



CITY COUNCIL

1. Call Meeting of City Council to Order
 - 1.1 Pledge of Allegiance
2. Approve Agenda
3. 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, 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.)
4. Consent Agenda
(NOTE TO THE PUBLIC: All items listed as part of the Consent Agenda will be approved by a single motion, unless a request to discuss one or more of the items is made prior to the motion being made. Anyone present at the meeting may request an item to be removed from the Consent Agenda for discussion. Please inform the City Council when they approve the meeting agenda of your request to have an item removed for discussion.)
 - 4.1 Approve minutes of February 24, 2020 meetings
 - 4.2 Approve payment of Claims
5. Public Hearings
 - 5.1 Ordinance No. 324, Chapter 2 Amendments
6. Old Business
 - 6.1 Resolution 2020-09, Agreeing to Accept Transfer of the Property and Funds of Forest Hill Cemetery Association
7. New Business
 - 7.1 Approve Beyond the Yellow Ribbon Proclamation
 - 7.2 Approve Commercial Market Study
 - 7.3 Approve Small Cities Development Program Administrative Agreement
 - 7.4 Ordinance No. 324, Chapter 2 Amendments
 - 7.5 Review Economic Development / Marketing Director Position
 - 7.6 Review compensation for City Staff to respond to Fire Calls
8. Council Member & Mayor and Staff Reports
9. Adjournment

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: Carver County Sheriff's Office February report; February Building Permit Report.

UPCOMING MEETINGS / EVENTS

- | | |
|----------|--|
| March 11 | Economic Development Commission – 6:00 p.m. |
| March 17 | Parks and Recreation Commission – 4:45 p.m. |
| March 19 | Senior Advisory Committee – 9:00 a.m. |
| March 23 | Work Session, EDA, City Council – 6:00 p.m. |
| April 7 | Planning Commission – 6:00 p.m. |
| April 13 | Personnel Committee – 5:00 p.m. |
| April 13 | City Council – 6:00 p.m. |
| April 8 | Joint Meeting – City Council, EDC, Planning Commission, Parks & Recreation Commission, and Chamber of Commerce Board – 6:30 p.m. |



ATTENDEES: Carol Lagergren, Craig Heher, Mike McPadden, Dick Stolz, Charlie Storms
STAFF: Steve Helget – City Administrator, Karen Hallquist – Economic Dev/Marketing Director, Tony Voigt, Public Service Director
OTHERS: Paul Melchert, Nick Anhut, Ken & Lynn Norton, Clinton Kurtz, Lori Trocke, Ken & Tonya Noeldner, Tom Sudheimer

1. Call Meeting of City Council Work Session to Order

Meeting was called to order by Mayor Lagergren at 6:02pm with all members present.

2. Approve Agenda

Motion: MM/CH to approve the agenda as written. Vote 5-0. Motion carried.

2.1 Snow Removal

Tony Voigt, Public Services Director, reported 573 parking tickets have been cited year to date. Public Service is keeping track of repeat offenders and the problem areas around town. Emergency parking for apartment dwellers are at the two municipal parking lots off Elm Street. Voigt suggested putting in place either a designated overnight parking area on Elm Street and/or Main Street and increase signage or no overnight parking at all from November through April. Council suggested using social media or snow emergency announcements at this time and start the conversation of snow removal earlier this next fall to get a new policy in place.

2.2 Shoreland Overlay District Impervious Surface/Lot Coverage

Helget reported that in 2005, the City Council adopted an amendment to the Zoning Code establishing the Shoreland Overlay District. One provision of the Shoreland Overlay District is the impervious surface coverage of lots must not exceed 25% of the lot area. According to the Zoning Code, Impervious Surface is defined as “An artificial or natural surface through which water or air cannot penetrate including roofs, driveways, parking lots, sidewalks, and similar hard surfaces”. The Shoreland Overlay District boundary is defined as 1,000 feet from the ordinary high-water level.

The newest housing subdivisions located within the city are all zoned R-1, Low Density/Single Family Residential and the Zoning Code states the lot coverage for the R-1 zone is 30%. But the Shoreline Overlay District requirement of 25% impervious surface trumps the R-1 zone. In respect to other zoning districts and the impervious surface coverage maximum, the R-2 zone is 30%, in the R-3 zone it is 35%, and in the C-3 Downtown District there is no maximum established. Again, the Shoreland Overlay District would trump these district maximums. The 25% impervious surface coverage is a Minnesota DNR standard. The issue is the City for many years issued new housing permits in the R-1 zone utilizing the 30% impervious surface coverage versus 25%. It is also possible the City may have issued building permits in the older neighborhoods that are in the Shoreland Overlay District which may exceeded 25% lot coverage.

Jay Squires, City Attorney, made a recommendation with respect to the properties currently not in compliance, to not further the non-compliance. He suggested to conform code section changes and have the DNR review them. Some new properties will ask for a variance, however, potential owners need to have an education on what the rules are of the 25/30% lot coverage prior to purchasing the lot.

2.3 Forest Hills Cemetery Association Transfer of Property and Funds Proposal

Paul Melchert, Melchert, Hubert, Sjodin, representing the Forest Hill Cemetery Association was present to discuss the proposed transfer of the cemetery to the City. Melchert provided a copy of a Certificate of Chair and Secretary of Meeting of Lot Owners of the Forest Hill Cemetery Association and a Resolution of the Board of Directors approving the transfer of the Cemetery to the City of Norwood Young America. Clinton Kurtz, Chair and Lynn Norton, Secretary were present to confirm the approval of transfer.

3. Adjournment

Motion: DS/CS to adjourn at 6:56pm. Vote 5 - 0. Motion carried.

Carol Lagergren, Mayor

Karen Hallquist, Economic Development Marketing Director



ATTENDEES: Carol Lagergren, Craig Heher, Mike McPadden, Dick Stolz, Charlie Storms
STAFF: Steve Helget – City Administrator, Karen Hallquist – Economic Dev/Marketing Director, Tony Voigt, Public Service Director
OTHERS: Paul Melchert, Nick Anhut, Ken & Lynn Norton, Clinton Kurtz, Lori Trocke, Ken & Tonya Noeldner, Tom Sudheimer

1. Call Meeting of City Council to Order

Meeting was called to order by Mayor Lagergren at 7:09pm with all members present.

2. Approve Agenda

Motion: CH/MM to approve the agenda with the changes. Vote 5-0. Motion carried.

3. Introductions, Presentations, Proclamations, Awards, and Public Comment

NYA resident Lori Trocke spoke of concern with the negative signage that appears at the 315 W Elm Street property in the hope the City would be able to come to an agreement to have the sign removed.

NYA resident Tom Sudheimer is disputing the outdoor storage ordinance which is the source of contention of the property owner at 315 W Elm Street. Mr. Sudheimer requested the City pay the property owner's attorney fees, eliminate the penalty fines and make a public apology per the property owner's request in order to have the signs removed.

4. Consent Agenda

- 4.1 Approve minutes of January 8 and February 10, 2020 meetings
- 4.2 Approve payment of claims

Motion: DS/MM to approve the Consent Agenda. Vote 5-0. Motion carried.

5. Public Hearings

5.1 Resolution 2020-06 Issuance of Housing Revenue Refunding Bonds, Series 2020, The Harbor at Peace Village Project; and establishing a Pricing Committee

Helget confirmed there were two bond issues that financed The Harbor project. Back in 2005 when the original bonds were issued and again in 2012 when the bonds were refinanced for the first time, state statute limited the amount to \$3 million of the bond issue that could be backed by full faith and credit of property taxes. The Harbor project exceeded that amount and therefore two bonds had to be issued to cover the total project cost. The statutory limit has now changed to \$5 million. The advantage of being backed by full faith and credit of property taxes is lower interest rates are experienced. The 2012A bonds will now be able to be refinanced under the City versus the EDA. The two housing revenue bonds are callable on August 1, 2020 and the City can refinance them up to 90-days prior to the call date. The city is currently paying interest payments on the \$3 million and by combining the bonds, the city will save in interest and two years on the life of the loan.

Motion: CH/DS to close the public hearing. Vote 5-0. Motion carried.

5.2 Resolution 2020-07, Adopting a Street Reconstruction Plan and Providing Preliminary Approval for the Issuance of Street Reconstruction Bonds

Nick Anhut, Ehlers, reported per Minnesota Statutes, Section 475.58, subd. 3b, requires the City adopt Five-Year Reconstruction and Overlay Plan (2020 – 2024) which identifies the project and its estimated cost. In this case the sale of bonds would be up to \$1.4 million in General Obligation Street Reconstruction Bonds. Anhut confirmed the City's estimated project cost, taking into consideration the City's Safe Routes to Schools grant of \$1.225 million, and the budgeting for the signal lights (\$170,000) replacement on Faxon Road, the City's estimated cost share for the project is \$955,500. The bid letting is scheduled for April 24, 2020 and upon the bid calculations being completed, the City will be able to determine the actual bond sale amount. The city has a AA-rating and this bond would have no negative impact, including not extending the life of the loan, with the city's current financial situation.

Motion: MM/CS to close the public hearing. Vote 5-0. Motion carried.

6. Old Business - none

7. New Business

7.1 Approve Resolution 2020-06, Issuance of Housing Revenue Refunding Bonds, Series 2020, The Harbor at Peace Village; and establishing a Pricing Committee

Anhut clarified that by combining the EDA and City bonds the new bond will not extend the life of the loan and may even shorten.

Motion: CS/MM to Approve Resolution 2020-06, Issuance of Housing Revenue Refunding Bonds, Series 2020, The Harbor at Peace Village; and establishing a Pricing Committee. Vote 5-0. Motion carried.

7.2 Approve Resolution 2020-07, Adopting a Street Reconstruction Plan and Providing Preliminary Approval for the Issuance of Street Reconstruction Bonds

Anhut reported that State Statute requires the bond must be levied at 105% to hold in debit services for future plans, which on the \$1.4 million results in \$161,000.

Motion: CH/CS to Approve Resolution 2020-07, Adopting a Street Reconstruction Plan and Providing Preliminary Approval for the Issuance of Street Reconstruction Bonds. Vote 5-0. Motion carried.

7.3 Approve Resolution 2020-08, Providing for the Issuance and Sale of General Obligation Street Reconstruction and Refunding Bonds, Series 2020A; and establishing a Pricing Committee

Nick Anhut, Ehlers, was in attendance to review the suggested Resolution 2020-08 for authorizing the issuance and sale of General Obligation Bonds for the 2020 Highway 212 Underpass and CSAH 33/Highway 5 Roundabout Project and refunding of the 2010A, 2010B, and 2011A Bonds. As the City Council discussed and consented to at its October 28, 2019 regular meeting, the refunding of the above three bonds will be combined with the 2020 Highway 212 Underpass and CSAH 33/Highway 5 Roundabout Project into one single bond issuance. This will be done once final costs from MnDOT are provided. A Pre-Sale Report showed for a \$6,165,000 General Obligation Street Reconstruction and Refunding Bonds, Series 2020A

Motion: MM/CH to Approve Resolution 2020-08, Providing for the Issuance and Sale of General Obligation Street Reconstruction and Refunding Bonds, Series 2020A; and establishing a Pricing Committee. Vote 5-0. Motion carried.

7.4 Resolution 2020-09, Agreeing to Accept Transfer of the Property and Funds of Forest Hill Cemetery Association

Paul Melchert confirmed the burials are recorded correctly, however, the pre-sold plots and available plots will need to be researched. He also confirmed the Forest Hill Association will dissolve once the deed is transferred to the City. Currently there is an account at Security Bank in Cologne for the Association of approximately \$42,000. Council requested Melchert find out the exact amount of the account and submit an invoice for his services prior to any decision being made about the transfer of deed. City attorney Jay Squires recommended adding the following language to Resolution 2020-09 after Minnesota Statutes 306.025; and "Acceptance of transfer of the cemetery is contingent on the city attorney's review and approval of title and transfer documents and also contingent on the cemetery fund principle exceeding "x" dollars and being transferred to the city."

Motion: DS/CS to table the decision on the transfer of the deed of Forest Hill Cemetery until the March 9, 2020 meeting. Vote 5-0. Motion carried.

7.5 Discuss Shoreland Overlay District Impervious Surface/Lot Coverage

Squires made the recommendation to review the types of problems, prepare code changes that can address some of the problems, bring back to council for discussion, and ask DNR to review. He recommended keeping the code at 25% impervious coverage until modifications are formally made. The current owner of a non-conformance properties at 30% cannot be increased. No proposed motion at this time.

8. Council Member & Mayor and Staff Reports

MM – EDC did not have a meeting this month due to no quorum.

CH – Planning Commission meeting will be on Wed, March 4th because of elections on March 3rd.

DS – Senior Advisory set their 2020 Goals and Objectives.

CL – none

SH – Presidential Nomination Primary on March 3rd from 7am – 8pm here at city hall. New public service technician Mathew Schlechter started on Feb 24th.

9. Adjournment

Motion: MM/CS to adjourn. Vote 5-0. Motion carried.

Respectfully Submitted,

Karen Hallquist, Economic Development Marketing Director

Carol Lagergren, Mayor



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

To Be Approved: March 9, 2020

Payroll EFT (Check Sequence 505834 – 505850)	<u>\$17,625.33</u>
Voided check Check #30084	<u>\$561.83</u>
Prepays Check # 30265	<u>\$11,448.22</u>
Claims Pending Payment (Check Sequence 30266 – 30315)	<u>\$52,260.60</u>
Grand Total	<u>\$81,334.15</u>



TO: Honorable Mayor Lagergren and City Council Members
FROM: Steven Helget, City Administrator
DATE: March 9, 2020
SUBJECT: Ordinance No. 324, Chapter 2 Amendments

At the February 10th regular City Council meeting, the Council scheduled a public hearing for 6:00 p.m., March 9th, to consider possible amendments to Chapter 2 of the City Code. Enclosed is Ordinance No. 324 which identifies the proposed changes to Chapter 2 as per earlier City Council discussions. The proposed deletions are ~~strike~~ through and additions are highlighted in red.

Recommended Motion:

Motion to adopt Ordinance No. 324, an ordinance amending the text of Chapter 2, (Administration) of the City Code.

Motion to approve the summary of Ordinance No. 324 and its publication.

Norwood Young America

**CITY OF NORWOOD YOUNG AMERICA
CARVER COUNTY, MINNESOTA
ORDINANCE NO. 324**

AN ORDINANCE AMENDING THE TEXT OF CHAPTER 2 (ADMINISTRATION)

THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA HEREBY
ORDAINS:

CHAPTER 2. ADMINISTRATION

Section 200 – In General

200.01 Authority. The City of Norwood Young America, located in Carver County, Minnesota is a municipal corporation incorporated by the laws of the State of Minnesota on January 1, 1997, and incorporates the former independent municipalities of Norwood and Young America. By virtue of its incorporation under the laws of the State, the City operates under the Minnesota Statutes Chapter 412, and any other applicable State Statutes conferring powers and duties upon municipalities.

200.02 Optional Plan “A.” Having held an election on the subject, the City shall operate under the Optional Plan “A” form of government as authorized in Minnesota Statutes, Chapter 412.

200.03 Meetings of the Council.

Subd. 1 Regular Meetings. The City Council shall meet on the second and fourth Monday of every month in the City Hall commencing at 6:00 p.m. On the fourth Monday the meeting shall begin with a Work Session, and the regular meeting shall immediately follow. If the Work Session meeting is not held the regular meeting shall commence at 6:00 p.m. *(Amended by Ord. 282, 10/10/2016) (Amended by Ord. 318, 02/11/2019) (Amended by Ord. 320, 8/12/19)*

Subd. 2 Special Meetings. A special meeting may be called by the Mayor or by any two councilmembers pursuant to the notice requirements of Minnesota Statutes § 471.705 at such time and place and for such purposes as stated in the notice of the meeting.

Subd. 3 Emergency Meetings. When the health, safety, or welfare of the city or its residents would be unduly endangered or subject to imminent harm by any delay, the Council may convene an emergency meeting without advance notice to discuss how to handle the emergency situation.

200.04 Address. The official address for the City shall be:

City of Norwood Young America
310 Elm Street West
Norwood Young America, MN 55368 *(Amended by Ord. 226, 1/24/2011)*

Section 210 – Elections

210.01 Date of Regular City Election. The regular City election shall be held biennially on the first Tuesday after the first Monday in November of every even-numbered year.

210.02 Terms of Mayor and Councilmembers. After the first regular biennial election, the term for the office of Mayor shall be two years and the terms for the offices of Councilmembers shall be four years. The terms of office for the first biennial election held in November 1996 shall be as provided by Special Law Chapter 302 of the 1996 Legislature.

Section 220 – Mayor and Councilmembers Salaries

220.01 Mayors Salary. The salary of the Mayor shall be \$350 per month. *(Amended by Ord. 310, 10-8-18)*

220.02 Councilmembers Salary. The salary of each Councilmember shall be \$250 per month. *(Amended by Ord. 310, 10-8-18)*

Section 230 – City Administrator

230.01 Purpose. In order to provide the City with a more efficient, coordinated, responsible and responsive municipal government, the position of City Administrator shall be hereby established.

230.02 Scope. The City Council shall provide policy guidance and general direction to the City Administrator who shall serve as the Chief Administrator Officer of the City. The Administrator shall be responsible for the administrative direction of all departments and offices of the municipal government, subject only to statutory and/or municipal code or ordinance limits which may apply. It shall be the intent of this Section that the City Administrator shall have clear authority to administer the day-to-day operations of the municipal government, subject only to the restrictions noted above.

230.03 Appointment. The City Administrator shall be appointed by the City Council. The City Administrator shall be chosen solely on the basis of his or her training, experience and executive and administrative qualifications. *(Amended by Ord. 244, July 8, 2013)*

230.04 Duties. In addition to the general duties and responsibilities set forth in this Section, the City Administrator shall:

- A. Be responsible for preparation of the annual City budget in accordance with the guidelines as may be provided by the City Council, and in coordination with all department heads;
- B. Keep the Council informed of the financial condition of the City. Recommend action as appropriate, prepares and implements financial guidelines;
- C. Keep informed concerning current developments in the field of municipal administration, and from time-to-time submit recommendations or suggestions to improve the municipal government;
- D. Keep informed concerning State and Federal legislation affecting the City, and submit appropriate reports and recommendations to the City Council;
- E. Keep informed concerning the availability of State and Federal funds for local programs, and assist department heads and the City Council in procuring the funds;
- F. Be responsible for the employment, training, direction and supervision of all personnel assigned to the Municipal Government, and for making recommendations to the City Council on appointments and promotions of personnel;
- G. Be responsible for the administrative direction and supervision of all employees of, consultants to, and vendors doing business with the City;
- H. Serve as the personnel officer for the Municipal Government. As such, he or she shall keep complete and up-to-date personnel records, to include specific job descriptions for all City employees, recommend salary and wage scales for City employees not covered by collective bargaining agreements, develop and enforce standards of performance by City employees, assure that all City employees have proper working conditions, work closely with department heads to promptly resolve any personnel problems or grievances, and act as the City's representative in conducting collective bargaining negotiations;

- I. Work closely with all department heads to ensure that such personnel and other City employees receive adequate opportunities for training to improve their knowledge and skills, and act as the approving authority for all requests by City employees to attend conferences, meetings, training schools, etc. pertaining to their employment;
- J. In coordination with the Mayor, prepare the agenda for all meetings of the City Council, together with such supporting data as may be required. Nothing in this Section shall be construed as to give the City Administrator authority to limit or in any way prevent matters from being considered by the Council;
- K. Act as purchasing agent for the City and be responsible for making all purchases in accordance with the approved municipal budget. The Administrator shall have the authority to sign purchase orders for budgeted routine services, equipment and supplies for which the cost shall not exceed ~~one~~ **five** thousand dollars. All claims resulting from orders placed by the City shall be audited for payment by the Council. The Administrator shall negotiate contracts for any kind of merchandise, materials, equipment or construction work for presentation to the Council;
- L. Perform all duties as prescribed by the job description and such other duties as may be prescribed by law or required by ordinance or resolution adopted by Council, including attending all meetings of the Council and such other boards, commissions, and committees as assigned by the Council, and performing all statutory duties of the City Clerk except as otherwise assigned by this Code or action of the Council.

Section 240 – Fire Department

240.01 Fire Department. The Norwood Young America Fire Department created shall be hereby established.

240.02 Size. The Norwood Young America fire department shall be limited to a full complement that shall not exceed 45 members. Any person at least eighteen years of age and capable of passing the required physical requirements adopted by the City shall be eligible for membership by voluntary enlistment in the fire department. The new members shall be ~~elected by a majority vote of the members of the fire department, subject to the approval of the election~~ **appointed** by the City Council. Each new member shall serve a one-year probation period. At the end of the probation period, the City Council shall give final approval to the new member. Each firefighter shall be required to pass a periodic physical test in order to remain eligible to serve on the department.

240.03 Appointment of Fire Chief and other Officers. The fire chief **and other officers** shall be ~~elected by a majority vote of all fire department members and shall be approved~~ **appointed** by the City Council. ~~The fire chief shall hold his or her office for the full term of one (1) year unless removed from office within the period by the City Council for cause.~~ The department, **with Council approval**, may also appoint the following officers:

- A. Three Assistant Chiefs and Four Captains**
- ~~B. Two Deputy Chiefs~~
- C. Treasurer
- D. Secretary

The Fire Chief and other officers shall serve two (2) year terms, starting January 1st following appointment.

240.04 Duties of Fire Chief. The following shall be the duties of the fire chief:

- A. See that all equipment of the fire department be kept in a fit condition for use at all times;
- B. Manage and control the department during times of fire or any public emergency for which the department shall be called upon to act;

- C. Investigate and recommend to the City Council such additional ordinances or amendments to existing ordinances, as he or she may deem necessary for safeguarding life and property against fire;
- D. Require teachers of public, private and parochial schools and educational institutions to have nine (9) fire drills per year, and to keep all doors and exits unlocked during school hours.
- E. Other duties that shall be delegated by the City Council from time-to-time.

240.05 Power and Authority of Chief. The fire chief shall have the following powers and authority.

- A. The fire chief shall have the power and authority to appoint such subordinate officers as he or she may deem advisable and to clothe them with authority to act for and in his or her place during his or her absence or disability.
- B. The fire chief or any other officer in command shall have the power to call upon any bystander to assist in fighting fires and such person so called upon shall render such assistance as ordered by the officer.
- C. The fire chief shall have the authority to dispatch such equipment and firefighters to other communities when there shall be a mutual aid agreement in effect. At no time, however, shall the fire chief dispatch such equipment and firefighters that he or she cannot afford adequate protection for this City.

240.06 Relief Association. The fire department shall have the authority to organize a relief association, elect the association's president and any other officers, adopt a constitution and by-laws not inconsistent with any laws or ordinances or resolutions adopted by the City Council, and to do all things necessary to promote the welfare of the fire department.

Section 250 – Planning Commission

250.01 Establishment of Commission. The planning commission for the City shall be hereby established. The commission shall be the City planning agency.

250.02 Composition. The planning commission shall consist of seven (7) members: **one (1) Council member and six (6) members of the community.** Members of the commission shall reside within the city. *(Amended by Ord.157, 1-12-04)*

- A. All members shall be appointed by the City Council and may be removed by a three-fifths vote of the Council. *(Amended by Ord.157, 1-12-04)*
- B. ~~Of the planning commissioners first appointed, two shall be appointed for a one year term, two shall be appointed for a two year term, and three shall be appointed for a three year term. All terms shall expire on January 1 of the appropriate year. Their successors~~ **Members** shall be appointed for terms of three years, expiring January 1 of the appropriate year. Both original and successive appointees shall hold their offices until their successors shall be appointed and qualified. Every appointed member shall before entering upon the discharge of his or her duties take an oath that he or she shall faithfully discharge the duties of his or her office. Compensation shall be set by resolution of the City Council. *(Amended by Ord.157, 1-12-04)*

250.03 Organization, Meetings, Etc.

- A. The commission shall elect a chairperson from among its appointed members for a term of one year; and the commission may create and fill such other offices as it may determine. A commission member shall act as secretary of the planning commission.
- B. The commission shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, and findings, which record shall be a public record. Expenditures of the commission shall be within amounts appropriated for the purpose by the City Council. The commission shall submit to the City Council a monthly report of its work during the preceding month. *(Amended by Ord. 108, 5-27-1997)*

250.04 Powers and Duties of the Commission. The planning commission shall be the planning agency and shall have the powers and duties given such agencies generally by Minnesota Statutes § 462.351 – 462.364. It shall also exercise the duties conferred upon it by this Section. *(Amended by Ord. 108, 5-27-1997)*

250.05 Zoning Ordinances; Public Hearings. No zoning ordinances, subdivision ordinances, or amendments thereto shall be adopted by the Council until a public hearing has been held thereon by the planning commission upon notice as provided in Minnesota Statutes § 462.357, Subdivision 3. Public hearings shall be conducted pursuant to the procedure listed in Section 250.05, Subd 1 through Subd. 8 below.

Subd. 1 Chairperson Shall Explain the Procedure to be Followed. Before opening the public hearing, the chairperson shall explain the procedure to be followed before the hearing begins. The chairperson shall explain that the hearing is a formal procedure, that everyone will be given an opportunity to participate, and that comments should be germane and concise. If many people share the same viewpoint, the chairperson shall encourage the appointment of a spokesperson to avoid repetitive testimony.

Subd. 2. Open the Public Hearing. The chairperson shall indicate that the public hearing is opened.

Subd. 3. Staff Presentation. City staff shall identify the subject property, describe the nature of the application, present the zoning and planning issues, and explain the action to be taken by the planning commission, board of appeals, or city council. The commission, board, or council members should ask the staff questions to ensure that they fully understand the information presented. City staff shall entertain questions from the applicant, general public or other interested parties about the information presented.

Subd. 4. Applicant Presentation. The applicant shall have the opportunity to present his or her case, including but not limited to factual information to demonstrate the proposal's compliance with the city's comprehensive plan, zoning and/or subdivision standards. The planning commission, board of appeals, or city council shall ask the applicant whatever questions they have about the proposal. The public shall have the opportunity to ask questions of the applicant.

Subd. 5. Statements from the Public. The chairperson shall ask for statements from the public in support of the application. The chairperson shall then seek statements from the public in opposition to the application. The chairperson shall encourage the presentation of factual evidence for public consideration.

Subd. 6. Conclude the Public Hearing. After all evidence has been received and everyone has been given opportunity to be heard, the chairperson shall conclude the public hearing.

Subd. 7. Discussion. Upon conclusion of the public hearing, the planning commission, board of appeals, or city council shall discuss the proposal.

Subd. 8. Action. The planning commission ~~or board of appeals~~ shall make a recommendation to the city council on the application. If the hearing is before the city council, the council shall either deny or approve the application. The matter may also be continued for further consideration. *(Amended by Ord. 186, 1-8-2007)*

250.06 Plats: Approval. Any plat of land submitted to the Council for approval shall be referred to the planning commission for review and recommendation. *(Amended by Ord. 108, 5-27-1997)*

250.07 Board of Appeals and Adjustments. ~~The planning commission shall serve as the Board of Appeals and Adjustment for the City~~ **shall conduct hearings and advise the City Council of its recommendations concerning matters within the jurisdiction of the Board of Appeals and Adjustments.** The decisions of the Board on matters within its jurisdiction shall be advisory to the Council. Following the hearing, the Board shall make its order deciding the matter and shall serve a copy of such order upon the appellant or petitioner by mail. The Board shall at the same time submit a copy of its decision to the Council which shall have final authority to approve, reject, or modify the decision of the Board. *(Amended by Ord. 108, 5-27-1997)*

Section 255 251 – Economic Development Commission

255.01 251.01 Establishment of Commission. The economic development commission for the city shall be hereby established. *(Amended by Ord. 115, 7-27-1998)*

255.02 251.02 Composition. The economic development commission shall consist of nine (9) members: two (2) City Council members, one (1) Planning Commission member, one (1) **ad hoc (non-voting)** representative of the Chamber of Commerce, and five (5) members of the local community representing, but not limited to, local business and industry. **Voting** Members of the commission shall reside or be employed within the city. *(Amended by Ord. 226, 1-24-11) (Amended by Ord. 256, 2-9-15)*

- A. All members appointed by the City Council may be removed by a three-fifths vote of the Council. *(Amended by Ord. 157, 1-12-04)*
- B. All terms shall expire on January 1 of the appropriate year. The City Council member, Planning commission member and representative of the Chamber of Commerce shall be appointed annually. All other commissioners shall be appointed for a term of three years. Of the five commissioners serving terms of three years, no more than two terms shall expire in the same year. Both original and successive appointees shall hold their offices until their successors shall be appointed and qualified. Every appointed member shall before entering upon the discharge of his or her duties take an oath that he or she shall faithfully discharge the duties of his or her office. Compensation shall be set by resolution of the City Council. *(Amended by Ord. 157, 1-12-04)*

255.03 251.03 Organization, Meetings, Etc.

- A. The commission shall elect a chairperson from among its appointed members for a term of one year; and the commission may create and fill such other offices as it may determine. A commission member shall act as secretary of the economic development commission.
- B. The commission shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, and findings, which record shall be a public record. Expenditures of the commission shall be within amounts appropriated for the purpose by the City Council. The commission shall submit to the City Council a monthly report of its work during the preceding month. *(Amended by Ord. 115, 7-27-1998)*

255.04 251.04 Duties and Responsibilities of the Commission. The duties and responsibilities of the economic development commission shall be as follows:

- A. Advise the City Council on matters concerning commercial and industrial development within the city.
- B. Assist the City with preparations and advice regarding economic development marketing plans, programs, and strategies.
- C. Help to coordinate economic development efforts with various groups active in the city.
- D. Aid and advise the City Council and Planning Commission regarding the orderly development of areas suitable for commercial and industrial development.
- E. Recommend to the City Council and Planning Commission policies and actions regarding commercial and industrial expansion, development, and attraction.

- F. Develop long and short-term strategies for commercial and industrial development within the city.
- G. Review proposed development proposals.
- H. Assist in the preparation and implementation of plans for business retention.
- I. Perform other duties, functions, and studies as directed by the City Council.
(Amended by Ord. 115, 7-27-1998)

Section ~~256~~ **252** – Parks & Recreation Commission

~~256.01~~ 252.01 Establishment of Commission. The parks and recreation commission for the City shall be hereby established. (Amended by Ord. 144, 10-22-2001)

~~256.02~~ 252.02 Composition. The parks and recreation commission shall consist of seven (7) members: one (1) City Council member, one (1) Planning Commission member, one (1) **ad hoc (non-voting)** representative from School District 108, and four (4) members of the local community. Members of the commission shall reside ~~or be employed~~ within the city. (Amended by Ord. 157, 1-12-04)

- A. All members shall be appointed by the City Council and may be removed by a three-fifths vote of the Council. (Amended by Ord. 157, 1-12-04)
- B. All terms shall expire on January 1 of the appropriate year. The City Council member, Planning Commission member and representative of School District 108 shall be appointed annually. All other commissioners shall be appointed for a term of three years expiring January 1 of the appropriate year. Of the four commissioners serving terms of three years, no more than two terms shall expire in the same year. Both original and successive appointees shall hold their offices until their successors shall be appointed and qualified. Every appointed member shall before entering upon the discharge of his or her duties take an oath that he or she shall faithfully discharge the duties of his or her office. Compensation shall be set by resolution of the City Council. (Amended by Ord. 157, 1-12-04)

~~256.03~~ 252.03 Organization, Meetings, Etc.

- A. The commission shall elect a chairperson from among its appointed members for a term of one year; and the commission may create and fill such other offices as it may determine. A Commission member shall act as secretary of the commission.
- B. The commission shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, and findings, which record shall be a public record. Expenditures of the commission shall be within amounts appropriated for the purpose by the City Council. The commission shall submit to the City Council a monthly report of its work during the preceding month. (Amended by Ord. 144, 10-22-2001)

~~256.04~~ 252.04 Powers and Duties of the Commission. The parks and recreation commission shall be the park and recreational planning and maintenance advisory agency for the City of Norwood Young America. The duties of the commission are as follows, but not exclusively:

- A. Advise the City Council in park acquisition, development and abandonment matters.
- B. Advise the City Council in regard to recreational programming.
- C. Recommend to the City Council rules and regulations for use of any park, recreational or leisure facilities.
- D. Maintain the City of Norwood Young America Comprehensive Parks Plan.
- E. Consider proper names for park and recreation areas and make such recommendations to the City Council.
- F. Conduct studies and investigations as specifically directed or delegated by the City Council.
- G. Represent the City Council at appropriate meetings.
- H. Review special requests for use of recreational facilities for the City Council.
(Amended by Ord. 144, 10-22-2001)

Section 258 253 - Senior Advisory Commission

258.01 253.01 Establishment of Commission. The Senior Advisory Commission for the City of Norwood Young America shall be hereby established. *(Established by Ord. 297, 01-08-2018)*

258.02 253.02 Composition. The Senior Advisory Commission shall consist of a minimum of nine (9) up to a maximum of fifteen (15) members of which one shall be a City Council Member. **The Senior Advisory Commission shall consist of at least nine (9) members: one (1) City Council member, two (2) ad hoc (non-voting) representatives from Peace Village/The Harbor, and at least six (6) members of the local community.** The majority of the commission shall be at least 55 years of age ~~and have a genuine interest in and an appreciation for issues affecting senior citizens.~~ **Voting members shall reside within the city.**

- A. All members shall be appointed by the City Council and may be removed by a three-fifths vote of the City Council.
- B. The City Council member shall be appointed annually. All other Commission members shall be appointed for a (3) year term. All terms shall expire on January 1 of the appropriate year.
- C. The Norwood Young America City Administrator or their designee will serve as a liaison to the Commission.

258.03 253.03 Organization, Meetings, Etc.

- A. The Commission shall annually appoint from its members a Chairperson, a Vice Chairperson, and a Secretary.
- B. **The commission shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, and findings, which record shall be a public record. Expenditures of the commission shall be within amounts appropriated for the purpose by the City Council. The commission shall submit to the City Council a monthly report of its work during the preceding month.**
- ~~C. A majority of the appointed members shall constitute a quorum.~~
- ~~D. If a vacancy should arise on the Commission, the seat shall be filled for the remainder of the term, through appointment by the City Council.~~

258.04 253.04 Powers and Duties of the Commission. The purpose of the Senior Advisory Commission is to provide senior citizens with a valuable resource, which can be used to effectively communicate the social, economic, recreational, cultural, and personal needs of the city's senior population. The Senior Advisory Commission's primary powers and duties include the following:

- A. To provide an open forum where information on important community senior issues can be received and discussed.
- B. To act as a liaison for the senior community to local government and other private organizations.
- C. To educate the rest of the community on issues affecting senior citizens through the publication of materials and within open public forums where senior views can be accurately represented.
- D. To explore and assist in the development of senior projects and programs, which promote positive relationships between senior citizens and the community.
- E. To build community consensus in advocating for specific senior projects or programs.
- F. To advise the City Council on issues concerning senior citizens and to recommend appropriate solutions.
- G. To provide feedback to the City Council assessing the current and future needs of the senior citizen community for program planning purposes.

Section 257 ~~254~~ – Safety Committee

257.01 ~~254.01~~ Establishment of Committee. The Safety Committee for the city shall be hereby established.

257.02 ~~254.02~~ Purpose. The purpose of the Safety Committee shall be to promote safety and health in the workplace and to eliminate workplace hazards that may cause any injury or illness.

257.03 ~~254.03~~ Composition. The Safety Committee shall consist of five (5) members: one (1) City Council member, one (1) representative of the Administration staff, one (1) representative of the Public Works ~~Services~~ Department, ~~one (1) representative of the Public Utilities Department,~~ the Fire Chief, and the City Administrator.

257.04 ~~254.04~~ Organization, Meetings, Etc.

- A. The committee shall elect a chairperson from among its appointed members for a term of one year; and the committee may create and fill such other offices as it may determine. A committee member shall act as secretary of the Safety Committee.
- B. The committee shall establish a regular meeting schedule.

257.05 ~~254.05~~ Duties and Responsibilities. The duties and responsibilities of the Safety Committee shall be as follows:

- A. Review the results of work place safety inspections to identify and analyze hazards.
- B. Review accident and injury reports to identify and analyze hazards.
- C. Review and act upon safety and health related concerns, suggestions, and needs communicated by employees and supervisors.
- D. Review work place hazard assessments.
- E. After conducting safety reviews suggest and document better work practices, repairs, safety training and communication.
- F. Conduct semi-annual walk-through safety inspections.
- G. Identify and communicate specific safety and health related needs and improvements to the employer, supervisors and employees.
- H. Administer "A Workplace Accident Injury Reduction Program (AWAIR)"
(Amended by Ord. 260, 4-27-15)

Section 259 ~~255~~ – Personnel Committee

259.01 ~~255.01~~ Establishment of Commission. The Personnel Committee for the City of Norwood Young America shall be hereby established. (*Established by Ord.315, 01-14-2019*)

259.02 ~~255.02~~ Composition. The Personnel Committee shall consist of five members: The Mayor, one (1) City Council representative, the City Administrator, and the City Clerk ~~and the Public Services Director~~. ~~The Mayor, City Administrator, City Clerk and the Public Service Director are automatically appointed via their positions.~~ The Council representative shall be appointed annually by the City Council. ~~The Mayor shall serve as Chairperson.~~

259.03 ~~255.03~~ Organization, Meetings, Etc.

- A. The Personnel Committee shall meet on a monthly basis on the 2nd Monday of the month at 5:00pm and as needed.
- B. ~~The Mayor shall serve as Chairperson.~~

259.04 255.04 Powers and Duties of the Commission. The purpose of the Personnel Committee is to provide oversight regarding the City's ~~Personnel Policy~~ **Employee Handbook**, employees' compensation and benefits structure, and hiring of new employees.

The duties and responsibilities of the Personnel Committee are as follows:

- a. ~~Oversee and review the City's Personnel Policy~~ **Employee Handbook**, monitor employment law changes, and recommend Personnel Policy amendments to the City Council as appropriate.
- b. Annually review and provide feedback regarding the City's overall approach to compensation and benefits for staff and make recommendations to the City Council.
- c. Review performance reviews of staff.
- d. Review as needed high-level disciplinary actions of City employees, especially those that result in suspension or termination.
- e. Participate in the hiring process of new employees to include, but not limited to, application review, interviewing, and recommendation to the City Council. Participate in the appointments of Fire Department officers.

Section 256 – Finance Committee

256.01 Establishment of Commission. The Finance Committee for the City of Norwood Young America shall be hereby established. *(Established by Ord.324)*

256.02 Composition. The Finance Committee shall consist of three members: The Mayor, one (1) City Council representative, and the City Administrator. The Council member shall be appointed annually by the City Council.

256.03 Organization, Meetings, Etc.

- A. The Finance Committee shall meet monthly and as needed.
- B. The Mayor shall serve as Chairperson.

256.04 Powers and Duties of the Commission. The purpose of the Finance Committee is to provide oversight regarding the City's Budget and Fee Schedule. The Committee will act as an advisory board to the City Council and staff regarding short- and long-term financial planning; financial policies and practices; local, state, and national trends in finance and economy; legislative issues; and quarterly financial reports and comprehensive annual financial report.

The duties and responsibilities of the Finance Committee are as follows:

- a. ~~Oversee the City Budget through monthly statements and make recommendations to the City Council.~~
- b. ~~Oversee the Fee schedule and make recommendations to City Council.~~
- c. ~~Review current short and long-term investments and the current investment policy on a quarterly basis.~~

Section 260 Civil Defense

260.01 Adoption of Plan by Reference. In the case of emergencies or natural disasters, the City shall follow the ~~Civil Defense Plan adopted from time to time by the Council as found in the Appendix to this Code.~~ **Carver County Emergency Operations Plan.**

Section 261 Restriction on Use of the “City of Norwood Young America” City’s Official Seals and Logos

261.01 Definitions. As used in this Chapter, the following shall mean:

City Name. City of Norwood Young America, City of Norwood Young America, MN, or Norwood Young America, MN.

Corporate Seal. Contains the words “City of Norwood Young America Corporate Seal, Carver County, Minnesota” typecast in a circular format.



Organization. Intended to and shall mean and include all formal and informal groups, associations, and aggregates of persons, groups and/or associations which are not themselves legal entities, whether singular and plural.

Person. Intended to and shall mean and include any and all persons, whether natural or corporate, and all other entities and organizations, whether singular or plural.

Property. Means all real property as well as all tangible and intangible personal property.

261.02 Regulations Governing Use. It shall be unlawful for any person to use the name, logos, or official seal of the City of Norwood Young America, whether directly or indirectly, expressly or by implication, in a way that creates the perception that the city, and/or departments, agencies or programs, are involved in, or supports or endorses in any way, a person or organization in any pursuit, activity, or thing of any kind whatsoever, including but not limited to causes or events.

License for use. Nothing in this article shall restrict the City Administrator from entering into a licensing agreement with any person or organization for the use of the city’s name, logos or official seal for any purpose and without monetary consideration, provided such licensing agreement is in writing and signed by the City Administrator. However, the City Administrator, may from time to time be authorized by resolution of the City Council to enter into licensing agreements with revenue generating potential on behalf of the city for the use of the city’s name, logos or official seal.

261.03 Injunction for unauthorized use. In the event that person intends to use the City’s name, logo and/or official seal without the City’s consent, the City shall have the right to seek an injunction to prevent such use. In the event that a person uses the City’s name, logo or official seal without the City’s consent, the City shall have the right to an injunction to prevent future use as well as damages for the unauthorized use of the City’s name, logo or official seal.

261.04 Administrative Penalty. In addition to the right to seek an injunction, the City may issue an administrative citation as provided by Section 120.04 of the City Code. *(Amended by Ord 307, 9-10-18)*

EFFECTIVE DATE. This Ordinance shall be effective immediately upon its passage and publication.

Adopted by the City Council this 9th day of March 2020.

Carol Lagergren, Mayor

ATTEST:

Steven Helget, City Administrator

(S E A L)

**City of Norwood Young America
Summary of Ordinance No. 324
Amending City Code Chapter 2 Administration**

The City of Norwood Young America has adopted Ordinance No. 324, an ordinance amending the text of Chapter 2, (Administration) of the City Code.

200.01 Authority. The City of Norwood Young America, located in Carver County, Minnesota is a municipal corporation incorporated by the laws of the State of Minnesota on January 1, 1997, and incorporates the former independent municipalities of Norwood and Young America. By virtue of its incorporation under the laws of the State, the City operates under the Minnesota Statutes Chapter 412, and any other applicable State Statutes conferring powers and duties upon municipalities.

Effective Date: This ordinance becomes effective upon its passage and publication according to law. The ordinance was adopted by the City Council on March 9, 2020.

A copy of the complete Ordinance No. 324 is available for review at the Norwood Young America City Offices, located at 310 Elm Street W. Persons with questions about the adopted Ordinance No. 324 should contact the City at (952) 467-1800.

Steve Helget
City Administrator



TO: Honorable Mayor Lagergren and City Council Members
FROM: Steven Helget, City Administrator
DATE: February 24, 2020
SUBJECT: Resolution 2020-09, Agreeing to accept Transfer of the Property and Funds of Forest Hill Cemetery Association

At the February 24th regular City Council meeting, the Council discussed whether to accept the Forest Hill Cemetery transfer proposal from the Cemetery Association. Paul Melchert, Melchert, Hubert, Sjodin, representing the Forest Hill Cemetery Association was present to review and answer questions about the transfer. Mr. Melchert provided a Certificate of Chair and Secretary of Meeting of Lot Owners of the Forest Hill Cemetery Association and a Resolution of the Board of Directors approving the transfer of the Cemetery to the City of Norwood Young America.

The Council tabled its decision and requested Mr. Mechert 1) provide the exact dollar amount in the Forest Hill Cemetery bank account, and 2) submit an invoice for his services to date. Mr. Melchert has provided a bank account summary from Security Bank & Trust and the account reflects a balance of \$42,643.60 as of March 4, 2020. Mr. Melchert has also provided an invoice for his services.

At the February 24th meeting, Jay Squires, City Attorney, suggested the following language be added to the end of Resolution 2020-09. "Acceptance of transfer of the cemetery is contingent on the city attorney's review and approval of title and transfer documents, and also contingent on the cemetery fund principle exceeding "x" dollars and being transferred to the city."

Enclosures:

1. Memo as to Security Bank & Trust Regular Savings Account and attachments
2. Memo as to Legal Fees and Expenses and attachments
3. Resolution 2020-09, stating the City agrees to accept the transfer of the Forest Hill Cemetery Association's property and funds.

Recommended Motion:

Motion to approve Resolution 2020-09, Agreeing to accept Transfer of the Property and Funds of Forest Hill Cemetery Association.

Norwood Young America

MEMO AS TO SECURITY BANK & TRUST REGULAR SAVINGS ACCOUNT

Attached are copies of the following documents relative to Security Bank & Trust Savings Account No. 783877:

1. Authorized Signature and Request for Information signed by Clinton D. Kurtz and Lynette M. Norton.
2. Security Bank & Trust Co. form completed and furnished to Security Bank & Trust.
3. Account Agreement signed by Clinton D. Kurtz and Lynn Norton.
4. Copy of last statement of Security Bank & Trust statement to Lyle Zieper as to Regular Savings Account No. 783877.
5. Statement from Security Bank & Trust of March 5, 2020 to Forest Hill Cemetery Association showing Clinton D. Kurtz and Lynn Norton as the authorized signers and a balance on Account No. 783877 of \$42,643.60.

MEMO AS TO LEGAL FEES AND EXPENSES

1. Copy of statement of fees and expenses of Melchert Hubert Sjodin regarding Forest Hill Cemetery Association through March 3, 2020 for \$21,265.61.
2. Time and expenses from March 4, 2020 through completion of transfer to the City of Norwood Young America is estimated to be \$3,975.00 for a total of fees and expenses of \$25,240.06.
3. That we will reduce the fees by \$15,000.00, leaving payable fees of \$9,981.60 and advanced expenses of \$259.01
4. That payment would be made out of the Security Bank & Trust Regular Savings Account No. 783877 leaving a balance on the account of approximately \$32,400.00
5. The majority of the funds paid would be retained by Melchert Hubert Sjodin for staff and administration costs and not be paid to Paul Melchert.

RESOLUTION 2020 -09

RESOLUTION AGREEING TO ACCEPT TRANSFER OF THE PROPERTY AND FUNDS OF FOREST HILL CEMETERY ASSOCIATION

BE IT RESOLVED by the City Council of the City of Norwood Young America, Carver County Minnesota as follows:

WHEREAS, the Forest Hill Cemetery is located within the corporate limits of the city of Norwood Young America; and

WHEREAS, the Forest Hill Cemetery was originally surveyed out on March 13, 1883, and was known as the Slocum Cemetery until 1889 when the plat of the Forest Hill Cemetery was filed in the office of the Carver County Recorder; and

WHEREAS, the Forest Hill Cemetery Association is a public cemetery corporation under the provisions of the Public Cemetery Association Code of the State of Minnesota; and

WHEREAS, The Articles of Incorporation of the Forest Hill Cemetery Association were signed on May 12, 1960, and filed in the office of the Carver County Register of Deeds on May 19, 1960, in Book "C" of Corporations, Pages 267-268; and

WHEREAS, there presently were no associates, officers, directors, or anyone else legally in a position to provide for the operation, maintenance, management, and conduct of the cemetery and no one in a legal position to sell lots and provide for the burial of the dead in the cemetery; and

WHEREAS, a meeting of the known lot owners in the Forest Hill Cemetery was held on December 27, 2019, at 1:00 P.M. at the Church of Peace, Norwood Young America, Minnesota, pursuant to the provisions of Minnesota Statutes §306.111 to elect five lot owners of the Forest Hill Cemetery Association as associates to fill the vacancies on the Board of Directors (Trustees) of the Forest Hill Cemetery Association and to adopt a motion authorizing transfer of the cemetery of the Forest Hill Cemetery Association to the City of Norwood Young America pursuant to Minnesota Statutes §306.025; and

WHEREAS, the Certificate required by Minnesota Statutes §306.111, Subd. 4 has been duly filed in the office of the Carver County Recorder on December 31, 2019, as Document No. A689147; and

WHEREAS, the new Board of Directors (Trustees) of the Forest Hill Cemetery Association unanimously adopted a Resolution authorizing the transfer of the property and funds of the Forest Hill Cemetery Association to the City of Norwood Young America; and

WHEREAS, the City of Norwood Young America has been informed of all relevant matters as to Forest Hill Cemetery and the proposed transfer of same to the City of Norwood Young America,

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of Norwood Young America, Carver County, Minnesota, that the City of Norwood Young America accepts the transfer of the property and funds of the Forest Hill Cemetery Association, and upon such transfer being

completed to continue to operate, maintain, manage, conduct and control the cemetery, and to sell lots and provide for burial of the dead on said cemetery and to administer its funds for the same purposes and upon the same trust for which they were originally established pursuant to the provisions of Minnesota Statutes §306.025. Acceptance of transfer of the Cemetery is contingent on the city attorney's review and approval of title and transfer documents, and also contingent on the cemetery fund principle exceeding \$42,643.60 and being transferred to the City.

Adopted by the City Council this 9th day of March 2020.

Carol Lagergren, Mayor

Attest:

Steven Helget, City Administrator



TO: Honorable Mayor Lagergren and City Council Members
FROM: Steven Helget, City Administrator
DATE: March 9, 2020
SUBJECT: Beyond the Yellow Ribbon Proclamation

Kaarin Foede will be present representing the Beyond the Yellow Ribbon. Enclosed is a proposed Proclamation proclaiming the month of April 2020 as Yellow Ribbon Month and April 18, 2020 to be Yellow Ribbon Day.

Recommended Motion:

Motion to approve the Beyond the Yellow Ribbon Proclamation.

City of Norwood Young America

Beyond the Yellow Ribbon Proclamation

WHEREAS, there are residents of Norwood Young America and surrounding communities who have served in the United States Armed Forces, or are actively serving in the United States Armed Forces throughout the world, to protect our community and country; and

WHEREAS, before military deployment, and after they return home from active duty, our Servicemen and Servicewomen are actively engaged and valuable citizens of our communities; and

WHEREAS, these Servicemen and Servicewomen contribute to the health, growth, and development of our communities in civil life; and

WHEREAS, their commitment to service inspires all Americans to similarly serve their communities and country.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby proclaims the month of April 2020 to be Yellow Ribbon Month, and April 18, 2020, to be Yellow Ribbon Day.

Adopted by the Norwood Young America City Council this 9th day of March 2020.

Carol Lagergren, Mayor
City of Norwood Young America



TO: Norwood Young America City Council
FROM: Karen Hallquist, Economic Development Marketing Director
DATE: March 9, 2020
SUBJECT: Commercial Market Study

=====

Background

Due to the closing of the local grocer, city staff started researching details of an updated retail market or commercial market study to gain industry projections, customer needs, trends and opportunities to strengthen the position that Norwood Young America can indeed support a grocery store. The last Commercial Market Study was completed in 2016 by Keith Wicks & Associates at the request of the NYA EDC. At that time, it was reported that "Econofoods is NYA's Anchor retailer and keystone CDS (Commercial Development Strategy) tactic. It generates the market's strongest consumer traffic and shopping frequency." It goes on to say, "Its upside, ahead of a defined plan is related to improved presence at Highway 212 along with a significant upgrade of the format and operation."

A new commercial market study will not only aid with trending research of a grocery store, but also with any new businesses coming to the community. Carver County and the City of Norwood Young America will see in a large increase in business and housing growth with the future expansion of Highway 212. This study will assist city staff and the EDC with proactive preparation efforts.

Benefits of a new Commerical Market Study will include:

- Gather industry information in a timely manner
- Help the city strengthen the position and credibility for new businesses (i.e. grocery store)
- Identify potential threats and opportunities (i.e. expand of industrial park/Highway 212)
- Focus on customer needs and demands
- Validation of current planning with the downtowns
- Strengthen the city's reputation with development decisions
- Assist the city in being competitive with other communities

City staff communicated with Keith Wicks of Keith Wicks & Associates who developed the 2016 NYA Commercial Market Study. This study was extremely accurate with his research and recommendations for development. Wicks has submitted a proposal (included) and options for a new Commercial Market Study. Ryan Pesch, U of M Extension Retail Analysis and Development Department, also submitted a proposal regarding information on a Retail Market Study given the closing of the local grocer. Pesch sent a proposal (included) which addresses the project approach, timelines and cost options.

Elise Durbin, Director of Community and Economic Development with Carver County CDA confirmed with city staff that a Commercial Market Study/Retail Market Study would qualify for the Carver County CDA Community Growth Partnership Pre-Development Grant. This is a 1-1 matching grant and applications are taken on a monthly basis.

After reviewing both proposals, the NYA EDC recommends to contract Keith Wicks of Wicks & Associates to complete a new Commercial Market Study for Norwood Young America.

Norwood Young America

Action

Recommendation to approve the contract for Keith Wicks of Wicks & Associates to complete a Commercial Market Study for Norwood Young America.

Norwood Young America

310 Elm Street West PO Box 59 – Norwood Young America, MN 55368 – (952)467-1800 – www.cityofnya.com

~ Email Transmission ~

1 of 2; Confidential

December 9, 2019

Karen Hallquist
Economic Development & Marketing Director
City of Norwood Young America
310 Elm St W, PO Box 59
Norwood Young America, MN 55368

RE: Commercial Market Survey

Karen,

I understand there is interest to update NYA's March 2016 survey and commercial development model especially following the closing, this past September, of Family Fresh/Econofoods. As mentioned, I'm not surprised the store closed. SpartanNash also closed a similar store, at the same time, in Farmington. I've assessed both situations and found them underperforming due to limits of that corporate operation.

I also understand that NYA has accomplished some of the goals suggested in the survey, regarding community identity and branding.

In my opinion...at this point of insight...there are two matters for situation assessment and outlook:

1. First, the supermarket matter and objective of bringing back a full-service grocery store. Objective of either re-opening the closed store (presuming equipment package remains in place and is reasonable) or to develop another site in the community.
2. Upon identifying a grocery store strategy, then refresh the NYA Commercial Development Model. Supermarket strategy would provide direction for NYA's overall commercial strategy, regarding where the anchor business would be situated for benefits of associate retail and business exposure.

Either option would begin with field meetings/work sessions to understand the current situation and development opportunities.

The following overviews the project costs. This is early into understanding NYA's situation and objectives, so I feel it might be best to arrange a discussion of this matter to help determine the best approach.

Survey options & costs

- **Supermarket survey:**

- **Option A - Comprehensive Retail Food Survey.** \$8,000.00 plus expenses (project travel and demographics). The supermarket industry's typical methodology for market assessment, sales forecasts and development assumptions. An approximate 40-page survey with Executive Summary, Current Market Assessment and Projected Market sales reports. Provides aggregate sales forecasts and explanation of how a forecast is achieved in terms of the retail model (mix of retail services and contributions to total performance). Provides key figures for proforma analysis of project financial viability.
- **Option B - Demographic Market Survey.** \$5,000 plus expenses (project travel and demographics). Methodology is typically for early assessment and determining conceptual development plans. Often ahead of an identified retailer and site. Basis is a demographic model of a location's market reach (e.g. 1-mile, 3-mile 8-mile) and an initial set of development assumptions, i.e. location, size, format and operation. Up to (3) sites.

The methodology is also for feasibility assessment of a **community owned food co-op**. That model is a trending solution for the nation's *food deserts*, both rural and urban. As mentioned in our email exchange, Minnesota has more food co-ops per capita than anywhere else in the nation. I find it to be the *new independent retailer*. St. Peter Food Co-op is an agri-community example, but a natural & organic format; there is alternative of a conventional store, i.e. everyday familiar products.

The most logical approach for NYA's grocery store matter is to investigate feasibility of acquiring and converting the closed supermarket facility. I also recommend comparing other sites to cover the bases of possibilities for what is most beneficial for long-term community service and development goals.

- **Updated Commercial Market Study:**

- The original survey established a recommended, NYA Commercial Development Model. Since the situation has changed with the closed supermarket, it's possible...depending on further insight of the situation...that original model can be updated as defined in 2016 but tailored to results of a supermarket survey. Cost to update: **\$5,000 plus expenses** (project travel and demographic/commercial reports).
- If NYA's market situation beyond the supermarket, significantly changed, it would require rebuilding the model and in effect the survey. **\$8,500.00 plus expenses** as stated above.

I'll look to your lead for our next contact. With feedback to these options, I can further provide visuals for the supermarket survey models with understanding what you feel is best for the objective. Quick note: I head to Florida Feb. 4 for two-months but working in that situation. Just an FYI.

Keith



COMMUNITY ECONOMICS PROGRAM AREA

Customized Market Area Profile

PROJECT TITLE

Norwood Young America Area Study

CLIENT

Karen Hallquist
Economic Development & Marketing Director
City of Norwood Young America
310 Elm St W, PO Box 59
Norwood Young America, MN 55368
(952)467-1810

PROJECTED START - END

December 15, 2019 – March 1, 2020

KEY STAFF

University of Minnesota Extension:

Ryan Pesch— Community Economics Extension Educator West Central and Market Area Profile Program Manager

Michael Darger, Community Economics Extension Educator

PROJECT OVERVIEW

To try and better understand the retail purchasing needs of area residents, the City in partnership with University Of Minnesota Extension, would like to undertake a survey of area residents in the Norwood Young America trade area. The City of Norwood-Young America, local businesses and community members will be able to use this information to make effective local business decisions regarding future retail sectors to develop.

PROJECT APPROACH AND METHODOLOGY

The City of Norwood Young America has asked The University of Minnesota Extension Center for Community Vitality to assemble a project proposal for market area profile work in the Norwood Young America area. After an initial conversation with the client on desired outcomes and uses for the project data, Extension staff proposes the following method for analyzing the local retail trade area:

Household Survey of Local Residents

We suggest using a mixed-method survey approach of both online and mailed surveys and include an incentive to increase participation in the mailed survey. We would sample households living in a trade area defined in consultation with a local retail study group. A tentative schedule for implementing this approach to implementing the survey is outlined below¹:

- Create & finalize resident list 1 week
- Write up survey instrument and protocol 1 week
- Mail out first postcard 1 week
- Mail out paper surveys with cover letter 1 week
- Mail out second reminder postcard 1 week
- Compile returned survey information 1 week
- Analyze results of survey 1 week
- Analyze ESRI data for same market area 2 weeks
- Draft report 2 weeks
- Revise report based on prelim community review 1 week
- Finalize report 1 week
- Present findings to larger community 1 week

This survey will focus on current shopping patterns, what types of businesses they do patronize and spending levels, and how much money their household spends to purchase retail items among other questions. The survey results will provide an estimate for potential retail demand by local consumers. Considering the interest in the loss of the local grocery store, the survey instrument will be customized to inquire about grocery shopping habits in particular in addition to shopping patterns in general within reason. The instrument will ideally stay to 2 pages in length.

Extension will also gather secondary data about the local business community to determine market potential for business to businesses in the chosen communities. Compiling retail data and determining the buying potential of the individual communities will help shape project recommendations and be useful for community groups to involve the business community in future planning needs.

STUDY AREA

The study area, a reasonable trade area for the community, will be defined by a local study group of key informants who understand local business traffic and patterns.

PROJECT DELIVERABLES

A report of the results from the "Project Approach and Methodology" section will be developed for the community of Norwood Young America. The report will also include other secondary data such as demographics and retail trends for the Norwood Young America area. Extension will

¹ Some tasks could run concurrently.

deliver a public workshop based on the results in the community open for the client, stakeholders, and local business operators.

PROJECT COSTS

Project Costs	Details	Total
Household Survey Mailing	<ul style="list-style-type: none"> • A mailing to an estimate sample of 1,000 to get 350 responses. • Data Entry 	\$3,000 (Extension does it) \$0 (City does it)
Survey Incentive	<ul style="list-style-type: none"> • \$2/mailing 	\$2,000
Direct costs, Analysis and Write-up	<ul style="list-style-type: none"> • Staff time to write report and do analysis • Up to 3 trips to Norwood Young America • Secondary data from ESRI if necessary 	\$3,000
	•	
Total Cost to community		\$3,000 - \$8,000

CLIENT RESPONSIBILITIES

In order to complete this analysis, Extension will need the City of Norwood Young America to (1) dedicate a small working group to develop the surveys and review and assist with report recommendations, (2) provide a mailing list for a survey, and (3) potentially administer the survey both via traditional mail and online.



TO: Honorable Mayor Lagergren and City Council Members

FROM: Steven Helget, City Administrator

DATE: March 9, 2020

SUBJECT: Approve Small Cities Development Program Administrative Agreement

Enclosed is a proposed agreement between the City and the Carver County Community Development Agency (CDA), for the CDA to provide administrative services for the Small Cities Development Program grant the City was awarded in 2019. The City was awarded \$556,600 for commercial and rental dwelling rehabilitation in the city's two downtowns. Included in the grant award was \$72,600 for grant administration.

Recommended Motion:

Motion to approve the Small Cities Development Program Administrative Agreement between the City of Norwood Young America and the Carver County Community Development Agency.

SMALL CITIES DEVELOPMENT PROGRAM
ADMINISTRATIVE AGREEMENT

Between

THE CITY OF NORWOOD YOUNG AMERICA

And

THE CARVER COUNTY COMMUNITY DEVELOPMENT AGENCY

THIS CONTRACT for Administrative Services is between the City of Norwood Young America, hereinafter referred to as the City or Grantee, and the Carver County Community Development Agency, hereinafter referred to as the CDA, to administer a Small Cities Development Program grant, hereinafter referred to as SCDP grant:

WITNESSETH, In consideration of the mutual covenants and agreements contained herein, the City and the CDA agree as follows:

- I. The term of this contract is for the period of May 24th, 2019 through the end of the grant and project close-out.
- II. In consideration of financial reimbursement to be more specifically described below and in accordance with Department of Employment & Economic Development requirements, the CDA agrees to act as the administering agent of the City on the SCDP grant for which the City will receive funds from the State of Minnesota for the *Norwood Young America Small Cities Development Program*, for an amount up to but not exceeding **\$72,600.00 (Seventy Two Thousand Six Hundred Dollars and Zero Cents)**.
- III. It is understood that the total amount of SCDP grant funds to be administered for the *Norwood Young America Small Cities Development Program, Grant Number CDAP-18-0065-O-FY19*, shall not exceed **\$556,600.00 (Five Hundred Fifty-Six Thousand Six Hundred Sixty Dollars and Zero cents)**. As the administering agent, the CDA agrees to perform all the tasks enumerated below (and any other State and Federal Requirements) in a manner which meets or exceeds the terms and conditions imposed upon the City in the SCDP Grant Agreement and the Assurances, copies of which are in the approved grant application.
 - A. Citizen Participation: Comply with all State and Federal participation requirements.
 - B. Compliance with Federal Regulations: Ensure that the following Federal acts or regulation are complied with:
 1. Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which provided that no person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be

denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial aid.

2. Title VIII of the Civil Rights Act of 1968 (P.L. 90-284) known as the Fair Housing Act of 1968, which provides that it is the policy of the United States to provide, within Constitutional limitations, for fair housing, throughout the United States and prohibits any person from discrimination in the sale or rental of housing, the financing of housing, or the provision of brokerage services, including in any way making available or denying a dwelling to any person because of race, color, religion, sex, or national origin.
3. Executive Order 11063, as amended by Executive Order 12259, which prohibits discrimination because of race, color, religion (creed), sex, or national origin, in the sale, leasing, rental, or other disposition of residential property and related facilities (including land to be developed for residential use), or in the use of occupancy thereof, if such property and related facilities are among other things, provided in whole or in part with the aid of loans, advances, grants or contributions agreed to be made by the Federal Government.
4. Section 109 of the Housing and Community Development Act of 1974, as amended, which provide that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds provided under the Act. Any prohibition against discrimination on the basis of age under the Age Discrimination Act of 1975 or with respect to otherwise qualified handicapped individuals as provided is Section 504 of the Rehabilitation Act of 1973 shall also apply to any such program activity.
5. Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations (24-CFR Part 42 and 24-CFR 570.602 (a)).
6. Davis-Bacon Act, as amended, requiring payment of wages at prevailing rates, and the Contract Work Hours and Safety Standards Act.
7. The National Environmental Policy Act of 1969.
8. Section 3 of the Housing and Urban Development Act of 1968 which requires that to the greatest extent feasible, opportunities for

training and employment be given to lower income persons residing within the unit of local government in which the project is located; and that contracts for work in connection with the project be awarded to eligible business owners which are located in or owned in substantial part by persons residing with the unit of local government.

9. Title IV of the Lead-Base Paint Poisoning Prevention Act, as amended (42 U.S.C. Section 4831).
 10. All parts of Title I of the Housing and Community Development Act of 1974 as amended, which have not been cited previously as well as with other applicable State and Federal laws.
 11. The regulations, policies, guidelines and requirements of OMB Circular A-102, revised, and OMB Circular A-87 as they relate to the application, acceptance, and use of Federal funds under this part.
 12. The Minnesota Government Practices Act, Chapter 13, including but not limited to Section 13.31.
 13. The Grantee will not use SCDP funds to pay any person for influencing or attempting to influence an officer or employee of a federal agency, a member of Congress, an officer or employee of Congress, or any employee of a member of Congress in connection with the awarding of any federal contract, the making of a federal grant, the making of a federal loan, the entering into any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan or cooperative agreement. The Grantee will submit the Standard Form LLL "Disclosure Form to Report Lobbying" if non-federal funds are used to conduct aforementioned activities.
 14. The regulations, reporting, and record keeping requirements as stated in the "Program Manual" as provided by the Grantor.
- C. Conflict of Interest: No member of the governing body of the locality or official, employee, or agent of the local government, the CDA or the City, who exercises policy, or decision-making functions or responsibilities in connection with the planning and implementation of the project shall directly or indirectly benefit from this program. This prohibition shall continue for one year after an individual's relationship with the City or CDA ends. Specific prohibitions are as follows:

1. **Program participation:** No member of the governing body of the locality of the City, no official, employee, or agent of the local unit of government, the CDA or the City, as defined above, shall accrue direct or indirect program benefits.
 2. **Contractual Relationships:** No member of the governing body of the City, no official, employee, or agent of the City or the CDA, as defined above, shall obtain direct or indirect interest in any contract, subcontract, or agreement in any activity in this program that provides financial compensation for services.
 3. **Prohibition Extensions:** This prohibition extends to contracts or direct benefits in which a spouse, minor child or business partner may have personal or financial interest.
 4. **Determination of Conflict of Interest:** When questions arise or a situation is unclear an initial Opinion of Conflict of Interest shall be sought from the City Attorney. That Attorney's Opinion will outline areas that the situation is within or outside applicable Federal Regulations 24 CFR 570, Uniform Administration Requirements and State Statutes 412.311 or 471.87 through 471.89. Upon determination that a conflict exists, a disclosure and description of the nature of the conflict must be made public and together with the Attorney's Opinion shall be forwarded to DEED staff. At DEED's discretion, this may be forwarded to the Minnesota Attorney General for the State's Legal Opinion.
- D. Project Planning:** Coordinate the preparation of maps, plan specifications, contracts, budgets and other agreements in a manner consistent with applicable State and Federal laws and regulations for all SCDP project activities.
- E. General Administration:** The CDA will provide general administrative services and reporting requirements for the SCDP project which includes all phases of the administration of the Small Cities program. The CDA will have principle responsibility for preparing an Environmental Review Record (ERR) and complying with the National Environmental Policy Act of 1966, as amended (NEPA), development/submission of all required policies and procedures and delivery of flood plain maps to the City.
- F. Field Administration:** The CDA is responsible for program delivery including: marketing, determination of household eligibility, application completion and approval, assist with packaging of project financing, housing inspections and suitability of housing rehabilitation, loan closing, work write-ups, contract awards, interim inspections,

change orders, final inspections, contractor payments and project close-outs. Furthermore, in accordance with the Federal Labor Standards laws and regulatory requirements, the CDA will designate a Labor Standards Officer (LSO). The LSO will be responsible for ensuring that the contractor and subcontractor(s) comply with the labor standards requirements and the enforcement of the labor standards requirements. The LSO will also be responsible for all labor standards reporting requirements. The CDA will maintain all files and records related to labor standards until the project has been completed. At that time, the CDA will deliver all files and records to the City to retain.

G. Financial Record Keeping and Control: The CDA will keep complete and accurate records of all claims and disbursements in accordance with the requirements of the Single Audit Act Amendments of 1996 (P.L. 104-156) and the following procedures:

1. The CDA will prepare all payment request forms and submit to the City for approval and signature; this will include the approved payments to contractors and material suppliers as presented by the CDA's Rehabilitation Specialist and for administrative expenses as presented by the CDA's Controller.
2. The CDA will keep financial records, including invoices, contracts, receipts, vouchers, and other documents sufficient to evidence in proper detail the nature and propriety of the expenditure.
3. The CDA will provide DEED with regular annual progress reports, until the close of project at which time the City will be required to file annual reports to DEED until all loans are completely forgiven or repaid.
4. The City will reimburse the CDA for all of the general administrative costs incurred in the administration of the project up to but not exceeding \$72,600.00, as provided for under the SCDP grant award amount and the CDA will provide evidence of these costs.

IV. For the purposes of this contract, the CDA shall be deemed an independent contractor, and not an employee of the City. Any and all employees of the CDA or other persons while engaged in the performance of any work or services required by the CDA under this contract, shall not be considered employees of the City; any and all claims that may or might arise on behalf of said employees or other persons working for or on behalf of the CDA as consequence of any act or admission on the part of said employees or the CDA is solely the obligation and

responsibility of the CDA and shall in no way be the obligation or responsibility of the City.

- V. It is further agreed that the CDA shall defend and save the City harmless from claims, demands, action, or causes of action arising out of any act or omission on the part of the CDA, its agents, servants or employees in performance of, or with relation to, any of the work or services provided to be performed or furnished by the CDA under the terms of this contract.
- VI. The CDA shall not assign any interest in this contract and shall not transfer any interest in the same, whether by assignment, subcontract or novation, without prior written consent of the City.
- VII. The CDA specifically agrees to comply with the requirement of 24-CFR 135.20 and to provide such copies of said regulations as may be necessary to inform the parties to contracts required to contain the Section III clause set forth in 24 CFR 135.20.
- VIII. Any alteration, variation, modification, or waiver of the provisions of this contract shall be valid only after it has been reduced in writing, duly signed by both parties, and attached to the original contract.
- IX. The waiver of any of the rights and/or remedies arising under the terms of this contract on any one occasion by either party hereto shall not constitute waiver of any rights and/or remedies in respect to any subsequent breach or default of the terms of this contract. The rights and remedies provided or referred to under the terms of the agreement are cumulative and not mutually exclusive.
- X. This contract, as well as the approved grant, shall constitute the entire agreement between parties and shall supersede all prior oral or written negotiations as approved by the City.
- XI. The City shall maintain all files and records relating to the project in accordance to the grant agreement and consistent with the City records retention policy.
- XII. In performing the provisions of this contract, the CDA agrees to comply with all Federal, State and Local laws, and all applicable rules, regulations, or standards established by any agency of such governmental units, which are now hereinafter promulgated.
- XIII. In consideration of the mutual covenants contained herein, the parties agree as follows: The City agrees to reimburse the CDA dollar for dollar for its administrative and project related costs in carrying out the above activities. However, if SCDP project costs exceed the maximum amount allowable under the SCDP Grant Agreement, the CDA must first obtain City approval prior to

incurring said costs. Accurate records of costs shall be maintained by the CDA and submitted to the City for reimbursement.

- XIV. Should any of the above provisions be subsequently determined by a court of competent jurisdiction to be in violation of any Federal or State law or to be otherwise invalid, both parties agree that only those provisions so adjudged shall be invalid and that the remainder of this contract shall remain in full force and effect.
- XV. Antitrust: Contractor, CDA, hereby assigns to the State of Minnesota any and all claims for overcharges as to goods and/or services provided in connection with this contract resulting from antitrust laws of the United States and the antitrust laws of the State of Minnesota.
- XVI. The City reserves the right to terminate this contract if the CDA inexcusably fails to perform any of the provisions hereof. Such termination shall occur thirty (30) days after the receipt of the CDA written notice specifying the ground thereof, unless, prior to the date, the CDA has cured the alleged non-performance of the provisions of this contract.

IN WITNESS THEROF, the parties hereto have caused this contract to be duly executed.

City of Norwood Young America

Carver County Community
Development Agency

Mayor

Executive Director

Attest:

City Administrator



TO: Honorable Mayor Lagergren and City Council Members
FROM: Steven Helget, City Administrator
DATE: March 9, 2020
SUBJECT: Review Economic Development / Marketing Director Position

Karen Hallquist was hired as the City's Economic Development / Marketing Director effective September 9, 2019 and her probationary period ends March 9th. Proposed is to discuss changing the work schedule for this position from 32 to 40 hours per week. The 2020 Budget includes this possible change. Enclosed is a copy of the current job description for the position.

The Personnel Committee will have a recommendation at the meeting.

Recommended Motion:

Motion to approve changing the work schedule of the Economic Development / Marketing Director position from 32 to 40 hours per week.



ECONOMIC DEVELOPMENT / MARKETING DIRECTOR

Department: Administration
Supervisor: City Administrator or Designee
Pay Grade: 14
FLSA Status: Non-Exempt

GENERAL DEFINITION OF WORK

The Economic Development / Marketing Director performs skilled and administrative work. This position will be responsible for providing guidance and assistance towards business retention, expansion, and attraction. These responsibilities involve considerable public contact with business owners, developers, and real estate brokers, the Norwood Young America Economic Development Commission, Carver County CDA and Open to Business, and the NYA Area Chamber of Commerce. Other primary responsibilities include updating the City website and social media, creating and maintaining newsletters and other marketing materials, and verifying compliance with the City Code.

HOURS OF WORK

8:00am – 4:30pm

Exceptions to these hours may include meetings, approved Personal Time Off (PTO) or leave request, and off-site meetings or trainings. If an employee is required to come to work outside of normal department hours, they may be asked to flex their hours and work a schedule different than their core hours in order to maintain a 30 to 40-hour workweek.

QUALIFICATIONS

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Minimum Qualifications

- Bachelor's degree in business, urban policy, public administration, finance, economic development, marketing or a related field
- At least two years professional related economic development or business experience
- Strong communication skills
- Valid Minnesota Driver's License

Desired Qualifications

- Working knowledge of Tax Increment Financing, Tax Abatement, Minnesota Department of Employment and Economic Development programs, other grant/loan organizations
- Experience in grant procurement and administration
- Four years or more experience of professional related economic development or business experience
- Certification from the International Economic Development Council or the National Development Council
- Experience working with Microsoft Office programs

ESSENTIAL FUNCTIONS

- Serves as key point of contact for prospective businesses and businesses seeking to expand in the city. Assists businesses in understanding and meeting requirements of applicable City Codes and development processes. Provides information and guidance about economic development assistance and incentive programs. Assists in the negotiation and implementation of development agreements, including tax increment financing, tax abatement, and other state and federal programs. Serves as lead staff with implementation of Downtown Redevelopment Plan.
- Provides staff support to the Norwood Young America Economic Development Commission and other committees/commissions as directed.
- Builds relationships with local businesses through frequent visits, outreach and communication.
- Makes recommendations to the Norwood Young America Economic Development Commission in the establishment of strategies, policies, and programs supporting the City's overall economic development goals and objectives and carries them out as directed.
- Administers and markets local economic development assistance programs, including loan and grant programs. Identifies funding opportunities for economic development projects.
- Ensures coordination, collaboration and consensus of development and redevelopment efforts by working closely with Carver County CDA and Open to Business, the NYA Area Chamber of Commerce, and other agencies.
- Develops and maintains positive relationships with city staff, city council, members of advisory commissions, consultants, business owners, developers, lending institutions, and related organizations.
- Disseminates information on available land, buildings, and development opportunities, through outreach to interested parties, the City's website and social media.
- Attends professional workshops and conferences for economic development.
- Provides customer service and assistance to the public, business owners, and other staff. Receives nuisance complaints and verifies code compliance. Maintains city website and social media accounts. Creates and updates newsletters, brochures and other marketing materials. Maintains the City Code, Commission books and posts public and legal notices. Manages the rental facilities calendar, rental dwelling licensing, cable access station operation and cemeteries.

KNOWLEDGE, SKILLS AND ABILITIES

Ability to be a "champion" for the City by passionately articulating the opportunities, amenities, and benefits of a business staying, locating, or expanding in the city.

Ability to guide businesses and developers through complex economic development programs and through City Code and development processes.

Ability to analyze complex information and communicate it clearly and concisely to a wide variety of audiences.

Ability to actively market economic development opportunities in order to attract, retain, and grow business/industry.

Ability to work collaboratively and build consensus around economic development initiatives. Ability to coordinate and consult with many individuals, consultants, agencies, etc. to successfully complete projects/developments.

Knowledgeable in economic development tools, including but not limited to Tax Increment Financing, Tax Abatement, Minnesota Department of Employment and Economic Development programs, other grant/loan organizations.

Ability to maintain and operate approved budget.

Ability to work with and without direct supervision and both independently and as a team player. Possess strong customer service, communication, and presentation skills. Ability to plan, organize, prioritize and multi-task.

Possess or has ability to gain the knowledge of municipal operations including: City policies, procedures, ordinances, state and federal laws and statutes. Ability to research and analyze data and to make recommendations.

All positions within the City require the ability to present a positive and professional image to co-workers and the public and to communicate effectively orally and in writing, understand and apply state and federal laws, City ordinances and policies, safety laws and OSHA standards, attend trainings to update knowledge and maintain required licenses.

Ability to attend work punctually and regularly. Ability to attend meetings outside regular work hours.

OTHER DUTIES AND RESPONSIBILITIES

Perform other duties and assume responsibilities as apparent or assigned.

PHYSICAL REQUIREMENTS

The physical demands described here are representative of those that must be met by an Economic Development / Marketing Director to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- Requires employee to mainly work inside and have contact with the public, co-workers and vendors.
- Activities that occur continuously (more than 75% of the time) are: hearing; use of near vision; use of depth perception, accommodation, color vision, and field of vision/peripheral vision.
- Activities that occur frequently (from 25% - 75% of the time) are: bending/stooping; squatting; crouching; crawling; kneeling; twisting; handling; use of left and right feet independently and/or together; talking; and use of smell.

- Activities that occur occasionally (up to 25% of the time) are: pushing; pulling; reaching at, above and/or below shoulder level with both arms together and/or independent of one another; lifting and/or carrying up 30 pounds, use of fingers and hands for repetitive, non-repetitive, or consistent actions; fine manipulating with fingers; and using sense of touch.

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

CONDITIONS OF EMPLOYMENT

Satisfactory completion of a background examination and other pre-employment requirements as identified in the City's Employee Handbook. All employees must comply with appropriate local, state, and federal safety rules, regulations, and statutes. All employees must comply with organizational and departmental policies.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

This job description does not constitute an employment agreement between the City and the employee and is subject to change by the City as the needs of the City and requirements of the job change.

ACKNOWLEDGEMENT

I, (print name) _____, have reviewed this job description and I understand the job duties and responsibilities. I can perform the essential functions as outlined. I understand that my job may change on a temporary or regular basis according to the needs of the City without it being specifically included in the job description.

I further understand that future performance evaluations are based on my ability to perform the duties and responsibilities outlined in this job description.

I have discussed any questions I may have had about this job description prior to signing this form.

Signature

Date



TO: Honorable Mayor Lagergren and City Council Members
FROM: Steven Helget, City Administrator
DATE: March 9, 2020
SUBJECT: Review Compensation for City Staff to respond to Daytime Fire Calls

Proposed is to discuss compensating City staff for responding to fire calls during the day during normal work hours. One of the growing challenges with the NYA Fire Department is having enough daytime firefighters available for weekday calls. The City's fire department has consistently had about 4-5 firefighters who respond to every daytime call during the work week. At least three of those firefighters are eligible for retirement. The concern is we will not have an adequate number of responders. One of the options proposed by Steve Zumberge, Fire Chief, is to provide a financial incentive to City staff who are firefighters but serving in other communities, to respond to daytime fire calls.

There are currently three staff members who are fire fighters and serve on other fire departments. One staff member attended daytime fire calls last year and of the 115 daytime fire calls that person responded to 19% of the calls.

The Personnel Committee discussed this item at their February 10th meeting and are recommending compensating a \$75 stipend per quarter if they respond to a minimum of 75% of the daytime fire calls in that quarter. Any fire calls responded to outside of normal City work hours would be compensated at the same rate of pay as current City firefighters which \$10.00 per hour. Proposed is to also discuss, if established, whether it would be retroactive to January 1, 2020.

Recommended Motion:

Motion to approve compensating City staff a \$75.00 stipend per quarter for responding to a minimum of 75% of the daytime fire calls per quarter.

Norwood Young America