



CONTROVERSIAL MN CHILD CARE UNION BILL Last-chance lawsuits in MN aim to stop child-care union

By Tom Steward | Watchdog Minnesota

ST. PAUL — One federal lawsuit down and one to go. Each lawsuit challenges, on different legal grounds, the constitutionality of a newly passed law authorizing a union vote of thousands of licensed, home-based child-care businesses and personal care attendants.

The American Federation of State, County and Municipal Employees chapter working to organize child-care businesses with state-subsidized children characterized the first lawsuit as “frivolous,” and the union quickly moved to be become a party to the case in U.S. District Court.

“The Minnesota Legislature gave child care providers and home health care workers the right to vote for a union and bargain collectively with the state,” said Jennifer Munt in an AFSCME Council 5 news release. “We won’t let anyone rob these workers of their new rights.”

The lawsuits involve many of the women small business owners and the same two attorneys who brought separate legal challenges in response to Gov. Mark Dayton’s 2011 executive order authorizing a union drive. The constitutional issues were not addressed then because of a state court ruling blocking Dayton’s executive order and leaving the matter to the Legislature.

Doug Seaton, the Twin Cities attorney who prevailed in

the previous Dayton decision, has asked the court to issue an injunction preventing the union from further organizing the 12,700 licensed and unlicensed child care providers eligible to vote until the case is resolved. The crux of their latest legal action filed against Dayton and other state officials is this: Business owners and employers cannot collectively bargain, under federal law.

“We believe we’ll prevail again on different legal grounds,” said Doug Seaton, who represents 11 licensed child care business owners. “We raised it earlier, but it wasn’t necessary for the court to address it. We think that now it has to be addressed and that the federal court will find this whole process and statute is preempted and unconstitutional under the federal National Labor Relations Act.”

AFSCME representatives expect the court to allow them to become a party to the lawsuit, giving the union the opportunity to present legal briefs and argue on behalf of the legislation, alongside the Office of the Attorney General.

“Child-care providers don’t fit the traditional union model. But it makes sense for them to bargain collectively with the state because the state sets the rates and the rules for their businesses,” said Munt. “The state mandates their qualifications and can fire providers who don’t meet state requirements.”

The National Right to Work Legal Defense Foundation will file, probably Wednesday, a second federal lawsuit on behalf of 12 home-based child care small business owners around the state. The action contends the Family Child Care Providers Representation Act violates the business owners’ First Amendment right to freedom of association and political expression through compulsory unionization.

“This law has nothing to do with giving providers any rights,” said Jennifer Parrish, a Rochester child-care provider and plaintiff. “It’s about funneling millions of dollars a year to AFSCME. We expect that they will do whatever it takes to defend this law.”

AFSCME did not respond to requests from Watchdog Minnesota for comment on the second lawsuit. Neither of the court proceedings appears to include personal care assistants, who are also covered under the unionization legislation for organizing by the Service Employees International Union.

Eight years after AFSCME and SEIU started organizing the child-care providers, the last hurdle for the unions and hope for thousands of licensed family small business owners who oppose them now comes down to a pair of lawsuits in Minnesota courts.



DEJA VU: Small business owners who provide licensed child care have filed two lawsuits to stop what they view as compulsory unionization.

Bachmann Passes on Reelection Complete Transcript of Bachmann’s Statement

Editor’s note: The following is the complete and unedited statement by Congresswoman Michele Bachmann announcing her intent to not seek reelection.

My good friends, after a great deal of thought and deliberation, I have decided next year I will not seek a fifth Congressional term to represent the wonderful people of the Sixth District of Minnesota. After serious consideration, I am confident that this is the right decision. For some, a single two-year House term is enough service. For others, 10 terms, or two decades in the House is still not enough service.

Our Constitution allows for the decision of the length of service in Congress to be determined by the congress people themselves, or by the voters in the district.

However, the law limits anyone from serving as President of the United States for more than eight years. And in my opinion, well, eight years is also long enough for an individual to serve as a representative for a specific congressional district.

Be assured, my decision was not in any way influenced by any concerns about my being re-elected to Congress. I’ve always in the past defeated candidates that were capable, qualified and well-funded. And I have every confidence that if I ran, I would again defeat the individual that I defeated last year, who recently announced that he is once again running.

And rest assured, this decision was not impacted in any way by the recent inquiries into the activities of my former presidential campaign, or my former presidential staff. It was clearly understood that compliance with all rules and regulations was an absolute necessity for my presidential campaign, and I have no reason to believe that that was not the case.

Last year, after I ran for president, I gave consideration to not running again for the House seat that I hold. However, given that we were only nine months away from the election, I felt it might be difficult for another Republican candidate to get organized for what might have been a very challenging campaign. And I refused to allow this decision to put this Republican seat in jeopardy. And so I ran and I won.

And I felt last year the Republicans had a significant opportunity to win both the Senate and the White House, and finally put our country back on the track of greatness and American exceptionalism.

That said, different from some, I’ve never considered holding public office to be an occupation. I’ve considered it to be both an honor and a privilege, but most importantly, a significant responsibility. And even when

it means resisting the policy positions of many in my own political party, I’ve always strived to be first and foremost a public servant and do what is best for the people and never acquiesce to being a political servant. There’s a difference.

Feel confident, over the next 18 months, I will continue to work 100-hour weeks, and I will continue to do everything that I can to advance our conservative constitutional principles that have served the bedrock for who we are as a nation.

And I will continue to work vehemently and robustly to fight back against what most in the other party want to do, to transform our country into becoming, which would be a nation that our founders would hardly even recognize today.

I proudly have, and I promise you I will continue, to fight to protect innocent human life, traditional marriage, family values, religious liberty and academic excellence, whether working in a bi-partisan way to finally gain federal approval to finally build an immensely significant and long overdue bridge in our district, working to reopen a much needed regional airport in our district, being the primary sponsor of the bill that recently passed in the House to repeal Obamacare, to recently flying to London to be one of three people to represent the United States of America at the funeral of Prime Minister Margaret Thatcher, who, among her other accomplishments, together with Ronald Reagan, was responsible for bringing down the Soviet Union, to working to alleviate all the stifling economic restrictions that banks and businesses must now endure since the enactment of Dodd-Frank legislation.

I’ve called out the Muslim jihad terrorists for who they are, and for the evil that they perpetrate upon our people. And I’ve demanded that this administration never, under any circumstances, subordinate our national security for the administration’s weak version of political correctness.

I’ve identified at the outset of the so-called Arab Spring, this administration’s foreign policy blunders and how those blunders have contributed into turning the Middle East into a devastating, evil, jihadist earthquake.

I’ve pointed out this administration’s despicable treatment toward our great friend and ally Israel, and at the same time giving little more than lip service to the ever-increasing and dangerous nuclear threat of Iran, making publicly clear this administration’s outrageous lack of action in Benghazi, Libya, and the subsequent political cover-up which resulted in the deaths of four honorable, dedicated public servants.

I’ve also called out this administration, and the Treasury Department, for allowing and perhaps even for encour-

aging partisan, selective enforcement against American citizens based upon their political beliefs that aren’t in line with those of the administration.

I’ve also demanded, consistently, a balanced budget and fiscal responsibility, that this be a preeminent government requirement, so as to avoid the dangers of a future, a financial calamity for our children and the ultimate risk of the destruction of our entire economic system. May it never be.

My core of conviction on these principal issues and more will continue, in a steadfast manner, during the remainder of my term and beyond. Because, you see my decision to seek federal office, both in my initial running for the House, and my decision to run for the presidency of the United States was based solely on my heartfelt concern for our country’s future.

Unfortunately, today I am even more concerned about our country’s future than I have ever been in the past. On so many issues, we’re clearly on the wrong track.

But looking forward, after the completion of my term, my future is full, it is limitless, and my passions for America will remain. And I want you to be assured that there is no future option or opportunity, be it directly in the political arena or otherwise, that I won’t be giving serious consideration if it can help save and protect our great nation for future generations.

I fully anticipate the mainstream liberal media to put a detrimental spin on my decision not to seek a fifth term. Since I was first elected to Congress many years ago, they always seem to attempt to find a dishonest way to disparage me. But I take being the focus of their attention and disparagement as a true compliment of my public service effectiveness.

To my many good friends and supporters, I will continue fight for public policy that is first and foremost in the best interest of the citizens of the United States at large. To my detractors, my work continues for your best interests as well.

I especially want to thank my wonderful husband Marcus, for 35 terrific years, our five children, our 23 foster children, my family, you my loyal supporters and all the people in the Sixth Congressional District for this unbelievable opportunity to serve all of you for these years.

And I want to thank God for his blessings upon the United States of America. You see it is God who has given me the strength, the conviction and the personal fortitude to fight to enhance the safety, security, longevity and wellbeing of our blessed nation, the United States of America.

I say to each one of you, God bless you, and God bless the United States of America.

End of the 2013 Session

On Monday, May 20, the Minnesota Legislature ended the 2013 Session. Democrats control the House, Senate, and Governor's Office. In spite of this, Democrat leaders in the House and Senate were unable to come to an agreement on various tax provisions until late Monday evening. The final vote on the Tax Omnibus bill (the bill that funds the spending bills that had already been passed) was not taken until after 11:30 pm; Session adjourned at 11:59 pm, one minute before the constitutionally mandated deadline for the end of Session.

The last-minute tax bill includes \$2.1 billion in new taxes. Minnesota now has the fourth highest income tax in the country; however, the bill won't just affect the rich. Multiple new taxes affect all Minnesotans, such as a warehouse tax, which will increase the cost of food and fuel by taxing storage.

Projects funded by these new taxes include a bailout of more than \$33 million for the Minneapolis library (in spite of cuts to legacy funding for libraries statewide), a bailout of more than \$30 million for the Saint Paul RiverCentre, and \$26.5 million in back-up financing for the Viking Stadium. Not included in the bill is funding to pay off the school shift.

Throughout the various budget bills passed, no effort was made to reduce government waste or improve efficiency. Unfortunately, certain areas of the state budget in desperate need of new funding, such as senior long-term care and nursing homes, were neglected in favor of non-essential spending. Everyone in Minnesota will be paying more for a wasteful budget that neglects those most in need of assistance.



Sen. Michelle Benson
District 31
115 State Office Bldg.
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155
651-296-3219

Proud of Results



Rep. Carolyn Laine
District 41B
485 State Office Bldg.
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155
651-296-4331

The 2013 legislative session has concluded, and I am proud of our good results for Minnesota.

A balanced budget. We achieved our goal of balancing the budget in a way that makes it stable for at least four years out, something that has not been done for well over a decade. We faced the need to raise revenue and did so transparently, with no accounting shifts or gimmicks. As Gov. Dayton has promised for several years, we asked the wealthiest 2 percent to pay their fair share in their overall taxes. This,

along with closing corporate tax loopholes and increasing the cigarette tax, allowed us to erase a \$627 million deficit and invest in education, jobs, and property tax relief.

World-class educational system. A world-class education system is the gateway to a world-class economy. So we made an historic \$485 million investment in our children's future while implementing reforms to be sure we get the most value out of every dollar. Every school will soon have all-day kindergarten, and early learning scholarships were expanded. These are two tools proven to prepare students for future academic success. Supporting good brain development in the first years of life has long been a focus of mine. Also, we'll keep our promise to pay back the school shift within a year.

Property tax relief. We made a commitment to Minnesotans to reverse a decade-long trend of shifting taxes from income taxes to property taxes. Since 2000, property taxes have increased 86%. We provide \$400 million in direct property tax relief to nearly a million Minnesotans through revamping the Homestead Credit Refund, expanding the renters' credit, and increasing

funds to cities, counties, and school districts.

Jobs and economic development. Creating jobs was one of our top priorities. We invested in economic development through providing grants for entrepreneurs and small businesses, and incentives for out-of-state companies to come to Minnesota, encouraging businesses to hire new employees or make capital investments, supporting our businesses in developing foreign markets, and developing our workforce. We provided one of the biggest tax cuts in state history for small businesses by reducing their unemployment insurance taxes.

Civil law — marriage equality. We passed what some consider the civil rights legislation of our times, marriage equality. Minnesotans believe that marriage is a unique promise of love, commitment, and responsibility between two people. Many of us feel this applies quite equally to same-sex couples; their love and commitment deserves equal treatment under the law. We included in this legislation the strongest religious protections in the country, leaving the choice to each religious organization.

Health and safety. Everyone in Minnesota relies on clean drinking water; protecting this is a top priority. We strengthened the DNR's ability to monitor groundwater and surface water supplies to address shortages. The harmful chemicals BPA and formaldehyde were banned from children's products. My bill was passed to increase awareness about the dangers of radon in our homes.

Elections. Reforms were developed using a respectful, bipartisan approach. I served on this committee and am glad we made commonsense reforms such as a no-excuses absentee voting to help maintain our proud tradition of nation-leading voter turnout. My work on electronic rosters will help start our development of more efficient elections with e-poll books.

Office of Collaboration and Dispute Resolution. I am proud of my legislation to create this Office for a different approach to problem-solving. Grants will be provided for

community mediation across the state, saving cities and counties money by reducing reliance on courts and law enforcement. The Office will also provide leadership in solving major public policy issues by assisting those involved to collaboratively find an effective and enduring solution.

Support services. I serve on the Health and Human Services committee, where about a third of the state budget targets quality care for our seniors, children, and Minnesotans with disabilities. Those who work in nursing homes, caring for many of these, finally got a 5% wage increase, the first in years. We also cut \$50 million in our budget through targeted cuts, reforms, and reprioritization. I had several bills in this area that passed, including providing services for newborns who are born deaf or hard of hearing. Without these services, their language development would be impaired. Another of my bills increases the number of statewide grants for school-linked mental health services. Yet another successful bill addresses homelessness at all levels, including homeless youth.

A disappointment for me was the last minute loss of re-establishing a cap on the excess reserves of our corporate HMO's. This is a part of the health care reforms I have sought for years, and I will persist.

Food shelves. I am delighted to have achieved additional funding for Minnesota food shelves in this time of great need. SACA is our food shelf located in Columbia Heights. Five months ago I was asked to help stabilize a difficult situation at SACA. I enlisted five community leaders to join the board of directors and contribute their talents, and I got SACA back in good standing with the state and federal food support organizations. Please consider donating to SACA to help it get back on its feet. Together, we can build a stronger food shelf with more service options such as financial literacy training and job search support. Together, we take care of our community! (SACA Food Shelf, 627 38th Ave NE, Columbia Heights, MN 55421; your contribution will be matched by a challenge grant from "Open Your Heart to the Hungry and Homeless".)

Who's Sorry Now?

Now that the 2013 legislative session has concluded there may be a lot of Minnesota voters who are sorry now. Sorry about how they voted or maybe sorry that they didn't vote. Just like the words of that 1958 hit record sung by Connie Francis, "Who's Sorry Now?" about their decision last November.

Many voters who went to the polls last November didn't truly know the individual for whom they voted. Perhaps they voted by party label, or maybe they voted based on a key issue or it could have been a campaign ad. But as the saying goes; 'elections have consequences'.

Upon review of this year's legislative actions, these words certainly ring true. Most Minnesotans had no concept of what would happen to their liberties, their livelihood or their wallets once this group of legislators gathered in St. Paul last January. By the time the Democrat controlled Legislature adjourned in May, they had raised taxes by over \$2 billion and increased state general fund spending by \$3 billion, or more than 8%.

They also increased the state's debt by \$175 million and failed to deliver on their promise to re-pay the K-12 school shift. Many voters supported the Democrats in November because of a belief they would erase the school payment delay. With the session now concluded, despite the \$2 billion tax increase, there was no change in the school re-payment plan. Who's Sorry Now?

Another charge leveled against Republicans in the fall elections was budget mismanagement. The fact is our state budget problems were caused by a Democrat controlled legislature the previous four years. By the time Republicans gained the majorities in the Minnesota House and Senate in 2011 there was a \$5 billion

budget hole left by the Democrats. Despite the liberals' claims of budget cuts the reality is that state general fund spending increased by \$8 billion over the previous ten years, about 30%.

During the 2011 legislative session there was a protracted budget battle with Gov. Dayton over the 2012 - 2013 budget, which ultimately erased the \$5 billion deficit without raising taxes. This budget challenge was handled in large part due to the fiscal restraint exerted by the Republicans. The results of their efforts were demonstrated in February 2013 when the following budget forecast projected only a \$627 million shortfall. The Democrat's solution to solve this budget imbalance was to raise taxes by over \$2 billion. The absence of a balance of power allowed them to grow state government by over 8 percent. In the last four months the Democrats rush to grow government pales in comparison to anything that has occurred in the last twenty years. Who's Sorry Now?

OPINION



Phil Krinkie
The Taxpayers' League

The Democrats whopping tax increase will move Minnesota's income tax rate to the 4th highest in the nation with the new fourth tier rate of 9.85%, starting at \$150,000 of income for individuals. In their Tax Bill, sales taxes are added to internet purchases as well as satellite subscribers and commercial warehouse fees. Cigarette smokers will get hammered with an added \$1.60 per pack and businesses with foreign operating income will pay more in state taxes.

Gov. Dayton's promise from last year not to use general tax dollars to pay for the new billion dollar Vikings stadium went up in smoke, with the use of cigarette taxes as a back-up plan to pay for the facility. In addition to this private business subsidy, tens of millions more in taxpayer dollars will be given to other private businesses like 3M, the Mall of America and Baxter International.

Let's not forget we will all be paying more for electricity

because of mandates on electric companies imposed by DFL legislators. Then of course there is the legislation that calls for the unionization of independent day care providers and personal care attendants, which in turn will drive up child care and health care costs. Who's Sorry Now?

But it's not only what Democrat legislators were able to pile on already over-burdened Minnesotans taxpayers this year but what they have on deck for next year. Despite the enormous tax increases that did become law this year, DFL legislators still have an entire laundry list of taxes and regulatory items that they didn't pass this year.

Taxes they proposed but didn't enact this year include a sales tax on clothing, increased taxes on alcohol as well as higher gas taxes. Also left on the side line was a 4 percent income tax surcharge. And last but certainly not the least is Gov. Dayton's "snow bird" tax which would make anyone who resides in Minnesota for more than 60 days' pay state income taxes.

The voters who are sorry now about supporting the Democrats could include thousands of people, but a list would certainly include small business owners, day-care providers, farmers, smokers, internet shoppers and electricity consumers. Due to the Democrats massive tax increases virtually everyone will pay more in taxes as well as more for most goods and services. Few if any will escape the tax impact of the 2013 legislature's actions.

Just like the lyrics in the song state: "Right to the end just like a friend, I tried to warn you somehow; you had your way, now you must pay."

Who's Sorry Now?

Thousands of hard working Minnesotans.

Krinkie, a former eight-term Republican state representative from Lino Lakes, Minn., is president of the Taxpayers League of Minnesota.

COLUMBIA HEIGHTS CITY STAFF DIDN'T SEE THE FOOD TRUCKS COMING — CITY COUNCIL APPROVES TACO TRAILER LICENSE

One would think the Columbia Heights city hall staff would have seen the food trucks coming three years ago when the Minneapolis City Council approved an ordinance specifying requirements for mobile food vendors in the city.

In the olden days, “lunch wagons” primarily served factories and large employers. They parked at those places of business, not in the street or on main thoroughfares to sell to the public.

Some people will recall there was a vendor who sold hot dogs from a cart on the sidewalks of the Ramsey County Courthouse. Back then it was needed, there weren't any restaurants around there. Now two chain-store sandwich shops are within a stone's throw of the courthouse's front door.

Observations from the Field
Bryan Olson



In a local economy that promotes more government employment and a service-based orientation, it comes as no surprise that the skewed thinking of the Minneapolis and St. Paul city administrations has resulted in an emphasis on entertainment, restaurant and liquor pursuits, sometimes with taxpayer dollars involved.

Apparently we need even more restaurants and the quickest and cheapest way to solve that is to put restaurants on wheels.

Although they pay no property taxes, parking meter money can be collected (yes, the Minneapolis food trucks are required to pay for their street parking, just like cars) and sales tax revenue. How fair this competition is to bricks-and-mortar restaurants is an unresolved question. In response, some established restaurants have entered the mobile food vending business to recapture the losses of their immobile restaurants and maintain market share.

Columbia Heights' first experience with the mobile food vending fad began with the city council approval of a business license to Los Primos LLC on April 23, 2012. The license was on the council agenda as a consent agenda item, which are generally approved with one motion unless a council member wishes to remove a specific item for discussion and a separate vote. There was no discussion of the granting of the license, which was categorized as a “food catering/ice cream truck” license. The fee collected by the city was \$50.

Soon after a trailer selling Mexican food appeared in the parking lot of a small one-story, strip-mall style office building at 4220 Central Ave. N.E.

Antonio Vidal applied for a permit to continue operating at the same location in 2013. Vidal testified at the meeting that he had a “falling out” with his partner and would be bringing in a different trailer than had been used previously.

The Columbia Heights City Council considered the matter at their May 13, 2013 meeting.

Community Development Director Scott Clark provided the background information in the council's meeting packet, stating that staff was of the opinion that Vidal's request for a 7-day operation from 9:00 a.m. to 10:00 p.m. was going beyond the spirit and intent of a mobile food trailer and toward a “temporary permanent facility.”

Clark's report did admit that, incredibly, “staff did not ask the same questions at the time of licensing (location, hours, etc.) as we are now. What materialized was a facility that operated permanently for the summer and early fall.”

Clark's report explained “since the license expired at the end of 2012, staff did not bring this item back to the council, but did meet with the building owner and operator [and told them] staff would look at a new license with a more critical perspective.

The report to the city council said there are more applications coming, and “the key to any decision is that the rules established for this license should be applied to any future license to ensure equability.”

That is an important point that seemed to be mostly lost on the city council — what they did at this meeting would set the stage for future permitting of food trucks and trailers. It will be difficult to make regulation tighter than what was attached to Vidal's permit. The council also has no ordinance in place that would regulate such food operations, although Mayor Gary Peterson said “we will have an ordinance at some point.”

City Manager Walter Fehst recited a list of conditions that staff felt should be placed upon Vidal's permit: that he have evidence showing his business is insured; has a food handling license issued by the county or state; satisfactory background check (Fehst said this had not yet been completed); a letter from the property owner that verifies permission has been granted for such use; that the mobile food vendor operate only at 4220 Central Ave. N.E., and staff was recommending the hours of operation to be 10 a.m. to 3 p.m. Monday through Friday.

The council discussion was brief. Nawrocki had made his feelings known at previous meetings, bringing forth a few concerns regarding the number of parking spaces the trailer was taking up in relation to the number of spaces available on the property, and where the vehicle that towed the trailer would be parked.

Schmitt, who is just past the midpoint in her first term, made a motion to approve the permit with a slight trimming of the hours being requested by the applicant, to 10 a.m. to 9 p.m., seven days a week.

Councilor Tami Diehm shared the same concerns that a 7-day operation sounds like a permanent business but without the bricks-and-mortar that makes other city restaurants have to pay property taxes.

Schmitt's logic was unclear when she asked why the cut off time should be 3:00 p.m. She thought there would be some evening business, “we don't have offices here”. There is very little foot traffic in the Central Avenue business district.

Schmitt has not said much after two years on the dais but for this item she was most talkative. This, and the proposed formation of a city Arts Commission seem to be her 2013 initiatives.

Her motion passed 3-2, with Diehm and Nawrocki dissenting.

Schmitt and the council seemed to not have considered that the food trailer in question is essentially a drive-in restaurant akin to the former A & W across from city hall or the Sonic Drive-In on Central. The only difference is that the trailer is removed every night at 9:00 and is set up again the next morning.

Minneapolis has a fee of \$513 for a one-year mobile food truck permit, and inspections are \$66.

Minneapolis's ordinance (Chapter 188 of municipal code, specifically 188.485) forbids food trucks from operating as drive-thrus; the intent is to serve pedestrians on a sidewalk while the food truck is parked on a street.

There are regulations that keep food vendors a certain distance from city parks, city events sanctioned by the city council, and bricks-and-mortar restaurants.

Licenses are not transferable from person to person unless approved by the city. Vehicles cannot take up more than two parking spaces on city streets and all laws pertaining to traffic and parking are to be observed.

Food cannot be stored in a home — it must be stored and prepared in a licensed food establishment. Food and beverages must be obtained from an approved commercial source. All vehicles must operate at least 150 days during the one-year term of the license.

No food vehicle may use amplifying equipment, horns, bells, whistles or visual entertainment devices such as televisions or lights.

There are signage requirements and external equipment outside of the truck/trailer, such as seating, is not permitted. There are also requirements as to the height of the truck/trailer and its use on sidewalks. No food vehicles are allowed to be stored on residential property. There are also requirements for the use of electricity.

Minneapolis allows 7 day operations, from 6:00 a.m. to midnight, however if the food vehicle is within certain distances of residential or mixed-use buildings, the operating hours are shorter. Vehicles must be removed from their locations at the specified closing time and no food vehicle may be left unattended.

Unlike the license Columbia Heights just handed out, Minneapolis does not assign a location to a food vehicle or operator. The city however does designate locations and areas as being acceptable for mobile food sales.

Neither the Columbia Heights city council nor staff offered any reviews of the taco trailer's food. The owner of Jimmy's Pool Hall and Restaurant was given ten minutes of time during the Nov. 26, 2012 televised council meeting. City manager Fehst said the food there is excellent and that it should be featured on the “Diners, Drive-Ins and Dives” television show on the Food Network.

Whether the taco trailer will get the same kind of advertising remains to be seen.

City Manager announces that the Fehst-Williams-Peterson pick for the new library location is now back on the table.

The May 13 council meeting also featured an update on the new library project (see *Anoka County Record*, April 11, 2013) presented by city manager Walter Fehst.

Fehst said he had had a meeting with department heads about the three sites that had previously been decided as the ones to focus on, but Fehst dropped a bombshell by announcing that the bank building on the southeast corner of 40th and Central is now in play again.

Fehst then summarized the proposed sites:

Between 39th Avenue and Gould on Central, the city owns the Mady's bowling alley property that totals 2.1 acres and the adjacent former Burger King property adds another 1.09 acres. A handout made available at the meeting said the city has invested \$1.7 million so far in the Mady's lots. (The city council approved the purchase of the Burger King property in 2004 for \$800,000).

Fehst said contaminated soils permeate the Mady's lots. He said to build in the back lot there would be a \$700,000 cost for soil corrections, while the front part of the lot along Central could cost \$5 million. Fehst said “maybe you could make the front end of that property a parking lot but not a lot more.”

Fehst also described scenarios that could attract federal taxpayer dollars for the environmental cleanup needed.

As it stands now, Columbia Heights taxpayers have seen \$2.5 million of their dollars spent to acquire these properties and maybe as high as five or six million more dollars may be needed to clean them up. A CDBG grant of \$123,000 from the county will be paying for the Mady's building demolition.

Fehst rattled off a number of other small costs but the complexity of the Mady's-Burger King site for a new library seems to set it aside from consideration.

The 47th and Central (Grand Central Lofts) site is 4.9 acres but city staff is figuring 3.8 acres would be needed for a library. Fehst we could only speculate whether the private property owner would be willing to sell only a portion of the available land. There is presently a development agreement in place for two additional 66-unit condo buildings.

Lack of visibility from Central Avenue is one of the concerns raised with the Grand Lofts site and the Public Safety Building site between 41st and 42nd near Jackson. The buildable land behind Crestview and adjacent to the Public Safety Building is 1.6 acres, and at least \$2 million in a city capital redevelopment fund may be available.

Construction costs are estimated between \$8.4 million and \$13.8 million for this

CITY LICENSES FOOD ON WHEELS *contd. on page 4*

CITY LICENSES FOOD ON WHEELS

contd. from page 3

site. Fehst said that perhaps some people wouldn't care if the library was not located on Central, but he noted that since businesses on Central pay a modest amount of property taxes, the city could afford to take the tax base loss when compared to "the image for the community of having a new library on Central."



After its permit was approved by the Columbia Heights City Council May 13, the El Taco Loco trailer went into operation at 4220 Central Avenue N.E.

Fehst took the opportunity to editorialize about his views on the project. Government employees never like seeing a project not happen. They get no credit for an empty bag. An empty bag doesn't add anything to a resume.

He first made the age-old pitch that this will cost you only pennies a day, while staying away from the broad picture:

"A lot of big numbers scare people. Most people seem to identify with, 'I'm paying taxes on my \$160,000 home,' which by the way, would have been an average home, before 2008, and right now the average median home in town is \$100,000 to \$120,000. So what would the median average home have to pay in their property tax increase to get a library?"

Fehst continued, "a capital outlay like this can be spread over thirty years, and yes, there will be interest, but who buys a house and pays cash for it?"

Taking some of his usual potshots at councilor Nawrocki, Fehst was compelled to knock down Nawrocki's concerns about the amount of loans and interest that the project would require. He did it with only two words, "so what?"

Fehst then got more wound up, "that's not the issue. The issue is what is it costing me on my taxes and what's it doin' for me and my public and do we need a new library? That's what you should think about."

Fehst nearly said whether he was for or against a voter referendum but stopped himself before continuing, "If a referendum happens, I think most people, the ones I've talked to, are willing to pay at least something. I think the median household [should be taxed] somewhere around or under \$100, that's my personal opinion...the people on Innsbruck might have to pay \$200." (Fehst

often couches his speeches with "maybe the council will think differently.")

Fehst then brought up "the fourth site" that we thought was no longer being considered by the city council. Fehst said "there are ways to do this so that the city does not have to own these senior housing units," referring to the original proposal of having senior housing on the top floors of the office building at 40th and Central where the major tenant is now Northeast Bank. A library and city hall would jointly occupy the lower level of the building.

Now the thinking is to divide the building like a condominium. The city would buy only the part of the building that it would use, avoiding the sticking point that stalled earlier discussions: the city did not want to get into the housing business again after selling Parkview Villa.

Fehst said he was directed by the council to have a meeting with the building owner Dave Jasper, but there were few concrete details to report. The audience by now was glassy-eyed.

Then the speeches made at the April 8th council meeting were repeated by

council members and the audience, which for all these meetings has been comprised of paid library staff, library foundation volunteers, the Library Board and Library Task Force members.

Jane Bona of the Library Task Force presented fifty-two comment cards to the city council. The cards asked the question, "what would a new library mean to you?" and were collected by library staff. She read a few of them into the record and said that the comments had been made by "foundation members, Library Board, Library Task Force members and citizens."

Jane Polley, a 45-year resident of the city, read a list of candidates' quotes about the prospects of a new library that were said during last year's city council campaign. She chose not to name names and told the audience they had to guess as to whom she was referring to for each quote she recited.

Those watching on television received the added bonus of seeing photos of the library that were supplied to City Hall's television booth operator so that they could be dropped in during the course of the meeting to illustrate key points. Such orchestration and preparation is highly unusual for Columbia Heights' televised council meetings.

Comments made during this and previous meetings by Mayor Gary Peterson, council member Bobby Williams and city manager Fehst have strongly affirmed their desire for the 40th and Central bank building location for a combined new city hall and library.

Peterson said, "if we're not going forward, we're going backwards."

Williams said there was no need for a referendum

because he has talked to only a handful of people who were against building a new library. He said it's the council's responsibility to get the best price for the project.

Williams cited the results of the 2012 city council election as a yard stick that shows support for the library. "I remained neutral, but I asked people at the door about a new library. . . one guy told me he wouldn't vote for me but would vote for Catherine Vesley because we need a new library." Vesley is a long-time appointed member of the Library Board. Williams was the top vote-getter in the election and Vesley narrowly missed defeating Bruce Nawrocki, who retained his seat by 12 votes. (See *Anoka County Record*, Nov. 22, 2012).

Mostly quiet on the library issue, councilor Donna Schmitt made some nervous remarks that put her squarely on the fence, "I am hesitant to say yes, but I am not saying no at this point." She said she would "like to see the city do a referendum" but her comments were generally very couched and careful as though she was walking on egg shells.

Fridley City Hall takes in-house survey. Approximately 40 respondents from within Fridley City Hall took an on-line survey asking 16 questions about city services. The five city council members, department heads and city commission members participated. The results were discussed last month at multiple meetings.

One of the questions asked if City Hall's closing time should be rolled back by a half hour to 4:30 p.m.

A handout given at one of the meetings stated that staff was asking for the shorter hours because:

- 1) 83% of the city halls in the metro area close at 4:30.
- 2) Anoka County offices close at 4:30.
- 3) There would be "a modest benefit" in energy cost savings as a result of shortened operating hours.

The handout also mentioned that staff believed the public would not be inconvenienced — after all, many city transactions are done on the internet.

31 out of 38 respondents said this idea was okay with them.

However, a few of the 38 had questions, asking if the shortened hours would also reduce payroll costs.

PUBLICATION SCHEDULE

JULY

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

AUGUST

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

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 • Limit backyard fires in the city.
 • Never start fires during an air pollution alert.
 • In the Twin Cities it's illegal to burn any waste.
 Learn more at www.livinggreen.org/fire
 Minnesota Pollution Control Agency

GOVERNMENT MEETINGS CALENDAR

ANOKA COUNTY

Anoka County Govt. Center
2100 3rd Ave.
Anoka MN 55303-5024
Ph.: 763-323-5700
www.co.anoka.mn.us

Thurs. June 6

Workforce Council, 7:30 am, Blaine
Human Services Ctr, Rm 202

Tues. June 11 & 25

Management Cmte., 8:30 am,
Rm 772, ACGC
Anoka County Board, 9:30 am,
Rm 705, ACGC
Anoka Co. HRA, 10:30 am

Wed. June 12

Waste Mgmt & Energy Cmte, Rm 772,
ACGC

Thurs. June 13

Internal Audit Cmte, 8:30 am, Rm 772,
ACGC

Mon. June 17

Public Works Cmte, 9 am, Rm 772, ACGC
Library Board, 5:30 pm, Library
offices next to Northtown Library

Tues. June 18

Human Services Cmte., 8:30 am,
Rm 710, ACGC

Information Technology Cmte.,
10:30 am, Rm 772, ACGC

Finance & Capital Improvmts. Cmte.,
1 pm, Rm 772, ACGC

Intergovernmental & Community
Relations Cmte., 3 pm, Rm 772, ACGC

Thurs. June 20

Public Safety Cmte., 3 pm,
Public Safety Bldg., Andover

FRIDLEY

Fridley City Hall
6431 University Ave NE
Fridley, MN 55432
Ph: 763-571-3450
www.ci.fridley.mn.us

Thurs. June 6 & 27

HRA, 7 pm

Mon. June 10 & 24

City Council, 7 pm

Mon. June 17

City Council Budget "work session", 7 pm

June 19 Planning Commission meeting
has been cancelled

HAM LAKE

Ham Lake City Hall
15544 Central Ave NE
Ham Lake, MN 55304
Ph: 763-434-9555
www.ci.ham-lake.mn.us

Hours: M-Th 7 AM - 4:30 PM

Fri: 7 AM-12 NOON

Mon. June 10 & 24

Planning Comm., 6 pm

Mon. June 17 & July 1

City Council, 6 pm

Wed. June 19

Park & Tree Comm., 6 pm

LINWOOD TWP

Linwood Town Hall
22817 Typo Creek Dr. NE
Linwood, MN 55079
Ph: 651-462-2812
linwoodtownship.org

Tues. June 11 & 25

Town Board, 6 pm

Mon. June 17

Senior Advisory Bd, 9:15 am

Tues. June 18

Planning Comm., 7 pm

Mon. June 24

Park & Rec. Comm., 7 pm

OAK GROVE

Oak Grove City Hall
19900 Nightingale St. NW
Oak Grove, MN 55011
Ph: 763-404-7000
www.ci.oak-grove.mn.us

2nd and last Monday of month

City Council, 7 pm (EDA follows
council mtg on last Monday)

3rd Wednesday

Parks Comm., 6 pm

3rd Thursday

Planning Comm., 7 pm

RAMSEY

7550 Sunwood Dr. NW

Ramsey, MN 55303

Ph: 763-427-1410

www.ci.ramsey.mn.us

Thurs. June 6

EDA, 7:30 am

Planning Comm., 7 pm

Tues. June 11

City Council "work session", 5:30 pm
reg mtg 7 pm, followed by HRA

Thurs. June 13

Park & Rec. Comm., 6:30 pm, Alpine
Park, 6600 Alpine Dr NW, west
of Sunfish Lk Blvd. If inclement
weather, mtg will be held at city hall

Tues. June 18

Public Works Cmte & City Council
"work session", 6 pm

Tues. June 25

City Council "work session", 5:30 pm
City Council reg mtg, 7 pm, followed
by HRA

Mon. July 1

EPB, 6:30 pm

Tues. July 2

City Council & HRA "work session",
6 pm

ANOKA CONSERVATION
DISTRICT

1318 McKay Dr NE #300
Ham Lake, MN 55304
Ph.: (763) 434-2030
anokaswcd.org

Mon. June 17

Board of Supervisors, 5 pm

SPRING LAKE PARK ISD #16

1415 81st Ave NE
Spring Lake Park, MN 55432
Ph.: (763) 786-5570
springlakeparkschools.org

Tues. June 11

School Bd, 6:45 pm

Tues. June 25

School Bd "work session", 6 pm

Meetings listed on this page are sub-
ject to change — call ahead to verify

NOTICE OF PUBLIC HEARING
CITY OF OAK GROVE
COUNTY OF ANOKA
STATE OF MINNESOTA

NOTICE IS HEREBY GIVEN that the Oak Grove City Council, at their
Regular Meeting of June 24, 2013, will be conducting a Public Hear-
ing at or around 7:00 p.m. in the Oak Grove Council Chambers,
19900 Nightingale St NW, 55011 to consider Ordinance 13-05 an
ordinance which repeals and replaces the entire Oak Grove City Code
with a codified City Code which was completed by Municode. The
codification process included adding an Administration Chapter;
reorganizing the Code; updating references to state statutes; remov-
ing redundancies and fixing inconsistencies. Substantial changes to
zoning rules or nuisance laws were not involved in this process.

If you are unable to attend, written comments are welcome. A
copy of the complete codified City Code will be available for review
at the City Hall during regular business hours.

Hearing impaired persons planning to attend who need an inter-
preter or other persons with disabilities who require auxiliary aids
should contact City Hall at (763) 404-7000 no later than Wednesday,
June 19, 2013.

Sheryl F. Fiskewold Posted June 5 - June 24, 2013
City Clerk
(Published June 6, 2013 Anoka County Record)

ANOKA COUNTY BOARD MEETING SUMMARY

The Anoka County Board met on May 14, 2013. Standing county
committee information reports and action items were considered,
and action was taken as necessary. The following resolutions were
adopted: #2013-59, 60, 61, and 62 related to highway projects;
#2013-63 - park gifts; #2013-64 - Property Records Division Manager
appointment; and #2013-65 and 66 related to tax forfeited parcels
. A full copy of the agenda, minutes, accounts, and claims greater
than \$2000 may be found on the Anoka County Web site: www.
anokacounty.us
(Published June 6, 2013 Anoka County Record)

OFFICE OF THE MINNESOTA SECRETARY OF STATE
CERTIFICATE OF ASSUMED NAME
MINNESOTA STATUTES, CHAPTER 333

The filing of an assumed name does not provide a user with exclusive
rights to that name. The filing is required for consumer protection in
order to enable consumers to be able to identify the true owner of a
business.

1. List the exact assumed name under which the business is or will
be conducted:

Tally's Treats

2. Principal Place of Business:
15015 Taylor St. N.E., Ham Lake MN 55304

3. List the name and complete street address of all persons
conducting business under the above Assumed Name, OR if an entity,
provide the legal corporate, LLC, or Limited Partnership name and
registered office address:

Tallys Treats LLC, 15015 Taylor St. N.E., Ham Lake MN 55304

4. I, the undersigned, certify that I am signing this document as
the person whose signature is required, or as agent of the person(s)
whose signature would be required who has authorized me to sign
this document on his/her behalf, or in both capacities. I further certify
that I have completed all required fields, and that the information
in this document is true and correct and in compliance with the
applicable chapter of Minnesota Statutes. I understand that by signing
this document I am subject to the penalties of perjury as set forth in
Section 609.48 as if I had signed this document under oath.

FILED: May 20, 2013 #67192070003

/s/ Deborah C. Trent, Owner/Registered Agent
(Published June 6, 2013, June 20, 2013 Anoka County Record)

OFFICE OF THE MINNESOTA SECRETARY OF STATE
CERTIFICATE OF ASSUMED NAME
MINNESOTA STATUTES, CHAPTER 333

The filing of an assumed name does not provide a user with exclusive
rights to that name. The filing is required for consumer protection in
order to enable consumers to be able to identify the true owner of a
business.

1. List the exact assumed
name under which the business is
or will be conducted:

SaBoni Shop

2. Principal Place of Busi-
ness:

630 Osborne Rd. N.E.,
Apt. #304, Fridley MN 55432

3. List the name and
complete street address of all
persons conducting business
under the above Assumed Name,
OR if an entity, provide the
legal corporate, LLC, or Limited
Partnership name and registered
office address:

SaBoni, LLC, 630 Osborne
Rd. N.E., Apt. #304, Fridley MN
55432

Jose Leonel Salazar Bo-
nilla, 630 Osborne Rd. N.E., Apt.
#304, Fridley MN 55432

Jose Alejandro Salazar
Bonilla, 630 Osborne Rd. N.E.,
Apt. #304, Fridley MN 55432

Julia Nely Dokken, 630 Osborne Rd. N.E., Apt. #304, Fridley
MN 55432

4. I, the undersigned, certify that I am signing this document as
the person whose signature is required, or as agent of the person(s)
whose signature would be required who has authorized me to sign
this document on his/her behalf, or in both capacities. I further certify
that I have completed all required fields, and that the information
in this document is true and correct and in compliance with the
applicable chapter of Minnesota Statutes. I understand that by signing
this document I am subject to the penalties of perjury as set forth in
Section 609.48 as if I had signed this document under oath.

FILED: May 14, 2013 #672524900020

/s/ Jose Leonel Salazar Bonilla
(Published June 6, 2013, June 20, 2013 Anoka County Record)

STATE OF MINNESOTA
COUNTY OF ANOKA

DISTRICT COURT
PROBATE DIVISION

TENTH JUDICIAL DISTRICT
Court File No. 02-PR-13-279

NOTICE OF INFORMAL APPOINTMENT OF PERSONAL
REPRESENTATIVE AND NOTICE TO CREDITORS
(INTESTATE)

Estate of
Mark Calvin Barklind, Decedent

Notice is given that an application for informal appointment of
personal representative has been filed with the registrar. No will has
been presented for probate. The application has been granted.

Notice is also given that the Registrar has informally appointed
Morgan Barklind, whose address is: 10008 Butternut Street SW,
Coon Rapids, MN 55448, as personal representative of the Estate of the
Decedent. Any heir, devisee or other interested person may be
entitled to appointment as personal representative or may object to
the appointment of the personal representative. Unless objections
are filed with the Court (pursuant to Minn. Stat. 524.3-607) and the
Court otherwise orders, the personal representative has full power to
administer the Estate including, after 30 days from the date of
issuance of letters, the power to sell, encumber, lease or distribute
real estate.

Any objections to the probate of the will or appointment of the
Personal Representative must be filed with this Court and will be
heard by the Court after the filing of an appropriate petition and
proper notice of hearing.

Notice is also given that (subject to Minn. Stat. 524.3-801) all
creditors having claims against the Estate are required to present the
claims to the personal representative or to the Court Administrator
within four months after the date of this Notice or the claims will be
barred.

/s/Peggy Zdon, Registrar, 5/13/13
/s/Jennifer A. Schlieper, Court Administrator, 5/13/13

Attorney for Personal Representative:
Kevin C. Lanigan, Attorney ID #143339

Carlson Estate Planning
3300 Edinborough Way, Ste. 550

Edina, MN 55435

Tel: (952) 832-9000

Fax: (952) 896-0001

(Published May 23, 2013, June 6, 2013 Anoka County Record)

OFFICE OF THE MINNESOTA SECRETARY OF STATE
CERTIFICATE OF ASSUMED NAME
MINNESOTA STATUTES, CHAPTER 333

The filing of an assumed name does not provide a user with exclusive
rights to that name. The filing is required for consumer protection in
order to enable consumers to be able to identify the true owner of a
business.

1. List the exact assumed name under which the business is or will
be conducted:

Labor All Personnel

2. Principal Place of Business:

4056 Central Ave. N.E., Columbia Heights, MN 55421

3. List the name and complete street address of all persons
conducting business under the above Assumed Name, OR if an entity,
provide the legal corporate, LLC, or Limited Partnership name and
registered office address:

Montu Enterprises, Inc., 5135 Dominick Drive,
Minnetonka MN 55343

4. I, the undersigned, certify that I am signing this document as
the person whose signature is required, or as agent of the person(s)
whose signature would be required who has authorized me to sign
this document on his/her behalf, or in both capacities. I further certify
that I have completed all required fields, and that the information
in this document is true and correct and in compliance with the
applicable chapter of Minnesota Statutes. I understand that by signing
this document I am subject to the penalties of perjury as set forth in
Section 609.48 as if I had signed this document under oath.

FILED: April 15, 2013, #66633230003

/s/ James R. Gilliam, President
(Published June 6, 2013, June 20, 2013, Anoka County Record)

OFFICE OF THE MINNESOTA SECRETARY OF STATE
CERTIFICATE OF ASSUMED NAME
MINNESOTA STATUTES, CHAPTER 333

The filing of an assumed name does not provide a user with exclusive
rights to that name. The filing is required for consumer protection in
order to enable consumers to be able to identify the true owner of a
business.

1. List the exact assumed name under which the business is or will
be conducted:

Flyers Development Camp

2. Principal Place of Business:

19155 Staples St NE, East Bethel MN 55011

3. List the name and complete street address of all persons
conducting business under the above Assumed Name, OR if an entity,
provide the legal corporate, LLC, or Limited Partnership name and
registered office address:

Daniel R. Kishish, 19155 Staples St NE, East Bethel MN
55011

4. I, the undersigned, certify that I am signing this document as
the person whose signature is required, or as agent of the person(s)
whose signature would be required who has authorized me to sign
this document on his/her behalf, or in both capacities. I further certify
that I have completed all required fields, and that the information
in this document is true and correct and in compliance with the
applicable chapter of Minnesota Statutes. I understand that by signing
this document I am subject to the penalties of perjury as set forth in
Section 609.48 as if I had signed this document under oath.

FILED: March 14, 2013 #65973760002

/s/ Daniel R. Kishish
(Published May 23, 2013, June 6, 2013 Anoka County Record)

WILDER PAGEANT



Walnut Grove, MN
36th annual outdoor drama based on the life of
Laura Ingalls Wilder
July 12-13, 19-20, 26-27, 2013

walnutgrove.org

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NOTICE OF PUBLIC HEARING
CITY OF HAM LAKE
COUNTY OF ANOKA
STATE OF MINNESOTA

TAKE NOTICE, that pursuant to the requirements of Minnesota Law, a public hearing shall be held before the Ham Lake Planning Commission on Monday, June 24, 2013 at 6:01 p.m. at the City Hall located at 15544 Central Avenue NE for the purpose of considering the application of James Szurek for a Conditional Use Permit to operate Willow Tree Vineyard & Winery LLC (a farm winery) at 828 Constance Boulevard NE, a parcel of certain land situated in the City of Ham Lake, Anoka County, Minnesota and which is described as follows to wit:

LEGAL DESCRIPTION:

THAT PRT OF SE1/4 OF NE1/4 OF SEC 18 TWP 32 RGE 23 LYG WLY OF E1/2 OF E1/2 OF SD 1/4 1/4, EX THAT PRT THEREOF DESC AS FOL: BEG AT NW COR OF SD E1/2 OF E1/2, TH S 00 DEG 44 MIN 50 SEC E, ASSD BRG, ALG W LINE OF SD E1/2 OF E1/2 508.73 FT, TH N 32 DEG 07 MIN 53 SEC W 45.46 FT, TH N 50 DEG 24 MIN 11 SEC W 26.64 FT, TH N 68 DEG 37 MIN 30 SEC W 306.81 FT, TH N 75 DEG 54 MIN 56 SEC W 40.55 FT, TH N 64 DEG 13 MIN 09 SEC W 14.61 FT, TH N 21 DEG 23 MIN 30 SEC E 199.83 FT, TH N 22 DEG 10 MIN 24 SEC E 142.29 FT TO N LINE OF SD 1/4 1/4, TH N 88 DEG 19 MIN 11 SEC E ALG SD N LINE 249.78 FT TO POB, EX RD, SUBJ TO EASE OF REC

At such hearing both written and oral comments will be heard.

DATED: June 6, 2013

Dawnette M. Shimek
Zoning Official/Building Clerk
City of Ham Lake

(Published June 6, 2013 — Anoka County Record)

CITY OF HAM LAKE
COUNTY OF ANOKA
STATE OF MINNESOTA
ORDINANCE NO. 13-05

An Ordinance relating to the Ham Lake City Charter, providing for an amendment by ordinance relating to the submission of the budget and capital improvement plan.

Be it ordained by the City Council of the City of Ham Lake, Anoka County, Minnesota, as follows:

Chapter Seven of the Ham Lake City Charter is hereby amended as follows:

The word City Clerk shall be deleted and replaced by Administrator and/or Finance Director of Section 7.04 and Section 7.05.

SECTION 7.04 Submission of the Budget

Annually the City Administrator and/or Finance Director shall submit to the Council a recommended budget in accordance with a budget calendar to be established by ordinance or, in the absence of ordinance, by the first regular meeting in August. The budget shall provide a complete financial plan for all City funds and activities for the ensuing fiscal year and, except as required by law or charter, shall be in such form as the City Administrator and/or Finance Director deems desirable or the Council may require. It shall include a summary and show in detail all estimated income and all proposed expenditures, including debt service and comparative figures for the current fiscal year, actual and estimated, and the preceding fiscal year. In addition to showing proposed expenditures for current operations, it shall show proposed capital expenditures to be made during the year and the proposed method of financing each such capital expenditure. For each utility operated by the City, the budget shall show anticipated net surplus or deficit and the proposed method of its disposition; and subsidiary budgets for each such utility giving income and expenditure information shall be included or attached as appendices. The total proposed operating budget to be provided from the property tax shall not exceed the amounts authorized by law and this chap-

ter. Consistent with these provisions, the budget shall contain such information and be in the form prescribed by ordinance and by law.

SECTION 7.05 Capital Improvement Program

The City Administrator and/or Finance Director shall prepare and submit to the Council a recommended five year capital improvement program no later than the first regular Council meeting in August. The capital improvement program shall include a list of all capital improvements proposed to be undertaken during the next five fiscal years, with appropriate supporting information as to the necessity for such improvements; cost estimates, method of financing and recommended time schedules for each such improvement; and the estimated annual cost of operating and maintaining the facilities to be constructed or acquired. This information shall be revised and extended each year for capital improvements still pending or in process. The Council shall hold a public hearing on the capital improvement program and adopt it with or without amendment during the regular budget hearing as required by law. No capital improvement or expenditure shall be made inconsistent with the program adopted pursuant to this section.

Presented to the Ham Lake City Council on May 20, 2013 and adopted by a unanimous vote this 3rd day of June, 2013.

/s/ Michael G. Van Kirk, Mayor

/s/Denise Webster, Deputy City Clerk

(Published June 6, 2013, Anoka County Record)

PUBLIC HEARING
TO CONSIDER A PROPOSED AMENDMENT TO
THE HAM LAKE CITY CHARTER

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD on Monday, July 1, 2013, in the Council Chambers of the Ham Lake City Hall, 15544 Central Avenue NE at 6:05 p.m. to consider the following proposed amendment to the Ham Lake City Charter:

The City Charter is hereby amended by repealing the current Section 8.01 and replacing it with the new Section 8.01, to read as follows:

Chapter Eight of the Ham Lake City Charter is hereby amended as follows:

I. The last sentence of Section 8.01 is hereby deleted, to be replaced by the following language:

"Except as provided in Section 8.04 below and except as provided by Minnesota law pertaining to assessments in the nature of municipal Regulatory Service Fees for the abatement of nuisances, no assessment shall exceed the benefits to the property."

II. There is hereby added to the Ham Lake City Charter a Section 8.04, to read as follows:

SECTION 8.0 Pest Control Assessments

Pursuant to the provisions of Minnesota Statutes Chapter 18G.13, and all amendments thereto, if the City by resolution or ordinance adopts pest control measures that provide for the summary removal of diseased trees (including living, dead, standing or fallen trees) or parts thereof, such as branches, bark or roots, from private property, or the summary correction of conditions that tend to promote the spread of plant disease, the City may recover its costs of implementing such measures against the property to which the measures apply, in the following manner:

1) Prior to the summary removal of the diseased items, or the correction of the condition, the City staff have give notice to the owner of the property to remove the trees or correct the condition, to be implemented within 30 days of the date of the notice. Notice shall be effective if sent by regular U.S. Mail, postage prepaid, to the person(s) or entity listed as owner in the public records of Anoka County. The notice shall include, without limitation the following advisory:

You are hereby notified that if you fail to comply with the demand to remove or correct the condition, State law authorizes the City to employ agents to come upon your property to remove trees or correct the condition, and to assess the cost of such activity against your property if you do not reimburse the City for such cost.

2) If the property owner fails to remove the diseased items or to correct the conditions within the time specified in the notice, and the City implements summary removal/correction procedures, the city's costs shall be computed and an invoice for such costs mailed to the owner, containing the following notice (blanks to be completed as information becomes available:

You are hereby notified that as a result of your failure to take corrective action to remove or correct diseased tree conditions as required in a previous notice to you the City of Ham Lake has completed the work at a cost of \$-----. If you do not remit this sum to the City on or before November 14, -----, the City will certify this amount as an assessment against your property for collection with taxes due in the year -----, together with interest thereon.

If the owner of the property fails to reimburse the City by the required date, the City costs shall be certified as an assessment for collection with real estate taxes, together with interest accrued at a rate to be established by resolution prior to the time of certification to the County, but if no resolution is then currently in effect, then at a rate of 3.0% per annum.

3) The foregoing procedures shall apply to all cases of removal/correction that occur in the year 2014 and thereafter, and notwithstanding the foregoing notice provisions, shall apply to all cases occurring in the year 2013 in which the property owner was given reasonable notice to remove or correct a disease condition accompanied by a statement that failure to do so would result in removal/correction at the owner's expense.

Both proposals for and opponents against such amendment shall be heard.

DATED: of June 6, 2013

Denise L. Webster, Deputy City Clerk, City of Ham Lake

(Published June 6, 2013 — Anoka County Record)

CITY OF HAM LAKE
COUNTY OF ANOKA
STATE OF MINNESOTA
ORDINANCE NO. 13-06

An Ordinance relating to the establishment of an Assistance Program for the repair and/or replacement of residential water wells and Subsurface Sewage Treatment Systems (SSTS), adding an Article 11-1900 to the Ham Lake City Code.

Be it ordained by the City Council of the City of Ham Lake, Anoka County, Minnesota, as follows:

There is hereby added to the Ham Lake City Code an Article 11-1900, to read as follows:

11-2100 SUBSURFACE SEWAGE TREATMENT SYSTEM (SSTS) AND WELL WATER LOAN PROGRAM

Pursuant to the authority of Minnesota Statutes Chapter 115.57, the City of Ham Lake hereby establishes the following SSTS and Well Loan Program. The program is intended to offer loans to eligible parties to repair or replace existing SSTS or water wells. The program is to be funded from monies made available from the Anoka County Housing and Redevelopment Authority (HRA) out of a special tax levy that has been and is being imposed on Ham Lake properties for the benefit of Ham Lake housing issues.

11-2110 Eligibility: Conditions

The conditions that are eligible for consideration for repair and/or replacement under this program include SSTS that have failed or which consist of leaking holding tanks, holding tanks which can be replaced by a conventional or "other" SSTS, privy vaults and straight pipe systems. An SSTS is a "failed" SSTS if it is discharging effluent above ground level. These criteria shall be used in place of any other criteria that may be found in State or County health codes, and regardless of terminology as may be found therein.

The conditions that are eligible for consideration for repair and/or replacement of water wells are:

- a. contamination making the water unfit for human consumption; or
b. lack of water pressure caused by a lack of well depth, a insufficient groundwater elevation or pipe sedimentation; or
c. mechanical or electrical failure of or in the pump apparatus; or
d. a well that needs to be abandoned and capped.

The City's designated officials shall be the sole judge of whether or not the qualifying criteria are met.

11-2120 Eligibility: Financial

In order to qualify for the program, the property owner must be a natural person or persons, named in the title to the property as joint tenants or tenants in common, and meeting the following financial criteria.

a. The applicant(s) must meet the qualifying income limits as published by the United States Housing and Urban Development Department (HUD) as stated in the most current eligibility tabulations by HUD for qualification for Section 8 housing, according to household size, for the Minneapolis St. Paul Statistical Area.

b. Aggregate net worth of all of the owners must be less than \$50,000.00 as disclosed on signed Financial Statements. Financial Statements must be in a form acceptable to persons designated by the City Administrator to review same.

c. A Title search must be prepared or reviewed by the City Attorney, and the property cannot be in foreclosure or encumbered by tax liens or mechanics liens. Real estate taxes must be current.

d. There must be reasonable positive equity in the property, meaning that the City staff's estimate of fair market value must exceed the apparent amount of debt encumbering the property, and the decision as to whether or not to approve the application may be based on the City's evaluation of the likelihood that the assessments will in fact be paid in full. No credit check of the applicant(s) shall be required. The City may require a fee appraisal, the cost of which can be included in the loan, at the City's option, prior to making a decision on the application.

The applicant(s) shall furnish whatever financial information is requested of the City, including tax returns. Financial data will be considered private data to the extent permitted by law.

11-2130 Assistance and Assessments

a. Loan. Assistance to the property owner shall be in the form of a loan to the property owner(s) in an amount necessary to effect the replacement or repairs, not to exceed a total of \$25,000.00. The loan shall become an assessment against the property on which the repair/replacement occurs pursuant to Minnesota Statutes Chapter 115.57 (Subd. 6). At the time of issuing the loan, the City shall provide the notices required by said statute. The assessment shall be certified for collection with real estate taxes on November 15 of the year in which the loan is made, and shall be payable over a ten year period, together with interest accruing at a rate established by City Council resolution at the time that the loan is made.

b. Prerequisites to Loan. Prior to closing the loan, the applicant(s) shall supply information satisfactory to the City documenting the need for the repair/replacement, and provide a quote or quotes from licensed and qualified septic and/or well installers documenting the cost of repair/replacement, and in the case of SSTS, providing a design plan for the new or repaired SSTS that meets City codes. The applicant(s) shall also provide evidence satisfactory to the City that they meet the financial eligibility requirements as contained in item 11-2120 above.

11-2140 Procedure for Approval

a. Submissions. Applicant(s) shall complete such forms as the City staff prepares in application for approval, and staff shall complete a report to the City Council for review when all application material is complete. The report shall not include the actual financial data provided by the applicant(s). Staff shall not forward an application to the City Council unless all eligibility and submission requirements are complete, and Staff shall have the authority to summarily reject an application for non-compliance with eligibility or submission requirements, provided that the applicant(s) receive written notice from Staff as to the reasons for rejection.

b. City Council Approval. The City Council shall review the staff report and shall act on the application by resolution. If disapproved, the resolution shall contain findings of fact supporting the disapproval. If approved, the resolution shall include an interest rate and such other matters as the City Council deems appropriate.

c. Appeal of Staff Decision. If Staff has summarily rejected an application, the applicant(s) may appeal the decision by requesting an appearance before the City Council.

d. Variances. The City Council may grant reasonable variances to the eligibility requirements if there are special circumstances which justify such variances. Special circumstances may include, without limitation, the use of shared SSTS systems or wells, unusual subsurface conditions, or net worth affected by non-liquid assets.

11-2150 Closing

At the time that the loan is closed, the applicant(s) shall execute any and all documents deemed necessary and appropriate by the City in connection with the loan.

Presented to the Ham Lake City Council on May 20, 2013 and adopted by a unanimous vote this 3rd day of June, 2013.

/s/ Michael G. Van Kirk, Mayor

/s/Denise Webster, Deputy City Clerk

(Published June 6, 2013, Anoka County Record)

Read City of Ham Lake Legal Notices
in the Anoka County Record

CITY OF HAM LAKE
SUMMARY FINANCIAL REPORT

The purpose of this report is to provide a summary of financial information concerning the City of Ham Lake to interested citizens. The complete financial statements may be examined at City Hall, 15544 Central Avenue NE, Ham Lake, MN 55304, or on the City's website at www.ci.ham-lake.mn.us. Questions about this report should be directed to the Finance Department at 763-434-9555.

Revenues and Expenditures for General Operations
(Governmental Funds)

Table with 4 columns: Category, Total 2012, Total 2011, Percent Increase (Decrease). Rows include Revenues (Taxes, Special Assessments, Licenses and Permits, Intergovernmental, Charges for Services, Fines and Forfeitures, Investment Earnings, Miscellaneous, Total Revenues, Per Capita) and Expenditures (Current: General Government, Public Safety, Public Works, Parks and Recreation, Economic Development; Debt Service: Principal, Interest and Other Charges; Capital Outlay; Total Expenditures, Per Capita). Other Financing Sources (Sale of Assets, Total Other Financing Sources, Per Capita) and Total Long-term Indebtedness (Total, Per Capita) and General Fund Balance - December 31 (Total, Per Capita).

The City of Ham Lake has no proprietary (enterprise) funds.
(Published June 6, 2013 Anoka County Record)