



## CITY COUNCIL AGENDA

July 26, 2021 – 6:00 p.m.

EDA / City Council Meetings; followed by Work Session

City Council Chambers

310 Elm Street W.

Norwood Young America, MN 55368

### ECONOMIC DEVELOPMENT AUTHORITY

1. Call Meeting of Economic Development Authority to Order
    - 1.1 Pledge of Allegiance
  2. Approve Agenda
    - 1.2 Approve minutes of June 28, 2021 meeting
  3. Adjournment
- 

### CITY COUNCIL

1. Call Meeting of City Council to Order
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 those items listed as part of the Consent Agenda will be approved by a single motion, unless a request to discuss one of those items is made prior to that time. Anyone present at the meeting may request an item to be removed from the consent agenda. Please inform the Council when they approve the agenda for this meeting.)
  - 4.1 Approve minutes of July 12, 2021 meeting
  - 4.2 Approve payment of Claims
  - 4.3 Approve Appointment to Parks & Recreation Commission
  - 4.4 Approve Street Closure Request
5. Public Hearing
6. Old Business
7. New Business
  - 7.1 Approve Resolution 2021-17, \$1,665,000 General Obligation Bonds, Series 2021A
  - 7.2 Approve Resolution 2021-18, Variance: Dynamic Sign All Saints Church – 511 Merger Street
  - 7.3 Adopt Ordinance No. 340, Ordinance Amending Definition of Hotel/Motel and approve Summary Publication
  - 7.4 Consider Kimpling Shed Removal Extension Request
  - 7.5 Consider VFW and American Legion Request to relocate Shed onto City Property
  - 7.6 Discuss Yeager Machine Land Sale Price
  - 7.7 Discuss Greenwood Marina Land Sale Price
  - 7.8 Approve Closure of Escrow Accounts
  - 7.9 Discuss Interim City Administrator
  - 7.10 Approve Fire Department Donations
  - 7.11 Approve the Summary of Ordinance No. 339 and its Publication
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 June Report

#### UPCOMING MEETINGS / EVENTS

August 3 Planning Commission – 6:00 p.m.  
August 9 Personnel Committee – 5:00 p.m.  
August 9 City Council – 6:00 p.m.  
August 11 Economic Development Commission – 6:00 p.m.  
August 17 Finance Committee – 3:00 p.m.  
August 17 Parks and Recreation Commission – 4:45 p.m.  
August 18 Safety Committee – 2:00 p.m.  
August 19 Senior Advisory Committee – 9:00 a.m.  
August 23 Work Session, EDA, City Council – 6:00 p.m.  
August 26-29 Stiftungsfest

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#### **WORK SESSION**

1. Call Meeting of City Council Work Session to Order
2. Approve Agenda
3. Review Orderly Annexation Agreement and Process
4. Discuss Sidewalk Maintenance and Removal Process
5. Adjournment



## Economic Development Authority Minutes

June 28, 2021 – 6:00 p.m.

Hybrid Meeting

<https://us02web.zoom.us/j/84259203471?pwd=QllnSTVlZW1scFo1bmVncGpaVWFYUT09>

Meeting ID: 842 5920 3471

Attendees: Carol Lagergren, Mike McPadden, Charlie Storms, Alan Krueger, and Craig Heher

Staff Present: Steve Helget, City Administrator, Tony Voigt, Public Service Director, Karen Hallquist, Economic Development and Marketing Coordinator, Angela Brumbaugh, City Clerk/Treasurer

Others:

### 1. Call Meeting of Economic Development Authority to Order

*Mayor Lagergren called the hybrid meeting to order at 6:02pm. All Council was in attendance.*

1.1 The Pledge of Allegiance was recited.

### 2. Approve Agenda

*Motion: CH/MM to approve the agenda as printed. Motion carried 5-0.*

2.1 Approve minutes of May 24, 2021 meeting

*Storms stated the minutes should read he made the motion to approve the agenda as Heher was absence.*

*Motion: CS/CH to approve the amended minutes from May 24, 2021. Motion carried 5-0.*

### 3. Adjournment

*Motion: CS/CH to adjourn. Motion carried 5-0. The meeting was declared adjourned at 6:04 p.m.*

Respectfully Submitted,

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Carol Lagergren, Mayor

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Angela K. Brumbaugh, Clerk-Treasurer



## CITY COUNCIL MINUTES

July 12, 2021 – 6:00 PM

City Council Chambers

310 Elm Street West

Norwood Young America MN 55368

ATTENDEES: Carol Lagergren, Craig Heher, Alan Krueger, Mike McPadden, Charlie Storms

STAFF: Steve Helget – City Administrator, Tony Voigt – Public Services Director

OTHERS: Jake Saulsbury – Bolten and Menk, Larry Panning – VFW and Legion

1. Call Meeting of City Council to Order

Meeting was called to order by Mayor Lagergren at 6:00 pm with all members present.

2. Approve Agenda

*Motion: MM/CH to approve the agenda as submitted. Vote 5-0. Motion passed 5-0.*

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

Larry Panning (Norwood Legion and Young America VFW) asked about an option to move the shed from the back of a property on Elm Street to city property. This shed contains equipment that can be loaned to citizens in need. The request will be on the next Council agenda. The Legion/VFW will be responsible for the cost of moving the shed.

Voigt shared information on finishing the pavement at Veterans Park. City will finish seeding around the pavement and striping the parking lot.

4. Consent Agenda

4.1 Approve minutes of June 28 and July 2, 2021 meeting

4.2 Approve payment of Claims

4.3 Approve Stiftungsfest Temporary Liquor License

4.4 Approve Knights of Columbus Gambling permit

*Motion: CS/MM to approve the Consent Agenda as submitted. Vote 5-0. Motion passed 5-0.*

5. Public Hearings

5.1 Ordinance No.339, An Ordinance Amending the Text of Chapter 8, Section 830 - Parks

Public Hearing was called to order by Mayor Lagergren at 6:07 pm. Voigt informed the Council that the Parks and Recreation Commission had received a request to exclude dogs from athletic fields and unanimously approved moving the information forward to the Council for review. No discussion from the public.

*Motion: MM/CH to close the public hearing. Motion passed 5-0.*

6. Old Business

7. New Business

7.1. Adopt Ordinance No. 339, An Ordinance Amending the Text of Chapter 8, Section 830 – Parks

Lagergren shared information from neighboring citizens throughout the county that addressed dogs on public athletic fields. She shared that the closest match is from Carver. Storms approved of the Carver ordinance, particularly as it included excluding dogs from playgrounds, as well. Lagergren shared that most communities do not address excluding dogs but typically have ordinance about cleaning up after their dogs and keeping the restrained. McPadden asked for a description of what qualifies as playground. Agreement that playground covers the area covered by chips around the equipment. Heher asked about enforcement of the changed ordinance. Helget shared that residents are told to take pictures and share the information with the deputy. Council members also recommended adding additional dog waste stations and signage on the fences around athletic fields. McPadden suggested adding additional information to the city newsletter. Helget will provide a summary of the Ordinance Amendment at the next Council meeting.

*Motion: CS/AK to amend Ordinance No. 339 to state: Dogs and cats are allowed in the parks of the city, except on athletic fields or in the children's playground equipment areas, but only if the dog or cat is properly restrained by leash or cage and the human being in control of the dog or cat complies with the provisions of this article requiring clean up of any feces left by the dog or cat. The leash and cage requirement may also be met by the owner physically holding the dog or cat. Motion passed 5-0.*

#### 7.2 Review Oak Lane Project Permanent Drainage and Utility Easements

Saulsbury shared information on the three easement agreements prepared after negotiations with Bolten and Menk. Saulsbury shared the Council must agree to the easements prior to moving the project forward. If the easements are not approved then an alternate method of providing utilities would be required. There is no better option at this time without significantly increasing the total cost of the project. Lagergren asked that in the future there be a city signature of these agreements.

Information on Easement #1, on the east side of the property, with Eric and Constance Johnson, was shared by Saulsbury. Lagergren asked about the agreement to replace a tree of comparable like, age height and character and would be maintained for 10 years. Saulsbury shared additional information that an arborist would need to document that the tree was damaged by the work of the engineers. Saulsbury shared that, based on their experience, the risk is small for damage to the trees and that the city and property owner would work with an arborist to determine an appropriate tree to plant to replace current trees. McPadden, Heher and Storms shared concerns about

Information on Easement #2, on the west side of the property, with Scott Timm and Linda Hoskins, was shared by Saulsbury. This easement agreement included a one-time payment of \$2,270. Saulsbury confirmed that payment or in-kind improvements is common.

Information on Easement #3, on the east side of the property, with Kevin and Nicole Murphy, was shared by Saulsbury. This easement agreement includes no additional compensation from the city.

*Motion: CH/CS to approve the Oak Lane easement agreements along with a signatory page from the city for Erik and Constance Johnson, Scott Tim and Linda Hoskins and Kevin and Nicole Murphy and have agreements filed and recorded by Bolten and Menk. Motion passed 5-0.*

#### 7.3 Approve Resolution 2021-16, Transfer General Fund to Oak Lane and 2<sup>nd</sup> Avenue SE Project Funds

Brumbaugh shared the need to transfer funds from several accounts to cover the road construction projects scheduled for this summer.

*Motion: CH/CS to approve Resolution 2021-16, Resolution approving interfund transfers from the General Fund, 2013 Infrastructure Fund, and Street Improvement Project Fund to the Oak Lane and 2<sup>nd</sup> Avenue SE Project Fund. Motion passed 5-0.*

#### 7.4 Approve awarding quote for City Administrator Search Firm

Lagergren and Brumbaugh shared information on the three firms that submitted a completed quote: Baker Tilly, Gov HR and DDA. Lagergren shared information on the process presented, to include conversations with Council Members and city staff to create a profile. Brumbaugh shared that advertisements will be seen on the League of Minnesota Cities and their personal website. Lagergren shared that recruitment may also occur.

*Motion: CH/MM to hire DDA at a cost of \$21,000 to act as consultants in the City Administrator search. Motion passed 5-0.*

#### 7.5 Approve scheduling a Special City Council Meeting

Helget shared a recommendation to review the preliminary draft of the 2022 Budget (and include the five year Capital Expenditure Plan) prior to his last day on July 31<sup>st</sup>. Lagergren shared the potential of an interim administrator being available to support the budgeting approval process.

*Motion: CH/CS to schedule a Special Council Meeting for July 21, 2021 at 6:00 PM for the purpose of reviewing and discussing the 2022 Preliminary Budget. Motion passed 5-0.*

8. Council Member & Mayor and Staff Reports

MM: No meetings.

CH: Planning Commission will bring to the council recommendations on the following items: code language for adult stores in the Downtown District; updated definitions on hotel/motel; variance request for a Dynamic Sign by All Saints Church. There was additional discussion on guidelines for sports courts within the city.

CS: No meetings.

AK: Krueger shared information on a meeting he attended on Army Chaplains. He also talked about adding rugby to the Stiftungsfest events list.

CL: Highway 212 final funding for Phase 2 has been approved. Personnel Committee is continuing to work through job descriptions. The city newsletter will be coming out next week. Met with Tim Schochenmaier about the underpass mural project, adding garden plots to the community garden and youtube videos on facility enhancements planned for the future. Reviewed the filming in town by Orangeball Creative which will become a 3-5 minute video and a 30 second commercial video. Shared upcoming events.

9. Adjournment

*Motion: CH/MM to adjourn at 6:54pm. Motion passed 5-0.*

Respectfully Submitted,

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Angela Brumbaugh, City Clerk/Treasurer



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9. Adjournment

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Respectfully Submitted,

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Angela Brumbaugh, City Clerk/Treasurer



**more than a place, it's home.**

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

**To Be Approved: July 26, 2021**

**Payroll EFT**

Check #	506702 -	506735 Fire Department	\$	17,374.79
Check #	506736 -	506765 Reg Payroll	\$	25,592.81

**Voided Checks**

Check #		\$	-
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**Prepays**

Check #	-
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**Claims Pending Payment**

Check #	32085 -	32133	\$	196,754.79
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**Wire Transfer**

**Cardmember e-check**

Grand Total	\$	<u>239,722.39</u>
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## CITY OF NORWOOD YOUNG AMERICA

07/23/21 10:51 AM

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**\*Check Detail Register©**

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
<b>10100 CHECKING</b>					
<b>32085</b>	<b>07/26/21</b>	<b>212 EQUIPMENT</b>			
E 101-41940-223		Repair/Maintenance Bldg/	\$188.00	2340	RENT PRESSURE WASHER
		Total	\$188.00		
<b>32086</b>	<b>07/26/21</b>	<b>AMERICAN RED CROSS</b>			
E 101-49860-207		Training Instructional	\$117.00	22359643	WSI
		Total	\$117.00		
<b>32087</b>	<b>07/26/21</b>	<b>ARNOLDS OF GLENCOE, INC.</b>			
E 101-45200-221		Repair/Maintenance Equip	\$93.04	P26474	OIL FILTER, EX FILTER
		Total	\$93.04		
<b>32088</b>	<b>07/26/21</b>	<b>CARDMEMBER SERVICE</b>			
E 101-42200-207		Training Instructional	\$300.00		FIRE CHIEF CONFERENCE
E 101-42200-417		Uniform	\$149.49		TROUSERS
E 101-49860-251		Concessions	\$35.45		CHEESE CUPS
E 101-49860-200		Office Supplies	\$188.98		HAT, CLEANER, BADGE HOLDER, CLIPBOARDS
E 101-41320-350		Print/Publishing/Postage	\$7.00		NUISANCE POSTAGE
E 101-41320-350		Print/Publishing/Postage	\$451.20		NEWSLETTER MAILING
E 101-49860-251		Concessions	\$127.92		ICE CREAM
E 101-49860-251		Concessions	\$234.60		AIRHEADS, POWERADE, ZEBRA CAKES
E 101-49860-251		Concessions	\$58.52		CHIPS AHOY, POPCORN, WATER, POPSICLE
E 101-49860-251		Concessions	\$97.89		
E 101-41320-350		Print/Publishing/Postage	\$7.00		NUISANCE POSTAGE
E 101-49860-251		Concessions	\$49.70		POPSICLE, FREEZER BARS
E 101-49860-251		Concessions	\$85.44		POPSICLE, AIR HEADS
E 101-49860-251		Concessions	\$60.42		
E 101-49860-251		Concessions	\$72.03		CHIPS, POP, TWINKIES
E 101-49860-251		Concessions	\$41.15		ICE CREAM
E 101-49860-251		Concessions	\$79.99		PRETZELS
E 101-41110-350		Print/Publishing/Postage	\$42.00		COUNCIL EMAILS
E 101-41940-223		Repair/Maintenance Bldg/	\$17.90		NEW CAUTION SIGNS FOR CITY HALL
E 601-49400-221		Repair/Maintenance Equip	\$100.15		POSTAGE
E 101-41940-223		Repair/Maintenance Bldg/	\$55.98		SANITARY NAPKIN BAGS
E 101-49860-221		Repair/Maintenance Equip	\$352.27		CAST IRON PUMP
E 101-49860-223		Repair/Maintenance Bldg/	\$69.99		INLET & OUTLET FLANGE
E 101-43100-223		Repair/Maintenance Bldg/	\$35.42		GARDEN LEAD-IN HOSE
E 101-43100-212		Motor Fuels	\$26.58		
E 101-45200-212		Motor Fuels	\$13.29		
E 601-49400-212		Motor Fuels	\$13.29		
E 602-49450-212		Motor Fuels	\$13.29		
E 101-45200-223		Repair/Maintenance Bldg/	\$28.07		PARK FAUCET
E 601-49400-223		Repair/Maintenance Bldg/	\$59.55		WTP/WWTP ELECTRICAL
E 602-49450-223		Repair/Maintenance Bldg/	\$59.56		TESTING EQUIPMENT
E 101-49860-210		Operating Supplies	\$30.88		DPD POWDER FOR POOL
E 101-49860-223		Repair/Maintenance Bldg/	\$802.17		LIFEGUARD TOWER PLATFORM
E 101-43100-221		Repair/Maintenance Equip	\$53.98		TAIL LIGHTS FOR TRAILER
E 101-43100-221		Repair/Maintenance Equip	\$21.99		PIGTAIL HOSE

## CITY OF NORWOOD YOUNG AMERICA

07/23/21 10:51 AM

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**\*Check Detail Register©**

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 101-49860-251		Concessions		\$107.27	cheese sauce
		Total		\$3,950.41	
<b>32089</b>	07/26/21	<b>CARVER COUNTY RECORDER</b>			
E 496-43100-350		Print/Publishing/Postage		\$46.00	RECORD TIMM EASEMENT
E 496-43100-350		Print/Publishing/Postage		\$46.00	RECORD MURPHY EASEMENT
E 496-43100-350		Print/Publishing/Postage		\$46.00	RECORD JOHNSON EASEMENT
		Total		\$138.00	
<b>32090</b>	07/26/21	<b>CARVERLINK - CARVER CO BROADBA</b>			
E 101-41940-321		Telephone		\$150.86	JULY BILL
E 601-49400-321		Telephone		\$84.34	JULY BILL
E 602-49450-321		Telephone		\$44.34	JULY BILL
E 101-42200-321		Telephone		\$84.34	JULY BILL
E 101-43100-321		Telephone		\$87.04	JULY BILL
E 101-45200-321		Telephone		\$37.30	JULY BILL
E 101-49860-321		Telephone		\$22.17	JULY BILL
E 101-41940-321		Telephone		\$106.51	JULY BILL
E 101-41300-321		Telephone		\$66.47	JULY BILL
E 101-41320-321		Telephone		\$66.47	JULY BILL
E 101-41400-321		Telephone		\$66.47	JULY BILL
E 101-46500-321		Telephone		\$22.16	JULY BILL
E 101-42100-321		Telephone		\$110.79	JULY BILL
E 101-45500-321		Telephone		\$110.79	JULY BILL
E 101-41940-321		Telephone		\$150.86	MAY BILL
E 601-49400-321		Telephone		\$84.34	MAY BILL
E 602-49450-321		Telephone		\$44.34	MAY BILL
E 101-42200-321		Telephone		\$89.65	MAY BILL
E 101-43100-321		Telephone		\$87.04	MAY BILL
E 101-45200-321		Telephone		\$37.30	MAY BILL
E 101-49860-321		Telephone		\$22.17	MAY BILL
E 101-41940-321		Telephone		\$106.51	MAY BILL
E 101-41300-321		Telephone		\$65.97	MAY BILL
E 101-41320-321		Telephone		\$65.97	MAY BILL
E 101-41400-321		Telephone		\$65.97	MAY BILL
E 101-46500-321		Telephone		\$21.99	MAY BILL
E 101-42100-321		Telephone		\$109.95	MAY BILL
E 101-45500-321		Telephone		\$109.95	MAY BILL
		Total		\$2,122.06	
<b>32091</b>	07/26/21	<b>CENTERPOINT ENERGY</b>			
E 601-49400-383		Gas Utilities		\$4.21	
E 602-49450-383		Gas Utilities		\$23.48	
		Total		\$27.69	
<b>32092</b>	07/26/21	<b>CITIZEN STATE BANK HSA ACCTS</b>			
G 101-21718		HSA ACCOUNT		\$1,363.99	
		Total		\$1,363.99	
<b>32093</b>	07/26/21	<b>DAVID BLEICHNER</b>			

## CITY OF NORWOOD YOUNG AMERICA

07/23/21 10:51 AM

Page 3

**\*Check Detail Register©**

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 101-49015-314		Contracts Payments	\$600.00	151304	JUNE LAWN CARE
		Total	\$600.00		
<b>32094</b>	07/26/21	<b>DAVIS EQUIPMENT CORPORATION</b>			
E 101-45200-221		Repair/Maintenance Equip	\$38.48	J161118	JACOBSEN MOWER BLADES
		Total	\$38.48		
<b>32095</b>	07/26/21	<b>DELTA DENTAL</b>			
G 101-21714		Dental Insurance	\$820.31	CNS744887	DENTAL INSURANCE
		Total	\$820.31		
<b>32096</b>	07/26/21	<b>EMERGENCY APPARATUS MAINTENANC</b>			
E 101-42200-221		Repair/Maintenance Equip	\$374.67	118756	ENGINE 11
E 101-42200-221		Repair/Maintenance Equip	\$1,204.33	118757	E-21 REPAIRS
		Total	\$1,579.00		
<b>32097</b>	07/26/21	<b>GOPHER STATE SEALCOAT, INC.</b>			
E 101-43100-425		Street Maint seal coat	\$43,755.00	18861	CRACK SEAL STREETS & TRAILS
E 101-45200-223		Repair/Maintenance Bldg/	\$3,000.00	18861	CRACK SEAL STREETS & TRAILS
E 101-45200-223		Repair/Maintenance Bldg/	\$4,022.00	18864	FOG SEALCOAT ON TRAILS
		Total	\$50,777.00		
<b>32098</b>	07/26/21	<b>HAWKINS INC</b>			
E 602-49450-216		Chemicals and Chem Pro	\$730.35	4922291	CHLORINE
E 601-49400-216		Chemicals and Chem Pro	\$695.46	4923245	
E 101-49860-216		Chemicals and Chem Pro	\$516.40	4939730	
E 602-49450-216		Chemicals and Chem Pro	\$486.90	4966904	
E 601-49400-216		Chemicals and Chem Pro	\$91.95	4966924	
E 101-49860-216		Chemicals and Chem Pro	\$1,112.80	4967976	
		Total	\$3,633.86		
<b>32099</b>	07/26/21	<b>HINTZE, CRYSTAL</b>			
E 101-45200-432		Refund	\$300.00		DAMAGE DEPOSIT FOR PAVILION
		Total	\$300.00		
<b>32100</b>	07/26/21	<b>HOLIDAY COMPANIES</b>			
E 101-43100-212		Motor Fuels	\$49.35		
E 101-45200-212		Motor Fuels	\$24.68		
E 601-49400-212		Motor Fuels	\$147.99		
E 602-49450-212		Motor Fuels	\$144.30		
		Total	\$366.32		
<b>32101</b>	07/26/21	<b>HUELIFE LLC</b>			
E 101-41500-310		Other Professional Servic	\$6,000.00	2241	STRATEGIC PLANNING SERVICES
		Total	\$6,000.00		
<b>32102</b>	07/26/21	<b>KAHUNA WINDOW CLEANING</b>			
E 101-41940-223		Repair/Maintenance Bldg/	\$585.20	10561	CITY HALL WINDOW CLEANING
		Total	\$585.20		
<b>32103</b>	07/26/21	<b>LEAGUE OF MN CITIES INS TRUST</b>			

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**\*Check Detail Register©**

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 101-41400-151		Workers Comp: Insurance	\$180.04		Addtl workers comp 2020 Audit
E 101-41940-151		Workers Comp: Insurance	\$406.72		Addtl workers comp 2020 Audit
E 101-42200-151		Workers Comp: Insurance	\$342.51		Addtl workers comp 2020 Audit
E 101-43100-151		Workers Comp: Insurance	\$1,820.78		Addtl workers comp 2020 Audit
E 101-45200-151		Workers Comp: Insurance	\$280.22		Addtl workers comp 2020 Audit
E 101-49860-151		Workers Comp: Insurance	\$9.02		Addtl workers comp 2020 Audit
E 601-49400-151		Workers Comp: Insurance	\$1,066.98		Addtl workers comp 2020 Audit
E 602-49450-151		Workers Comp: Insurance	\$115.73		Addtl workers comp 2020 Audit
		Total	\$4,222.00		
<b>32104</b>	07/26/21	<b>MARCO TECHNOLOGIES LLC</b>			
E 101-41400-437		Maintenance Contract	\$154.00	INV8935477	CONTRACT BASE
		Total	\$154.00		
<b>32105</b>	07/26/21	<b>MID-COUNTY CO-OP OIL ASSN</b>			
E 101-45200-223		Repair/Maintenance Bldg/	\$324.70	61757	CORNERSTONE
		Total	\$324.70		
<b>32106</b>	07/26/21	<b>MINI BIFF</b>			
E 101-45200-418		Other Rentals (Biffs)	\$122.40	A-124298	LEGION PARK
		Total	\$122.40		
<b>32107</b>	07/26/21	<b>MINNESOTA VALLEY TESTING LAB</b>			
E 602-49450-217		Lab Fees	\$97.00	1096926	COLIFORM
E 602-49450-217		Lab Fees	\$37.10	1097673	PHOSPHORUS
		Total	\$134.10		
<b>32108</b>	07/26/21	<b>MN DEPT OF LABOR &amp; INDUSTRY</b>			
G 101-21721		State Bldg Surcharge Fee	\$387.09		2ND QTR SURCHARGE
		Total	\$387.09		
<b>32109</b>	07/26/21	<b>MN PUBLIC FACILITIES AUTHORITY</b>			
E 601-49400-301		Auditing and Acct g Serv	\$60,000.00		GO BOND
E 601-49400-611		Bond Interest	\$17,645.37		GO BOND
		Total	\$77,645.37		
<b>32110</b>	07/26/21	<b>STAR Group, LLC</b>			
E 602-49450-221		Repair/Maintenance Equip	\$371.22	308526	SUPER HC IND VBELT
E 602-49450-223		Repair/Maintenance Bldg/	\$5.73	308781	ADAPTER & CHUCK
		Total	\$376.95		
<b>32111</b>	07/26/21	<b>NORTH AMERICAN SAFETY INC</b>			
E 101-42200-542		FD Equipment	\$474.95	INV58451	SLOW PADDLE
		Total	\$474.95		
<b>32112</b>	07/26/21	<b>NORTHWOODS BANK</b>			
G 101-21718		HSA ACCOUNT	\$166.67		
		Total	\$166.67		
<b>32113</b>	07/26/21	<b>NORWOOD YOUNG AMERICA TIMES</b>			
E 101-41320-350		Print/Publishing/Postage	\$37.80	843774	REZONE RAILROAD ST

## CITY OF NORWOOD YOUNG AMERICA

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**\*Check Detail Register©**

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 101-41320-350		Print/Publishing/Postage	\$41.58	843775	ORD 337
E 101-41320-350		Print/Publishing/Postage	\$34.02	843776	2040 COMP PLAN
		Total	\$113.40		
32114	07/26/21	OLD NATIONAL BANK			
G 101-21718		HSA ACCOUNT	\$175.67		
		Total	\$175.67		
32115	07/26/21	OPTUM BANK			
G 101-21718		HSA ACCOUNT	\$465.34		
		Total	\$465.34		
32116	07/26/21	ORANGEBALL INC			
E 101-46500-310		Other Professional Servic	\$4,633.00	NYA004-2	MARKETING VIDEO
		Total	\$4,633.00		
32117	07/26/21	PERA			
E 101-42200-444		Fire Relief	\$2,151.00		FIRE DEPT
		Total	\$2,151.00		
32118	07/26/21	PERFORMANCE PLUS LLC			
E 101-42200-208		Medical-Physicals	\$3,892.00	122202	MEDICAL
		Total	\$3,892.00		
32119	07/26/21	PERMANENT COATING SOLUTIONS			
E 101-42200-542		FD Equipment	\$900.00		COAT FIRE RIG BOX
		Total	\$900.00		
32120	07/26/21	PRO AUTO & TRANSMISSION REPAIR			
E 101-43100-221		Repair/Maintenance Equip	\$188.07	101040	HOTMIX TRAILER
		Total	\$188.07		
32121	07/26/21	QUILL CORPORATION			
E 101-42200-200		Office Supplies	\$137.98	18139691	PAPER, PAPER CLIPS, FILE FOLDERS, TONER
E 101-41400-200		Office Supplies	\$251.91	18139691	PAPER, PAPER CLIPS, FILE FOLDERS, TONER
		Total	\$389.89		
32122	07/26/21	SCHLENK, MATT			
E 101-42200-350		Print/Publishing/Postage	\$15.50		SHIPPING FIRE DEPT PAGER
		Total	\$15.50		
32123	07/26/21	SECURITY BANK & TRUST			
G 101-21718		HSA ACCOUNT	\$635.00		
		Total	\$635.00		
32124	07/26/21	SOUTH POINT FINANCIAL			
G 101-21718		HSA ACCOUNT	\$333.33		
		Total	\$333.33		
32125	07/26/21	SPRENGELER, MARVIN			
R 601-49400-36200		Miscellaneous Revenues	\$28.85		OVERPAYMENT OF FINAL WATER BILL

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**\*Check Detail Register©**

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
Total			\$28.85		
32126	07/26/21	TIMM, SCOTT			
E 496-43100-510		Land	\$2,270.00		EASEMENT PAYMENT
Total			\$2,270.00		
32127	07/26/21	TOP NOTCH TURF			
E 101-41940-223		Repair/Maintenance Bldg/	\$410.00		NORDEN017 JULY MOWING
E 101-41940-223		Repair/Maintenance Bldg/	\$410.00		NORDEN062 JUNE MOWING
Total			\$820.00		
32128	07/26/21	UFC			
E 101-45200-212		Motor Fuels	\$89.10	30015	LP GAS
Total			\$89.10		
32129	07/26/21	UNUM LIFE INSURANCE CO			
G 101-21715		Life Ins	\$157.15		life insurance - August
Total			\$157.15		
32130	07/26/21	US POSTAL SERVICE			
E 601-49400-350		Print/Publishing/Postage	\$144.54		AUGUST BILL POSTAGE
E 602-49450-350		Print/Publishing/Postage	\$144.55		AUGUST BILL POSTAGE
E 603-49500-350		Print/Publishing/Postage	\$144.55		AUGUST BILL POSTAGE
Total			\$433.64		
32131	07/26/21	WIGFIELD DESIGN			
E 101-41940-223		Repair/Maintenance Bldg/	\$60.00	1481	PRIVATE GARDEN SIGNS
E 101-46500-430		Miscellaneous	\$305.00	1482	TABLE THROW
Total			\$365.00		
32132	07/26/21	WM MUELLER & SONS INC			
E 101-43100-224		Street Maint Materials	\$251.28	267643	3/8" FINE
E 101-43100-224		Street Maint Materials	\$512.00	267697	1/2" WEAR
Total			\$763.28		
32133	07/26/21	XCEL ENERGY			
E 101-41940-381		Electric Utilities	\$2,214.67		
E 101-42200-381		Electric Utilities	\$1,179.07		
E 101-42500-381		Electric Utilities	\$12.55		
E 101-43100-380		Street Lighting	\$5,566.10		
E 101-43100-381		Electric Utilities	\$549.27		
E 101-45200-381		Electric Utilities	\$1,345.69		
E 101-45500-381		Electric Utilities	\$1,041.52		
E 601-49400-381		Electric Utilities	\$4,462.04		
E 602-49450-381		Electric Utilities	\$4,295.14		
E 101-49860-381		Electric Utilities	\$560.93		
Total			\$21,226.98		
10100 CHECKING			\$196,754.79		



## CITY OF NORWOOD YOUNG AMERICA

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**\*Check Detail Register©**

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
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**Fund Summary****10100 CHECKING**

101 GENERAL FUND	\$102,960.15
496 OAK LANE IMPR PROJECT	\$2,408.00
601 WATER FUND	\$84,629.06
602 SEWER FUND	\$6,613.03
603 STORM WATER UTILITY	\$144.55
	<u>\$196,754.79</u>



TO: Honorable Mayor Lagergren and City Council Members  
FROM: Steven Helget, City Administrator  
DATE: July 26, 2021  
SUBJECT: Parks & Recreation Commission Appointment

---

Proposed is to appoint Kelly Vossen as the new representative of School District 108 on the Parks & Recreation Commission. This is an ad hoc (non-voting) position.

**Recommended Motion:**

**Motion to appoint Kelly Vossen to the Parks and Recreation Commission.**



TO: Mayor Lagergren and City Council

FROM: Karen Hallquist, Economic Development Marketing Director

DATE: July 26, 2021

SUBJECT: Street closure request for Tuesday, August 3, 2021

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City of NYA resident Carolyn Durbin is requesting permission to close 528 Devonshire Drive to 2<sup>nd</sup> Ave on Tuesday, August 3, 2021 from 6:00pm to 9:00pm for a National Night Out neighborhood gathering.

*Norwood Young America*

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



TO: Mayor Lagergren and City Council Members

FROM: Steven Helget, City Administrator

DATE: July 26, 2021

SUBJECT: Resolution No. 2021-17, \$1,665,000 General Obligation Bonds, Series 2021A

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Nick Anhut, Ehlers, will be present to review Resolution No. 2021-17, \$1,665,000 General Obligation Bonds, Series 2021A. Enclosed is Resolution No. 2021-17.

On behalf of the City, Ehlers is scheduled to receive the interest rate bids for the bonds on Monday, July 26. They will verify the bids, and then create a proposed bond sizing and debt service payment structure based on the winning (low) bid. Ehlers will coordinate that information with the City's bond attorneys at Kennedy and Graven who will turn prepare a final draft of the bond resolution. Both a revised Resolution No. 2021-17 and a new sale day report will be distributed at the Council meeting.

**Recommended Motion:**

**Motion to approve the revised Resolution No. 2021-17, A Resolution Awarding the Sale of General Obligation Bonds, Series 2021A, in the Original Aggregate Principal Amount of \$1,665,000 Fixing Their Form and Specifications; Directing Their Execution and Delivery; and Providing for Their Payment.**

*Norwood Young America*

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Extract of Minutes of Meeting  
of the City Council of the City of  
Norwood Young America, Carver County, Minnesota

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Norwood Young America, Minnesota, was duly held in City Hall of said City on Monday, July 26, 2021, commencing at 6:00 p.m.

The following members were present:

and the following were absent:

\* \* \*

\* \* \*

\* \* \*

The Mayor announced that the next order of business was consideration of the proposals which had been received for the purchase of the City's General Obligation Bonds, Series 2021A, to be issued in the original aggregate principal amount of \$1,665,000.

The City Clerk/Treasurer presented a tabulation of the proposals which had been received in the manner specified in the Terms of Proposal for the Bonds. The proposals were as set forth in EXHIBIT A attached.

After due consideration of the proposals, Member \_\_\_\_\_ then introduced the following resolution and moved its adoption:

**RESOLUTION NO. 2021-17**

**A RESOLUTION AWARDED THE SALE OF GENERAL  
OBLIGATION BONDS, SERIES 2021A, IN THE ORIGINAL  
AGGREGATE PRINCIPAL AMOUNT OF \$1,665,000; FIXING  
THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR  
EXECUTION AND DELIVERY; AND PROVIDING FOR THEIR  
PAYMENT**

BE IT RESOLVED By the City Council of the City of Norwood Young America, Carver County, Minnesota (the "City") as follows:

Section 1.     Sale of Bonds.

1.01.   Improvement Bonds.

(a)     Certain assessable public improvements within the City, including street improvements and reconstruction (collectively, the "Assessable Improvements") associated with the projects designated as the 2<sup>nd</sup> Avenue SE Lift Station and Street Reconstruction Project and the Oak Lane Improvements Project, have been made, duly ordered or contracts let for the construction thereof pursuant to the provisions of Minnesota Statutes, Chapters 429 and 475, as amended (collectively, the "Improvement Act").

(b)     It is necessary and expedient to the sound financial management of the affairs of the City to issue general obligation bonds in the aggregate principal amount of \$1,000,000 (the "Improvement Bonds"), pursuant to the Improvement Act, to provide financing for the Assessable Improvements.

1.02.   Utility Revenue Bonds.

(a)     The City engineer has recommended the construction of various improvements to the City's sanitary sewer system (the "Utility Improvements") pursuant to Minnesota Statutes, Chapters 444 and 475, as amended (the "Utility Revenue Act"), and Section 115.46, as amended (the "Sanitary Sewer Act").

(b)     It is necessary and expedient to the sound financial management of the affairs of the City to issue general obligation bonds in the aggregate principal amount of \$665,000 (the "Utility Revenue Bonds"), pursuant to the Utility Revenue Act, to provide financing for the Utility Improvements.

1.03.   Issuance of General Obligation Bonds.

(a)     The City Council finds it necessary and expedient to the sound financial management of the affairs of the City to issue its General Obligation Bonds, Series 2021A (the "Bonds"), in the original aggregate principal amount of \$1,665,000, pursuant to the Improvement Act, the Utility Revenue Act, and the Sanitary Sewer Act (collectively, the "Act"), to provide financing for the construction of the Assessable Improvements and the Utility Improvements.

(b)     The City is authorized by Section 475.60, subdivision 2(9) of the Act to negotiate the sale of the Bonds, it being determined that the City has retained an independent municipal

advisor in connection with such sale. The actions of the City staff and municipal advisor in negotiating the sale of the Bonds are ratified and confirmed in all aspects.

1.04. Award to the Purchaser and Interest Rates. The proposal of \_\_\_\_\_ (the "Purchaser") to purchase the Bonds is hereby found and determined to be a reasonable offer and is hereby accepted, the proposal being to purchase the Bonds at a price of \$\_\_\_\_\_ (par amount of \$1,665,000, [plus original issue premium of \$\_\_\_\_\_,] [less original issue discount of \$\_\_\_\_\_,] less underwriter's discount of \$\_\_\_\_\_), plus accrued interest, if any, to the date of delivery for Bonds bearing interest as follows:

<u>Year of Maturity</u>	<u>Interest Rate</u>	<u>Year of Maturity</u>	<u>Interest Rate</u>
2023	%	2028	%
2024		2029	
2025		2030	
2026		2031	
2027		2032	

True interest cost: \_\_\_\_\_%

1.05. Purchase Contract. The amount proposed by the Purchaser in excess of the minimum bid shall be credited to the accounts in the Debt Service Fund hereinafter created or deposited in the accounts of the Construction Fund hereinafter created, as determined by the City Clerk/Treasurer in consultation with the City's municipal advisor. The good faith deposit of the Purchaser shall be retained and deposited until the Bonds have been delivered and shall be deducted from the purchase price paid at settlement. The Mayor and City Clerk/Treasurer are directed to execute a contract with the Purchaser on behalf of the City.

1.06. Terms and Principal Amounts of the Bonds. The City will forthwith issue and sell the Bonds pursuant to the Act, in the original aggregate principal amount of \$1,665,000, originally dated the date of delivery, in the denomination of \$5,000 each or any integral multiple thereof, being in fully registered form, numbered No. R-1, upward, bearing interest as above set forth, and maturing serially on February 1 in the years and amounts as follows:

<u>Year of Maturity</u>	<u>Amount</u>	<u>Year of Maturity</u>	<u>Amount</u>
2023	\$	2028	\$
2024		2029	
2025		2030	
2026		2031	
2027		2032	

(a) \$1,000,000, constituting the Improvement Bonds, maturing on February 1 in the years and in the amounts set forth below, are being used to finance the construction of the Assessable Improvements:

<u>Year of Maturity</u>	<u>Amount</u>	<u>Year of Maturity</u>	<u>Amount</u>
2023	\$	2028	\$
2024		2029	
2025		2030	

2026  
2027

2031  
2032

(b) The remainder of the Bonds in the principal amount of \$665,000, constituting the Utility Revenue Bonds, maturing on February 1 the years and in the amounts set forth below, are being used to finance the construction of the Utility Improvements.

<u>Year of Maturity</u>	<u>Amount</u>	<u>Year of Maturity</u>	<u>Amount</u>
2023	\$	2028	\$
2024		2029	
2025		2030	
2026		2031	
2027		2032	

1.07. Optional Redemption. The City may elect on February 1, 2029, and on any day thereafter to prepay Bonds due on or after February 1, 2030. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all Bonds of a maturity are called for redemption, the City will notify DTC (as defined in Section 7 hereof) of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

**[TO BE COMPLETED IF TERM BONDS ARE REQUESTED]** 1.08. Mandatory Redemption: Term Bonds. The Bonds maturing on February 1, 20\_\_\_\_ and February 1, 20\_\_\_\_ shall hereinafter be referred to collectively as the "Term Bonds." The principal amount of the Term Bonds subject to mandatory sinking fund redemption on any date may be reduced through earlier optional redemptions, with any partial redemptions of the Term Bonds credited against future mandatory sinking fund redemptions of such Term Bond in such order as the City shall determine. The Term Bonds are subject to mandatory sinking fund redemption and shall be redeemed in part at par plus accrued interest on February 1 of the following years and in the principal amounts as follows:]

Sinking Fund Installment Date

February 1, 20\_\_\_\_ Term Bond

Principal Amount

\_\_\_\_\_  
\* *Maturity*

February 1, 20\_\_\_\_ Term Bond

Principal Amount

\_\_\_\_\_  
\* *Maturity*

Section 2. Registration and Payment.

2.01. Registered Form. The Bonds will be issued only in fully registered form. The interest thereon and, upon surrender of each Bond, the principal amount thereof, is payable by check or draft issued by the Registrar described herein.



2.02. Dates; Interest Payment Dates. Each Bond will be dated as of the last interest payment date preceding the date of authentication to which interest on the Bond has been paid or made available for payment, unless (i) the date of authentication is an interest payment date to which interest has been paid or made available for payment, in which case the Bond will be dated as of the date of authentication, or (ii) the date of authentication is prior to the first interest payment date, in which case the Bond will be dated as of the date of original issue. The interest on the Bonds is payable on February 1 and August 1 of each year, commencing August 1, 2022, to the registered owners of record thereof as of the close of business on the fifteenth day of the immediately preceding month, whether or not such day is a business day.

2.03. Registration. The City will appoint a bond registrar, transfer agent, authenticating agent and paying agent (the "Registrar"). The effect of registration and the rights and duties of the City and the Registrar with respect thereto are as follows:

(a) Register. The Registrar must keep at its principal corporate trust office a bond register in which the Registrar provides for the registration of ownership of Bonds and the registration of transfers and exchanges of Bonds entitled to be registered, transferred or exchanged.

(b) Transfer of Bonds. Upon surrender for transfer of a Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar will authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the fifteenth day of the month preceding each interest payment date and until that interest payment date.

(c) Exchange of Bonds. When Bonds are surrendered by the registered owner for exchange the Registrar will authenticate and deliver one or more new Bonds of a like aggregate principal amount and maturity as requested by the registered owner or the owner's attorney in writing.

(d) Cancellation. Bonds surrendered upon transfer or exchange will be promptly cancelled by the Registrar and thereafter disposed of as directed by the City.

(e) Improper or Unauthorized Transfer. When a Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the Bond until the Registrar is satisfied that the endorsement on the Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar will incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The City and the Registrar may treat the person in whose name a Bond is registered in the bond register as the absolute owner of the Bond, whether the Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on the Bond and for all other purposes, and payments so made to a registered owner or upon the owner's order will be valid and effectual to satisfy and discharge the liability upon the Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. The Registrar may impose a charge upon the owner thereof for a transfer or exchange of Bonds sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to the transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Bonds. If a Bond becomes mutilated or is destroyed, stolen or lost, the Registrar will deliver a new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of the mutilated Bond or in lieu of and in substitution for any Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that the Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar an appropriate bond or indemnity in form, substance and amount satisfactory to it and as provided by law, in which both the City and the Registrar must be named as obligees. Bonds so surrendered to the Registrar will be cancelled by the Registrar and evidence of such cancellation must be given to the City. If the mutilated, destroyed, stolen or lost Bond has already matured or been called for redemption in accordance with its terms it is not necessary to issue a new Bond prior to payment.

(i) Redemption. In the event any of the Bonds are called for redemption, notice thereof identifying the Bonds to be redeemed will be given by the Registrar by mailing a copy of the redemption notice by first class mail (postage prepaid) to the registered owner of each Bond to be redeemed at the address shown on the registration books kept by the Registrar and by publishing the notice if required by law. Failure to give notice by publication or by mail to any registered owner, or any defect therein, will not affect the validity of the proceedings for the redemption of Bonds. Bonds so called for redemption will cease to bear interest after the specified redemption date, provided that the funds for the redemption are on deposit with the place of payment at that time.

2.04. Appointment of Initial Registrar. The City appoints Bond Trust Services Corporation, Roseville, Minnesota, as the initial Registrar. The Mayor and the City Clerk/Treasurer are authorized to execute and deliver, on behalf of the City, a contract with the Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, the resulting corporation is authorized to act as successor Registrar. The City agrees to pay the reasonable and customary charges of the Registrar for the services performed. The City reserves the right to remove the Registrar upon thirty (30) days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar must deliver all cash and Bonds in its possession to the successor Registrar and must deliver the bond register to the successor Registrar. On or before each principal or interest due date, without further order of the City Council, the City Clerk/Treasurer must transmit to the Registrar moneys sufficient for the payment of all principal and interest then due.

2.05. Execution, Authentication and Delivery. The Bonds will be prepared under the direction of the City Clerk/Treasurer and executed on behalf of the City by the signatures of the Mayor and the City Clerk/Treasurer, provided that those signatures may be printed, engraved or lithographed facsimiles of the originals. If an officer whose signature or a facsimile of whose signature appears on the Bonds ceases to be such officer before the delivery of a Bond, that signature or facsimile will nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until delivery. Notwithstanding such execution, a Bond will not be valid or obligatory for any purpose or entitled to any security or benefit under this resolution unless and until a certificate of authentication on the Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on a Bond is conclusive evidence that it has been authenticated and delivered under this resolution. When the Bonds have been so prepared, executed and authenticated, the City Clerk/Treasurer will deliver the same to the Purchaser upon payment of the purchase price in accordance with the contract of sale heretofore made and executed, and the Purchaser is not obligated to see to the application of the purchase price.

Section 3. Form of Bond.

3.01. Execution of the Bonds. The Bonds will be printed or typewritten in substantially the form set forth in EXHIBIT B.

3.02. Approving Legal Opinion. The City Clerk/Treasurer is authorized and directed to obtain a copy of the proposed approving legal opinion of Kennedy & Graven, Chartered, Minneapolis, Minnesota, and cause the opinion to be printed on or accompany each Bond.

Section 4. Payment; Security; Pledges and Covenants.

4.01. Debt Service Fund. The Bonds will be payable from the General Obligation Bonds, Series 2021A Debt Service Fund (the "Debt Service Fund") hereby created. The Debt Service Fund shall be administered and maintained by the City Clerk/Treasurer as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the City. The City will maintain the following accounts in the Debt Service Fund: the "Assessable Improvements Account" and the "Utility Improvements Account." Amounts in the Assessable Improvements Account are irrevocably pledged to the Improvement Bonds, and amounts in the Utility Improvements Account are irrevocably pledged to the Utility Revenue Bonds.

(a) Assessable Improvements Account. The City Clerk/Treasurer shall timely deposit in the Assessable Improvements Account of the Debt Service Fund the special assessments levied against property specially benefited by the Assessable Improvements (the "Assessments") and the ad valorem taxes hereinafter levied (the "Taxes"), which Assessments and Taxes are hereby pledged to the Assessable Improvements Account. There is also appropriated to the Assessable Improvements Account a pro rata portion of (i) capitalized interest financed from Bond proceeds, if any; and (ii) amounts over the minimum purchase price of the Bonds paid by the Purchaser, to the extent designated for deposit in the Debt Service Fund in accordance with Section 1.05 hereof. There also shall be deposited to the Assessable Improvements Account of the Debt Service Fund all investment earnings on amounts in the Assessable Improvements Account of the Debt Service Fund and any other funds appropriated for the payment of principal of or interest on the Improvement Bonds.

(b) Utility Improvements Account. The City will continue to maintain and operate its Sanitary Sewer Fund (collectively, the "Sanitary Sewer Fund") to which will be credited all gross revenues of the sanitary sewer system and out of which will be paid all normal and reasonable expenses of current operations of such system. Any balances therein are deemed net revenues (the "Net Revenues") and will be transferred, from time to time, to the Utility Improvements Account of the Debt Service Fund, which Utility Improvements Account will be used only to pay principal of and interest on the Utility Revenue Bonds and any other bonds similarly authorized. There will always be retained in the Utility Improvements Account a sufficient amount to pay principal of and interest on all the Utility Revenue Bonds, and the City Clerk/Treasurer must report any current or anticipated deficiency in the Utility Improvements Account to the City Council. There is also appropriated to the Utility Improvements Account a pro rata portion of (i) capitalized interest financed from Bond proceeds, if any; and (ii) amounts over the minimum purchase price of the Bonds paid by the Purchaser, to the extent designated for deposit in the Debt Service Fund in accordance with Section 1.05 hereof. There also shall be deposited to the Utility Improvements Account of the Debt Service Fund all investment earnings on amounts in the Utility Improvements Account of the Debt Service Fund and any other funds appropriated for the payment of principal of or interest on the Utility Revenue Bonds. Proceeds of any ad valorem taxes levied in the future to pay the principal of and

interest on the Utility Revenue Bonds pursuant to the Sanitary Sewer Act shall be credited to the Utility Improvements Account.

4.02. Construction Fund. The City hereby creates the General Obligation Bonds, Series 2021A Construction Fund (the "Construction Fund"). The City will maintain the following accounts in the Construction Fund: the "Assessable Improvements Account" and the "Utility Improvements Account." Amounts in the Assessable Improvements Account are irrevocably pledged to the Improvement Bonds, and amounts in the Utility Improvements Account are irrevocably pledged to the Utility Revenue Bonds.

(a) Assessable Improvements Account. Proceeds of the Improvement Bonds, less the appropriations made in Section 4.01(a) hereof, together with any other funds appropriated for the Assessable Improvements, Taxes, and Assessments collected during the construction of the Assessable Improvements, will be deposited in the Assessable Improvements Account of the Construction Fund to be used solely to defray expenses of the Assessable Improvements and the payment of principal of and interest on the Improvement Bonds prior to the completion and payment of all costs of the Assessable Improvements. Any balance remaining in the Assessable Improvements Account after completion of the Assessable Improvements may be used to pay the cost in whole or in part of any other improvement instituted under the Improvement Act, under the direction of the City Council. When the Assessable Improvements are completed and the cost thereof paid, the Assessable Improvements Account of the Construction Fund is to be closed and any subsequent collections of Assessments and Taxes for the Assessable Improvements are to be deposited in the Assessable Improvements Account of the Debt Service Fund.

(b) Utility Improvements Account. Proceeds of the Utility Revenue Bonds, less the appropriations made in Section 4.01(b) hereof, will be deposited in the Utility Improvements Account of the Construction Fund to be used solely to defray expenses of the Utility Improvements. When the Utility Improvements are completed and the cost thereof paid, the Utility Improvements Account of the Construction Fund is to be closed and any funds remaining may be deposited in the Utility Improvements Account of the Debt Service Fund.

4.03. City Covenants with Respect to the Improvement Bonds. It is hereby determined that the Assessable Improvements will directly and indirectly benefit abutting property, and the City hereby covenants with the holders from time to time of the Bonds as follows:

(a) The City will cause the Assessments for the Assessable Improvements to be promptly levied so that the first installment of the Assessable Improvements will be collectible not later than 2022 and will take all steps necessary to assure prompt collection, and the levy of the Assessments is hereby authorized. The City Council will cause to be taken with due diligence all further actions that are required for the construction of each Assessable Improvement financed wholly or partly from the proceeds of the Improvement Bonds, and will take all further actions necessary for the final and valid levy of the Assessments and the appropriation of any other funds needed to pay the Improvement Bonds and interest thereon when due.

(b) In the event of any current or anticipated deficiency in Assessments and Taxes, the City Council will levy additional ad valorem taxes in the amount of the current or anticipated deficiency.

(c) The City will keep complete and accurate books and records showing receipts and disbursements in connection with the Assessable Improvements, Assessments, and Taxes levied therefor and other funds appropriated for their payment, collections thereof and disbursements therefrom, monies on hand and, the balance of unpaid Assessments.

(d) The City will cause its books and records to be audited at least annually and will furnish copies of such audit reports to any interested person upon request.

(e) At least twenty percent (20%) of the cost to the City of the Assessable Improvements described herein will be specially assessed against benefited properties.

4.04. City Covenants with Respect to the Utility Revenue Bonds. The City Council covenants and agrees with the holders of the Bonds that so long as any of the Bonds remain outstanding and unpaid, it will keep and enforce the following covenants and agreements:

(a) The City will continue to maintain and efficiently operate the sanitary sewer system as a public utility and convenience free from competition of other like municipal utilities and will cause all revenues therefrom to be deposited in bank accounts and credited to the Sanitary Sewer Fund, as hereinabove provided, and will make no expenditures from those accounts except for a duly authorized purpose and in accordance with this resolution.

(b) The City will also maintain the Utility Improvements Account of the Debt Service Fund as a separate account and will cause money to be credited thereto from time to time, out of Net Revenues from the sanitary sewer system in sums sufficient to pay principal of and interest on the Utility Revenue Bonds when due.

(c) The City will keep and maintain proper and adequate books of records and accounts separate from all other records of the City in which will be complete and correct entries as to all transactions relating to the sanitary sewer system and which will be open to inspection and copying by any bondholder, or the bondholder's agent or attorney, at any reasonable time, and it will furnish certified transcripts therefrom upon request and upon payment of a reasonable fee therefor, and said account will be audited at least annually by a qualified public accountant and statements of such audit and report will be furnished to all bondholders upon request.

(d) The City Council will cause persons handling revenues of the sanitary sewer system to be bonded in reasonable amounts for the protection of the City and the bondholders and will cause the funds collected on account of the operations of such system to be deposited in a bank whose deposits are guaranteed under the Federal Deposit Insurance Law.

(e) The City Council will keep the sanitary sewer system insured at all times against loss by fire, tornado and other risks customarily insured against with an insurer or insurers in good standing, in such amounts as are customary for like plants, to protect the holders, from time to time, of the Bonds and the City from any loss due to any such casualty and will apply the proceeds of such insurance to make good any such loss.

(f) The City and each and all of its officers will punctually perform all duties with reference to the sanitary sewer system as required by law.

(g) The City will impose and collect charges of the nature authorized by Section 444.075 of the Utility Revenue Act, at the times and in the amounts required to produce Net Revenues adequate to pay all principal and interest when due on the Utility Revenue Bonds and to create and maintain such reserves securing said payments as may be provided in this resolution; provided, however, that the City may also levy an ad valorem tax on all taxable property in the City to pay the principal of and interest on the Utility Revenue Bonds in accordance with the Sanitary Sewer Act.

(h) The City Council will levy general ad valorem taxes on all taxable property in the City when required to meet any deficiency in Net Revenues.

(i) The City hereby determined that the estimated collection of net revenues herein pledged for the payment of principal and interest on the Utility Revenue Bonds will produce at least 5% in excess of the amount needed to meet, when due, the principal and interest payments on the Utility Revenue Bonds.

4.05. General Obligation Pledge. For the prompt and full payment of the principal of and interest on the Bonds, as the same respectively become due, the full faith, credit and taxing powers of the City will be and are hereby irrevocably pledged. If the balance in the Debt Service Fund is ever insufficient to pay all principal and interest then due on the Bonds and any other bonds payable therefrom, the deficiency will be promptly paid out of monies in the general fund of the City which are available for such purpose, and such general fund may be reimbursed with or without interest from the Debt Service Fund when a sufficient balance is available therein.

4.06. Pledge of Tax Levy. For the purpose of paying a portion of the principal of and interest on the Improvement Bonds, there is levied a direct annual irrepealable ad valorem tax upon all of the taxable property in the City, which will be spread upon the tax rolls and collected with and as part of other general taxes of the City. The Taxes will be credited to the Assessable Improvements Account of the Debt Service Fund above provided and will be in the years and amounts as attached hereto as EXHIBIT C.

4.07. Certification to Manager of Taxpayer Services as to Debt Service Fund Amount. It is hereby determined that the estimated collections of Taxes, Assessments, and Net Revenues will produce at least five percent (5%) in excess of the amount needed to meet when due the principal and interest payments on the Bonds. The tax levy herein provided is irrepealable until all of the Bonds are paid, provided that at the time the City makes its annual tax levies the City Clerk/Treasurer may certify to the Manager of Taxpayer Services of Carver County, Minnesota (the "Manager of Taxpayer Services") the amount available in the Debt Service Fund to pay principal and interest due during the ensuing year, and the Manager of Taxpayer Services will thereupon reduce the levy collectible during such year by the amount so certified.

4.08. Registration of Resolution. The City Clerk/Treasurer is authorized and directed to file a certified copy of this resolution with the Manager of Taxpayer Services and to obtain the certificate required by Section 475.63 of the Act.

#### Section 5. Authentication of Transcript.

5.01. City Proceedings and Records. The officers of the City are authorized and directed to prepare and furnish to the Purchaser and to the attorneys approving the Bonds, certified copies of proceedings and records of the City relating to the Bonds and to the financial condition and affairs of the City, and such other certificates, affidavits and transcripts as may be required to show the facts within their knowledge or as shown by the books and records in their custody and under their control, relating to the validity and marketability of the Bonds, and such instruments, including any heretofore furnished, will be deemed representations of the City as to the facts stated therein.

5.02. Certification as to Official Statement. The Mayor and the City Clerk/Treasurer are authorized and directed to certify that they have examined the Official Statement prepared and circulated in connection with the issuance and sale of the Bonds and that to the best of their knowledge and belief the Official Statement is a complete and accurate representation of the facts and representations made therein as of the date of the Official Statement.

5.03. Other Certificates. The Mayor and the City Clerk/Treasurer are hereby authorized and directed to furnish to the Purchaser at the closing such certificates as are required as a condition of sale. Unless litigation shall have been commenced and be pending questioning the Bonds or the organization of the City or incumbency of its officers, at the closing the Mayor and the City Clerk/Treasurer shall also execute and deliver to the Purchaser a suitable certificate as to absence of material litigation, and the City Clerk/Treasurer shall also execute and deliver a certificate as to payment for and delivery of the Bonds.

5.04. Electronic Signatures. The electronic signatures of the Mayor and/or the City Clerk/Treasurer to this resolution and to any certificate authorized to be executed hereunder shall be as valid as an original signature of such party and shall be effective to bind the City thereto. For purposes hereof, (i) "electronic signature" means a manually signed original signature that is then transmitted by electronic means; and (ii) "transmitted by electronic means" means sent in the form of a facsimile or sent via the internet as a portable document format ("pdf") or other replicating image attached to an electronic mail or internet message.

5.05. Payment of Costs of Issuance. The City authorizes the Purchaser to forward the amount of Bond proceeds allocable to the payment of issuance expenses to Old National Bank, Chaska, Minnesota on the closing date for further distribution as directed by the City's municipal advisor, Ehlers and Associates, Inc.

#### Section 6. Tax Covenant.

6.01. Tax-Exempt Bonds. The City covenants and agrees with the holders from time to time of the Bonds that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Bonds to become subject to taxation under the Internal Revenue Code of 1986, as amended (the "Code"), and the Treasury Regulations promulgated thereunder, in effect at the time of such actions, and that it will take or cause its officers, employees or agents to take, all affirmative action within its power that may be necessary to ensure that such interest will not become subject to taxation under the Code and applicable Treasury Regulations, as presently existing or as hereafter amended and made applicable to the Bonds.

#### 6.02. No Rebate Required.

(a) The City will comply with requirements necessary under the Code to establish and maintain the exclusion from gross income of the interest on the Bonds under Section 103 of the Code, including without limitation requirements relating to temporary periods for investments, limitations on amounts invested at a yield greater than the yield on the Bonds, and the rebate of excess investment earnings to the United States, if the Bonds (together with other obligations reasonably expected to be issued in calendar year 2021) exceed the small-issuer exception amount of \$5,000,000.

(b) For purposes of qualifying for the small issuer exception to the federal arbitrage rebate requirements, the City finds, determines and declares that the aggregate face amount of all tax-exempt bonds (other than private activity bonds) issued by the City (and all subordinate entities of the City) during the calendar year in which the Bonds are issued and outstanding at one time is not reasonably expected to exceed \$5,000,000, all within the meaning of Section 148(f)(4)(D) of the Code.

6.03. Not Private Activity Bonds. The City further covenants not to use the proceeds of the Bonds or the Assessable Improvements or Utility Improvements financed by the Bonds or to cause or permit them or

any of them to be used, in such a manner as to cause the Bonds to be "private activity bonds" within the meaning of Sections 103 and 141 through 150 of the Code.

6.04. Qualified Tax-Exempt Obligations. In order to qualify the Bonds as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code, the City makes the following factual statements and representations:

- (a) the Bonds are not "private activity bonds" as defined in Section 141 of the Code;
- (b) the City designates the Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code;
- (c) the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds that are not qualified 501(c)(3) bonds) which will be issued by the City (and all subordinate entities of the City) during calendar year 2021 will not exceed \$10,000,000; and
- (d) not more than \$10,000,000 of obligations issued by the City during calendar year 2021 have been designated for purposes of Section 265(b)(3) of the Code.

6.05. Procedural Requirements. The City will use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designations made by this section.

Section 7. Book-Entry System; Limited Obligation of City.

7.01. DTC. The Bonds will be initially issued in the form of a separate single typewritten or printed fully registered Bond for each of the maturities set forth in Section 1.06 hereof. Upon initial issuance, the ownership of each Bond will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York, and its successors and assigns ("DTC"). Except as provided in this section, all of the outstanding Bonds will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC.

7.02. Participants. With respect to Bonds registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC, the City, the Registrar and the Paying Agent will have no responsibility or obligation to any broker dealers, banks and other financial institutions from time to time for which DTC holds Bonds as securities depository (the "Participants") or to any other person on behalf of which a Participant holds an interest in the Bonds, including but not limited to any responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any Participant or any other person (other than a registered owner of Bonds, as shown by the registration books kept by the Registrar), of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any Participant or any other person, other than a registered owner of Bonds, of any amount with respect to principal of, premium, if any, or interest on the Bonds. The City, the Registrar and the Paying Agent may treat and consider the person in whose name each Bond is registered in the registration books kept by the Registrar as the holder and absolute owner of such Bond for the purpose of payment of principal, premium and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bonds, and for all other purposes. The Paying Agent will pay all principal of, premium, if any, and interest on the Bonds only to or on the order of the respective registered owners, as shown in the registration books kept by the Registrar, and all such payments will be valid and effectual to fully satisfy and discharge the City's obligations with respect to payment of principal of, premium, if any, or interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner of Bonds, as shown in the registration books kept by the Registrar, will receive a certificated Bond evidencing the obligation of this resolution. Upon delivery by DTC to the City Clerk/Treasurer of a written notice to the effect that DTC has



determined to substitute a new nominee in place of Cede & Co., the words "Cede & Co." will refer to such new nominee of DTC; and upon receipt of such a notice, the City Clerk/Treasurer will promptly deliver a copy of the same to the Registrar and Paying Agent.

7.03. Representation Letter. The City has heretofore executed and delivered to DTC a Blanket Issuer Letter of Representations (the "Representation Letter") which will govern payment of principal of, premium, if any, and interest on the Bonds and notices with respect to the Bonds. Any Paying Agent or Registrar subsequently appointed by the City with respect to the Bonds will agree to take all action necessary for all representations of the City in the Representation Letter with respect to the Registrar and Paying Agent, respectively, to be complied with at all times.

7.04. Transfers Outside Book-Entry System. In the event the City, by resolution of the City Council, determines that it is in the best interests of the persons having beneficial interests in the Bonds that they be able to obtain Bond certificates, the City will notify DTC, whereupon DTC will notify the Participants, of the availability through DTC of Bond certificates. In such event the City will issue, transfer and exchange Bond certificates as requested by DTC and any other registered owners in accordance with the provisions of this resolution. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the City and discharging its responsibilities with respect thereto under applicable law. In such event, if no successor securities depository is appointed, the City will issue and the Registrar will authenticate Bond certificates in accordance with this resolution and the provisions hereof will apply to the transfer, exchange and method of payment thereof.

7.05. Payments to Cede & Co. Notwithstanding any other provision of this resolution to the contrary, so long as a Bond is registered in the name of Cede & Co., as nominee of DTC, payments with respect to principal of, premium, if any, and interest on the Bond and all notices with respect to the Bond will be made and given, respectively in the manner provided in DTC's Operational Arrangements, as set forth in the Representation Letter.

#### Section 8. Continuing Disclosure.

8.01. Execution of Continuing Disclosure Certificate. "Continuing Disclosure Certificate" means that certain Continuing Disclosure Certificate executed by the Mayor and City Clerk/Treasurer and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

8.02. City Compliance with Provisions of Continuing Disclosure Certificate. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Notwithstanding any other provision of this resolution, failure of the City to comply with the Continuing Disclosure Certificate is not to be considered an event of default with respect to the Bonds; however, any bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this section.

Section 9. Defeasance. When all Bonds and all interest thereon have been discharged as provided in this section, all pledges, covenants and other rights granted by this resolution to the holders of the Bonds will cease, except that the pledge of the full faith and credit of the City for the prompt and full payment of the principal of and interest on the Bonds will remain in full force and effect. The City may discharge all Bonds which are due on any date by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full. If any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit.



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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

**EXHIBIT A**  
**PROPOSALS**

**EXHIBIT B**  
**FORM OF BOND**

No. R-\_\_\_\_\_

UNITED STATES OF AMERICA  
STATE OF MINNESOTA  
COUNTY OF CARVER  
CITY OF NORWOOD YOUNG AMERICA

\$\_\_\_\_\_

GENERAL OBLIGATION BOND  
SERIES 2021A

<u>Rate</u>	<u>Maturity</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
	February 1, 20__	August 19, 2021	

Registered Owner: Cede & Co.

The City of Norwood Young America, Minnesota, a duly organized and existing municipal corporation in Carver County, Minnesota (the "City"), acknowledges itself to be indebted and for value received hereby promises to pay to the Registered Owner specified above or registered assigns, the principal sum of \$\_\_\_\_\_ on the maturity date specified above, with interest thereon from the date hereof at the annual rate specified above (calculated on the basis of a 360-day year of twelve 30-day months), payable February 1 and August 1 in each year, commencing August 1, 2022, to the person in whose name this Bond is registered at the close of business on the fifteenth day (whether or not a business day) of the immediately preceding month. The interest hereon and, upon presentation and surrender hereof, the principal hereof are payable in lawful money of the United States of America by check or draft by Bond Trust Services Corporation, Roseville, Minnesota, as Bond Registrar, Paying Agent, Transfer Agent and Authenticating Agent, or its designated successor under the Resolution described herein. For the prompt and full payment of such principal and interest as the same respectively become due, the full faith and credit and taxing powers of the City have been and are hereby irrevocably pledged.

The City may elect on February 1, 2029, and on any day thereafter to prepay Bonds due on or after February 1, 2030. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all Bonds of a maturity are called for redemption, the City will notify The Depository Trust Company ("DTC") of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

This Bond is one of an issue in the aggregate principal amount of \$1,665,000 all of like original issue date and tenor, except as to number, maturity date, redemption privilege, and interest rate, all issued pursuant to a resolution adopted by the City Council on July 26, 2021 (the "Resolution"), for the purpose of providing money to defray the expenses incurred and to be incurred in making certain assessable local improvements and improvements to the City's sanitary sewer system, pursuant to and in full conformity with the Constitution and laws of the State of Minnesota, including Minnesota Statutes, Chapters 429, 444, and 475, as amended, and Section 115.46, as amended. The principal hereof and interest hereon are payable

in part from special assessments levied against property specially benefited by local improvements, in part from net revenues of the sanitary sewer system of the City, and in part from ad valorem taxes, as set forth in the Resolution to which reference is made for a full statement of rights and powers thereby conferred. The full faith and credit of the City are irrevocably pledged for payment of this Bond and the City Council has obligated itself to levy additional ad valorem taxes on all taxable property in the City in the event of any deficiency in special assessments, net revenues, and taxes pledged, which additional taxes may be levied without limitation as to rate or amount. The Bonds of this series are issued only as fully registered Bonds in denominations of \$5,000 or any integral multiple thereof of single maturities.

The City Council has designated the issue of Bonds of which this Bond forms a part as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code") relating to disallowance of interest expense for financial institutions and within the \$10 million limit allowed by the Code for the calendar year of issue.

IT IS HEREBY CERTIFIED AND RECITED that in and by the Resolution, the City has covenanted and agreed that it will continue to own and operate sanitary sewer system free from competition by other like municipal utilities; that adequate insurance on said system and suitable fidelity bonds on employees will be carried; that proper and adequate books of account will be kept showing all receipts and disbursements relating to the Sanitary Sewer Fund, into which it will pay all of the gross revenues from the sanitary sewer system; that it will also create and maintain a Utility Improvements Account within the General Obligation Bonds, Series 2021A Debt Service Fund, into which it will pay, out of the net revenues from the sanitary sewer system, a sum sufficient to pay principal of the Utility Revenue Bonds (as defined in the Resolution) and interest on the Utility Revenue Bonds when due; and that it will provide, by ad valorem tax levies, for any deficiency in required net revenues of the sanitary sewer system.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the City at the principal office of the Bond Registrar, by the registered owner hereof in person or by the owner's attorney duly authorized in writing upon surrender hereof together with a written instrument of transfer satisfactory to the Bond Registrar, duly executed by the registered owner or the owner's attorney; and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange the City will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The City and the Bond Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the City nor the Bond Registrar will be affected by any notice to the contrary.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the City and the Constitution and laws of the State of Minnesota to be done, to exist, to happen and to be performed preliminary to and in the issuance of this Bond in order to make it a valid and binding general obligation of the City in accordance with its terms, have been done, do exist, have happened and have been performed as so required, and that the issuance of this Bond does not cause the indebtedness of the City to exceed any constitutional or statutory limitation of indebtedness.

This Bond is not valid or obligatory for any purpose or entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon has been executed by the Bond Registrar by manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, the City of Norwood Young America, Carver County, Minnesota, by its City Council, has caused this Bond to be executed on its behalf by the facsimile or manual signatures of the Mayor and City Clerk/Treasurer and has caused this Bond to be dated as of the date set forth below.

Dated: August 19, 2021

**CITY OF NORWOOD YOUNG AMERICA,  
MINNESOTA**

\_\_\_\_\_  
(Facsimile)  
Mayor

\_\_\_\_\_  
(Facsimile)  
City Clerk/Treasurer

**CERTIFICATE OF AUTHENTICATION**

This is one of the Bonds delivered pursuant to the Resolution mentioned within.

**BOND TRUST SERVICES CORPORATION**

By \_\_\_\_\_  
Authorized Representative

**ABBREVIATIONS**

The following abbreviations, when used in the inscription on the face of this Bond, will be construed as though they were written out in full according to applicable laws or regulations:

TEN COM – as tenants in common

UNIF GIFT MIN ACT

\_\_\_\_\_  
Custodian \_\_\_\_\_

TEN ENT – as tenants by entireties

(Cust) \_\_\_\_\_ (Minor) \_\_\_\_\_  
under Uniform Gifts or Transfers to Minors  
Act, State of \_\_\_\_\_

JT TEN – as joint tenants with right of  
survivorship and not as tenants in common

Additional abbreviations may also be used though not in the above list.

## ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_ the within Bond and all rights thereunder, and does hereby irrevocably constitute and appoint \_\_\_\_\_ attorney to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:

\_\_\_\_\_  
NOTICE: Signature(s) must be guaranteed by a financial institution that is a member of the Securities Transfer Agent Medallion Program ("STAMP"), the Stock Exchange Medallion Program ("SEMP"), the New York Stock Exchange, Inc. Medallion Signatures Program ("MSP") or other such "signature guarantee program" as may be determined by the Registrar in addition to, or in substitution for, STEMP, SEMP or MSP, all in accordance with the Securities Exchange Act of 1934, as amended.

The Registrar will not effect transfer of this Bond unless the information concerning the assignee requested below is provided.

Name and Address: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Include information for all joint owners if this Bond is held by joint account.)

Please insert social security or other identifying number of assignee  
\_\_\_\_\_  
\_\_\_\_\_



**PROVISIONS AS TO REGISTRATION**

The ownership of the principal of and interest on the within Bond has been registered on the books of the Registrar in the name of the person last noted below.

<u>Date of Registration</u>	<u>Registered Owner</u>	<u>Signature of Officer of Registrar</u>
<hr/>	Cede & Co. Federal ID #13-2555119	<hr/>

**EXHIBIT C**  
**TAX LEVY SCHEDULE**

<u>YEAR *</u>	<u>TAX LEVY</u>
2022	
2023	
2024	
2025	
2026	
2027	
2028	
2029	
2030	
2031	

*\* Year tax levy collected.*

STATE OF MINNESOTA     )  
                                      )  
COUNTY OF CARVER     ) SS.  
                                      )  
CITY OF NORWOOD        )  
YOUNG AMERICA            )

I, the undersigned, being the duly qualified and acting City Clerk/Treasurer of the City of Norwood Young America, Minnesota (the "City"), do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City Council of the City held on July 26, 2021 with the original minutes on file in my office and the extract is a full, true and correct copy of the minutes insofar as they relate to the issuance and sale of the City's General Obligation Bonds, Series 2021A, in the original aggregate principal amount of \$1,665,000.

WITNESS My hand officially as such City Clerk/Treasurer and the corporate seal of the City this \_\_\_\_\_ day of July, 2021.

(SEAL)

\_\_\_\_\_  
City Clerk/Treasurer  
City of Norwood Young America, Minnesota



To: Honorable Mayor Lagergren  
Members of the City Council  
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: July 26, 2021

Re: Variance: Dynamic Sign All Saints Church – 511 Merger Street

---

<b>Applicant:</b>	All Saints Lutheran Church
<b>Subject Address:</b>	511 Merger Street
<b>Legal Description:</b>	Lots 1,2,3, and 4, Block 32 Rothfork's Addition
<b>Property ID:</b>	586880050
<b>Zoning Class:</b>	C-2 General Commercial District
<b>Request:</b>	Variance Area of Dynamic Sign Display
<b>Representative:</b>	Pastor Eric Aune, All Saints Lutheran Church Matthew Duffy, Think Digital Signs
<b>Attachments:</b>	Application & Sign Detail Draft PZC meeting minutes Resolution

## BACKGROUND

Matthew Duffy, Think Digital Signs and Eric Aune, All Saints Lutheran Church have filed an application for a variance to sign standards pertaining to a pylon sign with a dynamic display at 511 Merger Street. The proposed sign will replace an existing sign and face Highway 212, an arterial roadway. The proposed dynamic display area and total sign area exceed code requirements. The sign code provides for processing of variances pursuant to section 1210.06 of the Code. Notice of public hearing has been posted, published, and mailed.

The Applicants represent:

- The existing sign will be removed and replaced with a pylon sign.
- Proposed sign height is 16 feet and three inches.
- Proposed sign area is 80 square feet.
- Proposed dynamic display area is 45% of total sign square footage.
- Required 15-inch dynamic display minimum letter size under City Code for traffic traveling at speeds of 55 mph limits the number of letters per display line. A larger sign area enables more effective and safer communication to passing traffic driving in excess of 55 mph.

## **EXAMINATION OF CODE REQUIREMENTS: SIGN VARIANCE**

### Section 1260 Signs:

1. Section 1260.09, Subd. 4(D) establishes maximum sign area limitations in the C-2 Highway Business District. The maximum total sign area is 60 square feet. The maximum individual sign height is not to exceed 15' and maximum individual sign width not to exceed 8 feet. The proposed sign contains 80 square feet of sign area. Neither of the sign components exceed individual sign height or width standards. The Applicant's propose approximately 33% more sign area than allowed under code.
2. Section 1260.08, Subd. (7)(A)(2) limits the amount of sign area occupied by a dynamic display. In the C-2 District a maximum of 35% of sign area may be dynamic. The Applicant's propose 45% of the proposed sign area be a dynamic display.

### Section 1210.04 Variances:

Section 1210.04 of the City Code provides for variance consideration. A variance from the literal provisions of the Code may be approved where strict enforcement would cause practical difficulties. Practical difficulties when used in connection with the granting of a variance means:

1. The property owner proposes to use the property in a reasonable manner not permitted by the Code.
2. The plight of the landowner is due to circumstances unique to the property and not created by the landowner.
3. The variance, if granted will not alter the essential character of the locality.

Variances to allowable uses of property are not allowed, variances to performance standards such as required heights and percentages may be considered. Economic considerations alone do not constitute a practical difficulty.

### Potential Findings Supporting Variance Issuance

- The proposed variance does not alter the use of the property. The use remains consistent with the Comprehensive Plan in terms of future land use (commercial) and policies relating to industrial development.
- The property is zoned for commercial use.
- The variance is not for the use of the property.
- The proposed sign conforms to sign height requirements.
- A larger sign area enables more effective and safer communication to passing traffic driving in excess of 55 mph.

### Potential Findings Opposing Variance Issuance

- The proposed sign could be designed to fit within the parameters of the City Code by reducing sign area and percentage of dynamic display or shortening of display messages.
- A larger sign and a dynamic display are not required to use the property in the manner it exists.
- The plight of the land owner is due to circumstances created by the landowner and not conditions on the property such as topographical issues, irregular lot shape, or unusual orientation of the lot to the street.

## **PC RECOMMENDATION**

The Planning Commission held a public hearing on the variance request on July 6, 2021. Please find attached minutes from the hearing and PZC discussion. After review and discussion, the Planning Commission unanimously approved a motion to recommend the City Council approve the sign variance with the following conditions:

1. The variance is applicable to the property at 511 Merger Street.
2. The total sign area shall not exceed 80 square feet and the dynamic display shall not exceed 45 percent of the total sign area.
3. No other pylon sign is allowed.

**ACTION**

The City Council is to act on the request. A sample RESOLUTION is attached. The City Council can consider a motion to approve or deny the resolution for a variance to maximum sign area and maximum dynamic display area for a sign at 511 Merger Street.

**ATTACHMENTS**

- Sign plan information
- PZC draft meeting minutes
- Resolution approving/denying a variance to maximum sign area and maximum dynamic display area for a sign at 511 Merger Street

# **RESOLUTION 2021-18**

## **A RESOLUTION APPROVING A VARIANCE TO MAXIMUM SIGN AREA AND MAXIMUM DYNAMIC DISPLAY AREA FOR A SIGN AT 511 MERGER STREET (ALL SAINTS LUTHERAN CHURCH)**

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

WHEREAS, Eric Aune representing All Saints Lutheran Church (the Property Owner) has applied for approval of a variance to certain sign standards in the C-2 Highway Business District; and

WHEREAS, the property is legally described as Lots 1,2,3, and 4, Block 32 Rothfork's Addition; and the property number is 586880050; and

WHEREAS, Section 1260.09, Subd. 4(D) of the City Code establishes a maximum sign area of 60 feet in the C-2 Highway Business District; and

WHEREAS, the Property Owner proposes a sign 80 square feet in area; and

WHEREAS, Section 1260.08, Subd. (7)(A)(2) limits the amount of sign area occupied by a dynamic display to a maximum of 35 percent of sign area; and

WHEREAS, the Property Owner proposes 45 percent of the total sign area be allowed for dynamic display; and

WHEREAS, Section 1210.04 of the City Code provides for variances; and

WHEREAS, the City of Norwood Young America Planning Commission on July 6, 2021 held a public hearing on the proposed variance; and

WHEREAS, following review and discussion the Commission made the following findings:

1. The proposed variance does not alter the use of the property. The use remains consistent with the Comprehensive Plan in terms of future land use (commercial) and policies relating to industrial development.
2. The property is zoned for commercial use.
3. The variance is not for the use of the property.
4. The proposed sign conforms to sign height requirements.

5. A larger sign area enables more effective and safer communication to passing traffic driving in excess of 55 mph.

WHEREAS, the Planning Commission approved a motion recommending the City Council approve a sign variance; and

WHEREAS, at a regularly meeting on July 26, 2021, the City Council considered the application materials on file with the City and the recommendation of the Planning Commission.

NOW THEREFORE, BE IT RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby accepts the Planning Commission's findings relating to the requested sign variance.

BE IT FURTHER RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby approves a variance to provide for a total sign area of 80 square feet and a dynamic display area totaling 45 percent of the sign area for 511 Merger Street, subject to the following conditions:

1. The variance is applicable to the property at 511 Merger Street.
2. The total sign area shall not exceed 80 square feet and the dynamic display shall not exceed 45 percent of the total sign area.
3. No other pylon sign is allowed for the property.
4. A building permit shall be issued if required.
5. This approval is subject to all applicable codes, regulations and ordinances, and violation thereof shall be grounds for revocation.
6. This approval shall expire one year after date of approval unless the Applicants have commenced construction of the sign on the Property.

Adopted by the City Council this 26<sup>th</sup> day of July 2021.

---

Carol Lagergren, Mayor

ATTEST:

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Angela Brumbaugh, City Clerk



# All Saints Lutheran Church

Norwood Young America, MN

511 Merger St.  
Norwood Young America, MN 55368  
  
Sign Variance Request Supporting Documents\_1  
June – 2021

5111 Merger St, Norwood Young America, MN 55368

# All Saints Lutheran Church

511 Merger St, Norwood Young America, MN 55368

Carver County Property Information



511 Merger Street, Norwood Young America  
Search on address, property ID, or addition name

Parcel ID: 585880010

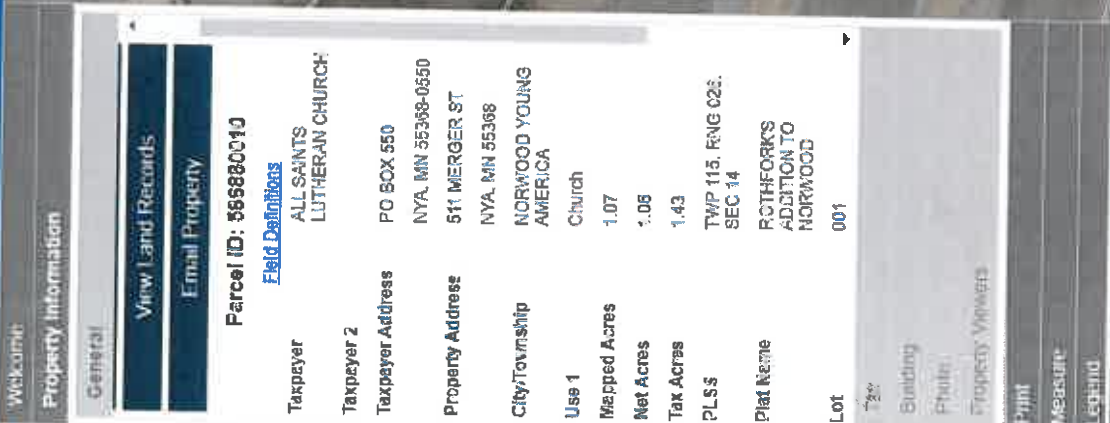
Field Definitions

Taxpayer	ALL SAINTS LUTHERAN CHURCH
Taxpayer 2	
Taxpayer Address	PO BOX 550
	NYA MN 55368-0550
Property Address	511 MERGER ST
	NYA MN 55368
City/Township	NORWOOD YOUNG AMERICA
Use 1	Church
Mapped Acres	1.07
Net Acres	1.06
Tax Acres	1.43
PLSS	TWP 11S. RNG 02E. SEC 14
Plat Name	ROTHFORKS ADDITION TO NORWOOD
Lot	001

General

View Land Records

Email Property



Sign Location





# Zoning District: C-2 General Commercial



NYA Zoning Districts

City of Norwood Young America

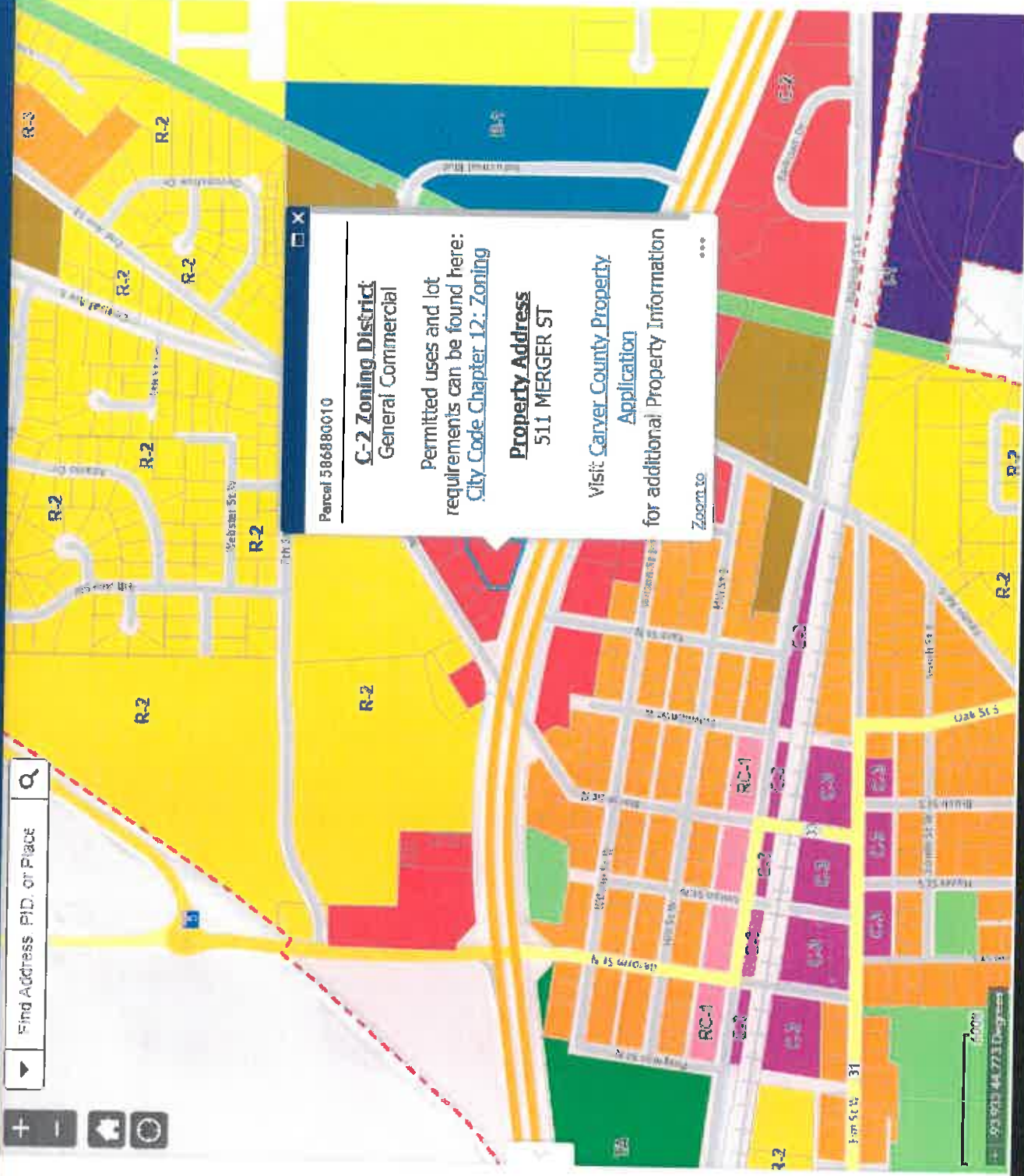
NYA City Boundary



Find Address, PID, or Place

## Zoning District

- R-1 Low Density Single Family Residential
- R-2 Medium Density Single Family Residential
- R-3 Medium Density Mixed Residential
- R-4 Multiple Family Residential
- RC-1 Residential/Neighborhood Commercial
- C-2 General Commercial
- C-3 Downtown District
- B-1 Business Industrial
- I-1 Light Industrial
- P-1 Parks/Open Space
- TA Transition/Agriculture



Current Sign (will be removed)





## Proposed Sign



## Proposed Sign



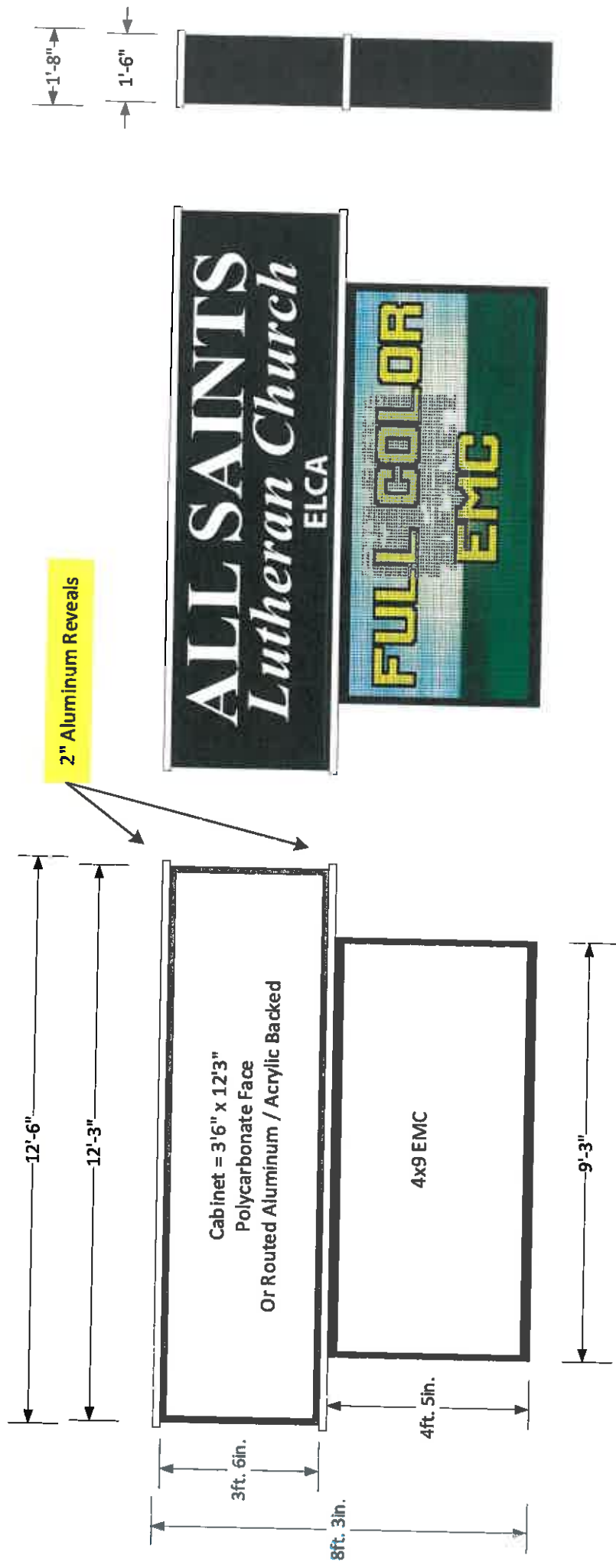


# Proposed Sign: 4x9 Message Center





# Proposed Sign: 4x9 Message Center



Dynamic Sign: 4x9 = 36 sf (45% of sign area)



### Sign Area

7'7" x 10'6" = 80 sf

Dynamic = 4x9 (36sf)

Dynamic = 45% of Sign Area

## Dynamic Sign: 4x9 Requested

- H. Every line of copy and graphics in a dynamic display must be at least seven inches in height on a road with a speed limit of 25 to 34 miles per hour, nine inches on a road with a speed limit of 35 to 44 miles per hour, 12 inches on a road with a speed limit of 45 to 54 miles per hour and 15 inches on a road with a speed limit of 55 miles per hour or more.

4x9 Dynamic Sign

FALL 2021-22  
SUNDAY SCHOOL  
REGISTER NOW

15 inch text.

4x7 Dynamic Sign

FALL 2021  
SUN SCHOOL  
REGISTER

ABCDEFGHIJKL  
123456789123

ABCDEFGHI  
123456789

The 15 inch letter height requirement for speed limits of 55 mph limit the number of letters available per line. The 4x7 dynamic sign limits each line of text to 9 letters. The 4x9 allows for 12 letters per line. The 4x9 dynamic sign enables more effective and safer communication to passing traffic driving in excess of 55 mph.



All Saints Lutheran Church desires to install a new Pylon sign on our property at 5111 Merger Street. Our plan is to install the new sign in the same location as our current sign. We will remove the old sign. As we are in the same location, we will meet all the same setbacks as our current sign.

The church is hoping to include a dynamic sign as the primary communication tool for the new sign. Our new sign is intended primarily for cars traveling on Hwy 212. Most of the traffic will be traveling in excess of 55 mph. We feel that a 4x7 dynamic sign is too small to effectively and safely communicate to people traveling at that speed.

We are requesting a variance of the requirement that a dynamic sign not be larger than 35% of the overall sign area. We are requesting a 4x9 dynamic sign which would be 45% of our sign area of 80 sf.

This sign will be used to promote, not only events happening at All Saints Lutheran Church, but community events as well. This sign will be used to cheer on our Raiders, highlight dates and times for events such as Stiftungsfest, and showcase celebrations within our city. We want our message to be clear. With this variance approved, all who pass by this sign will be able to see what Norwood Young America has to offer.

SOUTH STREET WEST

20 FEET  
TO CURB

POSSIBLE LOCATION OF  
VFW, LEGION SHED  
10' X 16' SHED

VFW  
AM  
LEGION

SIREN  
TOWER

221 SOUTH  
STREET W

CITY SHED

221 SOUTH ST W

CITY SHED

50 FEET  
TO CURB

HAZEL STREET



more than a place, it's home.

# CITY OF NORWOOD YOUNG AMERICA

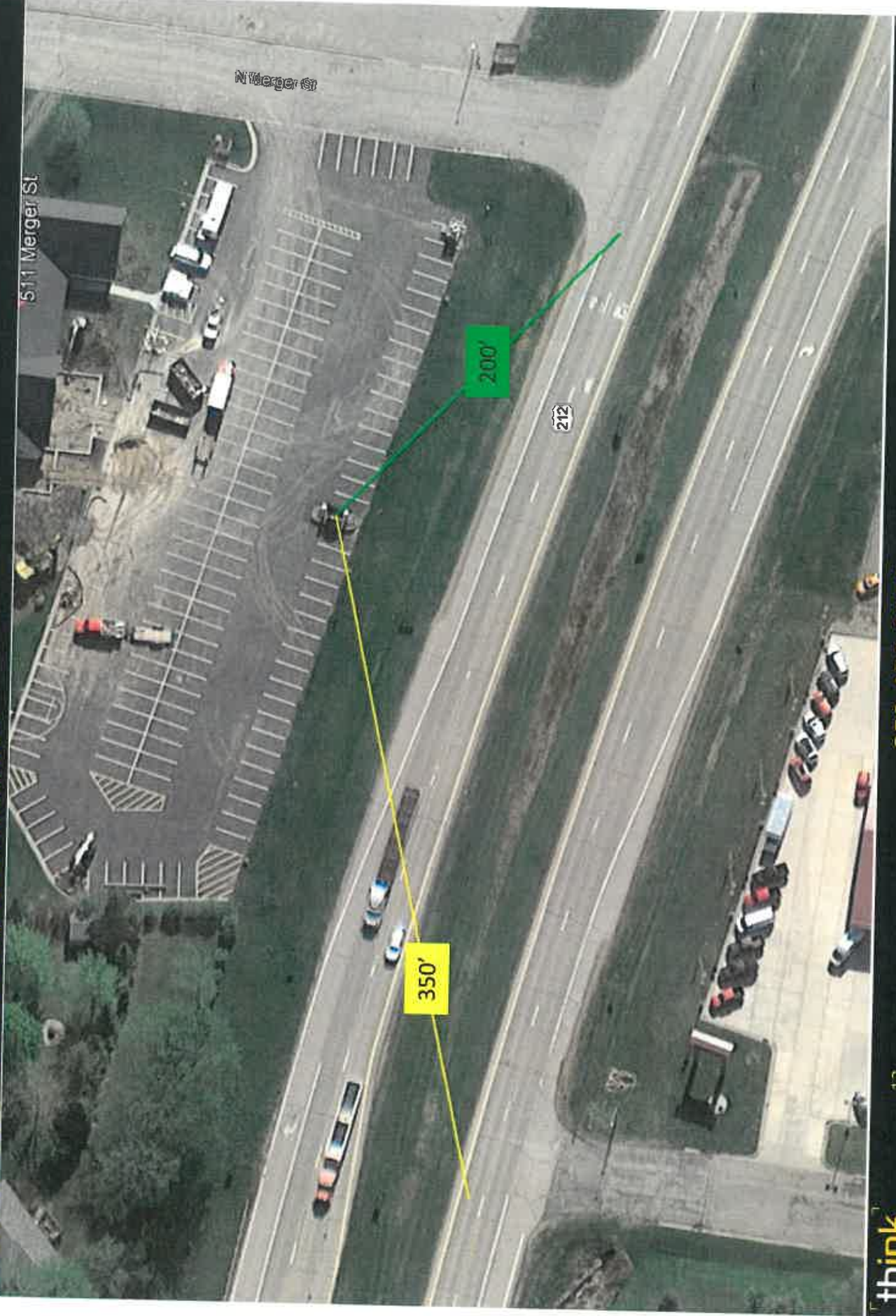
## City South Street Property

Map Date: 7/22/2021





## Variance Narrative: Unique Difficulties



## Variance Narrative: Unique Difficulties

All Saints Lutheran Church sign is set lower than the Hwy 212. The viewing distances range from 200' to over 350'. In order to create messages that are easy and safe to read for passing traffic, we will need to use letter heights of 12" – 15". This letter height will maximize the trade off between visibility and being able to add more letters/words. A 4'x7 message center will limit the church's ability to create messages and communicate to passing traffic.

A 4x9 message center allows for three (3) more 15" letters than a 4x7 message center. Slide #11 shows the differences in message quality of a 4x7 vs. 4x9.

Maximum Readable Distance	Readable Distance For Maximum Impact	Letter Height
100'	30'	3"
150'	40'	4"
200'	60'	6"
350'	80'	8"
400'	90'	9"
450'	100'	10"
525'	120'	12"
630'	150'	15"
750'	180'	18"
1000'	240'	24"
1250'	300'	30"
1500'	360'	36"
1750'	420'	42"
2000'	480'	48"
2250'	540'	54"
2500'	600'	60"



## 5. Public Hearings.

### A. Variance Dynamic Sign: All Saints Lutheran Church, 511 Merger Street.

Chairperson Heher opened the public hearing at 6:04 p.m. and explained the hearing process.

Strack stated All Saints Lutheran Church had applied for a variance for a dynamic sign which exceeded total sign area and dynamic display area required under code. The proposed sign will replace a previously demolished sign at 511 Merger Street.

The Applicant represents: the proposed sign is 16', three inches in height; the proposed sign area is 80 feet; the proposed dynamic display area is 45% of total sign square footage; the code requires 15" dynamic display letter size for signs facing roads with speed limits of 55+ miles per hour.

Section 1260.09, Subd. 4(D) establishes maximum sign area limitations in the C-2 Highway Business District. The maximum total sign area is 60 square feet. The maximum individual sign height is not to exceed 15' and maximum individual sign width not to exceed 8 feet. The proposed sign contains 80 square feet of sign area. Neither of the sign components exceed individual sign height or width standards. The Applicant's propose approximately 33% more sign area than allowed under code.

Section 1260.08, Subd. (7)(A)(2) limits the amount of sign area occupied by a dynamic display. In the C-2 District a maximum of 35% of sign area may be dynamic. The Applicant's propose 45% of the proposed sign area be a dynamic display.

Strack noted sample findings for and against variance issuance were included in the staff memo and could be addressed during the business portion of the agenda.

Strack stated no comment for or against the variance was received. Strack noted Matt Duffy, Matt Schroeder, and Council Member McPadden were in the audience as the Applicants.

Heher inquired as to where the information came from for the letter size. Strack stated it was included in the application submittal on pages 12 and 14. Duffy noted the letter size requirement is included in the City's zoning standards. Duffy stated he was unaware the proposed sign exceeded sign area square footage as well as dynamic display area percentage of sign area.

Strack read the code standard pertaining to letter size for dynamic displays verbatim noting letter size requirements were just that and didn't necessary limit the amount of letters per line on a dynamic sign.

Smith stated the speed limit on Highway 212 in the area adjacent to 511 Merger is 50 mph and not 55 mph. Smith inquired as to whether or not the dynamic sign display movement was regulated so as not to flash or distract motorists. Duffy noted the code requires dynamic sign messages to change all at once and there is a limit on how often the message can change. Duffy noted those were regulated by software and would be controlled by the sign owner. Strack noted the movement change was once every ten minutes for speeds 55 mph or greater; once every five minutes for speeds 35-54 mph.

Heher inquired as to sign area limitations. Strack stated the code provides a maximum total sign area for pylon signs in the C-2 District of 60 square feet. Monument signs may be up to 80 square feet in total area in the C-2 District. Strack read verbatim the code standard.

Grundahl inquired about a sign at a local bank. Hallquist noted that was older technology than a dynamic display.

Smith inquired about pylon structure composition. Duffy noted pylon members would be steel when constructed and All Saints would wrap them with brick.

The PZC inquired as to sign height limitations. Strack stated monument signs may be up to eight feet in height, pylons 30 feet with overall sign height of pylons not to exceed 40 feet. Strack read verbatim the code standard.

Smith inquired as to whether the sign was LED. Duffy confirmed.

Motion Eggers, second Smith to close the public hearing at 6:26 p.m. Motion carried 6-0.

#### B. Ordinance Amending Definition of Hotel/Motel.

Chairperson Heher opened the public hearing at 6:26 p.m.

Strack noted the Commission and City Council had previously discussed amending the definition of hotel/motel. The Commission and the Council favor reducing or removing any numerical restriction on number of units and any prohibition on cooking facilities in individual rooms.

Strack noted the cooking facility in individual rooms prohibition is designed to minimize instances of extended stay hotels.

Strack read the proposed definition: *Hotel means a facility offering primarily providing transient lodging accommodations to the general public and which may provide additional services such as restaurants, meeting rooms and recreational facilities and where access to individual rooms is provided through an indoor lobby or office. Motel means a commercial establishment primarily providing transient accommodations to the general public containing rooms having direct access to the outside without the necessity of passing through the main lobby of the building.*

Strack noted notice of public hearing was published and posted with no comment for or against the proposed ordinance received.

Heher noted the definition was defined after reviewing definitions from other cities.

Motion Grundahl, second Barr to close the public hearing at 6:30 p.m. Motion carried 6-0.

### 6. New Business.

#### A. Variance Dynamic Sign: All Saints Lutheran Church, 511 Merger Street.

Chairperson Heher introduced the agenda topic.

Grundahl opined as to what other commercial establishment owners may think about signage if the variance was granted.

Hallquist mentioned other signs and how they related to the proposed sign. Hallquist noted he was struggling with how the sign would look when you drive past it, if it would look large and out of place or if it would be as noticeable as other signs in the highway corridor.

Duffy opined the sign would not look out of place and that the proposed sign was smaller than a sign existing at a nearby fast food establishment.

Heher noted the sign will be placed on a very large lot.

Pastor Matt Schroeder spoke noting the church was requesting the larger sign to tell their story but also to tell what was happening in the community.

Smith opined the sign would not alter the essential character of the area.

Motion Smith, second Hallquist to recommend the City Council approve a variance for sign area and display area with conditions included in the staff memo. Motion carried 6-0.

DRAFT



To: Honorable Mayor Lagergren  
Members of the City Council  
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: July 26, 2021

Re: Ordinance Amending Definition of Hotel/Motel

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#### **BACKGROUND**

The Planning Commission and City Council have been investigating amending the definition of hotel/motel by reducing or removing any numerical restriction on number of units and any prohibition on cooking facilities in individual rooms.

The Planning Commission held a public hearing on an ordinance amending the definition at their regular meeting July 6<sup>th</sup>, pursuant to published and posted notice. No comment for or against the proposed amendment was received. Following the hearing the Commission approved a motion recommending the City Council update the definition to read:

**Hotel/Motel: Hotel means a facility offering primarily transient lodging accommodations to the general public and which may provide additional services such as restaurants, meeting rooms and recreational facilities and where access to individual rooms is provided through an indoor lobby or office. Motel means a commercial establishment providing primarily transient accommodations to the general public containing rooms having direct access to the outside without the necessity of passing through the main lobby of the building.**

Please find attached a draft ordinance providing for the amended definition and a summary for publication.

#### **ACTION**

The City Council is to consider an Ordinance Amending Section 1200.04 of the City Code Pertaining to the Definition of Hotel/Motel. If the Ordinance is approved summary publication approval is recommended.

#### **ATTACHMENTS**

- Draft Ordinance
- Summary for publication

**CITY OF NORWOOD YOUNG AMERICA  
ORDINANCE NO. 340**

**AN ORDINANCE AMENDING SECTION 1200.04 OF THE CITY CODE  
PERTAINING TO DEFINITION OF HOTEL/MOTEL**

**I. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS:**

**II. SECTION 1200.04 SHALL BE AMENDED AS FOLLOWS:**

Hotel/Motel. ~~A building in which there are more than ten (10) sleeping rooms usually occupied singly and temporarily by individuals who are lodged with or without meals and where no provision is made for cooking in any individual room.~~ Hotel means a facility offering primarily transient lodging accommodations to the general public and which may provide additional services such as restaurants, meeting rooms and recreational facilities and where access to individual rooms is provided through an indoor lobby or office. Motel means a commercial establishment providing primarily transient accommodations to the general public containing rooms having direct access to the outside without the necessity of passing through the main lobby of the building.

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

Adopted by the City of Norwood Young America on the 26<sup>th</sup> day of July, 2021.

\_\_\_\_\_  
Carol Lagergren, Mayor

Attest:

\_\_\_\_\_  
Angela Brumbaugh, City Clerk/Treasurer

**City of Norwood Young America  
Summary of Ordinance 340  
Amending City Code Chapter 12, Land Use**

The City of Norwood Young America has adopted Ordinance 340 entitled "An Ordinance Amending Section 1200.04 of the City Code Pertaining to the Definition of Hotel/Motel".

The Ordinance includes the following definition: Hotel means a facility offering primarily transient lodging accommodations to the general public and which may provide additional services such as restaurants, meeting rooms and recreational facilities and where access to individual rooms is provided through an indoor lobby or office. Motel means a commercial establishment providing primarily transient accommodations to the general public containing rooms having direct access to the outside without the necessity of passing through the main lobby of the building.

Effective Date: This ordinance becomes effective upon its passage and publication according to law. The ordinance was adopted by the City Council on July 26, 2021.

A copy of the complete ordinance is available for review at the Norwood Young America City Offices, located at 310 Elm St W. If you have any questions, please contact the City at (952) 467-1800.



TO: Mayor Lagergren and City Council Members  
FROM: Steven Helget, City Administrator  
DATE: July 26, 2021  
SUBJECT: Consider Kimpling Shed Removal Extension Request

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Enclosed is a letter from Mike Kimpling, 423 Morse Street N, requesting an extension on the removal of one of the three utility sheds (accessory buildings) located in his rear yard.

At the May 11, 2020 regular City Council meeting, Mr. Kimpling approached the Council to request the building permit fee be waived for installation of a new shed. Mr. Kimpling's stated installing a shed would improve the privacy of his rear yard following the removal of some trees located in the Highway 212 right-of-way. Mr. Kimpling stated he planned to remove an existing shed and replace it with a new 14'x18' shed. A building permit is required for any shed that exceeds 200 sq. ft. in size. Per Section 1245.04 of the City Code, the maximum number of detached accessory structures is two in any residential zone.

The Council approved Mr. Kimpling's request to waive the building permit fee and required him to remove one of the current sheds as soon as the new utility shed was up.

Mr. Kimpling is requesting to have until the end of May 2022 to remove one of the sheds.

The following enclosures are provided hereto:

- Mike Kimpling's July 13, 2021 letter
- Current picture of Mike Kimpling's rear yard identifying three sheds
- City Council May 11, 2021 meeting minutes
- May 26, 2020 City letter to Mr. Kimpling
- Building Permit No. 2020117 issued to Mike & Kelly Kimpling for a 14'x18' shed

**Recommended Motion:**

**Motion to approve Mike Kimpling's request and extend the deadline to May 31, 2022 to remove one of his existing three sheds.**

*Norwood Young America*

Mike Kimpling  
423 Morse St N  
NYA, MN 55368

7/13/21

City of NYA  
Attn: Steve Helget  
310 Elm St W  
NYA, MN 55368

Dear Steve.....

Please accept this letter as our request for an extension on the taking down of (1) utility shed on our property. We would request to leave the utility shed in place until Spring 2022 (May 31, 2022). The reason for the request is I will need assistance taking it down, as my son is now in the Military and will be at Ft. Benning, GA until Late Dec 2021. Due to his return in the winter months, I would request we be given until end of May to have it taken down and removed from our property.

Please advise if this request can be approved at your earliest convenience. Thank you in advance for your consideration.

Mike Kimpling  
612-306-4641







**CITY COUNCIL Minutes**  
**May 11, 2020 – 6:00 PM**  
**City Council Virtual Meeting**

**Attendance:**

Council Present: Carol Lagergren, Craig Heher, Mike McPadden, Dick Stolz, Charlie Storms  
Staff Present: Steve Helget (City Administrator), Karen Hallquist (ED Director), Tony Voigt (PS Director)  
Others Present: Joel Johnson (SRF Engineering), Diane Langenbach and Curt Kobilarcsik (MnDOT), Jess Klaustermeier (Orangeball Creative), Mike Kimpling, Kenny and Jenny Schultz

**1. Call Meeting of City Council to Order:**

*Mayor Lagergren called the virtual meeting to order at 6:01 PM. Roll call of attendance. All members present.*

**2. Approve Agenda**

*Motion: CH/DS to approve the agenda as submitted. Roll call vote. Motion passed 5-0.*

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

*None*

**4. Consent Agenda**

**4.1 Approve minutes of April 27, 2020 meeting**

**4.2 Approve payment of claims**

**4.3 Approve Transient Merchant Application – Elephant Joe's Coffee LLC**

**4.4 Approve NYA Video Recording Agreement**

*Motion: CS/CH to approve the consent agenda as presented. Roll call vote. Motion passed 5-0.*

**5. Public Hearing**

*None*

**6. Old Business**

**6.1 Update on Highway 212 Underpass and Highway 5/25/CSAH33 Roundabout Project**

Update from Langenbach regarding bid opening. Lowest bid was from Valley Paving for \$20.3 million dollars. Currently in the process of reviewing the bids by comparing to estimates. The project is still planned to begin in mid-June. Langenbach confirmed additional funding in the amount of \$250,000 through federal Highway Safety Improvement Funding.

Update from Langenbach regarding upcoming Virtual Meeting on May 12 at 5 PM through WebEx. Update from Langenbach on the stages of construction with the only week of full closure the third week of July (to be confirmed by Langenbach based on a later start date). Additional information will be shared in the newsletter and on the city website.

Update from Klaustermeier on the following marketing pieces: (1) #NYAisOpen trifold with information and maps on the project; (2) billboards stating Improvements are Happening; and (3) social media posts regarding improvement phases of the project; and (4) social media posts on business spotlights. Information will be shared in newsletters, on city website, city cable stations and city social media.

**6.2 Resolution No. 2020-15, MnDOT Cooperative Construction Agreement**

Update from Kobilarcsik regarding the components of the agreement – Faxon Street traffic signals and city utilities northwest of the tunnel. This agreement covers the city portion of costs for the Highway 212 project. *Motion CS/CH to approve Resolution 2020-15, Resolution approving State of Minnesota Department of Transportation and City of Norwood Young America Cooperative Construction Agreement as presented. Roll call vote. Motion passed 5-0.*

## **7. New Business**

### **7.1 Consider Request to waive Building Permit Fee**

Helget shared information that Kimpling is requesting a building permit fee waiver to install a pre-made shed along the Highway 212 trail to improve privacy for his lot. The construction project will require the removal of trees within the right of way from his backyard. Discussion focused on the reduced city costs for inspection of a pre-made building, as well as the uniqueness of adding a trail to an established neighborhood. Agreement was reached that the current city code that limits outdoor buildings to no more than two will not be waived. *Motion: MM/CH to approve Mike Kimpling's request to waive the entire building permit fees for installing a 14'x18' shed. Roll call vote. Motion passed 4-1 with Heher voting against.*

### **7.2 Approve SCDP Commercial, Mixed Use and Rental Rehab Program Procedural Guidelines**

Helget shared the current grant guidelines from the Small Cities Development Program. These guidelines need approval by the city even though applications have been received from commercial and commercial/resident properties and are moving forward to construction. Stolz asked for clarification on the following: missing maps of the historic Downtown areas; how equity is determined, particularly if a property has a large amount of debt; language on compliance liability to the city based on the current guidelines where the County is responsible for oversight of the projects, but the city shares in the potential financial risk; and the requirement for applicant occupation of the property. Helget will review guidelines and report back to the Council on these questions.

*Motion: MM/CH to approve the City of Norwood Young America Small Cities Development Program Commercial, Mixed Use and Rental Rehab Program Procedural Guidelines as presented. Roll call vote. Motion passed 5-0.*

### **7.3 Discuss Mixed Residential/Commercial Building Use of Elm Street Property**

Helget reviewed the history of the renovations to the first floor on the property at 219 Elm Street West from 2018. In 2017, City Code was adopted that allowed residential apartments on the first floor if it does not exceed 50%. The building plan was approved by city staff and reviewed by the building inspector at that time. Based on review by Bolten and Menk of the initial architect plans, it was determined that the residential portion of the first floor exceeds the 50% requirement by 75 square feet. Current code states that 50% of the first floor can be residential and that a storefront must be maintained in the front of the building. Schultz shared that it is their intent to rent out the front of the property to commercial use.

Discussion by the council included the following options: (1) require the property owner to come into compliance with current code; (2) require a variance to document and allow the discrepancy; or (3) allow the building to be out of compliance without additional requirements from the property owners.

*Motion: CS/CH to have KJS apply for a variance at no cost from the C-3, Downtown Commercial District, maximum 50% residential ground floor use requirement. Roll call vote. Motion passed 5-0.*

### **7.4 Approve Auction or Disposal of Stored Items from Nuisance Abatement**

Discussion by the council on how to dispose of property that has been stored for more than 60 days from the abatement of 132 Elm Street East. Income from the disposal would be subtracted from the costs assessed to the property owner. Options included: (1) auction, (2) garage sale, and (3) storage war option (all contents). Pictures are available of contents.

*Motion: MM/CS to proceed with the sale of unclaimed property of 132 Elm Street East through a "best offer" virtual auction of all content at one time (storage war option). Roll call vote. Motion passed 5-0.*

### **7.5 Discuss Fire Department Ladder Truck Financing Options**

Helget shared the incentive to include the Ladder Truck Financing with the Highway 212/Underpass Bond to receive the lower interest rate. This would qualify as a public safety expense for a specific piece of equipment. Financing would be for \$780,000 to include closing costs. Lagergren shared the rationale for using monies from the Capital Fund Account Balance to spend down the principal. Recommendation to bond for six years with beginning payments in 2022 with an interest only payment in 2021.

*Motion: MM/CH to approve utilizing the Capital Project/Equipment Plan Fund reserves in the amount of \$280,000 to spend down the principal balance for financing the 2018 Pierce Ladder Truck. Roll call vote. Motion passed 5-0.*



**7.6 Approve Resolution No, 2020-16 Amending Parameters providing for the Issuance and Sale of General Obligation Street Reconstruction and Refunding Bonds, Series 2010A**

Helget shared that this amendment to include the Ladder Truck to the original Resolution for the Highway 212/CSAH 33 Bonding Issue. A change for the Ladder Truck at a cost of \$500,000 was required.

*Motion: DS/CS to approve Resolution No. 2020-16, Resolution Amending a Parameters providing for the Issuance of and Sale of General Obligation Street Reconstruction and Refunding Bonds, series 2010A to include the change from \$550,000 to \$500,000 in paragraph 1.03. Roll call vote. Motion passed 5-0.*

**7.7 Approve COVID-19 Preparedness Plan**

Lagergren reviewed the components of the COVID-19 Preparedness Plan which is required for businesses which are re-opening after closure. The plan includes information on: infection prevention measures, identification and isolation of sick persons; controls for social distancing, housekeeping for deep cleaning, communication and training for city staff, and the management and supervision of plan implementation.

*Motion: CH/CS to adopt City of Norwood Young America COVID-19 Preparedness Plan as presented. Roll call vote. Motion passed 5-0.*

**7.8 Approve Seasonal Employees Hiring**

Voigt shared that phone interviews were completed on applicants for the Public Works Seasonal Employees and that offers of employment were made to Logan Smith, Dominick Sudheimer and Bob Hoen. Council approved starting dates for part-time work earlier than the end of the school year.

*Motion: MM/DS to hire Logan Smith, Dominick Sudheimer and Bob Hoen for the 2020 seasonal Public Services Worker positions. Roll call vote. Motion passed 5-0.*

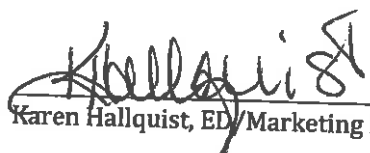
**8. Council Member, Mayor and Staff Reports**

- Heher - Updates from Planning Commission on the following items: Shoreland Overlay District Waiver, rezoning properties along Railroad Street West and CUP Compliance Audit (29 CUPs currently)
- McPadden - No updates
- Stolz - No updates
- Storms - No updates
- Lagergren - Updates from Personnel Committee on the following items: Pool Employee Handbook and Employee Handbook; reviewed the guidelines for opening City Offices when the Shelter in Place Order ends; reviewed guidelines for rental properties during Shelter and Stay in Place Orders; reviewed upcoming events in the city
- Helget - Update on May 30<sup>th</sup> Spring Cleanup and Rural Recycling Center opening

**9. Adjournment**

*Motion: MM/CH to adjourn at 8:12. Roll call vote. Motion passed: 5-0.*

Respectfully submitted,

  
Karen Hallquist, ED/Marketing Director

  
Carol Lagergren, Mayor



May 26, 2020

Mike Kimpling  
423 Morse Street  
Norwood Young America MN 55368

Dear Mike:

Thank you for coming to the virtual Council Meeting on May 11th and sharing your thoughts and concerns regarding the proximity of the new Highway 212 trail to your property. Based on the discussion that night, the following decisions were made by the Council:

- A **building permit is required** for the new shed you are building on your property. The building permit fee has been waived by the city. There will be **no cost** to you for this permit.
- The **limit of two outdoor sheds per property (found in City Code 1245.04) has not been waived by the city.** Based on our discussion, you will remove one of the current buildings as soon as the new building is up. This will allow you a reasonable amount of time to move the stored items to the new building.

If you have any additional questions or concerns, please do not hesitate to contact me at (952)467-1805.

Sincerely,

  
Steve Helget,  
City Administrator  
City of Norwood Young America

---

Norwood Young America City Hall  
310 Elm Street West  
Norwood Young America, MN 55368  
Phone: (952)467-1800  
Email: [info@cityofniya.com](mailto:info@cityofniya.com)



City Hall  
City Hall  
Inspection  
Inspector's Fee

CITY OF RORWOOD YOUNG AMERICA  
BUILDING PERMIT

2020117  
7-3120

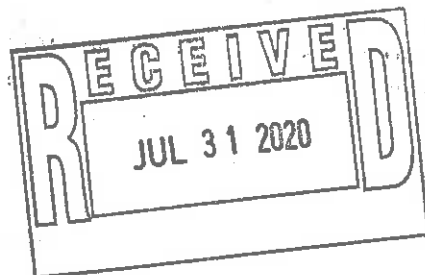
423 Morse St N, NYA, MN 55368

Mike + Kelly Kimpling 423 Morse St N, NYA

Grandview Buildings

Shed  
\$ 7298.28

11' x 14' x 18'  
7/11/20



TOTAL 168.65	
109.62	
4.00	
282.27	
CONF ANALYSIS	
2020117	
7/28/2020	
Reviewed by:	
Steve Keger	
7/28/2020	

Bldg Fully Constructed, Assembled & Delivered by Grandview Bldgs. Set in place on concrete pad on 7/11/20.

all work was done to code and all materials which shall be used shall comply with the plans and specifications herewith submitted and with all the ordinances of said City of Rorwood Young America applicable thereto.

Kelly Kimpling

Per City Council, the fee is waived.

Steve Keger  
City Administrator



TO: Mayor Lagergren and City Council Members  
FROM: Steven Helget, City Administrator  
DATE: July 26, 2021  
SUBJECT: Consider VFW and American Legion Request to relocate Shed onto City Property

---

Enclosed is a letter from Ron Kroells, VFW Commander, requesting they be able to relocate their shed that they own together with the American Legion onto the City's property located at 221 South Street W. Included with the letter is an illustration of where the shed could be located on the City's property. As Ron states in his letter, they store in the shed medical equipment such as wheelchairs, walkers, shower seats, crutches, toilet boosters, and knee scooters. They also have some small flags in boxes. Nothing flammable is kept in the shed.

If acceptable by the City Council, proposed is to create a written agreement between the parties stipulating where the shed will be located, the ownership of the shed, who is responsible for insuring it, what can be stored inside it, who is responsible for maintaining it, etc. The Council could also reserve the right to terminate the agreement with notice.

Proposed is to direct the city attorney to draft an agreement and authorize the mayor to execute the agreement with the VFW and American Legion to store the shed at 221 South Street W.

**Recommended Motion:**

**Motion to direct the city attorney to draft an agreement and authorize the mayor to execute the agreement with the VFW and American Legion to store their shed on the City's property located at 221 South Street W.**

*Norwood Young America*



more than a place, it's home.

# CITY OF NORWOOD YOUNG AMERICA

## City South Street Property

Map Date: 7/22/2021

South St W

S 15 WEST





## City Council

The VFW and Legion  
request approval to move shed  
with various medical equipment.

We would move it from  
current location (by Harms Bar)  
1 block south near city shed.

Respectfully  
Ron Kroells  
VFW Comm.



TO: NYA City Council

FROM: Karen Hallquist, Economic Development Marketing Director

DATE: July 26, 2021

SUBJECT: Yeager Machine – Land purchase – Tacoma West Industrial Park

---

Staff has had recent discussions with Mike Yeager, owner of Yeager Machine, in regard to purchasing Lot 7 in the Tacoma West Industrial Park. This lot abuts to his current property. At this time Yeager is only interested in purchasing the land for future expansion of his parking lot. The future building expansion would be about 15,000 sf totaling approximately \$1.5M and would be expanding only within his current piece of property. His timeline for the expansion is a few years out given the current cost of building materials.

The Finance Committee met on Monday, July 19, 2021 to discuss the pros and cons of selling the lot at a reduced price. The following are pricing scenarios discussed:

- Lot #7 (2.09 acres or 91,040 sf) for:
  - \$.50/sq = \$45,520.20
  - \$1.00/sq = \$91,040
  - \$1.95/sq = \$177,528 (market rate in 2018)
  - \$2.75/sq = \$250,360

The conversation centered around encouraging future expansion and increased property taxes.

Pros

- Generate property taxes now
- Alleviate bottlenecking of truck traffic in Tacoma Circle
- Could still utilize TIF in the future for building expansion

Cons

- Land would not be included in TIF District

The Finance Committee is recommending the sale of Lot 7 to Yeager Machine at \$1/sf with the understanding that an expansion must occur within 5 years to be shown by a site plan or the price would increase to \$1.95/sf. A written agreement would be established identifying the terms of the land sale.

**Recommended Motion:**

**Motion to offer the sale of Lot 7 of the Tacoma West Industrial Park for 2.09 acres at \$1.00 per sf.**

**Property Card****Parcel ID Number** 587500100**Taxpayer Information**

**Taxpayer Name**  
NORWOOD YOUNG AMERICA CITY  
C/O CITY CLERK

**Mailing Address**  
PO BOX 59  
NYA, MN 55368-0059

**Property Address**

**Address**  
419 TACOMA CIR  
**City**  
NYA, MN 55368

**Parcel Information**

<b>Uses</b> Muni Svc Other	<b>GIS Acres</b>	2.09	<b>Net Acres</b>
	<b>Deeded Acres</b>		
	<b>Plat</b>	TACOMA WEST INDUSTRIAL PARK	
	<b>Lot</b>	007	
	<b>Block</b>	002	

**Tax Description****Building Information**

<b>Building Style</b>	Above Grade	<b>Bedrooms</b>
	Finished Sq Ft	
<b>Year Built</b>	<b>Garage</b>	

**Miscellaneous Information**

<b>School District</b> 0108	<b>Watershed District</b> WS 067 CARVER CO WMO	<b>Homestead</b> N	<b>Green Acres</b> N	<b>Ag Preserve</b> N
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**Assessor Information**

Estimated Market Value	2020 Values (Payable 2021)	2021 Values (Payable 2022)	Last Sale
Land	\$155,500.00	\$155,500.00	Date of Sale
Building	\$0.00	\$0.00	Sale Value
<b>Total</b>	<b>\$155,500.00</b>	<b>\$155,500.00</b>	

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Thursday, July 15, 2021

Carver County, MN



TO: NYA City Council

FROM: Karen Hallquist, Economic Development Marketing Director

DATE: July 26, 2021

SUBJECT: Yeager Machine – Land purchase – Tacoma West Industrial Park

---

Staff has had recent discussions with Mike Yeager, owner of Yeager Machine, in regard to purchasing Lot 7 in the Tacoma West Industrial Park. This lot abuts to his current property. At this time Yeager is only interested in purchasing the land for future expansion of his parking lot. The future building expansion would be about 15,000 sf totaling approximately \$1.5M and would be expanding only within his current piece of property. His timeline for the expansion is a few years out given the current cost of building materials.

The Finance Committee met on Monday, July 19, 2021 to discuss the pros and cons of selling the lot at a reduced price. The following are pricing scenarios discussed:

- Lot #7 (2.09 acres or 91,040 sf) for:
  - \$.50/sq = \$45,520.20
  - \$1.00/sq = \$91,040
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The conversation centered around encouraging future expansion and increased property taxes.

Pros

- Generate property taxes now
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- Could still utilize TIF in the future for building expansion

Cons

- Land would not be included in TIF District

The Finance Committee is recommending the sale of Lot 7 to Yeager Machine at \$1/sf with the understanding that an expansion must occur within 5 years to be shown by a site plan or the price would increase to \$1.95/sf. A written agreement would be established identifying the terms of the land sale.

**Recommended Motion:**

**Motion to offer the sale of Lot 7 of the Tacoma West Industrial Park for 2.09 acres at \$1.00 per sf.**



**Property Card****Parcel ID Number** 587500100**Taxpayer Information****Taxpayer Name**  
NORWOOD YOUNG AMERICA CITY  
C/O CITY CLERK**Mailing Address**  
PO BOX 59  
NYA, MN 55368-0059**Property Address****Address**  
419 TACOMA CIR  
**City**  
NYA, MN 55368**Parcel Information****Uses**  
Munj Srvs Other**GIS Acres** 2.09  
**Deeded Acres**  
**Plat** TACOMA WEST INDUSTRIAL PARK  
**Lot** 007  
**Block** 002**Net Acres****Tax Description****Building Information****Building Style**Above Grade  
Finished Sq Ft  
Garage**Year Built****Bedrooms****Miscellaneous Information****School District**  
0108**Watershed District**  
WVS 067 CARVER CO WMO**Homestead**  
N**Green Acres**  
N**Ag Preserve**  
N**Assessor Information**

Estimated Market Value	2020 Values (Payable 2021)	2021 Values (Payable 2022)	Last Sale
Land	\$155,500.00	\$155,500.00	Date of Sale
Building	\$0.00	\$0.00	Sale Value
Total	\$155,500.00	\$155,500.00	

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Thursday, July 15, 2021

Carver County, MN



TO: NYA City Council

FROM: Karen Hallquist, Economic Development Marketing Director

DATE: July 26, 2021

SUBJECT: Greenwood Marina – Land purchase – Tacoma West Industrial Park

---

Staff has been working with Aaron Bean, owner of Greenwood Marina, to find an acceptable piece of commercial property for his boat storage/maintenance business. Bean was interested in the City-owned parcel on Industrial Blvd, however, after seeing the appraisal and amount of buildable greenspace, he has chosen to continue to seek a larger piece of land.

Bean is now interested in at least two of the three remaining lots (410 & 416 Tacoma Cir) for a total of 4.17 acres in the Tacoma Industrial Park. The third lot (420 Tacoma Cir) is approximately half buildable due to a storm sewer pond. Cynthia Strack-Smith confirmed that if the third lot is purchased with the other two, it would help to increase the impervious surface percentages for future expansion as there is a 70/30 hard pack to vegetation in the I-1 Light Industrial zone. The City would have to vacate existing drainage and utility easements around the existing lots.

- (1) 410 Tacoma Cir – 2.18 acres Lot 8
- (2) 416 Tacoma Cir – 1.99 acres Lot 9
- (3) 420 Tacoma Cir – 4.32 acres Lot 10

Looking at the I-1 Light Industrial Zoning Code, Greenwood Marina's use of the property IS a permitted use. There are also no restrictions in the Tacoma West Industrial Park Covenants except if there are any future variances to the development. At that time the other property owners in the industrial park would be allowed to vote for or against that variance request.

Bean's plans for development:

1. Start with the principal structure of 65'x185'
  - a. 11,500 sq ft of which 1/3 would be office/bath/shop and 2/3 inside storage
  - b. Value of total initial project to be \$800,000
2. Timeline would be mid-winter to spring build
3. Would like to know expected entrances – or if could have access directly off Tacoma Ave in addition to Tacoma Circle
4. Would consider purchasing the third parcel if it brought value to his development (i.e. impervious surface)

The Finance Committee met on Monday, July 19, 2021 to discuss price scenarios and the pros and cons of selling the lot at a reduced price:

- |  |  |
|--|--|
| • <b>\$1.00 per sf</b>                     | • <b>\$2.75 per sf</b>                       |
| ○ Lot 8 (2.18 acres) = \$94,960.80         | ○ Lot 8 (2.18 acres) = \$261,142.20          |
| ○ Lot 9 (1.99 acres) = \$86,684.40         | ○ Lot 9 (1.99 acres) = \$238,382.10          |
| ○ Lot 10 (4.32 acres) = \$188,179.20       | ○ Lot 10 (4.32 acres) = \$517,492.80         |
| ○ <b>Total of all three = \$369,824.40</b> | ○ <b>Total of all three = \$1,017,017.10</b> |

Pros

- Completion of Tacoma West Industrial Park land
- Generates income for the land purchase of a future Industrial Park
- Increased property tax worth to the City

Cons

- May not be able to utilize TIF for the new building– staff continues to research

The Finance Committee is recommending the sale of Lots 8, 9 and 10 to Greenwood Marina at \$1/sf with the understanding that the lots will be combined and an additional entrance off Tacoma Avenue will be at the expense of the property owner.

**Recommended Motion:**

**Motion to offer the sale of Lot 8, Lot 9, and Lot 10 of the Tacoma West Industrial Park for 8.49 acres at \$1.00/sf.**



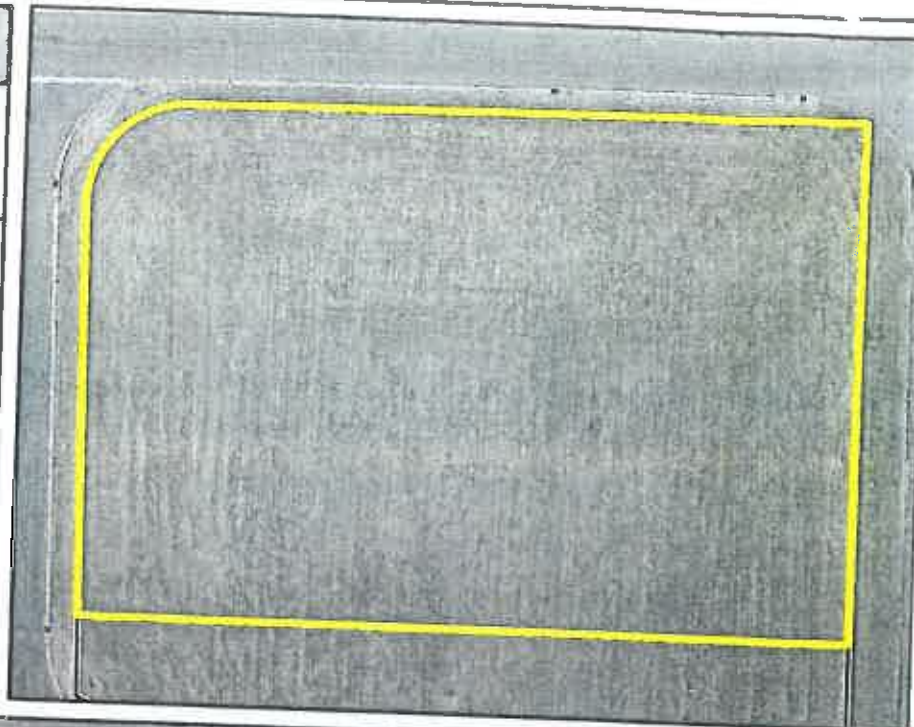
**Property Card****Parcel ID Number** 587500130**Taxpayer Information**

**Taxpayer Name**  
NORWOOD YOUNG AMERICA CITY  
C/O CITY CLERK

**Mailing Address**  
PO BOX 59  
NYA, MN 55368-0059

**Property Address**

**Address**  
410 TACOMA CIR  
**City**  
NYA, MN 55368

**Parcel Information**

<b>Uses</b> Muni Srvc Other	<b>GIS Acres</b>	2.18	<b>Net Acres</b>
	<b>Deeded Acres</b>		
	<b>Plat</b>	TACOMA WEST INDUSTRIAL PARK	
	<b>Lot</b>	010	
	<b>Block</b>	002	

**Tax Description****Building Information**

<b>Building Style</b>	<b>Above Grade Finished Sq Ft</b>	<b>Bedrooms</b>
<b>Year Built</b>	<b>Garage</b>	

**Miscellaneous Information**

<b>School District</b> 0108	<b>Watershed District</b> WS 067 CARVER CO WMO	<b>Homestead</b> N	<b>Green Acres</b> N	<b>Ag Preserve</b> N
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**Assessor Information**

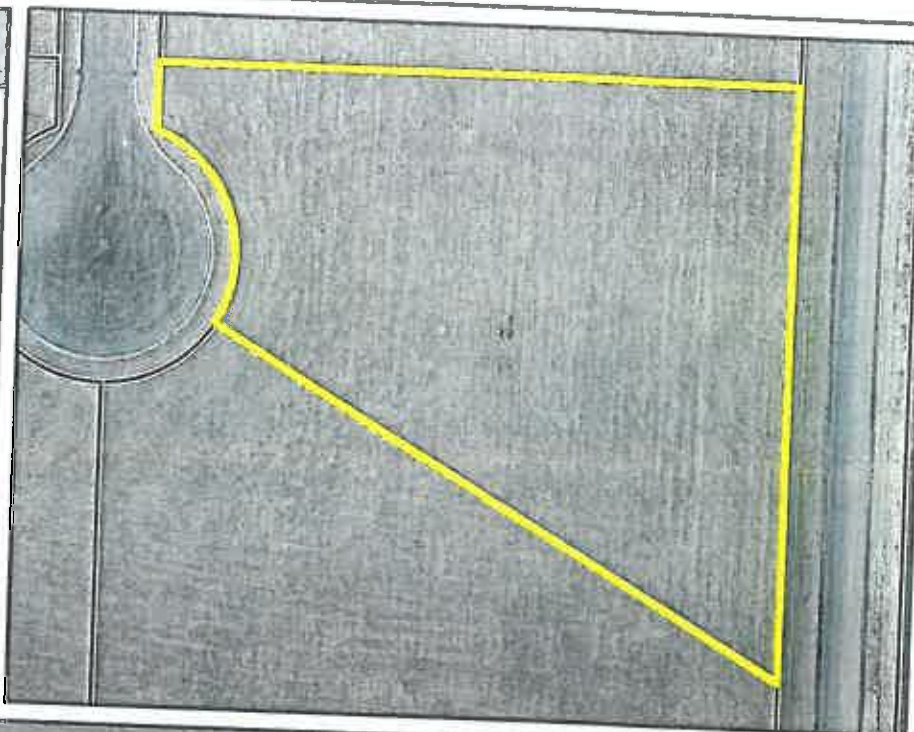
Estimated Market Value	2020 Values (Payable 2021)	2021 Values (Payable 2022)	Last Sale
Land	\$162,200.00	\$162,200.00	Date of Sale
Building	\$0.00	\$0.00	Sale Value
<b>Total</b>	<b>\$162,200.00</b>	<b>\$162,200.00</b>	

The data provided herewith is for reference purposes only. This data is not suitable for legal, engineering, surveying or other similar purposes. Carver County does not guarantee the accuracy of the information contained herein. This data is furnished on an 'as is' basis and Carver County makes no representations or warranties, either expressed or implied, for the merchantability or fitness of the information provided for any purpose. This disclaimer is provided pursuant to Minnesota Statutes §466.03 and the user of the data provided herein acknowledges that Carver County shall not be liable for any damages, and by using this data in any way expressly waives all claims, and agrees to defend, indemnify, and hold harmless Carver County, its officials, officers, agents, employees, etc. from any and all claims brought by anyone who uses the information provided for herein, its employees or agents, or third parties which arise out of user's access. By acceptance of this data, the user agrees not to transmit this data or provide access to it or any part of it to another party unless the user includes with the data a copy of this disclaimer.

Thursday, July 15, 2021

Carver County, MN



**Property Card****Parcel ID Number** 587500120**Taxpayer Information****Taxpayer Name**  
NORWOOD YOUNG AMERICA CITY  
C/O CITY CLERK**Mailing Address**  
PO BOX 59  
NYA, MN 55368-0059**Property Address****Address**  
416 TACOMA CIR  
**City**  
NYA, MN 55368**Parcel Information****Uses**  
Muni Srvc Other

<b>GIS Acres</b>	1.99	<b>Net Acres</b>
<b>Deeded Acres</b>		
<b>Plat</b>	TACOMA WEST INDUSTRIAL PARK	
<b>Lot</b>	009	
<b>Block</b>	002	

**Tax Description****Building Information**

<b>Building Style</b>	Above Grade Finished Sq Ft	<b>Bedrooms</b>
<b>Year Built</b>	Garage	

**Miscellaneous Information**

<b>School District</b> 0108	<b>Watershed District</b> WS 067 CARVER CO WMO	<b>Homestead</b> N	<b>Green Acres</b> N	<b>Ag Preserve</b> N
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**Assessor Information**

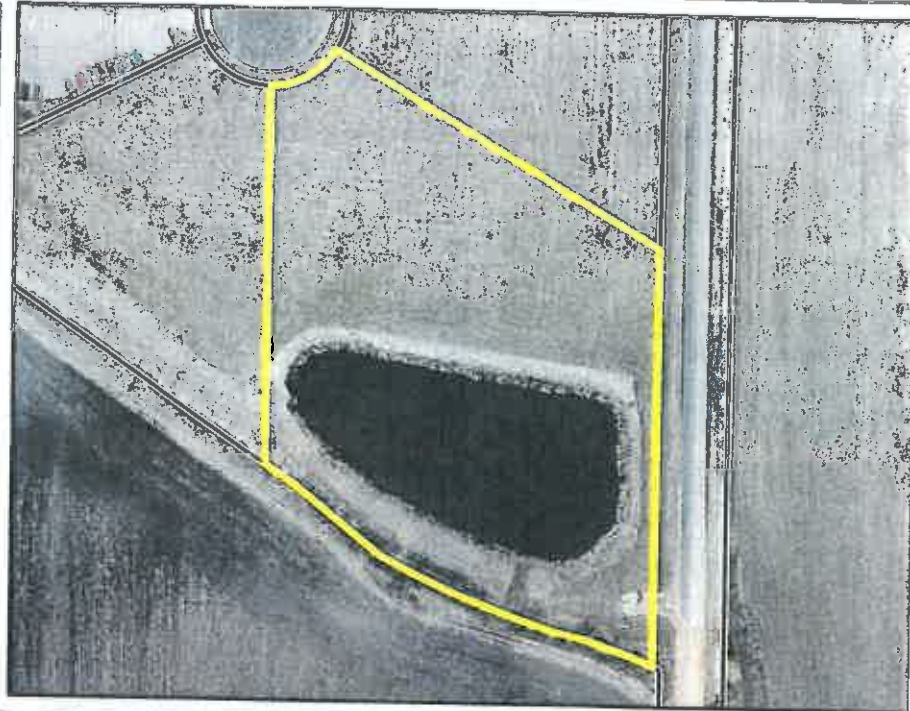
<b>Estimated Market Value</b>	<b>2020 Values (Payable 2021)</b>	<b>2021 Values (Payable 2022)</b>	<b>Last Sale</b>
<b>Land</b>	\$148,100.00	\$148,100.00	<b>Date of Sale</b>
<b>Building</b>	\$0.00	\$0.00	<b>Sale Value</b>
<b>Total</b>	\$148,100.00	\$148,100.00	

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Thursday, July 15, 2021

Carver County, MN



**Property Card****Parcel ID Number** 587500110**Taxpayer Information****Taxpayer Name**  
NORWOOD YOUNG AMERICA CITY  
C/O CITY CLERK**Mailing Address**  
PO BOX 59  
NYA, MN 55368-0059**Property Address****Address**  
420 TACOMA CIR  
**City**  
NYA, MN 55368**Parcel Information****Uses** Muni Srvc Other**GIS Acres** 4.32**Net Acres****Deeded Acres****Plat** TACOMA WEST INDUSTRIAL PARK**Lot** 008**Block** 002**Tax Description****Building Information****Building Style**Above Grade  
Finished Sq Ft**Bedrooms****Year Built****Garage****Miscellaneous Information****School District**  
0108**Watershed District**  
WS 067 CARVER CO WMO**Homestead**  
N**Green Acres**  
N**Ag Preserve**  
N**Assessor Information****Estimated Market Value****2020 Values**  
(Payable 2021)**2021 Values**  
(Payable 2022)**Last Sale****Land**

\$156,300.00

\$156,300.00

**Date of Sale****Building**

\$0.00

\$0.00

**Sale Value****Total**

\$156,300.00

\$156,300.00

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To: Mayor Lagergren and City Council Members  
From: Angela Brumbaugh, Clerk/Treasurer and Finance Committee  
Date: July 26, 2021  
Re: Escrow Balances

The Finance Committee had requested that any escrow fund with a balance should be inspected to see if there should be something done with it and if it could be closed. During this process, we did find that 5 out of 6 of them could be closed with approval from the Council.

Below is a list of the escrow funds, the current balances, and the recommendation from the Finance Committee at the July 19<sup>th</sup> meeting:

Fund	Title	Balance	Explanation
803	Escrow-Xtreme Properties LLC	\$ 3,258.00	As the building permit has been finalized, approve refunding the balance to Xtreme Properties.
804	Escrow	\$ 555.00	Do a journal entry to close out as it was done in 2016 and done incorrectly which left a balance.
805	Escrow-Kwik Trip 2013	\$ (1,671.00)	This is an old amount that has been outstanding since 2015. Do a journal entry to close out this fund.
807	Escrow-Preserve 5	\$ (3,074.00)	JE from 2018 was supposed to be reversed but instead it was done backwards. Therefore leaving a credit balance of \$3,074. Do a JE to close out this fund.
812	Escrow-2018 Expansion Vickerman	\$ 581.71	Take \$46 from this balance for the recording fee, reimburse Vickerman \$535.71.
815	Escrow-Kwik Trip 2020 Site Plan	\$ 5,000.00	New as of Oct 2020. Nothing to be done currently.

**Recommended Motion:**

**Recommend Xtreme Properties be reimbursed their escrow balance of \$3,258, close out fund 804, 805, and 807 with the funds coming from the general fund, and reimburse Vickerman \$535.71 for the outstanding balance.**



Date: July 26, 2021  
To: City Council Members  
From: Carol Lagergren, Mayor and Angela Brumbaugh, City Clerk  
Re: Hiring an Interim City Administrator

The League of Minnesota Cities' Handout on Hiring a City Administrator offers the following options for handling the vacancy until a new administrator is hired..

**Interim administrator or city manager duties**

When there is a vacancy in the office of the city administrator or manager one option is to designate some other trusted staff member (finance director, clerk) to serve as interim administrator until a replacement can be hired. **Another option is to divide responsibilities between several staff during the interim. This can work, but the council must be very clear about who has specific responsibilities for what functions, and to whom they all report.** Cities with the council-manager form of government should probably not use this option, since State law or the city charter vest the city manager with very specific authorities.

Another option is to work with or contract with a neighboring city to have its city clerk or administrator help out. Or, some cities hire a retired administrator to serve as an interim administrator or look for an administrator who is in-between jobs to serve in this role. LMC can provide a list of individuals who may be available for such interim service.

Preliminary costs for a part-time interim administrator range from \$75 to \$100 per hour. Current recommendation for the interim are:

- (until an Interim Administrator is hired) Divide responsibilities between staff members during the interim. This division of labor will be finalized at the Tuesday Management Meeting on July 27th. City Clerk and/or Mayor will serve as the liaison with the Council during this period.
- (after an Interim Administrator is hired) Duties will remain the same as above. Interim Administrator will be the liaison with the Council during this period.

**Recommendation:** Motion to approve the interim plan for handling the City Administrator vacancy.

**Norwood Young America**

310 Elm Street West PO Box 59 - Norwood Young America MN 55368 - (952)467-1800 - [www.cityofnya.com](http://www.cityofnya.com)



Date: July 26, 2021  
To: Honorable Mayor and City Council Members  
From: Steve Zumberge, Fire chief  
Re: Revenues and Expenses for the Replacement of Rescue 11

Thank you to the many individuals and groups who have contributed to replacing Rescue 11, the truck damaged in the snowstorm. Below please find a cost breakdown for the new truck, Rescue 11.

#### Revenues

LMCIT (Insurance)	\$16,250.00
LMCIT (Replacement Graphics)	\$926.00
City Funds (Property Taxes)	\$22,250.00
Legion Donation	\$7,500.00
VFW Donation	\$7,500.00
America's Farmers Grow Communities Award (nominated by Kevin Sons)	\$2,500.00
UFC	\$2,477.06
NYA Fire Department	\$4,557.94
TOTAL	\$63,961.90

#### Expenses

Gilleland Chevrolet (truck, box, steps, and rust proofing)	\$49,733.00
OEM (front box/tool storage)	\$1,297.22
EATI	\$10,208.68
Rhino Lining	\$900.00
Ken Forner (graphics)	\$1,623.00
TOTAL	\$63,961.90

**Recommendation: Motion to accept donations for Fire Rescue 11.**

***Norwood Young America***



TO: Mayor Lagergren and City Council Members  
FROM: Steven Helget, City Administrator  
DATE: July 26, 2021  
SUBJECT: Approve Summary of Ordinance No. 339 and its Publication

---

At the July 12, 2021 regular City Council adopted Ordinance No. 339. A summary was not included in the Council packet. Enclosed is a summary of Ordinance No. 339 for publication purposes.

**Recommended Motion:**

**Motion to approve the Summary of Ordinance No. 339 and its publication.**

*Norwood Young America*

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

**City of Norwood Young America**  
**Summary of Ordinance No. 339**  
**Amending City Code Section 830 - Parks**

The City of Norwood Young America has adopted Ordinance 339 entitled "An Ordinance amending Section 830 of the City Code by adding a definition for "Athletic Field" and providing a provision for dogs and cats in city parks. The following is a summary of the adopted ordinance:

Subd. 11 Athletic Field. "Athletic Field" shall mean a piece of land prepared for recreational activities.

Dogs and cats in parks. Dogs and cats are allowed in the parks of the city, except on athletic fields or in the children's playground equipment areas, but only if the dog or cat is properly restrained by leash or cage and the human being in control of the dog or cat complies with the provisions of this article requiring clean up of any feces left by the dog or cat. The leash and cage requirement may also be met by the owner physically holding the dog or cat.

Effective Date: Ordinance No. 339 becomes effective upon its passage and publication according to law. The ordinance was adopted by the City Council on July 12, 2021.

A copy of the complete ordinance is available for review at the Norwood Young America City Offices, located at 310 Elm St W. If you have any questions, please contact the City at (952) 467-1800.





**City of Norwood  
Young America**

**June 2021**



**Carver County Sheriff's Office**  
**Monthly Calls for Service**  
**From: 06/01/2021 To: 06/30/2021**

## **Norwood Young America City**

### **Patrol**

#### **A Offense**

Assault	2
Property Damage	1
Stolen Property Offenses	1
Fraud	3
Weapons	1
<b>Total A Offense:</b>	<b>8</b>

#### **B Offense**

Traffic - alcohol Rel	1
Misc - criminal	1
Ordinances	1
<b>Total B Offense:</b>	<b>3</b>

#### **Non Criminal**

Misc Non-criminal	14
Alarm	3
Missing Person	1
Abuse/Neglect (Info Only)	4
Animal	4
Medical	26
Assist Other Agency	2
Fire Call	2
Mental Health	1
Warrant Service	1
Suspicious Activity	10
Disturbance (Info Only)	5
Child Custody Dispute	3
<b>Total Non Criminal:</b>	<b>76</b>

#### **Traffic**

Traffic - Misc	2
Traffic Stop	24
Pd Accident	2
Driving Complaint	5
<b>Total Traffic:</b>	<b>33</b>

**Total Patrol: 120**

### **Administrative**

#### **Administrative**

GunPermit-Acquire	2
GunPermit-CarryNew	2
GunPermit- Carry Late Ren	1
<b>Total Administrative:</b>	<b>5</b>



**Carver County Sheriff's Office  
Monthly Calls for Service  
From: 06/01/2021 To: 06/30/2021**

**Total Administrative: 5**

**Total Norwood Young America City: 125**



**Carver County Sherff's Office**  
**Traffic Citation Summary**  
**From: 06/01/2021 To: 06/30/2021**

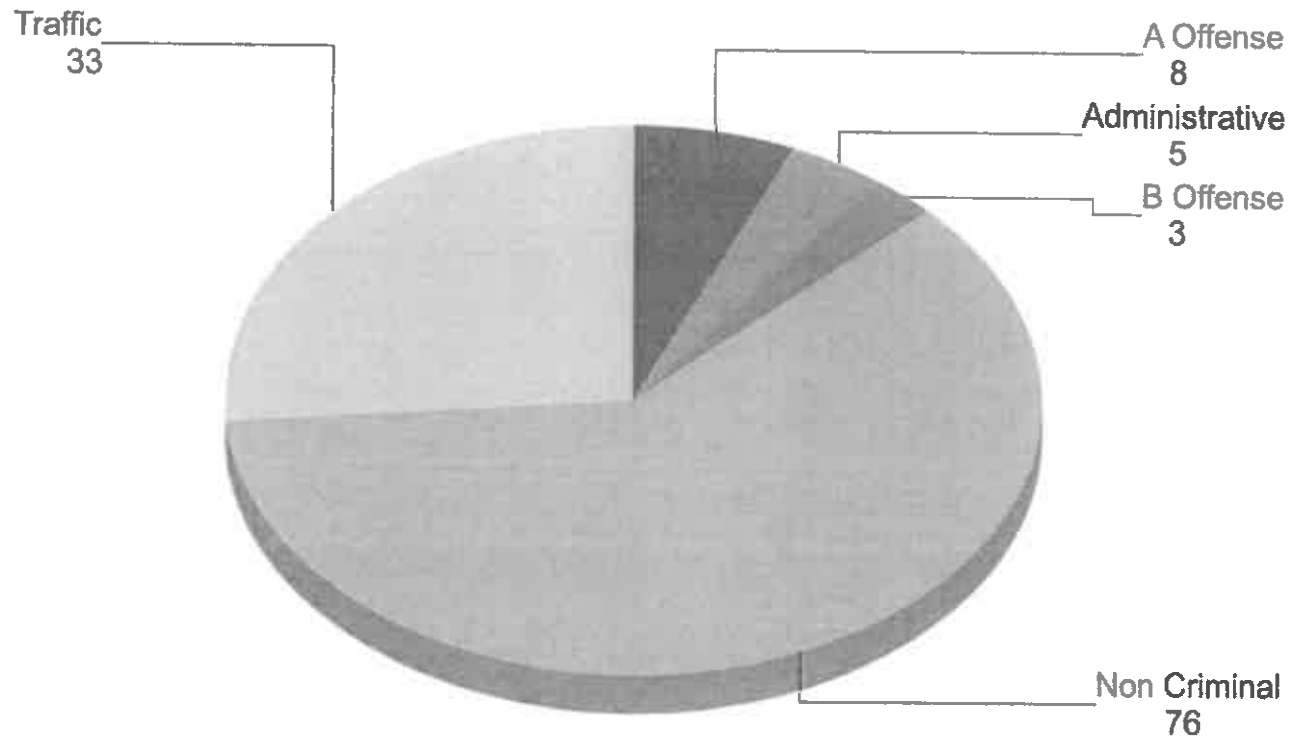
**Norwood Young America City**

<b>DAS, DAR, DAC:</b>	<b>5</b>
<b>Expired Tabs:</b>	<b>1</b>
<b>No Proof Of Insurance:</b>	<b>3</b>
<b>Seatbelt Violation:</b>	<b>1</b>
<b>Total Norwood Young America City:</b>	<b>10</b>



**Carver County Sheriff's Office**  
**Monthly Calls for Service**  
**From: 06/01/2021 To: 06/30/2021**

## **Norwood Young America City**



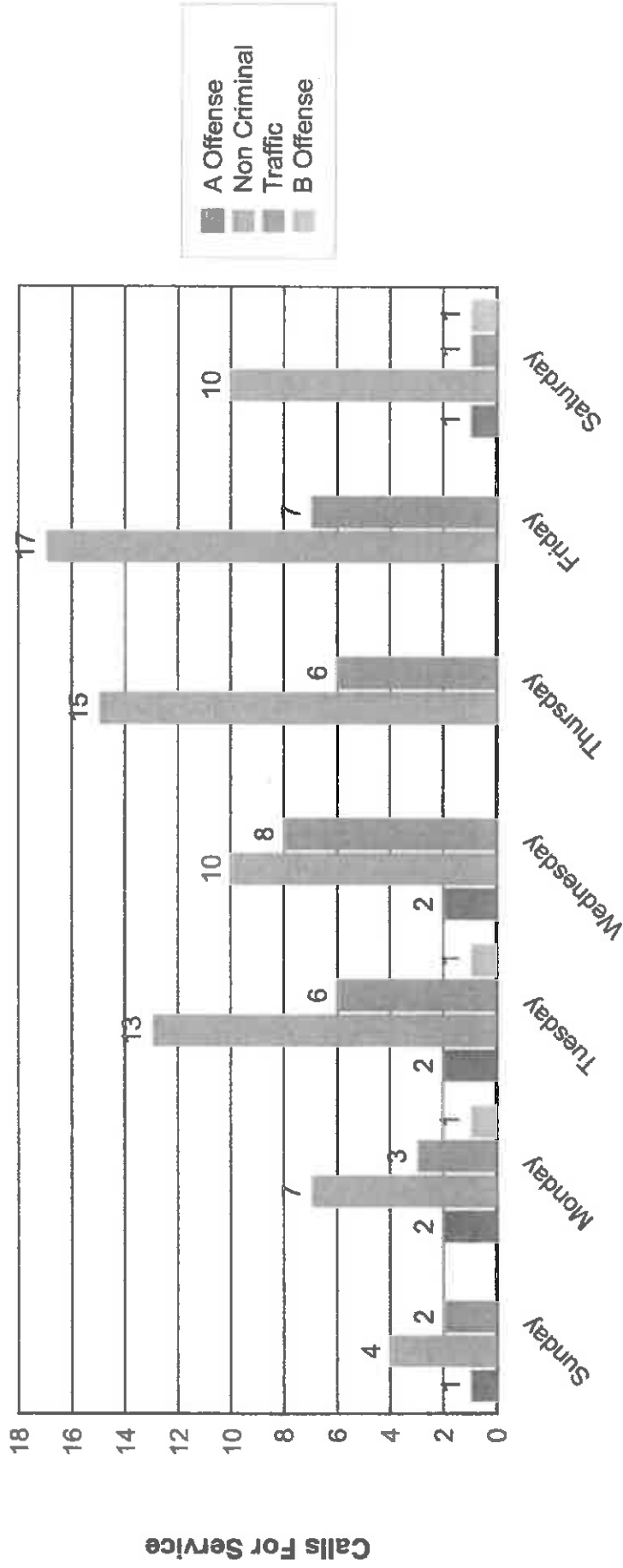
Total A Offense:	8
Total B Offense:	3
Total Non Criminal:	76
Total Traffic:	33
Total Administrative:	5

**Total Norwood Young America City: 125**



**Carver County Sheriff's Office**  
**Day of Week Analysis of Calls for Service**  
**Patrol Activity**  
**From: 06/01/2021 To: 06/30/2021**

**Norwood Young America City**

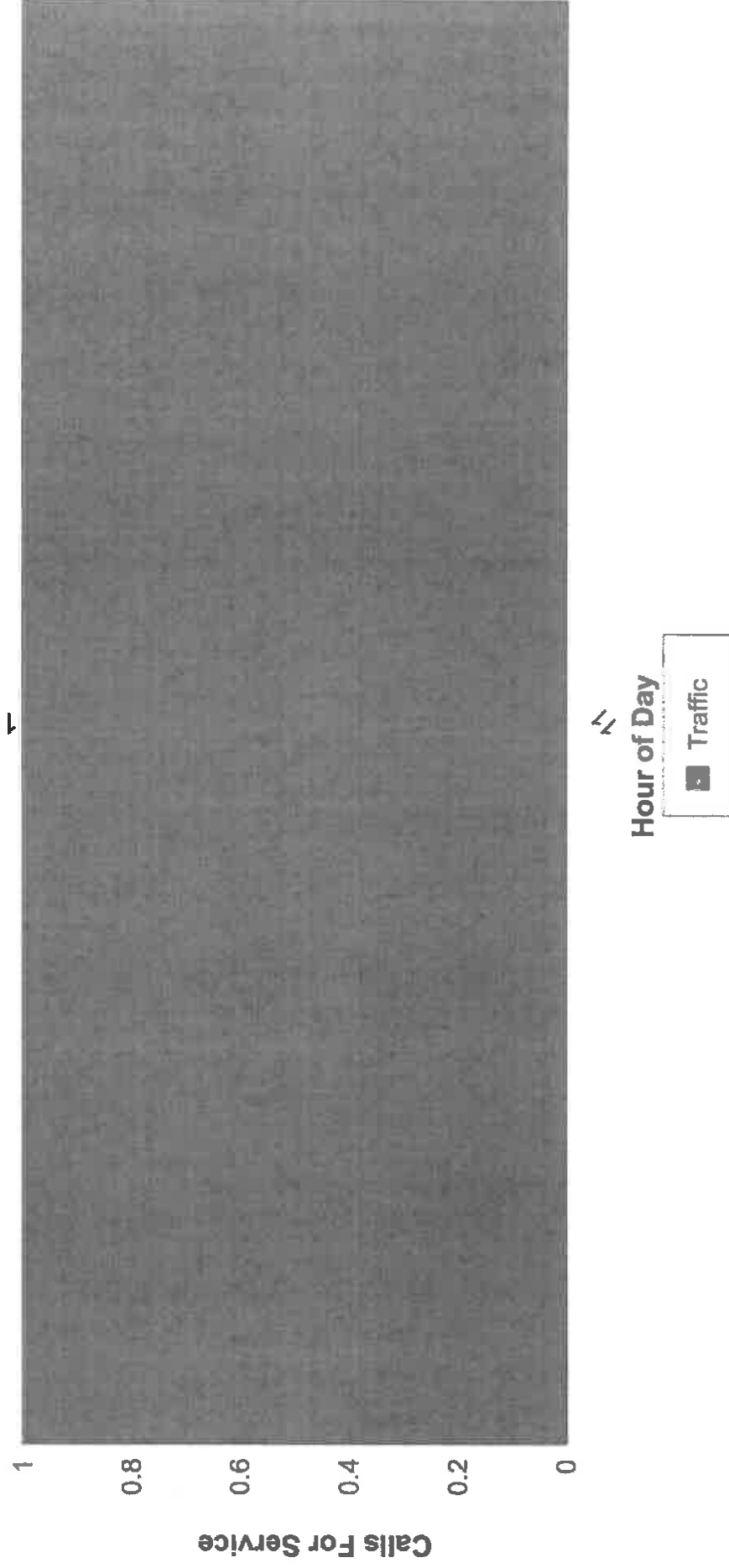


**Total Norwood Young America City: 120**



**Carver County Sheriff's Office**  
**Hour of Day Analysis of Calls for Service**  
**Patrol Activity**  
**From: 06/30/2021 To: 06/30/2021**

## Norwood Young America City



**Total Norwood Young America City: 1**





**Carver County Sherff's Office**  
**Arrest Summary**  
**For: Norwood Young America City**  
**From: 06/01/2021 To: 06/30/2021**

	Total Charges	Total Arrestees	Total Incidents
<b>Norwood Young America City</b>			
13B - Simple Assault	1	1	1
280 - Stolen Property Offenses	1	1	1
35A - Drug/Narcotic Violations	1	0	0
520 - Weapon Law Violations	3	0	0
90D - Driving Under the Influence	5	2	2
90G - Liquor Law Violations	1	0	0
90Z - All Other Offenses	3	2	2
Totals for Norwood Young America	15	6	6



TO: Mayor Lagergren and City Council Members

FROM: Steven Helget, City Administrator

DATE: July 26, 2021

SUBJECT: Review Orderly Annexation Agreement and Process

---

In respect to the City's 2021 – 2026 Strategic Plan, one of the First Year Actions is to review the City's Orderly Annexation Agreement with Young America Township. Enclosed is a copy of the Orderly Annexation Agreement. The agreement and a joint resolution (City and Township) were filed with the Minnesota Office of Administrative Hearings in 2008.

The following are key elements of the Orderly Annexation Agreement:

- A petition for annexation must be signed by 100% of the owners of the property.
- The City may annex any property described in Exhibit A and graphically depicted on Exhibit B upon:
  - receipt of a petition requesting annexation signed by 100% of the property owners;
  - written agreement between the City and Township; or
  - by the City pursuant to Minn. Stat. § 414.0325, Subd. (1)(d)(1).
- No public hearing is required for an annexation request/petition. The City may approve an annexation with adoption of a resolution declaring the land to be annexed. A copy of the approved resolution is to be mailed to the Township Clerk and Chair, and the MN Office of Administrative Hearings.
- The City must reimburse the Township for loss tax base at \$250 per acre payable in equal installments over a period of 6-years. The City currently requires the petitioner to pay this fee to the City.
- Transition Zones were established so that the City's zoning and subdivision regulations may extend to properties outside the city limits at various points in time which have all been surpassed. This is subject to Carver County's approval. See paragraph 8.
- The Orderly Annexation Agreement does not stipulate that a property annexed into the city must connect to City water and sewer. The agreement also does not stipulate that a property has to abut the current city limits to be able to be annexed into the city.

*Norwood Young America*

The following is the process for an annexation:

1. A petition for annexation signed by 100% of the property owners is to be submitted to the City.
2. It is advised the petitioner and City inform Young America Township of the proposed annexation.
3. Included with the petition, the petitioner is required to provide the City a survey to include a complete and accurate legal description of the property to be annexed. The survey is to include a drawing illustrating the property to be annexed.
4. Included with the petition, a preliminary sketch of how the property is to be platted and a narrative explaining the proposed use(s) of the property and when it is projected to be developed. The sketch does not need to be as detailed as a site plan.
5. Upon receipt of all the documents, the Planning Commission will review the petition for annexation and make a recommendation to the City Council.
6. The City Council will consider the petition for annexation and approve with a resolution.
7. Upon City Council approval, the approved resolution, survey, and a map illustrating the entire city boundary with the parcel highlighted, shall be submitted to the Minnesota Office of Administrative Hearings for final approval. Upon approval the state will provide notice to the City, Township, and Carver County of the approved annexation.
8. Upon annexation approval, the property zoning classification will be T-A, Transitional Ag without any action of the City per Section 1225.05 of the City Code. Rezoning may be completed after the annexation is approved.
9. Annexations must be recorded with Carver County by August 1 in order for the property to be included in next tax payable year to the City.
10. The annexation fees include the City's \$300 annexation fee, plus \$250 per acre. The state's fee is \$2.00 per acre with a minimum of \$25.00 or a maximum of \$200. The petitioner is responsible for all the fees.
11. The entire annexation process takes approximately 60 – 90 days.

A copy of the petition for annexation application is enclosed.

*Norwood Young America*

**Municipal Boundary Adjustments Docket No. OA-1402**

**City of Norwood Young America Resolution No. 2008-24**

**Young America Township Resolution No. \_\_\_\_\_**

**CITY OF NORWOOD YOUNG AMERICA  
YOUNG AMERICA TOWNSHIP  
COUNTY OF CARVER  
STATE OF MINNESOTA**

**A JOINT RESOLUTION BETWEEN THE CITY OF NORWOOD YOUNG  
AMERICA AND YOUNG AMERICA TOWNSHIP AS TO THE ORDERLY  
ANNEXATION OF PROPERTY**

**WHEREAS**, the City of Norwood Young America ("City") and Young America Township ("Township") desire to enter into an agreement ("Joint Resolution") to provide for the orderly development and extension of services to areas of the Township that are or are about to become urban or suburban in character; and

**WHEREAS**, the City and Township wish to encourage future development and promote the logical and efficient extension of services to properties in an orderly manner; and

**WHEREAS**, the City and the Township are in agreement as to the procedures and process for orderly annexation of certain lands described herein for the purpose of orderly, planned growth; and

**WHEREAS**, it is in the best interest of the City, the Township and their respective residents to agree to orderly annexation in furtherance of orderly growth; and

**WHEREAS**, the parties hereto desire to set forth the terms and conditions of such orderly annexation by means of this Joint Resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the City of Norwood Young America, Carver County, Minnesota and Young America Township, Carver County, Minnesota, as follows:

1. **Description of Orderly Annexation Area.** The following described area in Young America Township is subject to orderly annexation pursuant to Minn. Stat. § 414.0325, and the parties hereto designate this area for orderly annexation:

That area legally described on the attached Exhibit A and graphically depicted on attached Exhibit B.

2. **Department of Administration, Municipal Boundary Adjustments Jurisdiction.** Upon approval by the parties, this Joint Resolution shall confer jurisdiction upon the Department of Administration, Municipal Boundary Adjustments hereinafter referred to as the "MBA", or its successor pursuant to Minnesota Statutes, so as to accomplish said orderly annexation in accordance with the terms of this Joint Resolution.
3. **No Consideration by MBA.** The City and Township mutually state that this Joint Resolution sets forth all of the conditions for annexation of the areas designated herein for orderly annexation and that no consideration by the MBA is necessary. The MBA may review and comment, but shall, within 30 days of receipt, order the annexation in accordance with the terms and conditions of this Joint Resolution.
4. **Conditions Required for Annexation.** The City may annex any property legally described on Exhibit A and graphically depicted on Exhibit B, or a portion thereof, upon:
  - A. The receipt of a Petition requesting annexation signed by 100% of the owners of the property to be annexed; or
  - B. Written agreement of both the City and the Township; or
  - C. By the City pursuant to Minn. Stat. § 414.0325, Subd. (1)(d)(1).
5. **No Hearing Required.** Pursuant to Minnesota Statutes, Section 414.0325, the City and the Township agree that, with respect to the Orderly Annexation Area, no hearing is required and annexations meeting the requirements of Paragraph 4 may be initiated by the City via passage of a resolution declaring the land to be annexed and the conditions of this Joint Resolution, which have been met. Said resolution shall be simultaneously mailed to the Township Clerk, Township Chair and the MBA. The Township agrees not to object to or oppose any annexation undertaken pursuant to the terms and conditions contained in this Joint Resolution.
6. **Annexation Procedure.**
  - A. **Notice of Intent to File a Petition for Annexation.** At least 60 days before a petition for annexation is filed pursuant to this Agreement, the petitioner must notify the City of the intent to file a petition for annexation.
  - B. **Electric Utility Service Notice.** At least 30 days before a petition is filed for annexation, the petitioner must be notified by the City that the cost of electric utility service to the petitioner may change if the land is annexed to the City. The notice must include an estimate of the cost

impact of any change in electric utility services, including rate changes and assessments, resulting from the annexation.

C. **Cost to MBA for Designation and Filing Fee and Other Cost Associated with Annexation under this Agreement.** The cost for designation and filing fee paid to the MBA and other associated annexation costs shall be paid by the petitioner, except under the circumstances in which the City and/or Township initiates annexation proceedings. In this case the cost shall be paid by the initiating party or divided equally between the City and the Township.

D. **Date of Annexation.** Property shall be deemed "annexed" on the day the MBA orders annexation.

7. **Revenue Sharing.** To compensate the Township for the permanent loss of taxable property from Township tax rolls, the City shall pay the Township per-acre amount ("Taxation Reimbursement") for all land annexed to the City under this Agreement. Payment shall occur in equal annual installments over a period of six years from the date of annexation of such property to the City, with the first installment being made within 30 days of the annexation of the subject area and succeeding installments on the same payment date for each of the remaining five succeeding years. Said payment shall be calculated in accordance with the following formula:

A. Payment to the Township of \$250.00 per acre annexed into the City under this Agreement.

B. The City shall remit all delinquent taxes, charges and assessments collected from any portion of the Orderly Annexation Area if such taxes or charges were originally payable while the delinquent property remained in the Township. Additionally, when a property no longer qualifies for special tax treatment through Green Acres or other applicable programs such as Ag Preserves, CRP, This Old House, and taxes that were deferred under one of these programs is paid to the City, the City shall remit to Township the amount which was deferred during the time the property was in the Township.

C. The City does not assume by this annexation any liability or responsibility for the payment of any obligations issued to finance public improvements constructed by the Township or for which the Township levied special assessments. In the event that the City annexes land under this Agreement upon which outstanding special assessments levied by the Township remain at the time of annexation, the City shall forward to the Township upon receipt all special assessment payments, which the City receives as a result of special assessments, levied by the Township.

Other than the reimbursement outlined above, no other reimbursement or taxes shall be owed to the Township from the City.

8. **Planning in the Orderly Annexation Area.** It is the intent of the parties that the Township recognizes the City's Comprehensive Plan, Subdivision Ordinance and Land Use Controls. It is also the intent of the parties that the City recognizes the continued viability of certain areas of the Township that are not likely to develop within a short to medium-term time frame, based on the City's Staging Concept adopted as part of the 2006 Comprehensive Plan Update. As such, the City and Township agree to establish certain transition zones within the Described Area and that the Township agrees for itself and consents that Carver County may, pursuant to Minn. Stat. § 414.0325, Subd. (5)(d)(1), exclude from Carver County's zoning and subdivision ordinances and allow the City to extend its zoning and subdivision regulations to include Transition Zones 1, 2 and 3 at various points of time as described below. These transition zones are graphically depicted on attached Exhibit C. The City shall reserve the right to request and receive zoning control from Carver County within the following areas and time frames:
  - A. Transition Zone 1: Upon adoption of this Resolution by both the City and the Township.
  - B. Transition Zone 2: January 1, 2013, or when Transition Zone 1 is developed beyond 70 %, whichever comes first. For purposes of this agreement "developed" shall include property that has been final platted or is in any phase of development beyond final plat.
  - C. Transition Zone 3: January 1, 2020, or when Transition Zone 2 is developed beyond 70%, whichever comes first. For purposes of this agreement "developed" shall include property that has been final platted or is in any phase of development beyond final plat.
9. **Roads Within Area Designated for Orderly Annexation.** Except as specifically set out herein or unless otherwise agreed to by both parties, the Township shall maintain all roads in the Orderly Annexation Area not annexed to the City and the City shall maintain all roads annexed to the City.
10. **Venue.** This Joint Resolution is made pursuant to, and shall be construed in accordance with the laws of the State of Minnesota. The Venue for all actions concerning this Agreement shall be Carver County, Minnesota.
11. **Authorization.** The appropriate officers of the City and Township are hereby authorized to carry the terms of this Joint Resolution into effect.
12. **Terms and Conditions of Entire Agreement.** The terms and conditions of this Joint Resolution, including Exhibit A through Exhibit C which are attached hereto and incorporated herein by reference, shall constitute the entire Joint Resolution between the parties and supersede all prior agreements and negotiations regarding



annexation of property within the Orderly Annexation Area between the parties, specifically including, but not limited to, the 1982 annexation agreement between the City and the Township and any amendment thereto.

13. **Effective Date.** This Joint Resolution is effective upon its adoption by the respective governing bodies of the Township and the City, as provided by law.

Adopted by the City Council of the City of Norwood Young America this 25<sup>th</sup> day of February 2008.

LaVonne Kroell  
Mayor

Attest:

Diane Fraundienst  
Diane Fraundienst, City Clerk/Treasurer

Adopted by the Young America Township Board this 19<sup>th</sup> day of March, 2008.

Bradley Schrupp  
Bradley Schrupp, Township Chairperson

Attest:

Lothar Wolter, Jr.  
Lothar Wolter, Jr., Township Clerk

## **Exhibit A**

### **ORDERLY ANNEXATION AREA LEGAL DESCRIPTIONS:**

All that part of Section 10, Township, 115, Range 26, Carver County, Minnesota, lying southerly of the northerly right-of-way of County State Aid Highway No. 34.

AND

All that part of the West One-Half of Section 11, Township, 115, Range 26, Carver County, Minnesota, lying northwesterly of State Highway No. 5.

AND

All of Section 12, Township, 115, Range 26, Carver County, Minnesota. EXCEPT that part of said Section 12 lying within the City limits of Norwood Young America.

AND

All of Section 13, Township, 115, Range 26, Carver County, Minnesota. EXCEPT that part of said Section 13 lying within the City limits of Norwood Young America.

AND

That part of the Southeast Quarter of the Northeast Quarter of Section 14, Township 115, Range 26, Carver County, Minnesota, lying northerly of State Highway No. 212.

AND

The Northeast Quarter of the Northeast Quarter of Section 14, Township 115, Range 26, Carver County, Minnesota, EXCEPT that part lying within the current City limits of Norwood Young America

AND

The South One-Half of Section 14, Township, 115, Range 26, Carver County, Minnesota. EXCEPT that part of said South One-Half lying within the City limits of Norwood Young America.

AND

All that part of North One-Half of Section 15, Township, 115, Range 26, Carver County, Minnesota, lying northerly of U.S. Highway No. 212.

AND

That part of the Northwest Quarter of Section 15, Township 115, Range 26, Carver County, Minnesota, lying southerly of State Highway No. 212, northerly of the Chicago, Milwaukee, St.

Paul and Pacific Railroad Company right-of-way, and westerly of the current City limits of Norwood Young America.

AND

The South One-Half of Section 15, Township, 115, Range 26, Carver County, Minnesota. EXCEPT that part of said South One-Half lying within the City limits of Norwood Young America.

AND

All that part of Government Lot 3, Section 16, Township, 115, Range 26, Carver County, Minnesota, lying northerly of U.S. Highway No. 212 and lying northerly of Chicago Milwaukee St. Paul and Pacific Railroad.

AND

That part of Government Lot 3, Section 16, Township 115, Range 26, Carver County, Minnesota, lying southerly of State Highway No. 212 and northerly of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company right-of-way.

AND

All that part of Section 22, Township, 115, Range 26, Carver County, Minnesota, lying northerly of the Chicago and North Western Railroad right-of-way.

AND

All that part of West One-Half of the Northwest Quarter of Section 23, Township, 115, Range 26, Carver County, Minnesota lying northerly of the Chicago and North Western Railroad right-of-way.

AND

The East One-Half of the Northwest Quarter and the South One-Half of the Northeast Quarter of Section 23, Township, 115, Range 26, Carver County, Minnesota.

AND

The West One-Half of the Northwest Quarter of Section 24, Township, 115, Range 26, Carver County, Minnesota. EXCEPT the south 1056.00 feet of said Northwest Quarter, as measured along the west line thereof.

AND

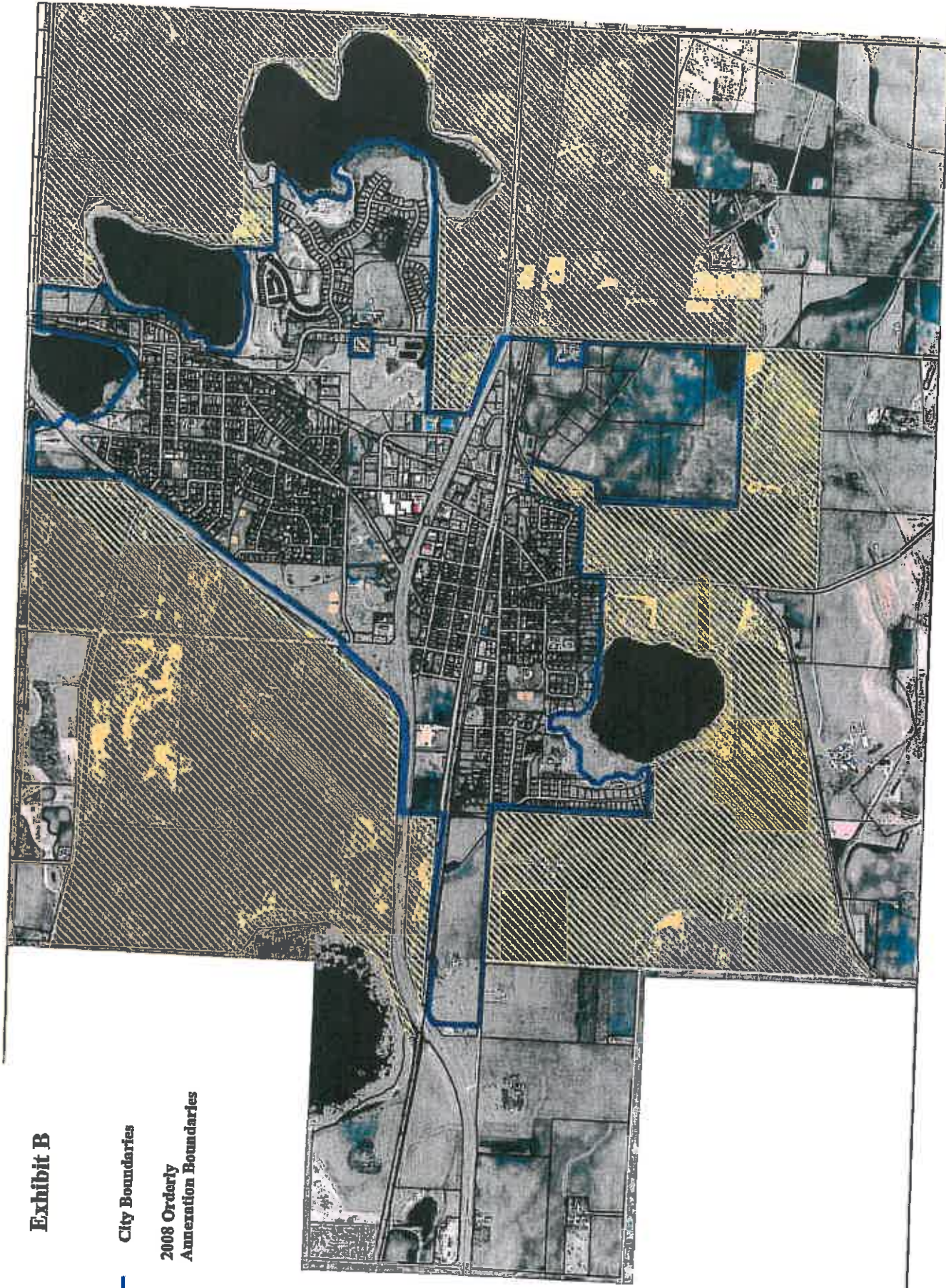
The North One-Half of the Northeast Quarter of the Northwest Quarter of Section 24, Township, 115, Range 26, Carver County, Minnesota.



## Exhibit B

### City Boundaries

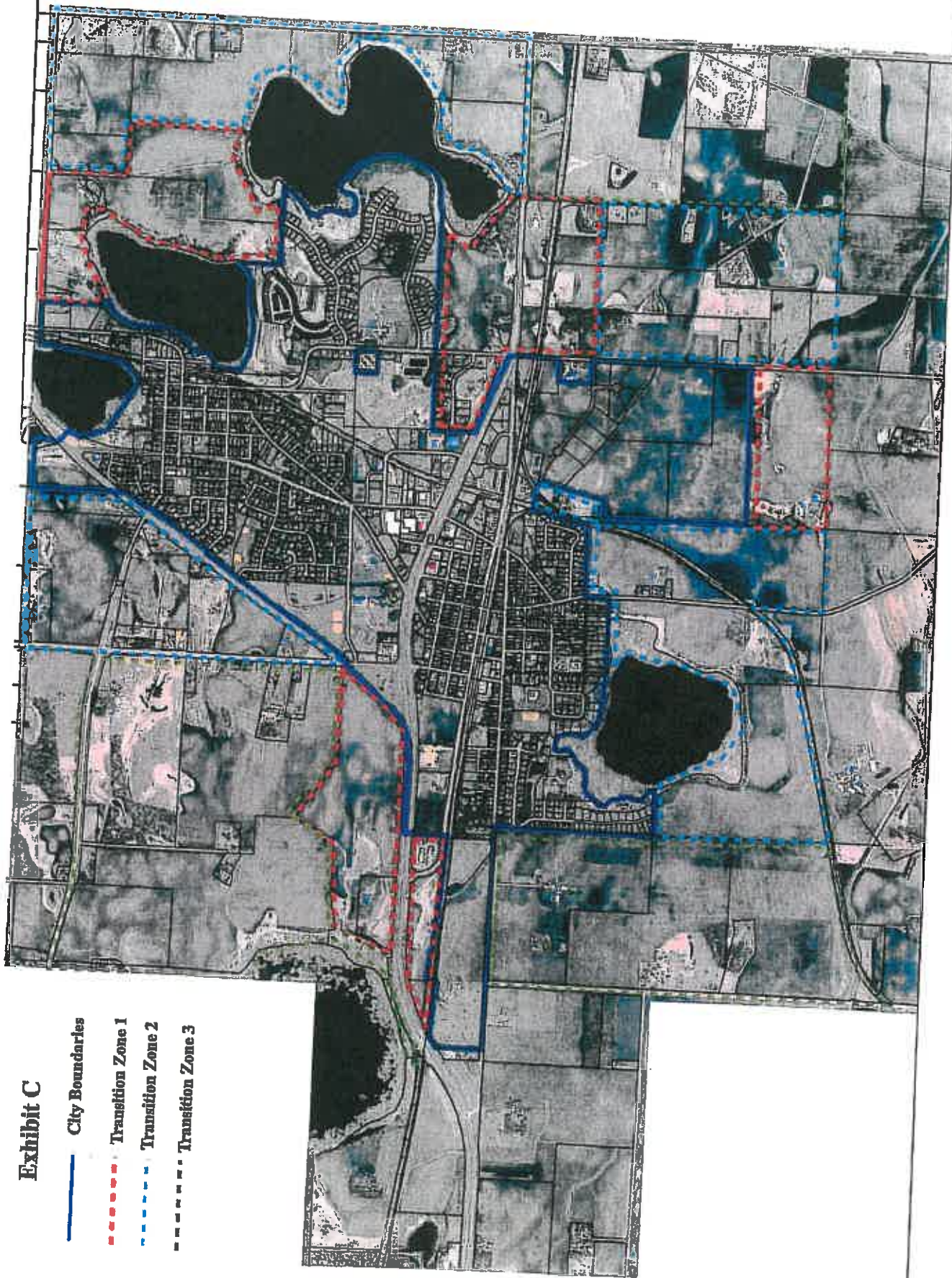
### 2008 Ordery Annexation Boundaries





# Exhibit C

- City Boundaries
- Transition Zone 1
- Transition Zone 2
- Transition Zone 3



**PETITION FOR ANNEXATION OF CERTAIN LAND TO THE CITY OF  
NORWOOD YOUNG AMERICA PURSUANT TO RESOLUTION NO. 2008-24**

The property owner(s) may commence an annexation proceeding under the City of Norwood Young America Resolution No. 2008-24, a joint resolution between the City of Norwood Young America and Young America Township as to the Orderly Annexation of property. The property owner(s) must provide the City of Norwood Young America with a Petition requesting annexation signed by 100% of the owners of the property proposed to be annexed.

1. PETITIONERS STATE: The area proposed for annexation lies in the Township of Young America, Carver County, Minnesota. The proposed area for annexation is legally described as follows: (insert or attach a complete and accurate metes and bounds property description).

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2. There are property owners residing in the area proposed for annexation.

☐ Yes ☐ No

3. The area proposed for annexation is \_\_\_\_\_ total acres.

4. The area proposed for annexation is located in one of the Transition Zones identified in Resolution No. 2008-24 ☐ Yes ☐ No

5. The reason(s) for the requested annexation is:

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6. The proposed use and zoning for the area proposed for annexation is:

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**Required Attachments:**

1. Payment of filing fees (State and City)
2. Property location map



Petitioner(s) request that pursuant to City of Norwood Young America Resolution No. 2008-24, the property described herein be annexed to and included in the city of Norwood Young America, Minnesota.

Dated: \_\_\_\_\_

Petitioner Signature: \_\_\_\_\_

Petitioner Title: \_\_\_\_\_

Owner Signature (if different): \_\_\_\_\_

Address of Primary Contact: \_\_\_\_\_

Contact Number: \_\_\_\_\_

Contact Email: \_\_\_\_\_

**CITY OF NORWOOD YOUNG AMERICA USE ONLY**

*Petition for Annexation received on:*

*Filing fees paid on:*



TO: Honorable Mayor Lagergren and City Council Members  
FROM: Tony Voigt, Public Service Director  
DATE: July 26, 2021  
RE: Sidewalk Maintenance and Removal

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Council Member Storms requested discussion be held on the process for removing and replacing sidewalks by residents in the city. Recently a section of sidewalk was removed by a resident from their front yard without contacting the City. The resident removed all the sidewalk in the boulevard that was existing on their property and back filled it with black dirt.

Below are sections from Chapter 8 of the City Code pertaining to sidewalk construction and repairs below.

***820.24 When and How Sidewalks shall be built.*** All sidewalks and crosswalks within the City shall be built when and in such manner as the City Council may prescribe.

***820.25 Supervision of Sidewalk Construction.*** All sidewalks and crosswalks within the City shall be constructed under the supervision of the street commissioner of the City.

***820.26 Sidewalk Construction Requirements Generally.*** All sidewalks shall be constructed of the material and in the manner prescribed by resolution of the City Council. Each sidewalk shall be so laid and built as to conform to the grade of any street upon which the same is laid, and shall not exceed six (6) inches above the surface of the street, and shall be upon a line of grade to be given each builder, on application, by the City Council.

***820.27 Record of Construction Costs to be Kept and Presented to Council.*** An accurate account of the cost of constructing or repairing all sidewalks and crosswalks shall be kept and shall be reported to the City Council at its next meeting after the cost is incurred.

***820.28 Assessment of Costs.*** The cost of constructing crosswalks may be assessed upon all the property of the City. The cost of constructing sidewalks in front of all real property owned by the City may be assessed upon all the property of the City, and the cost of constructing any sidewalks in front of or adjoining any lot or parcel of land in the City may be assessed upon the lot or parcel of land in front of or adjoining the sidewalk, except in the City's business district where the Council may determine sidewalk construction to be of general public benefit and thereby assess a portion of the cost upon all the property of the City.

***Norwood Young America***

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

**820.29 Sidewalk Repairs.** *If the owner of any lot or parcel of land shall permit any sidewalk along the same to become broken, rotten or out of repair, it shall be the duty of the street commissioner to immediately repair the same in a good, substantial and thorough manner, and to report to the City Council the costs of the repair, together with a description of the lot or parcel of land abutting which such repairs were made, and the report shall be filed with and be preserved by the City Administrator. The City Council shall, once in each year, at or as near as conveniently may be, the time of levying the yearly city taxes, assess and levy upon each of the lots or parcels of land fronting or abutting upon sidewalks which are being repaired by the street commissioner, the cost of making the repairs and the same shall be returned, collected and enforced in the same manner as City taxes are returned, collected and enforced.*

I have not found any language regarding exclusively to the removal of sidewalks. Proposed is to discuss the following items:

- What should be the process for property owners desiring to remove/replace the sidewalk on their property. Should it be reviewed by the Parks & Recreation Commission and a recommendation made to the City Council or should the Council solely make these decisions.
- Who is responsible for cost, job, etc.