

**AGENDA**  
**MAPLE PLAIN CITY COUNCIL – REGULAR MEETING**  
**MAPLE PLAIN CITY HALL**  
**Monday, July 13, 2015**  
**6:30 P.M.**

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. PROCLAMATIONS AND RECOGNITION**
  - A. Community Service Awards and Volunteer of the Year
  - B. Step To It Challenge Recognition by Hennepin County
- 4. ADOPT AGENDA**
- 5. CONSENT AGENDA**
  - A. Approve May 11 EDA Minutes
  - B. Approve June 22 Regular City Council meeting minutes
  - C. Approve June 22 City Council workshop meeting minutes
  - D. Accounts Payable
  - E. Approval of Hiring of Pete Keding to the Maple Plain Fire Department
- 6. PUBLIC HEARINGS**
- 7. ADMINISTRATIVE REPORTS**
- 8. OLD BUSINESS**
  - A. Interim Use Permit for Barber Shop – Land Use in MU-B District
- 9. NEW BUSINESS**
  - A. 2015-2016 Assessor Contractor
  - B. Downtown Development Agreement
  - C. Authorization to Hire Consultant for Creation of TIF District
- 10. LEGISLATIVE/INTERGOVERNMENTAL AFFAIRS**
- 11. COUNCIL REPORTS & OTHER BUSINESS**
- 12. VISITORS TO BE HEARD**

*Note: This is a courtesy extended to persons wishing to address the council who are not on the agenda. A completed public comment form should be presented to the city administrator prior to the meeting; presentations will be limited to 3 minutes. This session will be limited to 15 minutes.*
- 13. ADJOURNMENT**

**Maple Plain City Council  
Meeting Minutes  
June 22, 2015  
Maple Plain City Hall**

**1. CALL TO ORDER**

**Mayor Young called the meeting to order at 6:35 p.m.**

Present: Councilmembers Justin McCoy, Dave Eisinger, Mike DeLuca and Jerry Young. Also present were City Administrator, Tessia Melvin; City Planner, Mark Kaltsas; City Engineer, Dan Boyum and Director of Public Safety, Gary Kroells.

Absent: Councilmember Julie Maas-Kusske

**2. PLEDGE OF ALLEGIANCE**

**3. ADOPT AGENDA**

**Councilmember Eisinger moved to adopt the agenda with the addition to the following items:**

**New Business D: Summer Hours**

**New Business E: Maple Plain Days Parade; seconded by Councilmember McCoy. Motion passed 4-0.**

**4. CONSENT AGENDA**

Items to approve under Consent Agenda:

**A. Approve May 26 City Council regular meeting minutes**

**B. Approve May 27 Joint City Council meeting minutes**

**C. Approve June 8 City Council regular meeting minutes**

**D. Approve June 8 City Council workshop meeting minutes**

**E. Accounts Payable**

**F. Master Subscriber Resolution**

**Councilmember McCoy moved to adopt the consent agenda; seconded by Councilmember DeLuca. Motion passed 4-0.**

5. **PUBLIC HEARINGS**

There were no public hearings.

6. **ADMINISTRATIVE REPORTS**

**A. Administrative Report: Quarterly Financials**

Melvin provided the Council a quarterly update on financials. As of June 15, 2015, the City has collected about 32% of its revenues \$550,885. Melvin stated that this is typical as the City has only received ½ of property taxes and no LGA money to date. The City has spent about 41 percent of its budget \$667,587. Melvin reported the follow enterprise funds:

Water: Revenue \$184,294 (42% of budget)

Expenses \$100,710 (15 % of budget)

Sewer: Revenue \$166,445 (42% of budget)

Expense \$143,837 (28% of budget)

Storm Water: Revenue \$37,300 (25% of budget)

Expense \$26,753 (33% of budget)

At glance, Melvin reported that the only area where the budget is currently over is Council as there were two unbudgeted items: Audio for Council Chambers \$10,539 and Shared Service Report \$6,875.

**Councilmember McCoy moved to adopt the Quarterly Financial Report; seconded by Councilmember DeLuca. Motion passed 4-0.**

**B. City Planner Monthly Report**

City Planner, Mark Kaltsas, reported that staff has corresponded with a number of nuisance and ordinance violations. Kaltsas noted that staff will send out letters defining the violations and provide a period of time for the owner to correct the violation. Should the violation not be cured by the date provided, a follow-up citation will be made by West Hennepin.

Kaltsas reported that staff has been working on an issue regarding the MU zoning district to permit a Barber Shop. In addition, staff has been busy on the downtown development.

**Councilmember McCoy moved to adopt the City Planner Monthly Report; seconded by Councilmember DeLuca. Motion passed 4-0.**

### **C. City Monthly Engineer Report**

City Engineer, Dan Boyum, presented the monthly report to the City Council. He stated that staff and the contractor are trying to finish up the Main Street West and Rainbow Avenue street project. While staff has received several complaints about the weeds that were planted by the contractor, people have mowed the restored areas. The contractor fertilized the restored areas and did more hydro seeding.

Boyum stated that staff had prepared the MS4 permit items and responded to a vacation of alley right-of-way question on Rainbow Avenue.

Councilmember Eisinger stated that he was very disappointed with the contractor and the punch list that is not completed and the weeds. Eisinger stated that he will not vote for the release of any funds as the contractor will not meet his deadline of June 30. Councilmember DeLuca echoed Eisinger's statements and asked that Boyum get the job completed.

**Councilmember Eisinger moved to adopt the City Engineer Monthly Report; seconded by Councilmember McCoy. Motion passed 4-0.**

### **D. West Hennepin Public Safety Monthly**

Chief Gary Kroells presented the monthly report. At the end of May, West Hennepin Public Safety (WHPS) handled a total of 3,213 incidents: 932 in Maple Plain and 2,014 in Independence. This is an increase of 436 incidents compared to the same time last year.

Some highlighted cases included:

- Juveniles throwing water balloons at vehicles
- Grass fire
- Dangerous dog that killed another dog
- Trash at 1885 Newport Street, Maple Plain
- DWIs
- Animal complaints in Maple Plain that included a pig and goats
- Suicide attempts
- Theft in the Maple Plain motel
- Possession of marijuana
- Domestic assault

**Councilmember Eisinger moved to adopt the West Hennepin Public Safety Monthly Report; seconded by Councilmember McCoy. Motion passed 4-0.**

Chief Kroells added that on June 4, the City of Maple Plain and West Hennepin were recognized for their work on the Highway 12 Safety Coalition at a Towards Zero Deaths conference.

**7. NEW BUSINESS**

**A. MS4 Annual Report**

City Engineer, Dan Boyum, presented the MS4 Annual report. Boyum stated that the Municipal Separate Storm Systems (MS4) is owned by a state, city or village that discharges to waters of the United States. He explained that the MS4 is not designed or used to collect or convey stormwater, it is not a combined sewer and is not a part of a publicly owned treatment works.

Boyum described the three levels of management regulation as follows:

1. Federal: Minnesota Pollution Control Agency
2. State of Minnesota: Metropolitan Council, Department of Natural Resource and the State Board of Water and Soil Resources
3. Watershed Management Organizations: Pioneer-Sarah Creek Watershed Management Commission and the Minnehaha Creek Watershed District

Boyum reported that the six minimum control measures that Cities must comply with include:

1. Public Education and Outreach
2. Public Participation and Involvement
3. Illicit Discharge Detection and Elimination
4. Construction Site Storm Water Runoff Control
5. Post-Construction Storm Water Management
6. Pollution Prevention and Good Housekeeping for Municipal Operations

Boyum stated that the City of Maple Plain currently complies with the MS4 Permit by the following:

- Partnerships with Watersheds and other MS4s

- City Ordinance and LSWMP Requirements
- Storm Sewer System Map
- Stormwater related brochures and articles
- MS4 Annual Public Meeting and Annual Report
- Inspections (illicit discharge, construction, and MS4 system)
- Street Sweeping
- Staff Training

There were no questions by the City Council or audience members.

**Councilmember DeLuca moved to approve the MS4 Annual Report; seconded by Councilmember Eisinger. Motion passed 4-0.**

**B. Payment No. 8 Main Street West and Rainbow Avenue Reconstruction Project**

Boyum stated that he received the feedback from the Council during his monthly report. He will push the contractor to finish the job and will not release any retainage funds until the project is complete.

**C. WeCAB Matching Grant**

Melvin asked Terry Blout, WeCAB Board of Director to address the City Council. Blout stated that WeCAB provides door-to-door supplemental transportation in the Westonka and Easter Carver County service areas to people who are unable to drive to medical appointments, grocery store or food shelf and churches, volunteer or social events. The WeCAB services allow many individuals to remain in their homes. The City Council stated their appreciation to Blout and asked staff to present at the next workshop with additional information that is to be presented by Blout.

**D. Summer Hours**

Melvin presented this topic to the City Council. Melvin stated that summer hours were an option for employees 2003-2013; however staff did not do summer hours in 2014 due to the Rainbow Avenue and Main Street West project. Melvin provided examples of how other cities address summer hours:

**The City of Independence currently operates under the following hours throughout the year:**

Mon-Thurs 8 a.m. to 4:30 p.m.  
Friday 8 a.m. to Noon

**The City of Excelsior operates under the following hours throughout the year:**

Monday through Thursday from 7:30 am to 5:30 pm.

**The City of Orono operates under the following summer hours:**

*May 18th - September 4th*  
Mon-Thur 7:30 am-5:00 pm  
Fri 7:30-11:30 am

**The City of Mound operates under the following summer hours:**

**May through October**  
**Monday through Thursday: 7:30 a.m. - 5:00 p.m.**  
**Friday: 7:30 a.m. - 11:30 a.m.**

**The City of Long Lake operates under the following hours throughout the year:**

Monday-Friday 8 a.m. -4:30 p.m. Closed Daily from noon-1 p.m.

**The City of Delano operates under the regular hours of:**

Mon: 7:30 a.m. – 5 p.m.  
Tues: 7:30 a.m. -7 p.m.  
Wed: Mon: 7:30 a.m. – 5 p.m.  
Thurs: Mon: 7:30 a.m. – 5 p.m.  
Friday: 8 a.m. – noon

**The City of Wayzata operates under the regular hours of:**

Monday-Thursday 7 a.m. – 4:30 p.m.  
Friday 7 a.m. – 11 a.m.

**The City of Loretto operates under the regular hours of:**

Mon: 8 a.m.-1:30 p.m.  
Wed: 8 a.m. – 1:30 p.m.

3 p.m. -6 p.m.

Fri: 8 a.m. -1:30 p.m.

**The City of Medina operates under the follow hours throughout the year:**

Monday-Friday: 8 a.m. – 4:30 p.m.

**The City of Deephaven operates under the following summer hours;**

May 26-September 6

Monday-Thursday 8 a.m.-5 p.m.

Fridays 8 a.m. –noon

Councilmember Eisinger stated that he approves of summer hours, as long as the City Hall is open til noon on Fridays. Councilmember DeLuca added that in the future the City Council needs to look at the City Hall hours, as there are only two employees.

**Councilmember DeLuca moved to approve Summer Hours from June 29-October 2 to be Monday-Thursday 7:30 a.m. – 5 p.m. and Friday 8 a.m. – Noon; seconded by Councilmember Eisinger. Motion passed 4-0.**

#### **E. Maple Plain Days Parade Entry**

Melvin presented this topic to the Council. The Maple Plain Days charges \$75 for parade entrants, and provide free entrants for nonprofits. These monies are used to pay for entertainment. Melvin stated that recently Councilmember DeLuca asked the following questions:

- 1) Can the elected officials of a city be invited by the city to ride in a parade that is sponsored by the city?
- 2) Can the city invite neighboring elected officials to ride in their city parade?
- 3) Does the status of the elected official e.g. they are a candidate for office change the answer to questions 1 or 2? if so, please site applicable statue.
- 4) Is there any legal reason that the city could not allow any candidate running for local office to be invited to the parade without a fee?

Melvin stated that the state statute reads as follows:

## **211B.205 PARTICIPATION IN PUBLIC PARADES.**

**If a public parade allows candidates, a candidate must be allowed to participate for a fee that is not greater than the amount that is charged to other units participating in the parade.**

Melvin reported that there becomes a gray area when there is an election year Melvin stated that the question if during an election year, should Councilmembers pay for their participation in the parade to not make it an unfair advantage of those running against them?

The League answers this question with the following response, "Probably, if the councilors are candidates for re-election and will arguably be campaigning in the parade or have the appearance of campaigning, they should probably be treated the same as any other candidate in the parade. Although there is nothing that directly addresses this in the Minnesota Fair Campaign Practices act, there is potential for someone to argue that they have an unfair advantage or an appearance of endorsement by the city. However, it's a little murky if the councilor is for example, riding on a float with other councilors or city employees/officials. It is a question that likely requires the input of the City Attorney, as it is somewhat fact specific and not directly addressed by statute."

In speaking with the City Attorney, he believes this is a policy issue that the Council must decide. In the past, Councilmembers up for election paid to be in the parade during an election year and did not during the three non-election years for Councilmembers and one year for Mayor. This was intended not to create an unfair advantage for any challengers.

There was much discussion on this topic. Councilmember McCoy stated that anytime there are gray areas, it is best to side with caution and do what is best for everyone. Councilmember DeLuca stated that he can differentiate the difference between Councilmembers riding in the parade and representing the City and campaigning and he would not be in favor of the \$75 fee for Maple Plain elected officials.

**Councilmember McCoy moved to approve a shared \$75 fee for elected officials not up for an election year, but choosing to ride in the parade representing the City and a \$75 fee for all councilmembers up for election; seconded by Councilmember Eisinger. Motion passed 3-1. Councilmember DeLuca voted against.**

## **9. LEGISLATIVE/INTERGOVERNMENTAL AFFAIRS**

Melvin reminded the City Council of the Workshop on the Water that will be hosted on Lake Minnetonka and will address several issues regarding water.

## **10. COUNCIL REPORTS AND OTHER ACTIVITIES**

### **A. Attitude of Gratitude**

The City Council recognized Carol Cheswick for completing the West Hennepin Public Safety Citizen's Academy and the West Hennepin Public Safety Department for hosting an incredible program. Both illustrate the City's core values and goals to create a great city to visit, live, work and play in.

## **11. VISITORS TO BE HEARD**

There were no visitors to be heard.

## **12. ADJOURNMENT**

**Councilmember Eisinger moved to adjourn the meeting at 7:46 p.m.; seconded by Councilmember DeLuca. Motion passed 4-0.**

**Maple Plain City Council Meeting  
Workshop Minutes  
June 22, 2015  
Maple Plain City Hall**

**1. CALL TO ORDER**

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

Present: Councilmembers Dave Eisinger, Mike DeLuca, Justin McCoy and Mayor Jerry Young. Also present were Planning Commission Members Stephen Shurson and Michelle Bliss, City Planner, Mark Kaltsas and City Administrator, Tessia Melvin.

Absent: Councilmember Julie Maas-Kusske

**2. JOINT MEETING WITH THE PLANNING COMMISSION**

Melvin presented the topic to the Councilmembers. The Planning Commission had created a priority list in 2014 and recently updated it to include the following topics:

1. R1-R3 Zoning Districts
2. Home Occupation Permit
3. Consolidation on traffic and parking sections
4. Conditional Use Permit
5. Wind Power
6. Low Impact Development
7. Outdated Codes (Municipal Liquor, Flood Plain)
8. Handguns
9. Microbreweries
10. Storm Water
11. Rental Ordinance

Melvin stated that the purpose of the meeting was for the Commission and Council to create a strategic plan on priorities for the Planning Commission.

Mayor Young asked about the timeliness of the microbreweries and the solar energy. City Planner Kaltsas reported that the City did have an inquiry about a microbrewery. Chair Bliss stated that the Planning Commission wants to be proactive on this issue.

Chair Bliss talked about the home occupation permit and that they had been asked by some residents. Mayor Young stated that the City needs to move

forward with this to ensure that public safety is not compromised. Young stated that a current home business is creating some parking issues and directed staff to work with West Hennepin Public Safety on the parking concerns addressed by residents.

Councilmember McCoy asked who should own the sidewalk/trail plan? Melvin stated that at the last council meeting the Parks Commission recommended adding some sidewalks in the parks and the Council directed the staff to create a comprehensive sidewalk and trail plan that would include yearly improvements.

Commissioner Shurson added that he believes it is a Planning Commission item that can be collaborated with the Parks Commission. Shurson stated that he believed the creation and implementation of such a plan should be a joint effort.

Councilmember DeLuca asked if the Planning Commission owns the Biking and Walking Trail Plan, who should be implementing it? Chair Bliss answered that the Planning Commission is currently updating the report and creating a ranking of the areas that should be addressed. Bliss added that the Planning Commission aims to begin at the most noticeable streets.

Councilmember Eisinger added that the City needs to look at the trails and sidewalks to focus on trail extensions. It is the goal of the City to have connected trails.

Councilmember DeLuca asked if there are current vacancies on the Planning Commission. Chair Bliss stated that there were two vacancies. Councilmember DeLuca asked if they had considered sharing a Planning Commission with the City of Independence? Chair Bliss stated that this had not been considered and her intent of the Planning Commission is to have members of Maple Plain. Bliss added that the Design team had been made up of community members, including Independence.

Mayor Young asked about the non-compliant playground surfacing. Commissioner Shurson reported on the details that needed to be done at the parks to make them ADA complaint.

Councilmember McCoy concluded that the Council appreciates the ordinance work of the Planning Commission and their foresight in planning for the future of Maple Plain. Councilmember Eisinger added that he enjoys serving as a liaison to the Planning Commission and appreciates their work.

Melvin summarized the top priorities for the Planning Commission as the following:

1. Home Occupation Permits
2. Wind and Solar energy
3. Handguns
4. Microbreweries
5. Rental Ordinance
6. Implementation of the walking and biking trail ongoing projects.

Mayor Young added that the implementation of the walking and biking trail project should begin soon, so projects can be included in the 2016 budget.

### **3. STAFF REVIEW**

Melvin presented this topic to the Council. Melvin stated that staff has not received performance reviews since 2010. Melvin added that she created the performance reviews in alignment with the City Council's goals, vision and objectives and the duties of the specific job.

Staff completed a self-evaluation and the Administrator completed an evaluation. Staff and the Administrator met to discuss highlights, progress and areas of opportunities.

Melvin stated that the Employee Handbook States, "Employees obtaining certifications and licenses or successfully completing other job-related education requirements shall receive a 5% pay increase. Melvin added that Morris completed his sewer license and McCallum completed her Clerk's certificate. Both of which were conditions of their employment.

Melvin recommend that both Maggie McCallum and Matt Morris receive at a minimum their 5% increase for completion of Municipal Clerk's Certification and Sewer License.

There was much discussion on this and the Council agreed to the 5% increase, but asked that the Employee Handbook be reviewed by the Personnel Committee.

### **4. ADJOURNMENT**

**Mayor Young adjourn the meeting at 6:35 p.m. and moved to add the discussion of Summer Hours and Parade Entry fee to the regular agenda; seconded by Councilmember McCoy. Motion passed 4-0.**

**Meeting of the Maple Plain Economic Development Authority  
Meeting Minutes  
May 11, 2015  
Maple Plain City Hall  
5:30 PM**

**1. CALL TO ORDER**

**Chair Young called the meeting to order at 5:35 p.m.**

Present: Members Michael DeLuca, Jerry Young, Dave Eisinger, Justin McCoy, Julie Maas-Kusske and Jack Henrich; City Administrator Tessia Melvin, City Attorney, Jeff Carson and City Planner Mark Kaltsas.

Also in attendance: Tom Palmquist, Senior Vice President Welsh Companies & Colliers International.

**2. ADOPT AGENDA**

**Eisinger moved to adopt the Agenda; McCoy seconded. Motion passed 6-0.**

**3. APPROVAL OF THE MINUTES**

**McCoy moved to adopt the July 14, 2014 EDA Minutes; Henrich seconded. Motion passed 6-0.**

**4. OLD BUSINESS**

**A. Downtown Redevelopment:**

City Planner, Mark Kaltsas, and Tom Palmquist presented an update on the Downtown Development project. Currently staff is working with a potential developer and drafting a purchase agreement for 5249 Highway 12.

Kaltsas and Palmquist provided a potential timeline for work to be done. All work timelines are pending the release of the Met Council monies. Staff is meeting with the Metropolitan Council on June 11.

There was much discussion on the City's portion of cost, grant monies and possible tax increment financing districts.

**B. Dynamic Innovations**

Melvin reported that in February 2015, staff met with the owners of Dynamic Innovations, Daryl and Darlene Kiefer to discuss their current business plan. They are located at 5445 Pioneer Creek Drive, Maple Plain. They rent the space and the current property owner is behind in property taxes and may face foreclosure.

The company started as a contract laser machining business with an emphasis on laser welding. It has since grown to include laser ablation, and laser marking. They have also expanded their business to include contract medical device assembly. The business moved into a new facility designed specifically for the manufacturing of

medical devices. The 12,000 square feet facility includes 2000 square feet of class 10000 / ISO 7 clean room space, and 4000 square feet of tech space which can easily be converted to cleanroom space in a very short amount of time.

They are dedicated to providing superior quality and service to the medical device industry through dedicated partnerships with their customers.

Melvin stated that Daryl and Darlene are looking for the City to assist in some form as they would like to buy the building but cannot finance it. Currently the owner is asking \$1.8 million for the building. They are looking to expand from 4 employees to potentially 80 employees.

The EDA discussed and asked staff to look into any small business loan programs or other resources, but agreed that the City does not have the financial ability to provide assistance to the business.

#### **OTHER BUSINESS**

No other business was discussed.

#### **5. ADJOURNMENT**

**Young moved to adjourn; Henrich seconded. Motion passed 6-0. Meeting adjourned at 6:10 p.m.**

*Prepared by*  
Tessia Melvin, City Administrator

**CITY OF MAPLE PLAIN**

07/09/15 11:10 AM

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**Payments**

**Current Period: July 2015**

Batch Name	07/14/15cit2	User Dollar Amt	\$0.00	
	Payments	Computer Dollar Amt	\$2,551.70	
			<u>\$2,551.70</u>	<b>Out of Balance</b>
Refer	20592 HENN COUNTY ACCTS RECEIVAB _			
Cash Payment	E 101-43125-229 Sand & Salt Materials	Salt Materials		\$2,551.70
Invoice	1000062195			
Transaction Date	7/9/2015	Bank of Maple Plain	10100	<b>Total</b> <u>\$2,551.70</u>

**Fund Summary**

	10100 Bank of Maple Plain	
101 GENERAL FUND		<u>\$2,551.70</u>
		\$2,551.70

Pre-Written Checks	\$0.00
Checks to be Generated by the Computer	<u>\$2,551.70</u>
Total	\$2,551.70



**Carson, Clelland  
& Schreder**

ATTORNEYS AT LAW  
6300 SHINGLE CREEK PARKWAY STE 305  
MINNEAPOLIS, MN 55430-2190  
(763)-561-2800

July 01, 2015

CITY OF MAPLE PLAIN  
ATTN: MAGGIE MCCALLUM  
P.O. BOX 97  
MAPLE PLAIN, MN 55359

Professional Services

	<u>Amount</u>
<u>..Civil</u>	
6/1/2015 Review files for staff meeting	47.50
Conference with Dan regarding Budd Ave. project	47.50
6/4/2015 Hwy 12 Sign Project -- Review recent correspondence from Dan	47.50
Discovery Center Project -- Review email chain from Dan regarding pavement project	47.50
6/8/2015 Prepare for meeting, review of agenda and conference with Tessia	95.00
Attend EDA and city council meeting	285.00
6/15/2015 Conference with Tessia (2) and review League memo regarding charging to participate in a parade	47.50
6/17/2015 Attend staff meeting	285.00
6/19/2015 Review of miscellaneous files for needed work	47.50
SUBTOTAL:	[ 950.00]
<u>.Downtown Redevelopment</u>	
5/29/2015 Review counter-offer from Olson's and correspondence from Tom, conference with Tom	95.00
6/2/2015 Conferences with Tessia (2)	47.50
6/4/2015 Review purchase agreement to Olson's for EDA and the council	71.25
6/8/2015 Review revised "Olson" purchase agreement, prepare for closed session	95.00
6/9/2015 Review Carlson proposal and correspondence to Tom, Mark and Tessia	190.00
SUBTOTAL:	[ 498.75]
<u>.Rose Creek Builders</u>	
6/12/2015 Review correspondence from Mark, review exhibits to development agreement and send to Mark with correspondence	142.50
SUBTOTAL:	[ 142.50]

	<u>Amount</u>
<u>.Shenk</u>	
6/8/2015 Review of final settlement documents	47.50
6/10/2015 Review of emails (Elisa) and attorney Graham, conference with Tessia regarding vacated ally and easement	47.50
	<hr/>
SUBTOTAL:	[ 95.00]
<u>Criminal</u>	
5/28/2015 Correspond with defense attorneys, witnesses, review discovery, note files, review files in preparation for 5/29 arraignment/pretrial calendar at Ridgedale court	97.50
Review emails and police reports	16.25
5/29/2015 Handle arraignment/pretrial calendar at Ridgedale court	162.50
Conference with attorney Ross regarding forfeiture matters, review discovery, jury trial preparation, note files	65.00
6/3/2015 Phone call with Director Kroells; correspondence to State Court Administration	16.25
Phone call with defense attorney, review brief	73.13
6/4/2015 Review brief and email defense attorney	113.75
6/5/2015 Review defendant's brief, prepare State's response, revise and edit brief, research caselaw and case cites	390.00
6/8/2015 Preparation of one complaint	40.00
Jury trial preparation, correspond with defense attorneys, review discovery, dictate disposition letters, note files	48.75
Revise brief, prepare filing letters	178.75
6/11/2015 Review discovery/files in preparation for 6/12 calendar at Ridgedale court	32.50
Discuss cases with attorney Ross	32.50
6/12/2015 Attend arraignment/pretrial hearings	146.25
6/15/2015 Correspond with defense attorneys, officers, note files	24.38
6/16/2015 Prepare disposition letter, review and note files, prepare follow up instructions to assistants	24.38
6/22/2015 Preparation of one complaint	40.00
6/24/2015 Correspond with court, defense attorneys, review criminal histories, note offers, review discovery, note files	32.50
6/25/2015 Preparation for 6/26 cases	24.38
6/26/2015 Attend arraignment and pretrial hearings	113.75
Open criminal files, preparation of criminal complaints; preparation of cases for court calendars, including court and jury trials; contact and notice to witnesses for trial testimony, prepare outgoing discovery requests, complete incoming discovery requests for monthly period	131.25
Open criminal files, preparation of criminal complaints; preparation of cases for court calendars, including court and jury trials; contact and notice to witnesses for trial testimony, prepare outgoing discovery requests, complete incoming discovery requests for monthly period	56.25
Open criminal files, preparation of criminal complaints; preparation of cases for court calendars, including court and jury trials; contact and notice to witnesses for trial testimony, prepare outgoing discovery requests, complete incoming discovery requests for monthly period	56.25
	<hr/>
SUBTOTAL:	[ 1,916.27]
	<hr/>
<b>For professional services rendered</b>	<b>\$3,602.52</b>

Client Expense Charges :

	<u>Amount</u>
<u>Civil Expenses</u>	
Document retrieval fee for Pioneer Park from Hennepin County	35.00
SUBTOTAL:	[ 35.00]
<u>Criminal Expenses</u>	
Legal process service	57.00
May monthly support fee	14.11
SUBTOTAL:	[ 71.11]
<b>Total Client Expense Charges</b>	<b>\$106.11</b>
<b>Total amount of this bill</b>	<b>\$3,708.63</b>
<b>Previous balance</b>	<b>\$7,145.11</b>
6/11/2015 Payment - thank you	(\$7,145.11)
<b>Total payments and adjustments</b>	<b>(\$7,145.11)</b>
<b>Balance due</b>	<b>\$3,708.63</b>

I hereby declare under the penalties of perjury that the foregoing statement for legal services is just and correct and that no part thereof has been paid.

  
 Jeffrey A. Carson, City Attorney



July 2, 2015

City of Maple Plain  
1620 Maple Avenue  
PO Box 97  
Maple Plain, MN 55359

Re: Services rendered through May 2, 2015 through June 5, 2015

Please find enclosed our invoices dated July 2, 2015 for the projects listed below. These invoices are due within 30 days.

<b>Project</b>	<b>Invoice No.</b>	<b>Name</b>	<b>Amount</b>
193801803	928436	Maple Plain General 2013	1,430.00
193801804	928439	Maple Plain 2013 Public Meetings	250.00
193801805	928441	Maple Plain 2013 Streets and Pathways	2,541.05
193801806	928444	Maple Plain 2013 Water	243.00
193801807	928445	Maple Plain 2013 Sewer	87.50
193801808	928447	Maple Plain 2013 Storm Sewer	88.50
193801809	928450	Maple Plain 2013 Development Review	1,689.00
193802383	928451	Maple Plain Budd Avenue Sewer Improvements	1,120.50
193802390	928452	Main Street W. & Rainbow Ave. Utility and Street Improvements	5,418.95
193802890	928454	Meadows of Maple Plain	170.50
		<b>Total Amount Due</b>	<b>\$13,039.00</b>

Thank you for allowing us to provide our services to your community. Please remit all invoice payments to our lockbox at:

Stantec Consulting Services Inc. (SCSI)  
13980 Collections Center Drive  
Chicago, IL 60693

If you have questions regarding these invoices, please contact me at (651) 604-4829

Sincerely,  
Stantec

Dan Boyum, P.E.  
Client Service Manager

Enclosures



**INVOICE**

**Invoice Number** 928436  
**Invoice Date** July 2, 2015  
**Customer Number** 92656  
**Project Number** 193801803

**Bill To**

City of Maple Plain  
Accounts Payable  
1620 Maple Avenue  
P.O. Box 97  
Maple Plain MN 55359  
United States

**Please Remit To**

Stantec Consulting Services Inc. (SCSI)  
13980 Collections Center Drive  
Chicago IL 60693  
United States  
Federal Tax ID 11-2167170

---

**Project Description:** Maple Plain - General Services

**Stantec Project Manager:** Boyum, Dan D  
**Stantec Office Location:** St. Paul MN  
**Current Invoice Due:** \$1,430.00  
**For Period Ending:** June 5, 2015

---

**INVOICE**

**Invoice Number**

928436

**Project Number**

193801803

**Top Task 300**      **General Engineering - General engineering administration and correspondence, monthly engineering report, review and locate easement information and respond to resident.**

Professional Services

Billing Level	Hours	Rate	Current Amount
Project Manager	5.00	60.00	300.00
	<u>5.00</u>		<u>300.00</u>
<b>Professional Services Subtotal</b>	<u>5.00</u>		<u>300.00</u>

**Top Task 300 Total** **300.00**

**Top Task 301**      **General Engineering - Alley vacation discussions, Pioneer Park easements, and other general engineering items.**

Professional Services

Billing Level	Hours	Rate	Current Amount
Project Manager	1.75	118.00	206.50
	<u>1.75</u>		<u>206.50</u>
<b>Professional Services Subtotal</b>	<u>1.75</u>		<u>206.50</u>

**Top Task 301 Total** **206.50**

**Top Task 303**      **TH 12 and Pioneer Ave. - Review information from City Attorney's office and legal descriptions, get some additional title information, review additional information from City Attorney and prepare drawing explaining ROW in the area of TH12 and Pioneer Avenue.**

Professional Services

Billing Level	Hours	Rate	Current Amount
Land Surveyor	10.50	87.00	913.50
	<u>10.50</u>		<u>913.50</u>
<b>Professional Services Subtotal</b>	<u>10.50</u>		<u>913.50</u>

**INVOICE**

**Invoice Number**

928436

**Project Number**

193801803

**Usages**

Usage - Land Titles  
05/07/15

**Current Amount**

10.00

**Usages Subtotal**

**10.00**

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**Top Task 303 Total**

**923.50**

Total Fees & Disbursements

\$1,430.00

**INVOICE TOTAL (USD)**

**\$1,430.00**



**INVOICE**

**Invoice Number** 928439  
**Invoice Date** July 2, 2015  
**Customer Number** 92656  
**Project Number** 193801804

**Bill To**

City of Maple Plain  
Accounts Payable  
1620 Maple Avenue  
P.O. Box 97  
Maple Plain MN 55359  
United States

**Please Remit To**

Stantec Consulting Services Inc. (SCSI)  
13980 Collections Center Drive  
Chicago IL 60693  
United States  
Federal Tax ID 11-2167170

---

**Project Description:** Maple Plain - 2013 Public Meetings

**Stantec Project Manager:** Boyum, Dan D  
**Stantec Office Location:** St. Paul MN  
**Current Invoice Due:** \$250.00  
**For Period Ending:** June 5, 2015

---

**INVOICE**

**Invoice Number**

928439

**Project Number**

193801804

---

**Top Task 302**

**Meeting Attendance - Attend Staff and Council Meetings on May 5, 11, 19, 26,  
and June 2, 2015.**

	<b># of Meetings</b>	<b>Amount Per</b>	<b>Current Amount</b>
	5	50.00	250.00
<b>Progress Charge Subtotal</b>			<u><b>250.00</b></u>

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**Top Task 302 Total**

**250.00**

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Total Fees & Disbursements

\$250.00

**INVOICE TOTAL (USD)**

**\$250.00**



**INVOICE**

**Invoice Number** 928441  
**Invoice Date** July 2, 2015  
**Customer Number** 92656  
**Project Number** 193801805

**Bill To**

City of Maple Plain  
Accounts Payable  
1620 Maple Avenue  
P.O. Box 97  
Maple Plain MN 55359  
United States

**Please Remit To**

Stantec Consulting Services Inc. (SCSI)  
13980 Collections Center Drive  
Chicago IL 60693  
United States  
Federal Tax ID 11-2167170

---

**Project Description:** Maple Plain - 2013 Streets and Pathways

**Stantec Project Manager:** Boyum, Dan D  
**Stantec Office Location:** St. Paul MN  
**Current Invoice Due:** \$2,541.05  
**For Period Ending:** June 5, 2015

---

**INVOICE**

**Invoice Number**

928441

**Project Number**

193801805

**Top Task 301**      **General - Pavement Management Program including updated pavement rating, review of street lights and discussions with electrical engineer.**

**Professional Services**

<b>Billing Level</b>	<b>Hours</b>	<b>Rate</b>	<b>Current Amount</b>
Engineer	0.25	114.00	28.50
	<u>0.25</u>		<u>28.50</u>
Field Supervisor	3.50	135.00	472.50
	<u>3.50</u>		<u>472.50</u>
Inspector	3.25	92.00	299.00
	<u>3.25</u>		<u>299.00</u>
Project Manager	8.75	118.00	1,032.50
	<u>8.75</u>		<u>1,032.50</u>
<b>Professional Services Subtotal</b>	<u>15.75</u>		<u>1,832.50</u>

**Disbursements**

	<b>Current Amount</b>
Direct - Vehicle (mileage)	42.55
<b>Disbursements Subtotal</b>	<u>42.55</u>

**Top Task 301 Total** **1,875.05**

**Top Task 302**      **2015 Seal Coat - Review items with staff, prepare memo and cost estimates, review streets with Public Works, prepare council agenda item on bidding or quotes.**

**Professional Services**

<b>Billing Level</b>	<b>Hours</b>	<b>Rate</b>	<b>Current Amount</b>
Field Supervisor	1.00	135.00	135.00
	<u>1.00</u>		<u>135.00</u>

**INVOICE**

**Invoice Number**

928441

**Project Number**

193801805

Project Manager

4.50

118.00

531.00

**4.50**

**531.00**

**Professional Services Subtotal**

**5.50**

**666.00**

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**Top Task 302 Total**

**666.00**

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Total Fees & Disbursements

\$2,541.05

**INVOICE TOTAL (USD)**

**\$2,541.05**

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**INVOICE**

**Invoice Number** 928444  
**Invoice Date** July 2, 2015  
**Customer Number** 92656  
**Project Number** 193801806

**Bill To**

City of Maple Plain  
Accounts Payable  
1620 Maple Avenue  
P.O. Box 97  
Maple Plain MN 55359  
United States

**Please Remit To**

Stantec Consulting Services Inc. (SCSI)  
13980 Collections Center Drive  
Chicago IL 60693  
United States  
Federal Tax ID 11-2167170

---

**Project Description:** Maple Plain - 2013 Water

**Stantec Project Manager:** Boyum, Dan D  
**Stantec Office Location:** St. Paul MN  
**Current Invoice Due:** \$243.00  
**For Period Ending:** June 5, 2015

---

**INVOICE**

**Invoice Number**

928444

**Project Number**

193801806

**Top Task 300**

**General - Meet on site with Public Works and MN Department of Health for audit and survey.**

Professional Services

Billing Level	Hours	Rate	Current Amount
Project Manager	3.00	60.00	180.00
	<u>3.00</u>		<u>180.00</u>
<b>Professional Services Subtotal</b>	<u>3.00</u>		<u>180.00</u>

Disbursements

	Current Amount
Direct - Vehicle (mileage)	34.50
<b>Disbursements Subtotal</b>	<u>34.50</u>

**Top Task 300 Total** **214.50**

**Top Task 301**

**General - Update and plot water base map.**

Professional Services

Billing Level	Hours	Rate	Current Amount
Engineer	0.25	114.00	28.50
	<u>0.25</u>		<u>28.50</u>
<b>Professional Services Subtotal</b>	<u>0.25</u>		<u>28.50</u>

**Top Task 301 Total** **28.50**

Total Fees & Disbursements \$243.00

**INVOICE TOTAL (USD)** \$243.00



**INVOICE**

**Invoice Number** 928445  
**Invoice Date** July 2, 2015  
**Customer Number** 92656  
**Project Number** 193801807

**Bill To**

City of Maple Plain  
Accounts Payable  
1620 Maple Avenue  
P.O. Box 97  
Maple Plain MN 55359  
United States

**Please Remit To**

Stantec Consulting Services Inc. (SCSI)  
13980 Collections Center Drive  
Chicago IL 60693  
United States  
Federal Tax ID 11-2167170

---

**Project Description:** Maple Plain - 2013 Sewer

**Stantec Project Manager:** Boyum, Dan D  
**Stantec Office Location:** St. Paul MN  
**Current Invoice Due:** \$87.50  
**For Period Ending:** June 5, 2015

---

INVOICE

Invoice Number

928445

Project Number

193801807

---

**Top Task 301**

**General - Update and plot sanitary sewer base map, respond to land surveyor request for information on 5735 Main Street West.**

Professional Services

<b>Billing Level</b>	<b>Hours</b>	<b>Rate</b>	<b>Current Amount</b>
Engineer	0.25	114.00	28.50
	<b>0.25</b>		<b>28.50</b>
Project Manager	0.50	118.00	59.00
	<b>0.50</b>		<b>59.00</b>
<b>Professional Services Subtotal</b>	<b>0.75</b>		<b>87.50</b>

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**Top Task 301 Total**

**87.50**

Total Fees & Disbursements

\$87.50

**INVOICE TOTAL (USD)**

**\$87.50**

---



INVOICE

**Invoice Number** 928447  
**Invoice Date** July 2, 2015  
**Customer Number** 92656  
**Project Number** 193801808

**Bill To**

City of Maple Plain  
Accounts Payable  
1620 Maple Avenue  
P.O. Box 97  
Maple Plain MN 55359  
United States

**Please Remit To**

Stantec Consulting Services Inc. (SCSI)  
13980 Collections Center Drive  
Chicago IL 60693  
United States  
Federal Tax ID 11-2167170

---

**Project Description:** Maple Plain - 2013 Storm Sewer

**Stantec Project Manager:** Boyum, Dan D  
**Stantec Office Location:** St. Paul MN  
**Current Invoice Due:** \$88.50  
**For Period Ending:** June 5, 2015

---

INVOICE

Invoice Number

928447

Project Number

193801808

---

**Top Task 304**

**MS4 Annual Meeting review with staff, work on MS4 meeting items, and review status of last discussions on Drake/Perkins drainage issues with staff.**

Professional Services

**Billing Level**

**Hours**

**Rate**

**Current Amount**

Project Manager

0.75

118.00

88.50

**0.75**

**88.50**

**Professional Services Subtotal**

**0.75**

**88.50**

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**Top Task 304 Total**

**88.50**

---

Total Fees & Disbursements

\$88.50

**INVOICE TOTAL (USD)**

**\$88.50**

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**INVOICE**

**Invoice Number** 928450  
**Invoice Date** July 2, 2015  
**Customer Number** 92656  
**Project Number** 193801809

**Bill To**

City of Maple Plain  
Accounts Payable  
1620 Maple Avenue  
P.O. Box 97  
Maple Plain MN 55359  
United States

**Please Remit To**

Stantec Consulting Services Inc. (SCSI)  
13980 Collections Center Drive  
Chicago IL 60693  
United States  
Federal Tax ID 11-2167170

---

**Project Description:** Maple Plain - 2013 Development Review

**Stantec Project Manager:** Boyum, Dan D  
**Stantec Office Location:** St. Paul MN  
**Current Invoice Due:** \$1,689.00  
**For Period Ending:** June 5, 2015

---

**INVOICE**

**Invoice Number**

928450

**Project Number**

193801809

**Top Task 301**      **Day Distributing Parking Lot Improvements - Review storm water report and items, prepare and forward memo, discussions with developers engineer and staff.**

Professional Services

Billing Level	Hours	Rate	Current Amount
Engineer	5.00	111.00	555.00
	<b>5.00</b>		<b>555.00</b>
Principal Engineer	0.50	148.00	74.00
	<b>0.50</b>		<b>74.00</b>
Project Manager	0.50	114.00	57.00
	4.50	118.00	531.00
	<b>5.00</b>		<b>588.00</b>
<b>Professional Services Subtotal</b>	<b>10.50</b>		<b>1,217.00</b>

**Top Task 301 Total** **1,217.00**

**Top Task 302**      **Discovery Center - Discussions with design engineer, review items with Staff, review alternate and scope of work.**

Professional Services

Billing Level	Hours	Rate	Current Amount
Project Manager	4.00	118.00	472.00
	<b>4.00</b>		<b>472.00</b>
<b>Professional Services Subtotal</b>	<b>4.00</b>		<b>472.00</b>

**Top Task 302 Total** **472.00**

Total Fees & Disbursements \$1,689.00

**INVOICE TOTAL (USD)** **\$1,689.00**



INVOICE

**Invoice Number** 928451  
**Invoice Date** July 2, 2015  
**Customer Number** 92656  
**Project Number** 193802383

**Bill To**

City of Maple Plain  
Accounts Payable  
1620 Maple Avenue  
P.O. Box 97  
Maple Plain MN 55359  
United States

**Please Remit To**

Stantec Consulting Services Inc. (SCSI)  
13980 Collections Center Drive  
Chicago IL 60693  
United States  
Federal Tax ID 11-2167170

---

**Project Description:** Budd Ave. Sewer Improvements

**Stantec Project Manager:** Boyum, Dan D  
**Stantec Office Location:** St. Paul MN  
**Current Invoice Due:** \$1,120.50  
**For Period Ending:** June 5, 2015

---

**INVOICE**

**Invoice Number**  
**Project Number**

928451  
193802383

**Top Task 210            Contract Administration**

Professional Services

Billing Level	Hours	Rate	Current Amount
Project Technician	0.75	66.00	49.50
	<u>0.75</u>		<u>49.50</u>
<b>Professional Services Subtotal</b>	<u>0.75</u>		<u>49.50</u>

**Top Task 210 Total** **49.50**

**Top Task 310            Construction Engineering - Quantity negotiations, calls and discussions, meeting with contractor, prepare final paperwork.**

Professional Services

Billing Level	Hours	Rate	Current Amount
Project Manager	7.50	118.00	885.00
	<u>7.50</u>		<u>885.00</u>
<b>Professional Services Subtotal</b>	<u>7.50</u>		<u>885.00</u>

**Top Task 310 Total** **885.00**

**Top Task 400            Records Plans - Office**

Progress Charge

	Total Invoiced	Previously Invoiced	Current Amount
1,469.00 X 100.00 % Complete	1,469.00	1,283.00	186.00
<b>Progress Charge Subtotal</b>			<u>186.00</u>

**Top Task 400 Total** **186.00**

Total Fees & Disbursements \$1,120.50

**INVOICE TOTAL (USD)** \$1,120.50



**INVOICE**

**Invoice Number** 928452  
**Invoice Date** July 2, 2015  
**Customer Number** 92656  
**Project Number** 193802390

**Bill To**

City of Maple Plain  
Accounts Payable  
1620 Maple Avenue  
P.O. Box 97  
Maple Plain MN 55359  
United States

**Please Remit To**

Stantec Consulting Services Inc. (SCSI)  
13980 Collections Center Drive  
Chicago IL 60693  
United States  
Federal Tax ID 11-2167170

---

**Project Description:** Main St. W. & Rainbow Ave. Utility and Street Improvements

**Stantec Project Manager:** Boyum, Dan D  
**Stantec Office Location:** St. Paul MN  
**Current Invoice Due:** \$5,418.95  
**For Period Ending:** June 5, 2015

---

INVOICE

Invoice Number

928452

Project Number

193802390

**Top Task 700**      **Additional Services - Review seed mix type and weeds with botanist, site visit, 5990 driveway and drainage survey, analysis, and option memo, updates, respond to property owner questions, coordinate concrete repairs, and research sump lines.**

Professional Services

Billing Level	Hours	Rate	Current Amount
Crew Chief	7.50	91.00	682.50
	<u>7.50</u>		<u>682.50</u>
Engineer	1.25	92.00	115.00
	6.75	114.00	769.50
	<u>8.00</u>		<u>884.50</u>
Field Supervisor	2.50	135.00	337.50
	<u>2.50</u>		<u>337.50</u>
Project Manager	2.00	114.00	228.00
	26.75	118.00	3,156.50
	<u>28.75</u>		<u>3,384.50</u>
<b>Professional Services Subtotal</b>	<u><b>46.75</b></u>		<u><b>5,289.00</b></u>

Usages

	Current Amount
Usage - Vehicle 05/04/15	71.30
<b>Usages Subtotal</b>	<u><b>71.30</b></u>

Disbursements

	Current Amount
Direct - Vehicle (mileage)	58.65
<b>Disbursements Subtotal</b>	<u><b>58.65</b></u>

**Top Task 700 Total** **5,418.95**

**INVOICE**

**Invoice Number**

928452

**Project Number**

193802390

Total Fees & Disbursements

\$5,418.95

**INVOICE TOTAL (USD)**

**\$5,418.95**



INVOICE

**Invoice Number** 928454  
**Invoice Date** July 2, 2015  
**Customer Number** 92656  
**Project Number** 193802890

**Bill To**

City of Maple Plain  
Accounts Payable  
1620 Maple Avenue  
P.O. Box 97  
Maple Plain MN 55359  
United States

**Please Remit To**

Stantec Consulting Services Inc. (SCSI)  
13980 Collections Center Drive  
Chicago IL 60693  
United States  
Federal Tax ID 11-2167170

---

**Project Description:** Meadows of Maple Plain

**Stantec Project Manager:** Boyum, Dan D  
**Stantec Office Location:** St. Paul MN  
**Current Invoice Due:** \$170.50  
**For Period Ending:** June 5, 2015

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INVOICE

Invoice Number

928454

Project Number

193802890

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**Top Task 200**      **Status and correspondence review.**

Professional Services

Billing Level	Hours	Rate	Current Amount
Engineer	0.25	92.00	23.00
	<u>0.25</u>		<u>23.00</u>
Project Manager	1.25	118.00	147.50
	<u>1.25</u>		<u>147.50</u>
<b>Professional Services Subtotal</b>	<u>1.50</u>		<u>170.50</u>

---

**Top Task 200 Total**      **170.50**

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Total Fees & Disbursements      \$170.50

**INVOICE TOTAL (USD)**      **\$170.50**

**5. CONSENT AGENDA**

**e. ACCEPTANCE OF HIRING PETER KEDING TO THE MAPLE PLAIN FIRE DEPARTMENT**

**ACTION TO BE CONSIDERED**

To approve an offer of employment to and the appointment of Peter Keding as a firefighter for the Maple Plain Fire Department.

**FACTS**

- Fire Chief Dave Eisinger has recommended Peter Keding for employment with the Fire Department.
- Keding have successfully completed all of the required testing and background checks.
- An offer of employment shall include a one-year probationary period.
- Keding has completed the application process.
- He has been interviewed by the Chief and one of the Assistant Chiefs.
- He passed his physical agility test.
- He passed his background checks from West Hennepin Public Safety.
- He passed his pre-employment medical physical.
- With the addition of Keding, the department's roster is 29.

**ATTACHMENTS**

None.

**8. OLD BUSINESS**

**A. INTERIM USE PERMIT FOR BARBER SHOP-LAND USE IN MU-B DISTRICT**

**ACTION TO BE CONSIDERED**

To approve an interim user permit for a Barber Shop at 526 Independence Street.

**FACTS**

The Planning Commission recommended approval of the requested Interim Use Permit with the following findings and conditions:

1. The proposed Interim Use Permit meets all applicable conditions, criteria and restrictions stated in the City of Maple Plain Zoning Ordinance.
2. Prior to the City Council's review of the Interim Use Permit, the applicant shall complete the following items:
  - a. The applicant shall sign a consent agreement agreeing that the applicant, owner, operator, tenant and/or user has no entitlement to future re-approval of the interim use permit as well as agreeing that the interim use will not impose additional costs on the public if it is necessary for the public to fully or partially take the property in the future.
  - b. The applicant shall confirm that the proposed lease space meets all applicable building codes.
3. The Interim User Permit shall be granted for a period of five (5) years from the date of City Council approval or upon vacation of the premise by the applicant. The applicant shall remove all signage and business related materials from the site by the ending date of the Interim Use Permit. Any change to the existing use of the property or physical dimensions of the building will nullify the Interim Use Permit.
4. The Applicant shall pay for all costs associated with the City's review of the Interim Use Permit application.

**ATTACHMENTS**

Memo from the City Planner

## City of Maple Plain

### Request by Gary Kangas for an Interim Use Permit to Allow a Barber Shop to be Located on the Property at 5260 Independence Street

<i>To:</i>	City Council
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	July 13, 2015
<i>Applicant:</i>	Gary Kangas
<i>Owner:</i>	Clair Rood
<i>Location:</i>	5260 Independence Street

**Request:**

Gary Kangas, (Applicant) requests that the City consider the following action for the property located at 5260 Independence Street (PID No. 24-118-24-34-0017).

- a. Interim Use Permit to allow a barber shop in the MU-B zoning district.

**Property/Site Information:**

The property is located just north of Highway 12 and just west of Budd Street on Independence Street. There is an existing building located on the property which also houses the Control Freaks business and a warehouse. The subject property is accessed via Independence Street or Highway 12. The property has the following characteristics:

Property Information: **5260 Independence Street**  
Zoning: *MU-B Mixed Use – Budd/Highway 12*  
Comprehensive Plan: *Mixed Use*  
Acreage: 1.65 Acres



**Discussion:**

The City has been approached by a barber that is interested in opening a barber shop in the downtown area. The barber shop would be a single-chair shop with just the owner cutting hair. The potential business owner found a space to lease in the existing building located at 5260 Independence Street. The building currently has a retail establishment (Control Freaks) in the western two-thirds of the building. The property is zoned MU-B (Mixed Use – Budd/Highway 12 District). The City has a table that provides permitted uses in the various mixed use districts. The list does not specifically address barber shops, but does provide for beauty shops. Beauty shops are not permitted in the MU-B zoning district, but are permitted in the other MU districts. The ordinance states the following about uses listed in the table:

*The following list is not meant to be all encompassing, but all uses not identified on this list shall be subject to review by city staff and must be identified as 'similar' in use to other listed, permitted or conditional uses otherwise the use shall be deemed not permitted. Any dispute of staff's decision shall be brought before the City Council upon written request to be submitted to city staff to be placed on the next available agenda.*

This issue was brought before the Planning Commission and City Council at their last respective meetings to discuss the intended use and determine if the use could be deemed similar to Beauty Shops (a use specifically not permitted in the MU-B district). In addition, the Planning Commission and City Council were

asked to confirm the City's intent in not allowing that particular use in the MU-B zoning sub district. The item was discussed and it was recommended to the applicant that they seek an Interim Use Permit (IUP) for the proposed use. The IUP would allow the applicant to operate the business in the desired located until such time as there was a viable lease space in the MU-D or MU-G zoning sub districts. IUPs are generally intended to allow the temporary use on a property.

The City specifies that uses allowed in other MU- districts can be considered as an Interim Use if the City can find that the use meets the requisite criteria. The criteria are stated below and essentially state that the intended use must meet the general purpose of the district as stated in the Comprehensive Plan, shall not negatively impact surrounding uses and generally comply with City requirements.

### **Applicable Standards**

#### **§ 159.029 "MU" MIXED-USE DISTRICT.**

##### **(E) Interim uses.**

##### **(5) Uses allowed in other MU Districts.**

**(a) Must meet the general purpose of the subject district as described in the Comprehensive Plan and Design Guidelines.**

**(b) The city finds sufficient reasons that the use is appropriate for the subject district and that it does not negatively impact the goals of the approved district.**

**(c) Must submit an approved operational plan detailing the business management and operations.**

**(d) Subject to one-year review.**

#### **§ 153.170 PURPOSE AND INTENT.**

**(A) The purpose and intent of allowing interim uses is:**

**(1) To allow a use for a brief period of time until a permanent location is obtained or while the permanent location is under construction.**

**(2) To allow a use that is presently acceptable, but that with anticipated development or redevelopment, will not be acceptable in the future or will be replaced by a permitted or conditional use allowed within the respective district.**

(3) To allow a use which is reflective of anticipated long range change to an area and which is in compliance with the Comprehensive Municipal Plan provided that said use maintains harmony and compatibility with surrounding uses and is in keeping with the architectural character and design standards of existing uses and development. (Ord. 246, passed 8-23-2010)

**§ 153.171 GENERAL STANDARDS.**

An interim use permit may be granted only if the City Council finds as follows:

- (A) The use is allowed as an interim use in the respective zoning district and conforms to standard zoning regulations.
- (B) The use will not adversely impact nearby properties through nuisance, noise, traffic, dust, or unsightliness and will not otherwise adversely impact the health, safety, and welfare of the community.
- (C) The use will not adversely impact implementation of the comprehensive plan.
- (D) The date or event that will terminate the use is identified with certainty.
- (E) The applicant has signed a consent agreement agreeing that the applicant, owner, operator, tenant and/or user has no entitlement to future re-approval of the interim use permit as well as agreeing that the interim use will not impose additional costs on the public if it is necessary for the public to fully or partially take the property in the future.
- (F) The user agrees to all conditions that the City Council deems appropriate for permission of the use including the requirement of appropriate financial surety to cover the cost of removing the interim use and any interim structures upon the expiration of the interim use permit.
- (G) There are no delinquent property taxes, special assessments, interest, or city utility fees due upon the subject parcel. (Ord. 246, passed 8-23-2010)

The proposed use of the existing retail space as a barber shop does not appear to have a negative impact on the surrounding land uses. Various types of mixed use retail and services are permitted within the MU-B zoning district. The subject building is zoned for mixed use and currently used as both retail and a warehouse building. The MU-B zoning district general allows more intense uses (warehousing) than those permitted in the MU-D zoning district where Beauty Shops are permitted.

The applicant is seeking an IUP for a one-chair barber shop. Typically, parking for a barber shop would require 1 parking space per employee and 1-2 parking spaces per work area (chair). The purpose use would have a parking requirement of 3 parking spaces. There are approximately 15 parking spaces allocated for the retail spaces in this building (8 to the west of the building and 7 spaces in front of the

building). The City does not have good data on the number of spaces required for the adjacent Control Freaks business; however, based on several visual inspections, there does not appear to be more than 2-3 spaces being used at any given time. Therefore, it appears that the existing parking can accommodate the proposed use of this space as a barber shop.

Given the interim nature and scale of the proposed use, the City has not reviewed the building or site to determine compliance with the downtown design guidelines. In addition, the applicant has not provided the City with any information pertaining to a sign for the proposed business. It is anticipated that the applicant will apply for a sign that will meet all applicable standards of the City. The applicant is seeking permission to use the site for a set amount of time or an event that will be defined by the City. The period of time or the event that would end the interim use permit has to be known and clearly established by the City. For the requested use, the City could consider granting the IUP for a period of time and or the occurrence of an event. The event that was discussed was the availability of a comparable retail space in the MU-D or MU-G zoning districts. The occurrence of an event may be difficult for the City to administer given the potential subjective nature of determining the availability of a suitable retail space. A typical time period for granting an IUP is somewhere between 1-5 years. In order to provide the applicant with a reasonable amount of time to establish the business, the City could consider a period to not exceed 5 years from the date granted. Staff will be seeking direction from the Planning Commission regarding this issue.

***Public Hearing Comments:***

The owner of the building located at 5269 Highway 12 stated that he was opposed to the IUP. He had concerns with adding a second barber shop so close to the existing one in his building.

***Planning Commission Discussion:***

Commissioners reviewed the requested IUP and asked questions of the applicant and staff. Commissioners discussed the amount of time and or event that would trigger then termination of the IUP. Planning Commissions asked whether or not the City would provide notification to the applicant ahead of the termination of the IUP. Commissioners recommended approval of the IUP with a minor modification to the conditions of approval. The modification recommended was to add a condition that would state a change to the use or physical dimensions of the existing building would nullify the IUP.

***Recommendation:***

The Planning Commission recommended approval of the requested Interim Use Permit with the following findings and conditions:

1. The proposed Interim Use Permit meets all applicable conditions, criteria and restrictions stated in the City of Maple Plain Zoning Ordinance.
2. Prior to the City Council’s review of the Interim Use Permit, the applicant shall complete the following items:
  - a. The applicant shall sign a consent agreement agreeing that the applicant, owner, operator, tenant and/or user has no entitlement to future re-approval of the interim use permit as well as agreeing that the interim use will not impose additional costs on the public if it is necessary for

the public to fully or partially take the property in the future.

- b. The applicant shall confirm that the proposed lease space meets all applicable building codes.
3. The Interim User Permit shall be granted for a period of five (5) years from the date of City Council approval or upon vacation of the premise by the applicant. The applicant shall remove all signage and business related materials from the site by the ending date of the Interim Use Permit. Any change to the existing use of the property or physical dimensions of the building will nullify the Interim Use Permit.
4. The Applicant shall pay for all costs associated with the City's review of the Interim Use Permit application.

**Attachments:**

1. Building Façade Image

*Image of Building Façade*



RESOLUTION NO.15-0713-01

A RESOLUTION APPROVING THE REQUEST BY GARY KANGAS FOR AN INTERIM USE PERMIT TO ALLOW A BARBER SHOP TO BE LOCATED ON THE PROPERTY AT 5260 INDEPENDENCE STREET

WHEREAS, the City of Maple Plain (the “City”) is a municipal corporation under the laws of Minnesota; and

WHEREAS, the City adopted a comprehensive plan in 2008 to guide the development of the community; and

WHEREAS, the City has adopted a zoning ordinance and other official controls to assist in implementing the comprehensive plan; and

WHEREAS, Gary Kangas (the “Applicant”) and Clair Rood (the “Owner”) submitted an application seeking an interim use permit to allow a barber shop to be located at 5260 Independence Street (the “Property”); and

WHEREAS, the Property is zoned Mixed Use – Budd/Highway 12 (MU-B); and

WHEREAS the requested interim use permit meets all requirements, standards and specifications of the City of Maple Plain Zoning Ordinances for property zoned MU-B; and

WHEREAS the Planning Commission held a public hearing on July 1, 2015 to review the application for an interim use permit following mailed and published noticed as required by law; and

WHEREAS, the City Council has reviewed all materials submitted by the Applicant; considered the oral and written testimony offered by the applicant and all interested parties; and has now concluded that the application is in compliance with all applicable standards and can be considered for approval.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MAPLE PLAIN, MINNESOTA that it should and hereby does approve the application by Gary Kangas for an interim use permit per the City’s zoning regulations with the following conditions:

1. The proposed interim use permit meets all applicable conditions, criteria and restrictions stated in the City of Maple Plain Zoning Ordinance.
2. The City Council’s approval of the interim use permit is subject to the applicant completing the following items:

- a. The applicant shall sign a consent agreement agreeing that the applicant, owner, operator, tenant and/or user has no entitlement to future re-approval of the interim use permit as well as agreeing that the interim use will not impose additional costs on the public if it is necessary for the public to fully or partially take the property in the future.
  - b. The applicant shall confirm that the proposed lease space meets all applicable building codes.
3. The interim use permit shall be granted for a period of five (5) years from the date of City Council approval or upon vacation of the premise by the applicant. The applicant shall remove all signage and business related materials from the site by the ending date of the interim use permit. Any change to the existing use of the property or physical dimensions of the building will nullify the interim use permit.
  4. The Applicant shall pay for all costs associated with the City's review of the interim use permit application.

This resolution was adopted by the City Council of the City of Maple Plain on this 13<sup>th</sup> day of July, 2015, by a vote of \_\_\_\_ ayes and \_\_\_\_ nays.

\_\_\_\_\_  
Jerry Young, Mayor

ATTEST:

\_\_\_\_\_  
Tessia Melvin, City Administrator

(SEAL)

RES. NO. \_\_\_\_\_  
IUP – Gary Kangas 5260 Independence Street

Agenda Information Memorandum  
July 13, 2015 Maple Plain City Council

**9. NEW BUSINESS**

**A. 2015-2016 ASSESSING CONTRACT**

**ACTION TO BE CONSIDERED**

To continue contracting assessing services with Rolf Erickson for 2015-2016

**FACTS**

1. Rolf Erickson has been with the City of Maple Plain for several years.
2. The current contract expires August 31, 2015.
3. The new contract would begin September 1, 2015.
4. They are asking for an annual increase of \$291.
5. Staff received a resume form another independent consultant. Staff is waiting for pricing.
6. The City could also contract with Hennepin County.

**ATTACHMENTS**

Proposed contract for 2015-2016.

TO: Maple Plain Mayor and City Councilmembers  
Tessia Melvin, City Clerk/Administrator

FROM: Rolf Erickson, City Assessor 763-473-3978

DATE: July 25, 2014

RE: 2015 Assessment Amount

Term of Contract September 1, 2014-August 31, 2015

Current Contract Amount:	\$14,361.00
Requested Amount for 2015 Assessment:	\$14,652.00
Current Monthly Fee	\$1,196.75
Requested Monthly Fee Starting January 1, 2015	\$1,221
Requested annual increase	\$291.00

The amount for supplies and postage should be approximately the same as last year. .  
Please present this to the Council at the next possible meeting. Please print two copies of  
the attached contract and I will sign them after the council has approved and signed them.

CONTRACT FOR ASSESSING SERVICES

This contract is made this first day of September, 2014, by and between the City of Maple Plain Hennepin County, Minnesota (hereinafter called the "Municipality") and Rolf Erickson, 14520 12<sup>th</sup> Ave. North, Plymouth, Minnesota, 55447 DBA Southwest Assessing, a Minnesota Corporation (hereinafter called the "Contractor")

The Contractor represents that he is a Licensed Minnesota Assessors as required in Chapter 273 of Minnesota Statutes and that he is a qualified real estate appraiser.

**ASSESSING SERVICES:** The Municipality hereby contracts for and the Contractor hereby agrees to cooperate with officials of the Municipality and the County of Hennepin in performing 2015 assessment services as defined in Minnesota Statutes. The Municipality agrees and acknowledges that the manner and the method used in the performance of the assessment duties will be under the control and direction of said Contractor.

**CONTRACT PRICE:** In consideration of the services rendered by the Contractor, the Municipality shall pay to the Contractor at the above stated address, the sum of \$14,652.00 payable in twelve (12) installments of \$ \$1,221 beginning October 2015 and ending September 2015.

**TERM OF CONTRACT:** September 1, 2014 through August 31, 2015.

The following services are to be billed separately on a one time basis.

NONE.

**FURNISHING OF EQUIPMENT:** The contractor shall provide all transportation necessary for the performance of the services contracted for. The Municipality shall furnish all equipment and supplies necessary for the performance of the services contracted for, including a current set of aerial photographs and Hennepin County Data fee.

**ATTENDANCE AT COUNCIL MEETINGS:** The Contractor shall attend the local board of review meeting on the date selected by the Municipality and the Contractor and not to exceed three other Municipality council meetings during the term of the contract.

**LEGAL STATUS:** The parties agree that the Contractor is not required to maintain office hours, shall not receive retirement benefits, health insurance benefits, or any other fringe benefits offered to employees of the Municipality and shall, in all respects, be deemed independent an contractor.

IN WITNESS WHEREOF, the Contractor and the Municipality have executed this Contract this            day of 2014.

City of Maple Plain (Municipality)  
by

Southwest Assessing (Contractor)  
by

Agenda Information Memorandum  
July 13, 2015 Maple Plain City Council

**9. NEW BUSINESS**

**B. DOWNTOWN DEVELOPMENT AGREEMENT**

**ACTION TO BE CONSIDERED**

To approve a developers agreement for the redevelopment of the Downtown Area.

**FACTS**

1. The EDA will discuss the agreement and provide a recommendation at the July 13 meeting.

**9. NEW BUSINESS**

**C. AUTHORIZATION TO HIRE CONSULTANT FOR CREATION OF TIF DISTRICT**

**ACTION TO BE CONSIDERED**

To authorize the hiring of a consultant to begin creation of a TIF District

**FACTS**

1. Authorization to commence the preparation of the tax increment financing plan will allow the City to engage with a consultant to begin the process.
2. Once the consultant is selected, staff will schedule a TIF educational meeting for Council and staff.
3. The two consultants are:
  - a. Shannon Sweeny, David Drowns and Associates for a flat rate of \$6,500
  - b. Ehlers, for services ranging in cost from \$7,500-\$10,500

# Memorandum

**To:** Economic Development Authority Members  
**From:** Tessia Melvin, City Administrator  
**Date:** July 13, 2015  
**Re:** Authorization to hire a consultant to begin the creation of a TIF District

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## **BACKGROUND**

The EDA has had prior discussions on using Tax Increment Financing to help fund the development of the downtown area. In order to better understand the potential of tax increment financing for this redevelopment, it is important to explore the probable increment available. Staff has solicited two proposals to prepare a tax increment financing plan for the downtown redevelopment.

## **NEXT STEPS**

Authorization to commence the preparation of the tax increment financing plan will allow the City to engage with a consultant to begin the process. Once a consultant is selected, staff will schedule a TIF educational question and answer meeting for the EDA.

## **RECOMMENDATION**

Staff is looking for authorization to begin work on the tax increment financing plan. The EDA's recommendation will be formally approved at the Monday, July 13 City Council meeting.

The two consultants are:

1. Shannon Sweeney, David Drowns Associates will charge a flat rate of \$6,500 for assistance of the TIF plan. Attached is a business proposal of the work that he would complete.
2. Todd Hagen, Ehlers, will charge between \$7,500 and \$10,500. Attached is a memo of the work that would be included in their work that was provided in 2011.



Waconia Office  
2078 Feather Circle  
Waconia, MN 55387  
(952) 442-5821; fax (952) 442-8838  
Email: shannon@daviddrown.com

July 1, 2015

City of Maple Plain  
Attn: Mark Kaltsas – Terramark  
Via Email: [mark@terra-mark.com](mailto:mark@terra-mark.com)

Dear Mr. Kaltsas:

Thank you for the opportunity to respond to your request for a proposal for TIF Consulting Services. David Drown Associates, Inc. prides itself on the quality of work that we do in serving the economic development needs of our clients. David Drown Associates, Inc. has been in business for over 17 years and is involved in all aspects of serving communities in the areas of tax increment financing and tax abatement including district creation, management, negotiation, and reporting.

**Background:**

A complete list of services that we provide would include the following:

*Services we provide:*

- Debt Structuring
- Municipal Bond Sales
- Continuing Disclosure
- Debt Capacity Analysis
- Capital Improvements Planning
- Financial Studies & Impact Analysis
- Tax Increment Financing (TIF)
- TIF Reporting
- Development Negotiation
- Grant Applications & Loan Packaging
- Tax Abatement

David Drown Associates, Inc. serves approximately 150 units of government in Minnesota, and also serves as the financial advisor for several of Minnesota Rural Water's financing programs. Each of our associates has a significant level of experience in managing the development process including; debt/project structuring, TIF District creation, utilization of tax abatement, structuring of special assessments, and the creation of policy documents to assist in the implementation of each of these tools.

If selected by the City of Maple Plain to be the service provider, I (Shannon Sweeney) would serve as the primary contact to the City from my office in Waconia. I have over twenty years of experience in serving local governments and have been an employee of DDA for 14 years. I have an undergraduate degree from Gustavus Adolphus College in management/finance, a graduate degree in urban planning from Minnesota State University – Mankato, and have successfully completed the Economic Development Finance Professional training offered by the National Development Council. I have had the opportunity to work on numerous industrial development, redevelopment, housing, and related projects. I serve municipal clients throughout the State in the areas of municipal finance and economic development related activities such as tax increment financing and the utilization of tax abatement.

**Time Line:**

The first step in the process for creating a redevelopment tax increment financing district includes the inspection of properties to be included in the district by the city's building official to determine if the structures are substandard. Once this determination is made, a tax increment financing plan is drafted and notifications are sent to the County and School District regarding the City's intent to create a tax increment financing district. As statute requires an approximately 45 day notice period to the County, it takes approximately 70 days to complete this process if accomplished at a regular meeting schedule. As a part of this process the City Council is required to hold a public hearing regarding the adoption of the proposed tax increment plan. We present the tax increment plan at the hearing and address any questions from the Council or public regarding the implementation of the TIF District.

**Compensation:**

David Drown Associates, Inc. flat rate for the creation of a Redevelopment TIF District is \$6,500.00. This includes services required for the City Council to properly evaluate and then implement the creation of a redevelopment TIF District. This includes meetings, mileage, postage, photocopying, etc. This does not include the cost of publication of the public hearing notice, the preparation of a development agreement by the City's attorney, or the inspections of substandard properties to be included in the TIF District by the city's building official.

**Professional References for Shannon Sweeney:**

**City of St. Peter - 227 South Front St., St. Peter, MN 56082**

Todd Prafke, City Administrator	Phone: (507) 934-0663
Paula O'Connell, Finance Director (Project Finance, Redevelopment Projects)	Phone: (507) 934-0664

**City of Redwood Falls – 333 South Washington St., Redwood Falls, MN 56283**

Keith Muetzel, City Administrator (Project Finance, TIF Administration)	Phone: (507) 637-5755
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**City of Howard Lake – P.O. Box 736, Howard Lake, MN 55349**

Jennifer Nash, City Administrator (Project Finance, TIF Administration)	Phone: (320) 543-3670
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Thank you again for the opportunity to provide this information. Please feel free to contact me if I can be of any additional assistance in answering questions regarding our company. Your time and consideration are appreciated.

Yours truly,



Shannon Sweeney  
David Drown Associates, Inc.

# Memo

**To:** Jason Ziemer, City of Maple Plain, Minnesota  
**From:** Todd Hagen, CIPFA, Public Finance Advisor  
**Date:** May 26, 2011  
**Subject:** City of Maple Plain, MN - TIF Assistance for Redevelopment Projects

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**Background.** As advisor to the City of Maple Plain (the "City"), I thought a short memorandum outlining the necessary process and policy issues would be helpful on the use of tax increment financing assistance for redevelopment projects in general. Tax increment financing is a method local governments use to pay for the costs of qualifying improvements such as land acquisition, site improvements, public and on-site utilities, demolition, relocation, and administration necessary to create new development, redevelopment or publicly assisted housing. Tax increment is the difference between the existing property taxes on the parcel of land before the development occurs and the increased property taxes created by the new development.

**Interfund Loans.** Cash advances made by the City to pay costs that will be repaid with tax increments must be authorized by resolution of the City before the expenditure is made. The terms of the loan must be in writing and include the principal amount, term, and interest rate. *To assist you with this documentation, I have attached a form of Resolution.*

**Type of TIF District.** Certain requirements must be met before a particular site can qualify as a tax increment financing district. The general types of tax increment financing districts are redevelopment districts, renewal and renovation districts, housing districts, and economic development districts. Given the proposed projects, it appears that the City would be looking at the qualifications of either a redevelopment district (a maximum 25-year term) or a renewal and renovation district (a maximum 15-year term).

**TIF Process.** Tax increments must be spent within particular geographic areas only for specified purposes. All projects require a general development or redevelopment plan, approved after a public hearing held by the City Council. The boundaries tend to be large areas within which the City intends to promote development or redevelopment. Tax increment districts are specified parcels within a project area from which tax increment will be captured. Following is a description of the process.

**Development District.** To establish a tax increment financing district, the City must first establish a planning area (called a development district). The only significance to a development district is to allow the increment to be spent in its geographic boundaries and to provide the statutory basis for tax increment to be exercised. Typically, a development district is the same area as a tax increment district. A development program describes the development district, goals and objectives, and authorizing statutes.

**TIF District.** Second, a tax increment financing plan must be prepared. The plan outlines the type of district to be established, the expected duration of the district, the budget for the tax increment, and the fiscal impacts upon the taxing jurisdictions. The purpose of the tax increment plan is only to authorize the City to create a tax increment district. *No funds will be committed until a development agreement outlining the terms of the project is approved by the City.*

**Duration; Pay-As-You-Go.** I generally advise that the tax increment run for only as long as the assistance is needed, regardless of the term of the tax increment financing district and that the City not issue bonds for the project, but reimburse the developer for costs of the redevelopment and public improvements of the project with interest over time. *Therefore, there is no risk to the taxpayers of the developer defaulting on the project.* The City may wish to establish a policy of retaining a significant percentage of tax increment for other related public improvements. Such an improvement may require a bond issue.

**Findings.** Next, the City, at the public hearing, must make certain findings for this project, including the following:

- The proposed development would not occur without tax increment assistance (but/for finding).
- No development with a market value of greater than the market value resulting from the City's use of tax increment assistance on this site would occur within the term of the tax increment financing district.
- At least 50% of the current buildings are structurally substandard to qualify the area as a **redevelopment tax increment district** and at least 70% of the site's parcels are occupied by improvements (man-made changes to the site).
- At least 20% of the current buildings are structurally substandard, and an additional 30% are obsolete due to building configuration or site layout sufficient to qualify the area as a **renewal and renovation tax increment district** (that is, a lesser standard of blight than required for a redevelopment tax increment financing district) and at least 70% of the site's parcels are occupied by improvements (man-made changes to the site).
- No building permits have been issued within the tax increment financing district during the 18 months preceding the adoption of the tax increment financing plan.

However, for two years, between June 30, 2010 and June 30, 2012, local governments can create a compact development district requiring the new buildings to be at least three times as large as the original buildings with no requirement for existing buildings to be substandard.

**Minimum Qualifications.** To verify that the buildings meet all of the statutory requirements as either a redevelopment district or a renewal and renovation district, the developer and the architect must provide evidence that the site meets the minimum qualifications. An interior inspection by a building inspector, engineer, or architect is required for those parcels which agree to a review of the

building conditions. The City must be comfortable that the site is truly either a redevelopment district or a renewal and renovation district and that the buildings are substandard as described in the statutes. *To assist you with these determinations, I have attached a form of Resolution, Report, and Worksheet.*

**Development Agreement; Business Subsidy.** Finally, a development agreement between the City and the developer should be drafted by the City's bond attorney for this project. The City is considered the official administrative agency for the tax increment. Prior to finalizing a development agreement for commercial property, the City must adopt a business subsidy policy and criteria. The criteria can be as simple as determining a minimum wage level that the City will require for a business or as complex as detailed formulas on the amount of assistance per job. The tax increment proceedings and the criteria proceedings have similar notice publication requirements so they can be either separate or combined.

**Administrative Costs.** The City can retain up to 10% of the increment for actual administrative costs, which must be documented and authorized.

**First Steps.** I am available to assist the City with any of the steps listed above. The first steps in the process would be to determine that the development needs assistance, determine the size of each parcel occupied by improvements and the condition of the buildings, prepare an analysis of the potential tax increment on the project, and evaluate the level of assistance through a review of a development proforma.

We briefly touched on this. Please contact me with any further questions or comments.

**CITY OF MAPLE PLAIN  
HENNEPIN COUNTY  
STATE OF MINNESOTA**

Council member \_\_\_\_\_ introduced the following resolution and moved its adoption:

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION AUTHORIZING AN INTERFUND LOAN FOR ADVANCE OF CERTAIN COSTS IN CONNECTION WITH A TAX INCREMENT FINANCING DISTRICT.**

BE IT RESOLVED by the City Council (the "Council") of the City of Maple Plain, Minnesota (the "City"), as follows:

Section 1.     Background.

1.01. The City intends to establishment a Tax Increment Financing District (the "TIF District") within a Development District (the "Project"), and will adopt a Tax Increment Financing Plan (the "TIF Plan") for the purpose of financing certain improvements within the Project.

1.02. The City has determined to pay for certain costs identified in the TIF Plan consisting of land/building acquisition, site improvements/preparation, public utilities, streets and sidewalks, other housing improvements, interest and administrative costs (collectively, the "Qualified Costs"), which costs may be financed on a temporary basis from City funds available for such purposes.

1.03. Under Minnesota Statutes, Section 469.178, Subd. 7, the City is authorized to advance or loan money from the City's general fund or any other fund from which such advances may be legally authorized, in order to finance the Qualified Costs.

1.04. The City intends to reimburse itself for the Qualified Costs from tax increments derived from the TIF District in accordance with the terms of this resolution (which terms are referred to collectively as the "Interfund Loan").

Section 2.     Terms of Interfund Loan.

2.01. The City hereby authorizes the advance of up to \$\_\_\_\_\_ from the \_\_\_\_\_ fund or so much thereof as may be paid as Qualified Costs. The City shall reimburse itself for such advances together with interest at the rate stated below. Interest accrues on the principal amount from the date of each advance. The maximum rate of interest permitted to be charged is limited to the greater of the rates specified under Minnesota Statutes, Section 270C.40 or Section 549.09 as of the date the loan or advance is authorized, unless the written agreement states that the maximum interest rate will fluctuate as the interest rates specified under Minnesota Statutes, Section 270C.40 or Section 549.09 are from time to time adjusted. The interest rate shall be 4% and will not fluctuate.

2.02. Principal and interest ("Payments") on the Interfund Loan shall be paid semi-annually on each August 1 and February 1 (each a "Payment Date"), commencing on the first Payment Date on which the Authority has Available Tax Increment (defined below), or on any other dates determined by the City Administrator, through the date of last receipt of tax increment from the TIF District.

2.03. Payments on this Interfund Loan are payable solely from "Available Tax Increment," which shall mean, on each Payment Date, tax increment available after other obligations have been paid, or as determined by the City Administrator, generated in the preceding six (6) months with respect to the property within the TIF District and remitted to the City by Hennepin County, all in accordance with Minnesota Statutes, Sections 469.174 to 469.1799, all inclusive, as amended. Payments on this Interfund Loan may be subordinated to any outstanding or future bonds, notes or contracts secured in whole or in part with Available Tax Increment, and are on parity with any other outstanding or future interfund loans secured in whole or in part with Available Tax Increment.

2.04. The principal sum and all accrued interest payable under this Interfund Loan are pre-payable in whole or in part at any time by the City without premium or penalty. No partial prepayment shall affect the amount or timing of any other regular payment otherwise required to be made under this Interfund Loan.

2.05. This Interfund Loan is evidence of an internal borrowing by the City in accordance with Minnesota Statutes, Section 469.178, Subd. 7, and is a limited obligation payable solely from Available Tax Increment pledged to the payment hereof under this resolution. This Interfund Loan and the interest hereon shall not be deemed to constitute a general obligation of the State of Minnesota or any political subdivision thereof, including, without limitation, the City. Neither the State of Minnesota, nor any political subdivision thereof shall be obligated to pay the principal of or interest on this Interfund Loan or other costs incident hereto except out of Available Tax Increment, and neither the full faith and credit nor the taxing power of the State of Minnesota or any political subdivision thereof is pledged to the payment of the principal of or interest on this Interfund Loan or other costs incident hereto. The City shall have no obligation to pay any principal amount of the Interfund Loan or accrued interest thereon, which may remain unpaid after the final Payment Date.

2.06. The City may amend the terms of this Interfund Loan at any time by resolution of the City Council, including a determination to forgive the outstanding principal amount and accrued interest to the extent permissible under law.

Section 3. Effective Date. This resolution is effective upon the date of its approval.

The motion for the adoption of the foregoing resolution was duly seconded by Council member \_\_\_\_\_, and upon a vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

Dated: \_\_\_\_\_, 20\_\_

ATTEST:

\_\_\_\_\_, Mayor

\_\_\_\_\_, City Administrator

(Seal)

**CITY OF MAPLE PLAIN  
COUNTY OF HENNEPIN  
STATE OF MINNESOTA**

Council member \_\_\_\_\_ introduced the following resolution and moved its adoption:

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE CITY OF MAPLE PLAIN FINDING  
A PARCEL TO BE OCCUPIED BY A STRUCTURALLY  
SUBSTANDARD BUILDING**

WHEREAS, it has been proposed that the City Council for the City of Maple Plain, Minnesota, (the "City"), create a tax increment financing district in an area within the City to be designated a redevelopment district as defined in Minnesota Statutes, Section 469.174, Subd. 10; and

WHEREAS, In order to create this type of tax increment financing district, the City must make a determination that before the demolition or removal of the substandard buildings, certain conditions existed; and

WHEREAS, The conditions found by the City to exist throughout the proposed tax increment financing district are that parcels consisting of 70 percent of the area of the district are occupied by buildings, streets, utilities, paved or gravel parking lots, or other similar structures and more than 50 percent of the buildings, not including outbuildings, are structurally substandard to a degree requiring substantial renovation or clearance; and

WHEREAS, In order to deem a parcel as being occupied by a structurally substandard building, the City must first pass a resolution before the demolition or removal that the parcel was occupied by one or more structurally substandard buildings and that after demolition and clearance the City intended to include the parcel within the proposed tax increment financing district; and

WHEREAS, There exists in the City on each parcel or parcels described in Exhibit A attached hereto (collectively, the "Parcel") one or more structurally substandard buildings to be demolished or removed (the "Substandard Building Condition"); and

WHEREAS, A parcel is deemed to be occupied by a structurally substandard building if the Substandard Building Condition is met within three years of the filing of the request for certification of the parcel as part of the tax increment financing district with the county auditor; and if certain other conditions are met.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Maple Plain that 15% of the area of the Parcel identified on Exhibit A attached hereto contains improvements and is occupied by one or more structurally substandard buildings and that after demolition and clearance the City intends to include this Parcel within the proposed tax increment financing district.

The motion for the adoption of the foregoing resolution was duly seconded by Council member \_\_\_\_\_, and upon a vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

Dated:

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Administrator

(Seal)

EXHIBIT A

PARCEL IDENTIFICATION NUMBER

[To be supplied by the City]

Report on Structurally Substandard Building

The building located at \_\_\_\_\_ is within a proposed tax increment-financing district in the City of Maple Plain. The purpose of the building inspection was to determine if the building is a substandard building under the following definition:

Under the tax increment law, specifically Minnesota Statutes, Section 469.174, Subdivision 10 (a), a building is "structurally substandard" if it contains defects in structural elements or a combination of deficiencies in essential utilities and facilities, light and ventilation, fire protection including adequate egress, layout and condition of interior partitions, or similar factors, which defects or deficiencies are of sufficient total significance to justify substantial renovation or clearance.

The building, based upon actual interior inspection, meets the above-referenced definition of structurally substandard for the following reasons:

The property inspected included \_\_\_\_\_ . In particular, the \_\_\_\_\_ located on the property is structurally unsafe and does not meet today's building code requirements. This conclusion is based on the following findings:

Notwithstanding the forgoing, the tax increment law also provides that a building may not be considered structurally substandard if it is in compliance with the building code applicable to new buildings or could be modified to satisfy the building code at a cost of less than 15 percent of the cost of constructing a new structure of the same square footage and type on the site.

The undersigned has calculated the cost of a new building of the same size and type to be as follows:

Existing building square footage: \_\_\_\_\_  
Replacement cost per square foot: \_\_\_\_\_  
Estimated total replacement cost: \_\_\_\_\_(B),

and has also estimated that the cost of bringing the existing building up to current code would be \$\_\_\_\_\_ (A). Therefore, since A divided by B is equal to \_\_\_\_\_, the existing building [could/could not] be brought up to current code for less than 15% of the new building.

Note: Additional documentation and data may be attached as part of this report.

