002160:					38.25
07/28/2022	158274	Fire Safety USA Inc.	Gas detector	101-42200-2410	840.00
Total 101422002410:					840.00
07/28/2022	158272	Cintas Corporation	Floor Mats	101-42200-3100	9.65
07/28/2022	158272	Cintas Corporation	Floor Mats	101-42200-3100	8.99
07/28/2022	20220614	Stoltz Cleaning Services LLC	Public Safety Restroom cleaning	101-42200-3100	78.75
07/28/2022	20220614	Stoltz Cleaning Services LLC	Public Safety Restroom Cleaning	101-42200-3100	78.75

Check Issue Date	Check Number	Payee	Description	Invoice GL Account	Check Amount
Total 101422003100:					176.14
07/28/2022	158273	Consolidated Communications	Monthly Billing	101-42200-3200	45.13
Total 101422003200:					45.13
07/28/2022	158271	Centerpoint Energy	Monthly Billing	101-42200-3800	97.98
07/28/2022	158273	Consolidated Communications	Monthly Billing	101-42200-3800	48.63
Total 101422003800:					146.61
07/28/2022	20220588	City Building Inspection Services LLC	building inpections	101-42400-3000	5,362.60
Total 101424003000:					5,362.60
07/28/2022	20220601	Lenz Lawn Care & Landscaping Inc.	Mowing - Woodville Meadows Outlot A	101-42400-3100	26.25
07/28/2022	158298	Waseca County Sheriff's Office	Civil Papers Res #22-29	101-42400-3100	65.00
Total 101424003100:					91.25
07/28/2022	158297	Waseca County Highway Department	Monthly billing	101-43000-2120	62.99
Total 101430002120:					62.99
07/28/2022	20220585	Bomgaars Supply	Parts & Supplies	101-43000-2170	25.99
Total 101430002170:					25.99
07/28/2022	20220593	Frontier Precision Inc.	Extended Warranty for GPS Equipment	101-43000-3100	1,336.50
Total 101430003100:					1,336.50
07/28/2022	72228	Verizon Wireless	GPS System	101-43000-3200	80.02 M
Total 101430003200:					80.02
07/28/2022	20220594	H & J Fuel Inc	fuel	101-43100-2120	1,061.98
07/28/2022	158297	Waseca County Highway Department	Monthly billing	101-43100-2120	3,194.98
07/28/2022	158297	Waseca County Highway Department	Monthly billing	101-43100-2120	5.00
07/28/2022	158297	Waseca County Highway Department	Monthly billing	101-43100-2120	128.82
Total 101431002120:					4,390.78
07/28/2022	20220585	Bomgaars Supply	Parts & Supplies	101-43100-2170	102.10
07/28/2022	20220602	Locators & Supplies Inc.	orange nitrile gloves	101-43100-2170	289.28
07/28/2022	158300	Waterville Foods & Ice Inc.	Ice	101-43100-2170	104.70
Total 101431002170:					496.08
07/28/2022	158269	Aramark Uniform Services	uniform service	101-43100-2180	192.95
07/28/2022	158269	Aramark Uniform Services	uniform service	101-43100-2180	192.08
Total 101431002180:					385.03
07/28/2022	158266	Affordable Lawn Care Inc	Dust control	101-43100-3100	450.00

Check Issue Date	Check Number	Payee	Description	Invoice GL Account	Check Amount
Total 101431003100:					450.00
07/28/2022	158273	Consolidated Communications	Monthly Billing	101-43100-3200	47.75
Total 101431003200:					47.75
07/28/2022	158271	Centerpoint Energy	Monthly Billing	101-43100-3800	143.87
Total 101431003800:					143.87
07/28/2022	20220597	Independent School District #829	City Contribution Community Education Recreation	101-45100-3100	8,333.33
Total 101451003100:					8,333.33
07/28/2022	158297	Waseca County Highway Department	Monthly billing	101-45130-2120	91.42
Total 101451302120:					91.42
07/28/2022	20220595	Horizon Commercial Pool Supply	WP Chemicals	101-45130-2165	9,697.36
Total 101451302165:					9,697.36
07/28/2022	20220585	Bomgaars Supply	Parts & Supplies	101-45130-2170	57.31
Total 101451302170:					57.31
07/28/2022	20220583	A. H. Hermel Company	Janitorial Supplies	101-45130-2175	207.15
Total 101451302175:					207.15
07/28/2022	20220585	Bomgaars Supply	Parts & Supplies	101-45130-2210	91.31
Total 101451302210:					91.31
07/28/2022	20220583	A. H. Hermel Company	WP Concession	101-45130-2500	1,390.59
07/28/2022	20220583	A. H. Hermel Company	WP Concession	101-45130-2500	502.38
07/28/2022	20220583	A. H. Hermel Company	WP Concession	101-45130-2500	462.17
07/28/2022	158281	Hy-Vee Accounts Receivable	WP Birthday Cake	101-45130-2500	43.98
07/28/2022	158281	Hy-Vee Accounts Receivable	WP Birthday Cake	101-45130-2500	21.99
07/28/2022	158287	Morgan's Meat Market	Hot dogs for WP Concession	101-45130-2500	45.00
Total 101451302500:					2,466.11
07/28/2022	158273	Consolidated Communications	Monthly Billing	101-45130-3200	242.40
Total 101451303200:					242.40
07/28/2022	158271	Centerpoint Energy	Monthly Billing	101-45130-3800	9,464.99
Total 101451303800:					9,464.99
07/28/2022	20220595	Horizon Commercial Pool Supply	Water Wheel Chair	101-45130-4000	1,502.56
Total 101451304000:					1,502.56

Check Issue Date	Check Number	Payee	Description	Invoice GL Account	Check Amount	
07/28/2022	158297	Waseca County Highway Department	Monthly billing	101-45200-2120	1,210.17	
Total 101452002120:					1,210.17	
07/28/2022	158282	Janesville Tile Supply	clear lake park drain tile & supplies	101-45200-2170	387.61	
07/28/2022	20220622	Will, Joel	Totes for staging equipment at trowbridge	101-45200-2170	35.96	
Total 101452002170:					423.57	
07/28/2022	20220605	Meyer, Dean	Boot reimbursement	101-45200-2190	235.00	
07/28/2022	20220613	Spies, Loy	Safety Glasses Reimbursement	101-45200-2190	270.00	
Total 101452002190:					505.00	
07/28/2022	20220585	Bomgaars Supply	Parts & Supplies	101-45200-2230	25.77	
07/28/2022	20220586	Border States Electric Supply	UP Picnic Shelter Lightning	101-45200-2230	161.84	
Total 101452002230:					187.61	
07/28/2022	158273	Consolidated Communications	Monthly Billing	101-45200-3200	41.63	
Total 101452003200:					41.63	
07/28/2022	158271	Centerpoint Energy	Monthly Billing	101-45200-3800	63.35	
07/28/2022	158271	Centerpoint Energy	Monthly Billing	101-45200-3800	18.60	
Total 101452003800:					81.95	
07/28/2022	158270	Bock's Service Inc.	Rear Tire Repair - Tractor	101-45200-4040	38.95	
Total 101452004040:					38.95	
07/28/2022	158289	Orkin Pest Control	Library-Pest control	101-45500-3100	80.00	
Total 101455003100:					80.00	
07/28/2022	158271	Centerpoint Energy	Monthly Billing	101-45500-3800	32.55	
07/28/2022	158273	Consolidated Communications	Monthly Billing	101-45500-3800	68.72	
Total 101455003800:					101.27	
Total General Fund:					266,005.13	
Airport						
07/28/2022	72229	CenturyLink	Airport Phone and Internet	230-49810-3200	126.85	M
Total 230498103200:					126.85	
07/28/2022	158271	Centerpoint Energy	Monthly Billing	230-49810-3800	25.27	
07/28/2022	72221	Xcel Energy	Airport Electric	230-49810-3800	290.77	M
07/28/2022	72222	Xcel Energy	Airport Electric	230-49810-3800	277.15	M
Total 230498103800:					593.19	
Total Airport:					720.04	

Check Issue Date	Check Number	Payee	Description	Invoice GL Account	Check Amount
Police Reserve					
07/28/2022	158268	Androli, Jeff	Fair Security	275-49212-3100	820.00
07/28/2022	20220591	Deweese, Matt	Fair Security	275-49212-3100	890.00
07/28/2022	20220606	Miller, Ali	Fair Security	275-49212-3100	370.00
07/28/2022	20220610	Rew, Scott	Fair Security	275-49212-3100	1,080.00
07/28/2022	20220615	Stoltz, Jon	Fair Security	275-49212-3100	525.00
07/28/2022	20220616	Teachout, Jason	Fair Security	275-49212-3100	290.00
Total 275492123100:					3,975.00
Total Police Reserve:					3,975.00
Capital Improvement					
07/28/2022	20220604	Met-Con Construction Inc	Clear Lake Park Improvements - Pmt #2	430-43010-5435	64,546.80
07/28/2022	20220604	Met-Con Construction Inc	Clear Lake Park Improvements - Pmt #3	430-43010-5435	32,965.00
07/28/2022	158294	Stantec Consulting Services Inc	Engineering Services - Clear Lake Park Improvements	430-43010-5435	5,437.97
Total 430430105435:					102,949.77
07/28/2022	20220607	Nielsen Concrete LLC	2022 Sidewalk Project Payment - 1st & Final	430-43010-5460	56,362.82
Total 430430105460:					56,362.82
07/28/2022	158279	Heselton Construction LLC	8th St SE Project Payment #3 - Streets	430-43010-5560	327,438.54
07/28/2022	158294	Stantec Consulting Services Inc	May Engineering Services - 8th St SE	430-43010-5560	30,457.81
Total 430430105560:					357,896.35
Total Capital Improvement:					517,208.94
Water					
07/28/2022	72224	MN Sales and Use Tax Payable	June Sales Tax Payable	601-20210-0000	1,276.76 M
Total 601202100000:					1,276.76
07/28/2022	158280	HKS Construction LLC	Reimbursement for SAC/WAC Charges	601-37175-0000	1,240.00
07/28/2022	158286	Miller Homes	Reimbursement for SAC/WAC Fees	601-37175-0000	4,960.00
Total 601371750000:					6,200.00
07/28/2022	158278	Hawkins Inc	City Wells Chemicals	601-49401-2170	1,533.87
Total 601494012170:					1,533.87
07/28/2022	20220603	M & R Electric Inc.	Check Power to Tower Devices	601-49401-3100	74.00
Total 601494013100:					74.00
07/28/2022	158271	Centerpoint Energy	Monthly Billing	601-49401-3800	28.52
Total 601494013800:					28.52
07/28/2022	158278	Hawkins Inc	Chlorine Equipment	601-49401-4000	130.00
Total 601494014000:					130.00

Check Issue Date	Check Number	Payee	Description	Invoice GL Account	Check Amount	
07/28/2022	72235	ACH Internal Revenue Service	SOCIAL SECURITY Pay Period: 7/24/2022	601-49430-0000	361.88	M
07/28/2022	72235	ACH Internal Revenue Service	MEDICARE Pay Period: 7/24/2022	601-49430-0000	84.64	M
Total 601494300000:					446.52	
07/28/2022	158297	Waseca County Highway Department	Monthly billing	601-49430-2120	891.82	
Total 601494302120:					891.82	
07/28/2022	158269	Aramark Uniform Services	uniforms	601-49430-2180	13.55	
07/28/2022	158269	Aramark Uniform Services	uniforms	601-49430-2180	14.05	
07/28/2022	20220585	Bomgaars Supply	Parts & Supplies	601-49430-2180	55.75	
Total 601494302180:					83.35	
07/28/2022	20220621	Water Conservation Service Inc.	Leak Detect Service	601-49430-3100	3,750.00	
Total 601494303100:					3,750.00	
07/28/2022	20220601	Lenz Lawn Care & Landscaping Inc.	Repair Broken Line	601-49430-4000	118.53	
Total 601494304000:					118.53	
07/28/2022	158290	Quadient Finance	Envelope Sealer-1 jug	601-49585-2000	16.47	
Total 601495852000:					16.47	
07/28/2022	158273	Consolidated Communications	Monthly Billing	601-49585-3200	61.08	
07/28/2022	158295	U.S. Postal Service	Postage - August utility bills	601-49585-3200	495.27	
Total 601495853200:					556.35	
07/28/2022	20220608	Pantheon Computer Systems Inc.	Maintenance Agreement	601-49586-4950	1,025.49	
Total 601495864950:					1,025.49	
07/28/2022	20220590	Core & Main LP	6" hydrant extension	601-49593-5300	877.84	
07/28/2022	158279	Heselton Construction LLC	8th St SE Project Payment #3 - Water	601-49593-5300	570.00	
07/28/2022	158294	Stantec Consulting Services Inc	Watermain Noetzel Addition	601-49593-5300	2,215.25	
07/28/2022	158294	Stantec Consulting Services Inc	Engineering Services - North State St Watermain Improv	601-49593-5300	19,278.08	
07/28/2022	158294	Stantec Consulting Services Inc	NW Waseca Water & Sewer Feasibility Report	601-49593-5300	1,407.79	
07/28/2022	158301	Wencl Construction Inc	North State Water Main - Pmt #2	601-49593-5300	184,063.45	
Total 601495935300:					208,412.41	
Total Water:					224,544.09	
Sanitary Sewer						
07/28/2022	158280	HKS Construction LLC	Reimbursement for SAC/WAC Charges	602-37275-0000	1,090.00	
07/28/2022	158286	Miller Homes	Reimbursement for SAC/WAC Fees	602-37275-0000	4,360.00	
Total 602372750000:					5,450.00	
07/28/2022	20220612	Southern MN Inspection Co. LLC	Inspections	602-49470-3000	332.80	

Check Issue Date	Check Number	Payee	Description	Invoice GL Account	Check Amount
Total 602494703000:					332.80
07/28/2022	158273	Consolidated Communications	Monthly Billing	602-49470-3200	674.72
Total 602494703200:					674.72
07/28/2022	158271	Centerpoint Energy	Monthly Billing	602-49470-3800	25.65
07/28/2022	158271	Centerpoint Energy	Monthly Billing	602-49470-3800	31.20
Total 602494703800:					56.85
07/28/2022	158276	Grainger	lift station sump pump check valves	602-49470-4020	311.16
Total 602494704020:					311.16
07/28/2022	158284	Lube-Tech & Partners LLC	gear oil	602-49480-2120	369.69
07/28/2022	158297	Waseca County Highway Department	Monthly billing	602-49480-2120	390.15
Total 602494802120:					759.84
07/28/2022	158278	Hawkins Inc	Chlorine Equipment	602-49480-2170	40.00
07/28/2022	158278	Hawkins Inc	Chlorine Equipment	602-49480-2170	30.00
07/28/2022	20220617	USA Blue Book	Lab Supplies	602-49480-2170	508.70
Total 602494802170:					578.70
07/28/2022	20220590	Core & Main LP	EQ Valve repair	602-49480-2210	661.90
Total 602494802210:					661.90
07/28/2022	158272	Cintas Corporation	Floor mat service	602-49480-3100	10.31
07/28/2022	158272	Cintas Corporation	Floor mat service	602-49480-3100	9.60
07/28/2022	20220589	Condon Farm Service	Weed spray	602-49480-3100	31.95
07/28/2022	20220594	H & J Fuel Inc	Generator Fuel	602-49480-3100	2,596.77
07/28/2022	158277	Hach Company	Hach Service Agreement	602-49480-3100	5,177.00
07/28/2022	20220599	Javens Mechanical Contracting Co.	RPZ Repair	602-49480-3100	238.85
07/28/2022	20220599	Javens Mechanical Contracting Co.	Backflow RPZ Testing	602-49480-3100	110.00
07/28/2022	20220612	Southern MN Inspection Co. LLC	Lift Inspection-WWTP	602-49480-3100	917.80
Total 602494803100:					9,092.28
07/28/2022	158273	Consolidated Communications	Monthly Billing	602-49480-3200	217.85
Total 602494803200:					217.85
07/28/2022	158271	Centerpoint Energy	Monthly Billing	602-49480-3800	324.72
07/28/2022	158293	SSI Crestmark MN Holding LLC	Solar Power	602-49480-3800	20,508.21
07/28/2022	158296	USS MN V MT LLC	Solar Power	602-49480-3800	4,001.99
Total 602494803800:					24,834.92
07/28/2022	158290	Quadient Finance	Envelope Sealer-1 jug	602-49585-2000	16.47
Total 602495852000:					16.47

Check Issue Date	Check Number	Payee	Description	Invoice GL Account	Check Amount
07/28/2022	158273	Consolidated Communications	Monthly Billing	602-49585-3200	61.08
07/28/2022	158295	U.S. Postal Service	Postage - August utility bills	602-49585-3200	495.27
Total 602495853200:					556.35
07/28/2022	158285	MESERB	MESERB Membership Assessment	602-49586-4330	3,257.00
Total 602495864330:					3,257.00
07/28/2022	20220608	Pantheon Computer Systems Inc.	Maintenance Agreement	602-49586-4950	1,025.49
Total 602495864950:					1,025.49
07/28/2022	158279	Heselton Construction LLC	8th St SE Project Payment #3 - Sanitary	602-49593-5300	16,289.41
07/28/2022	158294	Stantec Consulting Services Inc	Aeration Blower Project	602-49593-5300	2,738.75
07/28/2022	158294	Stantec Consulting Services Inc	Phase 1 I&I Monitoring	602-49593-5300	264.45
07/28/2022	158294	Stantec Consulting Services Inc	I&I Remediation Phase 2 SE	602-49593-5300	2,798.50
07/28/2022	158294	Stantec Consulting Services Inc	NW Waseca Water & Sewer Feasibility Report	602-49593-5300	2,614.46
Total 602495935300:					24,705.57
Total Sanitary Sewer:					72,531.90
Electric Utility					
07/28/2022	72224	MN Sales and Use Tax Payable	June Sales Tax Payable	604-20210-0000	37,066.11 M
Total 604202100000:					37,066.11
07/28/2022	158297	Waseca County Highway Department	Monthly billing	604-49571-2120	1,053.73
Total 604495712120:					1,053.73
07/28/2022	20220592	Diamond Solutions	core bit	604-49571-2170	364.00
07/28/2022	158288	Olsen Chain & Cable Inc	sling hook safety latches	604-49571-2170	164.11
Total 604495712170:					528.11
07/28/2022	20220586	Border States Electric Supply	Meter sockets	604-49571-2216	698.86
Total 604495712216:					698.86
07/28/2022	20220612	Southern MN Inspection Co. LLC	Inspection	604-49571-3000	347.80
Total 604495713000:					347.80
07/28/2022	20220586	Border States Electric Supply	photoeye	604-49574-2170	25.49
Total 604495742170:					25.49
07/28/2022	158290	Quadient Finance	Envelope Sealer-1 jug	604-49585-2000	16.46
Total 604495852000:					16.46
07/28/2022	158273	Consolidated Communications	Monthly Billing	604-49585-3200	114.52
07/28/2022	158273	Consolidated Communications	Monthly Billing	604-49585-3200	51.64
07/28/2022	158295	U.S. Postal Service	Postage - August utility bills	604-49585-3200	495.27

Check Issue Date	Check Number	Payee	Description	Invoice GL Account	Check Amount
Total 604495853200:					661.43
07/28/2022	20220584	APG Media of So MN LLC	WCN Subscription	604-49585-4330	68.95
Total 604495854330:					68.95
07/28/2022	20220608	Pantheon Computer Systems Inc.	Maintenance Agreement	604-49586-4950	1,025.49
Total 604495864950:					1,025.49
07/28/2022	20220586	Border States Electric Supply	Conversion Supplies	604-49593-5300	1,566.22
Total 604495935300:					1,566.22
Total Electric Utility:					43,058.65
Storm Water Utility					
07/28/2022	158283	Lakescapes	Clear Lake beaches weed treatment	651-43140-3000	1,670.00
Total 651431403000:					1,670.00
07/28/2022	158279	Heselton Construction LLC	8th St SE Project Payment #3 - Storm	651-49593-5300	3,627.10
Total 651495935300:					3,627.10
Total Storm Water Utility:					5,297.10
Central Garage Services					
07/28/2022	158297	Waseca County Highway Department	Monthly billing	701-43180-2120	428.30
Total 701431802120:					428.30
07/28/2022	20220596	IFACS	shop supplies	701-43180-2170	51.75
Total 701431802170:					51.75
07/28/2022	20220611	Sanco Equipment LLC	Filter unit 124-19	701-43180-2210	131.43
07/28/2022	158291	Shade Tree Oil & Repair LLC	New tires# E-7	701-43180-2210	1,052.33
07/28/2022	158291	Shade Tree Oil & Repair LLC	New tires #65	701-43180-2210	1,011.05
07/28/2022	20220620	Waseca Glass LLC	Grader door glass	701-43180-2210	60.00
Total 701431802210:					2,254.81
07/28/2022	20220612	Southern MN Inspection Co. LLC	Inspections	701-43180-3000	865.00
Total 701431803000:					865.00
Total Central Garage Services:					3,599.86
Equipment Replacement Fund					
07/28/2022	20220600	L & L Street Rod & Sports Truck LLC	new squad expense	705-49920-5400	2,741.00
Total 705499205400:					2,741.00

Check Issue Date	Check Number	Payee	Description	Invoice GL Account	Check Amount
			Total Equipment Replacement Fund:		2,741.00
			Grand Totals:		1,139,681.71

Report Criteria:

Report type: GL detail

[Report].Amount = {<>} 0

CONTRACT CONSTRUCTION PAYMENT REQUEST

DATE: 07/20/2022

TO: Mayor & City Council
Lee Mattson, City Manager

PROJECT NAME: 8th Street SE Reconstruction

CITY PROJECT NO. 2207

PAYMENT REQUEST : 3

PAYMENT PERIOD : 06/28/2022-07/19/2022

CONTRACTOR: Heselton Construction

PAYMENT AMOUNT: \$347,925.05

Approved By:

Nathan Willey 7-20-22
Department Head Date

Director of Finance Date

City Manager Date



Owner: City of Waseca, 508 South State St., Waseca, MN 56093	Date: July 19, 2022
For Period: 6/28/2022 to 7/19/2022	Request No: 3
Contractor: Heselton Construction, LLC, 680 24th St. NW, Faribault, MN 55021	

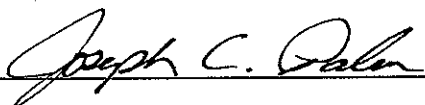
CONTRACTOR'S REQUEST FOR PAYMENT

8TH STREET SE RECONSTRUCITON AND REHABILITATION IMPROVEMENTS
STANTEC PROJECT NO. 193805360

SUMMARY

1	Original Contract Amount		\$ 1,436,538.73
2	Change Order - Addition	\$ 0.00	
3	Change Order - Deduction	\$ 0.00	
4	Revised Contract Amount		\$ 1,436,538.73
5	Value Completed to Date		\$ 1,059,048.00
6	Material on Hand		\$ 0.00
7	Amount Earned		\$ 1,059,048.00
8	Less Retainage 5%		\$ 52,952.40
9	Subtotal		\$ 1,006,095.60
10	Less Amount Paid Previously		\$ 658,170.55
11	Liquidated damages -		\$ 0.00
12	AMOUNT DUE THIS REQUEST FOR PAYMENT NO. 3		\$ 347,925.05

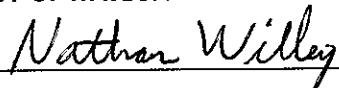
Recommended for Approval by:
STANTEC



Approved by Contractor:
HESELTON CONSTRUCTION, LLC



Approved by Owner:
CITY OF WASECA



Specified Contract Completion Date:

Date: 7-20-22

No.	Item	Unit	Contract Quantity	Unit Price	Current Quantity	Quantity to Date	Amount to Date
BASE BID							
1	MOBILIZATION	LUMP SUM	1	38000.00	0.25	0.75	\$28,500.00
2	CLEARING	EACH	6	830.00		6	\$4,980.00
3	GRUBBING	EACH	6	205.00	1	7	\$1,435.00
4	GRUBBING SPECIAL	EACH	1	205.00		1	\$205.00
5	REMOVE MANHOLE OR CATCH BASIN	EACH	21	400.00		24	\$9,600.00
6	SALVAGE SIGN	EACH	28	52.00		27	\$1,404.00
7	SAWING CONCRETE PAVEMENT (FULL DEPTH)	LIN FT	389	2.50	-319	32	\$80.00
8	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	LIN FT	1996	2.00	446	2044	\$4,088.00
9	REMOVE PIPE DRAIN	LIN FT	2273	2.25	228	2273	\$5,114.25
10	REMOVE SEWER PIPE (STORM)	LIN FT	383	12.50		383	\$4,787.50
11	REMOVE SEWER PIPE (SANITARY)	LIN FT	46	2.00		46	\$92.00
12	REMOVE CURB AND GUTTER	LIN FT	3543	3.95	362	3763	\$14,863.85
13	REMOVE SIDEWALK	SQ YD	1258	8.50	126	1258	\$10,693.00
14	REMOVE CONCRETE DRIVEWAY PAVEMENT	SQ YD	358	8.90		358	\$3,186.20
15	REMOVE BITUMINOUS DRIVEWAY PAVEMENT	SQ YD	34	9.00		34	\$306.00
16	REMOVE BITUMINOUS PAVEMENT	SQ YD	5952	3.25		5952	\$19,344.00
17	ABANDON PIPE SEWER	LIN FT	1457	3.00	146	1457	\$4,371.00
18	SALVAGE BRICK PAVERS	SQ FT	142	4.00		140	\$560.00
19	SELECT GRANULAR BORROW MOD (CV)	CU YD	3219	24.85	322	3219	\$79,992.15
20	EXCAVATION - COMMON	CU YD	5274	11.30	528	5274	\$59,596.20
21	GEOTEXTILE FABRIC TYPE 5	SQ YD	6197	1.60	620	6197	\$9,915.20
22	STREET SWEEPER (WITH PICKUP BROOM)	HOUR	15	150.00		15	\$2,250.00
23	AGGREGATE BASE (CV) CLASS 5	CU YD	2100	32.75	210	2100	\$68,775.00
24	MILL BITUMINOUS PAVEMENT (SPECIAL)	SQ YD	11807	2.25	11807	11807	\$26,565.75
25	BITUMINOUS MATERIAL FOR TACK COAT	GALLON	1290	3.00	645	645	\$1,935.00
26	TYPE SP 9.5 WEARING COURSE MIXTURE (3;C) 1.5" THICK	SQ YD	20577	7.50			\$0.00
27	TYPE SP 12.5 WEARING COURSE MIXTURE (3;B) 2.0" THICK	SQ YD	5225	9.75	5225	5225	\$50,943.75
28	TYPE SP 12.5 WEARING COURSE MIXTURE (3;C) 1.5" THICK	SQ YD	20577	7.50	5225	5225	\$39,187.50
29	TYPE SP 12.5 NON WEARING COURSE MIXTURE (3;B)	TON	113.3	108.00			\$0.00
30	6" PERF PVC PIPE DRAIN	LIN FT	2657	25.00	266	2657	\$66,425.00
31	6" PVC PIPE DRAIN CLEANOUT	EACH	6	330.00		7	\$2,310.00
32	8" PVC PIPE SEWER	LIN FT	1235	52.00		1240	\$64,480.00
33	12" RC PIPE SEWER DESIGN 3006 CLASS III	LIN FT	21	74.00		22	\$1,628.00
34	15" RC PIPE SEWER DESIGN 3006 CLASS III	LIN FT	439	77.00		472	\$36,344.00
35	24" RC PIPE SEWER DESIGN 3006 CLASS III	LIN FT	83	98.00		75	\$7,350.00
36	SANITARY SEWER BYPASS PUMPING	LUMP SUM	1	2700.00		1	\$2,700.00
37	DRAIN PIPE CONNECTION (SUMP PUMPS)	EACH	19	330.00	11	19	\$6,270.00
38	CONNECT TO EXISTING SANITARY SEWER	EACH	6	800.00		6	\$4,800.00
39	CONNECT TO EXISTING MANHOLES (SAN)	EACH	1	2350.00		1	\$2,350.00
40	CONNECT TO EXISTING STORM SEWER	EACH	6	1000.00		6	\$6,000.00
41	CONNECT TO EXISTING MANHOLES	EACH	4	1050.00		4	\$4,200.00
42	CONNECT TO EXISTING SANITARY SEWER SERVICE	EACH	9	150.00		10	\$1,500.00
43	8"X4" PVC WYE	EACH	6	370.00		1	\$370.00
44	8"X6" PVC WYE	EACH	3	470.00		9	\$4,230.00
45	TELEVIEW SANITARY SEWER	LIN FT	1235	2.25	1235	1235	\$2,778.75
46	TELEVIEW SANITARY SEWER SERVICES	LIN FT	516	7.00	516	516	\$3,612.00
47	PLUG FILL AND ABANDON PIPE SEWER	LIN FT	38	47.00	4	38	\$1,786.00
48	4" PVC SANITARY SERVICE PIPE	LIN FT	175	65.00	-34		\$0.00
49	6" PVC SANITARY SERVICE PIPE	LIN FT	100	72.00	34	303	\$21,816.00
50	ADJUST HYDRANT	EACH	4	935.00			\$0.00
51	ADJUST VALVE BOX-WATER	EACH	30	210.00			\$0.00
52	ADJUST CURB BOX	EACH	4	150.00	4	4	\$600.00
53	4" POLYSTYRENE INSULATION	SQ YD	4	48.00		4	\$192.00
54	CONSTRUCT DRAINAGE STRUCTURE DESIGN SPECIAL 3	EACH	20	2185.00		20	\$43,700.00
55	CONSTRUCT DRAINAGE STRUCTURE DESIGN 48-4020	EACH	3	1400.00		3	\$4,200.00
56	CASTING ASSEMBLY	EACH	10	1120.00	9	10	\$11,200.00
57	ADJUST FRAME AND RING CASTING	EACH	27	650.00			\$0.00
58	CONSTRUCT DRAINAGE STRUCTURE DESIGN SPECIAL	LIN FT	54	415.00		54	\$22,410.00

No.	Item	Unit	Contract Quantity	Unit Price	Current Quantity	Quantity to Date	Amount to Date
59	CONSTRUCT DRAINAGE STRUCTURE DESIGN SPECIAL 1	LIN FT	10	777.00			\$0.00
60	CONSTRUCT DRAINAGE STRUCTURE DESIGN SPECIAL 2	LIN FT	6	505.00		6	\$3,030.00
61	CONNECT TO EXISTING STRUCTURE	EACH	2	725.00		2	\$1,450.00
62	CASTING ASSEMBLY SPECIAL	EACH	20	1095.00		8	\$8,760.00
63	CASTING ASSEMBLY SPECIAL 1	EACH	8	660.00			\$0.00
64	CONCRETE COLLAR	EACH	8	215.00			\$0.00
65	4" CONCRETE WALK	SQ FT	10878	6.00	10777	11608	\$69,648.00
66	6" CONCRETE WALK	SQ FT	852	19.00	523	1273	\$24,187.00
67	CONCRETE CURB AND GUTTER DESIGN B612	LIN FT	1005	19.25	1038	1038	\$19,981.50
68	CONCRETE CURB AND GUTTER DESIGN B618	LIN FT	1188	31.50	122	1334	\$42,021.00
69	CONCRETE CURB AND GUTTER DESIGN B624	LIN FT	1362	21.50	1391	1391	\$29,906.50
70	6" CONCRETE DRIVEWAY PAVEMENT	SQ YD	584.1	78.50	504	586	\$46,001.00
71	CONCRETE CURB DESIGN V	LIN FT	18	21.50	28	28	\$602.00
72	6" CONCRETE VALLEY GUTTER	SQ YD	55	83.00	55	55	\$4,565.00
73	TRUNCATED DOMES	SQ FT	310	39.25	171	282	\$11,068.50
74	TRAFFIC CONTROL	LUMP SUM	1	8600.00		0.5	\$4,300.00
75	INSTALL SIGN	EACH	28	335.00			\$0.00
76	DECIDUOUS TREE 1" CAL CONT	EACH	20	715.00			\$0.00
77	STABILIZED CONSTRUCTION EXIT	LUMP SUM	1	1250.00		1	\$1,250.00
78	STORM DRAIN INLET PROTECTION	EACH	46	245.00	19	46	\$11,270.00
79	SEDIMENT CONTROL LOG TYPE WOOD CHIP	LIN FT	2926	2.05		2280	\$4,674.00
80	FERTILIZER TYPE 3	POUND	202	0.65			\$0.00
81	SEED MIXTURE 25-151	POUND	116	5.20			\$0.00
82	HYDRAULIC BONDED FIBER MATRIX	POUND	2024	2.60			\$0.00
83	WATER	M GALLON	75	41.50			\$0.00
84	RAPID STABILIZATION METHOD 3	M GALLON	0.86	1038.00	0.3	0.3	\$311.40
85	4" SOLID LINE MULTI-COMPONENT GROUND IN (WR)	LIN FT	11024	0.90			\$0.00
86	24" SOLID LINE MULTI-COMPONENT GROUND IN (WR)	LIN FT	85	13.50			\$0.00
87	4" BROKEN LINE MULTI-COMPONENT GROUND IN (WR)	LIN FT	877	0.90			\$0.00
88	4" DOTTED LINE MULTI-COMPONENT GROUND IN (WR)	LIN FT	57	2.60			\$0.00
89	PAVEMENT MESSAGE MULTI-COMPONENT GROUND IN (WR)	SQ FT	251	14.15			\$0.00
	TOTAL BASE BID						\$1,059,048.00
	TOTAL BASE BID						\$1,059,048.00
	WORK COMPLETED TO DATE:						\$1,059,048.00

PROJECT PAYMENT STATUS

OWNER CITY OF WASECA
STANTEC PROJECT NO. 193805360
CONTRACTOR HESELTON CONSTRUCTION, LLC

CHANGE ORDERS

No.	Date	Description	Amount
Total Change Orders			

PAYMENT SUMMARY

No.	From	To	Payment	Retainage	Completed
1	05/01/2022	05/23/2022	178,277.97	9,383.05	187,661.02
2	05/24/2022	06/27/2022	479,892.58	34,640.55	692,811.10
3	06/28/2022	07/19/2022	347,925.05	52,952.40	1,059,048.00

Material on Hand

Total Payment to Date	\$1,006,095.60	Original Contract	\$1,436,538.73
Retainage Pay No. 3	52,952.40	Change Orders	
Total Amount Earned	\$1,059,048.00	Revised Contract	\$1,436,538.73

CONTRACT CONSTRUCTION PAYMENT REQUEST

DATE: 07/27/2022

TO: Mayor & City Council
Lee Mattson, City Manager

PROJECT NAME: Met-Con Construction

CITY PROJECT NO. 2121


PAYMENT REQUEST : 2

PAYMENT PERIOD : 06/01/2022-06/30/2022


CONTRACTOR: Clear Lake Improvements

PAYMENT AMOUNT: \$64,546.80

Approved By:

Department Head_____
Date

Director of Finance7/27/2022

Date

City Manager7-27-22

Date



Transmittal

Stantec Architecture Inc.

733 Marquette Avenue Suite 1000, Minneapolis MN 55402-2309

Phone: (612) 712-2000

To: Carl Sonnenberg

Company: City of Waseca

Address: 508 South State Street
Waseca, MN 56093

Phone: (507) 521-1540

Date: June 24, 2022

File: 193805326

Delivery: Email

From: Bruce Paulson

☐ For Your Information☒ For Your Approval☒ For Your Review☐ As Requested**Reference: Clear Lake Park Improvements Application and Certificate for Payment****Attachment:**

Copies	Doc Date	Pages	Description
1	6/23/2022	4	Application and Certificate for Payment No. 2

Hi Carl,

Please have the attached copy signed and then it can be scanned and emailed to Parker Beaupre at parker.beaupre@met-con.com and to me. Please let me know if you need paper copies and I will get them to you. Thank you.

Respectfully yours,

Stantec Architecture Inc.

Bruce P. Paulson

Senior Project Manager/Architect

Phone: (612) 712-2108

Cell: (651) 492-9089

Bruce.Paulson@stantec.com

c. File



Project:	Clear Lake Park Improvements	Date:	June 24, 2022
For Period:	6/1/2022 to 6/30/2022	Request No:	2
Contractor:	Met-Con Construction, Inc., 15760 Acorn Trail, Faribault, MN 55021		

CONTRACTOR'S REQUEST FOR PAYMENT

CLEAR LAKE PARK IMPROVEMENTS

CITY PROJECT NO. 21-21

WASECA, MINNESOTA

STANTEC FILE NO. 193805326

SUMMARY

1	Original Contract Amount		\$	740,580.00
2	Change Order - Addition	\$	9,253.90	
3	Change Order - Deduction	\$	0.00	
4	Revised Contract Amount		\$	749,833.90
5	Value Completed to Date		\$	143,358.00
6	Material on Hand		\$	0.00
7	Amount Earned		\$	143,358.00
8	Less Retainage 5%		\$	7,167.90
9	Subtotal		\$	136,190.10
10	Less Amount Paid Previously		\$	71,643.30
11	Liquidated damages -		\$	0.00
12	AMOUNT DUE THIS REQUEST FOR PAYMENT NO. 2		\$	64,546.80

Recommended for Approval by:
STANTEC ARCHITECTURE INC.

See attached for signature

Approved by Contractor:
MET-CON CONSTRUCTION, INC.

See attached for signature

Approved by Owner:
CITY OF WASECA

Lee A Mattson City Manager

Specified Contract Completion Date:
August 31, 2022

Date: 7-27-22

AIA® Document G702™ - 1992

Application and Certificate for Payment

TO OWNER:		PROJECT:		APPLICATION NO:		Distribution to:	
City of Waseca		Clear Lake Park Improvements		4311000002		OWNER <input checked="" type="checkbox"/>	
508 South State Street		1000 8th Ave NE		6/30/2022		ARCHITECT <input checked="" type="checkbox"/>	
Waseca, MN 56093		Waseca, MN 56093				CONTRACTOR <input checked="" type="checkbox"/>	
FROM CONTRACTOR:		VIA ARCHITECT:		CONTRACT FOR:			
Met-Con Construction, Inc.		Stantec Architecture Inc.		CONTRACT DATE:			
15760 Acorn Trail		733 Marquette Ave S, Ste 1000		PROJECT NOS:			
Faribault, MN 55021		Minneapolis, MN 55402		3/1/2022		FIELD <input checked="" type="checkbox"/>	
				43110		OTHER <input type="checkbox"/>	

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. AIA Document G703™, Continuation Sheet, is attached.

1. ORIGINAL CONTRACT SUM	\$ 740,580.00
2. NET CHANGE BY CHANGE ORDERS	\$ 9,253.90
3. CONTRACT SUM TO DATE (Line 1 + 2)	\$ 749,833.90
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$ 143,358.00

5. RETAINAGE:

- $\frac{50}{100}$ of Completed Work (Columns D + E on G703)
- % of Stored Material (Column F on G703)

Total Retainage (Lines 5a + 5b, or Total in Column I of G703)	\$ 7,167.90
6. TOTAL EARNED LESS RETAINAGE	\$ 7,167.90
(Line 4 minus Line 5 Total)	136,190.10
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT	\$ 71,643.30
(Line 6 from prior Certificate)	

8. CURRENT PAYMENT DUE	\$ 64,546.80
9. BALANCE TO FINISH, INCLUDING RETAINAGE	\$ 613,643.80
(Line 3 minus Line 6)	

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$ 9,253.90	\$
Total approved this month	\$ 9,253.90	\$
TOTAL	\$ 9,253.90	\$
NET CHANGES by Change Order	\$ 9,253.90	

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The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Met-Con Construction, Inc.

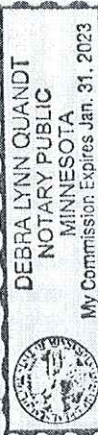
By: Debra Lynn Quandt Date: 6/23/22

State of: MN

County of: Rice

Subscribed and sworn to before me this 23 day of June, 2022

Notary Public: Debra Lynn Quandt
My commission expires: 1/31/23



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 64,546.80
(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT:

By: Debra P. Quandt

Date: June 24, 2022

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

AIA[®] Document G703[™] - 1992

Continuation Sheet

AIA Document G702[™]-1992, Application and Certificate for Payment, or G732[™]-2009, Application and Certificate for Payment, Construction Manager as Adviser Edition, containing Contractor's signed certification is attached.
In tabulations below, amounts are in US dollars.
Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 4311000002
APPLICATION DATE: 6/23/2022
PERIOD TO: 6/30/2022
ARCHITECT'S PROJECT NO: 43110

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (Not in D or E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C - G)	I RETAINAGE (If variable rate)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD				
1	General Conditions	40,200.00	15,200.00	5,000.00		20,200.00	20,000.00	1,010.00
2	Temp Conditions	24,220.00	8,220.00	4,500.00		12,720.00	11,500.00	636.00
3	Demolitions	68,809.00	12,300.00	7,955.00		20,255.00	48,554.00	1,012.75
4	Earthwork	54,770.00					54,770.00	
5	Rebar Material	11,237.00	11,237.00			11,237.00		561.85
6	Concrete	67,600.00		6,000.00		6,000.00	61,600.00	300.00
7	Masonry	97,794.00	5,794.00	2,000.00		7,794.00	90,000.00	389.70
8	Metal Fabrications	12,049.00	4,000.00			4,000.00	8,049.00	200.00
9	Rough Carpentry	6,013.00	5,013.00			5,013.00	1,000.00	250.65
10	Insulation	2,086.00		18,950.00		18,950.00	2,086.00	947.50
11	Asphalt Shingles	18,950.00					6,500.00	
12	Joint Sealants	6,500.00					16,633.00	
13	HM Doors & Frames	16,633.00					15,275.00	
14	Epoxy Floor Coating	15,275.00					85,229.00	
15	Painting	85,229.00					22,373.00	
16	Toilet Partitions	22,373.00		3,819.00		3,819.00	5,661.00	190.95
17	Toilet Accessories	9,480.00					68,112.00	
18	PEMB Roof	68,112.00					69,430.00	1,461.00
19	HVAC/Plumbing	98,650.00	10,000.00	19,220.00		29,220.00	10,450.00	207.50
20	Electrical	14,600.00	3,650.00	500.00		4,150.00	9,253.90	
30000	Change Order #001	9,253.90						
	GRAND TOTAL							

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Document G703™ - 1992

AIA Document G702™-1992, Application and Certificate for Payment, or G732™-2009, Application and Certificate for Payment, Construction Manager as Adviser Edition, containing Contractor's signed certification is attached.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO:	4311000002
APPLICATION DATE:	6/23/2022
PERIOD TO:	6/30/2022
ARCHITECT'S PROJECT NO:	43110

PROPOSED CONTRACT NO. 43110									
A	B	C	D	E	F	G	H	I	
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (Not in D or E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	%	BALANCE TO FINISH (C - G)	RETAINAGE (If variable rate)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					

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CONTRACT CONSTRUCTION PAYMENT REQUEST

DATE: 07/27/2022

TO: Mayor & City Council
Lee Mattson, City Manager

PROJECT NAME: Clear Lake Park Improvements

CITY PROJECT NO. 2121

PAYMENT REQUEST : 3

PAYMENT PERIOD : 07/01/2022-07/31/2022

CONTRACTOR: Met-Con Construction

PAYMENT AMOUNT: \$32,965.00

Approved By:

Department Head_____
DateMaura Fischer
Director of Finance7/27/2022
DateLee A. Mattson
City Manager7-27-22
Date

Stantec Architecture Inc.
733 Marquette Avenue Suite 1000, Minneapolis MN 55402-2309
Phone: (612) 712-2000

To:	Carl Sonnenberg	From:	Bruce Paulson
Company:	City of Waseca	<input type="checkbox"/>	For Your Information
Address:	508 South State Street Waseca, MN 56093	<input checked="" type="checkbox"/>	For Your Approval
Phone:	(507) 521-1540	<input checked="" type="checkbox"/>	For Your Review
		<input type="checkbox"/>	As Requested
Date:	July 25, 2022		
File:	193805326		
Delivery:	Email		

Reference: Clear Lake Park Improvements Application and Certificate for Payment

Attachment:

Copies	Doc Date	Pages	Description
1	7/21/2022	4	Application and Certificate for Payment No. 3

Hi Carl,
Please have the attached copy signed and then it can be scanned and emailed to Parker Beaupre at parker.beaupre@met-con.com and to me. Please let me know if you need paper copies and I will get them to you. Thank you.

Respectfully yours,

Stantec Architecture Inc.



Bruce P. Paulson
Senior Project Manager/Architect
Phone: (612) 712-2108
Cell: (651) 492-9089
Bruce.Paulson@stantec.com

c. File



Project:	Clear Lake Park Improvements	Date:	July 25, 2022
For Period:	7/1/2022 to 7/31/2022	Request No:	3
Contractor:	Met-Con Construction, Inc., 15760 Acorn Trail, Faribault, MN 55021		

CONTRACTOR'S REQUEST FOR PAYMENT

CLEAR LAKE PARK IMPROVEMENTS
CITY PROJECT NO. 21-21
WASECA, MINNESOTA
STANTEC FILE NO. 193805326

SUMMARY

1	Original Contract Amount		\$	740,580.00
2	Change Order - Addition	\$	9,253.90	
3	Change Order - Deduction	\$	0.00	
4	Revised Contract Amount		\$	749,833.90
5	Value Completed to Date		\$	178,058.00
6	Material on Hand		\$	0.00
7	Amount Earned		\$	178,058.00
8	Less Retainage 5%		\$	8,902.90
9	Subtotal		\$	169,155.10
10	Less Amount Paid Previously		\$	136,190.10
11	Liquidated damages -		\$	0.00
12	AMOUNT DUE THIS REQUEST FOR PAYMENT NO. 3		\$	32,965.00

Recommended for Approval by:
STANTEC ARCHITECTURE INC.

See attached for signature

Approved by Contractor:
MET-CON CONSTRUCTION, INC.

See attached for signature

Approved by Owner:
CITY OF WASECA

Specified Contract Completion Date:
November 11, 2022

Date: 7.25.22

Application and Certificate for Payment

TO OWNER:		PROJECT:		APPLICATION NO:	Distribution to:
City of Waseca		Clear Lake Park Improvements		4311000003	<input type="checkbox"/> OWNER <input checked="" type="checkbox"/> ARCHITECT <input type="checkbox"/> CONTRACTOR <input type="checkbox"/> FIELD <input type="checkbox"/> OTHER
508 South State Street		1000 8th Ave NE		7/31/2022	
Waseca, MN 56093		Waseca, MN 56093		CONTRACT FOR:	
				CONTRACT DATE:	
FROM CONTRACTOR:		VIA ARCHITECT:		PROJECT NOS:	
Met-Con Construction, Inc.		Stantec Architecture Inc.		3/1/2022	
15760 Acorn Trail		733 Marquette Ave S, Ste 1000		431110	
Faribault, MN 55021		Minneapolis, MN 55402			

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
AIA Document G703[™], Continuation Sheet, is attached.

1. ORIGINAL CONTRACT SUM	\$ 740,580.00
2. NET CHANGE BY CHANGE ORDERS	\$ 9,253.90
3. CONTRACT SUM TO DATE (Line 1 + 2)	\$ 749,833.90
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$ 178,058.00

5. RETAINAGE:	
a. _____ % of Completed Work	\$ 8,902.90
(Columns D + E on G703)	
b. _____ % of Stored Material	\$ 8,902.90
(Column F on G703)	

Total Retainage (Lines 5a + 5b, or Total in Column I of G703)	\$ 169,155.10
6. TOTAL EARNED LESS RETAINAGE	\$ 136,190.10
(Line 4 minus Line 5 Total)	

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT	\$
(Line 6 from prior Certificate)	

8. CURRENT PAYMENT DUE	\$ 32,965.00
9. BALANCE TO FINISH, INCLUDING RETAINAGE	\$ 580,678.80
(Line 3 minus Line 6)	

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$ 9,253.90	\$
Total approved this month	\$ 9,253.90	\$
TOTAL	\$ 9,253.90	\$
NET CHANGES by Change Order	\$	\$

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Met-Con Construction, Inc.

By: Debra Lynn Quandt Date: 7/21/22

State of: MN

County of: Rice

Subscribed and sworn to before me this 21 day of July, 2022

Notary Public: Debra Lynn Quandt
My commission expires: 1/31/23



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 32,965.00

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on ~~Change Order Sheet~~ that are changed to conform with the amount certified.)

ARCHITECT: Debra P. Quandt Date: July 25, 2022

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

AIA[®] Document G703[™] - 1992

Continuation Sheet

AIA Document G702[™]-1992, Application and Certificate for Payment, or G732[™]-2009, Application and Certificate for Payment, Construction Manager as Adviser Edition, containing Contractor's signed certification is attached.
In tabulations below, amounts are in US dollars.
Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 4311000003
APPLICATION DATE: 7/21/2022
PERIOD TO: 7/31/2022
ARCHITECT'S PROJECT NO: 43110

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (Not in D or E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C - G)	I RETAINAGE (If variable rate)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD				
1	General Conditions	40,200.00	20,200.00	3,000.00		23,200.00	17,000.00	1,160.00
2	Temp Conditions	24,220.00	12,720.00	3,000.00		15,720.00	8,500.00	786.00
3	Demolitions	68,809.00	20,255.00			20,255.00	48,554.00	1,012.75
4	Earthwork	54,770.00					54,770.00	
5	Rebar Material	11,237.00	11,237.00			11,237.00		561.85
6	Concrete	67,600.00	6,000.00			6,000.00	61,600.00	300.00
7	Masonry	97,794.00	7,794.00	5,000.00		12,794.00	85,000.00	639.70
8	Metal Fabrications	12,049.00	4,000.00	4,000.00		8,000.00	4,049.00	400.00
9	Rough Carpentry	6,013.00	5,013.00	1,000.00		6,013.00		300.65
10	Insulation	2,086.00					2,086.00	
11	Asphalt Shingles	18,950.00	18,950.00			18,950.00		947.50
12	Joint Sealants	6,500.00					6,500.00	
13	HM Doors & Frames	16,633.00		3,000.00		3,000.00	13,633.00	150.00
14	Epoxy Floor Coating	15,275.00					15,275.00	
15	Painting	85,229.00		7,700.00		7,700.00	77,529.00	385.00
16	Toilet Partitions	22,373.00		7,000.00		7,000.00	15,373.00	350.00
17	Toilet Accessories	9,480.00	3,819.00	1,000.00		4,819.00	4,661.00	240.95
18	PEMB Roof	68,112.00					68,112.00	
19	HVAC/Plumbing	98,650.00	29,220.00			29,220.00	69,430.00	1,461.00
20	Electrical	14,600.00	4,150.00			4,150.00	10,450.00	207.50
30000	Change Order #001	9,253.90					9,253.90	
	GRAND TOTAL							

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

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Document G703™ - 1992

AIA Document G702™-1992, Application and Certificate for Payment, or G732™-2009, Application and Certificate for Payment, Construction Manager as Adviser Edition, containing Contractor's signed certification is attached.

In tabulations below, amounts are in US dollars.

Use Column 1 on Contracts where variable retainage for line items may apply.

ARCHITECT'S PROJECT NO.:

[illegible]

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

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101210ACD04

CONSTRUCTION CONTRACT PAYMENT REQUEST

DATE: ~~JULY 19, 2022~~ AUGUST 2, 2022TO: Mayor & City Council
Lee Mattson - City Manager

PROJECT NAME: 2022 CITY SIDEWALK PROJECT

CITY PROJECT NO. 2022-04, SAP 172-106-004

PAYMENT REQUEST: NO. 1 - FINAL

PAYMENT PERIOD: JUNE 13, 2022 - JUNE 21, 2022

CONTRACTOR: NIELSEN CONCRETE LLC

CONTRACT

Original Contract sum: \$ 55,275.00

Change OrdersChange Order No. 1 \$ 1,087.82
27-Jun-22

Net change by change orders: \$ 1,087.82

Contract Sum to date: \$ 56,362.82

PAYMENT

Contract Sum to date: \$ 56,362.82

Total earned to date \$ 56,362.82
(Includes Change Orders)

Retainage: N/A \$ -

Total earned less retainage: \$ 56,362.82

Less previous payment requests: \$ -

Payment due this request: \$ 56,362.82


% Contract completed to date: 100%

Amount remaining on contract: \$ -

Total Amount Due: \$ 56,362.82

Approved By:


7/1/22
 Contractor Date


7/19/2022
 Director of Finance Date


7-19-22
 City Engineer Date


7-19-22
 City Manager Date

CERTIFICATE OF PAYMENT

PAGE 1

2022 CITY SIDEWALK PROJECT, CITY OF WASECA

CITY PROJECT NO. 2022-04, SAP 172-106-004

PAYMENT PERIOD: JUNE 13-21, 2022

PAYMENT REQUEST NO. 1 - FINAL

ORIGINAL CONTRACT AMOUNT: \$55,275.00

PAYMENT DATE: AUGUST 2, 2022

FINAL CONTRACT AMOUNT: \$56,326.82

CONTRACTOR:

CONTRACT APPROVAL DATE: APRIL 21, 2022

NIELSEN CONCRETE LLC

CONTRACT COMPLETION DATE: JULY 1, 2022

305 INDUSTRIAL ST E

KASOTA, MN 56050

To the City Council of the City of Waseca, The following payment is requested in accordance with the plans, specifications, and conditions of the contract.

NO.	DESCRIPTION	UNIT	PLAN QTY.	UNIT PRICE	CONTRACT AMOUNT	THIS PERIOD QUANTITY	THIS PERIOD PAYMENT	TO DATE QUANTITY	TO DATE PAYMENT
1	MOBILIZATION	LS	1	\$ 5,000.00	\$ 5,000.00	1	\$ 5,000.00	1	\$ 5,000.00
2	REMOVE CURB & GUTTER	LF	200	\$ 5.00	\$ 1,000.00	182	\$ 910.00	182	\$ 910.00
3	SAWING CONCRETE	LF	80	\$ 5.00	\$ 400.00	91	\$ 455.00	91	\$ 455.00
4	SAWING BITUMINOUS PAVEMENT	LF	275	\$ 5.00	\$ 1,375.00	262	\$ 1,310.00	262	\$ 1,310.00
5	REMOVE BITUMINOUS PAVEMENT	SY	80	\$ 12.00	\$ 960.00	80	\$ 960.00	80	\$ 960.00
6	REMOVE SIDEWALK	SY	175	\$ 20.00	\$ 3,500.00	186	\$ 3,720.00	186	\$ 3,720.00
7	DRILL & GROUT REINFORCEMENT BAR (EPOXY COATED)	EA	170	\$ 12.00	\$ 2,040.00	211	\$ 2,532.00	211	\$ 2,532.00
8	ADJUST CASTING	EA	3	\$ 300.00	\$ 900.00	1	\$ 300.00	1	\$ 300.00
9	6" CONCRETE WALK	SF	1,250	\$ 15.12	\$ 18,900.00	1,386	\$ 20,956.32	1,386	\$ 20,956.32
10	6-8" EXPOSED AGGREGATE FINISH CONCRETE WALK	SF	300	\$ 18.00	\$ 5,400.00	284	\$ 5,112.00	284	\$ 5,112.00
11	CONCRETE CURB & GUTTER DESIGN B618	LF	200	\$ 41.25	\$ 8,250.00	182	\$ 7,507.50	182	\$ 7,507.50
12	TRUNCATED DOMES	SF	80	\$ 55.00	\$ 4,400.00	80	\$ 4,400.00	80	\$ 4,400.00
13	TRAFFIC CONTROL	LS	1	\$ 3,000.00	\$ 3,000.00	1	\$ 3,000.00	1	\$ 3,000.00
14	STORM DRAIN INLET PROTECTION	LS	1	\$ 150.00	\$ 150.00	1	\$ 150.00	1	\$ 150.00
ORIGINAL CONTRACT TOTAL:					\$ 55,275.00				
15	CHANGE ORDER #1 - 2" PVC ROOF DRAIN WITH FERNCO	LS	N/A	\$ 50.00	N/A	1	\$ 50.00	1	\$ 50.00
PROJECT TOTALS WITH CHANGE ORDER #1:							\$ 56,362.82		\$ 56,362.82



STATE AID FOR LOCAL TRANSPORTATION
CHANGE ORDER

Rev. February 2018

SP/SAP(s)	172-106-004	MN Project No.:		Change Order No.	1
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Project Location	INTERSECTION OF 2 ND AVENUE NE & 2 ND STREET NE		
Local Agency	CITY OF WASECA	Local Project No.	2022-04
Contractor	NEILSEN CONCRETE LLC	Contract No.	2022-04
Address/City/State/Zip	305 INDUSTRIAL ST E, KASOTA, MN 56050		
Total Change Order Amount \$		+1,087.82	

This Change Order tabulates the cost adjustment between plan quantities and final project quantities.
Item #15 was added to account for an unforeseen circumstance during construction.

Estimate Of Cost: (Include any increases or decreases in contract items, any negotiated or force account items.)						
**Group/ funding Category	Item No.	Description	Unit	Unit Price	+ or - Quantity	+ or - Amount \$
	2	REMOVE CURB & GUTTER	LF	\$5	-18	- \$90.00
	3	SAWING CONCRETE	LF	\$5	+11	+ \$55.00
	4	SAWING BITUMINOUS PAVEMENT	LF	\$5	-13	- \$65.00
	6	REMOVE SIDEWALK	SY	\$20	+11	+ \$220.00
	7	DRILL & GROUT REINFORCEMENT BAR (EPOXY COATED)	EA	\$12	+41	+ \$492.00
	8	ADJUST CASTING	EA	\$300	-2	- \$600.00
	9	6" CONCRETE WALK	SF	\$15.12	+136	+ \$2,056.32
	10	6-8" EXPOSED AGGREGATE FINISH CONCRETE WALK	SF	\$18	-16	- \$288.00
	11	CONCRETE CURB & GUTTER DESIGN B618	LF	\$41.25	-18	- \$742.50
	15	2" PVC ROOF DRAIN WITH FERNCO	LS	\$50	+1	+ \$50.00
Net Change this Change Order						+ \$1,087.82

**Group/funding category is required for federal aid projects

Due to this change, the contract time: (check one)

(X) Is NOT changed () May be revised as provided in MnDOT Specification 1806

() Is Increased by _____ Working Days () Is Increased by _____ Calendar Days

() Is Decreased by _____ Working Days () Is Decreased by _____ Calendar Days

Approved by Project Engineer: Nathan Willey Date: 7-8-22

Print Name: Nathan Willey Phone: 507-835-9716

Approved by Contractor: Joseph Franta Date: 7/8/22

Print Name: Joseph Franta Phone: 507-514-0134



STATE AID FOR LOCAL TRANSPORTATION
CHANGE ORDER

Rev. February 2018

SP/SAP(s)	172-106-004	MN Project No.:		Change Order No.	1
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DSAE Portion: The State of Minnesota is not a participant in this contract. Signature by the District State Aid Engineer is for **FUNDING PURPOSES ONLY** and for compliance with State and Federal Aid Rules/Policy. Eligibility does not guarantee funds will be available.

This work is eligible for: ☐ Federal Funding ☒ State Aid Funding ☒ Local funds

District State Aid Engineer: Lisa Bigham Digitally signed by Lisa Bigham
Date: 2022.07.11 14:14:09 -0500 Date: _____

CONTRACT CONSTRUCTION PAYMENT REQUEST

DATE: 07/21/2022

TO: Mayor & City Council
Lee Mattson, City Manager

PROJECT NAME: North State Trunk Watermain

CITY PROJECT NO. 2206

PAYMENT REQUEST : # 2

PAYMENT PERIOD : 06/23/2022-7/21/2022

CONTRACTOR: Wencil Construction

PAYMENT AMOUNT: \$184,063.45

Approved By:

Department Head

Date

Director of Finance

Date

City Manager

Date



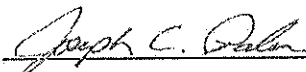
Owner: City of Waseca, 508 South State St., Waseca, MN 56093	Date: July 21, 2022
For Period: 6/23/2022 to 7/21/2022	Request No: 2
Contractor: Wencil Construction, Inc. 2800 Park Dr., Owatonna, MN 55060	

CONTRACTOR'S REQUEST FOR PAYMENT
NORTH STATE STREET TRUNK WATERMAIN IMPROVEMENTS
STANTEC PROJECT NO. 193805374

SUMMARY

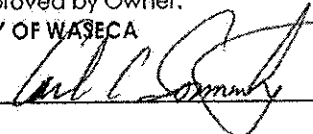
1	Original Contract Amount		\$ 1,162,791.95
2	Change Order - Addition	\$ 0.00	
3	Change Order - Deduction	\$ 0.00	
4	Revised Contract Amount		\$ 1,162,791.95
5	Value Completed to Date		\$ 1,125,911.00
6	Material on Hand		\$ 0.00
7	Amount Earned		\$ 1,125,911.00
8	Less Retainage 5%		\$ 56,295.55
9	Subtotal		\$ 1,069,615.45
10	Less Amount Paid Previously		\$ 885,552.00
11	Liquidated damages -		\$ 0.00
12	AMOUNT DUE THIS REQUEST FOR PAYMENT NO. 2		\$ 184,063.45

Recommended for Approval by:
STANTEC



Approved by Contractor:
WENCIL CONSTRUCTION, INC.

Approved by Owner:
CITY OF WASECA



Specified Contract Completion Date:

Date:

No.	Item	Unit	Contract Quantity	Unit Price	Quantity to Date	Amount to Date
PART 1: WATERMAIN IMPROVEMENTS						
1	MOBILIZATION	LS	1	15000.00	0.90	\$13,500.00
2	TRAFFIC CONTROL	LS	1	12000.00	0.90	\$10,800.00
3	4" C900 DR18 PVC WATERMAIN, INCL. TRACER WIRE	LF	100	30.00	69	\$2,070.00
4	6" C900 DR18 PVC WATERMAIN, INCL. TRACER WIRE	LF	143	40.00	118	\$4,720.00
5	6" C900 DR18 PVC WATERMAIN WITHIN EXISTING CASING	LF	60	200.00	69	\$13,800.00
6	8" C900 DR18 PVC WATERMAIN, INCL. TRACER WIRE	LF	45	50.00	8	\$400.00
7	12" C900 DR18 PVC WATERMAIN, INCL. TRACER WIRE	LF	5	60.00	5	\$300.00
8	16" FUSIBLE C905 DR18 PVC WATERMAIN, DIRECTIONALLY DRILLED, INCL. TRACER WIRE	LF	2925	220.00	2,925	\$643,500.00
9	4" GATE VALVE AND BOX	EA	2	2200.00	2	\$4,400.00
10	6" GATE VALVE AND BOX	EA	11	3000.00	11	\$33,000.00
11	8" GATE VALVE AND BOX	EA	1	3500.00	1	\$3,500.00
12	16" GATE VALVE AND BOX	EA	9	5500.00	9	\$49,500.00
13	CONNECT TO EXISTING (WATERMAIN)	EA	11	1500.00	11	\$16,500.00
14	HYDRANT	EA	10	10000.00	10	\$100,000.00
15	DUCTILE IRON FITTINGS	LB	4500	8.00	4,478	\$35,824.00
16	1" CURB STOP AND BOX	EA	5	700.00	5	\$3,500.00
17	1 1/2" CURB STOP AND BOX	EA	6	1000.00	6	\$6,000.00
18	1" CORPORATION STOP WITH SADDLE	EA	5	800.00	5	\$4,000.00
19	1 1/2" CORPORATION STOP WITH SADDLE	EA	6	1000.00	6	\$6,000.00
20	1" DR 11, HDPE WATER SERVICE PIPE (OPEN TRENCH)	LF	135	30.00	39	\$1,170.00
21	1" DR 11, HDPE WATER SERVICE PIPE (DIRECTIONAL DRILL)	LF	110	30.00	148	\$4,440.00
22	1 1/2" DR 11, HDPE WATER SERVICE PIPE (OPEN TRENCH)	LF	35	30.00	7	\$210.00
23	1 1/2" DR 11, HDPE WATER SERVICE PIPE (DIRECTIONAL DRILL)	LF	490	30.00	490	\$14,700.00
24	ABANDON WATER MAIN (SAND FILL AND BULKHEAD)	LF	2588	5.00	2,588	\$12,940.00
25	REMOVE HYDRANT	EA	8	500.00	8	\$4,000.00
26	TEMPORARY WATER SERVICE	LS	1	4500.00	1	\$4,500.00
27	CONNECT TO EXISTING (SERVICE)	EA	10	6000.00	10	\$60,000.00
28	REMOVE WATERMAIN PIPE FROM EXISTING CASING	LS	1	2000.00	1	\$2,000.00
TOTAL PART 1: WATERMAIN IMPROVEMENTS						\$1,055,274.00
PART 2: SURFACE IMPROVEMENTS						
29	REMOVE BITUMINOUS PAVEMENT	SY	675	5.00	416	\$2,080.00
30	REMOVE CONCRETE DRIVEWAY PAVEMENT	SY	25	20.00	0	\$0.00
31	REMOVE CONCRETE SIDEWALK	SY	50	10.00	58	\$580.00
32	REMOVE CONCRETE CURB AND GUTTER	LF	105	4.00	81	\$324.00
33	TYPE SP 9.5 WEARING COURSE (3,C)	TON	90	110.00	71	\$7,810.00
34	TYPE SP 12.5 NON-WEARING COURSE (3,B)	TON	150	170.00	89	\$15,130.00
35	BITUMINOUS MATERIAL FOR TACK COAT	GAL	60	10.00	60	\$600.00
36	COMMON EXCAVATION	CY	210	30.00	146	\$4,380.00
37	SELECT GRANULAR BACKFILL (CV) (P)	CY	370	50.00	370	\$18,500.00
38	AGGREGATE BASE, CLASS 5	TON	379.8	40.00	263	\$10,520.00
39	6" CONCRETE DRIVEWAY PAVEMENT (RESIDENTIAL)	SY	9,733	150.00	0	\$0.00
40	7" CONCRETE DRIVEWAY PAVEMENT (COMMERCIAL)	SY	15	150.00	0	\$0.00
41	4" CONCRETE SIDEWALK	SY	50	20.00	58	\$1,160.00
42	B618 CONCRETE CURB AND GUTTER	LF	100	35.00	81	\$2,835.00
43	SAWING CONCRETE PAVEMENT (FULL DEPTH)	LF	110	5.00	0	\$0.00
44	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	LF	845	3.00	506	\$1,518.00
45	EROSION CONTROL/ INLET PROTECTION	LS	1	3000.00	0.9	\$2,700.00
46	HYDRAULIC BONDED FIBER MATIRX, INCL. SEED MIX 25-131 AND FERT.	LS	1	5000.00	0.5	\$2,500.00
TOTAL PART 2: SURFACE IMPROVEMENTS						\$70,637.00
TOTAL PART 1: WATERMAIN IMPROVEMENTS						\$1,055,274.00
TOTAL PART 2: SURFACE IMPROVEMENTS						\$70,637.00
WORK COMPLETED TO DATE:						\$1,125,911.00

PROJECT PAYMENT STATUS

OWNER CITY OF WASECA

STANTEC PROJECT NO. 193805374

CONTRACTOR WENCL CONSTRUCTION, INC.

CHANGE ORDERS

No.	Date	Description	Amount
Total Change Orders			

PAYMENT SUMMARY

No.	From	To	Payment	Retainage	Completed
1	05/01/2022	06/22/2022	\$885,552.00	\$46,608.00	\$932,160.00
2	06/23/2022	07/21/2022	\$184,063.45	\$56,295.55	\$1,125,911.00

Material on Hand

Total Payment to Date		\$1,069,615.45	Original Contract	\$1,162,791.95
Retainage Pay No. 2		\$56,295.55	Change Orders	
Total Amount Earned		\$1,125,911.00	Revised Contract	\$1,162,791.95

Title:	FINAL PAYMENT FOR THE 2022 SIDEWALK PROJECT (CITY PROJECT NO. 2022-04)		
Meeting Date:	August 3, 2022	Agenda Item Number:	6H
Action:	<input checked="" type="checkbox"/> MOTION <input type="checkbox"/> REQUESTS/PRESENTATIONS <input type="checkbox"/> RESOLUTION <input type="checkbox"/> ORDINANCE <input type="checkbox"/> DISCUSSION	Supporting Documents:	Pay Request No. 1 – Final Change Order No. 1
Originating Department:	Engineering	Presented By:	Consent Agenda
Approved By City Manager: <input checked="" type="checkbox"/>	Proposed Action: Motion to Approve Pay Request No. 1 – Final for the 2022 Sidewalk Project (City Project No. 2021-04).		
How does this item pertain to Vision 2030 goals?	Creating high quality community assets.		

BACKGROUND: The 2022 Sidewalk Project has been completed and all work has been approved and accepted by City staff. Therefore, the project is ready for final acceptance and final payment.

The total cost is \$56,362.82 and the original contract amount was \$55,275.00. Final quantity adjustments and the addition of about 10 feet of PVC pipe for a roof drain accounts for the \$1,087.82 increase in the contract price (Change Order No. 1).

The contractor, Nielsen Concrete LLC, has provided all required documentation prior to release of the final payment.

BUDGET IMPACT: \$40,000 of capital improvement funds had been budgeted for this project. However, because these improvements were completed on a State Aid Street, the total project cost of \$56,362.82 qualifies for, and will be submitted to receive, State Aid reimbursement. City staff completed the design and performed all inspections on this project.

RECOMMENDATION: Staff recommends the Waseca City Council accept the work and approve Pay Request No. 1 – Final for the 2022 Sidewalk Project (City Project No. 2022-04).



STATE AID FOR LOCAL TRANSPORTATION
CHANGE ORDER

Rev. February 2018

SP/SAP(s)	172-106-004	MN Project No.:		Change Order No.	1
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Project Location	INTERSECTION OF 2 ND AVENUE NE & 2 ND STREET NE		
Local Agency	CITY OF WASECA	Local Project No.	2022-04
Contractor	NEILSEN CONCRETE LLC	Contract No.	2022-04
Address/City/State/Zip	305 INDUSTRIAL ST E, KASOTA, MN 56050		
Total Change Order Amount \$		+1,087.82	

*This Change Order tabulates the cost adjustment between plan quantities and final project quantities.
Item #15 was added to account for an unforeseen circumstance during construction.*

Estimate Of Cost: (Include any increases or decreases in contract items, any negotiated or force account items.)

**Group/ funding Category	Item No.	Description	Unit	Unit Price	+ or - Quantity	+ or - Amount \$
	2	REMOVE CURB & GUTTER	LF	\$5	-18	- \$90.00
	3	SAWING CONCRETE	LF	\$5	+11	+ \$55.00
	4	SAWING BITUMINOUS PAVEMENT	LF	\$5	-13	- \$65.00
	6	REMOVE SIDEWALK	SY	\$20	+11	+ \$220.00
	7	DRILL & GROUT REINFORCEMENT BAR (EPOXY COATED)	EA	\$12	+41	+ \$492.00
	8	ADJUST CASTING	EA	\$300	-2	- \$600.00
	9	6" CONCRETE WALK	SF	\$15.12	+136	+ \$2,056.32
	10	6-8" EXPOSED AGGREGATE FINISH CONCRETE WALK	SF	\$18	-16	- \$288.00
	11	CONCRETE CURB & GUTTER DESIGN B618	LF	\$41.25	-18	- \$742.50
	15	2" PVC ROOF DRAIN WITH FERNCO	LS	\$50	+1	+ \$50.00
Net Change this Change Order						+ \$1,087.82

****Group/funding category is required for federal aid projects**

Due to this change, the contract time: (check one)

<input checked="" type="checkbox"/> (X) Is NOT changed	<input type="checkbox"/> () May be revised as provided in MnDOT Specification 1806
<input type="checkbox"/> () Is Increased by _____ Working Days	<input type="checkbox"/> () Is Increased by _____ Calendar Days
<input type="checkbox"/> () Is Decreased by _____ Working Days	<input type="checkbox"/> () Is Decreased by _____ Calendar Days

Approved by Project Engineer: Nathan Willey Date: 7-8-22
Print Name: Nathan Willey Phone: 507-835-9716
Approved by Contractor: Joseph Franta Date: 7/8/22
Print Name: Joseph Franta Phone: 507-514-0134



STATE AID FOR LOCAL TRANSPORTATION
CHANGE ORDER

Rev. February 2018

SP/SAP(s)	172-106-004	MN Project No.:		Change Order No.	1
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DSAE Portion: The State of Minnesota is not a participant in this contract. Signature by the District State Aid Engineer is for **FUNDING PURPOSES ONLY** and for compliance with State and Federal Aid Rules/Policy. Eligibility does not guarantee funds will be available.

This work is eligible for: ☐ Federal Funding ☒ State Aid Funding ☒ Local funds

District State Aid Engineer: _____ Date: _____

CONSTRUCTION CONTRACT PAYMENT REQUEST

DATE: ~~JULY 19, 2022~~ AUGUST 2, 2022

TO: Mayor & City Council
Lee Mattson - City Manager

PROJECT NAME: 2022 CITY SIDEWALK PROJECT

CITY PROJECT NO. 2022-04, SAP 172-106-004

PAYMENT REQUEST: NO. 1 - FINAL

PAYMENT PERIOD: JUNE 13, 2022 - JUNE 21, 2022

CONTRACTOR: NIELSEN CONCRETE LLC

CONTRACT

Original Contract sum: \$ 55,275.00

Change Orders

Change Order No. 1 \$ 1,087.82
27-Jun-22

Net change by change orders: \$ 1,087.82

Contract Sum to date: \$ 56,362.82

PAYMENT

Contract Sum to date: \$ 56,362.82

Total earned to date \$ 56,362.82
(Includes Change Orders)

Retainage: N/A \$ -

Total earned less retainage: \$ 56,362.82

Less previous payment requests: \$ -

Payment due this request: \$ 56,362.82

% Contract completed to date: 100%

Amount remaining on contract: \$ -

Total Amount Due: \$ 56,362.82

Approved By:

Joseph Frim 7/1/22
Contractor Date

Director of Finance Date

City Engineer Date

City Manager Date

CERTIFICATE OF PAYMENT**PAGE 1**

2022 CITY SIDEWALK PROJECT, CITY OF WASECA

CITY PROJECT NO. 2022-04, SAP 172-106-004

PAYMENT PERIOD: JUNE 13-21, 2022

PAYMENT REQUEST NO. 1 - FINAL

ORIGINAL CONTRACT AMOUNT: \$55,275.00

PAYMENT DATE: AUGUST 2, 2022

FINAL CONTRACT AMOUNT: \$56,326.82

CONTRACTOR:
NIELSEN CONCRETE LLC
305 INDUSTRIAL ST E
KASOTA, MN 56050

CONTRACT APPROVAL DATE: APRIL 21, 2022

CONTRACT COMPLETION DATE: JULY 1, 2022

To the City Council of the City of Waseca, The following payment is requested in accordance with the plans, specifications, and conditions of the contract.

NO.	DESCRIPTION	UNIT	PLAN QTY.	UNIT PRICE	CONTRACT AMOUNT	THIS PERIOD QUANTITY	THIS PERIOD PAYMENT	TO DATE QUANTITY	TO DATE PAYMENT
1	MOBILIZATION	LS	1	\$ 5,000.00	\$ 5,000.00	1	\$ 5,000.00	1	\$ 5,000.00
2	REMOVE CURB & GUTTER	LF	200	\$ 5.00	\$ 1,000.00	182	\$ 910.00	182	\$ 910.00
3	SAWING CONCRETE	LF	80	\$ 5.00	\$ 400.00	91	\$ 455.00	91	\$ 455.00
4	SAWING BITUMINOUS PAVEMENT	LF	275	\$ 5.00	\$ 1,375.00	262	\$ 1,310.00	262	\$ 1,310.00
5	REMOVE BITUMINOUS PAVEMENT	SY	80	\$ 12.00	\$ 960.00	80	\$ 960.00	80	\$ 960.00
6	REMOVE SIDEWALK	SY	175	\$ 20.00	\$ 3,500.00	186	\$ 3,720.00	186	\$ 3,720.00
7	DRILL & GROUT REINFORCEMENT BAR (EPOXY COATED)	EA	170	\$ 12.00	\$ 2,040.00	211	\$ 2,532.00	211	\$ 2,532.00
8	ADJUST CASTING	EA	3	\$ 300.00	\$ 900.00	1	\$ 300.00	1	\$ 300.00
9	6" CONCRETE WALK	SF	1,250	\$ 15.12	\$ 18,900.00	1,386	\$ 20,956.32	1,386	\$ 20,956.32
10	6-8" EXPOSED AGGREGATE FINISH CONCRETE WALK	SF	300	\$ 18.00	\$ 5,400.00	284	\$ 5,112.00	284	\$ 5,112.00
11	CONCRETE CURB & GUTTER DESIGN B618	LF	200	\$ 41.25	\$ 8,250.00	182	\$ 7,507.50	182	\$ 7,507.50
12	TRUNCATED DOMES	SF	80	\$ 55.00	\$ 4,400.00	80	\$ 4,400.00	80	\$ 4,400.00
13	TRAFFIC CONTROL	LS	1	\$ 3,000.00	\$ 3,000.00	1	\$ 3,000.00	1	\$ 3,000.00
14	STORM DRAIN INLET PROTECTION	LS	1	\$ 150.00	\$ 150.00	1	\$ 150.00	1	\$ 150.00
ORIGINAL CONTRACT TOTAL:					\$ 55,275.00				
15	CHANGE ORDER #1 - 2" PVC ROOF DRAIN WITH FERNCO	LS	N/A	\$ 50.00	N/A	1	\$ 50.00	1	\$ 50.00

PROJECT TOTALS WITH CHANGE ORDER #1:**\$ 56,362.82****\$ 56,362.82**

Title:	Edibles & Beverages Infused with THC		
Meeting Date:	July 28, 2022	Agenda Item Number:	7A
Action:	<input type="checkbox"/> MOTION <input type="checkbox"/> REQUESTS/PRESENTATIONS <input type="checkbox"/> RESOLUTION <input type="checkbox"/> ORDINANCE <input checked="" type="checkbox"/> DISCUSSION	Supporting Documents:	City Attorney Letter LMC FAQ
Originating Department:	Administration	Presented By:	City Manager
Approved By City Manager: <input checked="" type="checkbox"/>			
How does this item pertain to Vision 2030 goals?	Good Government		

BACKGROUND: The state legislature passed legislation allowing for the sale of certainly edibles and beverages infused with tetrahydrocannabinol (THC). City Attorney Christopher Kennedy and the League of Minnesota Cities have independently recommended that cities consider whether or not any local regulatory action is appropriate for their specific community. Question 14 of the League of Minnesota Cities Frequently Asked Questions sets up a number of regulatory restrictions that a city might choose to pursue. Staff is requesting Council discussion and potential direction on any study the Council may wish to see on the topic of regulating the sale of these edible products. Staff will be investigating the impact of the new law on existing personnel policies.

BUDGET IMPACT: Unknown. A thorough investigation of regulatory actions would involve the City Attorney and staff time.

ALTERNATIVES CONSIDERED: An alternative to asking the Council for guidance is not asking the Council for guidance. The City Manager determined that this was not appropriate. Further delay to wait for more information was also a possibility and was deemed inappropriate.

RECOMMENDATION: Staff requests Council discussion on this issue. If the Council determines a direction in which further examination should occur, staff requests a motion to do so. Staff is not recommending a specific action to the Council.



Michael H. Kennedy
Christopher M. Kennedy*

July 6, 2022

Lee Mattson
City Manager
City of Waseca
508 South State Street
Waseca MN 56055

Re: Legal Update

Dear Lee:

At the end of its last session the Minnesota Legislature passed legislation that went into effect on July 1, 2022 that makes it legal to sell certain edibles and beverages infused with tetrahydrocannabinol (THC), which can be extracted from hemp. The law revised Minnesota Statute Section 151.72.

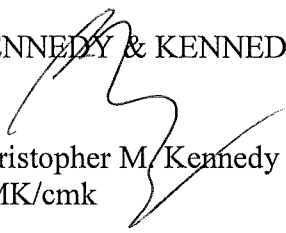
The new law expressly allows for the sale of edible CBD products. The new law is silent in regards to local regulation. Waseca may want to consider if any regulation by the city would be appropriate.

It is also important that the City consider both federal and state laws regarding the workplace and employee CBD use. Any employee that has a commercial driver's license (CDL) are regulated by the Federal Department of Transportation and Federal Law preempts State law in regards to CBD use. The Department of Transportation, in a 2012 notice, stated that the DOT does not authorize the use of any Schedule I drug which would include marijuana (THC). As a result the city should continue to follow the current drug testing procedures in regards to CDL holders and enforce the prohibition of use a cannabis (THC) for employees that need a CDL regardless of the change in State law.

There is a similar federal restrict that applies to law enforcement officers that carry a firearm. Under Federal Law the city is prohibited from providing firearms or ammunition to any an employee that it knows is using cannabis.

Sincerely,

KENNEDY & KENNEDY



Christopher M. Kennedy
CMK/cmk

99 Navaho Avenue, Suite 104 Mankato, MN 56001

Phone: 507/345-4582 Fax: 507/345-1010

Email: knklaw@hickorytech.net

Website: kennedykennedylaw.lawoffice.com

* Also Admitted in Iowa



Cities and Regulation of Edible Cannabinoid Products

Published: July 15, 2022

A new law was enacted at the end of the 2022 legislative session that allows certain edible and beverage products infused with tetrahydrocannabinol (THC) to be sold. Since the enactment of the law, the League of Minnesota Cities has been researching and collecting information from state agencies and stakeholders to answer questions pertaining to local regulatory authority, law enforcement, taxing, and employment. The following frequently asked questions (FAQ) aim to provide information to cities on the new law to assist local governments in making decisions related to the law. The League will continually update the information below as necessary.

(Updated July 22, 2022)

Get answers to FAQs regarding the new law allowing certain edible and beverage products containing THC extracted from hemp to be sold.

General information

[Q1. What does the new law do?](#)

[Q2. Under the new law, where are edible cannabinoids allowed to be sold?](#) *(Updated July 20, 2022)*

[Q3. Could my city's municipal liquor store sell the edible cannabinoid products?](#) *(Updated July 20, 2022)*

[Q4. What regulations are in place for packaging for edible cannabinoids?](#)

[Q5. Are these products legal under federal regulations?](#) *(Updated July 22, 2022)*

[Q6. Where do the edible cannabinoid products come from?](#)

[Q7. How are the new products taxed?](#)

Enforcement and public safety

[Q8. How is the new law enforced?](#) *(Updated July 22, 2022)*

[Q9. What are penalties for someone who violates?](#)

[Q10. How do our officers determine if a driver is under the influence of these new products?](#)

[Q11. Could cities prohibit the sale of edible cannabinoids entirely?](#) *(Updated July 19, 2022)*

[Q12. Is our city required to adopt regulations under the new law?](#)

City Licensing

Q13. What authority do cities have regarding licensing the sale of edible cannabinoids?

Q14. What types of restrictions should we consider in regulating cannabinoids? (Updated July 19, 2022)

Q15. Can a city add edible cannabinoid products to its existing tobacco licensing program?

Q16. If our city licenses edible cannabinoid products, how much can we charge as a license fee?

Zoning

Q17. What authority do cities have regarding zoning for where the products could be sold? (Updated July 19, 2022)

Q18. Could cities adopt a moratorium prohibiting the sale, manufacturing or, distribution of cannabinoids so it can study the issue?

City employment and personnel issues

Q19. Does the new Minnesota legal cannabinoid law change anything about how we do drug testing for CDL holders? (Updated July 22, 2022)

Q20. Does the new law change anything related to employees who carry a firearm? (Updated July 22, 2022)

Q21. Are there now “acceptable” limits of cannabinoids for non-CDL employees for purposes of drug testing at work (i.e., those we test under state drug and alcohol testing law)?

Q22. Can we still prohibit employees from being under the influence of cannabinoids while at work? Does the League have a model policy with updated language?

Q23. Can employees be in possession of edibles or other cannabinoid products while at work?

Q24. Do we need to change anything in our collective bargaining agreement with regard to discipline of employees who use cannabinoid products?

Q25. Can employees use cannabinoid products off-duty?

Q26. How does this impact the requirements of the Drug-Free Workplace Act?

Q27. Should my city still continue to include marijuana as a pre-employment panel screen for my Non-DOT employees? (Updated July 19, 2022)

General information

Q1. What does the new law do?

A1. It is now legal to sell certain edibles and beverages infused with tetrahydrocannabinol (THC), the cannabis ingredient extracted from hemp.

The new law was passed by the Legislature as part of [Chapter 98](#). Article 13 makes several changes to [Minnesota Statutes, section 151.72](#) regarding the sale of certain cannabinoid (CBD) products. The changes took effect on July 1.

The new law amends the scope of sale of any product that contains cannabinoids extracted from hemp and that is an edible cannabinoid product or is intended for human or animal

consumption.

Previous law authorized a product containing nonintoxicating cannabinoids to be sold, but the authority to sell edible CBD products was unclear. The new law expands the authority to include nonintoxicating cannabinoids, including edible cannabinoid products, provided they do not contain more than 0.3% of any THC. An edible cannabinoid product also cannot exceed more than five milligrams of any THC in a single serving, or more than a total of 50 milligrams of any THC per package.

Q2. Under the law, where are edible cannabinoids allowed to be sold?

A2. The new law does not limit where edible cannabinoids products may be sold. However, certain businesses by their nature maybe be limited on their ability to sell the products. Liquor stores, for example, are limited to selling specific items set by Minnesota Statute, section 340A.412, subd. 14. The Alcohol and Gambling Enforcement Division (AGE) of the Minnesota Department of Public Safety has advised the League of Minnesota Cities that products containing CBD, hemp, or THC are not allowed for sale at an exclusive liquor store. In addition, AGE has informed LMC that a liquor store's ability to sell food pursuant to Minnesota Statute, section 340A.412, subd. 14 (b), does not include edible cannabinoid products.

Q3. Could my city's municipal liquor store sell the edible cannabinoid products?

A3. Liquor stores are limited to selling specific items set by Minnesota Statute, section 340A.412, subd. 14. The Alcohol and Gambling Enforcement Division (AGE) of the Minnesota Department of Public Safety has advised the League of Minnesota Cities that products containing CBD, hemp, or THC are not allowed for sale at an exclusive liquor store. AGE has advised LMC that CBD, hemp, or THC infused beverages are not intended to be mixed with alcoholic beverages and are not considered soft drinks. In addition, AGE has informed LMC that a liquor store's ability to sell food pursuant to Minnesota Statute, section 340A.412, subd. 14 (b), does not include edible cannabinoid products. Due to this guidance, LMC recommends cities refrain from selling such products at their municipal liquor stores.

Q4. What regulations are in place for packaging for edible cannabinoids?

A4. Along with testing and labeling requirements, an edible cannabinoid must meet several requirements, including that it:

- Not bear the likeness or contain cartoon-like characteristics.
- Not be modeled after a brand of products primarily consumed or marketed to children.
- Not be made by applying an extracted or concentrated hemp-derived cannabinoid to a commercially available candy or snack food item.
- May not contain an ingredient, other than a hemp-derived cannabinoid, that is not approved by the federal Food and Drug Administration.
- May not be packaged in a way that resembles any commercially available food product.
- Must not be packaged in a container that could reasonably mislead any person to believe that it contains anything other than an edible cannabinoid product.

Q5. Are these products legal under federal regulations?

A5. The 2018 Farm Bill made several changes to federal law related to hemp. Under the law, hemp was removed from the controlled substance act, including derivatives, extracts, and cannabinoids, provided those substances contained less than 0.3% THC concentration. If a product contains more than 0.3% THC it is considered marijuana and not hemp. Pursuant to the Farm Bill, Minnesota has legalized the production of hemp through its industrial hemp program.

Although hemp extracts that meet the mandated THC level are no longer controlled substances, the Farm Bill did not alter the authority of other federal agencies, including the Food and Drug Administration (FDA) from regulating hemp and hemp byproducts. Under current FDA regulations, CBD or THC products cannot be sold as a dietary supplement and cannot be added to food for humans or animals.

Q6. Where do the edible cannabinoid products come from?

A6. Under current law, these products can be manufactured in Minnesota but also imported from other states. Growing hemp in Minnesota is governed by the Department of Agriculture, though the MDA Hemp Program does not regulate cannabis extracts, development and manufacturing of cannabis extracts, or the retail and marketing of cannabinoid products. Cities may want to consider zoning implications for manufacturing and production of cannabinoid products.

Q7. How are the new products taxed?

A7. It is the understanding of LMC that edible cannabinoid products legalized under the new law are subject to Minnesota sales tax. LMC is waiting for more guidance from the Minnesota Department of Revenue to determine if any exemptions apply. The new law does not authorize cities to tax the products in their communities, however LMC is waiting on more information as to whether the products would be subject to a local food and beverage tax.

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Enforcement and public safety

Q8. How is the new law enforced?

A8. The Minnesota Board of Pharmacy has regulatory authority over drug products that are implicitly or explicitly intended for human or animal consumption. This includes products regulated in the new law. If a product does not meet all the requirements of the new law, the product may be considered misbranded or adulterated. The sale of a misbranded or adulterated product is a misdemeanor-level crime which is to be prosecuted by the county attorney where the offense took place. Questions regarding whether a specific product deviates from the requirements of the new law should be forwarded to the Minnesota Board of Pharmacy. The Board of Pharmacy has provided a form to file complaints against licensed or unlicensed cannabis businesses.

In addition, the new law limits the sale of CBD and THC products to persons over the age of 21. The sale of CBD and THC products to a person under the age of 21 is a misdemeanor-level

crime which is to be prosecuted by the county attorney where the offense took place. Cities will need to work with local law enforcement and the county attorney to determine how to enforce this requirement.

If cities desire to further regulate CBD and THC products within their jurisdiction, they will need to work with their city attorney to adopt local regulations.

The League is working with the Minnesota Chiefs of Police Association and Minnesota Sheriff's Association to understand potential implications for law enforcement and identify additional questions pertaining to the enforcement of these new products along with employment related questions for law enforcement.

Q9. What are penalties for someone who violates?

A9. A violation of the new law is a misdemeanor. In most cases, the county attorney is charged with prosecuting these violations.

Q10. How do our officers determine if a driver is under the influence of these new products?

A10. The new law does not change the current rules relating to driving under the influence of a cannabinoid. Officers should use the same process to determine sobriety as they have used if they suspected a driver was under the influence of marijuana.

Q11. Could cities prohibit the sale of edible cannabinoids entirely?

A11. In most states that have adopted adult use cannabis legislation, local governments are given the option to either opt-in or opt-out of cannabis in their communities. This framework helps to maintain local control of the cannabis issue. The new Minnesota law does not provide such an option. Therefore, the new law makes the new cannabinoid products legal in every city throughout the state.

Without a clear opt-out option, the question as to whether a city could completely prohibit the sale of edible cannabinoids is an open question. One potential approach would be to follow the Minnesota House Research's suggestion to LMC that it may be possible for a city to classify cannabis edibles containing THC as an intoxicating cannabinoid and therefore would not be allowed under the new law.

Arguments have also been made that a city may be able to prohibit the sale of edible cannabinoids products under its authority to provide for the health safety and welfare of its community. If a city were to attempt to prohibit edible cannabinoids under this authority, it would need to work with its city attorney to develop findings that clearly show the dangers of edible cannabinoids products and the need to prohibit the products. Cities may want to look at communities that have banned the sale of flavored tobacco products as a model for such prohibitions.

Q12. Is our city required to adopt regulations under the new law?

A12. The new law does not require cities to take action in regulating the new products. If a city chooses not to adopt additional regulations, the sale and production of these new products will

be governed by the city's existing zoning and other regulations. In addition, the new law gives local law enforcement power to enforce violations as a misdemeanor.

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City licensing

Q13. What authority do cities have regarding licensing the sale of edible cannabinoids?

A13. A city's authority to license comes from either a specific grant of authority from the Legislature or from its authority to provide for its general health, safety, and welfare. When a city official proposes local licensing of any activity or occupation, a city first must determine whether the state already licenses that activity and, if so, whether the law forbids or allows a local license.

Q14. What types of restrictions should we consider in regulating cannabinoids?

A14. If a city decides to regulate edible cannabinoids or other cannabinoid products, the types of regulations can vary from city to city. Some items a city may consider when drafting these regulations include:

- What areas of the city edible cannabinoids may be sold or manufactured or distributed.
- What business should be allowed to sell edible cannabinoids.
- Age of person selling the product.
- Location of products within retail establishment.
- Pop-up sales.
- Transient merchants.
- Vending machines.
- Distance from other uses (schools, parks, residential, etc.).
- Distance between retailers.
- Delivery services.
- Online sales.
- Limit number of establishments within the city.
- Age verification.
- Hours.
- Background checks.

Q15. Can a city add edible cannabinoid products to its existing tobacco licensing program?

A15. The requirements and legal authority for tobacco products are unique to those products. While some aspects of tobacco regulations may be used when regulating edible cannabinoid

products, the products and the authority to regulate them are quite different. If a city chooses to license edible cannabinoid sellers, it would be best to do so separately from tobacco regulations or be sure to carefully draft new language in an existing ordinance that follows the unique requirements of the new law.

Q16. If our city licenses edible cannabinoid products, how much can we charge as a license fee?

A16. When setting fees, cities should consider a number of things. First, cities should not view municipal licensing as a significant source of revenue. License fees must approximate the direct and indirect costs associated with issuing the license and policing the licensed activities. License fees that significantly exceed these costs are considered unauthorized taxes.

This means a license fee may not be so high as to be prohibitive or produce any substantial revenue beyond the actual cost to issue the license and to supervise, inspect, and regulate the licensed business.

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Zoning

Q17. What authority do cities have regarding zoning for where the products could be sold?

A17. Nothing in the new law limits a city's zoning authority related to CBD and THC products. No Minnesota court has interpreted the limits on zoning authority in this context, but at least one court in another state has ruled that a state law related to cannabis did "not nullify a municipality's inherent authority to regulate land use under [state] law so long as the municipality does not prohibit or penalize all medical marijuana cultivation ... and so long as the municipality does not impose regulations that are unreasonable and inconsistent with regulations established by state law." *DeRuiter v. Township of Byron*, 505 Mich. 130, 949 N.W.2d 91 (2020). It is unknown if a Minnesota court would come to the same conclusion.

Cities should be thoughtful and intentional about how zoning regulations related to cannabinoid products affect their communities and work with their city attorney to determine what, if any, zoning restrictions should be adopted. Cities will need to consider not only zoning regulations related to retail sales of CBD and THC products but also the manufacturing and production of the products within the city. Unless specifically differentiated in a zoning ordinance, a city's general manufacturing and production zoning provisions will likely apply to CBD and THC production as well.

Q18. Could cities adopt a moratorium prohibiting the sale, manufacturing or, distribution of cannabinoids so it can study the issue?

A18. A moratorium is a tool cities use to pause specific uses in order that the city may study the issue in anticipation of future regulations. A moratorium is limited to a period of one year. To adopt a moratorium, a city must follow the procedures in [Minnesota Statute, section 462.355, subd. 4](#). The statute specifies the specific instances where a city may adopt a moratorium. If a city were to adopt a moratorium prohibiting the sale or manufacturing of edible cannabinoid

products, it should work with its city attorney to clearly state the legal justification for the moratorium.

If a city does adopt a moratorium, it must actually review and study the issue or meet one of the other requirements of the statute. More information on moratoriums can be found in the [LMC Zoning Guide for Cities](#).

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City employment and personnel issues

Q19. Does the new Minnesota legal cannabinoid law change anything about how we do drug testing for CDL holders?

A19. No, cities with positions requiring an employee to hold a commercial driver's license (CDL) will recall these positions are regulated by federal law, and those regulations are supervised by the Federal Department of Transportation (DOT). Federal law preempts state law related to cannabinoid use; in fact the DOT states in its [DOT Recreational Marijuana Notice](#) it does not authorize the use of Schedule I drugs, including marijuana, for any reason. As a result, cities should continue to follow their drug-testing procedures related to CDL holders and may enforce prohibitions against any use of cannabinoids for CDL holders, regardless of state law protections.

Although there is a legal difference between marijuana and hemp, [DOT warns](#) CDL drivers the hemp products could lead to a positive marijuana test; therefore CDL holders are ultimately responsible if those products lead to a positive marijuana test.

Cities can find more information on the effects of the new law on drug testing in the [LMC Drug and Alcohol Testing Toolkit](#), starting on page 22.

Q20. Does the new law change anything related to employees who carry a firearm?

A20. No. Public safety employees who carry a firearm cannot lawfully use marijuana under federal law. [Federal law](#) prohibits cities from providing firearms or ammunition to an employee it knows or has reason to think is using marijuana. Although there is a legal difference between marijuana products and hemp products, it is the understanding of LMC that it may not be possible to differentiate the products in a drug test. Officers should be mindful of any substance they ingest because they are ultimately responsible if those products lead to a positive marijuana test.

Q21. Are there now “acceptable” limits of cannabinoids for non-CDL employees for purposes of drug testing at work (i.e., those we test under state drug and alcohol testing law)?

A21. There isn't a clear answer, since THC can remain in the body for several weeks after usage (and long after any intoxicating or impairing effects have since disappeared), so positive test results may not indicate any wrongdoing on the employee's part and may just be evidence of an employee's lawful actions done outside of work. The League of Minnesota Cities recommends

that employers thoroughly document any suspicions of an employee being under the influence and to work closely with their city attorney(s) before taking any action against the employee. With this new area of law, a city may want to avoid relying on the results of traditional tests that detect metabolites remaining in a person's body (for many days or weeks after using marijuana) and instead focus on implementing reasonable-suspicion drug-testing protocols to detect marijuana intoxication based on behavioral observations. Keep in mind, employers may prohibit all employees from being under the influence while the employee is working. That would include employees who operate vehicles. Employers may want to revise their policies to clarify that employees still may not be under the influence of cannabis, legal or otherwise, while at work.

The [National Drug-Free Workplace Alliance](#) offers a toolkit to help employers work through the complex and confusing issue of marijuana and the workplace.

Q22. Can we still prohibit employees from being under the influence of cannabinoids while at work? Does the League have a model policy with updated language?

A22. Yes, employers can continue to prohibit employees from being under the influence of cannabinoid products, including edibles, while at work. Although employers' obligations and restrictions related to marijuana use vary widely across the states, there is no law we are aware of that requires employers to allow cannabinoid use during work hours or to allow an employee to report to work impaired. Thus, employers may continue to maintain drug-free policies at the workplace and discipline employees who use cannabinoids during working hours or who report to work impaired. In fact, one could argue that under the [Occupational Safety and Health Administration's \(OSHA\) General Duty Clause](#) of the Occupational Safety and Health Act, employers are required to furnish a workplace free from recognized hazards that are likely to cause serious physical harm. This provision of the Act is typically used in accident cases where toxicology screens are positive.

OSHA's new electronic recordkeeping rule, [clarified on 10/11/2018](#), states "If the employer chooses to use drug testing to investigate the incident, the employer should test all employees whose conduct could have contributed to the incident, not just employees who reported injuries," with respect to using drug testing to evaluate the root cause of a workplace incident that harmed or could have harmed employees. Thus, if a city has a non-DOT drug-testing policy in place, a protocol following this guidance is important.

The League has a [Non-DOT Drug and Alcohol Testing and Drug-Free Workplace Act model policy](#) that has been updated initially, and will be continually updated as the League learns more.

Q23. Can employees be in possession of edibles or other cannabinoid products while at work?

A23. Cities may enact policies prohibiting employees from bringing cannabinoid products, including edibles, to work.

Q24. Do we need to change anything in our collective bargaining agreement with regard to discipline of employees who use cannabinoid products?

A24. No, but ensure your city's drug-testing policy has been updated and your supervisors are trained on the behavioral signs and symptoms associated with impairment. Of course, if the collective bargaining agreement includes language that policy changes need to be negotiated, then there would need to be a meeting with the union if the city's policy changes.

Q25. Can employees use cannabinoid products off-duty?

A25. It depends. Certain types of employees, such as law enforcement officers and other employees issued firearms and ammunition as part of their jobs, are subject to regulations from the federal Bureau of Alcohol, Tobacco and Firearms, which prohibits firearms and ammunitions to be given to individuals who do or are believed to use illegal drugs. As noted above, city positions required to hold a commercial driver's license are subject to Department of Transportation regulations and are not authorized for the use of Schedule I drugs, including marijuana, for any reason. Thus, these types of employees could be prevented from using cannabinoid products both on and off duty. Other employees who are not subject to that or other federal regulations would likely be able to use cannabinoid products while they are off duty, as there is nothing under Minnesota law which prohibits certain classes of employees from using cannabinoid products off duty, as long as they are not impaired at work.

If there are any questions regarding whether an employee could be prevented from using cannabinoid products while off-duty due to federal regulations, please consult your city attorney before any action is taken.

Q26. How does this impact the requirements of the Drug-Free Workplace Act?

A26. It does not. The Drug-Free Workplace Act of 1988 (DFWA) requires federal grantees and contractors to implement a drug-free workplace policy and establish a drug-free awareness program as a precondition for receiving a federal grant or a contract. However, the DFWA does not require covered employers to test employees for drugs or terminate them for drug-related violations, so the new Minnesota state law does not impact the DFWA directly. Minnesota law allows employers to prohibit employees from bringing legal cannabinoid products to work and permits employers to prohibit employees from being under the influence while at work. It would be best practice for cities with drug-free work policies to keep those in effect. If a city wishes to do so, it can update its policy to include lawful cannabinoid products within its scope.

Q27. Should my city still continue to include marijuana as a pre-employment panel screen for my Non-DOT employees?

A27. That is for each city to decide for itself. Because currently there are no devices or blood tests available that measure marijuana impairment, and because a best practice approach for Non-DOT marijuana drug testing is to base testing on behavioral observations, some employers are excluding marijuana from their pre-employment Non-DOT drug screens. Some states even prohibit an employer from refusing to hire an applicant simply because of a positive drug test,

but Minnesota is currently not one of these states at this time. Any city that chooses to continue to test for THC for Non-DOT positions must be aware of the fact that these substances may remain in an individual's system for weeks after the impairing effect of the drug has worn off. Thus, it will be difficult, if not impossible, to determine whether the positive test indicates usage in violation of the city's drug-free workplace policy or indicates lawful usage during an employee's time-off from work. Cities should consult with their city attorneys prior to taking any action based upon a positive drug test for THC.

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Your LMC Resource

Research & Information Service staff members are ready to help you apply their broad knowledge to the issues you're dealing with today.

[Access online form to submit a question](#), or call us: (651) 281-1200 or (800) 925-1122

Title:	Tax Abatement Assignment		
Meeting Date:	August 3, 2023	Agenda Item Number:	7B
Action:	<input checked="" type="checkbox"/> MOTION <input type="checkbox"/> REQUESTS/PRESENTATIONS <input type="checkbox"/> RESOLUTION <input type="checkbox"/> ORDINANCE <input type="checkbox"/> DISCUSSION	Supporting Documents:	Consent to Assignment & Amendment of Tax Abatement Agreement
Originating Department:	Finance	Presented By:	City Manager
Approved By City Manager: <input checked="" type="checkbox"/>			
How does this item pertain to Vision 2030 goals?	Leveraging Economic Development Opportunities and Developing High Quality Community Assets		

BACKGROUND: In 2018 the City Council approved a Tax Abatement Agreement for the development of a single-family home at 2660 8th St NE. The home was duly constructed and abatement payments began as scheduled. In 2021 the owners of the home sold the property. The city was not advised of this sale and this violated the tax abatement agreement under which the City is required to make abatement of up to 50% of city property taxes or \$2,045.89, whichever is less, to the owner of the property each year. In response to Council direction in prior years to maximize use of the abatement program, staff has had the attached “Consent to Assignment and Amendment of Tax Abatement Agreement” drafted by the City Attorney which will bring the property back into compliance with the original abatement agreement. The agreement also corrects a typographical error that resulted in the annual abatement maximum and the total abatement maximum over the life of the agreement being the same number. The original intent was that the total abatement not exceed \$20,458.85 and the annual abatement not exceed \$2,045.89.

BUDGET IMPACT: Approving this agreement is consistent with revenues and expenditures already provided for in the budget. Refusing to approve the assignment would result in decreased annual expenditures.

ALTERNATIVES CONSIDERED: The City could declare the abatement agreement to be in default and terminate all future abatement payments.

RECOMMENDATION: Staff recommends a motion to approve the Consent to Assignment and Amendment of Tax Abatement Agreement. The property owner will still have to accept and execute this agreement to receive future tax abatement payments.

**CONSENT TO ASSIGNMENT AND AMENDMENT OF
TAX ABATEMENT AGREEMENT**

THIS CONSENT TO ASSIGNMENT AND AMENDMENT OF TAX ABATEMENT AGREEMENT is entered into on _____, 2022 between _____, and the CITY OF WASECA, MINNESOTA (“CITY”).

WHEREAS, Chad Grunwald and Jessica Royer (“Recipients”) entered into that certain Residential Tax Abatement Agreement with the City dated December 19, 2018 (the “Abatement Agreement”) which memorialized the terms and conditions upon which the City granted a partial abatement of ad valorem property taxes on real property located at 408 2nd St NE, Waseca, Minnesota (the “Property”); and

WHEREAS, on June 1, 2021, Recipients conveyed the Property to Christopher Madsen and Leslie Madsen (“Assignees”) thereby assigning Recipients’ rights and obligations under the Abatement Agreement; and

WHEREAS, the Abatement Agreement provides that no assignment of the Abatement Agreement may be made without the written approval of the CITY; and

WHEREAS, the CITY, having determined that the project for which the partial tax abatement was originally granted has been completed in accordance with the terms of the Abatement Agreement and that Assignees have the capability of fully performing and honoring Recipients’ obligations under the Abatement Agreement, is willing to consent to and ratify the assignment of the Abatement Agreement to Assignees with the following amendments; and

WHEREAS, the Section 3.8 of the Abatement Agreement contains several typographical errors that CITY and Assignees wish to correct through an amendment of the Abatement Agreement.

NOW, THEREFORE, CITY and Assignees covenant and agree as follows:

1. Assignees hereby accept the assignment of the Abatement Agreement from Recipients and agree to fully perform Recipients’ duties and obligations thereunder, and shall be entitled to receive the benefits of the partial tax abatement agreement on the terms and conditions set forth in the Abatement Agreement. CITY consents to the assignment of the Abatement Agreement from Recipients under such circumstances.
2. The Abatement Agreement is hereby amended as follows:

Section 3.8 shall of the Abatement Agreement shall be replaced with the following:

Section 3.8 Tax Abatements.

(1) The Tax Abatements paid to the Developer shall be in accordance with and subject to the terms and conditions contained in the Abatement Resolution and the Tax Abatement Act.

(2) The Tax Abatement shall be for a duration not to exceed ten years and shall apply to the City's share of ad valorem property taxes on the Property derived from the value of the residential development of the Property and paid by the Developer, beginning with taxes payable in 2019 and continuing through taxes payable in 2028, in the lesser amount annually of \$2,045.89 or 50 percent of the City's share of ad valorem property taxes on the Property derived from the value of the residential development of the Property for that year.

(3) On or before January 1 and July 1 each year commencing July 1, 2019 and including January 1, 2029, the Developer shall invoice the City in the amount of the City's portion of ad valorem property taxes on the Property paid by Developer in the previous six month period to which the Developer is entitled to reimbursement under this Section. On or before February 1 and August 1 each year commencing August 1, 2019 and including February 1, 2029, the City shall pay the Developer the amount of the Tax Abatements received by the City in the previous six month period.

(4) In order to be entitled to the City Tax Abatements provided for in this Agreement, the Developer shall not be in default within the City of any of its payment obligations respecting any taxes, assessments, utility charges or other governmental impositions. Notwithstanding the other provisions of this Article, the City shall not have any obligation to the Developer with respect to the Abatement of taxes hereunder if the City, at the time or times such obligation is required, is entitled to exercise any of the remedies set forth in this Agreement as a result of an Event of Default, which has not been cured.

[Signature page to follow]

IN WITNESS WHEREOF, the City has caused this Agreement to be duly executed in its name and on its behalf, and the Assignees have caused this Agreement to be duly executed in their name and on their behalf, on or as of the date first above written.

Christopher and Leslie Madsen]

Christopher Madsen

Leslie Madsen

CITY OF WASECA, MINNESOTA

By _____
Its Mayor

By _____
Its City Manager

8TH STREET SE RECONSTRUCTION & REHABILITATION PROJECT UPDATE (8-2-22)

Reconstruction Section North of the RR Tracks: Backfilling and final grading have been completed in preparation for seeding. This week, it is anticipated that Heselton will be adjusting utility castings with final seeding and surface course paving expected the following week.

Rehabilitation Section South of the RR Tracks: Full depth patching, the intermediate bituminous course, and preparations for seeding have been completed. This week, it is anticipated that Centerpoint Energy will be completing concrete repairs related to their gas main project and Heselton will be adjusting utility castings. Final seeding and the surface course paving is expected to take place next week.