



CITY COUNCIL AGENDA

December 11, 2023

6:00 p.m.

City Council and EDA Meeting

City Council Chambers

310 Elm Street W.

Norwood Young America, MN 55368

WORKSHOP

1. No Workshop

EDA

2. CALL A MEETING OF THE EDA TO ORDER

- 2.1. Pledge of Allegiance

- 2.2. Approve Agenda

- 2.3. Approve the minutes of November 27, 2023

- 2.4. Resolution 23-02 A Special Benefit Levy Pursuant to Minnesota Statutes, Section 469.033, Subdivision 6 and Approval of A Budget for Fiscal Year 2024

- 2.5. Adjournment

CITY COUNCIL MEETING

3. CALL A MEETING OF THE CITY COUNCIL TO ORDER

4. APPROVE AGENDA

5. INTRODUCTIONS, PRESENTATIONS, PROCLAMATIONS, AWARDS, AND PUBLIC COMMENT

(Individuals may address the City Council about any non-agenda item of concern. Speakers must state their name and address and limit their remarks to three minutes. The City Council will not take official action on these items but may refer the matter to staff for a future report or direct that the matter be scheduled for a future meeting agenda.)

6. CONSENT AGENDA

(NOTE TO THE PUBLIC: A single motion will approve all those items listed as part of the Consent Agenda unless a request to discuss one of those items is made prior to that time. Anyone present at the meeting may request an item removed from the consent agenda. Please inform the Council when they approve the agenda for this meeting.)

- 6.1 Approve minutes of November 27, 2023, City Council Workshop

- 6.2 Approve minutes of November 27, 2023, City Council Meeting

- 6.3 Approve Payment of Claims

- 6.4 Approve Gambling Permit—The Young America Baseball Club, Inc.

- 6.5 Approve Gambling Permit—Ascension Knights of Columbus

7. PUBLIC HEARING

- 7.1 Truth in Taxation Public Hearing Presentation—Mitchell Thiesfeld, City Clerk-Treasurer/Finance Director

- 7.1.1. Mayor Lagergren opens the Public Hearing

- 7.1.2. Motion to Open the Public Hearing

- 7.1.3. Public Comment—*Please state your name and address*

- 7.1.4. Motion to Close the Public Hearing

- 7.1.5. Council Discussion

- 7.2 401 Shady Lane—Vacation of Easement—Hannah Rybak, WSB Planning Consultant
 - 7.2.1. Mayor Lagergren announces the Public Hearing
 - 7.2.2. Motion to Open the Public Hearing
 - 7.2.3. Public Comment-*Please state your name and address*
 - 7.2.4. Motion to Close the Public Hearing
 - 7.2.5. Council Discussion

- 7.3 Railroad Street Improvement Project Public Hearing—Josh Eckstein, Bolton & Menk
 - 7.3.1. Mayor Lagergren opens the Public Hearing
 - 7.3.2. Motion to Open the Public Hearing
 - 7.3.3. Public Comment-*Please state your name and address*
 - 7.3.4. Motion to Close the Public Hearing
 - 7.3.5. Council Discussion

8. OLD BUSINESS

9. NEW BUSINESS

- 9.1 Resolution 2023-37 2024 Adopting the 2024 City of Norwood Young America General Fund Operating Budget—Mitchell Thiesfeld, City Clerk-Treasurer/Finance Director
- 9.2 Resolution 2023-38 Adopting the City of Norwood Young America 2023 Property Tax Levy Collectable in 2024—Mitchell Thiesfeld, City Clerk-Treasurer/Finance Director
- 9.3 Resolution 2023-39 Ordering Improvement and Preparation of Plans: Railroad Street—Josh Eckstein, Bolton & Menk
- 9.4 Resolution 2023-40 401 Shady Lane—Vacation of Easement—Hannah Rybak, WSB Planning Consultant
- 9.5 Resolution 2023-41 Approving Summary Language for Publication of Amended Ordinances 361-370—Hannah Rybak, Planning Consultant—WSB
 - 9.5.1. –Ordinance 361: Curbs
 - 9.5.2. – Ordinance 362: Definitions
 - 9.5.3. – Ordinance 363: 1210.06 Specific CUP Provisions – Auto condos, outdoor storage
 - 9.5.4. – Ordinance 364: 1230.11 B-1 District
 - 9.5.5. – Ordinance 365: 1230.12 I-1 District
 - 9.5.6. – Ordinance 366: 1245.03 Architectural Standards and Guidelines for Commercial Districts
 - 9.5.7. – Ordinance 367: 1245.04 Accessory Structures
 - 9.5.8. – Ordinance 368: 1245.05 Fences
 - 9.5.9. – Ordinance 369: Access
 - 9.5.10. – Ordinance 370: 1255 Landscaping
- 9.7 Resolution 2023-42 A Resolution Addressing Mandatory Earned Sick and Safe Time Compliance—Administrator Aukrust
- 9.8 TEDI Infrastructure Grant Award—Tacoma West Industrial Park Phase 2—Karen Hallquist, CED Director
- 9.9 Community and Economic Development Update—Karen Hallquist, CED Director
- 9.10 Backup Emergency Pump Quote—Mark Streich, PS Director
- 9.11 John Deere 1585 Tractor Quote and Public Services Update—Mark Streich, PS Director
- 9.12 Encrypted Radio Quote—Fire Chief Zumberge
- 9.13 2024 Contract of Police Services—Administrator Aukrust
- 9.14 2024 GIS Contract—Mitchell Thiesfeld, City Clerk-Treasurer/Finance Director

8. COUNCIL MEMBER / MAYOR AND STAFF REPORTS

9. ADDITIONAL INFORMATION—The following informational items have been included in the Council packet for informational purposes, council review, and discussion. No action is required by the City Council.

10. ADJOURNMENT

UPCOMING 2023 MEETINGS / EVENTS

December 13 th	Economic Development Commission Meeting	6:00 PM
December 19 th	Park and Recreation Commission Meeting	No Meeting
December 21 st	Sr. Advisory	9:00 AM
December 25 th	No City Council meeting	City Hall is Closed on December 25 th and 26 th in observance of the Christmas Holiday.
January 2, 2024	Planning Commission Meeting	6:00 PM
January 8	City Council Meeting	6:00 PM
January 10	NYA Food Distribution	9:30 AM – 10:30 AM (New Day and Time-2 nd Wed. of each month)
January 10	Economic Development Commission Meeting	6:00 PM
January 16	Park and Recreation Commission Meeting	5:30 PM
January 18	Senior Advisory Commission Meeting	9:00 AM
January 22	Workshop/EDA/City Council Meeting	5:00 PM/6:00 PM



ECONOMIC DEVELOPMENT AUTHORITY MINUTES

November 27, 2023 – 6:00 PM

City Council Chambers

310 Elm Street West

Norwood Young America MN 55368

Attendance:

ATTENDEES: Carol Lagergren, Charlie Storms, Brooke Allen, Alan Krueger, and Mike McPadden

ABSENT:

STAFF: Andrea Aukrust (City Administrator), Karen Hallquist (Economic and Community Development Director), Mitchell Thiesfeld (City Clerk/Finance Director)

OTHERS: Josh Eckstein and Angie Smith, Bolton & Menk, Tyler See, Abdo Financial Solutions, Hannah Rybak, Planning Consultant (WSB), Robyn Hoen, MRWA, Dan Stender, 108 Hilltop Circle

2. Call EDA Meeting to Order

Mayor Lagergren called the EDA meeting to order at 6:00 PM with five members present.

2.1 Pledge of Allegiance

The Pledge of Allegiance was said by all present

2.2 Approve Agenda

Motion: MM/CS to approve the agenda as submitted. Motion passed 5-0.

2.3 Approve minutes of October 23, 2023, meeting

Motion: MM/AK to approve the minutes as submitted. Motion passed 5-0.

2.3 Adjournment

Motion: BA/MM Motion to adjourn at 6:01 p.m. Motion passed 5-0.

Respectfully submitted,

Carol Lagergren, Mayor

Mitchell Thiesfeld, Clerk/Finance Director



TO: Mayor Lagergren and City Council Members, acting as the Economic Development Authority

FROM: Mitchell Thiesfeld, City Clerk/Finance Director

DATE: December 11, 2023

SUBJECT: Resolution 2302, Special Benefit Levy

Attached is Resolution 2302, approving a special benefit levy to be collected in 2024 for the purpose of paying toward the 2024 debt service obligation for the Tacoma West Industrial Park (Fund 522).

The proposed amount is based off Minnesota Statutes, Sections 469.033, Subdivision 6 of the HRA Act whereas the levy amount cannot exceed 0.0185 percent of the taxable market value in the city. ($\$422,170,400 \times 0.0185\%$)

Recommended Motion:

Motion to approve Resolution 2302, Authorizing the Levy of a Special Benefit Levy Pursuant to Minnesota Statutes, Section 469.033, Subdivision 6 and approval of the Budget for Fiscal Year 2024.

**NORWOOD YOUNG AMERICA
ECONOMIC DEVELOPMENT AUTHORITY**

RESOLUTION NO. 2302

**AUTHORIZING THE LEVY OF
A SPECIAL BENEFIT LEVY PURSUANT TO MINNESOTA STATUTES,
SECTION 469.033, SUBDIVISION 6 AND APPROVAL
OF A BUDGET FOR FISCAL YEAR 2024**

WHEREAS, pursuant to Resolution No. 1997-03, adopted by the City Council of the City of Norwood Young America, Minnesota (the "City") and Minnesota Statutes, Sections 469.090 through 469.1082, the City created the Norwood Young America Economic Development Authority (the "Authority"); and

WHEREAS, pursuant to Resolution No. 2006-46 adopted by the City Council of the City on May 8, 2006, the Authority has the ability to exercise all powers and duties of a housing and redevelopment authority under the provisions of Minnesota Statutes, Sections 469.001 to 469.047 (the "HRA Act"); and

WHEREAS, Section 469.033, Subdivision 6, of the HRA Act permits the Authority to levy and collect a special benefit tax of up to 0.0185 percent of taxable market value in the City, levied upon all taxable real property within the City; and

WHEREAS, the Authority desires to levy a special benefit tax in the amount of 0.0185 percent of taxable market value in the City; and

WHEREAS, the Authority has entered into an interfund loan in the amount of \$1,519,330 to finance the development of an industrial park project and certain related marketing costs under the HRA Act (the "Interfund Loan"), all pursuant to Resolution No. 0602 adopted by the Authority on June 12, 2006 approving the Interfund Loan (the "Interfund Loan Resolution"); and

WHEREAS, under the Interfund Loan Resolution, the Authority pledged to levy its special benefits tax for the payment of principal and interest on the Interfund Loan; and

WHEREAS, the Authority has determined to adopt a budget for fiscal year 2024 that provides for levy of the special benefits tax in amount of 0.0185 percent of taxable market value to be used for the payment of principal and interest on the Interfund Loan; and

NOW, THEREFORE, Be It Resolved by the Board of Commissioners ("Board") of the Norwood Young America Economic Development Authority as follows:

1. The Board hereby approves a budget of \$78,100 in proceeds of special benefits tax to be collected in 2024, for the payment of principal and interest on the Interfund Loan.

2. Staff of the Authority is hereby authorized and directed to file the budget with the City in accordance with Minnesota Statutes, Section 469.033, Subdivision 6.
3. There is hereby levied a special benefit tax pursuant to Minnesota Statutes, Section 469.033, Subdivision 6, in the amount equal to the lesser of a levy at a rate of 0.0185 percent of taxable market value in City, or \$78,100, with respect to taxes payable in calendar year 2023.
4. Staff of the Authority is hereby authorized and directed to take such other actions as are necessary to levy and certify such levy.

Approved by the Board of Commissioners of the Economic Development Authority of Norwood Young America, Minnesota this 11th day of December 2023.

Carol Lagergren, President

Attest:

Mitchell Thiesfeld, Clerk/Finance Director



CITY COUNCIL WORKSHOP MINUTES

November 27, 2023
City Council Chambers
310 Elm Street W.
Norwood Young America, MN 55368

Attendance:

ATTENDEES: Carol Lagergren, Charlie Storms, Alan Krueger, Brooke Allen, Mike McPadden

ABSENT:

STAFF: Andrea Aukrust (City Administrator), Karen Hallquist (Community and Economic Development Director), and Mitchell Thiesfeld (Clerk-Finance Director)

OTHERS: Hannah Rybak, Planning Consultant (WSB)

1. CALL WORKSHOP MEETING OF THE CITY COUNCIL TO ORDER

Mayer Lagergren called the meeting to order at 5:00 pm.

1.1. Discuss Proposed Ordinance Amendment

- The proposed ordinance changes were discussed.

2. ADJOURNMENT

CS/BA motion to adjourn at 5:51 p.m. Motion passed 5-0.

Respectfully submitted,

Carol Lagergren, Mayor

Mitchell Thiesfeld, Clerk-Finance Director



CITY COUNCIL MINUTES
November 27, 2023 – 6:00 p.m.
City Council Chambers
310 Elm Street W.
Norwood Young America, MN 55368

Attendance:

ATTENDEES: Carol Lagergren, Brooke Allen, Mike McPadden, Charlie Storms, Alan Krueger

STAFF: Andrea Aukrust, City Administrator, Karen Hallquist, Community and Economic Development Director, Mitchell Thiesfeld, City Clerk/Finance Director, Mark Streich, Public Service Director

OTHERS: Josh Eckstein and Angie Smith, Bolton & Menk, Tyler See, Abdo Financial Solutions, Hannah Rybak, Planning Consultant (WSB), Robyn Hoen, MRWA, Dan Stender, 108 Hilltop Circle

3. CALL A MEETING OF THE CITY COUNCIL TO ORDER

Mayor Lagergren called the meeting to order at 6:01 pm with all council members present.

- The Pledge of Allegiance - *was said by all at the beginning of the EDA meeting.*

4. APPROVE AGENDA

- Addition of 9.6 Public Utilities Lead Job Description
- Addition of 9.7 The Wastewater Treatment Plant Shop Heater Quotes

CS/AK motion to approve the agenda with the addition of 9.6 Public Utilities Lead Job Description and 9.7 The Wastewater Treatment Plant Shop Heater Quotes.

Motion passed 5-0.

5. INTRODUCTIONS, PRESENTATIONS, PROCLAMATIONS, AWARDS, AND PUBLIC COMMENT -

- Introduction of New City Clerk-Finance Director – Mitchell Thiesfeld
- Dan Stender – 4th Avenue ditch status
 - Waiting for ground to freeze – Henning Excavating is contracted for it.

6. CONSENT AGENDA

6.1. Approve minutes of November 13, 2023, City Council Meeting

6.2. Approve Payment of Claims

6.3. Personnel Committee Recommendation—Dhoore resignation

6.4. Personnel Committee Recommendation—Job Posting

CS/AK motion to approve the consent agenda. Motion passed 5-0.

7. PUBLIC HEARING

5.1 **Wellhead Protection Plan (WHPP) Presentation:** Angie Smith, Environmental Planning Practice Area Leader – Bolton & Menk, Inc.

5.1.1 Mayor Lagergren opens the Public Hearing

- Mayor Lagergren opened the Public Hearing at 6:05pm.
- Angie Smith presented a power point outlining the WHPP Process, overview, opportunities, and objectives.
- WHPP addresses the municipal water supply well vulnerability and strategies to correct potential contaminants that could impact the public water supply.

- Internal review is necessary before submittal. May 1st, 2024 is the deadline.
- Implementation of the action plan will start after approval in 2024.

5.1.2 Public Comment - none

5.1.3 Motion to Close the Public Hearing

CS/MM motion to close the public hearing. Motion passed 5-0.

5.1.4 Council Discussion - none

8. OLD BUSINESS

9. NEW BUSINESS

9.1. **Resolution 2023-36 Wellhead Protection Policy & Approval of Plan (Part 2)** – Angie Smith, Bolton & Menk

MM/CS motion to approve 2023-36 Wellhead Protection Policy & Approval of Plan (Part 2).

Motion passed 5-0.

9.2. **2023-2028 Long Range Plan (LRP) & Utility Rate Study Presentation** – Tyler See, CPA– Abdo Financial Solutions.

- Normal operating expenses will increase by 5% inflation rate.
- Overall levy, including EDA levy increase is 11.4%.
- Capital Fund tax levy for 2024 is \$600,000 to fund future capital projects/purchases.
- General fund levy keeps the General fund cash balance at 50% of budgeted fund expenditures.
- Suggested to increase in water base and usage rates of 5% per year 2024-2028 and sewer base and usage rates of 10% per year 2024-2028. An average bill would see an increase of approximately \$4-5/month.
- Compared to five other communities, NYA comes in the middle of price range for both water and sewer fees.

CL/BA motion to approve 2023-2028 Long Rang Plan & Utility Rate Study. Motion passed 5-0.

9.3. **City Code Amendments**—Hannah Rybak, Planning Consultant—WSB

9.2.1 – Ordinance 361: Chickens

- Prohibit backyard chickens.
- Only one valid permit
- Nuisance concerns with non-permit holders

9.2.2 – Ordinance 362: Curbs

- Property Owners fix damage to the public infrastructure of curbs if they contributed to the cause of the damage.

9.2.3 – Ordinance 363: Definitions

- Auto Condo

9.2.4 – Ordinance 364: 1210.06 Specific CUP Provisions – Auto condos, outdoor storage

- Standards for Auto Condos – private storage and eligible for commercial use.
- Allows conditions for what makes sense for the business use.
- Outdoor storage - Chain-link fences with plastic are acceptable, but chain-link fences with fabric material are not. Outdoor storage is not permitted in front yard.

9.2.5 – Ordinance 365: 1230.11 B-1 District

- Removal of B-1 District and rezoning all to I-1 District due to similarities and consistency with industrial park businesses.
- Current B-1 District is legal non-conforming.

9.2.6 – Ordinance 366: 1230.12 I-1 District

- Minor amendments related to permitted/CUPS, and minor setbacks, in combining B-1 and I-1.
- Additional architectural standards for all industrial properties.

9.2.7 – Ordinance 367: 1245.03 Architectural Standards and Guidelines for Commercial Districts

- Amendments pertaining to commercial, office/institutional, and multifamily with emphasis on façade and identifying entry.

9.2.8 – Ordinance 368: 1245.04 Accessory Structures

- Amended to follow State building code for sheds for building permit from 120sf to 200 sf

9.2.9 – Ordinance 369: 1245.05 Fences

- Removal of requirement for one-foot setback for fences.
- Allowing solid fencing up to 6 feet in height on corner side yards, but not in front of home.

9.2.10 – Ordinance 370: Access

- For all new builds, 24-foot maximum driveway width at property line, which can expand outwards to 36 ft to serve a three-car garage.
- Driven by the need for more room for snow plowing and street projects.

9.2.11 – Ordinance 371: 1255 Landscaping

- Lessens requirement of trees planted for commercial buildings to eight total planted or one tree per 3,000 square feet of suitable site area.

CS/AK motion to adopt Ordinances 361 through 371. Motion passed 5-0.

9.4. **Planning Commission 2024 Goals** – Karen Hallquist, CED Director

- Update the zoning and subdivision ordinances
- Evaluate residential densities by zoning district
- Potential updates related to cannabis
- Platting of the Tacoma West Industrial Park Phase 2.
- Rezoning of Outlot A

9.5. **102 E. Main St. Public Facility Quotes** – Mark Streich, PS Director

- Quotes for mold remediation
- Advanta Clean is from Eden Prairie, Puro Clean is from NYA.
- Both companies looked at the building & the work will be similar to either company.
- Food shelf and history center can remain open during remediation.
- The City of NYA did not plan for this remediation.

CS/AK motion to approve the quote from Advanta Clean for \$13,179.21 for mold remediation at 102 E. Main Street. Motion passed 5-0.

9.6. **Public Utilities Lead Job Description** – Mark Streich, PS Director

- Requirements changed from a Class-D water and wastewater license to a Class-C for water and Class-B for wastewater.
- Will require a Type-4 Bio Solid certificate.
- Streich is also licensed.

MM/AK motion to approve the posting of the Public Utilities Lead Position. Motion passed 5-0.

9.7. **Wastewater Treatment Shop Heater Quotes** – Mark Streich, PS Director

- The City of NYA did not plan for this remediation.
- Heater wasn't working, heat exchange was cracked.

CS/BA motion to approve the quote from Metro Vent Heating and Cooling in the amount of \$10,980 to replace the four heaters at the WWTP-shop. Motion passed 5-0.

10. COUNCIL MEMBER / MAYOR AND STAFF REPORTS

BA – No Parks meeting in December.

CS – Nothing to report.

MM – EDC will be meeting December 13th at 6 pm.

CL – Next Council Meeting is on December 11th at 6 pm. No Council Meeting on December 25th.

11. ADDITIONAL INFORMATION

CL – Next food distribution is December 6th from 12:30 to 1:30pm at the City Hall.

AA – A lot of winter prep happening. Waiting for ground to freeze to clean ditches.

12. ADJOURNMENT

BA/CS motion to adjourn at 7:36 p.m. Motion passed 5-0.

Respectfully submitted,

Carol Lagergren, Mayor

Mitchell Thiesfeld, City Clerk-Finance Director



more than a place, it's home.

**VOUCHER LIST / CLAIMS ROSTER
and CHECK SEQUENCE**

To Be Approved: December 11, 2023

Payroll EFT

Check #	508412 - 508427	\$	20,671.38
Check #	508429 - Supp - Thiesfeld	\$	94.90
Check #	508431 - Supp - Starke	\$	1,588.07

Claims Pending Payment

Check #	34869 - 34918	\$	128,440.07
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Voided Checks

Check #	34868 -
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Grand Total (excluding voided checks) \$ 150,794.42

NORWOOD YOUNG AMERICA

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***Check Detail Register©**

Batch: 121123PAY

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
10100 CHECKING					
34869	12/11/23	ABDO LLP			
E 601-49400-310		Other Professional Servic	\$486.00	480002	TRAINING & MILEAGE
E 602-49450-310		Other Professional Servic	\$486.00	480002	TRAINING & MILEAGE
E 101-41500-310		Other Professional Servic	\$5,512.78	480002	TRAINING & MILEAGE
E 602-49450-310		Other Professional Servic	\$7,500.00	480635	UTILITY RATE STUDY & LONG-TERM PLAN UPDATE
E 601-49400-310		Other Professional Servic	\$7,500.00	480635	UTILITY RATE STUDY & LONG-TERM PLAN UPDATE
E 101-46500-310		Other Professional Servic	\$1,250.00	480635	UTILITY RATE STUDY & LONG-TERM PLAN UPDATE
E 101-43100-310		Other Professional Servic	\$1,250.00	480635	UTILITY RATE STUDY & LONG-TERM PLAN UPDATE
		Total	\$23,984.78		
34870	12/11/23	ADVANTACLEAN OF SOUTHWEST MPLS			
E 101-43100-223		Repair/Maintenance Bldg/	\$6,589.60		JOB ID# 3165864 - 50% PAYMENT (CONTRACTOR LICENSE# BC789655)
		Total	\$6,589.60		
34871	12/11/23	ASPEN MILLS, INC.			
E 101-42200-417		Uniform	\$81.80	318271	UNIFORM FOR CONNOR SMITH
E 101-42200-417		Uniform	\$145.00	318272	JACKET PATCHES REPLACED FOR BRAD DROEGE, DAVE ORR, CHRIS GLANDER & ROMIE WENEICH
		Total	\$226.80		
34872	12/11/23	CARQUEST AUTO PARTS			
E 101-42200-210		Operating Supplies	\$48.16	5927-280019	ICE REMOVER JUG
E 101-43100-221		Repair/Maintenance Equip	\$148.88	5927-280641	OIL, MICRO2, CERAMIC BRAKE PADS, OIL FILTER
E 101-43100-212		Motor Fuels	\$44.10	5927-580398	BUTT CONN & WIRE FLAT TRAILER
R 101-41400-32130		Service Charge	\$3.70	FC-FINANCE	FINANCE CHARGE
R 101-41400-32130		Service Charge	\$2.00	FC-FINANCE	FINANCE CHARGE
		Total	\$246.84		
34873	12/11/23	CARVER COUNTY CDA			
E 101-41940-223		Repair/Maintenance Bldg/	\$2,048.76	1	OAK GROVE - CITY PORTION OF RAILING REPLACEMENT
		Total	\$2,048.76		
34874	12/11/23	CARVERLINK - CARVER CO BROADBA			
E 101-41940-321		Telephone	\$25.00	3487	INTERNET - RENTAL BUILDINGS
E 601-49400-321		Telephone	\$80.00	3487	INTERNET - WATER
E 602-49450-321		Telephone	\$65.00	3487	INTERNET - SEWER
E 101-42200-321		Telephone	\$80.00	3487	INTERNET - FIRE
E 101-43100-321		Telephone	\$28.00	3487	INTERNET - PW - HSR
E 101-45200-321		Telephone	\$12.00	3487	INTERNET - PW - PARKS
E 101-41940-321		Telephone	\$40.00	3487	INTERNET - HISTORY / FOOD
E 101-41300-321		Telephone	\$6.00	3487	INTERNET - EXECUTIVE
E 101-41320-321		Telephone	\$6.00	3487	INTERNET - COMM DEV
E 101-41400-321		Telephone	\$6.00	3487	INTERNET - CLERK

NORWOOD YOUNG AMERICA

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***Check Detail Register©**

Batch: 121123PAY

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 101-46500-321		Telephone	\$2.00	3487	INTERNET - EC DEV
E 101-42100-321		Telephone	\$10.00	3487	INTERNET - POLICE
E 101-45500-321		Telephone	\$10.00	3487	INTERNET - LIBRARY
		Total	\$370.00		
34875	12/11/23	CENTERPOINT ENERGY			
E 101-41940-383		Gas Utilities	\$259.72		GAS UTILITIES - BLDGS
E 101-42200-383		Gas Utilities	\$68.46		GAS UTILITIES - FD
E 101-43100-383		Gas Utilities	\$405.24		GAS UTILITIES - PW-STR
E 101-45200-383		Gas Utilities	\$274.46		GAS UTILITIES - PW-PARKS
E 601-49400-383		Gas Utilities	\$141.92		GAS UTILITIES - WATER
E 602-49450-383		Gas Utilities	\$866.66		GAS UTILITIES - WWPT
E 101-49860-383		Gas Utilities	\$28.18		GAS UTILITIES - POOL
		Total	\$2,044.64		
34876	12/11/23	CLAY, RANDY			
E 101-43100-417		Uniform	\$34.99		FLEET FARM - JEANS
		Total	\$34.99		
34877	12/11/23	COMPASS MINERALS			
E 101-43100-224		Street Maint Materials	\$5,188.12	1257671	ROAD SALT
		Total	\$5,188.12		
34878	12/11/23	DECKER, JOEL			
E 101-43100-417		Uniform	\$153.76		FLEET FARM - PANTS, SOCKS, & GLOVES
		Total	\$153.76		
34879	12/11/23	DELTA DENTAL			
G 101-21714		Dental Insurance	\$1,038.76	RIS00053310	DENTAL INSURANCE
		Total	\$1,038.76		
34880	12/11/23	ECM PUBLISHERS, INC			
E 101-41320-350		Print/Publishing/Postage	\$31.50	973413	NOV 27 PH WELLHEAD PROTECTION
E 101-41320-350		Print/Publishing/Postage	\$115.50	975363	DEC 11 PH EASEMENT
		Total	\$147.00		
34881	12/11/23	EHLERS AND ASSOCIATES, INC			
E 101-41500-310		Other Professional Servic	\$2,677.50	95573	TACOMA WEST INDUSTRIAL PARK PROJECTS
		Total	\$2,677.50		
34882	12/11/23	EMERGENCY APPARATUS MAINTENANC			
E 101-42200-221		Repair/Maintenance Equip	\$3,355.96	129623	ENGINE 11 REPAIRS
		Total	\$3,355.96		
34883	12/11/23	EULLS MANUFACTURING			
E 101-43100-224		Street Maint Materials	\$353.22	060642	MANHOLE BRICK & PALLETS
		Total	\$353.22		
34884	12/11/23	FLEWELLING, LARRY			
E 601-49400-432		Refund	\$60.00		UTILITY BILLING - FINAL CALC
E 602-49450-432		Refund	\$60.00		UTILITY BILLING - FINAL CALC

NORWOOD YOUNG AMERICA

12/07/23 12:29 PM

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***Check Detail Register©**

Batch: 121123PAY

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
Total			\$120.00		
34885	12/11/23	WW GRAINGER INC			
E 602-49450-223		Repair/Maintenance Bldg/	\$65.14	9914342580	STRETCH WRAP
Total			\$65.14		
34886	12/11/23	HILGERS PLUMBING & HEATING			
E 101-43100-223		Repair/Maintenance Bldg/	\$600.00	798771	FOOD SHELF BOILER - RELIEF VALVE + LABOR & SERVICE CALL
Total			\$600.00		
34887	12/11/23	HOME SOLUTIONS			
E 602-49450-223		Repair/Maintenance Bldg/	\$5.02	A228841	BOTTLE SPRAYERS
E 101-45200-223		Repair/Maintenance Bldg/	\$7.91	A228993	TPL EXPAND FOAM FOR HOLES AT WELL HOUSE
E 101-43100-221		Repair/Maintenance Equip	\$2.69	A229253	ZINC QUICK LINK
E 101-43100-221		Repair/Maintenance Equip	\$28.75	A229285	SAW BLADE & CUTOFF WHEEL
E 101-43100-223		Repair/Maintenance Bldg/	\$46.79	A229790	AC/DC PLUG CO ALARM
E 101-43100-223		Repair/Maintenance Bldg/	\$6.29	A229848	PAINT ROLLERS
E 101-43100-223		Repair/Maintenance Bldg/	\$16.00	A229933	RH MALL COUPLING & CLOSE GALV NIPPLE
E 101-43100-223		Repair/Maintenance Bldg/	(\$16.00)	A229937	RETURN - RH MALL COUPLING & CLOSE GALV NIPPLE
E 101-43100-223		Repair/Maintenance Bldg/	\$40.45	A229960	GRY LTX SEALANT
E 101-43100-223		Repair/Maintenance Bldg/	\$39.58	A230199	LIGHT BULBS
E 101-43100-221		Repair/Maintenance Equip	\$2.69	A230247	MISC HARDWARE
E 101-43100-221		Repair/Maintenance Equip	\$13.39	A230293	MISC HARDWARE
E 101-45200-223		Repair/Maintenance Bldg/	\$4.67	A230345	MISC HARDWARE
E 101-43100-221		Repair/Maintenance Equip	\$7.64	A230349	HITCH PIN
E 601-49400-223		Repair/Maintenance Bldg/	\$8.09	A230381	CLR INV MARK PAINT
E 101-43100-221		Repair/Maintenance Equip	\$15.64	A230424	MISC HARDWARE
E 101-43100-221		Repair/Maintenance Equip	\$31.03	A230474	FLT STL BAR & ZINC BROAD HINGE
E 101-43100-221		Repair/Maintenance Equip	\$12.88	A230737	MISC HARDWARE
E 601-49400-200		Office Supplies	\$7.19	A230775	9V BATTERIES
E 101-45200-223		Repair/Maintenance Bldg/	\$13.49	A230840	AA BATTERIES
E 101-43100-223		Repair/Maintenance Bldg/	\$14.83	A230850	LTX CONC SEALANT & GRY LTX SEALANT
E 101-43100-223		Repair/Maintenance Bldg/	\$3.59	A230885	KEYS MADE FOR CLOSET DOORS
E 101-43100-223		Repair/Maintenance Bldg/	\$12.59	B244477	SDS ROTO HAMM BIT
E 101-43100-221		Repair/Maintenance Equip	\$3.05	B244647	MISC HARDWARE
Total			\$328.25		
34888	12/11/23	INTERNATIONAL UNION			
G 101-21712		Union Dues	\$210.00		UNION DUES - NOVEMBER
Total			\$210.00		
34889	12/11/23	KWIK TRIP INC.			
E 101-43100-212		Motor Fuels	\$23.75	8951033	NL PREM
E 101-43100-212		Motor Fuels	\$93.81	8967385	OXY87
E 101-43100-212		Motor Fuels	\$41.53	8967438	OXY87
E 101-43100-212		Motor Fuels	\$53.84	8987224	OXY87
E 101-43100-212		Motor Fuels	\$95.14	8992846	OXY87
E 101-42200-212		Motor Fuels	\$61.80	9001047	OXY87 - FIRE TANKER 21

NORWOOD YOUNG AMERICA

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Batch: 121123PAY

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 101-43100-212		Motor Fuels	\$92.87	9004598	OXY87
E 101-43100-212		Motor Fuels	\$84.38	9006715	OXY87 F550
E 101-43100-212		Motor Fuels	\$90.07	9007316	OXY87
E 101-43100-212		Motor Fuels	\$11.31	P20498	DEF BULK
		Total	\$648.50		
34890	12/11/23	LANO EQUIPMENT OF NORWOOD, INC			
E 101-43100-221		Repair/Maintenance Equip	\$6.20		REF# 92374
		Total	\$6.20		
34891	12/11/23	MARCO TECHNOLOGIES LLC			
E 101-41400-437		Maintenance Contract	\$1,847.98	INV11877141	CONTRACT
E 101-41400-437		Maintenance Contract	\$114.26	INV11888633	MICROSOFT O365
		Total	\$1,962.24		
34892	12/11/23	CHAD BUESGENS			
E 602-49450-223		Repair/Maintenance Bldg/	\$10,980.00	306	UNIT HEATERS INSTALL
		Total	\$10,980.00		
34893	12/11/23	MID-COUNTY CO-OP OIL ASSN			
E 101-43100-212		Motor Fuels	\$1,580.42	68438	WINTER DIESEL DYED W/ST
		Total	\$1,580.42		
34894	12/11/23	MIDWEST MACHINERY CO			
E 101-43100-221		Repair/Maintenance Equip	\$9,052.78	9865471	CATERPILLAR 3306 REPAIRS
		Total	\$9,052.78		
34895	12/11/23	MINI BIFF			
E 101-45200-418		Other Rentals (Biffs)	\$260.10	A-145793	SPORTS COMPLEX - EVENT LIBERTY BLUE BIG HC & SEASONAL TUFWAY BLUE REG
E 101-45200-418		Other Rentals (Biffs)	\$147.90	A-145795	FRIENDSHIP PARK - SEASONAL LIBERTY BLUE SMALL HC
E 101-45200-418		Other Rentals (Biffs)	\$147.90	A-145799	PRAIRIE DAWN PARK - SEASONAL LIBERTY BLUE SMALL HC
E 101-45200-418		Other Rentals (Biffs)	\$163.20	A-145931	LEGION/POOL PARK - SEASONAL LIBERTY BLUE HC & WINTERIZATION SEASONAL LIBERTY BLUE HC
		Total	\$719.10		
34896	12/11/23	MINNESOTA DEPARTMENT OF HEALTH			
G 601-20281		MDH FEE	\$3,350.00		COMMUNITY WATER SUPPLY SERVICE CONNECTION FEE
		Total	\$3,350.00		
34897	12/11/23	MN VALLEY ELECTRIC COOPERATIVE			
E 601-49400-381		Electric Utilities	\$77.80		640 TACOMA BLVD WTR TWR - ACCT# 779652000
E 101-43100-380		Street Lighting	\$103.10		STREET LIGHTS - ACCT# 778260300
E 602-49450-381		Electric Utilities	\$84.75		LIFT STATION - ACCT# 778260400
E 601-49400-381		Electric Utilities	\$159.47		640 TACOMA BLVD WTR TWR - ACCT# 779652000
		Total	\$425.12		

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Batch: 121123PAY

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
34898	12/11/23	MUNICIPAL EMERGENCY SERVICES			
E 101-42200-542		FD Equipment	\$639.80	IN1959559	CUSTOM MATEX HOSE
		Total	\$639.80		
34899	12/11/23	MN VALLEY TESTING LABORATORIES INC			
E 601-49400-217		Lab Fees	\$105.60	1227769	COLIFORM & PRICE ADJUSTMENT
		Total	\$105.60		
34900	12/11/23	NAPA - STAR Group, LLC			
E 101-43100-221		Repair/Maintenance Equip	\$28.78	362159	PLIERS
E 101-43100-221		Repair/Maintenance Equip	\$50.57	362617	AIR FILTER & FUEL FILTER
		Total	\$79.35		
34901	12/11/23	NELSON ELECTRIC MOTOR REPAIR I			
E 602-49450-223		Repair/Maintenance Bldg/	\$1,200.00	2665	ANNUAL INSPECTIONS ON LIFT STATIONS
		Total	\$1,200.00		
34902	12/11/23	NUSS TRUCK & EQUIPMENT			
E 101-43100-221		Repair/Maintenance Equip	\$454.85	PSO056922- T2	
		Total	\$454.85		
34903	12/11/23	OFFICE OF THE SEC. OF STATE			
E 101-46500-350		Print/Publishing/Postage	\$120.00		NOTARY COMMISSION
		Total	\$120.00		
34904	12/11/23	PALLANSCH, CHRISTIAN			
E 601-49400-432		Refund	\$138.07		UTILITY BILLING - FINAL CALC
E 602-49450-432		Refund	\$138.07		UTILITY BILLING - FINAL CALC
		Total	\$276.14		
34905	12/11/23	PRO AUTO & TRANSMISSION REPAIR			
E 101-42200-221		Repair/Maintenance Equip	\$924.19	108254	2015 CHEVROLET TAHOE - MN CHIEF - INSPECTION & SERVICE
		Total	\$924.19		
34906	12/11/23	RAM GENERAL CONTRACTING			
E 275-45200-525		Parks-Buildings & Structur	\$26,491.00	4946	PROGRESS BILLING #2
		Total	\$26,491.00		
34907	12/11/23	CALEMART			
E 101-43100-221		Repair/Maintenance Equip	\$461.51	INV #FC 567	BALANCE FORWARD (INV# 200647) & FINANCE CHARGE
		Total	\$461.51		
34908	12/11/23	R.E. SMITH OIL & TIRE CO., INC			
E 601-49400-212		Motor Fuels	\$20.60		FUEL - BUS
E 101-42200-212		Motor Fuels	\$62.52	168029	FUEL - COMMAND 1
E 602-49450-212		Motor Fuels	\$86.00	168041	FUEL - 1805
E 101-42200-212		Motor Fuels	\$27.22	168346	FUEL - COMMAND VEHICLE
		Total	\$196.34		
34909	12/11/23	ARMOR INC			

NORWOOD YOUNG AMERICA

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Batch: 121123PAY

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 101-43100-221		Repair/Maintenance Equip	\$73.01	65860	F450 LIGHTING
		Total	\$73.01		
34910	12/11/23	STREICH, MARK			
E 101-43100-331		Travel/Meeting Expense	\$62.88		MILEAGE - BROOKLYN PARK / WW CONFERENCE (96 MILES ROUND TRIP)
		Total	\$62.88		
34911	12/11/23	TIN ROOF POWDER COATING			
E 101-43100-221		Repair/Maintenance Equip	\$45.00	2097	TRUCK LIGHT BRACKETS & POWDER GLOSS BLACK
		Total	\$45.00		
34912	12/11/23	TWIN CITIES & WESTERN RAILROAD			
E 101-43100-440		Lease	\$517.95	M900589-IN	ANNUAL FEE FOR LAND LEASE
		Total	\$517.95		
34913	12/11/23	HD SUPPLY, INC			
E 601-49400-210		Operating Supplies	\$509.76	INV00068214	PH BUFFER PACK, HACH TOTAL CHLORINE AMPULES, HACH FREE CHLORINE AMPULES, HACH FLUORIDE REAGENT ARSENIC-FREE SPADNS
E 601-49400-229		Water Meters	\$64.33	INV00206830	CUSTOM DIE SET UPPER & LOWER FOR METER SEAL PRESS
		Total	\$574.09		
34914	12/11/23	VERIZON WIRELESS			
E 101-45200-321		Telephone	\$67.85	9949707457	CELL PHONES
E 101-43100-321		Telephone	\$158.31	9949707457	CELL PHONES
E 601-49400-321		Telephone	\$66.85	9949707457	CELL PHONES
E 602-49450-321		Telephone	\$66.85	9949707457	CELL PHONES
E 101-41300-321		Telephone	\$41.23	9949707457	CELL PHONES
E 101-46500-321		Telephone	\$41.23	9949707457	CELL PHONES
E 101-42200-321		Telephone	\$175.05	9950081788	FIRE DEPT & IPADS
		Total	\$617.37		
34915	12/11/23	VICKERMAN COMPANY			
E 101-45200-223		Repair/Maintenance Bldg/	\$331.24	SI-7913144	SOCKET WIRE & LED WARM WHITE BULBS
		Total	\$331.24		
34916	12/11/23	VOLUNTEER FIREFIGHTERS'			
E 101-42200-433		Dues and Subscriptions	\$14.00		APPLICATION - MARTENS
E 101-42200-433		Dues and Subscriptions	\$14.00		APPLICATION - SUNDBERG
E 101-42200-433		Dues and Subscriptions	\$14.00		APPLICATION - SCHULTZ
		Total	\$42.00		
34917	12/11/23	WM MUELLER & SONS INC			
E 101-43100-224		Street Maint Materials	\$238.40	295264	TICKET# 15180
		Total	\$238.40		
34918	12/11/23	XCEL ENERGY			
E 101-41940-381		Electric Utilities	\$2,013.19	853539198	ELECTRICAL UTILITIES - BLDGS
E 101-42200-381		Electric Utilities	\$301.16	853539198	ELECTRICAL UTILITIES - FD

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Batch: 121123PAY

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 101-42500-381		Electric Utilities	\$13.52	853539198	ELECTRICAL UTILITIES - CIVIL DEFENSE
E 101-43100-380		Street Lighting	\$6,595.01	853539198	ELECTRICAL UTILITIES - STREET LIGHTS
E 101-43100-381		Electric Utilities	\$429.28	853539198	ELECTRICAL UTILITIES - STREETS
E 101-45200-381		Electric Utilities	\$620.89	853539198	ELECTRICAL UTILITIES - PARK
E 101-45500-381		Electric Utilities	\$1,313.47	853539198	ELECTRICAL UTILITIES - LIBRARY
E 601-49400-381		Electric Utilities	\$314.67	853539198	ELECTRICAL UTILITIES - WATER
E 602-49450-381		Electric Utilities	\$4,336.87	853539198	ELECTRICAL UTILITIES - WWTP
E 101-49860-381		Electric Utilities	\$277.01	853539198	ELECTRICAL UTILITIES - POOL
R 101-41400-32130		Service Charge	\$265.80	853539198	ELECTRICAL UTILITIES - LATE FEES
Total			\$16,480.87		
10100			\$128,440.07		

Fund Summary

10100 CHECKING	
101 GENERAL FUND	\$62,918.36
275 CAPITAL	\$26,491.00
601 WATER FUND	\$13,090.35
602 SEWER FUND	\$25,940.36
	<u>\$128,440.07</u>



TO: Mayor Lagergren and City Council Members
FROM: Andrea Aukrust, City Administrator
DATE: December 11, 2023
RE: Application for Exempt Gambling Permit – The Young America Baseball Club, Inc

The Young America Baseball Club has submitted MN Form LG220 Application for Exempt Permit. This permit authorizes the organization to conduct lawful gambling for five or fewer days and award less than \$50,000 in prizes during a calendar year.

Minnesota Gambling Control Board requires the City Council to approve the permit application before it will issue the permit.

Recommended Motion:

Consent Agenda Item.

Motion to approve The Young America Baseball Club, Inc.'s application for an exempt gambling permit for July 13, 2024.

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

Application Fee (non-refundable)

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

ORGANIZATION INFORMATION

Organization Name: The Young America Baseball Club, Inc. Previous Gambling Permit Number: X- 10010-23-15

Minnesota Tax ID Number, if any: _____ Federal Employer ID Number (FEIN), if any: 26-4682568

Mailing Address: 11 Central Avenue North

City: Norwood Young America State: MN Zip: 55397 County: Carver

Name of Chief Executive Officer (CEO): Chad D. Eischens

CEO Daytime Phone: 612-384-7226 CEO Email: cseischens@aol.com
(permit will be emailed to this email address unless otherwise indicated below)

Email permit to (if other than the CEO): _____

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

- Fraternal Religious Veterans Other Nonprofit Organization

Attach a copy of one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

- A current calendar year Certificate of Good Standing**
Don't have a copy? Obtain this certificate from:
MN Secretary of State, Business Services Division
60 Empire Drive, Suite 100
St. Paul, MN 55103
Secretary of State website, phone numbers:
www.sos.state.mn.us
651-296-2803, or toll free 1-877-551-6767
- IRS income tax exemption (501(c)) letter in your organization's name**
Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.
- IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**
If your organization falls under a parent organization, attach copies of both of the following:
1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and
2. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): Willkommen Memorial Park

Physical Address (do not use P.O. box): 21 Main Street East, Norwood Young America, MN 55397

Check one:

- City: Norwood Young America Zip: 55397 County: Carver
- Township: _____ Zip: _____ County: _____

Date(s) of activity (for raffles, indicate the date of the drawing): July 13, 2024

Check each type of gambling activity that your organization will conduct:

- Bingo Paddlewheels Pull-Tabs Tipboards Raffle

Gambling equipment for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo ball selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to www.mn.gov/gcb and click on **Distributors** under the **List of Licensees** tab, or call 651-539-1900.

LG220 Application for Exempt Permit

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)

**CITY APPROVAL
for a gambling premises
located within city limits**

The application is acknowledged with no waiting period.

The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).

The application is denied.

Print City Name: Norwood Young America

Signature of City Personnel: _____

Title: _____ Date: 12/11/23

The city or county must sign before submitting application to the Gambling Control Board.

**COUNTY APPROVAL
for a gambling premises
located in a township**

The application is acknowledged with no waiting period.

The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.

The application is denied.

Print County Name: _____

Signature of County Personnel: _____

Title: _____ Date: _____

TOWNSHIP (if required by the county)
On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)


Print Township Name: _____

Signature of Township Officer: _____

Title: _____ Date: _____

CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature:  Date: 12/2/23

(Signature must be CEO's signature; designee may not sign)

Print Name: Chad D. Eischens

REQUIREMENTS

Complete a separate application for:

- all gambling conducted on two or more consecutive days; or
- all gambling conducted on one day.

Only one application is required if one or more raffle drawings are conducted on the same day.

Financial report to be completed within 30 days after the gambling activity is done:
A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).

MAIL APPLICATION AND ATTACHMENTS

Mail application with:

- _____ a copy of your proof of nonprofit status; and
- _____ application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**. Make check payable to **State of Minnesota**.

To: Minnesota Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

Questions?
Call the Licensing Section of the Gambling Control Board at 651-539-1900.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

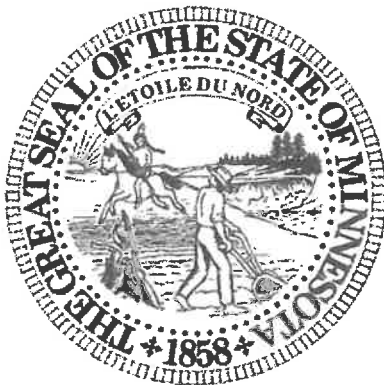
This form will be made available in alternative format (i.e. large print, braille) upon request.

**Office of the Minnesota Secretary of State
Certificate of Good Standing**

I, Steve Simon, Secretary of State of Minnesota, do certify that: The business entity listed below was filed pursuant to the Minnesota Chapter listed below with the Office of the Secretary of State on the date listed below and that this business entity is registered to do business and is in good standing at the time this certificate is issued.

Name: The Young America Baseball Club Inc.
Date Filed: 02/28/1956
File Number: B-507
Minnesota Statutes, Chapter: 317A
Home Jurisdiction: Minnesota

This certificate has been issued on: 12/02/2023



Steve Simon
Steve Simon
Secretary of State
State of Minnesota



TO: Mayor Lagergren and City Council Members

FROM: Andrea Aukrust, City Administrator

DATE: December 11, 2023

SUBJECT: Knights of Columbus Gambling Permit

The Knights of Columbus have submitted a Gambling permit form LG240B. They would like to have bingo on February 18, 2024, March 17, 2024, and April 21, 2024. Approval is needed from the City Council before submitting their application to the Gambling Control Board.

Recommended Motion:

Consent Agenda Item

Motion to approve the Knights of Columbus Gambling Permit.

Norwood Young America

ORGANIZATION INFORMATION

Organization Name: Ascension Knights of Columbus Previous Gambling Permit Number: 073888
 Minnesota Tax ID Number, if any: _____ Federal Employer ID Number (FEIN), if any: 425341-190
 Mailing Address: 395 Lower Brand Lake Dr.
 City: Norwood Young America State: Mn Zip: 55368 County: Carver
 Name of Chief Executive Officer (CEO): Kevin Raether
 CEO Daytime Phone: 952-467-2633 CEO Email: kraether89@gmail.com
(permit will be emailed to this email address unless otherwise indicated below)
 Email permit to (if other than the CEO): j.gesinger@hotmail.com

NONPROFIT STATUS

Type of Nonprofit Organization (check one):
 Fraternal Religious Veterans Other Nonprofit Organization

Attach a copy of at least one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

- Current calendar year Certificate of Good Standing**
 Don't have a copy? This certificate must be obtained each year from:
 MN Secretary of State, Business Services Division
 60 Empire Drive, Suite 100
 St. Paul, MN 55103
 Secretary of State website, phone numbers:
www.sos.state.mn.us
 651-296-2803, or toll free 1-877-551-6767
- Internal Revenue Service-IRS income tax exemption 501(c) letter in your organization's name**
 Don't have a copy? Obtain a copy of your federal income tax exempt letter by having an organization officer contact the IRS at 877-829-5500.
- Internal Revenue Service-Affiliate of national, statewide, or international parent nonprofit organization (charter)**
 If your organization falls under a parent organization, attach copies of both of the following:
 1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and
 2. the charter or letter from your parent organization recognizing your organization as a subordinate.

EXCLUDED BINGO ACTIVITY

Has your organization held a bingo event in the current calendar year? Yes No

If yes, list the dates when bingo was conducted: _____

The proposed bingo event will be:

one of four or fewer bingo events held this year. Dates: 02/18/2024, 3/17/2024, 4/21/2024

-OR-

conducted on up to 12 consecutive days in connection with a:

county fair Dates: _____

civic celebration Dates: _____

Minnesota State Fair Dates: _____

Person in charge of bingo event: Jeremy Gesinger Daytime Phone: 952-212-2369

Name of premises where bingo will be conducted: Ascension Catholic Church

Premises street address: 323 N Reform St.

City: Norwood Young America If township, township name: _____ County: Carver

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)

**CITY APPROVAL
for a gambling premises
located within city limits**

On behalf of the city, I approve this application for excluded bingo activity at the premises located within the city's jurisdiction.

Print City Name: Norwood Young America

Signature of City Personnel: _____

Title: _____ Date: _____

The city or county must sign before submitting application to the Gambling Control Board.

**COUNTY APPROVAL
for a gambling premises
located in a township**

On behalf of the county, I approve this application for excluded bingo activity at the premises located within the county's jurisdiction.

Print County Name: _____

Signature of County Personnel: _____

Title: _____ Date: _____

TOWNSHIP (if required by the county)
On behalf of the township, I acknowledge that the organization is applying for excluded bingo activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minnesota Statutes, Section 349.213.)

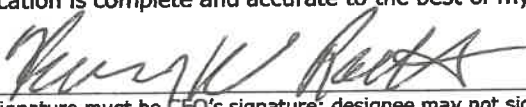
Print Township Name: _____

Signature of Township Officer: _____

Title: _____ Date: _____

CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge.

Chief Executive Officer's Signature:  Date: 12/5/23

(Signature must be CEO's signature; designee may not sign)

Print Name: Kevin Raether

MAIL OR FAX APPLICATION & ATTACHMENTS

Mail or fax application and a copy of your proof of nonprofit status to:

Minnesota Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113
Fax: 651-639-4032

An excluded bingo permit will be mailed to your organization. Your organization must keep its bingo records for 3-1/2 years.

Questions?
Call a Licensing Specialist at 651-539-1900.

Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo. Otherwise, bingo hard cards, bingo paper, and bingo number selection devices must be obtained from a distributor licensed by the Minnesota Gambling Control Board. To find a licensed distributor, go to www.mn.gov/gcb and click on **Distributors** under the **LIST OF LICENSEES** tab, or call 651-539-1900.

This form will be made available in alternative format (i.e. large print, braille) upon request.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.



TO: Honorable Mayor and City Council Members
FROM: Hannah Rybak, Planning Consultant - WSB
DATE: December 11, 2023
SUBJECT: 401 Shady Ln.
REQUEST: Vacation of certain drainage and utility easement

GENERAL INFORMATION

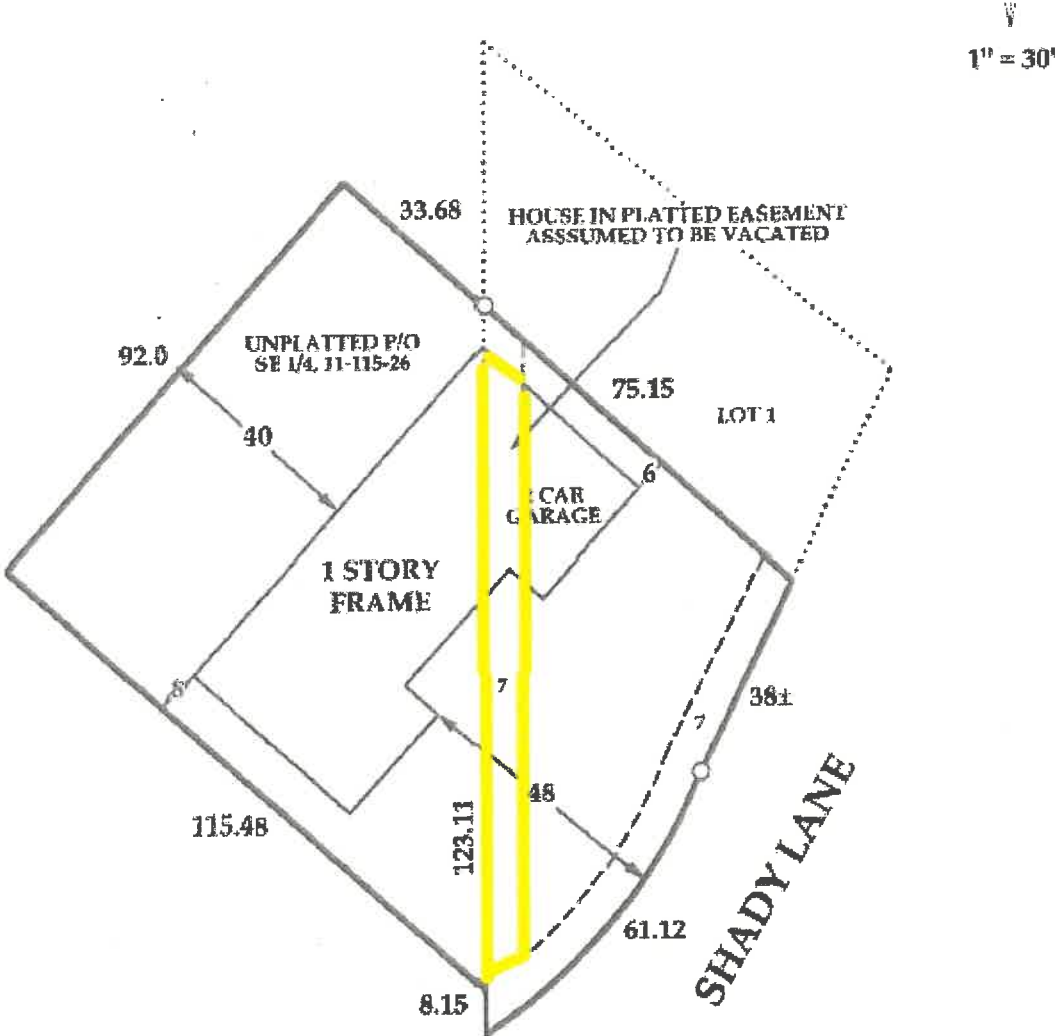
Applicant/Owner: Alan Rolf
Location: 401 Shady Ln.
Existing Land Use / Zoning: Residential; zoned R-2 Medium Density Single Family Residential District
Surrounding Land Use / Zoning: North: Residential; zoned: R-2 District
East: Residential; zoned: R-2 District
South: Residential; zoned: R-2 District
West: Residential; zoned: R-2 District
Comprehensive Plan: The 2040 Comprehensive Plan guides this property for Low Density Residential land use.
Deadline for Agency Application Date: 11-15-23
Action: 60 Days: 01-14-24
Extension Letter Mailed: N/A
120 Days: 03-12-24

OVERVIEW OF THE REQUEST

Through the process of selling his property, the Applicant became aware of a drainage and utility easement running in an odd location across the lot. The easement actually runs through the home. The subject property is located in the Shady Lane Addition plat, which was approved in 1959. At some point, the lots in Shady Lane Addition were rearranged into the configuration of lots we see today. This easement should have been vacated at the time the lots were rearranged, but it was missed.

The request before you is to vacate the drainage and utility easement highlighted in yellow below. The easement has caused an issue with the sale of the home and should be rectified. It does the City no good to hold a drainage and utility easement that runs through a structure. This request has no impact

on the drainage and utility easement running along the front property line of 401 Shady Ln.; that easement will remain intact.



EASEMENT VACATION

State Statute governs the vacation of public easement and requires the same process as the vacation of a public right-of-way. The Applicant must petition the City to vacate the easement and provide all required documentation.

From there, the City is required to notice a public hearing twice in the official newspaper. This occurred on November 23, 2023 and November 30, 2023. A notice was also mailed to all current owners of property within the Shady Lane Addition Plat.

The City Council must hold the public hearing and review the request.

RECOMMENDATION

Based on the submitted application materials and the review provided in this report, staff recommends that the City Council vacate the subject easement. This easement contains no public infrastructure and provides no benefit to the City. It should have been vacated at the time that the lots were rearranged. Vacation of the easement now would correct that error.

POTENTIAL ACTION

1. **Approval of the Request.** In the event of a decision for approval, the City Council may refer to Resolution 2023-40.
2. **Denial of the Request.** In the event of a decision for denial, the City Council should direct staff to prepare a resolution for denial, and should clearly state its reasoning.
3. **Request Additional Information and Continue the Meeting.** The Applicant appears to have provided enough information for the City Council to make a decision to approve or deny the request. Should the City Council request additional information from the Applicant, the City Council should continue the meeting until a later time.

Attachments:

- Application materials
- Draft resolution

RESOLUTION NO. 2023-40

A RESOLUTION VACATING CERTAIN PUBLIC EASEMENT AT 401 SHADY LN.

WHEREAS, the City of Norwood Young America has received request from Alan Rolf, to vacate a public drainage and utility easement at the property located at 401 Elm St.

WHEREAS, The easement to be vacated is owned by the City of Norwood Young America and is legally described as follows;

That part of the westerly 7 foot drainage and utility easement lying within that part of Lot 1, Block 2, Shady Lane Addition, according to the plat thereof on file and of record in the office of the County Recorder, Carver County, Minnesota, described as follows:
Beginning at the Southwest corner of said Lot 1; thence on a bearing of North, along the West line of said Lot 1, a distance of 131.26 feet; thence South 48 degrees, 21 minutes, 33 seconds East, a distance of 75.15 feet to the Southeasterly line of said Lot 1; thence Southwesterly along the said Southeasterly line, a distance of 100.65 feet to the point of beginning

(Collectively the “Affected Easement” herein)
and;

WHEREAS, the Affected Easement is 7 feet in width and contains no public infrastructure;

WHEREAS, the City Council held a public hearing to solicit public comment on the proposed vacations at the Council’s December 11, 2023 regular meeting; and

WHEREAS, based upon the information presented to the City Council and the recommendation of City staff, the City Council finds:

The proposed vacation of the Affected Easement is in the interest of the public and the City of Norwood Young America has no need for the easement.

BE IT RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota approves the vacation of the Affected Easement, as described herein.

Passed by the City Council of Norwood Young America, Minnesota this 11th day of December, 2023.

Carol Lagergren, Mayor

ATTEST:

Mitchell Thiesfeld, City Clerk



To: Mayor Lagergren and City Council Members
From: Mitchell Thiesfeld, Clerk/Treasurer
Date: December 11, 2023
Re: Truth in Taxation Hearing / Resolution – Property Tax Levy / Resolution – General Fund Budget

The proposed final levy is \$3,681,320 which is an increase of \$306,438 or 9% increase. Of the total proposed levy, \$841,187 is for debt service. This means 23% of the levy is designated for debt service payments.

The proposed General Fund Operating Budget is \$2,979,833 which represents an increase of 8% from 2023. The Capital Outlay budget is proposed to be \$600,000 which is an increase of \$141,600. \$300,000 is also being levied for the street improvement project fund, a decrease of \$126,000.

Enclosed under new business are the proposed Resolutions 2023-37 and 2023-38 which approves the property tax levy and general fund operating budget, respectively.

The Truth in Taxation public hearing which will consist of a slide presentation discussing the budget and levy will be held prior to the approval of the Resolutions. We will have handouts of the presentation at the meeting Monday.

Recommended Motions:

Motion to approve Resolution 2023-37, a resolution adopting fiscal year 2023 Final Property Tax Levy for the City of Norwood Young America for collection in 2024.

Motion to approve Resolution 2023-38, a resolution adopting the 2024 final General Fund Budget for the City of Norwood Young America.

RESOLUTION 2023-37

A Resolution adopting Fiscal Year 2023 Final Property Tax Levy for the City of Norwood Young America for collection in 2024

WHEREAS, the City of Norwood Young America is dependent upon collection of property taxes to fund a portion of its operating budget and to pay bonded debt obligations.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Norwood Young America, Carver County, Minnesota, hereby adopts the following property tax levy for collection in 2024 upon taxable property in the City of Norwood Young America for the following purposes:

General Fund Levy	\$1,940,133
2009 Taxable Public Project Lease Revenue Bonds	\$150,334
2016A GO Bonds	\$38,246
2020A GO Bonds	\$326,841
2021A GO Bonds	\$ 72,276
2022 GO Bonds	\$187,667
Abatement - Industrial Park	\$ 65,823
Fund 275 - Capital Replacement	\$600,000
Fund 498 - Street Improvement	<u>\$300,000</u>
Total Property Tax Levy	<u>\$3,681,320</u>

Adopted by the Norwood Young America City Council this 11th day of December 2023.

Carol Lagergren, Mayor

Attest:

Mitchell Thiesfeld, City Clerk/Finance Director

RESOLUTION 2023-38

A RESOLUTION ADOPTING THE 2023 FINAL GENERAL FUND OPERATING BUDGET FOR THE CITY OF NORWOOD YOUNG AMERICA

WHEREAS, it is the policy of the City of Norwood Young America to prepare and adopt an annual General Fund Operating Budget; and

WHEREAS, the preliminary budget for calendar year 2024 has been reviewed and approved by the City Council.

Now Therefore Be it Resolved, that the Norwood Young America City Council hereby adopts the following 2024 Preliminary General Fund Operating Budget and hereby appropriates the following amounts for said 2024 Budget.

REVENUES:

	<u>2023 Final</u>	<u>2024 Preliminary</u>
Property Taxes	1,866,212	1,940,133
Capital Project/Equipment	458,400	600,000
Licenses & Permits	56,400	63,900
Intergovernmental Revenues <i>(including state aids)</i>	548,501	674,301
Charges for Services	122,600	117,100
Fines & Forfeits	10,000	10,000
Interest on Investments	25,000	61,200
Miscellaneous Revenues	219,750	113,200
Transfers from other Funds	-	-
TOTAL REVENUES:	2,848,463	\$ 3,306,863
	\$ 3,306,863	\$ 3,579,834

EXPENDITURES:

	<u>2023 Final</u>	<u>2024 Preliminary</u>
<i>General Government</i>		
Mayor/Council	22,514	23,088
Administration	108,519	62,532
Community Development	191,980	205,361
Boards & Commissions	5,200	5,200
Economic Development	139,075	147,263
City Clerk	200,576	189,726
Elections	-	29,835
Professional Services	117,450	110,698
Government Buildings	147,756	170,409
Total General Government	793,995	933,070
<i>Public Safety</i>		
Law Enforcement	240,508	300,887
Fire Protection	241,100	249,060
Other Protective Inspection	49,450	54,670
Total Public Safety:	531,058	604,617
Total: Highways, Streets, & Roads	871,449	1,012,325
Total: Culture/Parks & Recreation	354,794	320,426
Total: Capital Project/Equipment	851,500	1,173,350
Total: Swimming Pool	75,207	76,416

<i>Total: Operating Transfer to Reserves</i>	17,500	-
<i>Total: Transit (Bus)</i>	17,518	17,937
<i>Total: Cemetery</i>	6,000	4,000
TOTAL EXPENDITURES:	2,731,389	<u>3,582,889</u>
		<u>4,153,183</u>

Fund Debt Service Property/Street Improvement Capital Tax Levy

517	\$2,105,000 Tax Public Proj Lease Rev Bonds - 2009	\$ 148,549	\$ 150,334
521	\$3,875,000 GO Refunding Bonds - 2016A	\$ 38,246	\$ 38,246
522	G.O. Bonds - 2020A	\$ 195,842	\$ 326,841
523	2021a GO Bond	\$ 68,496	\$ 72,276
524	G.O. Bonds - 2022A	\$ 107,314	\$ 187,667
275	Capital Replacement	\$ 458,400	\$ 600,000
498	Street Improvement Project Fund	\$ 426,000	\$ 300,000
	Abatement	\$ 65,823	\$ 65,823
	Total: Debt Service Levy	1,508,670	1,741,187

Total Revenues versus Total Expenditures \$ (276,026) \$ (573,349)

Additional amount of expenditure = fund balance from capital

Adopted this 11th day of December 2023 by the Norwood Young America City Council.

Carol Lagergren, Mayor

Attest: _____
Mitchell Thiesfeld, City Clerk/Finance Director



TO: Honorable Mayor Lagergren and City Council Members
FROM: Andrea Aukrust, City Administrator
DATE: December 11, 2023
RE: Resolution 2023-39 A Resolution Ordering Improvement and Preparation of Plans

The Norwood Young America City Council, at their regular City Council meeting on November 13, 2023, approved Resolution 2023-35, which fixed a date for a public hearing on the proposed Railroad Street Improvement Project. The project includes street, drainage, and utility system improvements to Railroad Street from Progress Street to Reform Street and between Morse Street and Faxon Road.

- Proper notice was mailed ten days prior to the public hearing
- Publication of the public hearing for two weeks was given
- The public hearing was held on December 11, 2023, in the NYA City Council Chambers
- The City Council has been advised by the consulting engineers that said improvement is necessary, cost-effective, and feasible, as detailed in the Feasibility Study
- The engineer, Bolton & Menk, Inc., shall prepare plans and specifications for the making of such improvements

Recommended Motion:

Motion to approve Resolution 2023-39 Ordering Improvement and Preparation of Plans for the Railroad Street Infrastructure Improvement Project.

Norwood Young America



Real People. Real Solutions.

2638 Shadow Lane
Suite 200
Chaska, MN 55318-1172

Ph: [952] 448-8838
Fax: [952] 448-8805
Bolton-Menk.com

*****MEMO*****

DATE: December 5, 2023
TO: Andrea Aukrust, City Administrator
FROM: Josh Eckstein, Bolton & Menk, Inc.
SUBJECT: Railroad Street Infrastructure Improvement Project

Honorable Mayor and City Council Members:

The purpose of this memo is to request ordering of improvements and preparation of plans and contract documents for the Railroad Street Infrastructure Improvement Project.

If authorized to proceed, plans and contract documents will be prepared and submitted for state aid design review on or around February 1, 2024. Plans and contract documents are scheduled for review and approval by the City Council around late March. At that time the Council will consider approving the plans and ordering advertisement for bids.

Please let me know if you have any questions or require any additional information.

**CITY OF NORWOOD YOUNG AMERICA
RESOLUTION 2023-39**

**RESOLUTION ORDERING IMPROVEMENT
AND PREPARATION OF PLANS—RAILROAD STREET**

WHEREAS, the Norwood Young America City Council, at their November 13, 2023, regular City Council meeting, approved Resolution R-2023-35, which fixed a date for a public hearing on the proposed Railroad Street Improvement Project. The project includes street, drainage, and utility system improvements to Railroad Street from Progress Street to Reform Street and between Morse Street and Faxon Road, and

WHEREAS, ten (10) days' mailed notice and two (2) weeks' published notice of the hearing was given, and the hearing was held in the Council Chambers at Norwood Young America City Hall, 310 Elm St W, on the 11th day of December 2023, at which all persons desiring to be heard were given an opportunity to be heard thereon,

NOW THEREFORE, BE IT RESOLVED THAT

1. The City Council has been advised by the consulting engineers that said improvement is necessary, cost-effective, and feasible, as detailed in the Feasibility Study.
2. Such improvement is hereby ordered as proposed in the City Council Resolution adopted on the 13th day of November 2023.
3. The engineer, Bolton & Menk, Inc., shall prepare plans and specifications for the making of such improvements.
4. The City Council declares its official intent to reimburse itself for the costs of the improvement from the proceeds of tax-exempt bonds.

Adopted by the council this 11th day of December, 2023.

Approved:

Carol Lagergren, Mayor

Attest:

Mitchell Thiesfeld, City Clerk-Treasurer



TO: Honorable Mayor and City Council Members
FROM: Hannah Rybak, Planning Consultant - WSB
DATE: December 11, 2023
SUBJECT: 401 Shady Ln.
REQUEST: Vacation of certain drainage and utility easement

GENERAL INFORMATION

Applicant/Owner: Alan Rolf
Location: 401 Shady Ln.
Existing Land Use / Zoning: Residential; zoned R-2 Medium Density Single Family Residential District

Surrounding Land Use / Zoning: North: Residential; zoned: R-2 District
East: Residential; zoned: R-2 District
South: Residential; zoned: R-2 District
West: Residential; zoned: R-2 District

Comprehensive Plan: The 2040 Comprehensive Plan guides this property for Low Density Residential land use.

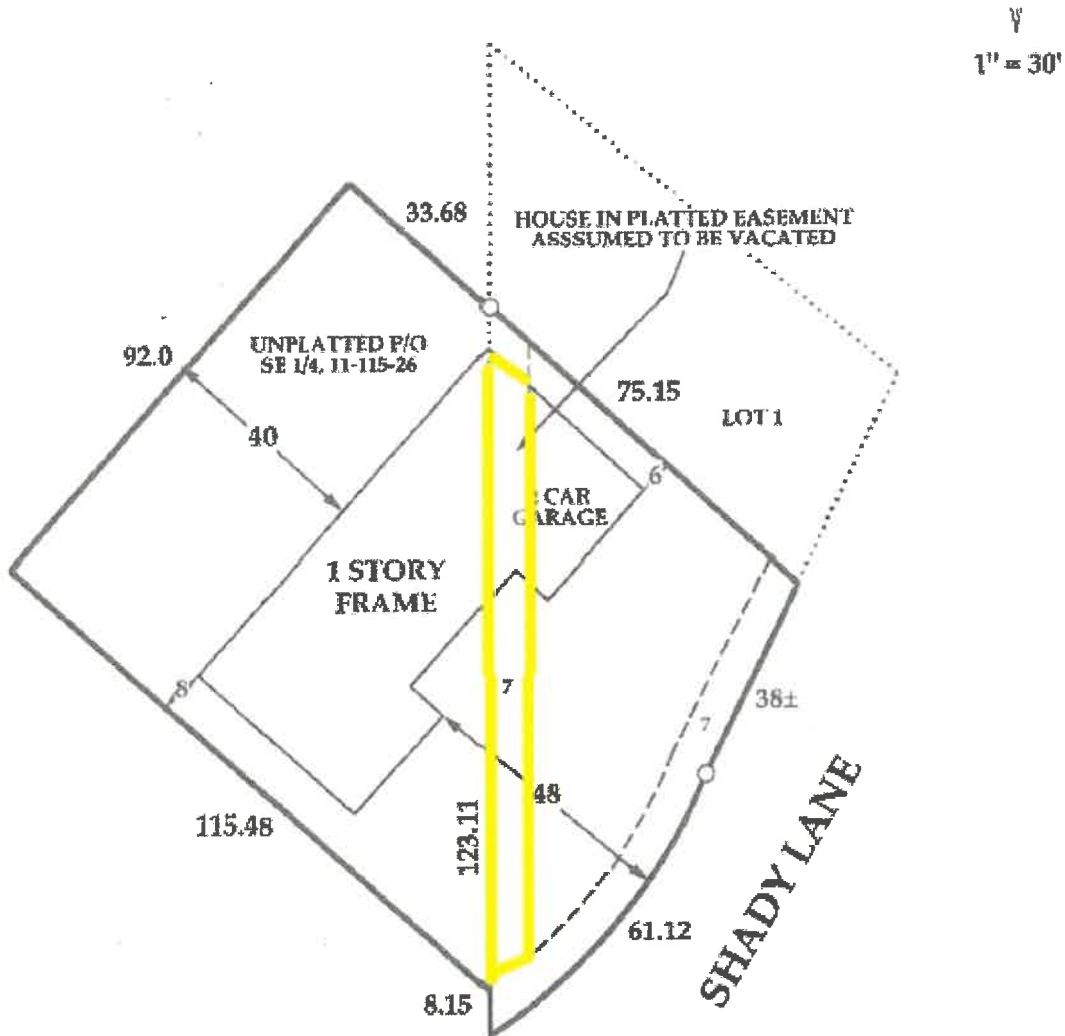
Deadline for Agency Action:	Application Date:	11-15-23
	60 Days:	01-14-24
	Extension Letter Mailed:	N/A
	120 Days:	03-12-24

OVERVIEW OF THE REQUEST

Through the process of selling his property, the Applicant became aware of a drainage and utility easement running in an odd location across the lot. The easement actually runs through the home. The subject property is located in the Shady Lane Addition plat, which was approved in 1959. At some point, the lots in Shady Lane Addition were rearranged into the configuration of lots we see today. This easement should have been vacated at the time the lots were rearranged, but it was missed.

The request before you is to vacate the drainage and utility easement highlighted in yellow below. The easement has caused an issue with the sale of the home and should be rectified. It does the City no good to hold a drainage and utility easement that runs through a structure. This request has no impact

on the drainage and utility easement running along the front property line of 401 Shady Ln.; that easement will remain intact.



EASEMENT VACATION

State Statute governs the vacation of public easement and requires the same process as the vacation of a public right-of-way. The Applicant must petition the City to vacate the easement and provide all required documentation.

From there, the City is required to notice a public hearing twice in the official newspaper. This occurred on November 23, 2023 and November 30, 2023. A notice was also mailed to all current owners of property within the Shady Lane Addition Plat.

The City Council must hold the public hearing and review the request.

RECOMMENDATION

Based on the submitted application materials and the review provided in this report, staff recommends that the City Council vacate the subject easement. This easement contains no public infrastructure and provides no benefit to the City. It should have been vacated at the time that the lots were rearranged. Vacation of the easement now would correct that error.

POTENTIAL ACTION

1. **Approval of the Request.** In the event of a decision for approval, the City Council may refer to Resolution 2023-40.
2. **Denial of the Request.** In the event of a decision for denial, the City Council should direct staff to prepare a resolution for denial, and should clearly state its reasoning.
3. **Request Additional Information and Continue the Meeting.** The Applicant appears to have provided enough information for the City Council to make a decision to approve or deny the request. Should the City Council request additional information from the Applicant, the City Council should continue the meeting until a later time.

Attachments:

- Application materials
- Draft resolution

RESOLUTION NO. 2023-40

A RESOLUTION VACATING CERTAIN PUBLIC EASEMENT AT 401 SHADY LN.

WHEREAS, the City of Norwood Young America has received request from Alan Rolf, to vacate a public drainage and utility easement at the property located at 401 Elm St.

WHEREAS, The easement to be vacated is owned by the City of Norwood Young America and is legally described as follows;

That part of the westerly 7 foot drainage and utility easement lying within that part of Lot 1, Block 2, Shady Lane Addition, according to the plat thereof on file and of record in the office of the County Recorder, Carver County, Minnesota, described as follows:
Beginning at the Southwest corner of said Lot 1; thence on a bearing of North, along the West line of said Lot 1, a distance of 131.26 feet; thence South 48 degrees, 21 minutes, 33 seconds East, a distance of 75.15 feet to the Southeasterly line of said Lot 1; thence Southwesterly along the said Southeasterly line, a distance of 100.65 feet to the point of beginning

(Collectively the “Affected Easement” herein)
and;

WHEREAS, the Affected Easement is 7 feet in width and contains no public infrastructure;

WHEREAS, the City Council held a public hearing to solicit public comment on the proposed vacations at the Council’s December 11, 2023 regular meeting; and

WHEREAS, based upon the information presented to the City Council and the recommendation of City staff, the City Council finds:

The proposed vacation of the Affected Easement is in the interest of the public and the City of Norwood Young America has no need for the easement.

BE IT RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota approves the vacation of the Affected Easement, as described herein.

Passed by the City Council of Norwood Young America, Minnesota this 11th day of December, 2023.

Carol Lagergren, Mayor

ATTEST:

Mitchell Thiesfeld, City Clerk



TO: Honorable Mayor and City Council Members

FROM: Hannah Rybak, Planning Consultant - WSB

DATE: December 11, 2023

SUBJECT: Second Reading of Proposed Ordinance Amendments, December 11, 2023

OVERVIEW

Staff offers the draft ordinances below for second reading. The ordinance regarding the keeping of backyard chickens has been pulled for future consideration. There are no other edits to the draft ordinances.

ORDINANCES TO BE AMENDED

820.20 Curbs.

- Codify requirement that abutting property owners are responsible for the repair and maintenance of curbs and curb cuts

PLANNING COMMISSION RECOMMENDATION

At their November 7th 2023 regular meeting, the Planning Commission held the public hearing on all proposed amendments to Chapter 12 Zoning, and recommended that the City Council adopt the attached ordinances.

1200.04 Definitions

- Defined "auto condo"

1210.06 Conditional Use Permits, Subd. 3 Standards for Granting a Conditional Use Permit, (B) Specific Conditional Use Provisions:

- Added standards for auto condos
 - Auto condos are primarily for private storage and leisure
 - Provides standards for certain units that may be eligible for commercial use
- Outdoor Storage
 - Clarified screening

- Outdoor storage not permitted in front yard

1230.11 B-1 Business Industrial District:

- Removal of B-1 Business Industrial District, due to consolidation with I-1 Light Industrial District

1230.12 I-1 Light Industrial District:

- Minor amendments related to permitted/conditional uses to facilitate the combination of the B-1 & I-1 Districts
- Minor amendments to setbacks
- Addition of architectural standards to apply to all industrial properties

1245.03 Architectural Standards for Commercial and Business Industrial

- Amended this section to pertain to commercial, Office/Institutional and Multifamily
- Removed references to industrial or business industrial

1245.04 Accessory Structures, Subd. 2 General Provisions:

- Amend building permit exclusion from 120 SF to 200 SF, per building code

1245.05 Fences:

- Remove requirement for 1-foot setback for fences
- Clarify permitting requirements
- Allow solid fencing up to 6 feet in height in corner side yards – must be no closer to front property line than the home and must be outside of the required clear sight triangle

1250.07 Access:

- Add driveway width requirements
- Clarify that only one driveway is permitted per street frontage

Section 1255 Landscaping:

- Updated landscaping requirements and standards for non-residential uses

ACTION

- Review draft ordinances ahead of the Work Session and City Council Meeting on November 27, 2023
- Opportunity for questions and discussion during the Work Session
- First reading and formal action during the City Council Meeting

RECOMMENDED MOTION LANGUAGE

- Motion to adopt Ordinances 361-370

Attachments

Draft Ordinances

- 361 related to curbs
- 362 related to zoning ordinance definitions
- 363 related to specific CUP provisions for auto condos and outdoor storage
- 364 related to the B-1 District
- 365 related to the I-1 District
- 366 related to architectural standards and guidelines for commercial, office/institutional and multifamily residential
- 367 related to accessory structures
- 368 related to fences
- 369 related to access
- 370 related to landscaping

RESOLUTION NO. 2023-41

A RESOLUTION APPROVING SUMMARY LANGUAGE FOR PUBLICATION OF AMENDED ORDINANCES 361-370

WHEREAS, on December 11, 2023, the City Council adopted Ordinances numbered 361-370, which amended various sections of the City Code;

WHEREAS, Minnesota Statutes, sections 365.125, subdivision 2 and 368.01, subdivision 21 allows the publication of a summary of an ordinance instead of publishing the entire ordinance;

WHEREAS, the City Council determines publication of a summary of each Ordinance is sufficient to clearly inform the public of the intent and effect of the Ordinance and where to access the full text of the Ordinance.

BE IT RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota hereby determines to publish summary language, in lieu of publishing the full text of the following ordinances:

Ordinance No. 361 “An Ordinance Amending Section 820.20 of the City Code Relating to Curbs”

Ordinance No. 362 “An Ordinance Amending Section 1200.04 of the City Code Relating to Definitions.”

Ordinance No. 363 “An Ordinance Amending Section 1210.06 of the City Code Relating to Conditional Use Permits.”

Ordinance No. 364 “An Ordinance Amending Section 1230.11 of the City Code Relating to the B-1 Business Industrial District.”

Ordinance No. 365 “An Ordinance Amending Section 1230.12 of the City Code Relating to the I-1 Light Industrial District.”

Ordinance No. 366 “An Ordinance Amending Section 1245.03 of the City Code Relating to Architectural Standards for Commercial Districts.”

Ordinance No. 367 “An Ordinance Amending Section 1245.04 of the City Code Relating to Accessory Structures.”

Ordinance No. 368 “An Ordinance Amending Section 1245.05 of the City Code Relating to Fences”.

Ordinance No. 369 “An Ordinance Amending Section 1250.07 of the City Code Relating to Accesses.”

Ordinance No. 370 “An Ordinance Amending Section 1255 of the City Code Relating to Landscaping.”

Passed by the City Council of Norwood Young America, Minnesota this 11th day of December 2023.

Carol Lagergren, Mayor

ATTEST:

Mitchell Thiesfeld, City Clerk

Public Hearing:	November 7, 2023
First Reading:	November 27, 2023
Second Reading:	December 11, 2023

**CITY OF NORWOOD YOUNG
AMERICA ORDINANCE NO. 361**

AN ORDINANCE AMENDING SECTION 820.20 OF THE CITY CODE RELATING TO CURBS. THE ~~STRUCK-OUT~~ TEXT SHOWS THE DELETED WORDING AND THE UNDERLINED TEXT SHOWS LANGUAGE ADDED TO THE CODE.

I. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 820.20, RELATING TO CURBS SHALL BE AMENDED AS FOLLOWS:

820.20 Curbs ~~Cuts~~:

- A. Curb Cuts. Curb replacements for driveway purposes shall follow Minnesota Department of Transportation standard plate number 7035J, except that 6 inch driveway pavement shall not be required. Where curb cuts have not been provided the existing curb shall be removed and a curb return installed.
- B. Curb Repairs. It shall be the duty of the owner of property abutting a public right-of-way to maintain and repair curbs in the right-of-way to standards approved by the City Administrator. In the event of failure by the property owner to perform this duty, the City may, in the case of maintenance or repair deemed by the City to be of an emergency nature, undertake such maintenance or repair without notice to the property owner and the property owner shall then promptly reimburse the City for the cost of such work; if the maintenance or repair is not deemed to be of an emergency nature, the City may notify the property owner that the maintenance or repair needs to be performed at the property owner's expense within the time period specified by the notice, which shall be not less than 30 days. For good cause shown, the City may extend the time period for performance of maintenance or repair, but such extension is not deemed to be given unless in writing by the City Administrator or the designee of the City Administrator. Failure by the property owner to perform the required maintenance or repair within the time period specified (plus extensions, if any) shall be a petty misdemeanor. In addition to that sanction, the City may undertake such maintenance or repair following the expiration of the time period specified (plus extensions, if any), and the property owner shall then promptly reimburse the City of the cost of such work. If any payment required to be paid to the City under this section is not made within 30 days of the billing date therefor, the City may assess the property to recover its cost and/or may utilize any appropriate collection methods or legal proceedings to recover the money owed. The property owner may request that the City undertake repairs of a curb and specially assess the associated costs of the repair to the property. If the City agrees to undertake the repairs, it shall then specially assess said costs on terms for a duration and interest rate as determined by the City. The agreement shall be set forth in writing.

II. EFFECTIVE DATE: THIS ORDINANCE IS EFFECTIVE UPON ITS

ADOPTION AND PUBLICATION AS PRESCRIBED BY LAW.

Adopted by the City of Norwood Young America on the 27th day of November 2023.

Attest:

Carol Lagergren, Mayor

Mitchell Thiesfeld, City Clerk

Adopted: December 11, 2023

Published:

**CITY OF NORWOOD YOUNG
AMERICA ORDINANCE NO. 362**

AN ORDINANCE AMENDING SECTION 1200.04 OF THE CITY CODE RELATING TO DEFINITIONS. THE ~~STRUCK-OUT~~ TEXT SHOWS THE DELETED WORDING AND THE UNDERLINED TEXT SHOWS LANGUAGE ADDED TO THE CODE.

- I. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 1200.04, RELATING TO DEFINITIONS SHALL BE AMENDED AS FOLLOWS:**

Auto Condo. A facility comprised of condominium ~~garage~~ units that serve as storage or a workshop. Auto condos may also include shared facilities such as a lounge, washbay, workshop or restrooms. Auto condos may not be residentially occupied at any time.

- II. EFFECTIVE DATE: THIS ORDINANCE IS EFFECTIVE UPON ITS ADOPTION AND PUBLICATION AS PRESCRIBED BY LAW.**

Adopted by the City of Norwood Young America on the 27th day of November 2023.

Attest:

Carol Lagergren, Mayor

Mitchell Thiesfeld, City Clerk

Adopted: December 11, 2023

Published:

**CITY OF NORWOOD YOUNG
AMERICA ORDINANCE NO. 363**

AN ORDINANCE AMENDING SECTION 1210.06 OF THE CITY CODE RELATING TO CONDITIONAL USE PERMITS. THE ~~STRUCK-OUT~~ TEXT SHOWS THE DELETED WORDING AND THE UNDERLINED TEXT SHOWS LANGUAGE ADDED TO THE CODE.

I. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 1210.06, SUBD 3(B)(2), RELATING TO SPECIFIC CONDITIONAL USE PROVISIONS FOR AUTO CONDOS SHALL BE AMENDED AS FOLLOWS:

Subd. 3 Standards for Granting a Conditional Use Permit. No conditional use permit shall be granted, unless the City Council determines that all of the following standards, along with standards for a specific use and any other conditions the City Council deems necessary to protect the health, safety and general welfare of the public, will be met:

B. Specific Conditional Use Provisions. In addition to the general standards specified in Subd. 3.A. of this Section, no conditional use permit shall be granted unless the City Council determined that each of the following specific standards have been met for the following uses.

2. ~~Reserved. (Ord 298; 3-26-18)~~

Auto Condos. Auto condos shall conform to the following standards:

- a. Auto condos shall be for the private storage and private leisure by the owner(s) of such space. No commercial activities shall be permitted in the auto condo, nor shall any auto condo ever be occupied for residential purposes.
- b. The City may permit specifically designated auto condo units for manufacturing and commercial uses already permitted within the I-1 Light Industrial District, if designated on the approved site plan. If units are approved for manufacturing and commercial uses, the following additional conditions shall apply:
 - i. One wall sign per unit shall be permitted. The sign size shall not exceed 15% of the area of the front face of the unit.
 - ii. No outdoor storage will be permitted.
 - iii. Parking shall be permitted only in the designated parking spaces.

II. BE IT FURTHER ORDAINED SECTION 1210.06, SUBD. 3(B)(18),

**RELATING TO SPECIFIC CONDITIONAL USE PROVISIONS FOR
OUTDOOR STORAGE SHALL BE AMENDED AS FOLLOWS:**

18. Outdoor Storage. Outdoor storage shall conform to the following standards:
- a. All outdoor storage yards shall be completely screened from roads or developed areas with a solid fence or wall 6 feet or more in height, maintained in good condition, and screened with suitable planting. A chain link fence with plastic or vinyl screening slats shall be considered a solid fence.
 - b. Outdoor storage shall not be located in front of the principal structure or within the front yard as required by the applicable zoning district, whichever is more restrictive.
 - c. No un-screened outdoor storage yards established after the effective date of this Chapter shall be located closer than 500 feet to existing State and Federal roads, nor closer than 100 feet to any other City streets.

**III. EFFECTIVE DATE: THIS ORDINANCE IS EFFECTIVE UPON ITS
ADOPTION AND PUBLICATION AS PRESCRIBED BY LAW.**

Adopted by the City of Norwood Young America on the 27th day of November 2023.

Attest:

Carol Lagergren, Mayor

Mitchell Thiesfeld, City Clerk

Adopted: December 11, 2023

Published:

**CITY OF NORWOOD YOUNG
AMERICA ORDINANCE NO. 364**

AN ORDINANCE AMENDING SECTION 1230.11 OF THE CITY CODE RELATING TO THE B-1 BUSINESS INDUSTRIAL DISTRICT. THE ~~STRUCK OUT~~ TEXT SHOWS THE DELETED WORDING AND THE UNDERLINED TEXT SHOWS LANGUAGE ADDED TO THE CODE.

I. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 1230.11, RELATING TO THE B-1 BUSINESS INDUSTRIAL DISTRICT SHALL BE AMENDED AS FOLLOWS:

1230.11 Reserved. ~~B-1 Business Industrial District~~

~~Subd. 1 Intent. The B-1, Business Industrial District is intended to provide an area identified for light industrial and large-scale office-park development. This District is suitable for areas planned for Mixed-Use Commercial Industrial or Industrial Use in the Future Land Use Map as contained in the Comprehensive Plan. (Amended by Ord No. 338, 06-28-2021)~~

~~Subd. 2 Permitted Uses. The following uses are permitted in the Business Industrial District:~~

- ~~A.—Automobile repair, major~~
- ~~B.—Contractor Yards~~
- ~~C.—Light Industrial~~
- ~~D.—Office Complexes~~
- ~~E.—Garden and landscaping services~~
- ~~F.—Mini-storage facilities~~
- ~~G.—Retail in association with a contractor yard or wholesale trade business~~
- ~~H.—Vocational and Technical Schools~~
- ~~I.—Warehouses~~
- ~~J.—Wholesale Trade and Showrooms~~

~~Subd. 3 Permitted Accessory Uses. The following accessory uses are permitted in the Business Industrial District.~~

- ~~A. Commercial or business buildings and structures for a use accessory to the principal use;~~
- ~~B. Fences, subject to Section 1245.05;~~
- ~~C. Lighting, subject to Section 1245.08;~~
- ~~D. Signs, subject to Section 1260.~~

~~Subd. 4 Conditional Uses. The following uses are permitted, subject to the provisions of Section 1210.06:~~

~~*Principle Uses:*~~

- ~~A. Veterinary clinic, animal care, animal shelter, pet daycare, pet training, or animal hospital.~~

~~*Accessory Uses:*~~

- ~~A. Outdoor Auto, Truck, Recreational Vehicle and Equipment Sales and Display;~~
- ~~B. Outdoor Storage;~~
- ~~C. Barbed-wire Fencing~~

~~Subd. 5 Interim Uses. The following uses are permitted as an interim use, subject to the provisions of Section 1210.07:~~

- ~~A. Outdoor Storage~~

~~Subd. 6 Lot Requirements and Setbacks. The following requirements and setbacks are the minimum amount allowed in the B-1 District; with the exception of "Lot Coverage" which shall be the maximum amount allowed:~~

- ~~A. Lot Area: — 30,000 square feet~~
- ~~B. Lot Width: — 200 feet~~
- ~~C. Lot Coverage: — 80%~~
- ~~D. Building Height: 40 feet (principal structure)
Two-thirds of the height of the principal structure
(accessory structure) (*Amended Ord. 344, 04/11/2022*)~~

~~E. Setbacks:~~

~~*Principal Structures:*~~

- ~~Front yard: — 25 feet~~
- ~~Side yard: — 5 feet~~
- ~~Side yard: — 30 feet (if~~

adjacent to a residential district) Street
side yard: _____ 25 feet
Rear yard: _____ 20 feet
Rear yard: _____ 30 feet (if adjacent to a residential district)

Accessory Structures:

Front yard: _____ not permitted in front yards
Side yard: _____ 5 feet
Street side yard: _____ 25 feet
Rear yard: _____ 5 feet
Alley rear yard: _____ 10 feet

~~Subd. 7 Architectural Standards and Guidelines. Architectural standards and guidelines shall follow the provisions of Section 1245.03 of this Chapter.~~

II. EFFECTIVE DATE: THIS ORDINANCE IS EFFECTIVE UPON ITS ADOPTION AND PUBLICATION AS PRESCRIBED BY LAW.

Adopted by the City of Norwood Young America on the 27th day of November 2023.

Attest:

Carol Lagergren, Mayor

Mitchell Thiesfeld, City Clerk

Adopted: December 11, 2023

Published:

**CITY OF NORWOOD YOUNG
AMERICA ORDINANCE NO. 365**

AN ORDINANCE AMENDING SECTION 1230.12 OF THE CITY CODE RELATING TO THE I-1 LIGHT INDUSTRIAL DISTRICT. THE ~~STRUCK-OUT~~ TEXT SHOWS THE DELETED WORDING AND THE UNDERLINED TEXT SHOWS LANGUAGE ADDED TO THE CODE.

I. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 1230.12, RELATING TO THE I-1 LIGHT INDUSTRIAL DISTRICT SHALL BE AMENDED AS FOLLOWS:

1230.12 I-1 Light Industrial District

Subd. 1 Intent. The purpose of the I-1, Light Industrial District, is to create industrial areas within the City that will be acceptable and will not adversely affect adjacent business or residential neighborhoods. The overall character of the I-1 District is intended to have low-impact manufacturing/warehouse character. Industrial uses allowed within the District shall be either:

- A. Those whose operations are relatively free from objectionable influences; or
- B. Those whose objectionable features will be mitigated by design or appropriate devices.

This District is suitable for areas planned for Industrial Use in the Future Land Use Map as contained in the Comprehensive Plan. (*Amended by Ord No. 338, 06-28-2021*)

Subd. 2 Permitted Uses. The following uses are permitted in the Light Industrial District:

- A. Contractor Operations;
- B. Laboratories;
- ~~C. Light Industry;~~
- C. Utilities (public sewer, water);
- D. Warehousing;
- E. Wholesale Trade and Showrooms
- F. Manufacturing
- G. Office Complexes
- H. Garden and Landscaping Services
- I. Vocational and Technical Schools
- J. Retail – in association with a contractor yard or wholesale trade business

Subd. 3 Permitted Accessory Uses. The following accessory uses are permitted in the Light Industrial District.

- A. Commercial or business buildings and structures for a use accessory to the principal use.
- B. Fences, subject to Section 1245.05
- C. Lighting, subject to Section 1245.08

Subd. 4 Conditional Uses. The following uses are permitted, subject to the provisions of Section 1210.06:

Principal Uses:

- A. Antennas, satellite dishes, communication and radio towers;
- ~~B. Vocational and Technical Schools;~~
- B. Adult Uses providing they are located on lots which do not abut U.S. Highway 212.
- C. Minor Auto Repair, subject to standards contained in Section 1230.12, Subd. 4 pertaining to accessory outdoor storage, as may be amended, provided:
 - i. Fencing and screening. When abutting a property used for residential purposes a landscaped buffer sufficient to screen the use from the adjacent residence at all times of the year shall be provided.
 - ii. No vehicle or equipment shall be parked on the premises other than those utilized by employees, used by the business, or awaiting service. No vehicle or equipment shall be parked or be waiting service longer than fifteen (15) days. Vehicles and equipment, if required to be licensed, shall display current licenses.
 - iii. Junk yards and/or auto salvage is prohibited.
 - iv. Exterior storage other than vehicles and equipment being repaired shall be limited to service equipment and incidental, seasonal, and occasional items offered for sale.
 - v. The storage of new tires, batteries and other such items for sale outside the building is allowed during hours of business operation.
 - vi. Business activities such as automatic car and truck wash, rental of vehicles, equipment or trailers, and general retail sales may be allowed.
 - vii. Outdoor storage of used tires may be allowed, provided tires are stored in a completely enclosed structure approved by the City and a written plan to regularly dispose of used tires is filed with the application for conditional use permit required under this Section.
- D. Major Auto Repair, subject to standards contained in Section 1230.12, Subd. 4 pertaining to accessory outdoor storage, as may be amended, provided:
 - i. Fencing and screening. When abutting a property used for residential purposes a landscaped buffer sufficient to screen the use from the adjacent residence at all times of the year shall be provided. When abutting a commercial property a fence is required.
 - ii. No vehicle or equipment shall be parked on the premises other than those utilized by employees, used by the business, or awaiting service. Vehicles and equipment, if required to be licensed, shall display current licenses.
 - iii. Junk yards and/or auto salvage is prohibited.

- iv. Exterior storage other than vehicles and equipment being repaired shall be limited to service equipment and incidental, seasonal, and occasional items offered for sale.
 - v. Business activities such as automatic car and truck wash, rental of vehicles, equipment or trailers, and general retail sales may be allowed. Outdoor storage of used tires may be allowed, provided tires are stored in a completely enclosed structure approved by the City and a written plan to regularly dispose of used tires is filed with the application for conditional use permit required under this Section.
- E. Non-Passenger Auto Repair such as semi-truck repair, large equipment repair, agricultural equipment repair, boat repair, and marine equipment repair, provided:
- i. Fencing and screening. When abutting a property used for residential purposes a landscaped buffer sufficient to screen the use from the adjacent residence at all times of the year shall be provided. When abutting a commercial property a fence is required.
 - ii. No vehicle or equipment shall be parked on the premises other than those utilized by employees, used by the business, or awaiting service. No vehicle or equipment shall be parked or be waiting service longer than fifteen (15) days. Vehicles and equipment, if required to be licensed, shall display current licenses.
 - iii. Junk yards and/or auto salvage is prohibited.
 - iv. Exterior storage other than vehicles and equipment being repaired shall be limited to service equipment and incidental, seasonal, and occasional items offered for sale.
 - v. The storage of new tires, batteries and other such items for sale outside the building is allowed only during hours of business operation.
 - vi. Business activities such as automatic car and truck wash, rental of vehicles, equipment or trailers, and general retail sales may be allowed. Outdoor storage of used tires may be allowed, provided tires are stored in a completely enclosed structure approved by the City and a written plan to regularly dispose of used tires is filed with the application for conditional use permit required under this Section.
- F. Veterinary clinic, animal care, animal shelter, pet daycare, pet training, or animal hospital.
- G. Mini Storage / Auto Condos

Accessory Uses:

- A. Freight and yard equipment;
- B. Outdoor Auto, Truck, Recreational Vehicle and Equipment Sales and Display;
- C. Outdoor Storage;
- D. Barbed-wire Fencing

Subd. 5 Lot Requirements and Setbacks. The following requirements and setbacks are the minimum amount allowed in the I-1 District, with the exception of “Lot Coverage” which shall

be the maximum amount allowed:

- A. Lot Area: 87,120 square feet (2 acres)
B. Lot Width: 200 feet
C. Lot Coverage: 80%
D. Building Height: 40 feet (principal structure)
Two-thirds of the height of the principal structure
(accessory structure)
- E. Setbacks:
Principal Structures:
Front yard: 30 feet
Side yard: 10 15-feet
Street side yard: 30 feet
Rear yard: 30 50 feet
50 75 feet (if adjacent to a residential district)
- Accessory Structures:
Front yard: Not permitted in front yards
Side yard: 10 feet
Street side yard: 30 feet
Rear yard: 10 feet
Alley rear yard: 10 feet

Subd. 6 Architectural Standards and Guidelines for the I-1 District.

A. Exterior Wall Finish.

1. Required Materials. All exterior wall finishes on any building structure shall be constructed of the following materials or combination of materials:
- a. Brick
 - b. Stone
 - c. Glass
 - d. Textured masonry units
 - e. Wood, consisting of lap siding and painted
 - f. Stucco
 - g. Tilt up concrete panels
 - h. Prefabricated steel or sheet metal panels or pre-engineered buildings, subject to the accent materials requirements in subsection (2) below. The lot shall be landscaped as required by the City which solely reserves the right to require additional landscaping in exchange for allowing the pre-engineered or prefabricated application.
 - i. Fiber cement or cement/concrete board lapsiding
 - j. Metal subject to the accent materials requirements in subsection (2) below, and the following limitations:
 - Aluminum is prohibited in any form.
 - Minimum metal gauge of 24.
 - Metal roofing shall feature standing seams, concealed fasteners, and guards above building openings to prevent snow from accumulating in entrances.
2. Accent Materials. When required based on subsection (1) above, accent material must occupy up to 25 percent of a building's street-facing façade(s). These may

include:

- a. Brick
- b. Stone
- c. Textured masonry units
- d. Stucco
- e. Windows
- f. Doors
- g. Canopy, portico, overhang or arch over the main entry
- h. Similar materials as approved by the City

3. Prohibited Materials. The following materials may not be used in any visible exterior application except when specifically permitted by the City in areas with limited public view or accent areas:

- a. Unadorned plain or painted concrete block
- b. Painted brick
- c. Unfinished, corrugated, or galvanized metal panels.
- d. Reflective glass
- e. Aluminum, vinyl, fiberglass, asphalt or fiberboard siding

B. Color. Colors shall be harmonious and consist of muted colors with low reflectance. Recommended colors include browns, grays, tans, beiges and dark or muted greens, blues and reds. Bright or brilliant colors and sharply contrasting colors may be used only for accent purposes.

C. Entries. The main entrance should always face the primary street and shall be placed at grade. Main entries must be designed with one or more of the following:

1. Canopy, portico, overhang or arch above the entrance. If used, these projections shall be permitted to encroach up to ten (10) feet into the required front yard setback.
2. Recesses or projections in the building façade surrounding the entrance
3. Peaked roof or raised parapet over the door
4. Display windows surrounding the entrance
5. Architectural detailing such as tile work or ornamental moldings

II. EFFECTIVE DATE: THIS ORDINANCE IS EFFECTIVE UPON ITS ADOPTION AND PUBLICATION AS PRESCRIBED BY LAW.

Adopted by the City of Norwood Young America on the 27th day of November 2023.

Attest:

Carol Lagergren, Mayor

Mitchell Thiesfeld, City Clerk

Adopted: December 11, 2023

Published:

**CITY OF NORWOOD YOUNG
AMERICA ORDINANCE NO. 366**

AN ORDINANCE AMENDING SECTION 1245.03 OF THE CITY CODE RELATING TO ARCHITECTURAL STANDARDS FOR COMMERCIAL DISTRICTS. THE STRUCK-OUT TEXT SHOWS THE DELETED WORDING AND THE UNDERLINED TEXT SHOWS LANGUAGE ADDED TO THE CODE.

I. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 1245.03, RELATING TO ARCHITECTURAL STANDARDS FOR COMMERCIAL DISTRICTS, SHALL BE AMENDED AS FOLLOWS:

1245.03 Architectural Standards and Guidelines for Commercial, Office/Institutional and Multifamily Development. ~~and Business Industrial.~~

Subd. 1 Purpose and Intent. The City of Norwood Young America recognizes that the visual character of the City is an important attribute of its quality of life. The City intends that all commercial, ~~and business industrial~~ development within the City should strive towards the highest level of quality in both design and construction. The architectural standards and design guidelines have been established to guide the quality, character and compatibility of new development and redevelopment within the City.

Subd. 2 Applicability. The provisions of this Section shall apply to all new construction of commercial, ~~business industrial~~, office/institutional and multifamily development. Within each zoning district, the standards shall be in addition to the underlying requirements. The following activities are exempt from design review unless staff determines that the project creates a significant change in the design characteristics of the development:

- A. Internal alteration to buildings that do not result in a change to the building height, roof line or footprint.
- B. Replacement or repair of existing materials
- C. The standards shall apply only to the building or site elements being developed or altered.

Subd. 3 Building Material and Detail.

- A. *Exterior Wall Finish.* All exterior wall finishes on any building structure shall be constructed of the following materials or combination of

materials:

1. Brick
2. Stone
3. Glass
4. Textured masonry units
5. Wood, consisting of lap siding and painted
6. Stucco
7. Tilt up concrete panels
8. ~~Prefabricated steel or sheet metal panels or pre-engineered buildings for Permitted Industrial Uses in the B-1 District only, assuming that permitted materials listed in 1-7 above shall occupy 100% of the street-facing side(s) of the building and the lot shall be landscaped as required by the City which solely reserves the right to require additional landscaping in exchange for allowing the pre-engineered or prefabricated application. Commercial uses (retail or service occupying fifty percent or more of the site) are specifically excluded from this clause (1245.03, A, 10) as may be amended.~~
8. Fiber cement or cement/concrete board lapsiding
9. Metal subject to the following limitations:
 - a. Aluminum is prohibited in any form.
 - b. Minimum metal gauge of 24.
 - c. Concealed fasteners required.
 - d. Horizontal application is required, that is lapsiding versus vertical steel panel.
 - e. When façade of the building faces a public right of way; a minimum of twenty-seven percent (27%) of the façade must be transparent (e.g. window, door openings) and twenty-five percent (25) must be an accent material consisting of brick, stone, textured masonry units, or stucco.
 - f. Portions of facades not facing public streets are exempt from subsection (e) relating to transparency and accent material.
 - g. Metal roofing shall feature standing seams, concealed fasteners, and guards above building openings to prevent snow from accumulating in entrances.

Accent material may occupy up to 25 percent of the building's façade. These may include:

1. Metal
2. Glass Block
3. Spandrel glass
4. Similar materials as approved by the City

The following materials may not be used in any visible exterior application except when specifically permitted by the City in areas with limited public view or accent areas:

1. Unadorned plain or painted concrete block
2. Painted brick
3. Unfinished, corrugated, or galvanized metal panels.

4. Reflective glass
5. Aluminum, vinyl, fiberglass, asphalt or fiberboard siding

- B. *Color.* Colors shall be harmonious and consist of muted colors with low reflectance. Recommended colors include browns, grays, tans, beiges and dark or muted greens, blues and reds. Bright or brilliant colors and sharply contrasting colors may be used only for accent purposes.
- C. *Horizontal Articulation.* To avoid long unbroken expanses, building of more than 40 feet in width shall be divided into smaller increments through articulation of the façade. This can be achieved through combinations of the following techniques:
1. Façade modulation- stepping back or forward or extending a portion of the façade.
 2. Vertical divisions using different textures or materials.
 3. Variation in the rooflines by alternating dormers and stepped roofs, gables or other roof elements to reinforce the modulation or articulation intervals.
- D. *Ground-level Articulation.* The ground level of any multi-story structure shall be visually distinct from the upper stories. This can be achieved through the use of one or more of the following techniques. Others that may meet the objective shall be reviewed and approved by the Planning Commission:
1. An intermediate cornice line
 2. A sign band
 3. An awning arcade or portico
 4. A change in the building materials, texture or detailing
 5. A change in window shape or treatment
- E. *Entries.* The main entrance should always face the primary street and shall be placed at grade. Main entries shall be designed with one or more of the following:
1. Canopy, portico, overhang or arch above the entrance
 2. Recesses or projections in the building façade surrounding the entrance
 3. Peaked roof or raised parapet over the door
 4. Display windows surrounding the entrance
 5. Architectural detailing such as tile work or ornamental moldings
- F. *Building Placement.* All buildings in the General Commercial District shall be located as close as possible to the front yard setback line and building entrances shall be as close as possible to abutting streets. Parking shall be to the rear or side of the building to the greatest extent possible.
- G. ~~Pre-fabricated and/or pre-engineered buildings are prohibited in the C-2 and B-I Districts, except as provided under 1245.03, Subd. 3, A, 10. Pre-fabricated buildings are those primarily built in a factory off site and then shipped to and assembled on site. Pre-engineered buildings are products generally designed by manufacturers according to standard design models as opposed to buildings designed by a stand-alone architect and project engineer who select/employ materials from a variety of independent sources for the specific needs of the property and building.~~

Subd. 4 Loading and Refuse Areas. Screening of service yards, refuse, and waste-removal areas,

loading docks, truck parking areas, and other areas which tend to be unsightly shall be accomplished by use of walls, privacy fencing, dense planting, or any combination of these elements. Screening shall block views from public right-of-way.

Subd. 5 Lot Frontage and Parking Location.

- A. *Highway 212 and Highway 5 Corridor.*
 - 1. In any lot that abuts Highway 212 or Highway 5, directly, the lot line abutting the highway shall be considered the front lot line.
 - 2. In any lot that abuts either an access boulevard parallel to Highway 212 or Highway 5, the lot line abutting the boulevard shall be considered the front lot line.
 - 3. The majority of parking shall be located to the side or rear yards of the building.
- B. *All other non-commercial districts listed under the provisions of this section.* Parking areas should be distributed around large buildings in order to shorten the distance to the entrance and to other buildings and reduce the overall scale of the paved surface. No more than 50 percent of the parking area for the site shall be located between the front façade of the principal building and the primary abutting street.

Subd. 6 Franchise Architecture. Franchise architecture (building design that is trademarked or identified with a particular chain or corporation and is generic in nature) shall be incorporated in such a manner to comply with the design standards of this Section.

II. EFFECTIVE DATE: THIS ORDINANCE IS EFFECTIVE UPON ITS ADOPTION AND PUBLICATION AS PRESCRIBED BY LAW.

Adopted by the City of Norwood Young America on the 27th day of November 2023.

Attest:

Carol Lagergren, Mayor

Mitchell Thiesfeld, City Clerk

Adopted: December 11, 2023

Published:

**CITY OF NORWOOD YOUNG
AMERICA ORDINANCE NO. 367**

AN ORDINANCE AMENDING SECTION 1245.04 OF THE CITY CODE RELATING TO ACCESSORY STRUCTURES. THE STRUCK OUT TEXT SHOWS THE DELETED WORDING AND THE UNDERLINED TEXT SHOWS LANGUAGE ADDED TO THE CODE.

I. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 1245.04, SUBD. 2, RELATING TO ACCESSORY STRUCTURES, SHALL BE AMENDED AS FOLLOWS:

1245.04 Accessory Structures

Subd. 2 General Provisions.

- A. *Structures 120-200 Square Feet or Less.* Structures sized ~~120~~ 200 square feet or less shall be subject to an administrative permit, and are exempt from this Section, except those standards relating to required setbacks and number of total detached structures allowed.

II. EFFECTIVE DATE: THIS ORDINANCE IS EFFECTIVE UPON ITS ADOPTION AND PUBLICATION AS PRESCRIBED BY LAW.

Adopted by the City of Norwood Young America on the 27th day of November 2023.

Attest:

Carol Lagergren, Mayor

Mitchell Thiesfeld, City Clerk

Adopted: December 11, 2023

Published:

**CITY OF NORWOOD YOUNG
AMERICA ORDINANCE NO. 368**

AN ORDINANCE AMENDING SECTION 1245.05 OF THE CITY CODE RELATING TO FENCES. THE STRUCK-OUT TEXT SHOWS THE DELETED WORDING AND THE UNDERLINED TEXT SHOWS LANGUAGE ADDED TO THE CODE.

I. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 1245.05, RELATING TO FENCES, SHALL BE AMENDED AS FOLLOWS:

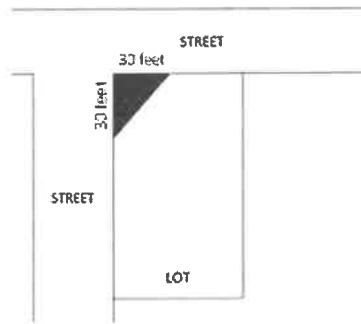
1245.05 Fences

Subd. 1 ~~Building~~ Administrative Permit Required. No fence, except temporary fencing, shall be constructed without an administrative ~~building~~ permit. A fence that is eight (8) feet in height or greater shall require a building permit. ~~The A permit~~ application shall be accompanied by a plot plan clearly describing the type, location, and method of anchoring the fence.

Subd. 2 Setbacks. Boundary line fences shall may be at least one (1) foot from constructed up to the property line, but no component of any fence may exceed the property line. ~~except as provided for in Subd. 4 and 5 of this Section. The persons, firms or corporations constructing or causing the construction of such fence shall be responsible for maintaining that part of their property between fence and property line.~~ City staff shall require any applicant for a fence permit to establish the boundary lines of his property by a certificate of survey thereof to be made by any registered land surveyor or by showing the accurate stake markers of the surveyed lot.

Subd. 3 Fencing Conformity. Fencing in all districts shall conform to the following:

- A. Fences in all districts shall be maintained so that the exposed outer/inner surface shall be uniformly painted or stained in a neat and aesthetically acceptable condition.
- B. The side of the fence considered to be the face (finished side as opposed to structural supports) shall face abutting property.
- C. No fence shall be permitted on a public right-of-way or boulevard area.
- D. No fence shall be erected on a corner lot that will obstruct or impede the clear view of an intersection by approaching traffic within a sight triangle defined by measuring thirty (30) feet from intersecting streets.



- E. All snow-stop fencing may be used from November 1 to April 1. No permit shall be required for temporary fencing.
- F. All fencing shall be constructed straight, true, and plum.
- G. Fences which are in need of repair or maintenance through type of construction or otherwise, or are otherwise dangerous to the public safety or general welfare and health are considered a public nuisance and the City may commence proceedings for the abatement thereof under Chapter 6, Nuisance Abatement of the City Ordinance. Electric fences may not be used. Material such as chicken, sheep, or hog wire fencing, barbed wire fencing, or snow fencing will not be allowed as permanent fencing, except as stated in paragraph E in this section.
- H. All fences shall have a gate or opening to allow access from the exterior of the lot.
- I. All fences shall be constructed of durable materials such as treated or painted wood, cedar, chain link, aluminum, wrought iron, and similar materials intended to be used for fencing in urban areas. Agricultural fences, woven wire, electric wire, plastic, and fences made of flimsy or non-traditional materials/items are prohibited. Barbed wire is prohibited in residential districts but may be allowed on the top of fences in commercial and industrial districts as provided under Subd. 5 "Fencing in Commercial, Business, and Industrial Districts".

Subd. 4 Fencing in All Residential and Agricultural Districts.

- A. *Setback and design.* A fence may be located within the rear yard and side yard to a maximum height of six (6) feet up to the point where it is parallel with the front edge of the building. Fences located in front of a dwelling shall not exceed three and one half feet in height, and shall not be placed within two (2) feet of a property line. Fences may be placed in street side corner yards provided the fence is not closer to the front property line than the principal structure at least fifty (50) percent opaque and not more than four (4) six (6) feet in height. A clear sight triangle as defined in Section 1245.05, Subd. 3(D) is required. Fence height shall be measured from grade.
- B. Fences around dog kennels not exceeding one hundred (100) square feet in size, fences around garden fences will not require building a permits, but shall adhere to the other regulations of this subdivision.

- C. All garbage can areas in multi-family developments shall be protected by a privacy fence not less than six (6) feet in height. The privacy fence shall be constructed of wood, vinyl or similar, but shall not include chain link with slats. All gates shall have a self-closing and self-latching latch installed on the outside of the fence.

Subd. 5 Fencing in Commercial, Business and Industrial Districts.

- A. Business and industrial fences may be erected up to eight (8) feet in height as measured from grade. Fences in excess of eight (8) feet shall require a conditional use permit.
- B. Business and industrial fences with barbed or razor wire security arms shall be erected a minimum of six (6) feet in height as measured from grade (measured without the security arm) and shall require a conditional use permit. The security arm shall be angled in such a manner that it extends only over the property of the permit holder and does not endanger the public.
- C. ~~Single family residential properties located in the Civic (C), Central Business District (CBD), and Commercial/Industrial (C-I) districts shall conform to the provisions of Subd. 3 of this Section.~~

II. EFFECTIVE DATE: THIS ORDINANCE IS EFFECTIVE UPON ITS ADOPTION AND PUBLICATION AS PRESCRIBED BY LAW.

Adopted by the City of Norwood Young America on the 27th day of November 2023.

Attest:

Carol Lagergren, Mayor

Mitchell Thiesfeld, City Clerk

Adopted: December 11, 2023

Published:

**CITY OF NORWOOD YOUNG
AMERICA ORDINANCE NO. 369**

AN ORDINANCE AMENDING SECTION 1250.07 OF THE CITY CODE RELATING TO ACCESSES. THE ~~STRUCK-OUT~~ TEXT SHOWS THE DELETED WORDING AND THE UNDERLINED TEXT SHOWS LANGUAGE ADDED TO THE CODE.

I. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 1250.07, RELATING TO ACCESSES, SHALL BE AMENDED AS FOLLOWS:

1250.07 Access.

- A. Parking and loading space shall have adequate access from a public right-of-way.
- B. Access drives shall be so located as to minimize traffic and congestion and abnormal traffic hazards. No driveway shall be closer than fifty (50) feet to any right-of-way line of a street intersection.
- C. Access drives shall be located a minimum of five (5) feet from a side property line.
- D. The maximum width for a driveway serving a single-family home shall be twenty-four (24) feet at the property line, and thirty-six (36 feet) within the lot.
- E. Single family properties shall have no more than one (1) driveway per street frontage.
- F. Access drive widths shall not exceed forty (40) feet for multiple family, commercial, or industrial uses. The established width for multiple family, commercial, or industrial uses may be exceeded if the City Engineer finds traffic circulation purposes warrant increased width.
- G. Residential, commercial, and industrial driveways shall be hard-surfaced with materials such as concrete, asphalt, or brick/paver, except that driveways accessed from non-hard-surfaced alleys may be non-hard- surfaced.
- H. Residential parking pads shall be setback a minimum of five (5) feet from side property lines.

II. EFFECTIVE DATE: THIS ORDINANCE IS EFFECTIVE UPON ITS ADOPTION AND PUBLICATION AS PRESCRIBED BY LAW.

Adopted by the City of Norwood Young America on the 27th day of November 2023.

Attest:

Carol Lagergren, Mayor

Mitchell Thiesfeld, City Clerk

Adopted: December 11, 2023

Published:

**CITY OF NORWOOD YOUNG
AMERICA ORDINANCE NO. 370**

AN ORDINANCE AMENDING SECTION 1255 OF THE CITY CODE RELATING TO LANDSCAPING. THE ~~STRUCK-OUT~~ TEXT SHOWS THE DELETED WORDING AND THE UNDERLINED TEXT SHOWS LANGUAGE ADDED TO THE CODE.

I. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 1255, RELATING TO LANDSCAPING, SHALL BE AMENDED AS FOLLOWS:

1255.01 Intent. The primary purpose of these regulations is to establish minimum standards for landscaping and ground cover to provide an aesthetic environment. These standards shall be implemented concurrently with site plan approval by the city.

1255.02 Landscaping Area. All areas designated to be landscaped and street boulevards that are not devoted to drives, sidewalks, patios or other such uses shall be landscaped. All landscaped areas shall be kept neat, clean and uncluttered. No landscaped area shall be used for the parking of vehicles or the storage or display of materials, supplies or merchandise.

1255.03 Landscape Requirements for All Uses. Ground cover shall be established within one year of issuance of Certificate of Occupancy.

1255.04 Landscape Requirements for New Non-Residential Uses.

- A. Tree planting ~~at the rate of a minimum of eight trees or one tree per 3,000 SF of suitable site area, whichever is greater. Tree spacing must include trees planted at the boulevard, at fifty-foot intervals. Suitable site area shall include all area of the site unoccupied by structures and parking lot, and shall exclude wetlands or other land not suitable for disturbance or tree planting.~~ one (1) tree per 1000 square feet of gross building area;
- B. ~~A combination of berming, shrub and tree planting~~ Foundation plantings at a rate of one shrub per ten feet of building frontage and parking lot perimeter. Plantings may be grouped rather than dispersed at ten-foot intervals. Permitted gravel parking areas are exempt from this requirement; and
- C. Berming with low ground cover (slopes shall be no greater than one foot in elevation per three horizontal feet).

1255.05 Landscape Requirements for Expansion of Non-Residential Uses.

- A. Tree planting of a minimum of one ~~(1), or one (1) tree per 1000 square feet of gross expanded building area~~ tree per fifty feet of boulevard. Existing trees

may count toward this requirement if they are in the front or corner side yard; and

- B. Foundation plantings at a rate of one shrub per ten feet of added building and parking lot perimeter. Plantings may be grouped rather than dispersed at ten-foot intervals. Permitted gravel parking areas are exempt from this requirement.

1255.06 Landscape requirements for Multi-Family Residential Uses. Townhomes, manufactured home parks and apartment dwelling structures shall require as a minimum: one (1) new tree per dwelling unit, unless otherwise approved by the City Council.

1255.07 Size Standards. The minimum size of planted trees shall be a minimum two and one half (2 ½) caliper inches for deciduous trees and six feet in height for coniferous trees. Shrubs shall be planted at a minimum of 1/3 of the mature spread and height of typical growth habits.

1255.08 Species. Types of trees allowed shall be species listed on the city landscaping list. Plant species must be tolerant to snow storage, exposure to salt and sun scald in parking areas.

1255.09 Landscape Warranty. All required landscape plants shall be alive and in satisfactory growth for a minimum of two (2) years after planting, or be replaced at the owners expense.

1255.10. Compliance Time Frame. All planting and sodding shall be completed, and all seeding established within one (1) year of issuance of Certificate of Occupancy.

II. EFFECTIVE DATE: THIS ORDINANCE IS EFFECTIVE UPON ITS ADOPTION AND PUBLICATION AS PRESCRIBED BY LAW.

Adopted by the City of Norwood Young America on the 27th day of November 2023.

Attest:

Carol Lagergren, Mayor

Mitchell Thiesfeld, City Clerk

Adopted: December 11, 2023

Published:



TO: Mayor Lagergren and City Council Members

FROM: Andrea Aukrust, City Administrator

DATE: December 11, 2023

SUBJECT: Resolution 2023-42 A Resolution Addressing Mandatory Earned Sick and Safe Time Compliance

Effective January 1, 2024, Minnesota employers are required to provide earned sick and safe time (“ESST”) to employees, including temporary or seasonal employees, who work more than 80 hours in one year. This is a new requirement that was passed during the last legislative session. The new ESST law requires employers to provide one hour of paid leave for every 30 hours an employee works. An employee may earn up to 48 hours of ESST in one year. Unused ESST may be carried over into the next calendar year, up to a maximum accumulation of 80 hours, unless an employer utilizes a front loading option that will not be discussed for purposes of this memorandum because it is not recommended by the City Attorney given the City’s current practices and needs. Background information about the new ESST law is available through the Department of Labor and Industry at www.dli.mn.gov/sick-leave.

For employees who are not PTO eligible, the City Attorney and City Administrator recommend that the City provide the minimum amount of ESST required by law. For employees who are PTO eligible, the City already provides more generous PTO benefits than the minimum requirements for ESST leave. As a result, the City Attorney recommends that the City designate a portion of PTO that is already provided to employees as ESST-designated leave by counting the first 48 hours of PTO an employee uses each year as ESST-designated PTO. If an employee does not use 48 hours of PTO in one year, the employee would be allowed to carry over unused ESST-designated PTO into the next year, up to a maximum accumulation of 80 hours.

The City Attorney drafted the attached resolution to outline the City’s plans for ESST compliance and recommends that Council approve it before January 1. City administration is also working with the City Attorney on revising the City’s employee handbook and will present a revised handbook for Council approval in early 2024. We are aiming for the January 8, 2024 Council meeting.

Recommendation:

Motion to approve Resolution 2023-42 A Resolution Addressing Mandatory Earned Sick and Safe Time Compliance.

Norwood Young America

**CITY OF NORWOOD YOUNG AMERICA
RESOLUTION 2023-42**

**A RESOLUTION ADDRESSING MANDATORY EARNED SICK AND SAFE
TIME COMPLIANCE**

WHEREAS, effective January 1, 2024, Minnesota employers are required to provide earned sick and safe time (“ESST”) to certain employees pursuant to the provisions of Minnesota Statutes 181.9445 through 181.9448;

WHEREAS, Minnesota’s new ESST law will require the City to start providing paid ESST to employees who were not previously eligible to receive paid leave from the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NORWOOD YOUNG AMERICA, MINNESOTA,

1. The City Administrator is authorized to take all steps necessary to ensure the City is providing the minimum amount of ESST required by Minnesota law as of January 1, 2024.
2. For City employees who do not earn PTO and qualify for ESST, the City will provide the minimum amount of ESST required by law.
3. For City employees who are eligible for PTO, the City already provides PTO benefits that are more generous than the minimum amount of ESST the City is required to provide by law. PTO may generally be used for any reason, subject to the City’s established procedures for requesting and receiving approval to use PTO. The City will designate the first 48 hours of PTO used each calendar year by an employee as ESST. If an employee chooses to use the employee’s first 48 hours of PTO in a calendar year for reasons other than the ESST-qualifying reasons outlined by statute, the City will not provide additional ESST-designated PTO hours. Employees who wish to preserve their ESST-designated PTO specifically for the ESST purposes outlined by law are responsible for managing their own PTO usage to ensure their 48 hours of ESST-designated PTO are available to be used for ESST purposes throughout the course of the calendar year when requested by the employee. Employees who do not use all of their 48 hours of ESST-designated PTO in a calendar year will be allowed to carry over their unused ESST-designated PTO into the next calendar year, up to a maximum accumulation of 80 hours of ESST-designated PTO.
4. The City Administrator is authorized and directed to work with the City Attorney to ensure the City’s established procedures for PTO approval are consistent with

the requirements of the new ESST laws to the extent an employee is utilizing ESST-designated PTO

5. This Resolution shall be effective immediately upon approval by vote of the City Council.

Adopted by the Council on this 11th day of December 2023.

Carol Lagergren, Mayor

Attest: _____
Mitchell Thiesfeld, City Clerk



TO: Mayor Lagergren & City Council

FROM: Karen Hallquist, Community & Economic Development Director

DATE: December 11, 2023

RE: MN DEED Transportation Economic Development Infrastructure (TEDI) Grant Award

MN DEED offers an annual Transportation Economic Development Infrastructure (TEDI) competitive grant program to communities for road and public infrastructure projects that create jobs and support economic development. The TEDI funds available for round of projects is \$1,962,400 of which half is guided to Greater MSP and half to the seven-county metro.

Staff submitted a TEDI application to MN DEED September 22, 2023, for funding assistance in the amount of \$900,000 for the Tacoma West Industrial Park Phase 2 Infrastructure Project. The total cost of the infrastructure project is over \$5,000,000.

Competitive applications needed to demonstrate the following objectives:

- *A strong, well-documented need and an effective solution. This would include documented financial costs, reasonable budgets, secured leverage resources;*
- *How the proposal addresses the goal of the application;*
- *Committed business(es), number of full-time jobs created or being created and their salaries;*
- *Project Readiness – will the project be started soon after DEED approval;*
- *Evidence that the Eligible Applicant is able to perform and complete the tasks stated within the application.*

Staff received formal notice on Monday, December 4, 2023, from DEED Grant Administrator Jeremy LaCroix and DEED Commissioner Matt Varilek that the City of Norwood Young America's application regarding the Tacoma West Industrial Park Phase 2 Infrastructure Project was approved in the amount of \$900,000.

The infrastructure project should be completed within three (3) years of execution of the funding agreement.

Informational Only

 **EMPLOYMENT AND
ECONOMIC DEVELOPMENT**

November 30, 2023

The Honorable Carol Lagergren
Mayor, City of Norwood Young America
PO Box 59
Norwood Young America, MN 55368

Dear Mayor Lagergren:


I am pleased to inform you that the City of Norwood Young America's application for the Transportation Economic Development Infrastructure (TEDI) Program grant has been approved in the amount of \$900,000. We are pleased to provide this financial assistance to the city for Phase 2 Tacoma West Industrial Park project. All parties involved in the preparation of the city's application can be proud of this award.

DEED's Community Finance staff will follow up with details of your DEED funding award and will assist you and your staff in achieving your business and community development goals. Please note that a grant agreement needs to be executed before the project may begin.

For additional information, please contact Jeremy LaCroix at 651.259.7457 or by e-mail at jeremy.lacroix@state.mn.us.

Finally, let me extend my congratulations to you and your staff for developing an approach that will effectively address your business and community development needs.

Regards,



Matt Varilek
Commissioner

C: Senator Glenn Gruenhagen
Representative Bobbie V. Harder



TO: Mayor Lagergren and City Council

FROM: Karen Hallquist, Community & Economic Development Director

DATE: December 11, 2023

SUBJECT: Community & Economic Development Update

Tacoma West Industrial Park Phase 2

- Marketing efforts started – TWIP2 packets, city website, contacted interested parties
- Extending contacts to Carver Co CDA, Choose Carver County, LocationOne, and other site selection outlets after ordinance amendment approvals
- Conversations started with interested parties
- Staff reviewing proposed survey/plat with consultants in preparation for Planning Commission review and recommendations to City Council in late Jan/early Feb.

Minnesota Valley Electric

- Services the entire Tacoma West Industrial Park and south
- Completing the MVE – USDA grant application for \$360,000 to assist in funding for the infrastructure for TWIP2 – Council approved Resolution in Nov 2023
- Researching additional USDA loan program offered

Old Town Project

- Staff met with contractor, architect, and structural engineer 12/01 to review footings
- Footings/foundation poured week of 12/4 followed by adding clean fill
- Walls expected to be going up week of 12/11
- Monetary and in-kind donations and pledges total \$55,100 to date

Parks

- Playground borders have been purchased in 2023 for 2024 installation at Friendship Park
- New nets for tennis courts, volleyball courts and basketball courts purchased in 2023 for 2024
- New refrigerator installed at Lions Shelter
- Researching acceptable weight load at pavilion for donated acoustical panels from ASI, Inc.
- Preparing for West Carver Community Pool Project with acceptable entrance doors and flow of traffic improvements as required by MDH

Norwood Young America

Tacoma West Industrial Park—Phase 2

The City of Norwood Young America is conveniently located at the intersection of US Hwy 212 and State Hwy 5. Recognized as the hub of commerce for neighboring townships and smaller communities, Norwood Young America continues to experience both commercial and industrial growth. Known for our strong connection to history and charming small-town feel, we are eager to partner with you as a prospective business owner.



COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR

Karen Hallquist
952-467-1810
economicdev@cityofn्या.com

PLANNING CONSULTANT

Hannah Rybak, WSB
612-269-3684
hrybak@wsbang.com

CITY ADMINISTRATOR

Andrea Aukrust
952-467-1805
cityadmin@cityofn्या.com

Property Details

County: Carver
Zip Code: 55368
Parcel ID: 58.0146201
Acres: 60.92—Custom lots to be sold in 2-acre minimums

Zoning: I-1 Light Industrial Permitted Uses:

- Contractor operations
- Laboratories
- Manufacturing
- Warehousing
- Wholesale trade/showrooms
- Office complexes
- Garden & Landscaping Services
- Vocational & Technical Schools
- Retail—in association with a contractor yard or wholesale trade business

Conditional Uses:

- Major/minor/non-passenger auto repair
- Mini storage/Auto condos
- Veterinary clinic, animal care, animal shelter, pet daycare, pet training or animal hospital

Utilities:

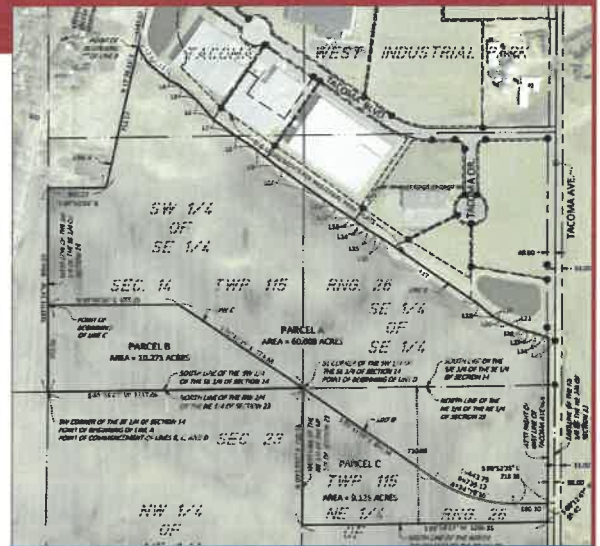
Power Service: MVE (Minnesota Valley Electric)
Natural Gas: CenterPoint Energy
Fiber: MetroNet

Transportation: Norwood Young America is situated in the southwest portion of Carver County, 26 miles from I-494 and 41 miles from MSP Airport. Three US Highways: 212, 5/25, the Twin Cities Western Railroad & MN Prairie Line Railroad corridor, and other major transportation routes to and from the metro area run through Norwood Young America. These transportation routes are used by over 20,000 vehicles daily. The four-lane expansion of Hwy 212 from Cologne, MN to Norwood Young America will be completed in 2026.

Environmental Completions:

- Phase I environmental site assessment
- Geotechnical assessment
- Wetland delineation

For more information on Tacoma West Industrial Park Phase 2 or the City of Norwood Young America, visit www.cityofn्या.com or email economicdev@cityofn्या.com.



Price: \$3.40/sf (\$148,104/acre)
Shovel-Ready Site

Public infrastructure, planning, zoning, environmental studies, soils analysis completed. Custom lots sold at 2-acre minimum. Land purchase options available. Business subsidy resources, if applicable.

An option agreement is secured for an additional 80-acres adjacent to Phase 2 for future development.



TO: Honorable Mayor Lagergren and City Council Members
FROM: Mark Streich, PS Director
DATE: December 11, 2023
RE: Backup Emergency Pump Quote

Enclosed, you will find a quote from Hydro Engineering.

- The current pump was purchased in 2014 during a flood
- Hydro inspected the pump this year and recommended the repairs in the quote, along with issues from last year
- Money is in the CIP to replace the pump, but Hydro and staff feel that wouldn't be necessary because the current pump only has 800 hours on it
- Repairs and maintenance would ensure the unit is reliable when needed

Recommendation:

Motion to approve the quote from Hydro Engineering in the amount of \$14,480.31 to repair the backup emergency pump.

Norwood Young America

HYDRO ENGINEERING

Sales Quote

-301 INDUSTRIAL BLVD -NORWOOD-YOUNG AMERICA, MN 55397
 Telephone 952-467-3100 Fax 952-467-4000

Order #: 20052407
 Customer 14160

Date: 11/28/23 Ordered By MARK PO #: Salesperson: ANDREW VANBEUSEKOM

Bill To:

Company: CITY OF NORWOOD YOUNG AMERICA Full Name:
 Street Address: P.O. BOX 59
 City : NORWOOD YOUNG AMEF State: MN Zip Code: 55368 Phone: 952-467-1800

Ship To:

Ship To CITY OF NYA
 Street Address: 310 ELM ST WEST
 City : NORWOOD YOUNG AMERIC State: MN Zip Code: 55368

Qty	Open Qty	Part #	Description	Item Price	Total
1.00		D101A229002	PUMP ACCY; LINK GEARBOX	4,105.26	4,105.26
1.00		SP111P301	CLUTCH; TWIN DISC CLUTCH ASSEMBLY	2,850.00	2,850.00
1.00		KP30.51S0-04S3-F	PUMP; CASAPPA PUMP	696.28	696.28
1.00		CSG100A10A	FILTER; ELEMENT 30 G.P.M	52.47	52.47
40.00		103-22002-55GLD	LUBE/GREASE; BULK ALL SEASON 46 OIL	23.71	948.40
40.00		LABOR	LABOR - SHOP (STANDARD RATE/HOUR)	107.12	4,284.80
1.00		109-1100-006	MOTOR; 30 GAL/MIN PIT PAL ORBIT WE CAN ALSO REBUILD ANY OTHER PIT PALS THAT YOU MAY HAVE THAT NEED SOME CHECKING OVER.	1,508.00	1,508.00
1.00		14628-004	SEAL; SLINGER	35.10	35.10
			COMPONENT REPLACEMENTS ON CURRENT PUMP TRAILER		
			Approved By: _____		
			<input type="checkbox"/> Approve All Items & Quantities		

F.O.B.: Hydro Engineering

Subtotal	14,480.31
Freight	0.00
Total	14,480.31

Thank you for your business. We expect payment within 30 days, so please process this invoice within that time if it is not paid there will be a 1.5% interest charge per month on late invoices

Due to circumstances beyond our control this proposal is subject to availability of merchandise and the price in effect at time of delivery.

The above prices, specifications and conditions are satisfactory and you are authorized to do the work as specified. Payment will be made as outlined.

Accepted by HYDRO ENGINEERING.

By: _____ Date _____ Authorized Buyers Signature _____ Date _____

Authorized Officer



TO: Honorable Mayor Lagergren and City Council Members
FROM: Mark Streich, PS Director
DATE: December 11, 2023
RE: Updated—John Deere 1585 Front Mount Tractor Quote

Council approved an equipment purchase for a 1575 John Deere tractor on July 10, 2023, in the amount of \$32,310.00. That memo from July 10, 2023, is enclosed. Midwest Machinery ordered a 1585, assuming we wanted a unit equivalent to the existing one with a 2-speed transmission. The price difference for 1585 is \$2,640.00, with both Midwest Machinery and the City compromising on the price difference between what was ordered. The 2-speed transmission benefits the City because staff drives from the South end of the city to plow and sand all the way to the North side. The lead time to reorder 1575 is at least six months.

Recommendation:

Motion to approve the purchase of the John Deere 1585 front mount tractor in the amount of \$34,950.00.

Norwood Young America



Purchase Order for John Deere Equipment (U.S. Only)

PO Revision# Original

PURCHASER'S NAME - First Signer (First, Middle Initial, Last)
CITY OF NORWOOD YOUNG AMERICA
 (SECOND LINE OF OWNER NAME)
RANDY CLAY

DATE OF ORDER
 Nov 06, 2023

COMPANY UNIT
 08

DEALER ACCOUNT NO.
 081898

DEALER ORDER NO.
 08539181, 08577895, 08664850, 08664785, 08664787

STREET OR RR 10 1ST AVE NE			SOC. SEC.		IRS NO.		EIN NO.	
TOWN YOUNG AMERICA			STATE MN		ZIP CODE 55397		PURCHASER SALES TAX EXEMPT	
COUNTY PURCHASER ACCT. PHONE NO. 952-212-0226 Midwest Machinery Co.			SELLER'S NAME & ADDRESS Carver					
REWARDS # 993349996			GLENCOE, MN 55336		E-MAIL ADDRESS		4561 Highway 212 320-864-5711	
<p>I (We), the undersigned, hereby order from Dealer the Equipment described below, to be delivered as shown below. This order is subject to Dealer's ability to obtain such Equipment from the manufacturer and Dealer shall be under no liability if delivery of the Equipment is delayed or prevented due to beyond Dealer's control. The price shown below is subject to Dealer's receipt of the Equipment and transportation difficulties, or for any reason prior to any change in price by the manufacturer. It is also subject to any new or increased taxes imposed upon the sale of the Equipment after the date of this order.</p>								
STREET OR RR			STATE		ZIP CODE		REWARDS #	
TOWN			STATE		ZIP CODE		REWARDS #	
Use County CARVER			Use State/Province MN					

				DELIVERED	
IDENTIFICATION NUMBER		Equipment & Value Added Service		Hours Use of IDENTIFICATION PRODUCT NUMBER (Dr	
Total Lease CASH PRICE Payments)					
QTY W. O. I. D.		(Give Model, Size & Description)			
1 x		2023 JOHN DEERE 1585 TerrainCut™ with ComfortCab Commercial Front Mower (Less Mower Deck) Stock # 546550		1	\$ 40,000 00
1		BUC11627 Light Kit - LIGHT KIT, LED BEACON LIGHT, CAB		1	\$ 320 00
1		BUC11654 Light Kit - LIGHT KIT, REAR LED WORKLIGHT		1	\$ 320 00
1		TCB10303 Mounting Parts - MOUNTING PARTS		1	\$ 160 00
6		JC13263 Weight - WEIGHT, WEIGHT, 20KG SUITCASE WEIGHT		1	\$ 456 00
1 x		2023 JOHN DEERE 72 In. 7-Iron PRO Commercial Side Discharge Mower Deck Stock # 555068		0	\$ 5,400 00
1 x		JOHN DEERE 60 Heavy-Duty Rotary Broom (For 1500 TerrainCut, 1400/1500 Series II and Non- Series II Front Mowers) Stock # 568623		0	\$ 5,300 00
1 x		JOHN DEERE 60 In. Heavy-Duty Two-Stage Snow Blower Stock # 0572420		0	\$ 5,700 00
1 x		JOHN DEERE 60 In. Heavy-Duty Hydraulic Angling Front Blade Stock # 572421		0	\$ 2,300 00

I (We) offer to sell, transfer, and convey the following item(s) at or prior to the time of delivery of the above Equipment, as a "trade-in" to be applied against the cash price. Such item(s) shall be free and clear of all security agreements, liens, and encumbrances at the time of transfer to you. The following is a description and the price to be allowed for each item.

QTY		DESCRIPTION OF TRADE-IN		Hours of Use		PRODUCT IDENTIFICATION NUMBER		AMOUNT	
1		2020 KUBOTA F3990		429		22328		\$ 25,000 00	
PURCHASER TYPE		MARKET USE				TOTAL TRADE-IN ALLOWANCE		\$ 25,000 00	
5 City/Town/Village		49 Highways & Streets				1. TOTAL CASH-PRICE		\$ 59,950 00	
COMMENTS:						2. TOTAL TRADE-IN ALLOWANCE		\$ 25,000 00	
						3. TOTAL TRADE-IN PAY-OFF		\$ 0 00	
						4. BALANCE		\$ 34,950 00	

9. SUB-TOTAL \$ 34,950 00
 10. CASH WITH ORDER \$ 0 00
 11. RENTAL APPLIED \$ 0 00



TO: Honorable Mayor Lagergren and City Council Members
FROM: Joel Decker, Public Works Lead
DATE: July 10, 2023
RE: John Deere Quotes

We are looking at replacing the Kubota F3990 and its attachments. The Kubota has had a massive issue with the regeneration system. We've had to bring the tractor to Lano's of Shakopee numerous times. Every time we bring the tractor in for service, we are down a piece of equipment for a week or two. This machine is a workhorse for cleaning the sidewalks in town. When the tractor is gone for service, the time needed to clear the sidewalks nearly doubles.

The cab on the F3990 has a tiny heater. It doesn't produce enough heat to keep the windows clear while moving snow. The operator must put earplugs in and top that off with earmuffs while using the machine. This is due to the constant noise/high pitch whine the hydrostatic/hydraulic system makes during operations.

Midwest Machinery of Glencoe brought out a 2023 John Deere 1575 for us to demo. We went to the pool park parking lot. The snow was very wet and heavy as it hadn't been touched this season. This was indeed the best test we could've done. The John Deere didn't have a problem throwing the snow 20-plus feet. The cab is designed for Minnesota winters. It had ample heat and air movement. The cab also has air conditioning; this would stop the fogging and freezing on the windows while clearing snow.

The size of the Kubota F3990 and John Deere 1575 machine and attachments are basically the same. This is only a concern when we remove snow under some of the business overhangs on the main streets. We measured the overhangs, and the John Deere 1575 will fit without problems.

After demoing the John Deere 1575, the John Deere is superior to the F3990. With the quality of attachments, ergonomics of the cab, and the biggest concern, reliability.

Midwest Machinery of Glencoe produced a quote that came in under the state bid price. Buying the John Deere 1575 outright with all needed attachments would be \$57,310.00. They are willing to take the Kubota F3990 in on trade for \$25,000.00. With the trade-in, the remaining balance would be \$32,310.00.

Recommended Motion:

Motion to approve the bid for the John Deere 1575 from Midwest Machinery of Glencoe for \$32,310.00 and trade in the Kubota F3990.



TO: Mayor Lagergren and Council Members
FROM: Steve Zumberge, Fire Chief
DATE: December 11, 2023
RE: Purchase – Encryption Ready Radios

The Carver County Sheriffs' office informed the Carver County Fire Chiefs Association that, due to data privacy and Officer safety, the county's emergency response communications system will be converting to encrypted radios. After several discussions, the Sheriff's Department agreed to allow fire departments to have an encrypted fire ground channel, and limited access to the Law Enforcement Main. This fireground channel would be used for all mass casualty incidents.

Currently NYAFD has 32 Portable Radios (Handheld), 8 Mobile Radios, and 2 Base Radios

- 11 - 2020 Portables
- 21 - 2002 Portables, no longer supported by manufacturer
- 8 - 2002 Mobile, no longer supported by manufacturer
- 2 – 2002 Base

In the 2023 capital improvement budget there is \$35,000 earmarked for radio replacement. We have received a quote from Motorola for the purchase of five portable radios and one mobile radio, all encrypted capable, for \$35,319.96.

Proposed Motion:

Motion to approve the purchase of five portable radios and one mobile radio for \$35,319.96.



NORWOOD-YOUNG AMERICA FIRE DEPT, CITY OF

APX-6000 Encrypted Portable & Mobile 10-30-23

10/30/2023



QUOTE-2341704

10/30/2023

NORWOOD-YOUNG AMERICA FIRE DEPT, CITY OF
327 ELM
NORWOOD, MN 55368

RE: Motorola Quote for APX-6000 Encrypted Portable & Mobile 10-30-23
Dear Steve Zumberge,

Motorola Solutions is pleased to present NORWOOD-YOUNG AMERICA FIRE DEPT, CITY OF with this quote for quality communications equipment and services. The development of this quote provided us the opportunity to evaluate your requirements and propose a solution to best fulfill your communications needs.

This information is provided to assist you in your evaluation process. Our goal is to provide NORWOOD-YOUNG AMERICA FIRE DEPT, CITY OF with the best products and services available in the communications industry. Please direct any questions to Sid Sanocki at sid.sanocki@ancom.org.

We thank you for the opportunity to provide you with premier communications and look forward to your review and feedback regarding this quote.

Sincerely,

Sid Sanocki
Sales

Motorola Solutions Manufacturer's Representative



QUOTE-2341704
 APX-6000 Encrypted Portable &
 Mobile 10-30-23

Billing Address:
 NORWOOD-YOUNG AMERICA
 FIRE DEPT, CITY OF
 327 ELM
 NORWOOD, MN 55368
 US

Shipping Address:
 NORWOOD-YOUNG AMERICA
 FIRE DEPT, CITY OF
 327 ELM
 NORWOOD, MN 55368
 US

Quote Date:10/30/2023
 Expiration Date:12/29/2023
 Quote Created By:
 Sid Sanocki
 Sales
 sid.sanocki@ancom.org
 651-714-8359

End Customer:
 NORWOOD-YOUNG AMERICA FIRE
 DEPT, CITY OF
 Steve Zumberge
 nyafirechief@gmail.com
 507-469-9145

Contract: MnDOT 209493
 Payment Terms:30 NET

Line #	Item Number	Description	Qty	List Price	Disc %	Sale Price	Ext. Sale Price
	APX™ 6000 Series	APX6000					
1	H98UCF9PW6BN	APX6000 700/800 MODEL 2.5 PORTABLE	5	\$3,595.00	28.0%	\$2,588.40	\$12,942.00
1a	H869BZ	ENH: MULTIKEY	5	\$363.00	28.0%	\$261.36	\$1,306.80
1b	Q361AR	ADD: P25 9600 BAUD TRUNKING	5	\$330.00	28.0%	\$237.60	\$1,188.00
1c	Q58AL	ADD: 3Y ESSENTIAL SERVICE	5	\$184.00	0.0%	\$184.00	\$920.00
1d	Q15AK	ADD: AES/DES-XL/DES- OFB ENCRYPTION AND ADP	5	\$879.00	28.0%	\$632.88	\$3,164.40
1e	H122BR	ALT: 1/4 WAVE 7/8 STUBBY (NAR6595)	5	\$26.00	28.0%	\$18.72	\$93.60
1f	QA09008AA	ADD: GROUP SERVICES	5	\$165.00	28.0%	\$118.80	\$594.00
1g	QA07577AA	ALT: BATT IMPRES 2 LIION TIA4950 IP68 3100T STD	5	\$156.45	28.0%	\$112.64	\$563.20
1h	QA09000AA	ADD: DIGITAL TONE SIGNALING	5	\$165.00	28.0%	\$118.80	\$594.00



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.
 Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 - #: 36-1115800



QUOTE-2341704
 APX-6000 Encrypted Portable &
 Mobile 10-30-23

Line #	Item Number	Description	Qty	List Price	Disc %	Sale Price	Ext. Sale Price
1i	H38BT	ADD: SMARTZONE OPERATION	5	\$1,320.00	28.0%	\$950.40	\$4,752.00
1j	QA09113AB	ADD: BASELINE RELEASE SW	5	\$0.00	0.0%	\$0.00	\$0.00
1k	Q806BM	ADD: ASTRO DIGITAL CAI OPERATION	5	\$567.00	28.0%	\$408.24	\$2,041.20
2	NNTN8860B	CHARGER, SINGLE-UNIT, IMPRES 2, 3A, 115VAC, US/NA	5	\$186.50	28.0%	\$134.28	\$671.40
3	PMMN4069AL	MICROPHONE,IMPRES RSM, 3.5MM JACK, IP55	5	\$143.64	33.33%	\$95.76	\$478.80
	APX™ 6500 / Enh Series	ENHANCEDAPX6500					
4	M25URS9PW1BN	APX6500 ENHANCED 7/800 MHZ MOBILE	1	\$3,383.12	30.77%	\$2,342.16	\$2,342.16
4a	G851AG	ADD: AES/DES-XL/DES-OFB ENCRYP APX AND ADP	1	\$879.00	28.0%	\$632.88	\$632.88
4b	G51AU	ENH: SMARTZONE OPERATION APX6500	1	\$1,320.00	28.0%	\$950.40	\$950.40
4c	G67DT	ADD: REMOTE MOUNT E5 APXM	1	\$327.00	28.0%	\$235.44	\$235.44
4d	G78AT	ENH: 3 YEAR ESSENTIAL SVC	1	\$288.00	0.0%	\$288.00	\$288.00
4e	GA01606AA	ADD: NO BLUETOOTH/WIFI/GPS ANTENNA NEEDED	1	\$0.00	0.0%	\$0.00	\$0.00
4f	B18CR	ADD: AUXILIARY SPKR 7.5 WATT APX	1	\$66.00	28.0%	\$47.52	\$47.52
4g	G444AH	ADD: APX CONTROL HEAD SOFTWARE	1	\$0.00	0.0%	\$0.00	\$0.00
4h	G806BL	ENH: ASTRO DIGITAL CAI OP APX	1	\$567.00	28.0%	\$408.24	\$408.24
4i	GA01670AA	ADD: APX E5 CONTROL HEAD	1	\$717.00	28.0%	\$516.24	\$516.24
4j	W22BA	ADD: STD PALM MICROPHONE APX	1	\$79.00	28.0%	\$56.88	\$56.88



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.
 Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800

Line #	Item Number	Description	Qty	List Price	Disc %	Sale Price	Ext. Sale Price
4k	QA09113AB	ADD: BASELINE RELEASE SW	1	\$0.00	0.0%	\$0.00	\$0.00
4l	W969BG	ADD: MULTIKEY OPERATION	1	\$363.00	28.0%	\$261.36	\$261.36
4m	G174AD	ADD: ANT 3DB LOW-PROFILE 762-870	1	\$47.00	28.0%	\$33.84	\$33.84
4n	G361AH	ENH: P25 TRUNKING SOFTWARE APX	1	\$330.00	28.0%	\$237.60	\$237.60
Grand Total						\$35,319.96(USD)	

Notes:

- Unless otherwise noted, this quote excludes sales tax or other applicable taxes (such as Goods and Services Tax, sales tax, Value Added Tax and other taxes of a similar nature). Any tax the customer is subject to will be added to invoices.



Purchase Order Checklist	
Marked as PO/ Contract/ Notice to Proceed on Company Letterhead (PO will not be processed without this)	
PO Number/ Contract Number	
PO Date	
Vendor = Motorola Solutions, Inc.	
Payment (Billing) Terms/ State Contract Number	
Bill-To Name on PO must be equal to the <i>Legal</i> Bill-To Name	
Bill-To Address	
Ship-To Address (If we are shipping to a MR location, it must be documented on PO)	
Ultimate Address (If the Ship-To address is the MR location then the Ultimate Destination address must be documented on PO)	
PO Amount must be equal to or greater than Order Total	
Non-Editable Format (Word/ Excel templates cannot be accepted)	
Bill To Contact Name & Phone # and EMAIL for customer accounts payable dept	
Ship To Contact Name & Phone #	
Tax Exemption Status	
Signatures (As required)	



TO: Honorable Mayor Lagergren and City Council Members
FROM: Andrea Aukrust, City Administrator
DATE: December 11, 2023
RE: 2024 Contract for Police Services

Enclosed you will find the proposed 2024 Contract for Police Services between the City of Norwood Young America and the Carver County Sheriff's Department.

The contract consists of the following:

PERSONNEL COST

The County agrees to provide police services within the corporate City limits. Costs are set forth as follows:

Liaison Deputy	.9 (2184 FTE)	\$129,128
Deputy	.95 (2184 FTE)	\$136,301
CSO	52 hours	\$1,972

VEHICLE COST

Patrol Vehicle	\$32,486
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TOTAL POLICE SERVICES \$299,887

Suggested Motion:

Motion to approve the 2024 Contract for Police Services with Carver County.

Norwood Young America

CONTRACT FOR POLICE SERVICES

Norwood Young America

THIS AGREEMENT, made and entered into this 11 day of December 2023 by and between the County of Carver, through its Sheriff's Office (hereinafter, "County"), and the City of Norwood Young America (hereinafter, the "City"), and, collectively known as the "parties".

WHEREAS, the City desires to enter into a contract with the County whereby the County will provide police services within the boundaries of the City; and

WHEREAS, the County agrees to render such services upon the terms and conditions hereinafter set forth; and

WHEREAS, Minnesota Statutes Section 471.59 authorizes governmental units in the State of Minnesota to enter into agreements with any other governmental unit to perform on behalf of that unit any service or function which that unit would be authorized to provide for itself; and

WHEREAS, Minnesota Statutes, Section 436.05 allows the sheriff of any county to contract for the furnishing of police service to a municipality; and

WHEREAS, this Agreement is authorized by Minnesota Statute, Section 471.59, 436.05,

NOW, THEREFORE, it is agreed between the parties as follows:

ARTICLE I

PURPOSE: The purpose of this Agreement is to secure police services for the City in the manner as hereinafter set forth.

ARTICLE II

1. POLICE SERVICES. The County agrees to provide police service within the corporate limits of the City to the extent and in the manner set forth below:

- 1.1 Police services to be provided under this contract shall encompass those police duties and functions within the City's corporate limits of which the Sheriff and his duly assigned deputies shall exercise all the police powers and duties of city police officers as provided by Minnesota Statutes, Section 436.05.
- 1.2 The County shall solicit City input related to assignment of personnel before making assignments. The County shall give thoughtful consideration to the City's input and shall retain the full and unrestricted right to assign personnel as necessary.

- 1.3 The County shall pay for all training costs associated with assigned personnel to maintain POST licensure and any other agency authorized training.
- 1.4 At a minimum, the County shall provide the City with monthly, quarterly, and annual reports including but not limited to calls for service by offense type, hour of the day, and day of the week. Such reports shall include an arrest summary, traffic citation summary, and verbal warning summary. Additionally, the County shall provide monthly, quarterly, and annual reports showing the number of CSO hours and types of calls for service CSO's responded to within the corporate City limits.
- 1.5 The rendition of services, the standard of performance, the discipline of deputies, and other matters of incident to the performance of such services and control of personnel so employed shall be and remain in and under control of the County.
- 1.6 The rendition of services shall include the enforcement of Minnesota State Statutes and the municipal ordinances of the City.
- 1.7 At the City's request, the County (i.e., Sheriff's contract manager or designee) shall meet with the City to discuss any questions, concerns, or requested modifications to the type of services provided, or manner in which such services are provided. In the event a dispute arises between the parties concerning services provided pursuant to this agreement, the County shall in good faith discuss a plan with the City; however, the County retains the sole discretion in determining a solution to said dispute (e.g., reassignment of personnel, types of patrol, level of service available).
- 1.8 The police services will be provided to the City for the selected number of contracted hours and/or full-time equivalent (FTE) personnel. Such services shall not include situations in which, in the opinion of the County, a police emergency occurs which requires a different use of the personnel, patrol vehicle, equipment, or the performance of special details relating to police services. It shall also not include the enforcement of matters which are primarily administrative or regulatory in nature (e.g., zoning, building code violations).

ARTICLE III

SPECIAL EVENT OR ADDITIONAL SERVICES. If the City desires additional police services over and above the hours and/or FTE's contracted for in this Agreement, the City shall contact the Sheriff's Office contract manager or designee noted in this Agreement. The County will invoice the City for these additional services at the rate for additional hours identified under Article VII and the City shall make payment pursuant to Minnesota Statute, Section 471.425, subd. 2(a).

ARTICLE IV

COOPERATION AMONG PARTIES. It is hereby agreed that the parties and all of their officials, personnel, agents and employees shall render full cooperation and assistance to each other to facilitate the provision of the services selected herein.

ARTICLE V

1. PROVISION OF EQUIPMENT.

a). The County shall provide all necessary labor, supervision, vehicle, equipment, and supplies to maintain and provide the police services selected herein. All County property and equipment used in rendering services under this Agreement is, and shall remain, County property.

b). The City shall provide outdoor storage within the corporate limits of the City for patrol cars used for providing services pursuant to this Agreement. Indoor parking is at the discretion of the city and if chosen, no cost for maintenance of city facilities will be incurred by the county.

2. OFFICE SPACE. Police services shall be conducted out of office space selected and provided by the City that is sufficient to provide for the office needs of the assigned personnel.

3. FINANCIAL LIABILITY. The City shall not be responsible or liable for the payment of any salaries, wages, or other compensation to personnel employed by the County to perform services under this Agreement. It is agreed that all personnel shall be employees of the County and the County shall be responsible for providing worker's compensation insurance and all other benefits to which such personnel shall become entitled by reason of their employment with the County.

4. MUTUAL INDEMNIFICATION. Each party shall be liable for its own acts to the extent provided by law and hereby agrees to indemnify, hold harmless and defend the other, its personnel and employees against any and all liability loss, costs, damages, expenses, claims or actions, including attorney's fees which its personnel and employees may hereafter sustain, incur or be required to pay, arising out of or by reason for any act or omission of the party, its agents, servants or employees, in the execution, performance, or failure to adequately perform its obligations pursuant to this contract. Liability of the City and County shall be governed by the provisions of the Municipal Tort Claims Act, Minnesota Statutes, Chapter 466, and other applicable laws.

It is further understood that Minnesota 471.59, Subd. 1a applies to this Agreement. To the full extent permitted by law, actions by the parties pursuant to this Agreement are intended to be and shall be construed as a "cooperative activity" and it is the intent of the parties that they shall be deemed a "single governmental unit" for the purposes of liability, all as set forth in Minnesota Statutes Section 471.59, Subd. 1a(a); provided further that for purposes of that statute, each party to this Agreement expressly declines responsibility for the acts or omissions of the other party.

Each party agrees to promptly notify the other party if it knows or becomes aware of any facts or allegations reasonably giving rise to actual or potential liability, claims, causes of action, judgments, damages, losses, costs or expenses, including attorney's fees, involving or reasonably likely to involve the other party, and arising out of acts or omissions related to this Agreement.

(a) This Agreement to indemnify and hold harmless does not constitute a waiver by either party of immunities from, or limitations on liability provided under Minnesota Statutes Section 466.04.

For purposes of determining total liability damages, the parties are considered a single governmental unit and the total liability shall not exceed the limits on governmental liability for a single governmental unit as specified in State Statute, Section 3.736 or Section 466.04, Subdivision 1.

5. INSURANCE. The County agrees that all insurance required to adequately insure vehicles, personnel and equipment used by the County in the provision of the selected services will be provided by the County.

ARTICLE VI

1. TERM. The term of this contract shall be January 1, 2024 to December 31, 2024. The term of this Agreement may be extended for up to an additional sixty (60) days under the same terms and conditions, provided the parties are attempting in good faith to negotiate a new Agreement. Unless otherwise terminated in accordance with Article VI, Section 3 of this agreement, this Agreement shall automatically terminate upon the parties' entering into a new written Agreement, or on the sixtieth (60th) day, whichever occurs first.

2. NOTICE.

2.1 If either party does not desire to enter into a contract for police service for 2025, such party shall notify the other party in writing by July 1, 2024.

2.2 The City, if electing to terminate or discontinue contracted services, or decrease contracted police services, the City shall still be obligated to pay all unpaid personnel costs (e.g. OT and annual carryover), incurred prior to termination.

2.3 On or before June 1 of the current contract year, the County shall notify the City of the estimated police contract rates for the following year. The County shall provide proposed police contract rates by October 1 of the current contract year.

2.4 Notice under the above provisions shall be sent to:

Commander Mike Wollin
Carver County Sheriff's Office
606 East 4th Street
Chaska, MN 55318
952-361-1857
mwollin@co.carver.mn.us

City of Norwood Young America
Andrea Aukrust, City Administrator
310 Elm Street West
PO Box 59
Norwood Young America, MN 55368
Phone: 952-467-1800

ARTICLE VII

MENU OF POLICE SERVICES

1. POLICE STAFFING OPTIONS

1.1 FULL TIME EQUIVALENT (FTE) PERSONNEL OPTION

1.1.1 FTE personnel are Full Time Employees dedicated to the contract community.

The FTE deputies compensated time includes regular assignment duties, training, holidays, vacation, sick leave and other benefited time. The FTE deputy position is not automatically backfilled when the deputy is away from assignment for the above types of compensated time. The FTE deputy costs include: salary, benefits, supervision, administration, training, clerical support, insurance, and county overhead. The FTE costs do not include additional hours which are necessary for court or filling a shift for a compensated day off.

The first eighty (80) hours the deputy is gone from the community while on military leave will not be backfilled. The Sheriff's Office will backfill the position or credit back the time for military leave after the first 80 hours.

The first eighty (80) hours a deputy is gone from the community on FMLA leave will not be backfilled; it will be treated like sick leave. The Sheriff's Office will backfill the position or credit back the time for FMLA after the first 80 hours of FMLA is completed.

If the City requests coverage for compensated days off noted above, it is recommended the city set aside a contingency for additional hours. Additional hours for deputies will be billed at \$86.72 per hour.

The SouthWest Metro Drug Task Force will invoice \$2,100 separately.

Hours worked on a designated holiday will be billed at double the FTE's hourly pay rate per the collective bargaining agreement(s).

1.2 PERSONNEL COST

The County agrees to provide police services within the corporate City limits. Costs are set forth as follows:

Liaison Deputy	.9 (2184 FTE)	\$129,128
Deputy	.95 (2184 FTE)	\$136,301
CSO	52 hours	\$1,972

1.3 VEHICLE COST \$32,486

1.4 TOTAL POLICE SERVICES \$299,887

2. PAYMENT. The County shall invoice the City for one half of the total contracted amount of the current year police staffing option cost hereunder, or \$149,943.50 to be paid on or before June 30 of the current contract year. The County shall invoice the remaining half, or \$149,943.50 to be paid on or before November 30 of the current contract year. The City shall promptly pay such invoiced amounts in accordance with applicable law. The Sheriff shall inform the City of the actual CSO hours worked for the year and then reimburse the City for unused CSO hours, bill for additional hours or deduct from applied year end credit for unfilled deputy FTE hours.
3. MINNESOTA STATE POLICE AID. The County, upon receiving Minnesota State Police Aid, shall reimburse the City pursuant to Minnesota Statute, Section 69.011.
4. POST REIMBURSEMENT. The County, upon receiving continuing education reimbursement, shall reimburse the city pursuant to the MN Administrative Rules, Peace Officer Standards and Training Board, Chapter 6700, part 6700.1800.

ARTICLE VIII

1. DATA. All data collected, created, received, maintained or disseminated in any form for any purposes by the activities of this Agreement is governed by the Minnesota Data Practices Act, Minnesota Statutes Chapter 13, or the appropriate Rules of Court and shall only be shared pursuant to laws governing that particular data.
2. AUDIT. Pursuant to Minnesota Statute Section 16C.05, Subdivision 5, the parties agree that the State Auditor or any duly authorized representative at that time during normal business hours and as often as they may reasonably deem necessary, shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, records, etc. which are pertinent to the accounting practices and procedures related to this Agreement. All such records shall be maintained for a period of six (6) years from the date of termination of this Agreement.
3. NONWAIVER, SEVERABILITY AND APPLICABLE LAWS. Nothing in this Agreement shall constitute a waiver by the parties of any statute of limitation or exceptions on liability. If any part of this Agreement is deemed invalid such shall not affect the remainder.

The laws of the State of Minnesota apply to this Agreement.

4. MERGER AND MODIFICATION. It is understood and agreed that the entire Agreement between the parties is contained herein and that this Agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter hereof. All items referred to in this Agreement are incorporated or attached and are deemed to be part of this Agreement. Any alterations, variations, modifications, or waivers of provisions of this Agreement shall only be valid when they have been reduced to writing as an amendment to this Agreement and signed by the parties hereto.

IN WITNESS THEREOF, the City has caused this Agreement to be executed by its Mayor and by the authority of its governing body on this 11 day of December.

SIGNED: _____
MAYOR

DATE: _____

SIGNED: _____
CITY ADMINISTRATOR

DATE: _____

IN WITNESS THEREOF, the County of Carver has caused this Agreement to be executed by its Chair and attested by its Administrator pursuant to the authority of the Board of County Commissioners on this _____ day of _____, _____

COUNTY OF CARVER:

SIGNED: _____
CHAIR, BOARD OF COMMISSIONERS

DATE: _____

SIGNED: _____
SHERIFF

DATE: _____

Attest

SIGNED: _____
COUNTY ADMINISTRATOR

DATE: _____



To: Mayer Lagergren and Council Members
From: Mitchell Thiesfeld, City Clerk-Treasurer
Date: December 11, 2023
Subject: GIS Shared Position Agreement for 2024

Attached is the 2024 agreement with Carver County for the shared GIS Analyst position. This position is in place to help bring uniformity throughout the county with the Geographic Information System (GIS). Different projects are created/worked on based on what we feel our need is. Allison works with Public Service and Administration Staff to update and create information which is used consistently.

The rate has increased by \$1.86 and is now \$64.26/hour. We share in the cost for holidays/sick/vacation/training with our share being based on a percentage of the number of hours we have her compared to the other Cities and County.

Recommended Motion:

Approve the 2024 Carver County GIS Analyst Shared Position Agreement.

Carver County GIS Analyst Shared Position Agreement

THIS AGREEMENT is entered into by and between the County of Carver, 604 East 4th Street, Chaska, Minnesota 55318, hereinafter referred to as “Carver County” and the City of Norwood Young America, 310 Elm Street West, Norwood Young America, MN 55368, hereinafter referred to as “Participating Agency”.

WHEREAS, Carver County is the employer of the GIS Analyst shared position; and

WHEREAS, Participating Agency will be allocated a percentage of hours per week for the GIS Analyst to work on Participating Agency projects; and

WHEREAS, Carver County and Participating Agency would like to arrange an opportunity to create a stronger GIS relationship, to assure uniformity, accuracy, and standards of GIS data created and used within the county, and to greatly reduce duplication of effort and expense related to GIS projects, including data collection and data maintenance; and

WHEREAS, Carver County and Participating Agency can share GIS data between organizations to help support GIS applications; and

WHEREAS, Carver County and Participating Agency can both benefit from a partnership agreement that serves to share resources and GIS knowledge between organizations in order to provide enhanced GIS services.

NOW THEREFORE, in consideration of the mutual promises contained herein, the parties agree as follows:

1. PURPOSE

1.01 Strengthen the delivery county GIS service, which will bring uniformity, heightened, and predictable standards for created GIS data used within Carver County. This will reduce costs, expenses and duplication of efforts in GIS endeavors including data collection and data maintenance. This sharing is authorized Minnesota Statutes, Section 471.59.

2. DEFINITIONS

- 2.01.** Geographic Information System or GIS is a system used to visualize and analyze geographic features and data related to them. This is accomplished using specialized computer software and data. The term GIS has become loosely used to encompass software, data, analysis, and maps related to computerized mapping and geographic analysis.
- 2.02.** GIS Analyst works with related software and programs to create and maintain data and/or maps that can be combined with geographically referenced data. GIS software has the capacity to relate different types of data such as socioeconomic, demographic, administrative or political boundaries, land use, land cover, environmental, infrastructure, utilities and transportation networks.
- 2.03.** Participating Agency is any participating entity that has executed a copy of this Agreement.
- 2.04.** Work Week equals 40 Hours
- 2.05.** Work Place will be the Carver County Courthouse, located at 604 East Fourth Street, Chaska, MN.
- 2.06.** Commute Miles are the distance you travel from your home to your usual work place. If you leave from home and travel to a Participating Agency by personal auto, the amount of miles claimed should be the lesser of the distance from your home to the destination or the distance from your usual work place to the destination.

3. FUNDING

- 3.01.** The Participating Agency is responsible for funding 8 hours of work per week of the shared position. The hours funded per week equal 20% of the overall funding of the position per week.
- 3.02.** The cost of the hourly wage will be based upon Carver County's pay scale for a GIS Analyst position at the Grade and Step of the hired employee. The cost will include all benefits offered by Carver County. The cost for this agreement is not to exceed \$64.26 per hour.
- 3.03.** All holidays, sick leave, vacations, and training costs will be divided among Carver County and all Participating Agencies by their percentage of funding of the shared position for a work week stated in 2.01.
- 3.04.** Participating Agency will be invoiced by Carver County on a quarterly basis. March 31st, June 30th, September 30th and December 31st.
- 3.05.** The shared position will attempt to take a County vehicle when applicable and available to travel to and from the work place to a Participating Agency or between Participating Agencies. If a vehicle is not available, the shared position's mileage will be reimbursed when traveling by a personal vehicle to and from the work place to the Participating Agencies or between Participating Agencies, based upon the County approved standard mileage rate. Commute miles are not reimbursed. The mileage reimbursement will be split by all the Participating Agencies and the County equally and included in the quarterly invoice.
- 3.06.** Mileage reimbursement costs while the shared position is on-site doing job related tasks for the Participating Agency is the responsibility of the Participating Agency.
- 3.07.** Printing on the county's plotter is an option for Participating Agencies at a cost of \$2 per square foot.

4. CARVER COUNTY COMMITMENT

- 4.01.** During the term of this agreement Carver County will employ and supervise a GIS Analyst qualified to perform the services required by this Agreement and withholding taxes and paying all other employment tax obligation on their behalf. GIS Analyst will be an employee of Carver County. Unless stated otherwise in this agreement, the County shall be solely responsible for hiring, training, supervising, promoting, discipline, and terminating the GIS Analyst. The County's responsibility will include being responsible for worker's compensation, unemployment insurance, medical care, sick leave, vacation leave, severance pay, PERA, or other benefits available to County employees, including indemnification for third party personal injury/property damage claims, shall accrue to the County or employees of the County performing services under this Agreement. The GIS Analyst is anticipated to be a member of collective bargaining unit.
- 4.02.** During the term of this agreement Carver County will provide the Participating Agency a summary of hours used, hours remaining, and a detailed summary of hours logged on Participating Agency's projects. The time to maintain these records will be done by the shared position on the Participating Agency's hourly time. These reports will be provided with the quarterly invoice. The report will be kept up-to-date and can be requested by the Participating Agency at anytime.

- 4.03.** Carver County GIS Unit under the Information Technology Department within Administrative Services Division will oversee and supervise the shared position. The shared position will apply to all rules and policies of Carver County.
- 4.04.** Carver County will provide an email address, phone and computer for the shared position.
- 4.05.** Carver County will hire the shared position based upon an agreement from all Participating Agencies.
- 4.06.** The Participating Agency Contracts with the County for GIS Services. In this agreement the GIS Analyst will provide the Participating Agency with the following services:
- 4.06.1.**
- Map production
 - GIS data maintenance and management
 - ArcGIS Online administration
 - GIS solution implementation
 - GIS software support
 - GPS support
 - GIS training

5. PARTICIPATING AGENCY COMMITMENT

- 5.01.** Participating Agency will provide a primary person of contact for the shared position. This person will prioritize the work the shared position will conduct for their agency. This person will also be the recipient of the invoice and hourly summary statistics provided by Carver County.

Participating Agency Contact Information

Name: Andrea Aukrust

Title: City Administrator

Phone 952-467-1800

Email: cityadmin@cityofnyc.com

- 5.02.** Participating Agency will provide a list of potential projects within Attachment A.
- 5.03.** Participating Agency will send at least one representative to participate in the hiring process of the shared position.
- 5.04.** Participating Agency will provide feedback on the GIS Analyst's yearly performance review process.

6. AGREEMENT TERM

- 6.01.** The term of this Agreement shall commence upon January 1, 2024 or upon its execution by Carver County and the Participating Agency, whichever occurs later. This Agreement shall remain effective until December 31, 2024.
- 6.02.** It is understood and agreed that the entire Agreement between the parties is contained herein and that this Agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter.
- 6.03.** Any material alteration, modification, or variation shall be reduced to writing as an amendment and signed by the parties.

This Agreement may be cancelled with or without cause by any party upon 120 days written notice. The participating agency shall still be responsible for its financial obligation as described in 3 Funding.

- 6.04.** Nothing in this Agreement shall constitute a waiver by the County of any statute of limitations or exceptions on liability. If the County fails to enforce any provision of this Agreement, that failure does not waive the provision or its right to enforce it.

If any part of this Agreement is rendered void, invalid or unenforceable, by a court of competent jurisdiction, such rendering shall not affect the remainder of this Agreement unless it shall substantially impair the value of the entire Agreement with respect to either party. The parties agree to substitute for the invalid provision a valid provision that most closely approximates the intent of the invalid provision.

- 6.05.** Each party shall be liable for its own acts to the extent provided by law and hereby agrees to indemnify, hold harmless and defend the other, its officers and employees against any and all liability, loss, costs, damages, expenses, claims or actions, including attorney's fees which the other, its officers and employees may hereafter sustain, incur or be required to pay, arising out of or by reason of any act or omission of the party, its agents, servants or employees, in the execution or performance or failure to adequately perform its obligations pursuant to this Agreement. It is understood and agreed that each Party's liability shall be limited by the provisions of Minnesota Statute § 466 and/or other applicable law.
- 6.06.** All data collected, created, received, maintained, or disseminated, in any form, for any purposes by the activities of the Parties because of this Agreement is governed by the Minnesota Government Data Practices Act (Minn.Stat.Chap.13 and related statutes), as amended, the Minnesota Rules implementing such Act, as amended, as well as Federal Regulations on data privacy.
- 6.07.** Neither Party shall not enter into any subcontract for the performance of any services contemplated under this Agreement without the prior written approval of the other Party and subject to such conditions and provisions as it may deem necessary. The subcontracting Party shall be responsible for the performance of all Subcontractors.
- 6.08.** No party may assign or transfer any rights or obligations under this Agreement without the prior consent of the other Parties and a fully executed Assignment Agreement, executed and approved by the same parties who executed and approved this Agreement, or their successors.
- 6.09.** During the performance of this Agreement, the Parties agrees to the following: No person shall, on the grounds of race, color, religion, age, sex, disability, marital status, public assistance status, criminal record, creed or national origin be excluded from full employment rights in, participation in, be denied the benefits of or be otherwise subjected to discrimination under any and all applicable
- 6.10.** The Laws of the State of Minnesota shall apply to this Agreement.
- 6.11.** Default in this Agreement may occur when a Party fails to perform any of the provisions of this Agreement or so fails to administer the work as to endanger the performance of the

Agreement. Unless the Party's default is excused by the non-defaulting Party, the non-defaulting party may, upon written notice to the defaulting party representative listed herein, cancel this Agreement in its entirety as indicated in (6.12) below.

- 6.12. Each Party to this agreement reserves the right to withdraw from and cancel this agreement within 30 days from the opening of bids for the project in the event either or both parties consider any or all bids unsatisfactory; the withdrawal form or cancellation of the agreement to be accomplished by either or both parties within 30 days of opening of bids by serving a written notice thereof upon the other, unless this right is waived by both parties in writing.

- 6.13. Pursuant to Minn. Stat. §16C.05, subd. 5, the parties agree that the County, the State Auditor, or any of their duly authorized representatives at any time during normal business hours and as often as they may reasonably deem necessary, shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, records, etc., which are pertinent to the accounting practices and procedures of the parties and involve transactions relating to this Agreement. Parties agree to maintain these records for a period of six years from the date of termination of this Agreement.

Neither party shall be held responsible for delays or failure to perform when such delays or failure is due to any of the following uncontrollable circumstances: fire, flood epidemic, strikes, wars, acts of God, unusually severe weather, actions of public authorities, or delays or defaults cause by public carrier(s); providing the defaulting party gives notice as soon as possible to the other party of the inability to perform.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates indicated below.

PARTICIPATING AGENCY

COUNTY OF CARVER

By: _____

By: _____

Title: _____

Title: _____

Date of Signature: _____

Date of Signature: _____