**JUL/AUG 2025** 



A PUBLICATION OF THE LEAGUE of MINNESOTA CITIES

### League Leaders

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The outgoing president, past president, and other departing Board members reflect on their experiences. PAGE 11

### **Crisis Communications**

Learn how Burnsville navigated its response during a community tragedy. PAGE 28

## Building a Pipeline of Professionals Through Fellowships PAGE 8

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### **Features**

- 8 Building a Pipeline of Professionals Through Fellowships
- 11 In the Arena: Reflections on Public Service and City Leadership
- 13 League Board Service Amplifies Max's Passion for Local Government
- **15** The League Thanks Outgoing Board Members
- 17 How Cities Can Gather and Use Public Input in Decision Making
- **19** Fire Protection Districts Offer Cities Another Option for Shared Emergency Services

### Departments

### **3** Director's Message

Lessons From a High School City Hall Internship

**Bits & Briefs** MPCA program offers cities tools to redevelop brownfields and revitalize properties, NLC City Summit slated for Salt Lake City, and more

### 7 Two-Way Street

What Role Do K-9 Officers Play in Your City?

### **20** Focus on Small Cities

Comprehensive Plan Helps Le Sueur Transform, Update Downtown

### **30** Ideas in Action

Willmar Rail Project Clears Tracks for Growth, Reduces Downtown Congestion

ON THE WEB Check out Minnesota Cities online at mncities.org.

### Legal Ease

- 23 Letter of the Law Prepping City Website Content for New Federal Accessibility Rule
- 24 From the Bench Court Finds Arguable Probable Cause Must Be Based on Entire Situation, Not Isolated Behaviors

### **Up for Discussion**

- **27** Ask LMC How Can Small Cities Establish an Effective Safety Committee?
- 28 Message Matters Prepared but Forever Changed: How Burnsville Communicated Through Crisis

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### MINNESOTA CITES Volume 110, Issue 4



PUBLISHED BY League of Minnesota Cities EXECUTIVE DIRECTOR Luke Fischer

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### Lessons From a High School City Hall Internship

BY LUKE FISCHER

s I approached my senior year in high school, I carefully weighed my options for elective classes. With my college prerequisites complete, I was searching for that sweet spot something interesting (like the woodworking course I'd already taken), not too challenging (like the Advanced Placement science class I had no business being in), and taught by someone who had a nuanced approach to attendance and attention.

With all the confidence in the world, I approached the high school principal and told him I was ready to work in politics or government and that it was his responsibility to figure out what that might mean for me. Expecting him to find me an impressive assignment in a congressional office, I was a little disappointed when he said he had the perfect opportunity for me ... at city hall.

Recognizing my options were probably limited, and the classroom alternatives weren't necessarily my thing, I agreed to be a high school intern at the Delano City Hall. For a few hours every day, I got to play school-sanctioned, city-sponsored hooky.

What began as an strategy to coast through senior year ended up sparking a passion for a career field we didn't really talk about in civics classes — one in local government. I remember sorting through address files, studying project plans, and attending a City Council meeting or two. Riveting stuff.

But the real reason this experience stuck with me didn't have to do with documents, plans, or meetings. It was the people with the city who gave a high school intern a glimpse into why they loved the work they did day in and day out. And boy, did I learn some important lessons.

### The intern should spend time with the front desk

LeAnn Zimmerman answered nearly every phone call that came into our small

office. I quickly realized she was the smartest, most well-connected person in the city. LeAnn taught me customer service, the importance of follow-through, and that it's OK to say, "I don't know, but I'll find out."

### The intern should spend time with public works

Most administrative interns probably aren't expected to push snow in the winter or flush watermains in the summer. But, with a blizzard underway, Bob Van Lith called and told me to be awake and ready at 2 a.m. so I could spend some time learning what crews did while the rest of the city slept. He picked me up in a plow and showed me how development entrance monuments can be tough to plow around, why sidewalks need to be a certain width for proper scraping, and why reliable equipment is so critical.

### The intern should spend time with the building official

New housing was booming, and Scott Dornfeld, the building official, was working harder than almost anyone. When a frustrated builder came in to dispute a correction ticket issued earlier in the day, Scott looked at me and said, "Let's go look." We hopped in his truck and I watched as he calmly explained the building code, quickly calmed a frustrated builder, and kept a project on track.



Luke as an intern in front of Delano City Hall in 2005.



Now-retired Delano Administrative Assistant LeAnn Zimmerman.

important. But it's equally important for interns to spend time with people like LeAnn, Bob, Scott, and Gail. Their experience, perspective, and skill can help set up aspiring future leaders for success and teach them important life lessons along the way.



Luke Fischer is executive director of the League of Minnesota Cities. Contact: Ifischer@Imc.org or (651) 281-1279.

### The intern should spend time at the senior center

There, Manager Gail Sinkel introduced me to a special group present in every community, seniors. The morning coffee group had lots of opinions about "the city" and about the young guy who probably should have been at school. Gail showed me how to really listen, appreciate the individual stories of our village elders, and how to not take it personally when elbows got a little sharp over donuts.

And there were countless others who taught me important lessons along the way. I don't know if it was all by chance or part of some grand plan, but it worked. Through my internship, those who were doing the work helped me understand the meaning behind it.

This magazine edition highlights successful fellowships from a leadership perspective, and that's

### MPCA Program Offers Cities Tools To Redevelop Brownfields and Revitalize Properties

The Minnesota Pollution Control Agency's (MPCA) Brownfields Community Outreach and Engagement Unit aims to support local units of government, tribal nations, underserved environmental justice communities, and property owners in redeveloping brownfields, which are properties that have real or perceived contamination on them.

Brownfields can be a challenge to redevelop and often sit idle for

years. This can lead to neighborhood blight, unsafe structures, and contaminated spaces that can harm people and the environment.

The MPCA's Brownfield Community Outreach and Engagement Unit offers resources for brownfield redevelopment and can provide guidance on:

- Investigating properties for potential environmental contamination before transfer of ownership or development.
- Understanding contamination liability issues before a transfer of ownership takes place, including:
  - Tax forfeitures
  - Inheritance
  - Sale
  - Gift or donated properties



Post-redevelopment of the Maya Commons & Brook Ave Co-op, which offers affordable housing and a student housing cooperative.

- Funding available to support investigation of potentially contaminated properties.
- Resources for bringing underutilized properties back into the economy or addressing public health concerns.
   Redeveloping brownfields can benefit local communities

by improving public health and the environment, enhancing the livability of neighborhoods, creating new jobs, and adding to the tax base.

Contact the MPCA's Brownfields Community Outreach and Engagement Unit today with your brownfield questions at (651) 757-2904 or brownfieldgrants.mpca@state.mn.us. Additional resources are available at **bit.ly/BrownfieldMN\_resources**.

### Faribault Backs Optional Water, Sewer Line Insurance for Homeowners

Residents in Faribault will soon have the option to enroll in a utility line insurance program aimed at reducing the financial burden of private water and sewer line repairs.



As reported by the *Faribault Daily News*, the City Council has backed participation in the National League of Cities' Service Line Warranty Program by HomeServe. The voluntary program offers up to \$8,500 in coverage per service call for external water and sewer lines, and up to \$3,000 for in-home plumbing.

Monthly premiums range from \$6.99 to \$10.99, and the city will receive a 10% royalty from enrollment revenue. That money would likely go toward replacing lead service lines, according to Public Works Director Travis Block.

Homeowners are typically responsible for utility lines on their property — a fact many don't realize until they face an expensive repair. While the program is optional, city officials say it could help residents manage those costs. More than 40 Minnesota cities already participate, and Faribault's role will primarily involve informing residents of the option.

The League of Minnesota Cities (LMC) is a member of the National League of Cities, which endorses the Service Line Warranty Program. However, LMC does not take a position on the program at the local level.

**Bits & Briefs** 

### Mental Wellness and Peer Support Featured in 2025 Fall Safety and Loss Control Workshops

As part of the League of Minnesota Cities Insurance Trust's 2025 Fall Safety and Loss Control Workshops, two training series will be available for Minnesota public safety professionals.

#### Pathways to Sustainable Wellness with Doc Springer is a

three-part training series focused on trauma-informed wellness and suicide prevention, designed specifically for first responders.

Attend one or all of the following sessions:

#### 2025 FALL SAFETY AND LOSS CONTROL WORKSHOPS

- SEPT. 24: Understanding Mental Warfare: Suicide Risk in First Responders (webinar).
- OCT. 1: The Growth Edge: The New Rules of Human Performance After Trauma (in person, HERO Center, Cottage Grove).
- OCT. 8: Blind Spot: Why Standard Suicide Prevention Approaches Fail First Responders (webinar).

Led by Dr. Shauna "Doc" Springer, a nationally respected trauma expert, these sessions offer informed tools to enhance resilience, improve response to risk, and support wellness across public safety roles.

### Peer Support Workshops Pathways to Sustainable Wellness WITH DOC SPRINGER

**Peer Support Training**, approved by the Department of Public Safety and Peace Officer Standards and Training (POST), meets the 30-hour requirement to serve as a certified peer-to-peer counselor in Minnesota. This hybrid course includes flexible online content and a two-day, in-person session. Choose from three training dates:

OCT. 21-22: Willmar | OCT. 29-30: Bemidji | NOV. 4-5: Edina

For registration and more information, visit **Imc.org/events**.



CONNECT with local leaders from across the country!

UTY LEARN HORE

### NLC City Summit Slated for Salt Lake City

The National League of Cities (NLC) 2025 City Summit is happening Nov. 20-22 in Salt Lake City, Utah. This event brings together city staff and elected officials to learn about the issues affecting local governments and expand their professional network.

At City Summit 2025, NLC will feature workshops that cover trending and emerging topics that impact local governments, share timely resources that can help your community thrive, and provide executive education to build your leadership skills. During this national event, you'll connect with experts as well as your peers from across the country, and network with thought leaders from the public and private sectors. Learn more and register at **citysummit.nlc.org**.

### **LMC** LEARNING & EVENTS

ON THE WEB Learn more about these and other events at **Imc.** org/events.

Free Webinar: Land Use Decision Making – What Are the Facts? July 15 – Online

**Free Webinar: Minnesota's Opioid Settlement Funds – The Latest on Uses and Impacts for Cities** *July 22 – Online* 

**Clerks Academy** Sept. 4-5 — Staples Sept. 11-12 — Roseville

**Fall Safety and Loss Control Workshops: Pathways to Sustainable Wellness with Doc Springer** Sep. 24 — Online Oct. 1 — Cottage Grove Oct. 8 — Online

Fall Safety and Loss Control Workshops: Peer Support Training Oct. 21-22 — Willmar Oct. 29-30 — Bemidji Nov. 4-5 — Edina



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## What Role Do K-9 Officers Play in Your City?



#### ASHLEY KANE

CHIEF OF POLICE ADRIAN (POPULATION 1.182)

As Chief of Police in Adrian, I started to see the growing need for a K-9 program, not just to help with drug enforcement, but to track down people who flee traffic stops, assist in mental health situations, or help find missing kids. While there was no funding budgeted, the city supported my effort to

pursue an alternative path. I committed to fundraising and quickly saw the community step up in a big way.

With donations from local residents and businesses in the K-9 field, we were able to get the program off the ground. The city received a donated Belgian Malinois, originally named Prosch, from Loucyn Belgian Malinois in California. Ed Van Buren, owner of Code 2 K9 Services LLC, helped arrange transportation for Prosch, now named Ghost, from California to Omaha. His company also handles certification for our K-9. On Jan. 25, 2024, I picked her up and officially started the journey with K-9 Ghost.

Retired U.S. Air Force veteran and K-9 handler Curtis Hendel stepped in to assist with training. I continue to spend about 20 off-duty, unpaid hours each week working with Ghost to maintain her skills. Each year, she must be recertified in her trained areas, which include bite work, search, and narcotics detection (specifically meth, cocaine, and heroin).

Ghost has been exactly what we hoped for — driven, capable, and also great at community events. When I first pitched the idea to the City Council, I figured the full cost would be around \$100,000 for the dog, training, and equipment. Thanks to all the community support, we made it happen for closer to \$15,000.

K-9s like Ghost not only deter crime but build trust between law enforcement and the people we serve. They're an investment we hope never to need, but when a K-9 officer is needed, they're invaluable.

As for Ghost, she'll keep working as long as she's able. When it's time to retire, she'll come home with me, where she can destroy as many toys as she wants and eat plenty of hot dogs. In the meantime, the hope is to continue to fundraise for the next K-9 to replace Ghost and to keep the program going within Adrian.

### **BEN ZENDER**

POLICE CHIEF

MOUNDS VIEW (POPULATION 12,782) Mounds View's K-9 program began taking shape in 2011, when the police department started exploring how a K-9 unit could enhance public safety. With support from a grant through the St. Paul Police Canine Foundation, the department formally launched the program that November after



receiving City Council approval. Officer Nick Erickson was selected as the city's first K-9 handler, and K-9 Niko came on board following a 12-week training program with the St. Paul Police Department.

In the years since, the department has expanded and refined its K-9 operations with a focus on maintaining two active teams. K-9 Grizz joined the force in 2018, partnered with Sergeant Brian Schultes. In 2022, following K-9 Niko's retirement, Officer Alex Aase took on the role of handler for K-9 Ace. Ace's training was completed through Minnesota Canine Consulting and Red Team K9. Niko passed away in April 2025 after a long and successful career, including hundreds of successful deployments.

The department's K-9s assist with a wide range of duties, including tracking suspects, searching for evidence, detecting narcotics, and protecting their handlers. They're also highly visible in the community, attending school visits, church events, city festivals, and public demonstrations. Combined, K-9 Grizz and K-9 Ace have deployed 223 times, resulting in only three bites, or 1.3% of all deployments. Officers say the dogs are often key to de-escalating tense situations, even if those moments are hard to measure.

Mounds View's dogs are typically imported from Eastern Europe and selected for their intelligence, obedience, confidence, and ability to focus in distracting environments. Initial costs for a dog and training total about \$18,500, with ongoing care and maintenance averaging \$4,500 annually.

Officers who want to become handlers go through a competitive selection process that includes interviews, physical testing, and prior experience working with canines. Training with a new K-9 takes about three months and covers skills like bite work, building searches, obedience, and stability under pressure. Once certified, teams continue training throughout the year.

Most K-9s retire between ages seven and nine, and when they do, they usually go home for good, living out their retirement with their handler as a pet. CC



### Building a **Pipeline of Professionals** Through Fellowships

Programs like Edina's fellowship help cities meet workforce needs while giving future public sector leaders a head start on their careers.

BY SUZY FRISCH

hen Edina City Manager Scott Neal started a fellowship program in 2012 to train a new generation of city leaders, he viewed it as a way to give back to his profession and open doors for others. As it turns out, his plan to create an extensive training program was visionary in all the best ways.

In recent years, local governments of all shapes and sizes have been confronting the challenge of attracting and retaining employees. It's a problem that will continue to worsen in the next decade as members of the baby boomer generation retire in greater numbers. In a 2025 report "Strengthening Public Service: Workforce Challenges and Opportunities for Local Government Entities in Minnesota," the Citizens League, League of Minnesota Cities, and



Association of Minnesota Counties identified challenges and opportunities for the local government workforce. It notes, "For decades, Minnesota has boasted high levels of civic engagement and community involvement, including in public sector staffing — elected, appointed, and hired. But in recent years, the robust pipeline of local government employees has been dwindling."

To be clear, Minnesota is not alone in facing these obstacles. Nationally, counties and cities faced setbacks during the COVID-19 pandemic when the public sector experienced an exodus of employees. More recently, public sector employment has lagged 2% lower than before the pandemic, affecting a wide swath of skilled and technical roles, according to the report.

Survey respondents said that it's difficult to recruit, retain, and advance employees covering numerous local government jobs, including public safety, maintenance, information technology, and human services. The report offers many recommendations, including this one for improving recruiting: "Build intentional partnerships with existing pathways and pipeline programs (such as cadet programs, pathways to policing, apprenticeships, internships, or fellowships) or develop new programs geared to your local communities and students."

When Neal launched Edina's fellowship program, he envisioned an opportunity for emerging leaders to get immersed in the day-to-day responsibilities of running a city. Having worked in public sector positions for 36 years, he understands the importance of providing opportunities for hands-on learning and increasing job prospects in the profession he loves.

"As I started the second half of my career as a city manager, I really felt that I needed to make sure there were enough people to do this work in the future," Neal said. "I really viewed it as a professional obligation to try to bring new young people into my line of work."

#### Learning the municipal ropes

In Edina, the program is designed to give fellows a deep dive into city operations. They get embedded in various departments to observe directors' roles and responsibilities and how they manage people and projects. Fellows participate in regular staff meetings with directors, attend other internal and external meetings, and tackle wide-ranging projects that are part of Edina's regular cadence

Access the "Strengthening Public Service: Workforce Challenges and Opportunities for Local Government Entities in Minnesota" report at **bit.ly/MN-public-service-report**.



"As I started the second half of my career as a city manager, I really felt that I needed to make sure there were enough people to do this work in the future. I really viewed it as a professional obligation to try to bring new young people into my line of work."

SCOTT NEAL

City manager Edina

of work. That might mean pitching in on the city's budget or analyzing its staffing levels compared to nearby cities. Fellows also interact with local, county, and state elected officials, as well as staff from other neighboring cities.

"I think they get to see the internal workings of a small bureaucracy. In a city like Edina, we have a pretty broad array of city services from police and fire and 911 to outdoor pools and public works and public health," Neal said. "They get exposure to all of that — sometimes more in some areas than others — and they get different experiences that they knit together and take with them. Wherever they go, they will probably encounter something they saw when they were doing their fellowship here."

The fellowship began as a one-year program, but Edina expanded it after eight years. With these in-depth learning and leadership opportunities, Neal aims to prepare fellows to work as city managers, city administrators, or assistant city managers. Most alumni find jobs in the Twin Cities or elsewhere in Minnesota, making it a win-win for the public sector, Neal said. "It helps the profession by contributing to the pool of good candidates for future city administrator positions wherever they are in America."

And it's not just a one-way street. Neal appreciates the opportunity for him and other Edina staffers to learn from young people with innovative ideas and fresh perspectives. "We get a lot out of it at the local level, too," he said. "I learn something from them every day that helps me do my job better."

#### **Ready and willing**

Lindy Crawford, city manager of White Bear Lake, completed Edina's one-year fellowship in 2015 after graduating with undergraduate and graduate degrees in urban and regional studies from Minnesota State University, Mankato. Though she didn't know exactly how she wanted to apply her education, she was interested in following in her grandfather's footsteps as a city manager. Crawford's fellowship confirmed that choice by providing rich experience and insight into that career.

As a fellow, Crawford had the opportunity to focus on an area where she needed more experience, and she picked engineering. She attended weekly staff meetings and got involved in several engineering projects, building her knowledge in this key city function.

Crawford also worked on an employee engagement survey, which has proved

### Fellows Past and Present

A snapshot of those who have served, or are serving as fellows in Edina's program.

**Ari Lenz**, assistant city manager, Edina

Annie Coyle, strategic initiatives manager, League of Minnesota Cities

**Lindy Crawford**, city manager, White Bear Lake

**Devin Massopust**, city manager, New Brighton

Kelly Torkelson, assistant city manager, Mendota Heights

**Chanté Martin**, consulting services specialist/instructor, University of Kansas School of Public Affairs and Administration

**Risi Karim**, assistant city administrator, Northfield

**Casey Casella**, assistant city manager, Hopkins

**Gillian Straub**, management analyst, Issaquah, Washington

Zoe Johnson, current fellow, Edina



"This can be a grueling, 24-7 job. By having a wide variety of experiences that the fellowship can offer, you're going to find out early on whether it's for you. A huge benefit is getting experience early and taking on projects to understand and get a real flavor of what this is like."

LINDY CRAWFORD City manager

White Bear Lake

very useful in her career, and handled all the planning and logistics for council members and staff to attend the National League of Cities annual conference. In addition, she partnered with the assistant city manager on a small area plan, gaining experience in community development and interacting with committee members and resident stakeholders.

When it came time for Crawford to start her career, she felt well prepared. "This can be a grueling, 24-7 job. By having a wide variety of experiences that the fellowship can offer, you're going to find out early on whether it's for you," she said. "A huge benefit is getting experience early and taking on projects to understand and get a real flavor of what this is like."

Crawford hit the ground running after completing her fellowship, landing her first job as Tonka Bay city administrator. She then became city administrator and public utilities general manager in Mora before starting in White Bear Lake in 2021.

Ari Lenz, Edina's first fellow and now its assistant city manager, completed her (continued on page 10) fellowship while earning her master's in public administration from the University of Kansas. Overall, Lenz sought a job that played to her skills as a generalist, problem solver, process improver, and community builder. Completing the Edina fellowship showed her a path.

During her one-year stint, Lenz worked on the city's budget, got steeped in human resources classifying jobs for compensation, and completed community engagement projects, all while engaging meaningfully with department directors. Those experiences proved especially valuable in her first city administrator job in Madison Lake, where Lenz wore many hats. Then she spent eight years in Hopkins as assistant city manager before rejoining the Edina staff in 2024.

Programs like Edina's fellowship get people ready for local government roles, giving them confidence to tackle significant and ever-changing responsibilities, Lenz said. "People need the opportunity to learn, and to learn how to do problem-solving on the spot. We never know the next thing that's going to hit us, and we need to be able to figure that out."



"People need the opportunity to learn, and to learn how to do problem-solving on the spot. We never know the next thing that's going to hit us, and we need to be able to figure that out."

#### ARI LENZ

Assistant city manager Edina

The program also shines by giving fellows ample chances to build a network of local government leaders to call on for counsel, ideas, and support. The Edina fellows stay in close touch with each other and other city leaders, getting together regularly. "Once you leave here, you've got a lifetime guarantee that we'll stay in contact, help each other, and continue to work together," Neal said.

Crawford agrees, stressing how essential it was for her to begin building her network during her fellowship — something she has continued doing. "You don't have to do this work alone," she adds. "When you build your network, you reach out to them often and you're there for each other. It's good work and it's challenging work. It's important that we share knowledge so that we can all be better."

Overall, fellowships give future city leaders the expertise and confidence to make a difference in the public sector, no matter where they establish roots. Through mentorship, hands-on learning, and a window into cities' daily functions, the next generation of leaders can be prepared to take on emerging challenges. "I'm very happy to be part of creating an experience for fellows and building out the workforce of the future," Lenz said. "It's both giving back to the profession and strengthening it." CC

## Shared vision for community success

Scan to see how Deerwood is bringing people together, one updated space at a time.





### In the Arena: Reflections on Public Service and City Leadership

BY JUSTIN MILLER

hen I accepted the presidential gavel at last year's League of Minnesota Cities Annual Conference in Rochester, I focused my remarks on all that we have to be grateful for. As my year as president concludes, my proverbial "bucket" of gratitude is overflowing.

I must begin with how fortunate we are to live and work in a state that values good government. As a member of the International City/County Management Association (ICMA), I often hear from colleagues or read stories about completely dysfunctional governing bodies, unethical leaders, and unruly public meetings. While we certainly face our own challenges, the culture of "Minnesota nice" that threads through our local governing landscape is something that sets us apart — and offers a refreshing example for others across the country.

#### Welcomed across the state

I'm especially grateful for the hospitality our cities show when supporting League projects and initiatives. The absolute highlight of serving on the League's executive committee has been traveling throughout the state to visit communities of all sizes.

In every visit, host cities proudly showcase their community's unique strengths — whether it is a new ice arena, a revitalized downtown, an innovative infrastructure project, or a beloved community gathering. I always returned from these visits with new ideas to consider in my own city, and I hope our visits provided some reassurance that the League is a resource for all cities in Minnesota.

#### **Honoring local leaders**

I am thankful for the elected and appointed officials who step up to serve our cities.

Being an elected official is not for everyone, but our democracy cannot survive without people who are willing to knock on doors, attend meetings, and make the difficult decisions needed to strengthen our communities.

Alongside our elected officials, appointed staff have an equally tough job and work tirelessly every day for residents and businesses. Much of their work goes unnoticed and without fanfare, but it is essential to the success of our cities. Whether you are engaged in legislative advocacy, serving on League policy committees, or simply doing your job in city hall, your work is meaningful and commendable. To borrow from President Teddy Roosevelt, "The credit belongs to the man who is actually in the arena …"

#### The power behind the scenes

The League would not be what it is today without the unparalleled work of League staff. I have had the pleasure of meeting representatives from other leagues across the country, and I can confidently state that our League staff is the best in the country. They are looked upon as leaders within their areas of expertise and play critical roles in nationwide policy arenas. I am amazed at their laserfocused dedication to cities. Getting to know them over the past few years has been something I will forever treasure.

#### **Board service is rewarding**

My fellow Board members — elected and appointed officials from across the state



— have been a joy to serve with. The experience is what you make of it, and without a doubt each of them brought dedication, passion, and insight to the table and are devoted to representing our members.

If you ever have the opportunity to serve on the League Board, or in another volunteer capacity, I encourage you to say yes. The reward is worth the commitment.

#### A special thank-you

Finally, I want to express my deep appreciation to the Lakeville City Council and city staff. Their support of my service with the League — including my year as Board president — has been instrumental. Their encouragement and flexibility made it possible, and I am truly grateful.

A former mayor I worked with had a unique way of introducing himself at public events. Instead of simply saying his name and position, he would start by saying "I am Doug Anderson and I have the privilege of serving as Lakeville mayor." I always thought this was a profound way of honoring the position and letting everyone know how honored he was to represent his city. I, too, have been honored to serve as League president over the past year, and it has been a privilege to work for all of you. CIE

Justin Miller is LMC past president and Lakeville city administrator.

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PHOTO BY MATT WALES

hen Jenny Max joined the League of Minnesota Cities (LMC) Board in 2020, pandemic restrictions meant meetings were held on Zoom. So, when she later joined the executive board the following year, she wasn't entirely sure what to expect.

But Max's energy, curiosity, and commitment to learning quickly made an impression on more experienced leaders, who say she brought a fresh perspective and helped guide the organization through several important issues as she rose through the ranks.

"She was organized, she was well spoken, and she was very smart," said Ron Johnson, former Bemidji city council member and past League president. "She was also very friendly and very approachable — a real team player."

#### Finding a path to public service

Max grew up in California and stayed through college. After marrying a Minnesotan and looking for a change, she traded steaming hot summers for frigid winters. Aside from a brief return to California for a role in Granite Bay, she hasn't looked back — though public service wasn't her original plan. She initially became a certified public accountant to do public accounting until an opportunity with the City of Crosslake shifted her path. That job led to a position with Pequot Lakes Public Schools, before she took the role of city administrator for Nisswa in August of 2017.

In 2020, she joined the LMC Board and moved on to the executive committee the next year — an unusually fast progression.

"I was the administrator in the group of elected officials," Max said. "We really gelled and could share thoughts and ideas."

### **JENNY MAX** League Board Service Amplifies Max's Passion for Local Government

BY ANDREW TELLIJOHN

#### **Tackling city challenges**

Max helped shape the League's agenda by bringing firsthand experience to issues like local sales tax authority and city support for first responders experiencing post-traumatic stress disorder (PTSD) and other mental health challenges.

There's a disconnect in how the process works when someone requests duty disability benefits from the Public Employee's Retirement Association (PERA), Max said. In Nisswa, she explained, the situation was going to create a 20-year financial obligation for the city. "I want to provide whatever benefits and resources law enforcement needs. That's a standard, I think, that everybody wants, but we also need to be at the table and be part of the conversation to understand what decisions are being made at the state level."

In 2023, the Legislature approved a onetime funding allocation to support cities dealing with PTSD-related costs. Discussions on long-term solutions are ongoing.

Max also valued the chance to travel the state to hear from other city officials about the issues they were facing.

"There were so many moments throughout the year that I will look back on with appreciation," she said. "It has been such a great experience being on the League Board. It went by fast, but it was wonderful."

#### Leading through transition

Max also played a key role in the search for a new executive director following the retirement of former LMC Executive Director Dave Unmacht.

Max helped screen the applicants and brought the perspective of city staff to the selection committee, which had more elected officials. "She would point out things that we weren't looking for and she really helped," Johnson said. "That was a big one."

The Board ultimately promoted Luke Fischer from within. He started in May 2023 and credits Max and the Board with helping to make the transition smooth.

"She did a great job of providing a lot of stability in the organization through a transition that could have been complicated," Fischer said. "She did a lot to make the transition smooth and easy."

That's in line with her work in general, said Fischer, who enjoyed the opportunity to travel the state to visit member cities with Max.

"Jenny has been a phenomenal steward of the organization during her time on our Board," Fischer said. "She's a very bright person and a very capable city administrator."

#### Looking ahead

Max says she will always cherish her time on the LMC Board.

"It was a great, great group to be a part of and I'm appreciative of the support they gave me," she said.

She's looking forward to reestablishing a routine with her family and exploring new opportunities for civic engagement.

She also recently made her next professional move — becoming city administrator in Champlin, where she replaced retired administrator Bret Heitkamp. It's the next step for her in a career that has become her passion.

"I had never planned to pursue a career in local government and had never learned much about it in school," she said. "It was generally not on my radar. But not long after I started my first job at the city, I knew this was something I wanted to pursue with intention. I simply fell in love with the work."

Andrew Tellijohn is a freelance writer.



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### THE LEAGUE THANKS **OUTGOING BOARD MEMBERS**

The following members of the League of Minnesota Cities (LMC) Board of Directors recently completed their Board terms. The League thanks them for their service.



**Dan Buchholtz** 

CITY ADMINISTRATOR CITY OF SPRING LAKE PARK METRO CITIES REPRESENTATIVE It has been a real privilege to serve as the Metro Cities representative on the LMC Board.

I've learned a lot from the conversations around the table and gained a better understanding of the wide range of issues cities across Minnesota are facing. The Board does important work advocating for local control and supporting cities of all sizes, and I'm proud to have been a part of that. I've especially appreciated the chance to work alongside such dedicated and thoughtful city leaders. The relationships built and the shared commitment to strengthening our communities made this experience incredibly rewarding.



### **Phil Kern**

CITY ADMINISTRATOR CITY OF DELANO Serving on the Board has been a meaningful experience for me. I've come to truly appreciate

the creativity, strategic thinking, and deep commitment that the League staff brings to supporting Minnesota's cities. No matter a city's size or location, the League shows up with thoughtfulness and purpose. I've seen firsthand how dedicated the team is to helping communities thrive, and that's left a lasting impression on me. I'm grateful for the relationships built, the perspectives gained, and the chance to be part of something that makes a real difference across our state.



#### **Audrev Nelsen** COUNCIL MEMBER

CITY OF WILLMAR I want to thank the League of Minnesota Cities for the opportunity to serve on the Board over the past three

years. I previously served as a representative of the Coalition of Greater Minnesota Cities and have appreciated the League's collaboration with other governmental organizations. The League and the League of Minnesota Cities Insurance Trust provide valuable services to cities across the state and are highly respected by other state leagues nationwide.

As a Willmar City Council member, it has been helpful to learn about cities across Minnesota, the importance of good governance, and the value of being engaged at all levels of government. The League has a strong presence at the State Capital and works on behalf of all cities. League staff are knowledgeable and creative in helping cities address challenges and providing training to strengthen local leadership.

I plan to stay connected with the League and encourage city elected leaders and staff to get involved. Getting to know other city elected leaders, city staff, and League staff has truly been one of the greatest rewards!



### Larry Odebrecht

COUNCIL MEMBER CITY OF STILLWATER Serving on the League Board deepened my appreciation for the policymaking process and

the value of thoughtful governance. I especially valued the League's consis-

control and driving decision-making authority down to the city level. In a time when that principle is too often overlooked, the League's work is essential. I leave grateful for the relationships formed and for the opportunity to represent Stillwater in discussions that shaped legislative priorities and strengthened intergovernmental collaboration across Minnesota.



#### **Clinton Rogers**

**CITY ADMINISTRATOR CITY OF JANESVILLE** It has certainly been an honor and a privilege to serve on the League's Board of Directors. I have

enjoyed working with staff and fellow Board members as the League continues to guide cities across Minnesota. The League has excellent staff with expertise in so many areas of local government and is led by some of the most top-notch public administrators out there.

tent commitment to preserving local

While on the Board, I learned more about what the organization does for all of us, and feel that cities in Minnesota are fortunate to have one of the best Leagues in the U.S. One important takeaway for me has been learning about how closely the League of Minnesota Cities Insurance Trust works with the League itself; their interconnectedness and collaboration benefit all members. I am very proud to have served on the Board. Best of luck to everyone out there! III

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### How Cities Can Gather and Use Public Input in Decision Making

BY JENNIFER EDISON

n recent years, city councils across the state have been evolving their decision-making processes as they face the challenging task of balancing an increase in public expectations with the needs and priorities of the community. As cities grow, residents demand improved services, infrastructure, and transparency. Often times, competing interests make it essential for city councils to manage these expectations while making sure that community needs are met.

Public involvement can often feel like a double-edged sword, bringing both positive benefits and potential drawbacks. With the right tools, city councils can use public engagement to positively impact improvement projects while also addressing challenges that arise.

### Clear communication and transparency

Effective communication of goals, priorities, and the reasoning behind decisions enhances understanding and engagement with city council actions. This could include regular updates through newsletters, social media, and public meetings. Keeping residents informed about ongoing projects, budget allocations, and upcoming initiatives helps them stay engaged and aware of the council's activities and budget constraints. Additionally, explaining the reasons for prioritizing certain projects over others helps the public understand the complexities of project planning. This transparency fosters greater support for council decisions.

#### **Inclusive engagement processes**

Inclusive engagement guarantees diverse voices are heard and considered in the decision-making process. Consider the following options during the engagement process:

- Town hall meetings. These meetings allow residents to voice their opinions, ask questions, and engage directly with council members, fostering a sense of community and allowing the council to be responsive to public concerns.
- Surveys. Conducting surveys enables the council to gather community input to help inform decision making and prioritize projects that reflect community needs and preferences.
- Focus groups. Organizing focus groups from different community segments provides insights into specific issues.
- Performance metrics. Using performance metrics to evaluate the impact of decisions and policies. By tracking key indicators and outcomes, the council identifies successful initiatives and assesses effectiveness.
- Feedback platforms. Implementing platforms for residents to provide feedback, such as an online portal or public comment period, highlights areas for improvement and helps the council address concerns.

#### Setting realistic expectations

Educating the public about the city council's limitations and challenges helps set realistic community expectations. Public workshops allow for conversations about project complexities, helping residents understand constraints and tradeoffs. Detailed budget reports provide transparency, making residents aware of financial realities and the rationale behind decisions.

#### **Prioritizing core needs**

Identifying the core needs of the community prioritizes essential services and infrastructure. Capital improvement plans often highlight these core projects and outline long-term funding strategies. Developing these plans addresses both immediate needs and future growth, ensuring community sustainability. Regularly reviewing and updating these plans helps reflect changing circumstances and priorities.

#### **Collaborative decision making**

Collaborative decision making involves engaging various stakeholders to find common ground and gain support for projects that benefit the entire community. This approach is particularly important for projects that directly impact access or property adjacent to residential neighborhoods or business districts. One effective strategy is to develop a committee of residents, business owners, and community leaders to provide ongoing input and recommendations. Involving stakeholders in the planning process gives them a sense of ownership and helps educate the complexities of construction.

#### **Continuous improvement**

While public opinion is important, it must be balanced with expert advice and evidence-based practices. Engaging the public early and frequently is critical for identifying key stakeholders. When soliciting public feedback, it is essential to genuinely consider it. However, there will be instances where feedback cannot be implemented due to technical guidelines or best practices. Fostering a process that allows the public to feel engaged should always be seen as a positive aspect of decision making. CCE

Jennifer Edison is a senior project manager at WSB (**wsbeng.com**). WSB is a member of the League's Business Leadership Council (**Imc.org/sponsors**).

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### Fire Protection Districts Offer Cities Another Option for Shared Emergency Services

BY TODD HAGEN AND JEANNE VOGT

Providing fire and emergency services is a core responsibility for Minnesota cities, but doing so affordably is an ongoing challenge.

The costs of delivering fire protection and emergency medical services (EMS) continue to rise — whether for equipment, facilities, daily operations, or personnel. At the same time, cities are struggling to consistently staff these critical departments.

To meet these demands, many communities are turning to partnerships with their neighbors through contracts, shared service models, or joint powers agreements (JPAs). These partnerships offer efficiencies of scale and help spread fixed costs across a larger tax base. However, they can also introduce complications and reduce local control.

### A new tool: Fire protection districts

In 2021, Minnesota Statutes, section 144F.01 was amended to give political subdivisions the authority to establish fire protection districts (FPDs), building on existing statutory authority for EMS districts. Fire districts can levy property taxes directly, offering a new level of financial sustainability.

Two or more political subdivisions — cities, townships, or counties — can form an FPD through resolutions passed by their governing bodies. A city may also join an existing fire district using the same process. Notably, FPDs are not required to be geographically contiguous.

Before a fire protection district is formed, the member jurisdictions must adopt an agreement outlining how assets and liabilities, excluding general obligation debt, will be divided if the district is dissolved. Like a joint powers agreement, this agreement may also define how the FPD's levy is distributed among the participating political subdivisions. If not specified, the default method is to spread the levy based on the tax capacity of each jurisdiction's taxable property. Under a traditional joint powers agreement, there is typically a formulaic approach to assessing costs to members, which can include metrics such as number of service calls, population, and other measures based on the unique circumstances of the service area.

### Governing structure and representation

Fire protection districts are governed by a board composed of elected officials from each participating jurisdiction. Each member is appointed by their local governing body. The proportionality of board representation is established in the founding resolution and can be changed later through an amendment to the district's charter or bylaws. Members should check with their insurer to see if the member is covered by their existing coverage or if additional coverage is needed by the fire protection district.

### Financial and administrative benefits

Fire protection districts can offer several financial and operational advantages compared to traditional shared-service models. Those benefits include:

General taxing authority. When used prudently, this funding method provides the most durable source of revenue for a governmental jurisdiction. There is some risk with respect to unpaid property taxes, which would otherwise be absorbed by member jurisdictions under the joint powers agreement or shared services models.

General obligation borrowing authority. Under a joint powers agreement, member jurisdictions may independently issue bonds or obligations. Often, the largest jurisdiction issues debt, and the remaining members contribute toward repayment. This model can present some burdens on the largest entities and introduce budget complications for members contributing to debt service payments. A fire protection district can issue debt directly with its own general obligation pledge. Even if a member withdraws or the district dissolves, all participating jurisdictions remain responsible for property tax levies tied to outstanding debt. Borrowing by an FPD does not require a referendum or the consent of member governments, although each FPD board member is expected to act in the best interests of their jurisdiction.

**Centralized administration**. The administrative responsibilities of a joint powers agreement are typically spread unevenly, most often being absorbed by the largest jurisdiction's staff. Fire protection districts provide centralized leadership, finance, and operations. This can improve organizational efficiency and support more sustainable staffing models.

#### Considerations and timeline for formation

Creating a fire protection district requires careful planning, outreach, and a shared commitment among participating jurisdictions. Expect the process to span several months or more. Local governments must be aligned on goals, responsibilities, and the workload required to move the concept forward.

A key deadline to keep in mind is July 1, which is when a newly established district must be organized and certify its levy to the county auditor for taxes payable the following year. Any timeline for FPD formation should work backward from this date.

#### No one-size-fits-all model

Fire protection and EMS districts are not the right solution for every community. Some cities will find success through other means. What matters most is that local governments carefully assess all options and choose the path that allows for the most effective and efficient delivery of critical services, while adapting to the changing landscape of public safety and fiscal responsibility. CC

Todd Hagen is a senior municipal advisor and Jeanne Vogt is a senior fiscal consultant with Ehlers (**ehlers-inc.com**). Ehlers is a member of the League's Business Leadership Council (**Imc.org/sponsors**).

### **Comprehensive Plan Helps Le Sueur Transform, Update Downtown**

#### BY HEATHER RULE

n the 1960s, Le Sueur vacated one block of Main Street in its downtown area to create a pedestrian mall closed to vehicle traffic. Thirty years later, it wasn't benefiting the community the way it once did. In the 1990s, the city developed a plan to reconnect the north and south portions of downtown to help alleviate the issues.

But the expensive project was put on hold until a revamp of Le Sueur's comprehensive plan in 2017.

"The focus of that was generally on connectedness," said Joe Roby, Le Sueur city administrator. "That was the theme. That our downtown is not connected."

Le Sueur needed to reopen Main Street to vehicle traffic, reestablish a right of way, focus on walkability and bikeability, and reconnect the downtown area.

#### A maior overhaul

The project was essentially a complete demolition and reconstruction of one city block. The city also added visually appealing streetscaping with historic elements, including a large painted river running across Main Street.

Construction included a new street surface, sidewalks, gardens,

and a large patio on the east side of the street. The renovated area officially opened in late 2021.

"The businesses on both the west and east side are thriving," Roby said. "I've seen increased activity, and it's really reestablished this holistic view of downtown.

"It's very much alive. The community loves it. It's done a lot for the establishment of local businesses, bringing new jobs into downtown, and creating a downtown that the community itself can really be proud of, which for a long time it was not. It was an eyesore. It was a really economically challenged area, and it has this life to it now, which is awesome."

#### A costly but impactful investment

The entire project cost north of \$3 million — "which is a lot of money for one block," Roby acknowledged. But that total included acquiring the right of way, demolishing part of the mall, reconstructing Main Street, adding special treatments and streetscapes, and assisting with the mall facade.

Le Sueur's Main Street revitalization project included a complete demolition and reconstruction of one

PHOTO COURTESY CITY OF LE SUEUR

city block. In addition to reopening the street to vehicle traffic, the upgrades included visually appealing streetscaping with historic elements.

For context, the estimated cost of the project when the city considered it in the mid-1990s was more than \$2 million.

Since the transformation was completed, the feedback has been very positive.

#### **Spurring business and beautification**

Downtown businesses along this stretch of street saw significantly improved visibility. The project also added more access to parking for these businesses. As the street received a facelift, many businesses followed suit, making improvements to their own properties, such as updating facades.

The project has "really been a tool to beautify the rest of downtown and has spurred improvements along the downtown corridor," Roby said.

The area — one block between Bridge and Ferry streets — is informally known as "Festival Street." The community appreciates how the space can now be used for outdoor gatherings, events, festivals, and parades.





### **Focus on Small Cities**

#### The power of an active comprehensive plan

Every city is different, but for a project like this, Roby said having an up-to-date comprehensive plan made all the difference for Le Sueur. The plan considered the entire community, what it should look like, and where it was headed. Keeping that plan at the forefront with the City Council, school district, and local businesses is important, he added.

A comprehensive plan that calls for a robust, healthy downtown fits well with efforts like the Main Street revitalization. It can lay the groundwork for future projects.

And the plan gets shelved."

"None of that would be possible without an updated

comprehensive plan, and keeping that comprehensive plan

in front of the community as often as possible," Roby said.

guilty of having a great idea, getting a master plan done or a design document down, and saying, 'OK, all we need to do

now is fundraise,' or 'all we need to do now is take this next

big leap of faith, find some funding and make this happen.'



The revitalized area is informally known as "Festival Street," and is used for outdoor gatherings, events, festivals, and parades.

#### From vision to action

Roby encourages other cities not to be afraid to take those plans off the shelf and keep them top-of-mind with city officials, business owners, and civic leaders. The plans provide a strong "I think a lot of communities, Le Sueur included, we can be foundation for projects like the one completed on Main Street.

"Because our comprehensive plan is our guide to how we want our community to be holistically 15, 20, 30 years from now," Roby said. "Without that, a project like this would be that much harder to do, or to justify."

Heather Rule is a freelance writer.



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### **Prepping City Website Content for New Federal Accessibility Rule**

BY JOSIE ROSENE

he Americans with Disabilities Act (ADA) is a federal civil rights law that prohibits discrimination based on disability. Title II of the ADA protects the rights of individuals with disabilities in accessing local government services. Under the law, city websites and mobile apps are considered part of those services.

The start date for compliance with the federal government's 2024 rule change to the ADA depends on your city's population. After the rule's start dates, your city's web content and mobile apps must comply with Web Content Accessibility Guidelines (WCAG) 2.1, Levels A and AA standards.

- ► For cities with a population of 50,000 or more, the compliance deadline is April 24, 2026.
- ▶ For cities with a population of to 49,999 and special district governments, the compliance deadline is April 26, 2027.

So, does everything on city websites and mobile applications need to comply? In short, no. Cities can start by understanding what content they have, prioritizing the content that must comply, reviewing what may need to comply, and developing a plan to start implementing accessibility standards.

#### Start with an inventory

Creating an inventory can help cities identify what content and digital tools may fall under the new requirements. For example, cities can create an inventory that tracks:

- City website(s), including:
  - Number of webpages.
  - Types of web content (PDFs, Word files, videos, audio, images).
  - Who can post on the website, including members of the public.
- Social media and video platforms used, and types of content posted on these platforms.
- Other places where city content appears online.

- Mobile apps used by the city — whether in-house or vendor-operated.
- Content hosted or provided by thirdparty vendors.
   Minnesota IT

Services (MNIT) has an Accessibility Inventory Workbook to

help cities gather data,

identify questions, and document plans for future changes. For more information, see the MNIT accessibility toolkit website at

bit.ly/MNIT-accessibility-toolkit.

#### What content is exempt?

What content does not need to comply with the WCAG 2.1 AA standards?

The ADA Title II rule provides limited compliance exceptions for certain online content. Very broadly, the exceptions include:

- Archived web content.
- Preexisting conventional electronic documents.
- Password-protected content.
- Content posted by a third party.
- Preexisting social media posts. Cities can find more details and criteria about the exceptions, inclu

criteria about the exceptions, including helpful examples, on the U.S. Department of Justice's (DOJ) website at **bit.ly/ADA-rule-change\_2024**. Cities are encouraged to consult with their vendors and city attorneys to determine whether content must comply.

### Develop a plan to fix accessibility issues

Once a content inventory is complete, cities can plan how to address accessibility gaps to comply with the WCAG 2.1 AA standards. Not all issues can be fixed at once, so it is important to prioritize what to fix now and what can be fixed over time.

#### League Support

For training resources and guidance on complying with WCAG 2.1 AA standards, visit the League's accessibility webpage for cities at **Imc.org/accessibilitysteps**.

Cities should consider giving priority to content that:

- Enables people to perform key tasks such as applying for jobs, registering for programs, submitting forms, paying bills, or making purchases.
- Is frequently accessed or necessary for accessing essential government programs and services.
- Has been flagged as inaccessible by individuals with disabilities.
- Appears across multiple web pages, like navigation menus, search features, and footers.
- Is based on a template fixing the template helps ensure broader compliance.

The DOJ provides guidance on how to prioritize content at **bit.ly/DOJ-prioritizing-content**. Additionally, the World Wide Web Consortium (W3C) outlines additional prioritization strategies at **bit. ly/w3-prioritizing-accessibility**.

#### Train staff, work with vendors

Some fixes may need to be handled by third-party vendors. Others can be addressed by trained city staff who understand basic web accessibility principles and how to make repairs. Once fixes have been made, they should be checked again to ensure accessibility issues were adequately addressed. CC

Josie Rosene is a staff attorney at the League of Minnesota Cities. Contact: jrosene@lmc.org or (651) 281-1205.

### **Court Finds Arguable Probable Cause Must Be Based on Entire Situation, Not Isolated Behaviors**

CRIMINAL LAW

#### **Probable cause**

Galanakis v. City of Newton Iowa, No. 24-1275 (8th Cir. April 17, 2025)

**The facts:** Officers stopped a driver, Tayvin Galanakis, for driving with high beams on. This was purportedly the only reason for the stop as there was no indication of any erratic movement. During the stop, officers noted

Galanakis was chewing gum and had air fresheners hanging from the rearview mirror. They conducted field sobriety tests, during which Galanakis took too many steps on the walk-and-turn portion and did not follow some of the officer's instructions, such as counting out loud during the one-leg stand test. However, he otherwise performed the tests without issue. The driver asked to take a breathalyzer, which ultimately showed no trace of alcohol. The officer then read Galanakis his Miranda rights and asked if he would submit to a drug test at the station. Galanakis agreed at first but then requested to go home, at which point he was arrested. A drug test eventually showed no evidence of drug use.

The type of case: Galanakis sued the officers for a federal claim for arrest without probable cause. The officers claimed they were entitled to qualified immunity. The district court denied their motions for qualified immunity.

When determining probable cause to arrest an individual, **law enforcement must look at the entire situation. Specific actions may not support probable cause for an arrest when outweighed by other facts**.

The issues: The Fourth Amendment includes the right to be free from arrest without probable cause. To determine whether probable cause exists, courts look at the events leading to the arrest and whether the historical facts, viewed from the standpoint of an objectively reasonable police officer amount to probable cause. Even if an actual probable cause is lacking, officers may be

shielded if they had "arguable probable cause." Arguable probable cause exists when an officer mistakenly arrests a suspect believing the arrest is based in probable cause if the mistake is objectively reasonable. On appeal, the officers claimed they were entitled to immunity because they had arguable probable cause to arrest Galanakis.

**The court's ruling:** The Eighth Circuit Court found that arguable probable cause must be based on the totality of circumstances, not isolated behaviors or a "divide-and-conquer" approach to the facts. The defendants argued that some of Galanakis' actions and statements during the stop would lead an objectively reasonable officer to suspect intoxication. The court, however, looked at the entire interaction and determined that no objectively reasonable officer could have concluded there was a substantial chance Galanakis was intoxicated.

What this means for cities: When determining probable cause to arrest an individual, law enforcement must look at the entire situation. Specific actions may not support probable cause for an arrest when outweighed by other facts.

#### SECTION 1983

#### **First Amendment**

*Sorcan v. Rock Ridge School District*, 131 F.4th 646 (8th Cir. 2025) **The facts:** The Rock Ridge School District scheduled a closed session to discuss the censure of Pollyann Sorcan, a long-



time board member, for failing to follow district policies related to rules of order, data privacy laws, and for refusing to work with the negotiation committee on a contract. Sorcan also under-

mined the district's mission on social media, and more. At her request, the issue was discussed in an open session of the board. A censure resolution was adopted, removing Sorcan from all committee assignments. The censure was formally lifted 18 months later.

The type of case: Sorcan filed a 42 U.S.C. Section 1983 action against the district and the board chair in his official capacity, alleging First Amendment retaliation and a violation of her First Amendment rights. She sought nominal damages, attorneys' fees, injunctive relief to formally rescind the censure, and reinstatement to committees. The district court dismissed the claims. Cities should be wary when taking actions against fellow council members exercising free speech. **City council members retain their First Amendment rights, even if they make comments that reflect poorly on the city**. The issues: The district court found Sorcan's claim against the chair was barred by legislative immunity, which protects local officials sued in their individual capacities for legislative acts. However, officials sued in their official capacities are not entitled to the same immunity.

The district court also determined that Sorcan failed to state a claim because she had not identified a persistent policy or prac-

tice of unconstitutional misconduct by the district. Under *Monell v. Department of Social Services*, 436 U.S. 658 (1978), Section 1983 liability may only be attached if the violations resulted from:

- An official government policy.
- An unofficial custom.
- A deliberately indifferent failure to train or supervise. The district court ruled that a single censure action did not meet this standard.

### From the Bench | Legal Ease

**The court's ruling:** The Eighth Circuit Court of Appeals ruled that the chair was not entitled to legislative immunity, as the suit was effectively against the district itself, which is not immune.

The Court also ruled that a single decision by authorized policymakers could constitute official government policy regardless of whether the body had taken similar action in the past or intended to do so in the future. Sorcan's allegation that the district had an unwritten policy of retaliating against individuals for their protected speech met the threshold under *Monell*.

The case was remanded back to the district court for further proceedings.

What this means for cities: Cities should be wary when taking actions against fellow council members exercising free speech. City council members retain their First Amendment rights, even if they make comments that reflect poorly on the city.

#### LAND USE

#### **Conditional use permit**

In the Matter of the Application of Dairy Ridge, LLC, for a Conditional Use Permit (A24-0640)(MN App, March 32, 2025) (Nonprecedential)

The facts: Dairy Ridge applied to Todd County for a conditional use permit (CUP) to expand its existing feedlot. The Minnesota Department of Natural Resources (DNR) submit-(continued on page 26)

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ted concerns with groundwater sustainability if the CUP was granted, and the Todd County Planning Commission received a report citing five instances of well interference to neighboring properties, with more well interference expected. While the planning commission recommended approval of the CUP with several conditions including securing DNR water withdrawal permits — the county board denied the CUP for the following reasons:

- Lack of sufficient DNR data that is needed to make an informed decision about water quantity protections.
- Insufficient availability of groundwater to supply the increased need.
- Inadequate information related to groundwater.
- Concerns for the health, safety, and welfare of county residents.

When making land use decisions, cities must make a complete record documenting the reasons for their decisions. The type of case: Dairy Ridge challenged the denial arguing the decision was arbitrary, capricious, and unreasonable, claiming that the board's decision lacked a factual basis. Dairy Ridge also claimed that all conditions of the county's zoning ordinance had been met.

The issues: When reviewing a CUP denial, courts

assess whether the reasons given by the board are legally

sufficient. If the reasons are legally sufficient, the court looks at whether they are supported by evidence in the record. The party challenging the decision must prove that the reasons were legally insufficient or not supported by the record.

**The court's ruling:** The Minnesota Court of Appeals upheld the



denial, concluding that the board lacked definitive information on the groundwater impacts and could not responsibly impose conditions to satisfy the CUP criteria outlined in the zoning ordinance. The court noted testimony from both the DNR and neighbors showing a lack of clarity as to whether the increased operation would adversely affect groundwater. Therefore, the court upheld the county's decision.

What this means for cities: When making land use decisions, cities must make a complete record documenting the reasons for their decisions. This is a good reminder that zoning decisions need to be based on facts and the importance of having expert testimony in the record. CC

Written by Kyle Hartnett, assistant research manager with the League of Minnesota Cities. Contact: khartnett@Imc.org or (651) 215-4084.





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### $\mathsf{Ask}\,\mathsf{LMC}\,|\,\textbf{Up for Discussion}$

### How Can Small Cities Establish an Effective Safety Committee?

**Safety Committees** 



### How can small cities establish an effective safety committee with limited staff and resources?

**LMC** The Minnesota Occupational Safety and Health Administration (MNOSHA) requires cities and public employers with 25 or more employees to establish and operate a safety committee — and yes, volunteer firefighters count toward that number. Even for cities with fewer employees where a committee isn't required, it's still a best practice to promote a strong culture of safety.

But smaller cities often face unique challenges when it comes to safety committees, such as:

- Limited staffing and availability.
- Time constraints across multiple roles.
- Lack of dedicated safety personnel.

So, how can your city still make this work? Here are a few practical steps:

- Start small: Begin with a basic structure. Recruit a few engaged employees and integrate safety topics into existing meetings (e.g., department or leadership meetings) to save time.
- Leverage available resources: Invite your local League of Minnesota Cities Insurance Trust loss control consultant to assist with launching or supporting your committee. They can offer tools tailored to your operations like job hazard analyses (JHA), safety meeting topics, training resources, and facility walkthroughs.
- Focus on documentation: Keep clear records of meeting dates, attendance, topics discussed, and action items. Highlight both successes and areas for improvement. Tracking your committee's progress over time shows accountability and commitment to creating a safer workplace.

While starting a safety committee in a small city can seem daunting, even modest efforts go a long way.

Answered by Loss Control Consultant Garrett Johnson: gjohnson@lmc.org.

#### **Generative AI Use**

### How are city human resources (HR) professionals using generative artificial intelligence (AI)?

**LMC** Shelly Anderson, South St. Paul's assistant city administrator/HR director, shared how she incorporates AI to more efficiently update template forms, policies, and job descriptions. Shelly is quick to note that she would never use an AI generated draft as a final work product.

Greg Van Wormer, LMC's technology services director, reminds us of three crucial principles when using AI:

- No private data should ever be used. Ensure compliance with the Minnesota Government Data Practices Act and limit the use of personally identifiable information by keeping private data out of your queries.
- Facts need to be verified. AI can make up answers, so always verify its responses are accurate.

• Inclusion in AI remains a challenge. Generative AI can unintentionally perpetuate or amplify bias in HR work or employee communications. Data sets used by AI may not be gathered from diverse sources, so be thoughtful of where you may be missing key perspectives.

The takeaway: While generative AI can help streamline our work, it's not a replacement for human judgment. Cities will want to establish clear policies for use, provide training, and regularly review AI outputs to understand both the capabilities and risks in using AI.

Answered by LMC Assistant HR Director Joyce Hottinger: jhottinger@lmc.org.

#### Utilities



### What should cities know about new laws governing utilities in landlord-tenant situations?

**LMC** Earlier this year, the Minnesota Public Utilities Commission (PUC) notified cities of new laws effective Jan. 1, 2025, that may change city billing, equipment maintenance, accounting and record keeping practices, and the language used in leases and tenant communications.

Minnesota Statutes, sections 216B.022, 216B.023, 216B.024, and 504B.216 apply to municipal utilities and govern natural gas, electricity, water, and sewer utilities. Broadly, they govern submetering in shared-metered residential buildings, which involves installing individual meters to measure utility usage instead of relying on shared meters and estimates.

Here's what cities should know about these new laws:

- Landlords must be the bill payer and customer of record.
- Landlords cannot remove tenants from their existing utility account or request that a city do so.
- Landlords cannot disconnect tenants' utility service for failure to pay. Municipal utilities can still disconnect service to a landlord's building as provided in law.
- Municipal utilities must inform tenants of service disconnection by posting in the building. The notice must include specific information.
- Tenants have various rights and remedies when service is disconnected, including paying current charges to have service retained or restored.
- Cities are not required to alter their accounting system or billing records.
- Municipal utility providers can still exercise their authority under Minnesota Statutes, section 444.075, subdivisions 3 and 3e, to certify unpaid charges.

While some provisions in these new laws may not directly affect cities, cities should become familiar with them.

For more information, see the LMC information memo at **lmc.org/utility-charges**. CC

Answered by Staff Attorney Josie Rosene: jrosene@lmc.org.

### **Prepared but Forever Changed: How Burnsville Communicated Through Crisis**

BY PAUL G. OMODT, IN COLLABORATION WITH BURNSVILLE CITY STAFF AND THE BURNSVILLE POLICE AND FIRE DEPARTMENTS

n Feb. 18, 2024, a tragedy forever changed the Burnsville community.

Police officers and firefighter/paramedics responded to a domestic disturbance involving a woman who reported her boyfriend had committed a serious offense. Seven children, ranging in age from five to 15, were also in the home.

When officers entered the residence and attempted to arrest the suspect, he refused to surrender or release the children. Over the next three hours, officers negotiated for a peaceful resolution. Without warning, the suspect opened fire on officers. In the ensuing gunfire, which lasted more than 13 minutes, multiple officers were struck.

Despite life-threatening conditions, officers and firefighter/ paramedics evacuated their wounded partners to safety. Two officers — Matthew Ruge and Paul Elmstrand — and one firefighter/paramedic, Adam Finseth, were killed in the line of duty. Their heroic actions saved lives and safeguarded the children.

Burnsville's public safety teams showed unwavering courage and dedication to the safety of others and serve as an inspiring example of all law enforcement officers, firefighter/paramedics, and the community at large.

### What steps had the city taken to prepare for a crisis situation like this?

Burnsville began formalizing crisis response protocols in 2020, developing its first crisis communications plan and offering city-wide training. In 2023, city leaders created a cross-functional public safety, leadership, and operational resiliency team to promote and build response systems across city operations.

In fall 2023, the crisis communication plan was updated, and the city conducted Emergency Operations Center trainings and tabletop exercises through early 2024. While no amount of planning could fully prepare the city for a tragedy of this magnitude, Burnsville had intentionally cultivated a culture of preparedness and resilience.

#### What immediate steps were taken to communicate?

As the situation rapidly unfolded early Sunday morning, Feb. 18, Burnsville's Emergency Operations Center was quickly activated. The city's communications director and leadership ensured two-way communication channels were established to reach primary audiences.

Using a proximal communications strategy, the city prioritized messaging based on closeness to the tragedy: first the heroes' families, then police and fire teams, city staff and elected officials, Burnsville residents, the broader community, and finally, the general public. Timeliness was important, but priority was set for communicating clear, known facts, and avoiding speculation. Burnsville used multiple platforms to share information: a press conference was held within hours of the incident, followed by another a few days later. Press releases and social media were updated regularly. The city sent direct messages to community partners for distribution and deployed engagement teams to affected neighborhoods to deliver the messages in person.

All communications pointed to a dedicated page on the city's website that had been established to provide timely, factual updates.

#### What were your primary communication strategies?

A central element of Burnsville's crisis communication plan is the concept of proximal communication, which is prioritizing messaging based on how close the audience is to the crisis. This ensures the most affected individuals receive the most direct and personal communication possible. It also helps prevent key audiences from learning important news secondhand, reinforcing trust during highly emotional and evolving situations.

Another key strategy was releasing facts quickly to counter misinformation. In the initial hours, communicators observed false information circulating on social media and in media reports. Once facts were confirmed, they were disseminated promptly through official channels to reestablish accuracy.

Several communicators from neighboring cities called in to offer their assistance. Within hours, Burnsville established a Federal Emergency Management Agency (FEMA)-style Joint Information Center to begin coordinating assisting staff and delegate duties.

#### What were some of your biggest challenges?

In the first 72 hours, Burnsville received hundreds of media inquiries and messages from thousands of concerned residents offering help. Managing this volume of contacts was daunting — but met with incredible support from dozens of communications professionals from other communities who stepped in to assist.

At the same time, city leaders and staff were processing their own grief. City Manager Gregg Lindberg and his team worked to ensure elected officials, department leaders, city staff, and communicators remained connected and supported through every step of the response by balancing outward-facing responsibilities with internal needs.

### How did you manage the enormous communication challenge?

Burnsville's staff had prepared for years to manage a crisis, and staff were equipped to respond. However, the loss of three colleagues to violence was unimaginable and deeply personal. City leadership quickly prioritized care for staff alongside crisis management.

Dozens of volunteer communicators from across Minnesota were critical to the effort. A communications leadership team, informally named the "J-Team" (after the first letter of each member's name), was established to maintain continuity. They ensured that even when Burnsville's core team needed rest or support, communication did not pause and decisions could still be made with confidence.

Public safety mutual aid from other cities also played a key role. With Burnsville's police and fire departments stood down for two weeks to grieve and regroup, mutual aid agencies filled the gap to maintain community safety and allow local responders space to heal.

Finally, the planning of funerals and memorial services for the fallen heroes would not have been possible without the Minnesota Law Enforcement Memorial Association and the Minnesota Fire Service Foundation. These organizations coordinated hundreds of public safety personnel to manage every detail, allowing Burnsville's team and the families of the fallen to focus on honoring and mourning their loved ones.

#### How did you honor the heroes?

From the earliest moments, honoring Burnsville's fallen heroes — Officer Matthew Ruge, Officer Paul Elmstrand, and Firefighter/Paramedic Adam Finseth — was a top priority for city leaders and communicators. The overwhelming grief and shock in the community demanded a respectful and meaningful response.

In the initial hours after the incident, it became clear that a public vigil was needed to allow city staff, residents, and community members to grieve and reflect together. Flags at City Hall and other municipal buildings were lowered to half-staff and quickly became organic gathering sites for mourners. At the City Hall–Police Department building entrance, a dedicated memorial was created.

Police officers wore thin blue line mourning bands, and firefighter/paramedics wore black mourning bands on their badges for a designated period following the tragedy. These gestures were both symbolic and deeply personal, representing solidarity and shared grief within the departments.

National recognition followed in May 2025. Burnsville Firefighter/Paramedic Finseth was honored during the National Fallen Firefighter Memorial held May 3–4 in Emmitsburg, Maryland. Burnsville Officers Ruge and Elmstrand were honored during National Police Week in Washington, D.C., May 11–17. These events paid tribute to their service and sacrifice on a national stage, ensuring their memories will extend beyond Burnsville.

#### How did media and social media come into play?

The media were critical in getting the city's messages out in a timely fashion and communicators found local media to be — for the most part — strong partners in delivering messages. Years of cultivating and establishing relationships with local news organizations and reporters proved crucial when Burnsville needed corrections, follow-up stories, and patience for accurate information. Despite the feeling of being crushed by the sheer volume of media requests, the communication team

found the media to be respectful and understanding of the situation.

The media's role extended beyond traditional reporting. City staff used press releases, media statements, and live events to ensure accurate information was distributed quickly. Press From the earliest moments, honoring Burnsville's fallen heroes — Officer Matthew Ruge, Officer Paul Elmstrand, and Firefighter/Paramedic Adam Finseth — was a top priority for city leaders and communicators.

conferences were carefully organized — with speakers chosen intentionally, talking points clearly outlined, and time limits respected. Speakers were also encouraged to speak authentically, recognizing that emotional transparency would help connect with the public in a time of profound loss.

Social media was a double-edged sword. It enabled the city to reach residents quickly with timely updates but also required constant monitoring to address misinformation, disinformation, and inappropriate comments. Volunteers in the Joint Information Center played a key role in tracking social media mentions and helping ensure consistency and accuracy in the city's messaging. Despite the challenges, Burnsville's communications team maintained a steady and respectful presence, using social media to build trust and inform the public while avoiding distractions from harmful noise.

### What communication lessons did you learn from this situation?

Burnsville had long emphasized the importance of mental health, embedding support services into daily operations and creating a culture where "it's OK to not be OK." That foundation proved invaluable in the aftermath of the tragedy. Emergency Operations Center staff regularly checked in on one another. Quiet spaces were available for breaks, and healthy snacks were on hand to help sustain those working long hours. Walking breaks and moments of reflection were encouraged, and support resources were clearly communicated. These small acts built resilience and compassion during the city's most trying moments.

One major lesson was the importance of redundancy in municipal operations. The city learned that being "two or three deep" in key roles is essential. Staff needed breaks, and people had to step away. Cross training and succession planning meant that operations didn't pause when individuals needed rest. In Burnsville's case, those backups didn't always come from within the city — they often came from neighboring cities or regional partners who stepped in to help.

Other practical lessons emerged. Up-to-date emergency contact forms and clearly documented protocols made a difference. Above all, city staff were reminded that they were not alone. Talented, compassionate people from across Minnesota stepped forward in Burnsville's darkest hour — proving that partnership and humanity are the backbone of effective crisis communication and community healing.

Paul G. Omodt supports the City of Burnsville's communications efforts.

### Willmar Rail Project Clears Tracks for Growth, Reduces Downtown Congestion

BY DEBORAH LYNN BLUMBERG

or years, Willmar residents sat in traffic waiting for freight trains to roll through town. Some mornings, as many as 10 rumbled into downtown, often stopping for long stretches at the city's rail yard along the edge of a busy residential and business district — delaying commuters on their way to work. At night, train horns roused residents from their sleep.

With so many crossings, the trains also posed a safety concern for the community. City officials knew they needed to address quality-of-life concerns and

rethink how local rail lines operated. A rail redevelopment plan aimed at making transport through Willmar more efficient also held the promise of attracting new industry. After years of lobbying for funding in Washington D.C., Willmar and its public and private partners, launched in 2019 an ambitious rail redevelopment project involving public-private partnerships and millions in federal funding.

### Connecting rail subdivisions, diverting traffic

The Willmar Rail Connector and Industrial Park Access Project rerouted most freight trains away from the city's downtown by building a direct connection between two Burlington Northern Santa Fe Railway (BNSF) rail network subdivisions that pass-through Willmar — the Marshall and Morris subdivisions. The initiative also provided freight rail access to Willmar's Industrial Park and modified surrounding roadways to better support freight movement.



The massive project was led by a collaboration between the Minnesota Department of Transportation (MnDOT), BNSF, Willmar, Kandiyohi County, and the Kandiyohi County and Willmar economic development commissions. Six years later, efforts have not only alleviated some of the train traffic in Willmar, but have also started to attract private industry, opening opportunities in the city for economic growth.

"A railroad is a big business, and we were very pleased with the partnerships that we had," said Willmar Mayor Doug Reese. "It was a cooperative effort. Everybody was in on it to boost the surrounding communities and the economy."

### Building momentum in Washington D.C.

In the early 2000s, Willmar city officials had set their sights on expanding the industrial park in an effort to promote economic diversity. A first step would be to relocate the city's small airport to

PHOTO BY DAVE HILLENBRAND, CITY OF WILLMAN

open access to the area — but moving an airport was no small feat. It would require millions in funding.

Officials from Willmar and Kandiyohi County, representatives from the nonprofit Hwy 23 Coalition, and local business leaders began traveling to Washington, D.C., every year for several years to seek federal funding. Their persistence paid off. The city secured funding to commit \$23.5 million in 2006 to the new Willmar Municipal Airport and another \$62 million in 2010 to relocate its wastewater treatment plant in part to serve the industrial park.

Meanwhile, officials from Willmar, Kandiyohi County, and BNSF had long discussed building a rail line that would bypass Willmar. The existing rail setup forced north-south-moving freight traffic to stop in the city's railyard, where locomotives had to disconnect and switch tracks — a process that was time-consuming, noisy, and contributed to emissions.

### Ideas in Action

At the same time, frequent train congestion and delays at the Willmar choke point — especially for grain trains — was hurting farmers' ability to respond to market fluctuations and impacting their profit margins.

### Vision and collaboration lead to investment

Kandiyohi County Engineer Mel Odens, who was involved in discussions with BNSF, said officials saw an opportunity to create a more comprehensive vision. They proposed that if the bypass of Willmar did move forward, local governments wanted to have a spur created off the new line west of the city. Spur tracks are usually dead-end tracks that branch off the main line, lead to industry, and allow for direct loading and unloading of rail cars. This would provide rail access to the city's industrial park and create more business opportunities.

"We thought, let's take a seat at the table and create a vision for what the county would want," Odens said. "So, in 2015 we started going to Washington again," in hopes of securing federal funding for a monumental project.

The U.S. Department of Transportation ultimately awarded \$10 million to the \$50 million project in 2015 through a Transportation Investment Generating Economic Recovery (TIGER) grant. The Willmar project was one of only 39 selected from 627 eligible applications nationwide that year.

BNSF contributed \$16 million, MnDOT provided \$17.5 million, and the reminder came from Kandiyohi County, Willmar, the Local Road Improvement Program, and the Kandiyohi County/ City of Willmar Economic Development Commission.

### Design-build approach and construction

Project participants chose a design-build contracting process. It's one that brought designers and contractors together early in the detail design portion of a project. Each entity led its own piece of the effort. For example, BNSF headed up designing and laying the 2.8 miles of new rail, including the spur, while the county planned and relocated 2 miles of U.S. Highway 12 and built two bridges over the new rail line. PHOTO BY DAVE HILLENBRAND, CITY OF WILLMAR



Since its 2022 completion, the Willmar Wye has improved rail efficiency, reduced train traffic downtown, decreased noise and delays, and enhanced safety for drivers, pedestrians, and cyclists.

The design-build concept can be challenging. It required regular communication and collaboration.

"Each entity needs to have a vision, you need to meet often, and you have to compromise and do it not my way or not your way, but in a way that nobody's ever done it before here," Oden said. "And then when things are not going your way, you still have to be willing to meet and talk and get along."

### A boost for economic development

Construction broke ground on the rail project in July 2019, beginning with roadway work, which included building several roundabouts on County Road 5 and the new U.S. Highway 12, plus two bridges over what would soon become the new rail. Railroad construction began in 2021, and the new line — dubbed the Willmar Wye was completed in the fall of 2022, just in time for a pre-Halloween ribbon cutting ceremony.

Since then, the Wye has reduced the number of trains passing through downtown. With improved rail efficiency, noise has decreased; delays for drivers, pedestrians, and cyclists have dropped; and safety has improved. Rail efficiency is also up. Trains can now traverse the area an hour faster, which helps farmers, especially during peak seasons like during grain harvest.

Plans to connect the spur to the industrial park are currently in the works. But the benefits of the rail project extend far beyond residents' quality of life and railway operations. It's turned Willmar into an industrial hub of sorts, attracting innovative new companies to the city. Following the project, Willmar sold 144 acres of land at the far west end of the industrial park to the Lexington, Kentucky-based Midwest & Bluegrass Rail (MB Rail) for \$1.2 million. The company plans to develop Willmar Rail Park for transloading and intermodal services. Grain logistics company NexYst 360, which uses environmentally controlled shipping containers from field to end user, is using the space at the former airport runway to stage soybeans in climate-controlled containers — a process that reduces spoilage.

According to city officials, the Willmar Wye developments could lead to more than 70 new job opportunities by 2027.

"The rail project has fostered all of these new investments in the community," said Willmar City Administrator Leslie Valiant. "There's growth coming in."

Reese added, "It's a great boost for economic development in our community. And this success was all made possible by public-private partnerships."

#### Showing up matters

Perhaps the biggest lesson learned, Valiant said, is to show up in person and be persistent when it comes to obtaining funding for a massive infrastructure project.

"If you're looking for federal funding, make sure that you're heading to D.C. to talk to your elected officials all the time," Valiant said. "This was big money, and the cost to the city ended up being minimal. It's very important — get there in person, and talk to your congressman or congresswoman." CC

Deborah Lynn Blumberg is a freelance writer.

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