

HOPKINS CITY COUNCIL

AGENDA

Tuesday, May 7, 2019

7:00 pm

**THIS AGENDA IS SUBJECT TO CHANGE
UNTIL THE START OF THE CITY COUNCIL MEETING**

Schedule HRA Meeting, 7 p.m. – City Council Meeting immediately following HRA Meeting
Work Session after close of Regular Meeting

I. CALL TO ORDER

II. ADOPT AGENDA

III. PRESENTATIONS

1. Oath of Police Officer – Andrew Leyrer; Johnson/Domeier
2. Proclamations for Hopkins Girls and Boys State Basketball Championships; Mornson
3. Proclamation for Hopkins Girls State Champion Weightlifter; Mornson
4. Proclamation Declaring May as Dementia Awareness Month; Specken
5. Update from Commissioner Jan Callison; Mornson
6. Update from League of Minnesota Cities; Mornson

IV. CONSENT AGENDA

1. Minutes of the April 16, 2019 City Council Regular Meeting Proceedings
2. Minutes of the April 16, 2019 City Council Work Session following Regular Meeting Proceedings
3. Resolution Requesting Comprehensive Road and Transit Funding; Mornson
4. Resolution Authorizing Solicitation of Contributions to Fund Events that Foster Positive Relationships between Law Enforcement and the Community; Johnson
5. Ratify Checks Issued in April 2019; Bishop
6. Approval of Use Agreement – The Hopkins Farmers Market; Elverum
7. Second Reading: Ordinance Amending Section 200.01 of Hopkins City Code Establishing Salaries of the Mayor and City Council from and after January 1, 2020; Lenz
8. Approve Assessment of Private Waterline Repairs; Bishop
9. Accept Bids and Award of Contract – 2019 Mill and Overlay, City Project 2019-04; Klingbeil
10. Second Reading: Ordinance Amending Chapter IV of the Hopkins City Code Pertaining to the Sale of Affordable Rental Housing; Youngquist

V. PUBLIC HEARING

VI. OLD BUSINESS

VII. NEW BUSINESS

1. Zoning Code Text Amendment to Allow Licensed Residential Programs for 7 to 10 Persons as a Conditional Use Permit in the R-1-D and R-1-E Districts; Lindahl

VIII. ANNOUNCEMENTS

IX. ADJOURN

OPEN AGENDA – PUBLIC COMMENTS/CONCERNS

Public must fill out a Speaker Request Form. During this time, anyone wanting to address a topic **not listed on the agenda** may do so. Three minute time limit per person.

The Hopkins City Council Chambers are enabled with a hearing loop system and hearing amplification options are available. Please notify staff for assistance.

**CITY OF HOPKINS, MINNESOTA
OATH OF POLICE OFFICER**

On May 7, 2019 the following Oath of Office was administered to

Andrew Leyrer

I, Andrew Leyrer, do solemnly swear that I will support the Constitution of the United States and the State of Minnesota and faithfully discharge the duties as Police Officer for the City of Hopkins, in the County of Hennepin and State of Minnesota, to the best of my judgment and ability. So help me God.

In Witness Thereof:

Andrew Leyrer, Police Officer

Jason Gadd, Mayor

Subscribed and sworn to before me this
7th day of May, 2019.

Amy Domeier, City Clerk
City of Hopkins, Minnesota



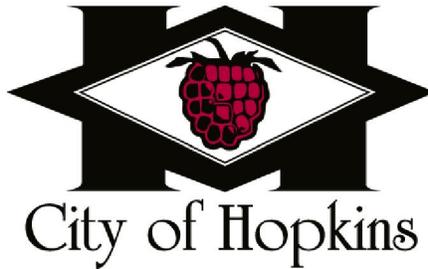
CITY OF HOPKINS

Administration

Memorandum

To: Honorable Mayor and Council Members
From: Mike Mornson, City Manager
Date: May 7, 2019
Subject: Proclamations for Hopkins Girls and Boys State Basketball Championships

The Hopkins High School girls and boys basketball teams each won the Class 4A state championship in March. It is an honor to recognize both teams and their coaching staff for their accomplishments.



Hopkins Girls State Basketball Championship

WHEREAS, the Hopkins High School girls varsity basketball team was unbeaten this year and won the Class 4A state tournament in March, 2019, and;

WHEREAS, Paige Bueckers, Maya Nnaji and Dlayla Chakolis made the 2019 all-tournament team, and;

WHEREAS, Paige Bueckers was awarded the Star Tribune Metro Player of the Year, and;

WHEREAS, Dlayla Chakolis was a finalist for the Miss Minnesota Basketball Award, and;

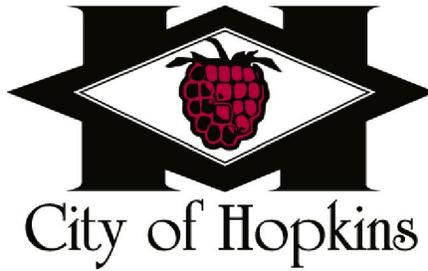
WHEREAS, Paige Bueckers received the Gatorade National Basketball Player of the Year award, and;

WHEREAS, Coach Brian Cosgriff was named the MaxPreps National Coach of the Year and Minnesota Coach of the Year in Class 4A.

NOW THEREFORE, I, Jason Gadd, Mayor of the City of Hopkins in the State of Minnesota, do hereby proclaim May 7, 2019 to be Hopkins Girls State Basketball Championship Day in City of Hopkins and call upon everyone in our City to join in the celebration of the team's great accomplishments.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Hopkins, Minnesota to be affixed this 7th day of May in the year 2019.

Jason Gadd, Mayor



Hopkins Boys State Basketball Championship

WHEREAS, the Hopkins High School boys varsity basketball team had a record of 27-4 year and won the Class 4A state tournament in March, 2019, and;

WHEREAS, Dane Zimmer, Kerwin Walton and Zeke Nnaji made the 2019 all-tournament team, and;

WHEREAS, Zeke Nnaji was awarded the Star Tribune Metro Player of the Year, and;

WHEREAS, Zeke Nnaji was a finalist for the Mr. Minnesota Basketball Award, and;

WHEREAS, Coach Ken Novak Jr. was named Minnesota Coach of the Year in Class 4A and was also inducted in to the Minnesota High School Basketball Hall of Fame Class of 2019 .

NOW THEREFORE, I, Jason Gadd, Mayor of the City of Hopkins in the State of Minnesota, do hereby proclaim May 7, 2019 to be Hopkins Boys State Basketball Championship Day in City of Hopkins and call upon everyone in our City to join in the celebration of the team's great accomplishments.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Hopkins, Minnesota to be affixed this 7th day of May in the year 2019.

Jason Gadd, Mayor



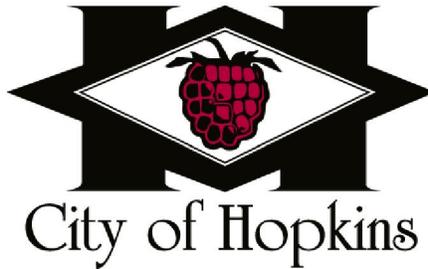
CITY OF HOPKINS

Administration

Memorandum

To: Honorable Mayor and Council Members
From: Mike Mornson, City Manager
Date: May 7, 2019
Subject: Proclamation for Hopkins Girls State Champion Weightlifter

Ruth Freiberg from Hopkins High School was state champion weightlifter in March. It is an honor to recognize Ruth and her coach for their accomplishments.



Hopkins Girls State Champion Weightlifter

WHEREAS, the Hopkins High School boys and girls weightlifting team started in 2018 and is split up in weight classes and JV/Varsity boys and girls, and;

WHEREAS, the weightlifting team meets Monday through Thursday after school from November to March, and;

WHEREAS, Ruth Freiberg placed third in the 55kg weight class and hit the qualifying total of 82kg to qualify for state in her first meet at the North Metro High School Open in Armstrong, and;

WHEREAS, Ruth Freiberg placed fourth in the 59kg weight class with a lifting total of 84kg at Northfield High School, and;

WHEREAS, Ruth Freiberg took first place and was a state champion with a combined lifting total of 85kg at the state tournament in Cannon Falls, and;

WHEREAS, Ruth Freiberg is involved in softball, snowboarding and weightlifting. Ruth juggled two winter sports: snowboarding and weightlifting, and;

WHEREAS, Coach Heather Hvezda started the weightlifting program at Hopkins High School.

NOW THEREFORE, I, Jason Gadd, Mayor of the City of Hopkins in the State of Minnesota, do hereby proclaim May 7, 2019 to be Hopkins Girls State Weightlifter Championship Day in City of Hopkins and call upon everyone in our City to join in the celebration of the Ruth Freiberg's great accomplishments.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Hopkins, Minnesota to be affixed this 7th day of May in the year 2019.

Jason Gadd, Mayor



Fire Department

CITY OF HOPKINS

Memorandum

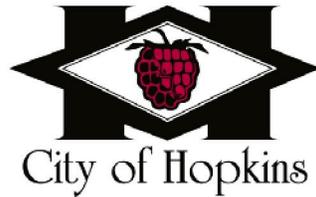
To: Honorable Mayor and Council Members
Mike Mornson, City Manager

From: Dale Specken, Fire Chief

Date: May 7, 2019

Subject: Proclamation Declaring May as Dementia Awareness Month

Members of the Hopkins ACT on Alzheimer's Team will be in attendance to provide more information and receive the proclamation.



A Proclamation Declaring May as Dementia Awareness Month

WHEREAS, the Hopkins ACT on Alzheimer's Initiative is a volunteer-driven collaboration bring communities together to create supportive environments for everyone touched by Alzheimer's disease; and

WHEREAS, the Hopkins ACT on Alzheimer's Action Team includes members from: the Hopkins Library, City of Hopkins, Hopkins Fire and Police, Cassia Services and Communities, Chapel View Health Care Center, Emerald Crest of Minnetonka and Augustana Open Circle, VOA Elder Homestead, Gethsemane Lutheran Church, Hopkins Elks, The Glenn, and several dedicated community members; and

WHEREAS, to help support and educate those living with dementia and their caregivers the Hopkins ACT on Alzheimer's Initiative is proudly sponsoring several dementia specific community events in May; and

NOW THEREFORE, I, Jason Gadd, Mayor of the City of Hopkins in the State of Minnesota, let it be resolved that May, 2019 shall be designated as Dementia Awareness Month in the City of Hopkins.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Hopkins, Minnesota to be affixed this 7th day of May in the year 2019.

Jason Gadd, Mayor



CITY OF HOPKINS

Administration

Memorandum

To: Honorable Mayor and Council Members
From: Mike Mornson, City Manager
Date: May 7, 2019
Subject: Update from Commissioner Jan Callison

Jan Callison, Hennepin County Commissioner for District 6, will be in attendance to provide updates to the City Council.



CITY OF HOPKINS

Administration

Memorandum

To: Honorable Mayor and Council Members
From: Mike Mornson, City Manager
Date: May 7, 2019
Subject: Update from League of Minnesota Cities

Staff from the LMC will be in attendance to provide updates to the City Council.

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
APRIL 16, 2019**

CALL TO ORDER

Pursuant to due call and notice thereof a regular meeting of the Hopkins City Council was held on Tuesday, April 16, 2019 at 7:01 p.m. at the Hopkins Fire Station, 101 17th Avenue South, Hopkins.

Mayor Gadd called the meeting to order with Council Members Brausen, Kuznia, Halverson, Hunke attending. Staff present included City Manager Mornson, Finance Director Bishop, Director of Planning and Development Elverum, Assistant City Engineer Klingbeil, Assistant City Manager Lenz, City Attorney Riggs, Public Works Director Stadler, City Engineer Stanley and Community Development Coordinator Youngquist.

ADOPT AGENDA

Motion by Kuznia. **Second** by Halverson.

Motion to Adopt Agenda.

Ayes: Brausen, Kuznia, Gadd, Halverson, Hunke.

Nays: None. Motion carried.

CONSENT AGENDA

Motion by Halverson. **Second** by Hunke.

Motion to Approve the Consent Agenda.

1. Minutes of the April 2, 2019 City Council Regular Meeting Proceedings
2. Minutes of the April 2, 2019 City Council Work Session following Regular Meeting Proceedings
3. Minutes of the April 2, 2019 City Council Special Meeting Proceedings
4. Minutes of the April 3, 2019 City Council Special Meeting Proceedings
5. Minutes of the April 9, 2019 City Council Special Meeting Proceedings
6. Minutes of the April 9, 2019 City Council Work Session Proceedings
7. Extension of On-Sale Wine and 3.2% Malt Liquor License Premise for Nachos Mexican Grill LLC DBA Nachos Mexican Grill Inc.
8. Livable Communities Transit Oriented Development Application – Artspace

Ayes: Brausen, Kuznia, Gadd, Halverson, Hunke.

Nays: None. Motion carried.

PUBLIC HEARING

V.1. First Reading: Ordinance Amending Chapter IV of the Hopkins City Code Pertaining to the Sale of Affordable Rental Housing

Community Development Coordinator Youngquist gave an overview and discussed the requirements of the Tenant Protection Ordinance. Ms. Youngquist discussed the percentages of rental housing in Hopkins and discussed the housing cost burdens to renters. Ms. Youngquist discussed the definitions in the ordinance, the tenant protection

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
APRIL 16, 2019**

period, notification requirements, relocation assistance and penalties. Ms. Youngquist explained that staff would administer the ordinance as part of the rental license application. Ms. Youngquist gave an overview of the communities that have already adopted a similar ordinance commenting that there was an error in the staff report and that the City of Minnetonka has not adopted the ordinance to date. Ms. Youngquist discussed the public engagement process and commented that staff recommends approval of the ordinance.

Council Member Halverson asked about the Hopkins Apartment Managers' Association's (HAMA) reaction to the proposed ordinance. Ms. Youngquist commented that the managers looked at it as a transition ordinance. Council Member Brausen asked how the ordinance would be monitored and enforced. Ms. Youngquist commented that the ordinance is new to communities and has not been tested or challenged to date. Hopkins would build the ordinance requirements into the rental license application. City Attorney Riggs advised the Council about the ordinance explaining that it has not been tested in Minnesota and that the City has tools within the city code to address enforcement issues.

Mayor Gadd opened the public hearing at 7:18 pm.

Ms. Youngquist commented that no written comments were received.

Marty McDonough, Director of Government Affairs, Minnesota Multi Housing Association (MHA) thanked the City for considering adopting the ordinance. Mr. McDonough commented that the effective date of May 16 was too soon in case properties were in transition and would like the date to be extended to August or September.

Peg Keenan, 3100 County Road 101 and Executive Director of ICA, commented that ICA spends \$100,000/year financially assisting clients to stay in their homes. Ms. Keenan commented that she is grateful for the proposed ordinance.

Butch Johnson, 140 11th Avenue North, Hopkins, supports the ordinance and that it is good for renters and the entire community.

Joanna Mitchell, 6424 Mendelssohn Lane, Edina and Pastor at Shepherd of the Hills Lutheran Church supports the Tenant Protection Ordinance.

Larry Hiscock, 302-7th Street South, Hopkins, asked the City Council to consider additional actions to address affordable housing and commented that he supports the ordinance.

Motion by Kuznia. **Second** by Halverson.

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
APRIL 16, 2019**

Motion to close the Public Hearing at 7:35 p.m.
Ayes: Brausen, Kuznia, Gadd, Halverson, Hunke.
Nays: None. Motion carried.

There was Council discussion regarding the date the ordinance would go into effect. Assistant City Manager Lenz commented that the date was proposed to work with the rental license process. Director of Planning and Development Elverum commented that pushing the date to July or August could work. The original publication date is May 16 but the Council would consider revising the date by the second reading. Council appreciated the work of staff and the public comments. Mayor Gadd commented that affordable housing is a statewide issue and that continued work towards solutions is needed.

Motion by Kuznia. **Second** by Hunke.

Motion to Adopt for first reading Ordinance 2019-1141, An Ordinance Amending Chapter IV of the Hopkins City Code Pertaining to the Sale of Affordable Rental Housing.

Ayes: Brausen, Kuznia, Gadd, Halverson, Hunke.
Nays: None. Motion carried.

City Manager Mornson commented that the second reading of the ordinance is scheduled on the May 7 City Council agenda.

V.2. Adopt Assessment Roll – 2019 Street and Utility Improvements, City Project 2018-10

In addition to City staff, representatives present for the item were Mike Waltman and Nick Amatuccio, Bolton & Menk, Inc. Mr. Amatuccio discussed the project area, proposed improvements, existing conditions and pedestrian improvements. Mr. Amatuccio discussed the project funding sources, assessment calculation and caps explaining that benefit appraisals for commercial properties were completed to assure fair assessment. Mr. Amatuccio provided a summary of payment options. Mr. Amatuccio gave an overview of the project schedule including the public engagement process, scheduled neighborhood meetings, construction process and overall staging plan. Mr. Klingbeil commented that staff worked with the Metropolitan Council on alternate bus routes during construction. For project updates visit www.hopkins-2019.com.

Assistant City Engineer Klingbeil commented that staff is recommending approval of the resolution.

Mayor Gadd opened the public hearing at 8:06 pm.

City Council received one written assessment appeal. No residents came forward to address the Council.

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
APRIL 16, 2019**

Motion by Kuznia. **Second** by Brausen.

Motion to close the Public Hearing at 8:07 p.m.
Ayes: Brausen, Kuznia, Gadd, Halverson, Hunke.
Nays: None. Motion carried.

Council Member Halverson asked about the Blake Road project and Orangeburg pipe. Staff does not know if Orangeburg pipe is in the area but bid items are in place if Orangeburg is encountered. City Engineer Stanley commented on project coordination with the Metropolitan Council.

City Council commented that they appreciated the presentation. City Attorney Riggs advised the Council about the written assessment appeal.

Motion by Brausen. **Second** by Halverson.

Motion to Adopt Resolution 2019-033, Resolution Adopting Assessment Roll, 2019 Street and Utility Improvements, City Project 2018-10.

Ayes: Brausen, Kuznia, Gadd, Halverson, Hunke.
Nays: None. Motion carried.

NEW BUSINESS

VII.1. Accept Bids and Award Contract – 2019 Street and Utility Improvements, City Project 2018-10.

Assistant City Engineer Klingbeil commented that the correct project cost on page 2 of the staff report should be \$5,575,000. Staff's recommendation is approval of the resolution. Council asked about the contractor and the bids. Mr. Klingbeil commented on the competitive bids and that Northwest Asphalt has done similar projects in the metropolitan area.

Motion by Kuznia. **Second** by Brausen.

Motion to Adopt Resolution 2019-034 Accepting Bid.

Ayes: Brausen, Kuznia, Gadd, Halverson, Hunke.
Nays: None. Motion carried.

Motion by Halverson. **Second** by Hunke.

Motion to Adopt Resolution 2019-035 Awarding the Contract, 2019 Street and Utility Improvements, City Project 2018-010.

Ayes: Brausen, Kuznia, Gadd, Halverson, Hunke.
Nays: None. Motion carried

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
APRIL 16, 2019**

VII.2. First Reading: Ordinance Amending Section 200.01 of Hopkins City Code Establishing Salaries of the Mayor and City Council from and after January 1, 2020

Assistant City Manager Lenz discussed the staff report explaining the methodology to amend the City Council salaries and that the wage increase take effect in January, 2020.

Motion by Halverson. **Second** by Kuznia.

Motion to Adopt for first reading Ordinance 2019-1140 amending Section 200.01 of the Hopkins City Code revising the salaries of the Mayor and Council.

Ayes: Brausen, Kuznia, Gadd, Halverson, Hunke.

Nays: None. Motion carried.

City Manager Mornson commented that the next scheduled City Council meeting is May 7, 2019.

ADJOURNMENT

There being no further business to come before the City Council and upon a motion by Brausen, second by Hunke, the meeting was unanimously adjourned at 8:18 p.m.

OPEN AGENDA – PUBLIC COMMENTS AND CONCERNS

The City Council did not receive any comments or concerns.

Respectfully Submitted,
Debbie Vold

ATTEST:

Jason Gadd, Mayor

Amy Domeier, City Clerk

**MINUTES OF THE CITY COUNCIL WORK SESSION PROCEEDINGS
AT CONCLUSION OF THE REGULAR CITY COUNCIL MEETING
TUESDAY, APRIL 16, 2019**

CALL TO ORDER

Pursuant to due call and notice thereof a work session of the Hopkins City Council was held on Tuesday, April 16, 2019 at 8:30 p.m. at the Hopkins Fire Station, 101 17th Avenue South, Hopkins.

Mayor Gadd called the meeting to order with Council Members Brausen, Kuznia, Halverson and Hunke attending. Staff present included City Manager Mornson, Finance Director Bishop, Director of Planning and Development Elverum and Assistant City Manager Lenz.

Community Development

Director of Planning and Development Elverum gave an update on the proposed Ron Clark development in the City of Minnetonka on Shady Oak Road. Ms. Elverum discussed the public process explaining that the project is a work force housing development. Public notices have been sent out to neighborhoods including some areas in Hopkins. The property owner to the south of the Ron Clark development is considering selling a portion of the property that is located in the City of Hopkins.

There was Council and staff discussion of property annexation and potential parcels. General feedback from the City Council was in support of staff exploring options and negotiating a suitable parcel exchange with the City of Minnetonka.

Mayor Gadd discussed a request that Southwest Mayors submit a letter to the editor supporting the gas tax. There was City Council consensus that the Mayor should not send a letter to editor. The League of Minnesota Cities (LMC) has requested that cities support general transportation, comprehensive road and transit funding. A resolution is scheduled to be on the May 7 City Council agenda.

City Council

- Council Member Halverson discussed resident questions regarding the Blake Road Arby's and Wendy's sites.
- Council Member Halverson commented that the Hopkins state weightlifting champion would be recognized at the May 7 City Council meeting.
- Council Member Halverson would be attending the Cable Commission meeting.
- Council Member Kuznia and Hunke would be attending the SWLRT tour on Monday, April 22, 2019.
- Council Member Kuznia would attend the Community Works meeting on Thursday.
- Discussion about an Interlachen resident concern about the 2-year street reconstruction project. Staff has responded to the resident.
- Council Member Kuznia would be attending the Metro Cities meeting on Wednesday, April 24.
- PLACES meeting schedule. Staff would confirm.

- Mayor Gadd and staff would be meeting with the Knollwood Association president on Monday.
- Mayor Gadd discussed the CornerHouse and ResourceWest events.
- Mayor Gadd would forward information to Council Members regarding the LMC Policies Committee.

Administration:

City Manager Mornson gave the following updates:

- Discussion about changing the May 14 Work Session time to 5:30 p.m.

ADJOURNMENT

There being no further business to come before the City Council and upon a motion by Kuznia, seconded by Brausen, the meeting was unanimously adjourned at 9:04 p.m.

Respectfully Submitted,
Debbie Vold

ATTEST:

Jason Gadd, Mayor

Amy Domeier, City Clerk



May 7, 2019

Council Report 2019-046

Resolution Requesting Comprehensive Road and Transit Funding

Proposed Action

Staff recommends adoption of the following motion: Move to Approve Resolution 2019-037 a Resolution Requesting Comprehensive Road and Transit Funding.

Overview

The League is urging city councils to adopt a resolution calling for the Legislature to pass and Governor Tim Walz to sign a permanent increase in dedicated funding for state and local road, bridge, and transit systems in Greater Minnesota and the metropolitan area.

The proposed resolution supports funding for all parts of the state's transportation system, but specifically requests an omnibus transportation funding bill that provides additional dedicated state funding for city streets, including funding that can be used for non-Municipal State Aid city street maintenance, construction and reconstruction.

Supporting Information

- Resolution 2019-037
- LMC City Issue Fact Sheet

Mike Mornson, City Manager

Financial Impact: _____ Budgeted: Y/N __ Source: _____ Related Documents (CIP, ERP, etc.): _____ Notes:

**CITY OF HOPKINS
HENNEPIN COUNTY, MINNESOTA**

RESOLUTION 2019-037

**A RESOLUTION REQUESTING
COMPREHENSIVE ROAD AND TRANSIT FUNDING**

WHEREAS, all Minnesota communities benefit from a sound, efficient, and adequately funded transportation system that offers diverse modes of travel; and

WHEREAS, the integrity of Minnesota's transportation infrastructure is dependent upon long-term planning and ongoing maintenance, both of which require dedicated and sustainable revenue sources; and

WHEREAS, current funding for roads, bridges, and transit systems across all government levels in Minnesota is inadequate, and this under-investment diminishes quality of life for Minnesota residents and hinders Minnesota's progress as a national business, economic, and civic leader; and

WHEREAS, Minnesota's transportation system is failing to meet the capacity needs necessary to sustain population growth and promote economic development; and

WHEREAS, many rural roads are not built to modern safety standards and are not meeting the needs of industries that depend on the ability to transport heavy loads; and

WHEREAS, insufficient state funding has delayed regionally significant road construction and reconstruction projects across Minnesota; and

WHEREAS, transportation infrastructure maintenance and improvement costs significantly contribute to rising property taxes; and

WHEREAS, for every one dollar spent on maintenance, a road authority—and therefore taxpayers—save seven dollars in repairs; and

WHEREAS, Minnesota contains over 141,000 miles of roadway, and over 22,500 miles—or 16 percent--are owned and maintained by Minnesota's 853 cities; and

WHEREAS, almost 85 percent of all municipal streets are not eligible for dedicated Highway User Tax Distribution Fund dollars; and

WHEREAS, the more than 700 Minnesota cities with populations below 5,000 are ineligible for dedicated Highway User Tax Distribution Fund dollars, but have benefitted from the creation of the Small Cities Assistance Account; and

WHEREAS, city streets are a separate but integral piece of the network of roads supporting movement of people and goods; and

WHEREAS, existing funding mechanisms, such as Municipal State Aid (MSA), property taxes, and special assessments, have limited applications, leaving cities under-equipped to address growing needs; and

WHEREAS, city cost participation in state and county highway projects diverts resources from city-owned streets; and

WHEREAS, maintenance costs increase as road systems age, and no city—large or small—is spending enough on roadway capital improvements to maintain a 50-year lifecycle; and

WHEREAS, cities need greater resources, including an additional dedicated state funding source for transportation, and flexible policies to meet growing demands for street improvements and maintenance.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HOPKINS that this Council requests that the Minnesota Legislature pass and Governor Tim Walz sign a comprehensive and balanced transportation funding package that permanently increases dedicated funding for transportation; and

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF HOPKINS that this Council defines a comprehensive and balanced transportation funding package as an initiative that permanently increases dedicated funding for state and local road and transit systems in Greater Minnesota and the Metropolitan Area.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF HOPKINS that this Council requests an omnibus transportation funding bill that provides additional dedicated state funding for city streets, including funding that can be used for non-MSA city street maintenance, construction, and reconstruction.

Adopted by the City Council of the City of Hopkins this 7th day of May, 2019.

Jason Gadd, Mayor

ATTEST:

Amy Domeier, City Clerk



LEAGUE OF MINNESOTA CITIES
CITY ISSUE
FACT SHEET

DEDICATED STREET FUNDING FOR ECONOMICALLY COMPETITIVE CITIES



PROBLEM:

Existing funding mechanisms for city street maintenance and reconstruction are inadequate. The bulk of city streets are not eligible for Municipal State Aid (MSA). Nearly 84 percent of city streets are funded only with property taxes and special assessments. Special assessments can be onerous to property owners and are difficult to implement in some cities.

Just as the state has fallen behind in making transportation investments, some cities faced with budget challenges have made the difficult decision to divert volatile property tax revenue to urgent needs such as public safety, water quality, and cost participation in state and county highway projects. Unfortunately, deferring maintenance results in more expensive projects later.

This maintenance requires a reliable dedicated funding source to support the mobility and economic vitality of our communities.

LEAGUE-SUPPORTED SOLUTION:

- HF 1288/SF 1269: \$10 surcharge on license tab fees and motor vehicle title transfers, which raises \$57 million annually to be split between the existing Small Cities Assistance Account and a new Larger Cities Assistance Account.
- HF 1095/SF 1271: Authority for cities to establish street improvement districts to fund street maintenance, construction, and reconstruction.
- HF 846/SF 1228: Creation of a Local Cost-Share Assistance Account within the Local Road Improvement Program to provide grants to local governments to help with the local share of some trunk highway projects.

DID YOU KNOW?

For every \$1 spent on maintenance, a road authority saves \$7 in repairs. Preventative maintenance projects can prolong the lifecycle of streets to 50 to 60 years. Without ongoing maintenance, the average life expectancy of local streets is approximately 25 to 30 years.



FOR MORE INFORMATION:

Anne Finn
Intergovernmental Relations Asst. Director
Phone: (651) 281-1263
Email: afinn@lmc.org

www.lmc.org/citystreetfacts



May 7, 2019

Council Report 2019-046

Resolution Authorizing Solicitation of Contributions to Fund Events that Foster Positive Relationships between Law Enforcement and the Community

Proposed Action

Staff recommends adoption of the following motion: Move to Approve Resolution 2019-038 a Resolution Authorizing Solicitation of Contributions to Fund Events that Foster Positive Relationships between Law Enforcement and the Community.

Overview

In 2017 a new law authorized cities to expend and raise funds on a limited basis for events that foster positive relationships between law enforcement and the community. Any home rule charter or statutory city may spend money for National Night Out events held within the city's boundaries. Any home rule charter or statutory city also may spend money for any event or purpose that the governing body determines will foster positive relationships between law enforcement and the community. Notwithstanding any law or ordinance to the contrary, any home rule charter city, statutory city, town, county, or school district may, by resolution, authorize officials and staff to solicit contributions for these events.

Historically, Minnesota cities have not had explicit authority to spend money or fundraise for National Night Out and other similar events. This new law, codified as Minnesota Statutes, section 471.198, allows cities to not only spend money on these events, but also provides the unprecedented and very limited authority to solicit funds for these events, as long as the council clearly gives that direction by resolution and the events would foster positive relationships between law enforcement and the community.

Supporting Information

- Resolution 2019-038

Brent Johnson, Chief of Police

Financial Impact: _____ Budgeted: Y/N ___ Source: _____

Related Documents (CIP, ERP, etc.): _____

Notes:

**CITY OF HOPKINS
HENNEPIN COUNTY, MINNESOTA**

RESOLUTION 2019-038

**A RESOLUTION AUTHORIZING SOLICITATION OF CONTRIBUTIONS TO FUND
EVENTS THAT FOSTER POSITIVE RELATIONSHIPS BETWEEN LAW
ENFORCEMENT AND THE COMMUNITY**

WHEREAS, new law authorizes cities to solicit contributions to fund events that foster positive relationships between law enforcement and the community. 2017 Minn. Laws ch. 26, § 1 to be codified as Minn. Stat. § 471.198.

WHEREAS, events including, but not limited to, National Night Out, an annual community-building campaign, promote police-community partnerships and neighborhood camaraderie to make neighborhoods safer and more connected.

WHEREAS, National Night Out and similar events provide opportunities to bring police and neighbors together under positive circumstances.

WHEREAS, pursuant to this law, the City of Hopkins may authorize solicitation of contributions to hold or sponsor these events.

WHEREAS, the governing body determines National Night Out will foster positive relationships between law enforcement and the community.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOPKINS, MINNESOTA AS FOLLOWS:

That this council hereby authorizes officials and staff to solicit contributions for the purposes of funding or supporting a National Night Out in this community.

Adopted by the City Council of the City of Hopkins this 7th day of May, 2019.

Jason Gadd, Mayor

ATTEST:

Amy Domeier, City Clerk

CITY OF HOPKINS

FINANCE DEPARTMENT

MEMORANDUM

Date: April 25th, 2019
To: Honorable Mayor and Members of the City Council
From: Nicholas Bishop, Finance Director
Subject: Ratify Checks Issued in April 2019

The checks issued between March 28, 2019 and April 25, 2019, were numbers 114225 through 114592, for a total distribution of \$2,060,426.61

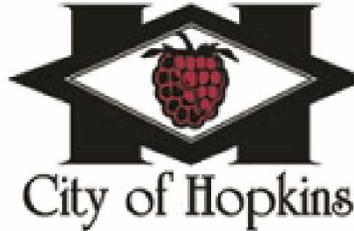
The checks issued, along with the purpose for those payments are attached for your review.

The check registers and detail of those checks can be reviewed at any time in the Finance Department.

Accounts Payable

Checks by Date - Summary by Check Date

User: kpearsall
 Printed: 4/25/2019 10:28 AM



1010 First Street South
 Hopkins, MN 55343

952-935-8474
 M-F, 8 am-4:30 pm
www.hopkinsmn.com

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
114225	08324	HIGHVIEW PLUMBING, INC	04/01/2019	0.00	702.50
Total for 4/1/2019:				0.00	702.50
114226	01045	ABM EQUIPMENT & SUPPLY LLC	04/04/2019	0.00	1,100.09
114227	28422	ADVANCED IMAGING SOLUTIONS	04/04/2019	0.00	4,105.95
114228	01479	AMERICAN PUBLIC WORKS ASSN	04/04/2019	0.00	1,062.50
114229	28600	APPLE VALLEY FORD LINCOLN	04/04/2019	0.00	283.67
114230	20006	AXON ENTERPRISES, INC.	04/04/2019	0.00	720.00
114231	02031	B & W SPECIALTY COFFEE CO	04/04/2019	0.00	1,256.25
114232	02047	BADGER METER INC	04/04/2019	0.00	1,500.00
114233	29817	GARY BINGER	04/04/2019	0.00	2,700.00
114234	02563	BOLTON & MENK, INC	04/04/2019	0.00	52,263.00
114235	29011	JESSICA BRAUN	04/04/2019	0.00	280.00
114236	03001	CES IMAGING	04/04/2019	VOID 1,485.00	0.00
114237	30127	CINTAS CORPORATION NO. 2	04/04/2019	0.00	389.36
114238	27467	CITY OF ST. PAUL	04/04/2019	0.00	229.00
114239	26951	COMCAST	04/04/2019	0.00	151.85
114240	28123	CRITTERS UNLIMITED INC	04/04/2019	0.00	505.00
114241	29731	DATA CENTER SYSTEMS INC.	04/04/2019	0.00	92.91
114242	29303	DIVERSIFIED COFFEE PRODUCTS	04/04/2019	0.00	197.92
114243	28898	ECM PUBLISHERS INC	04/04/2019	0.00	232.05
114244	29442	EGAN ELECTRICAL GROUP	04/04/2019	0.00	3,200.00
114245	05282	EHLERS AND ASSOCIATES, INC	04/04/2019	0.00	5,573.75
114246	05484	EMBROIDERY SHOP	04/04/2019	0.00	77.48
114247	27569	EMERGENCY AUTOMOTIVE TECHNO	04/04/2019	0.00	7,312.23
114248	29070	ENGAGE PRINT INC	04/04/2019	0.00	795.00
114249	06008	FASTENAL CO	04/04/2019	0.00	32.79
114250	28628	FLEETPRIDE INC	04/04/2019	0.00	272.50
114251	30463	GALLS PARENT HOLDINGS LLC	04/04/2019	0.00	260.24
114252	30465	KIM GELPERIN	04/04/2019	0.00	10.00
114253	07564	GOPHER STATE ONE-CALL, INC	04/04/2019	0.00	135.00
114254	07681	GRAINGER, INC	04/04/2019	0.00	107.66
114255	29377	GRAINGER, INC	04/04/2019	0.00	458.78
114256	08000	H & L MESABI	04/04/2019	0.00	2,527.25
114257	08001	HACH COMPANY	04/04/2019	0.00	1,381.32
114258	29063	HART HOWERTON LTD	04/04/2019	0.00	27,956.82
114259	08179	HENNEPIN CTY TREASURER	04/04/2019	0.00	1,779.00
114260	08627	HOME DEPOT CREDIT SERVICES	04/04/2019	0.00	100.30
114261	08576	HOPKINS F.D. RELIEF ASSOC	04/04/2019	0.00	810.00
114262	08620	HOPKINS ROTARY	04/04/2019	0.00	250.00
114263	27494	HORIZON GRAPHICS	04/04/2019	0.00	485.87
114264	09085	ICMA - ROTH IRA - 706260	04/04/2019	0.00	834.23
114265	09521	INDELCO	04/04/2019	0.00	103.02
114266	30273	INTOXIMETERS INC	04/04/2019	0.00	361.30
114267	29249	J.R.'S ADVANCED RECYCLERS	04/04/2019	0.00	60.00
114268	28601	JENN ARI GROUP	04/04/2019	0.00	815.20

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
114269	30212	JERRY JOHANNING	04/04/2019	0.00	437.50
114270	10560	JOHN HENRY FOSTER MN	04/04/2019	0.00	1,455.00
114271	30468	LUCAS OR MARIA JOHNSON	04/04/2019	0.00	128.72
114272	11013	KATH FUEL OIL SERVICE	04/04/2019	0.00	1,048.00
114273	11327	KILLMER ELECTRIC CO INC	04/04/2019	0.00	382.80
114274	13012	MACQUEEN EQUIPMENT INC	04/04/2019	0.00	1,606.72
114275	28154	MCCLURE AUTOMOTIVE INC	04/04/2019	0.00	1,045.00
114276	13167	MENARDS - EDEN PRAIRIE	04/04/2019	0.00	186.74
114277	28665	METRO ALARM & LOCK	04/04/2019	0.00	375.00
114278	13172	METRO ELEVATOR, INC	04/04/2019	0.00	160.00
114279	27324	MIDWEST OVERHEAD CRANE	04/04/2019	0.00	2,516.51
114280	30200	MINNEHAHA CREEK WATERSHED DIS	04/04/2019	0.00	805,700.00
114281	13277	MN HWY SAFETY & RESEARCH CTR	04/04/2019	0.00	425.00
114282	30464	MOTORS ON TEN LLC	04/04/2019	0.00	546.30
114283	30467	MPLS ARTS SUPPORT GROUP LLC	04/04/2019	0.00	300.00
114284	30300	NORDIC SOLAR HOLDCO LLC	04/04/2019	0.00	709.61
114285	29317	OFFICE OF MN IT SERVICES	04/04/2019	0.00	85.05
114286	15521	ON SITE SANITATION	04/04/2019	0.00	68.00
114287	26974	O'REILLY AUTO PARTS	04/04/2019	0.00	47.40
114288	29147	JOHN PIEPKORN	04/04/2019	0.00	140.00
114289	16566	POMPS TIRE SERVICE INC	04/04/2019	0.00	1,025.34
114290	16801	PUMP & METER SERVICE, INC	04/04/2019	0.00	116.00
114291	29196	QUAKER SALES & DISTRIBUTION	04/04/2019	0.00	112.20
114292	17806	QWEST CORP	04/04/2019	0.00	62.27
114293	17806	QWEST CORP	04/04/2019	0.00	120.54
114294	09084	ICMA RETIREMENT TRUST- 300824	04/04/2019	0.00	4,351.17
114295	19296	SHAKOPEE GRAVEL INC	04/04/2019	0.00	467.79
114296	28588	NANCY SHIELDS	04/04/2019	0.00	120.00
114297	19287	SHORT ELLIOTT HENDRICKSON INC	04/04/2019	0.00	758.95
114298	29143	SHRED IT USA	04/04/2019	0.00	52.49
114299	19520	SNAP PRINT INC	04/04/2019	0.00	104.50
114300	26975	SPRINT	04/04/2019	0.00	1,698.64
114301	19766	STAR TRIBUNE MEDIA	04/04/2019	0.00	252.72
114302	30466	STORM COMBATIVES TRAINING AND	04/04/2019	0.00	499.00
114303	19802	SUBURBAN RATE AUTHORITY	04/04/2019	0.00	21.00
114304	28482	DOUGLAS A TORVUND JR	04/04/2019	0.00	1,623.75
114305	22002	VALLEY-RICH COMPANY, INC	04/04/2019	0.00	3,859.50
114306	29466	VERIZON WIRELESS	04/04/2019	0.00	1,213.32
114307	29473	VERIZON WIRELESS	04/04/2019	0.00	304.65
114308	29475	VERIZON WIRELESS	04/04/2019	0.00	105.03
114309	22563	VOSS LIGHTING	04/04/2019	0.00	64.00
114310	23003	WASTE MANAGEMENT OF WI-MN	04/04/2019	0.00	9,568.00
114311	28624	MICHEAL J WHITE	04/04/2019	0.00	600.80
114312	29814	WRIGHT COUNTY SHERIFFS OFFICE	04/04/2019	0.00	50.00
114313	23720	WSB & ASSOCIATES INC	04/04/2019	VOID	13,822.25
Total for 4/4/2019:				15,307.25	967,284.30
114314	01044	ABLE HOSE & RUBBER INC	04/11/2019	0.00	184.44
114315	01045	ABM EQUIPMENT & SUPPLY LLC	04/11/2019	0.00	27.72
114316	28427	ADVANCED IMAGING SOLUTIONS	04/11/2019	0.00	12.73
114317	30470	AEGM PROPERTIES	04/11/2019	0.00	1,189.89
114318	01328	AIRGAS USA	04/11/2019	0.00	147.19
114319	01543	ANCOM COMMUNICATIONS INC	04/11/2019	0.00	108.50
114320	01600	APACHE GROUP	04/11/2019	0.00	1,454.48
114321	28600	APPLE VALLEY FORD LINCOLN	04/11/2019	0.00	172.38
114322	02162	BECKER ARENA PRODUCTS, INC	04/11/2019	0.00	739.98

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
114323	27782	BOUND TREE MEDICAL LLC	04/11/2019	0.00	546.62
114324	27822	BRADS PRO AUDIO	04/11/2019	0.00	650.00
114325	03160	CENTERPOINT ENERGY MINNEGASCO	04/11/2019	0.00	14,948.36
114326	30038	CIVICPLUS, INC.	04/11/2019	0.00	5,582.85
114327	26951	COMCAST	04/11/2019	0.00	69.95
114328	26951	COMCAST	04/11/2019	0.00	6.30
114329	26951	COMCAST	04/11/2019	0.00	6.30
114330	29981	CORE & MAIN LP	04/11/2019	0.00	531.66
114331	30267	SHIRLEY COYER	04/11/2019	0.00	37.60
114332	30469	CREATIVE CONTROL CORPORATION	04/11/2019	0.00	5,534.00
114333	28123	CRITTERS UNLIMITED INC	04/11/2019	0.00	80.00
114334	28259	DELUXE FOR BUSINESS	04/11/2019	0.00	1,087.03
114335	01523	EARL F. ANDERSEN, INC	04/11/2019	0.00	1,924.08
114336	28898	ECM PUBLISHERS INC	04/11/2019	0.00	333.20
114337	05481	EMERGENCY APPARATUS MAINT INC	04/11/2019	0.00	2,069.78
114338	29070	ENGAGE PRINT INC	04/11/2019	0.00	1,021.30
114339	29006	ENTERPRISE FLEET MANAGEMENT	04/11/2019	0.00	3,032.61
114340	29398	ENTERPRISE FLEET MANAGEMENT	04/11/2019	0.00	2,919.20
114341	30082	EXPRESSIVE PRINTING, INC.	04/11/2019	0.00	918.75
114342	28628	FLEETPRIDE INC	04/11/2019	0.00	100.30
114343	07689	GRAFIX SHOPPE	04/11/2019	0.00	267.84
114344	07681	GRAINGER, INC	04/11/2019	0.00	55.56
114345	29377	GRAINGER, INC	04/11/2019	0.00	56.60
114346	29808	GUARDIAN TRACKING, LLC	04/11/2019	0.00	1,581.00
114347	29748	HENNEPIN COUNTY PUBLIC WORKS	04/11/2019	0.00	5,692.15
114348	08166	HENNEPIN CTY TREASURER	04/11/2019	0.00	1,602.60
114349	08166	HENNEPIN CTY TREASURER	04/11/2019	0.00	217.30
114350	08166	HENNEPIN CTY TREASURER	04/11/2019	0.00	1,602.60
114351	08223	HENNEPIN CTY TREASURER	04/11/2019	0.00	9,429.41
114352	08576	HOPKINS F.D. RELIEF ASSOC	04/11/2019	0.00	147,988.03
114353	08620	HOPKINS ROTARY	04/11/2019	0.00	250.00
114354	09578	INNOVATIVE OFFICE SOLUTIONS	04/11/2019	0.00	778.22
114355	12009	J. H. LARSON COMPANY	04/11/2019	0.00	545.23
114356	29249	J.R.'S ADVANCED RECYCLERS	04/11/2019	0.00	70.00
114357	30269	JANELLE JASPERS JONES	04/11/2019	0.00	320.00
114358	10172	JEFFERSON FIRE & SAFETY	04/11/2019	0.00	3,485.00
114359	10560	JOHN HENRY FOSTER MN	04/11/2019	0.00	561.50
114360	11161	KENNEDY & GRAVEN, CHARTERED	04/11/2019	0.00	1,020.00
114361	11327	KILLMER ELECTRIC CO INC	04/11/2019	0.00	940.75
114362	03369	LEAGUE OF MN CITIES	04/11/2019	0.00	400.00
114363	12160	LEAGUE OF MN CITIES	04/11/2019	0.00	290.79
114364	12160	LEAGUE OF MN CITIES	04/11/2019	0.00	3,013.85
114365	12160	LEAGUE OF MN CITIES	04/11/2019	0.00	700.40
114366	29529	LEXISNEXIS RISK SOLUTIONS	04/11/2019	0.00	83.33
114367	13167	MENARDS - EDEN PRAIRIE	04/11/2019	0.00	181.06
114368	13182	METROPOLITAN AREA MANAGERS A	04/11/2019	0.00	25.00
114369	13179	METROPOLITAN COUNCIL	04/11/2019	0.00	132,474.20
114370	13275	MICRO CENTER	04/11/2019	0.00	299.96
114371	30363	MINNEAPOLIS OXYGEN COMPANY	04/11/2019	0.00	19.22
114372	27435	MINUTEMAN PRESS	04/11/2019	0.00	557.77
114373	13375	MN DEPT OF HEALTH	04/11/2019	0.00	23.00
114374	15441	OLSEN CHAIN AND CABLE CO INC	04/11/2019	0.00	138.59
114375	15521	ON SITE SANITATION	04/11/2019	0.00	264.00
114376	26974	O'REILLY AUTO PARTS	04/11/2019	0.00	133.83
114377	30183	PAINT, PAPER, SCISSORS	04/11/2019	0.00	125.00
114378	27622	PERFORMANCE PLUS LLC	04/11/2019	0.00	150.00
114379	30460	PLYMOUTH RIDGE INC	04/11/2019	0.00	5,145.00

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
114380	27224	PPG ARCHITECTURAL FINISHES	04/11/2019	0.00	161.94
114381	16687	PRO-TEC DESIGN INC	04/11/2019	0.00	224.15
114382	16801	PUMP & METER SERVICE, INC	04/11/2019	0.00	539.50
114383	17806	QWEST CORP	04/11/2019	0.00	2,340.50
114384	18159	ROBERT W REUTIMAN JR	04/11/2019	0.00	300.00
114385	19004	SAMARITAN TIRE COMPANY	04/11/2019	0.00	125.00
114386	28834	SHI INTERNATIONAL CORP	04/11/2019	0.00	4,500.00
114387	29143	SHRED IT USA	04/11/2019	0.00	78.74
114388	19520	SNAP PRINT INC	04/11/2019	0.00	75.00
114389	19567	SOUTHWEST SUB CABLE COMM	04/11/2019	0.00	2,485.00
114390	19741	STRATEGIC INSIGHTS INC	04/11/2019	0.00	1,087.50
114391	20560	TOLL GAS & WELDING SUPPLY	04/11/2019	0.00	11.35
114392	30093	TRANSUNION RISK ALTERNATIVE DA	04/11/2019	0.00	155.50
114393	27981	ULINE INC	04/11/2019	0.00	896.53
114394	03440	ULTIMATE SAFETY CONCEPTS INC	04/11/2019	0.00	28,640.70
114395	30189	VAN PAPER SUPPLY COMPANY	04/11/2019	0.00	176.38
114396	29490	VERIZON WIRELESS	04/11/2019	0.00	1,281.01
114397	22563	VOSS LIGHTING	04/11/2019	0.00	365.46
114398	27900	WATER CONSERVATION SERVICES	04/11/2019	0.00	781.59
114399	28960	WIMACTEL INC	04/11/2019	0.00	66.00
114400	13082	WM H MCCOY PETROLEUM FUELS	04/11/2019	0.00	58.50
114401	23720	WSB & ASSOCIATES INC	04/11/2019	0.00	10,524.75
114402	25080	XCEL ENERGY	04/11/2019	0.00	18.79
114403	25080	XCEL ENERGY	04/11/2019	0.00	48.45
114404	25080	XCEL ENERGY	04/11/2019	0.00	18.79
114405	25080	XCEL ENERGY	04/11/2019	0.00	10,106.14
114406	25080	XCEL ENERGY	04/11/2019	0.00	23.88
114407	25080	XCEL ENERGY	04/11/2019	0.00	5.41
114408	25080	XCEL ENERGY	04/11/2019	0.00	239.28
114409	26320	ZIEGLER, INC	04/11/2019	0.00	132.87
114410	03001	CES IMAGING	04/11/2019	0.00	1,485.00
Total for 4/11/2019:				0.00	432,879.70
114411	29535	ADVANCED ENGINEERING	04/18/2019	0.00	1,794.70
114412	27929	ALLINA HEALTH SYSTEM	04/18/2019	0.00	145.00
114413	29669	AVESIS	04/18/2019	0.00	273.16
114414	30476	BARINGER FAMILY FARM INC	04/18/2019	0.00	915.00
114415	02162	BECKER ARENA PRODUCTS, INC	04/18/2019	0.00	237.90
114416	30127	CINTAS CORPORATION NO. 2	04/18/2019	0.00	63.50
114417	03328	CITY OF MINNETONKA	04/18/2019	0.00	223,851.06
114418	03331	CITY OF ST LOUIS PARK	04/18/2019	0.00	1,718.07
114419	27422	CITY PAGES	04/18/2019	0.00	600.00
114420	26951	COMCAST	04/18/2019	0.00	239.85
114421	26951	COMCAST	04/18/2019	0.00	14.71
114422	26951	COMCAST	04/18/2019	0.00	145.97
114423	26951	COMCAST	04/18/2019	0.00	135.97
114424	03620	COMMERCIAL FURNITURE SERVICES	04/18/2019	0.00	543.00
114425	28123	CRITTERS UNLIMITED INC	04/18/2019	0.00	405.00
114426	27060	CROWN MARKING INC	04/18/2019	0.00	13.20
114427	04187	DEMCO, INC	04/18/2019	0.00	26.15
114428	30064	DOOR SERVICE COMPANY OF THE TW	04/18/2019	0.00	9,417.00
114429	28898	ECM PUBLISHERS INC	04/18/2019	0.00	59.50
114430	05282	EHLERS AND ASSOCIATES, INC	04/18/2019	0.00	1,897.50
114431	05481	EMERGENCY APPARATUS MAINT INC	04/18/2019	0.00	584.53
114432	29398	ENTERPRISE FLEET MANAGEMENT	04/18/2019	0.00	5,382.10
114433	06008	FASTENAL CO	04/18/2019	0.00	251.85

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
114434	07185	GENUINE PARTS	04/18/2019	0.00	325.15
114435	28609	GRANICUS INC	04/18/2019	0.00	626.05
114436	08017	HAMMERLUND MFG CO, INC	04/18/2019	0.00	628.50
114437	08625	HOPKINS POLICE ASSOCIATION	04/18/2019	0.00	1,320.00
114438	30174	HOPKINS YOUTH LACROSSE	04/18/2019	0.00	315.00
114439	09801	I.U.O.E. CENTRAL PENSION FUND	04/18/2019	0.00	1,760.00
114440	09085	ICMA - ROTH IRA - 706260	04/18/2019	0.00	834.23
114441	29345	IMPACT MAILING OF MN	04/18/2019	0.00	3,845.45
114442	11161	KENNEDY & GRAVEN, CHARTERED	04/18/2019	0.00	6,375.50
114443	15447	ALAN KRATTLEY	04/18/2019	0.00	193.00
114444	30474	KRAUS-ANDERSON CONSTRUCTION	04/18/2019	0.00	46,706.84
114445	30474	KRAUS-ANDERSON CONSTRUCTION	04/18/2019	0.00	146,158.00
114446	12012	LAW ENFORCEMENT LABOR SERVICE	04/18/2019	0.00	408.00
114447	30392	CIGNA LIFE INS COMP OF AMERICA -	04/18/2019	0.00	373.97
114448	30391	CIGNA LIFE INS COMP OF AMERICA -	04/18/2019	0.00	2,706.62
114449	30390	CIGNA LIFE INS COMP OF AMERICA -	04/18/2019	0.00	2,661.10
114450	30023	CIGNA LIFE INS COMP OF N AMERICA	04/18/2019	0.00	723.09
114451	13012	MACQUEEN EQUIPMENT INC	04/18/2019	0.00	1,231.82
114452	29059	MANSFIELD OIL COMPANY	04/18/2019	0.00	18,502.27
114453	28665	METRO ALARM & LOCK	04/18/2019	0.00	75.00
114454	13179	METROPOLITAN COUNCIL	04/18/2019	0.00	2,460.15
114455	13525	MIDNITE MARKET	04/18/2019	0.00	13.96
114456	30200	MINNEHAHA CREEK WATERSHED DIST	04/18/2019	0.00	915.04
114457	29688	MINNESOTA STREET SUPERINDENTE	04/18/2019	0.00	50.00
114458	28599	MN PUBLIC RADIO	04/18/2019	0.00	1,701.00
114459	13800	MUNICI-PALS	04/18/2019	0.00	460.00
114460	19327	PATRICIA NELSON	04/18/2019	0.00	25.00
114461	29852	NORTHERN SAFETY & INDUSTRIAL	04/18/2019	0.00	28.49
114462	29362	OPG-3, INC	04/18/2019	0.00	1,942.50
114463	26974	O'REILLY AUTO PARTS	04/18/2019	0.00	95.53
114464	04573	QUALITY RESOURCE GROUP INC	04/18/2019	0.00	46.42
114465	17806	QWEST CORP	04/18/2019	0.00	80.52
114466	08568	RESOURCE WEST	04/18/2019	0.00	53.84
114467	09084	ICMA RETIREMENT TRUST- 300824	04/18/2019	0.00	4,339.89
114468	30472	RIVERLAND COMMUNITY COLLEGE	04/18/2019	0.00	360.00
114469	30471	DANIEL JAMES SAATHOFF	04/18/2019	0.00	7,500.00
114470	19117	SCHERER BROS. LUMBER CO.	04/18/2019	0.00	166.46
114471	29115	MANUEL SOTELO	04/18/2019	0.00	1,350.00
114472	19752	STAGES THEATRE COMPANY	04/18/2019	0.00	392.04
114473	19766	STAR TRIBUNE MEDIA	04/18/2019	0.00	139.23
114474	30473	SUSAN STEINMAN	04/18/2019	0.00	100.00
114475	27735	STEPHANIE STOCKTON	04/18/2019	0.00	350.00
114476	20120	TDS METROCOM - MN	04/18/2019	0.00	337.09
114477	20560	TOLL GAS & WELDING SUPPLY	04/18/2019	0.00	35.76
114478	08009	TRANSITIONS HOME CARE	04/18/2019	0.00	306.00
114479	29565	TWIN CITIES CHESS CLUB	04/18/2019	0.00	383.79
114480	20887	TWIN CITY WATER CLINIC	04/18/2019	0.00	272.00
114481	03440	ULTIMATE SAFETY CONCEPTS INC	04/18/2019	0.00	936.18
114482	21523	UNION LOCAL 49	04/18/2019	0.00	770.00
114483	22002	VALLEY-RICH COMPANY, INC	04/18/2019	0.00	3,872.00
114484	30052	VASKE COMPUTER, INC.	04/18/2019	0.00	19,389.60
114485	29489	VERIZON WIRELESS	04/18/2019	0.00	35.01
114486	29789	CHRIS WHITE	04/18/2019	0.00	1,080.00
114487	29967	WOLD ARCHITECTS AND ENGINEERS	04/18/2019	0.00	7,590.98
114488	25080	XCEL ENERGY	04/18/2019	0.00	60.09
114489	26320	ZIEGLER, INC	04/18/2019	0.00	8,018.17

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
			Total for 4/18/2019:	0.00	550,141.05
114490	01044	ABLE HOSE & RUBBER INC	04/25/2019	0.00	76.18
114491	01045	ABM EQUIPMENT & SUPPLY LLC	04/25/2019	0.00	679.97
114492	01125	ADT SECURITY SERVICES	04/25/2019	0.00	317.37
114493	01493	AMERICAN PRESSURE, INC	04/25/2019	0.00	156.19
114494	28600	APPLE VALLEY FORD LINCOLN	04/25/2019	0.00	508.52
114495	27458	ASSOCIATED COURIER	04/25/2019	0.00	32.87
114496	30194	ATLAS BUSINESS SOLUTIONS, INC.	04/25/2019	0.00	864.00
114497	02031	B & W SPECIALTY COFFEE CO	04/25/2019	0.00	1,539.05
114498	30230	BARNA, GUZY & STEFFEN, LTD.	04/25/2019	0.00	255.00
114499	30481	BATTERIES PLUS BULBS #018	04/25/2019	0.00	38.40
114500	29298	BCA CRIMINAL JUSTICE TRAINING	04/25/2019	0.00	33.25
114501	27782	BOUND TREE MEDICAL LLC	04/25/2019	0.00	29.15
114502	UB*00404	ROBERT/JEAN BROICH	04/25/2019	0.00	44.96
114503	28987	CENTER FOR ENERGY & ENVIRONMN	04/25/2019	0.00	120.00
114504	28430	CENTURY LINK	04/25/2019	0.00	45.97
114505	UB*00408	PAUL CHALLE	04/25/2019	0.00	9.80
114506	28981	CHESTNUT CAMBRONNE PA	04/25/2019	0.00	14,804.37
114507	30127	CINTAS CORPORATION NO. 2	04/25/2019	0.00	425.71
114508	26951	COMCAST	04/25/2019	0.00	142.36
114509	28747	CULLIGAN BOTTLED WATER CO	04/25/2019	0.00	186.91
114510	27514	CUSTOM BUSINESS FORMS	04/25/2019	0.00	907.98
114511	29303	DIVERSIFIED COFFEE PRODUCTS	04/25/2019	0.00	341.43
114512	04690	DRISKILLS FOODS	04/25/2019	0.00	689.64
114513	04690	DRISKILLS FOODS	04/25/2019	0.00	68.29
114514	28898	ECM PUBLISHERS INC	04/25/2019	0.00	59.50
114515	29520	ECOLAB	04/25/2019	0.00	192.34
114516	30482	EDINA REALTY TITLE	04/25/2019	0.00	451.06
114517	05524	ENTENMANN-ROVIN CO	04/25/2019	0.00	128.00
114518	30284	F.I.R.E.	04/25/2019	0.00	1,399.66
114519	06008	FASTENAL CO	04/25/2019	0.00	86.89
114520	28628	FLEETPRIDE INC	04/25/2019	0.00	98.49
114521	30463	GALLS PARENT HOLDINGS LLC	04/25/2019	0.00	354.71
114522	07681	GRAINGER, INC	04/25/2019	0.00	4.84
114523	29377	GRAINGER, INC	04/25/2019	0.00	35.02
114524	30478	RAE GUNTZEL	04/25/2019	0.00	96.26
114525	08001	HACH COMPANY	04/25/2019	0.00	413.62
114526	28555	CAROLE HARRIS	04/25/2019	0.00	255.00
114527	08170	HENNEPIN CTY FIRE CHIEFS ASSN	04/25/2019	0.00	100.00
114528	08166	HENNEPIN CTY TREASURER	04/25/2019	0.00	2,541.55
114529	08166	HENNEPIN CTY TREASURER	04/25/2019	0.00	2,387.05
114530	08179	HENNEPIN CTY TREASURER	04/25/2019	0.00	1,683.00
114531	30048	RICH HILL	04/25/2019	0.00	486.24
114532	08627	HOME DEPOT CREDIT SERVICES	04/25/2019	0.00	500.72
114533	08620	HOPKINS ROTARY	04/25/2019	0.00	250.00
114534	09528	INTEREUM INC	04/25/2019	0.00	460.59
114535	30479	J&N TACTICAL LLC	04/25/2019	0.00	1,420.00
114536	29249	J.R.'S ADVANCED RECYCLERS	04/25/2019	0.00	30.00
114537	30212	JERRY JOHANNING	04/25/2019	0.00	437.50
114538	UB*00407	JOSEPH KERBER	04/25/2019	0.00	43.23
114539	29201	KG LANDSCAPE MANAGEMENT	04/25/2019	0.00	10,161.43
114540	28366	LITTLE PEPPER PROMOTIONS LLC	04/25/2019	0.00	518.45
114541	13012	MACQUEEN EQUIPMENT INC	04/25/2019	0.00	138.16
114542	14188	MAIL FINANCE INC	04/25/2019	0.00	2,346.09
114543	29775	MARTIN CALIBRATION, INC.	04/25/2019	0.00	163.20

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
114544	13031	MATTS AUTO SERVICE, INC	04/25/2019	0.00	230.00
114545	UB*00405	JASON MESCHKE	04/25/2019	0.00	27.17
114546	29177	RENEE A MEUWISSEN	04/25/2019	0.00	345.00
114547	13275	MICRO CENTER	04/25/2019	0.00	198.96
114548	02081	MN DEPT OF PUBLIC SAFETY	04/25/2019	0.00	750.00
114549	27576	MN POLLUTION CONTROL AGENCY	04/25/2019	0.00	345.00
114550	19181	MN SECRETARY OF STATE	04/25/2019	0.00	120.00
114551	29317	OFFICE OF MN IT SERVICES	04/25/2019	0.00	275.40
114552	26974	O'REILLY AUTO PARTS	04/25/2019	0.00	39.03
114553	29147	JOHN PIEPKORN	04/25/2019	0.00	140.00
114554	16801	PUMP & METER SERVICE, INC	04/25/2019	0.00	8,915.77
114555	29196	QUAKER SALES & DISTRIBUTION	04/25/2019	0.00	92.28
114556	17806	QWEST CORP	04/25/2019	0.00	1,626.80
114557	18327	REINDERS INC	04/25/2019	0.00	1,101.03
114558	UB*00406	BERNIE ROTTACH	04/25/2019	0.00	39.55
114559	19004	SAMARITAN TIRE COMPANY	04/25/2019	0.00	50.00
114560	30480	KATHRYN SCHLOBOHM	04/25/2019	0.00	4.00
114561	19287	SHORT ELLIOTT HENDRICKSON INC	04/25/2019	0.00	1,000.40
114562	19581	SOUTHWEST LOCK & KEY	04/25/2019	0.00	224.00
114563	19602	SPS COMPANIES INC	04/25/2019	0.00	12.54
114564	UB*00402	ROBERT L STACKEN	04/25/2019	0.00	21.28
114565	30091	RAY STAFFORD	04/25/2019	0.00	480.00
114566	19777	STREICHERS	04/25/2019	0.00	2,673.96
114567	19777	STREICHERS	04/25/2019	0.00	74.99
114568	29205	CHRIS STRONER	04/25/2019	0.00	360.00
114569	19824	SUNSHINE CAR WASH	04/25/2019	0.00	296.77
114570	20687	TRI STATE BOBCAT INC	04/25/2019	0.00	255.60
114571	03440	ULTIMATE SAFETY CONCEPTS INC	04/25/2019	0.00	625.00
114572	30189	VAN PAPER SUPPLY COMPANY	04/25/2019	0.00	90.94
114573	29088	VERIFIED CREDENTIALS INC	04/25/2019	0.00	20.00
114574	29458	VERIZON WIRELESS	04/25/2019	0.00	1,728.85
114575	29490	VERIZON WIRELESS	04/25/2019	0.00	1,198.09
114576	29343	W. WELLS & ASSOCIATES LLC	04/25/2019	0.00	1,500.00
114577	28624	MICHEAL J WHITE	04/25/2019	0.00	691.65
114578	25080	XCEL ENERGY	04/25/2019	0.00	3,615.59
114579	25080	XCEL ENERGY	04/25/2019	0.00	2,072.81
114580	25080	XCEL ENERGY	04/25/2019	0.00	3,060.92
114581	25080	XCEL ENERGY	04/25/2019	0.00	1,038.05
114582	25080	XCEL ENERGY	04/25/2019	0.00	681.14
114583	25080	XCEL ENERGY	04/25/2019	0.00	508.88
114584	25080	XCEL ENERGY	04/25/2019	0.00	99.70
114585	25080	XCEL ENERGY	04/25/2019	0.00	1,157.92
114586	25080	XCEL ENERGY	04/25/2019	0.00	11,341.89
114587	25080	XCEL ENERGY	04/25/2019	0.00	363.21
114588	25080	XCEL ENERGY	04/25/2019	0.00	1,719.88
114589	25080	XCEL ENERGY	04/25/2019	0.00	2,800.87
114590	25080	XCEL ENERGY	04/25/2019	0.00	1,123.29
114591	UB*00403	XVH ENTERPRISE LLC	04/25/2019	0.00	220.17
114592	26320	ZIEGLER, INC	04/25/2019	0.00	4,500.71
Total for 4/25/2019:				0.00	109,419.06
Report Total (368 checks):				15,307.25	2,060,426.61

USE AGREEMENT – THE HOPKINS FARMERS MARKET

Proposed Action

Staff recommends adoption of the following motion: Move to approve the Use Agreement between the City of Hopkins and the Hopkins Farmers Market.

With this motion, the Hopkins Farmers Market will open for the 2019 season on June 15, 2019.

Overview

The Hopkins Farmers Market is entering its 33rd season in Downtown Hopkins. Details regarding operation of the Farmers Market are detailed in the Use Agreement. It will once again be located in the southern portion of Lot #300, but the Market's footprint will be expanded by four parking stalls to the north of the previous boundary. The northern portion of the lot will remain open for parking.

The Farmers Market will operate Saturday mornings, 7:30 am to noon, June 15th through October 26th, except during the Raspberry Festival when the market will operate on the Artery subject to approval of a separate Special Events permit. Under this agreement, the Hopkins Farmers Market may include up to two food trucks.

Primary Issues to Consider

The Hopkins Farmers Market is well-established and has a long history with the City of Hopkins. The Market brings many visitors to Hopkins, provides for fresh produce and helps to strengthen the social community in Hopkins.

Attachments

- Farmer's Market Use Agreement

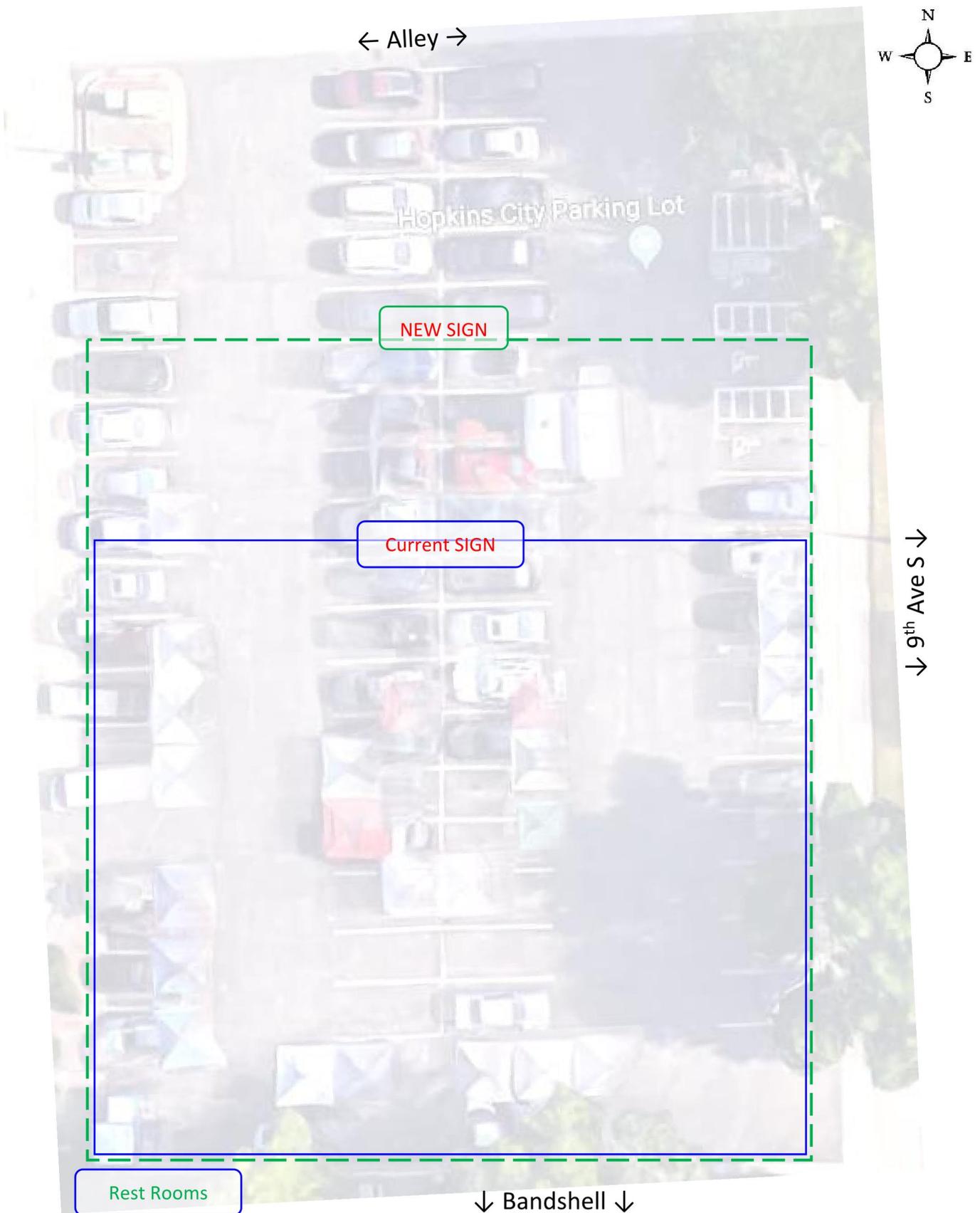
Kersten Elverum
Director of Planning & Development

Financial Impact: \$0	Budgeted:	Y/N _N__	Source: Related Documents (CIP, ERP, etc.): Excess TIF
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Hopkins Farmers Market Lot located at 16 9th Ave. S. "Lot 300, Downtown Lot"

Proposed: green current, blue proposed THIS ONE IS APPROVED. MOVING SIGN N 4 SPACES.

1. Move overnight sign 4 parking spots to the north.



USE AGREEMENT

THIS **USE AGREEMENT** (“Agreement”) is made the 7 day of May, 2019, (the “Effective Date”) by and between the **CITY OF HOPKINS**, a Municipal Corporation (“City”), located at 1010 First Street South, Hopkins, Minnesota 55343, and **THE HOPKINS FARMERS MARKET**, a non-profit association (“Growers”) located in c/o Gwen Smith, 10091 Pilgrim Way, Maple Grove, MN 55369.

WHEREAS, Growers is an association of individuals who produce fruits, vegetables, and other grown products and hand-crafted items, which are sold to the general public at open-air markets;

WHEREAS, both parties desire that Growers operate a Farmers Market in the City, in order to provide an opportunity to sell Growers’ products and afford the City and its residents opportunities for civic engagement and commerce.

NOW, THEREFORE, in consideration of the mutual benefits received by both parties, it is agreed:

1. The City will grant Growers exclusive use of the south portion of Public Parking Lot # 300, as shown on the attached **Exhibit A** in dashed lines.

(“Use Area”) to operate a Saturday Farmers Market (“Farmers Market”) (i.e., erect stands and sell products to the general public), as permitted herein.

2. The Farmers Market shall be subject to the following:

a. For each Saturday operation of the Farmers Market, the City will provide blockades for Growers for the purpose of demarcating the Use Area. Growers shall place them where needed and remove and stack them neatly at the end of each sale day for the City to pick up.

- b. Growers shall be authorized to arrange for and direct the locations of no more than two Food Trucks to operate at any one time within the Use Area while the market is open to the public as set forth in this Agreement. Per City Policy 5-J Mobile Food Units, Section 8.03, event organizers are required to provide the City with a list all of all mobile food unit vendors that will be at any event(s).
 - c. The Growers shall ensure any and all Food Trucks operating at the market to meet all state licensing and other requirements and regulations that are applicable to them.
3. The right to utilize the Use Area for the Farmers Market shall commence on June 15, 2019, and shall terminate on October 26, 2019; in addition, Growers shall have the right to utilize the Use Area pursuant to Paragraph 5 (“Term”).
4. The operation of a Farmers Market in the Use Area is also subject to the following conditions:
 - a. The operation of a Farmers Market is limited to Saturdays between the hours of 7:30 a.m. and noon, with the exception of July 20, on which date the City does not permit operation of a Farmers Market at the Public Parking Lot #300 location. On July 20 the Farmers Market may operate on 8^h Avenue between 1st Street South and Mainstreet (the Artery), subject to approval of a separate Special Events permit.
 - b. The Growers shall furnish appropriate refuse containers, as required by the City, and remove refuse and other waste material after each Farmers Market.
 - c. The Growers shall provide a market manager to represent Growers on the site during each Farmers Market. Said manager or someone designated by him

shall be responsible for all advertising, administrative activities, promotions, and communications with the City and the general public concerning sale activities.

d. Growers shall be responsible to ensure that its operation of a Farmers Market is in compliance with, at all times, local, state and federal rules and regulations.

5. In addition to the term for the operations of a Farmers Market described above, the City grants Growers the additional right to distribute pre-ordered turkeys at the Use Area on Tuesday, November 26, 2019, from 2 p.m. to 6 p.m., subject to all terms and conditions described herein.
6. Growers may not sub-lease or otherwise assign this Agreement. This Agreement shall not be deemed an approval for any other permits or approvals required by the City and/or any other governmental entity for the operation of the Farmers Market.
7. Growers shall indemnify, defend, and hold the City, and its respective officers, employees, and agents, harmless from and against any and all losses, claims, actions, and expenses that may arise from or out of the activities conducted or carried on by Growers directly or indirectly in any respect whatsoever related to the Growers operation of a Farmers Market within the Use Area.
8. Growers shall provide the City with a Certificate of Liability Insurance, effective at a minimum, from during the Term, with a minimum coverage of the City's statutory tort liability, which is currently \$1,500,000.00, and making the City an additional insured. The sufficiency of the Certificate of Liability Insurance is subject to review and approval by City Staff. The above-mentioned Certificate of Liability Insurance must be submitted to

the City, on a form approved by the City, prior to the commencement of the operation of a Farmers Market within the Use Area.

9. The City may terminate this Agreement at any time with or without cause by giving 30 days written notice to the Growers at the address indicated above. Sections 7 and 8 of this Agreement shall survive termination.
10. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Minnesota.
11. This Agreement shall constitute the entire agreement between the parties and any prior understanding or representation of any kind preceding the date of this Agreement shall not be binding upon either party except to the extent incorporated in this Agreement.
12. Any modification of this Agreement or additional obligation assumed by either party in connection with this Agreement shall be binding only if evidenced in writing signed by each party or an authorized representative of each party.
13. Any notice provided for or concerning this Agreement shall be in writing and shall be deemed sufficiently given when sent by U.S. Mail or hand-delivered to the respective address of each party as set forth in the beginning of this Agreement.
14. The parties acknowledge that this Agreement is an agreement to operate a Farmers Market in the Use Area described herein and does not confer any estate or interest to Growers nor does it create a partnership or joint venture between the City and Growers. All costs of doing business, including but not limited to supplies and equipment, will be the sole responsibility of Growers at its sole expense.

IN WITNESS WHEREOF, the parties have signed this Agreement on the _____ day of
May, 2019.

THE HOPKINS GROWERS' ASSOCIATION

CITY OF HOPKINS

By: _____
Gwen Smith, President
10091 Pilgrim Way
Maple Grove, MN 55369

By: _____
Jason Gadd, Mayor

By: _____
Michael J. Mornson, City Manager



Administration

CITY OF HOPKINS

Memorandum

To: Honorable Mayor and Council Members
From: Ari Lenz, Assistant City Manager
Copy: Mike Mornson, City Manager
Date: May 7, 2019
Subject: Second Reading of Ordinance 2019-1140

Staff recommends that the Council approve the following motion: Move that the Hopkins City Council approve Ordinance 2019-1140 for second reading and authorize the summary ordinance publication.

There have been no changes in this ordinance since the first reading.

Attachments:
Ordinance 2019-1140
Summary Ordinance 2019-1140

**CITY OF HOPKINS
HENNEPIN COUNTY, MINNESOTA**

ORDINANCE NO. 2019-1140

**AN ORDINANCE AMENDING SECTION 200.01 OF HOPKINS CITY CODE
ESTABLISHING SALARIES OF THE MAYOR AND CITY COUNCIL FROM AND
AFTER JANUARY 1, 2020.**

THE CITY COUNCIL OF THE CITY OF HOPKINS DOES HEREBY ORDAIN:

SECTION 1. That Section 200.01, Subdivision 1 is hereby amended by deleting the ~~stricken~~ material and adding the underlined material as follows:

200.01. Salaries of Mayor and Council members. Subdivision 1. Mayor. The salary of the mayor is ~~\$9,560~~ \$9,751 per year, payable bi-weekly.

SECTION 2. That Section 200.01, Subdivision 2 is hereby amended by deleting the ~~stricken~~ material and adding the underlined material as follows:

Subd. 2. Council Member. The salary of a council member is ~~\$7,325~~ \$7,472 per year, payable bi-weekly.

SECTION 3. That Subdivision 4 is hereby created by adding the following underlined material:

Subd. 4. Salary Review. On September 1 of odd numbered years beginning in 2019, the salaries in subsection 1 and 2 of this section shall be reviewed for possible adjustment with an effective date of the following January 1. The proposed salaries must equal the limit for the prior year, increased by the percentage increase contained in the Compensation Limit for Local Government Employees annually published by the Minnesota Office of Management and Budget, pursuant to Minn. Stats. § 43A.17. Any such proposed salary adjustment for the mayor and council members must be approved by ordinance of the City Council.

SECTION 4. The effective date of this ordinance shall be January 1, 2020.

First Reading: April 16, 2019

Second Reading: May 7, 2019

Date of Publication: May 16, 2019

Date Ordinance Takes Effect: January 1, 2020

By: _____

Jason Gadd, Mayor

ATTEST:

Amy Domeier, City Clerk

**CITY OF HOPKINS
COUNTY OF HENNEPIN**

**SUMMARY OF
ORDINANCE NO. 2019-1140**

**AN ORDINANCE AMENDING SECTION 200.01 OF HOPKINS CITY CODE
ESTABLISHING SALARIES OF THE MAYOR AND CITY COUNCIL FROM AND
AFTER JANUARY 1, 2020**

Summary: This ordinance amends **SECTION 200 Salaries of Mayor and Council** to establish new salaries effective January 1, 2020.

Effective Date: This ordinance shall take effect January 1, 2020.

A full copy of the text of this ordinance is available from the City Clerk.

/s/ Jason Gadd, Mayor

Attest: /s/ Amy Domeier, City Clerk

**CITY OF HOPKINS
HENNEPIN COUNTY, MINNESOTA**

RESOLUTION NO. 2019-039

**Approving Special Assessment for
Waterline Repairs on Private Property**

WHEREAS, On January 2, 2019 the owners of property at 410 13th Ave N, Hopkins, MN and identified as 24-117-22-22-0042 signed an agreement petitioning for repairs to be done to their private waterline; and

WHEREAS, the owner has insufficient funds to repair the waterline; and

WHEREAS, the City as a program whereby the owner has the ability to petition the City to do the repairs and have the cost assessed to their taxes; and

WHEREAS, as part of the agreement the owner waives their right to object to the assessment,

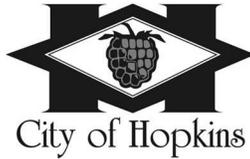
NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Hopkins hereby orders the assessment of \$6,000 to be placed on the taxes of the property listed above for a 10 year period with an interest rate of 4%.

Adopted by the City Council of the City of Hopkins this 7th day of May 2019.

By _____
Jason Gadd, Mayor

ATTEST:

Amy Domeier, City Clerk



April 16, 2019

Council Report 2019-050

**ACCEPT BIDS AND AWARD OF CONTRACT
2019 MILL AND OVERLAY
CITY PROJECT 2019-04**

Proposed Action

Staff recommends the following motion: Adopt Resolution 2019-040 Awarding the Contract, 2019 Mill and Overlay, City Project 2019-04.

Overview

The bid opening for the 2019 Mill and Overlay was held on April 18, 2019. This project involves a mill and overlay including minor pedestrian ramp and curb replacement and all necessary appurtenances on Westbrooke Way and the Alley off Cottage Downs. The low bid was \$184,307.90 submitted by Northwest Asphalt. A total of three (9) bids were received. This contractor has also been awarded the 2019 Street and Utility Improvement project, and has a good reputation with previous similar projects in the metro area. Staff is recommending award of the project contract to Northwest Asphalt.

Primary Issues to Consider

- Bid Results and Analysis
- Project Schedule

Supporting Information

- Tabulation and Abstract of Bids
- Planset Coversheet
- Resolution 2019-040

Eric Klingbeil, P.E., Assistant City Engineer

Financial Impact: \$209,945.90 Budgeted: Y/N Yes Source: PIR
Related Documents (CIP, ERP, etc.): CIP
Notes: _____

ANALYSIS OF ISSUES

• **Bid Results and Analysis**

Northwest Asphalt	\$184,307.90
Omann Brothers	\$198,830.84
Park Construction	\$202,610.75
Midwest Asphalt	\$207,227.60
GMH Asphalt	\$219,670.03
Asphalt Surface Technologies	\$228,439.05
Valley Paving	\$231,066.25
Bituminous Roadways	\$240,000.00
C.S. McCrossan	\$277,060.00

All bids were submitted with required bid security made by qualified contractors. Northwest Asphalt is a reputable contractor who has completed similar projects in the metro area.

Bids received were in line with the Engineer's Estimate, the project will stay within the CIP Budget.

• **Project Schedule**

Award Contract,	May 7, 2019
Begin Construction	Summer 2019
Construction Complete	Summer/Fall 2019

**CITY OF HOPKINS
HENNEPIN COUNTY, MINNESOTA**

RESOLUTION NO. 2019-040

**RESOLUTION FOR AWARD OF CONTRACT
2019 MILL AND OVERLAY
CITY PROJECT 2019-04**

BE IT RESOLVED BY THE CITY COUNCIL OF HOPKINS, MINNESOTA, that the lowest bid of Northwest Asphalt in the amount of \$184,307.90 is the lowest responsible bid for the 2019 Mill and Overlay, City Project 2019-04, and the Mayor and City Manager are hereby authorized and directed to enter into a contract with said bidder for and on behalf of the City.

Adopted by the City Council of the City of Hopkins, Minnesota, this 7th day of May, 2019.

By _____
Jason Gadd, Mayor

ATTEST:

Amy Domeier, City Clerk



Real People. Real Solutions.

BID TABULATION
2019 Mill & Overlay Improvements
City of Hopkins
Hopkins, MN
T19.118341

Bid Taken: Thursday, April 18, 2019
Time: 10:00 a.m.

Addendums:

	BIDDERS	TOTAL AMOUNT BID
1	Northwest	\$184,307.90
2	Omann Brothers Paving, Inc.	\$198,830.84
3	Park Construction Co	\$202,610.75
4	Midwest Asphalt Services	\$207,227.60
5	GMH Asphalt Corporation	\$219,670.03
6	Asphalt Surface Technologies Corp	\$228,439.05
7	Valley Paving, Inc.	\$231,066.25
8	Bituminous Roadways, Inc	\$240,000.00
9	C.S. McCrossan Construction, Inc.	\$277,060.00

Bolton & Menk, Inc.
CONSULTING ENGINEERS & SURVEYORS
Mankato – Fairmont – Sleepy Eye – Burnsville – Willmar - Chaska – Ramsey – Maplewood – Baxter – Rochester –
Duluth, MN
Algona – Ames – Cedar Rapids – Des Moines – Jefferson – Spencer, IA & Fargo, ND

Line Item	Item Description	Quantity	Engineer Estimate		Northwest		Omann Brothers Paving Inc.		Park Construction Company		Midwest Asphalt Services		GMH Asphalt Corporation		Asphalt Surface Technologies Corj Valley Paving, Inc				Bituminous Roadways Inc.		C.S. McCrossan Construction, Inc.		
			Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	
1 -	MOBILIZATION	LUMP SUM	1	\$25,000.00	\$25,000.00	\$20,750.00	\$20,750.00	\$8,000.00	\$8,000.00	\$17,600.00	\$17,600.00	\$19,500.00	\$19,500.00	\$9,460.54	\$9,460.54	\$25,000.00	\$25,000.00	\$10,000.00	\$10,000.00	\$10,252.75	\$10,252.75	\$13,800.00	\$13,800.00
2 -	TRAFFIC CONTROL	LUMP SUM	1	\$15,000.00	\$15,000.00	\$3,500.00	\$3,500.00	\$5,250.00	\$5,250.00	\$2,980.00	\$2,980.00	\$5,500.00	\$5,500.00	\$3,536.86	\$3,536.86	\$3,300.00	\$3,300.00	\$6,600.00	\$6,600.00	\$3,200.00	\$3,200.00	\$21,500.00	\$21,500.00
3 -	REMOVE CURB & GUTTER	LIN FT	1000	\$25.00	\$25,000.00	\$6.00	\$6,000.00	\$8.00	\$8,000.00	\$6.05	\$6,050.00	\$5.15	\$5,150.00	\$6.99	\$6,990.00	\$10.00	\$10,000.00	\$15.00	\$15,000.00	\$6.40	\$6,400.00	\$15.00	\$15,000.00
4 -	REMOVE CONCRETE PAVEMENT	SQ YD	76	\$25.00	\$1,900.00	\$5.00	\$380.00	\$11.40	\$866.40	\$16.20	\$1,231.20	\$14.20	\$1,079.20	\$8.24	\$626.24	\$20.00	\$1,520.00	\$27.50	\$2,090.00	\$20.20	\$1,535.20	\$11.50	\$874.00
5 -	REMOVE BITUMINOUS PAVEMENT (STREET & TRAIL)	SQ YD	530	\$8.00	\$4,240.00	\$3.00	\$1,590.00	\$9.40	\$4,982.00	\$9.15	\$4,849.50	\$9.50	\$5,035.00	\$3.19	\$1,690.70	\$10.00	\$5,300.00	\$12.50	\$6,625.00	\$8.20	\$4,346.00	\$19.00	\$10,070.00
6 -	REMOVE SIGN	EACH	34	\$30.00	\$1,020.00	\$30.00	\$1,020.00	\$30.96	\$1,052.64	\$30.30	\$1,030.20	\$32.50	\$1,105.00	\$35.97	\$1,222.98	\$33.00	\$1,122.00	\$33.00	\$1,122.00	\$100.00	\$3,400.00	\$34.50	\$1,173.00
7 -	MILL BITUMINOUS SURFACE (1.5 INCH DEPTH)	SQ YD	6555	\$2.50	\$16,387.50	\$1.15	\$7,538.25	\$2.15	\$14,093.25	\$1.60	\$10,488.00	\$1.45	\$9,504.75	\$2.50	\$16,387.50	\$1.61	\$10,553.55	\$1.30	\$8,521.50	\$3.75	\$24,581.25	\$2.20	\$14,421.00
8 -	SAWING BITUMINOUS PAVEMENT (FULL-DEPTH)	LIN FT	400	\$4.00	\$1,600.00	\$3.00	\$1,200.00	\$3.00	\$1,200.00	\$1.95	\$780.00	\$3.90	\$1,560.00	\$2.58	\$1,032.00	\$2.25	\$900.00	\$2.50	\$1,000.00	\$3.00	\$1,200.00	\$2.60	\$1,040.00
9 -	SAWING CONCRETE PAVEMENT (FULL-DEPTH)	LIN FT	145	\$6.00	\$870.00	\$4.00	\$580.00	\$4.00	\$580.00	\$4.80	\$696.00	\$5.60	\$812.00	\$4.75	\$688.75	\$5.00	\$725.00	\$6.15	\$891.75	\$7.00	\$1,015.00	\$6.20	\$899.00
10 -	SUBGRADE EXCAVATION	CU YD	35	\$25.00	\$875.00	\$29.25	\$1,023.75	\$40.00	\$1,400.00	\$37.00	\$1,295.00	\$49.00	\$1,715.00	\$30.00	\$1,050.00	\$25.00	\$875.00	\$115.00	\$4,025.00	\$60.00	\$2,100.00	\$120.00	\$4,200.00
11 -	JOINT ADHESIVE (MASTIC)	LIN FT	5800	\$1.00	\$5,800.00	\$0.60	\$3,480.00	\$0.50	\$2,900.00	\$0.48	\$2,784.00	\$0.50	\$2,900.00	\$0.58	\$3,364.00	\$0.80	\$4,640.00	\$0.53	\$3,074.00	\$0.60	\$3,480.00	\$0.70	\$4,060.00
12 -	BITUMINOUS MATERIAL FOR TACK COAT	GAL	600	\$3.00	\$1,800.00	\$3.00	\$1,800.00	\$3.00	\$1,800.00	\$2.45	\$1,470.00	\$2.00	\$1,200.00	\$4.09	\$2,454.00	\$3.00	\$1,800.00	\$2.00	\$1,200.00	\$4.00	\$2,400.00	\$6.30	\$3,780.00
13 -	BITUMINOUS WEARING COURSE (SPWEA240C)	TON	720	\$85.00	\$61,200.00	\$80.85	\$58,212.00	\$88.15	\$63,468.00	\$89.10	\$64,152.00	\$92.00	\$66,240.00	\$102.41	\$73,735.20	\$100.00	\$72,000.00	\$99.00	\$71,280.00	\$105.00	\$75,600.00	\$95.00	\$68,400.00
14 -	2" BITUMINOUS STREET PATCH (SPWEA240C)	SQ YD	750	\$50.00	\$37,500.00	\$14.90	\$11,175.00	\$14.65	\$10,987.50	\$26.00	\$19,500.00	\$18.50	\$13,875.00	\$20.32	\$15,240.00	\$22.00	\$16,500.00	\$26.50	\$19,875.00	\$15.00	\$11,250.00	\$29.00	\$21,750.00
15 -	CLASS 5 AGGREGATE BASE	TON	64	\$20.00	\$1,280.00	\$20.45	\$1,308.80	\$30.00	\$1,920.00	\$19.40	\$1,241.60	\$28.30	\$1,811.20	\$25.00	\$1,600.00	\$25.00	\$1,600.00	\$50.00	\$3,200.00	\$30.00	\$1,920.00	\$59.50	\$3,808.00
16 -	CONCRETE CURB & GUTTER DESIGN B618	LIN FT	1000	\$30.00	\$30,000.00	\$28.50	\$28,500.00	\$32.90	\$32,900.00	\$30.30	\$30,300.00	\$32.20	\$32,200.00	\$36.33	\$36,330.00	\$30.25	\$30,250.00	\$32.00	\$32,000.00	\$35.00	\$35,000.00	\$35.50	\$35,500.00
17 -	4" CONCRETE WALK	SQ FT	270	\$10.00	\$2,700.00	\$8.00	\$2,160.00	\$12.74	\$3,439.80	\$5.15	\$1,390.50	\$9.20	\$2,484.00	\$11.20	\$3,024.00	\$7.15	\$1,930.50	\$8.40	\$2,268.00	\$11.40	\$3,078.00	\$11.00	\$2,970.00
18 -	6" CONCRETE WALK PEDESTRIAN RAMPS	SQ YD	58	\$125.00	\$7,250.00	\$115.00	\$6,670.00	\$128.70	\$7,464.60	\$59.10	\$3,427.80	\$135.00	\$7,830.00	\$144.92	\$8,405.36	\$134.00	\$7,772.00	\$130.00	\$7,540.00	\$171.00	\$9,918.00	\$210.00	\$12,180.00
19 -	DRILL & GROUT REINF BAR - NO. 4 (EPOXY COATED)	EACH	24	\$15.00	\$360.00	\$18.50	\$444.00	\$18.05	\$433.20	\$8.10	\$194.40	\$19.00	\$456.00	\$20.98	\$503.52	\$33.00	\$792.00	\$20.00	\$480.00	\$9.70	\$232.80	\$20.50	\$492.00
20 -	TRUNCATED DOMES	SQ FT	72	\$50.00	\$3,600.00	\$50.00	\$3,600.00	\$49.55	\$3,567.60	\$42.40	\$3,052.80	\$52.00	\$3,744.00	\$57.55	\$4,143.60	\$71.50	\$5,148.00	\$54.00	\$3,888.00	\$55.00	\$3,960.00	\$56.50	\$4,068.00
21 -	8" CONCRETE DRIVEWAY PAVEMENT (COMMERCIAL HIGH EARLY)	SQ YD	20	\$90.00	\$1,800.00	\$74.00	\$1,480.00	\$84.30	\$1,686.00	\$68.70	\$1,374.00	\$89.00	\$1,780.00	\$96.19	\$1,923.80	\$148.50	\$2,970.00	\$81.00	\$1,620.00	\$115.00	\$2,300.00	\$115.00	\$2,300.00
22 -	TRAFFIC SIGN POST (U-CHANNEL)	EACH	50	\$70.00	\$3,500.00	\$70.00	\$3,500.00	\$72.25	\$3,612.50	\$70.70	\$3,535.00	\$76.00	\$3,800.00	\$83.93	\$4,196.50	\$77.00	\$3,850.00	\$82.00	\$4,100.00	\$75.00	\$3,750.00	\$80.50	\$4,025.00
23 -	SIGN PANELS (TYPE C)	SQ FT	140	\$20.00	\$2,800.00	\$28.00	\$3,920.00	\$28.90	\$4,046.00	\$28.30	\$3,962.00	\$30.00	\$4,200.00	\$33.57	\$4,699.80	\$31.00	\$4,340.00	\$23.00	\$3,220.00	\$30.00	\$4,200.00	\$32.00	\$4,480.00
24 -	ADJUST VALVE BOX	EACH	2	\$350.00	\$700.00	\$325.00	\$650.00	\$250.00	\$500.00	\$254.00	\$508.00	\$295.00	\$590.00	\$272.76	\$545.52	\$500.00	\$1,000.00	\$875.00	\$1,750.00	\$400.00	\$800.00	\$675.00	\$1,350.00
25 -	HYDROMULCH & SEED MIX 25-151	SQ YD	560	\$5.00	\$2,800.00	\$2.50	\$1,400.00	\$2.06	\$1,153.60	\$3.05	\$1,708.00	\$3.50	\$1,960.00	\$0.54	\$302.40	\$2.25	\$1,260.00	\$2.50	\$1,400.00	\$4.00	\$2,240.00	\$4.50	\$2,520.00
26 -	TOPSOIL BORROW (SPECIAL)	CU YD	75	\$40.00	\$3,000.00	\$43.00	\$3,225.00	\$53.50	\$4,012.50	\$43.10	\$3,232.50	\$33.00	\$2,475.00	\$64.96	\$4,872.00	\$45.00	\$3,375.00	\$100.00	\$7,500.00	\$65.00	\$4,875.00	\$72.00	\$5,400.00
27 -	CROSSWALK WHITE (GR IN) - THERMOPLASTIC	SQ FT	378	\$20.00	\$7,560.00	\$13.20	\$4,989.60	\$13.65	\$5,159.70	\$13.30	\$5,027.40	\$14.40	\$5,443.20	\$15.83	\$5,983.74	\$14.50	\$5,481.00	\$14.50	\$5,481.00	\$18.00	\$6,804.00	\$23.00	\$8,694.00
28 -	4" SOLID WHITE - MULTI COMPONENT LIQUID	LIN FT	785	\$1.50	\$1,177.50	\$0.90	\$706.50	\$0.93	\$730.05	\$0.91	\$714.35	\$0.95	\$745.75	\$2.46	\$1,931.10	\$1.00	\$785.00	\$1.00	\$785.00	\$1.20	\$942.00	\$1.60	\$1,256.00
29 -	4" BROKEN YELLOW - MULTI COMPONENT LIQUID	LIN FT	350	\$2.00	\$700.00	\$0.90	\$315.00	\$0.93	\$325.50	\$0.91	\$318.50	\$0.95	\$332.50	\$4.16	\$1,456.00	\$1.00	\$350.00	\$1.00	\$350.00	\$1.20	\$420.00	\$1.60	\$560.00
30 -	STORM DRAIN INLET PROTECTION	EACH	22	\$200.00	\$4,400.00	\$145.00	\$3,190.00	\$150.00	\$3,300.00	\$143.00	\$3,146.00	\$100.00	\$2,200.00	\$103.36	\$2,273.92	\$150.00	\$3,300.00	\$190.00	\$4,180.00	\$400.00	\$8,800.00	\$295.00	\$6,490.00
	Base Bid Total:				\$271,820.00		\$184,307.90		\$198,830.84		\$202,610.75		\$207,227.60		\$219,670.03		\$228,439.05		\$231,066.25		\$240,000.00		\$277,060.00

RESOURCE LIST

PUBLIC WORKS
11100 EXCELSIOR BOULEVARD
HOPKINS, MN 55343

PUBLIC WORKS DIRECTOR
MR. STEVE STADLER, P.E.

CITY ENGINEER
MR. NATE STANLEY, P.E.

ASSISTANT CITY ENGINEER
MR. ERIC KLINGBEIL, P.E.

STREETS & PARKS SUPERINTENDENT
MR. JAY STRACHOTA

WATER & SEWER SUPERINTENDENT
MR. ISMAIL EDDIHI

CONSULTING ENGINEER
BOLTON & MENK, INC.
12224 NICOLLET AVENUE
BURNSVILLE, MN 55337

PROJECT MANAGER
MR. MIKE WALTMAN, P.E.

PROJECT ENGINEER
MR. NICK AMATUCCIO, P.E.

RESIDENT PROJECT REPRESENTATIVE
MR. JOSH HRABE
612-965-2473

NOTE: THE CONTRACTOR SHALL FIELD VERIFY EXACT LOCATIONS PRIOR TO COMMENCING CONSTRUCTION AS REQUIRED BY STATE LAW. NOTIFY GOPHER STATE ONE CALL, 1-800-252-1166 OR 651-454-0002.

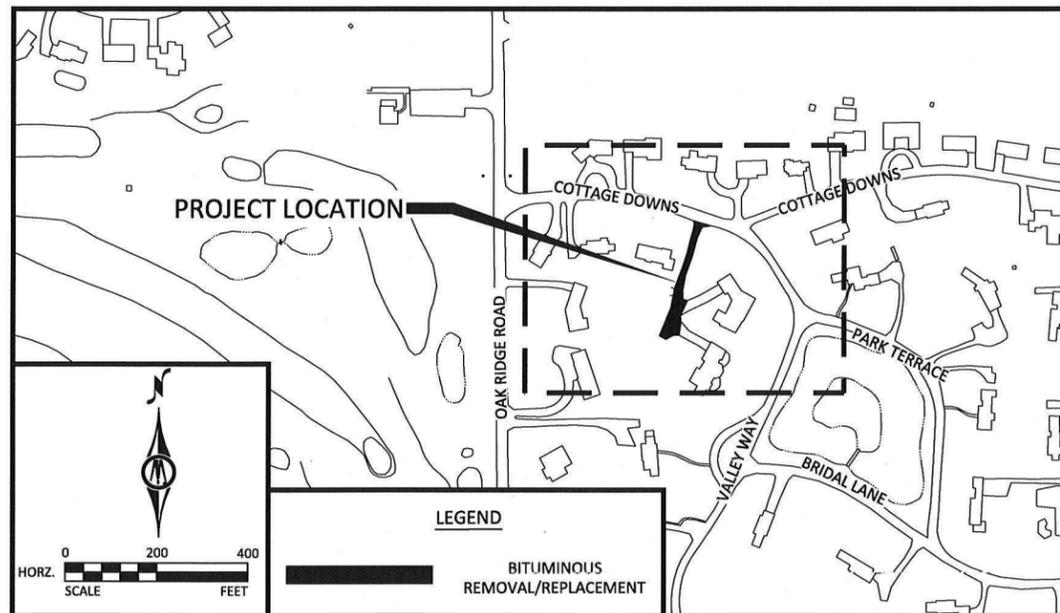
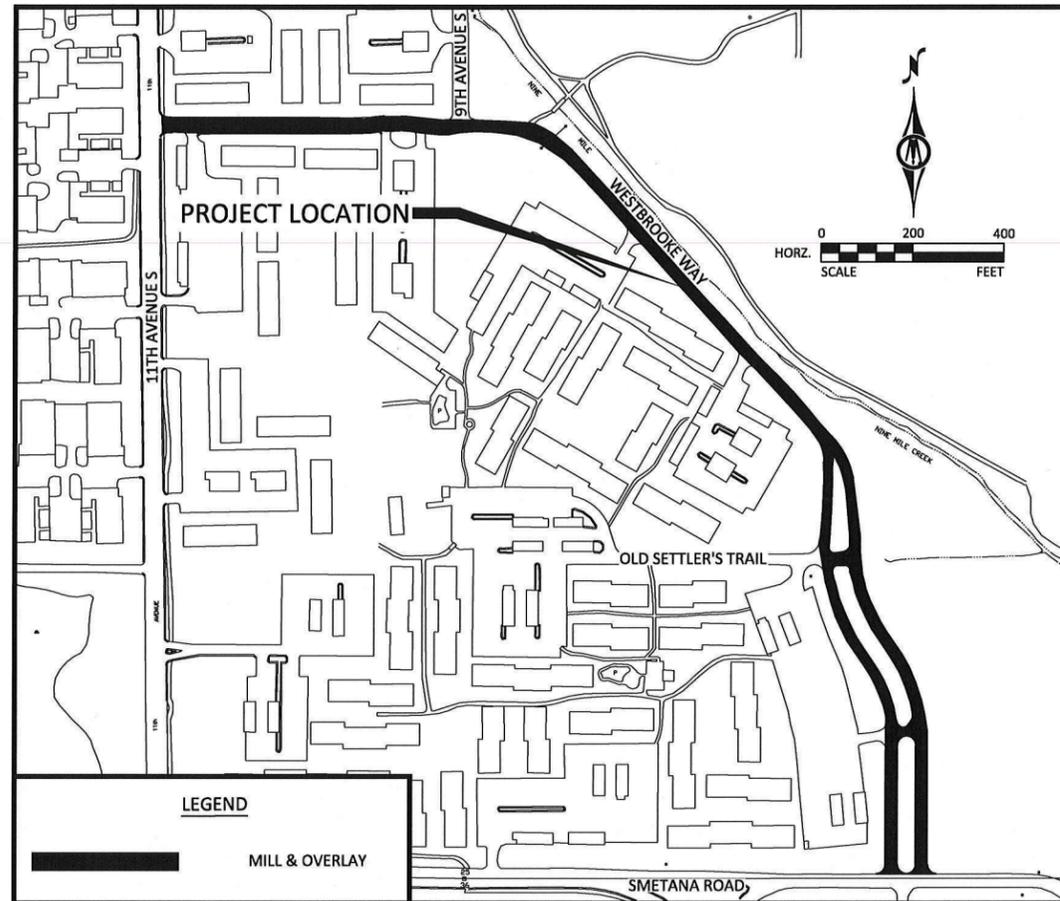
CONSTRUCTION DRAWINGS FOR 2019 MILL & OVERLAY IMPROVEMENTS

CITY PROJECT NO. 2019-004
BMI PROJECT NO. T19.118341

SHEET INDEX

SHEET NO.	TITLE
G0.01	TITLE SHEET
G0.02	GENERAL CONSTRUCTION NOTES
C1.01	TYPICAL SECTIONS
C1.02	CONSTRUCTION DETAILS
C6.01 - C6.04	STREET PLANS - WESTBROOKE WAY
C6.05	STREET PLANS - ALLEY

THIS PLAN SET CONSISTS OF 9 SHEETS



MAP OF THE
CITY OF HOPKINS
HENNEPIN COUNTY, MN

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Nick Amatuccio
NICHOLAS J. AMATUCCIO, P.E. LIC. NO. 53639 DATE: 4/4/19

REVIEWED & APPROVED BY:
Eric Klingbeil
ERIC KLINGBEIL, P.E. LIC. NO. 49826 DATE: 4/4/19
HOPKINS ASSISTANT CITY ENGINEER

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12224 NICOLLET AVENUE
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DESIGNED	NO.	ISSUED FOR	DATE
JH/AP			
DRAWN			
JH/AP			
CHECKED			
NA			
CLIENT PROJ. NO.			
T19.118341			

HOPKINS, MINNESOTA
2019 MILL & OVERLAY IMPROVEMENTS
TITLE SHEET

SHEET
G0.01



MEMO

To: Honorable Mayor and City Council

From: Jan Youngquist, Community Development Coordinator

Date: May 7, 2019

Subject: Second reading of Ordinance 2019-1141, An Ordinance Amending Chapter IV of the Hopkins City Code Pertaining to the Sale of Affordable Rental Housing

Staff recommends that the City Council approve the following motion: Move that the Hopkins City Council approve Ordinance 2019-1141 for the second reading and publication.

Overview:

The proposed Tenant Protection Ordinance was discussed at City Council work sessions on October 9 and January 2. Staff discussed the proposed ordinance at the Hopkins Apartment Managers' Association meeting on February 13 and sent the proposed ordinance and a Frequently Asked Questions information sheet to local affordable housing advocates and multi-family rental property owners and managers. The draft ordinance has been reviewed by the City Attorney.

The City Council held a public hearing on the proposed Tenant Protection Ordinance at its meeting on April 16. Five individuals testified and were supportive of the proposed ordinance. A representative from the Minnesota Multi Housing Association (MHA) requested that the proposed effective date of May 16 for the ordinance be extended in case there are any pending sales of affordable rental buildings. The City Council directed staff to bring a revised effective date as part of the second reading of the ordinance. After communicating with staff from the building and inspections department as well as with MHA, community development staff recommends an effective date of July 1 for the ordinance.

Attachment:
Ordinance 2019-1141

**CITY OF HOPKINS
HENNEPIN COUNTY, MINNESOTA**

ORDINANCE NO. 2019-1141

**AN ORDINANCE AMENDING CHAPTER IV OF THE HOPKINS CITY CODE
PERTAINING TO THE SALE OF AFFORDABLE RENTAL HOUSING**

THE COUNCIL OF THE CITY OF HOPKINS HEREBY ORDAINS AS FOLLOWS:

Section 1. That Chapter IV of the Hopkins City Code is amended by adding Section 460 as follows:

Section 460 – Sale of Affordable Rental Housing Building

460.00 Purpose.

It is the purpose of this Section to provide housing stability and protection to tenants in affordable rental housing units who are facing displacement when there is a transfer of ownership of an affordable housing building. This Section requires, upon such a transfer, notice to the tenants and the City and the payment of tenant relocation assistance when affordable housing is converted and tenants are required, through direct or indirect means, to move without adequate time to find new housing. This Section is to be interpreted broadly to ensure the tenants of affordable housing units are afforded the protections intended by this Section.

460.01 Definitions

The following definitions apply in this Section 460 of the Code.

Subd. 1. Affordable Housing Building: A multi-family rental housing building having three or more housing units, where at least 15 percent (15%) of the units rent for an amount that is affordable to households at or below 60 percent (60%) of area median income, as median income was most recently determined by the United States Department of Housing and Urban Development for the Minneapolis-St. Paul-Bloomington, Minnesota-Wisconsin Metropolitan Statistical Area, as adjusted for household size and number of bedrooms.

Subd. 2. Affordable Housing Unit: A rental unit in an affordable housing building that rents for an amount that is affordable to households at or below 60 percent (60%) of area median income, as median income was most recently determined by the United States Department of Housing and Urban Development for the Minneapolis-St. Paul-Bloomington, Minnesota-Wisconsin Metropolitan Statistical Area, as adjusted for household size and number of bedrooms.

Subd. 3. Cause: The tenant or a member of the tenant's household materially violated a term of the lease or rental agreement, or violated an applicable federal, state, or local law or regulation.

Subd. 4. Relocation Assistance: A payment in the amount equal to three months of the current monthly contract rent.

Subd. 5. Tenant Protection Period: The period that commences on the date when a real estate closing transfers ownership of an affordable housing building and ends on the last day of the

third calendar month following the date in which written notice of the transfer is sent to each affordable housing unit tenant pursuant to subsection 460.02.

Subd. 6. Transfer of Ownership: Any conveyance of title to an affordable housing building resulting in a transfer of control of the building, effective as of the earlier of the date of delivery of the instrument of conveyance or the date the new owner takes possession.

460.02 Notice

Subd. 1. Within thirty (30) days after the transfer of ownership of an affordable housing building, the new owner shall give written notice to each affordable housing unit tenant of the building that the property is under new ownership. The notice must include the following information:

1. The name, mailing address, and telephone number of the new owner.
2. The following statement: “Hopkins City Code Section 460 provides for a tenant protection period for affordable housing unit tenants after an affordable housing building is transferred to a new owner. Under Section 460, affordable housing unit tenants may be entitled to relocation assistance from the new owner if, during the tenant protection period, the new owner:
 - a. Terminates or does not renew the tenant’s rental agreement without cause;
 - b. Raises the rent and the tenant submits a written notice of termination of their rental agreement; or,
 - c. Requires existing affordable housing unit tenants to comply with existing or modified residency screening criteria and the owner or tenant terminates or does not renew the tenant’s rental agreement.”
3. Whether there will be any rent increase within the tenant protection period, the amount of the rent increase, and the date the rent increase will take effect.
4. Whether the new owner will require existing affordable housing unit tenants to comply with existing or modified residency screening criteria during the tenant protection period, and if so, a copy of the screening criteria.
5. Whether the new owner will terminate or not renew rental agreements without cause during the tenant protection period and if so, the date the rental agreement will terminate and the amount of relocation assistance that will be provided.
6. The date the tenant protection period will expire.
7. Whether the new owner, on the day immediately following the tenant protection period, intends to: increase rent, require existing affordable housing unit tenants to be comply with existing or modified residency screening criteria, or terminate or not renew affordable housing unit rental agreements without cause.
8. Each notice required by this subsection shall contain an advisory that reads as follows: “This is important information about your housing. If you do not understand it, have

someone translate it for you now, or request a translation from your landlord.” This advisory must be stated in the notice in the following languages: Spanish and Somali. Upon request by a tenant, the owner must provide a written translation of the notice in the tenant’s native language.

Subd. 2. The new owner shall provide a copy of the notice required by this subsection to the City at the same time notice is provided to the tenant or tenants. The new owner of an affordable housing building shall not terminate or not renew a tenant’s rental agreement without cause, raise rent, or require existing affordable housing unit tenants to comply with existing or modified residency screening criteria without giving the notice required by this subsection.

460.03 Relocation Assistance

Subd. 1. When required: A new owner of an affordable housing building must pay relocation assistance to affordable housing unit tenants when, during the tenant protection period, the new owner:

1. Terminates or does not renew the tenant’s rental agreement without cause;
2. Raises the rent and the tenant submits a written notice of termination of their rental agreement; or,
3. Requires existing affordable housing unit tenants to comply with existing or modified residency screening criteria and the owner or tenant terminates or does not renew the tenant’s rental agreement.

Subd. 2. When paid: The new owner must pay the relocation assistance to the tenant within thirty (30) days after receiving tenant’s written notice of termination of the rental agreement or within thirty (30) days after the owner notifies the tenant that the rental agreement will be terminated or not renewed.

460.04 Penalty

Subd. 1. A violation of subsection 460.03 is an administrative offense that may be subject to an administrative citation and civil penalties as provided in City Code Section 355. Notwithstanding any provision of City Code Section 355, the penalty for a violation of subsection 460.03 shall be the sum of the applicable amount of relocation assistance plus \$500.

Subd. 2. A violation of subsection 460.02 is an administrative offense that may be subject to an administrative citation and civil penalties as provided in City Code Section 355.

Subd. 3. A violation of this ordinance as to each dwelling unit shall constitute a separate offense.

460.05 Payment by City to Displaced Tenant

Within 30 days after a person pays the penalty provided for in subsection 460.04, subd. 1 to the City, the City shall pay the applicable amount of relocation assistance to the displaced tenant of the affordable housing unit for which the violation occurred.

Section 2. This ordinance shall take effect July 1, 2019.

First Reading: April 16, 2019
Second Reading: May 7, 2019
Date of Publication: May 16, 2019
Date Ordinance Takes Effect: July 1, 2019

By: _____
Jason Gadd, Mayor

ATTEST:

Amy Domeier, City Clerk

Background

The Background section includes information on the applicant's request, history of this application, action by the Planning & Zoning Commission, neighborhood meeting, Hopkins' current zoning standards for group homes and zoning standards for Licensed Residential Facilities in other communities.

Applicant's Request. The applicant requests to amend Section 530.09, Conditional Uses within the R Districts to include Licensed Residential Programs Serving 7 to 10 Persons in the R-1-D and R-1-E Districts. The standards requested by the applicant are detailed below.

Licensed Residential Programs Serving 7 to 10 Persons in the R-1-D and R-1-E Districts, subject to the following:

1. The property must be with-in 75 feet of an R-2, R-3, R-4, R-5, or R-6 district.
2. The minimum lot size is 35,000 square feet.
3. Modifications that change the exterior size of the dwelling are not allowed.
4. The dwelling living area, excluding the basement, must be at a ratio of 500 square feet per person minimum.
5. Expansion of parking surfaces must not decrease open space ratio by more than 3%.
6. For driveways and parking areas that abut or are across the street from an existing dwelling of the same zoning district, there shall be a landscaped buffer area per Section 542.05 Subd. 1, Item 3.

History. According to the applicant's narrative (attached), the subject property began operating as a Licensed Residential Facility in 2011. City permit records confirm this timing. At that time the facility was owned and operated by Grace Homes. Representatives of Grace Homes attended the March 20, 2012 City Council meeting to announce the startup of their 8-bed facility. There was also an article in the Hopkins Patch on April 6, 2012 highlighting the facility (attached). In May of 2017, the applicant purchased the subject property (and the neighboring property at 414 Wilshire Walk) from Grace Homes.

In the summer of 2018, code enforcement complaints from the surrounding neighborhood led city staff to conduct a series of site inspections and contact the property owner regarding these issues. In January 2019, a routine fire inspection and subsequent review of Minnesota Department of Health records found ten (10) residents living at the subject property. This is a violation of Hopkins City Code, section 530.06(b) which limits licensed residential facilities in single family zoning districts to 6 or fewer residents. As a result, staff began the code enforcement process and informed the property owner they must bring the site into compliance with the City's zoning standards within 30 days (March 4, 2019).

In response, on February 21, 2019 the property owner filed for a comprehensive plan amendment, rezoning and conditional use permit to allow a Licensed Residential Facility Serving 7 to 16 residents. That application required the applicant to host a neighborhood meeting (see details below). According to the applicant, after talking with the neighbors at that meeting he decided to withdraw his original application stated above and re-file for a zoning code text amendment to allow Licensed Residential Programs for 7 to 10 persons as a conditional use in the R-1-D and R-1-E Districts.

Planning & Zoning Commission Action. The Planning & Zoning Commission held a public

hearing to review this item (Planning Application 2019-06-AMD) during its regular meeting on April 23, 2019. During that meeting, the Commission heard a summary presentation from staff and comments from both the applicant and the public. Draft minutes from the meeting are attached for your reference.

The applicant, Bruce Lawrence of Wilshire Properties, LLC, was the first to speak. Mr. Lawrence went over the information in his narrative about the ownership history of 601 Oakridge Road and the number of residents at the property. He continued by stating he believed the proposed text amendment was consistent with the 2030 Comprehensive Plan and cited 2012 information (City Council minutes, a Hopkins Patch article and building permits) as evidence the City was aware his property had more than 6 residents. It should be noted that State of Minnesota (not cities) review licenses for residential programs. None of the applicant’s examples constitutes city zoning approval.

Next the Planning & Zoning Commission heard from 10 residents during the public hearing (see attached draft minutes). Of those that spoke, 8 were opposed to the zoning text amendment citing various concerns including: incompatibility with single family neighborhoods, potential for more group homes with a greater number of residents, the existing zoning violation at the applicant’s property, intensification of people and activity on the site and traffic and parking in residential areas. Those that supported the proposal stated they thought 601 Wilshire Walk was the perfect location for a group home but were concerned that these uses could take over the neighborhood. Another resident shared a quote he attributed to Hubert Humphry, “The measure of a society is how we take care of the most vulnerable among us” but didn’t state any specific comments about the proposal.

The City also received several comments from the public on this item prior to the Planning & Zoning Commission meeting. All of these expressed opposition to the proposed text amendment. These comments came to the City through both phone calls and e-mails. These comments are attached for your reference and summarized in the table below.

Zoning Code Text Amendment Public Comment Summary	
Commenter	Comment
Kim Burmeister*	Opposed to proposal
Randy Engel	Opposed to proposal
Arthur & Francine Horowitz*	Opposed to proposal
Charles Horowitz	Opposed to proposal
DW Johnson	Opposed to proposal
Susan Kahn	Opposed to proposal
Ben Rubin*	Opposed to proposal
John Sheehan	Opposed to proposal
Ann Steinfeldt*	Opposed to proposal

**Also spoke during the public hearing*

After the public hearing, the Planning & Zoning Commissioners had general discussion about the proposal. Commissioners Hanneman, Steile and Wallace-Jackson spoke in opposition to the proposal based on the findings in the staff report. Commissioners Hanneman and Wallace-Jackson added their concern with the existing zoning violation and noted the applicant should know the state requirements and could have chosen to locate their business in compliance with the law on any number of properties in Hopkins already guided and zoned for multiple family

use. Commissioners Balan, Daly, Goeman and Warden spoke in support of the proposal based on the need for these facilities, the history of the property at 601 Oakridge Road and their belief that it will be consistent with the 2030 Comprehensive Plan and present and future land uses. Next, Commissioner Daly moved and Commission Goeman seconded a motion to recommend the City Council approve the request. The Commission voted 4-3 to approve this motion with Commissioners Balan, Daly, Goeman and Warden voting in favor and Commissioners Hanneman, Steile and Wallace-Jackson voting against.

Neighborhood Meeting. Hopkins neighborhood meeting policy requires applicants for conditional use permit or rezoning applications located adjacent to or within residential zoning district to host an informational meeting for neighbors within 350 feet of the subject property. This requirement applied to the original rezoning and conditional use permit applications but not to the current zoning code text amendment application. As part of his original application, the applicant held a neighborhood meeting at the Hopkins Pavilion on Tuesday, March 19 from 6:30 to 7:30 PM. The applicant mailed an invitation for this meeting to the Knollwood neighborhood, Planning & Zoning Commission and City Council (see attached).

Summary minutes from the neighborhood meeting are attached for your reference. According to these minutes, seven (7) members of the neighborhood attended the meeting and one (1) other resident contacted the applicant by phone. While the attendees acknowledged the need for these types of facilities, they did not support the applicant's proposal to intensify the use of this facility in single family neighborhoods. According to applicant, after talking with the neighbors at that meeting he decided to withdraw his original application and re-file for a zoning code text amendment to allow Licensed Residential Programs Serving 7 to 10 Persons as a conditional use in the R-1-D and R-1-E Districts.

Standards for Licensed Residential Facilities in Hopkins. Minnesota Statute 462.357, Subdivision 7, requires all local governments in Minnesota to allow licensed residential facilities in residential zoning districts. The state administers the license for these facilities so local governments have no direct oversight or control over the day to day operation of these facilities. However, the City can regulate group homes the same as it would any other single family dwelling (outdoor storage, condition of the yard, number of vehicles, etc.).

Under state law, licensed residential facilities serving 6 or fewer residents must be allowed as a permitted use in any single family residential zoning district. Residential Facilities serving 7 through 16 residents must be allowed as a permitted use in multiple family residential districts. The state law provides cities with an option to require a conditional use permit for these uses in multiple family districts.

To comply with these state requirements, the City of Hopkins adopted Ordinance 93-722 which established zoning standards for Licensed Residential Facilities. Hopkins City Code Section 530.06(b) allows Licensed Residential Programs with a Capacity of 6 or Fewer Persons as a permitted use in any single family district. Section 530.09(p) allows Licensed Residential Programs with a Capacity of 7 to 16 persons as a conditional use in the R-2, R-3, R-4, R-5 and R-6 districts, subject to the following conditions:

1. Facilities shall comply with all applicable codes and regulations and shall have, current and in effect, the appropriate State licenses.
2. On-site services and treatment at residential facilities shall be for residents of the facility

- only, and shall not be for nonresidents or persons outside the facility.
3. The conditional use permit is only valid as long as a valid State license is held by the operator of the facility where such license is required.
 4. Traffic generated by the facility not to exceed the design capacity of the local street system or cause a decrease in service levels of intersection, as defined by the Institute of Traffic Engineers. Adequate sight distance at access points shall be available.
 5. No on-street parking to be allowed. Adequate off-street parking shall be required by the City based on the staff and resident needs of each specific facility.
 6. No external building improvements undertaken which alter the original character of the home unless approved by the City Council.
 7. Additional conditions may be required by the City in order to address the specific impacts of a proposed facility.

Standards for Licensed Residential Facilities in Other Communities. Staff researched the standards for Licensed Residential Facilities in other communities through the City Attorney and other metropolitan communities. According to the City Attorney, their client communities follow the standards required by state law and they have not modified their zoning requirements to allow exceptions similar to the applicant’s request.

City staff also reached out directly to the cities of Bloomington, Eden Prairie, Minnetonka, Richfield and St. Louis Park and received response from four of these communities. In summary, like Hopkins the cities of Eden Prairie and Richfield follow state statute. Both Minnetonka and St. Louis Park have modified their zoning standards to allow exceptions for group homes similar to the applicant’s request.

The zoning standards for Licensed Residential Care Facilities in Minnetonka and St. Louis Park are attached for your reference. Minnetonka allows these uses with 6 – 12 residents as a conditional use in its R-1 District while St. Louis Park allows these uses with up to 9 residents as a permitted use subject to certain conditions in its R-2 district. It’s important to note, the zoning districts in these communities have different standards than Hopkins (see table below). Of the standards in other communities, Minnetonka’s standards for its R-1 district are most like Hopkins’ R-1-D district.

Zoning District Comparison				
Category	Hopkins		Minnetonka	St. Louis Park
	R-1-D	R-1-E	R-1	R-2
Minimum Lot Size	20,000 Sq. Ft.	40,000 Sq. Ft.	22,000 Sq. Ft.	7,200 Sq. ft.
Minimum Lot Width	100'	100'	110'	60'
Front Setback	35'	35'	35' – 50'	
Side Setback	10' – 14'	10' – 14'	10'	5' – 7'
Rear Setback	40'	40'	40' or 20% of Lot Depth	25'

Zoning Code Text Amendment

Zoning Code amendments are legislative actions in that the City is creating new standards to regulate the development of certain types of uses and/or structures. Under the law, the City has wide flexibility to create standards that will ensure the type of development it desires; however,

zoning regulations must be reasonable and supported by a rational basis relating to promoting the public health, safety and welfare.

The City's Comprehensive Plan should be the primary source of information for guidance when considering zoning changes. As you may recall, the City is close to completing the process to update the current comprehensive plan. As such, staff considered both documents in our analysis below. Based on a review of the goals and policies of both the current 2030 Comprehensive Plan and the Draft 2040 Comprehensive Plan – Cultivate Hopkins, staff recommends denial of this request.

Consistency with the Comprehensive Plan. The proposed zoning code text amendment would be inconsistent with both the 2030 Comprehensive Plan and Draft 2040 Comprehensive Plan.

2030 Comprehensive Plan. The proposed text amendment would allow Licensed Residential Programs Serving 7 to 10 Persons as a conditional use in the R-1-D and R-1-E Districts. These zoning districts are guided as LDR – Low Density Residential on the 2030 Future Land Use Map. According to the narrative for this land use classification, it allows for single family detached residential dwelling at 1 to 7 units per acre. Chapter 4 of the 2030 Comprehensive Plan – Land Use and Development details the rationale behind the City's land use plan. This narrative supports the preservation and protection of the City's existing residential neighborhoods. As mentioned above, state law requires the City to allow Licensed Residential Facilities serving Six (6) or fewer residents as a permitted use in single family zoning district. However, staff finds that permitting these uses with more than 6 residents in single family districts is not consistent with the goals and policies of the 2030 Comprehensive Plan.

The Land Use and Development chapter states the City regards the preservation and protection of its existing residential neighborhoods as one of its most important priorities. The City will work to protect land use patterns that continue to support single family homes. In order to facilitate this residential land use patterns, Hopkins will:

- Work to protect the integrity and long-term viability of its low-density residential neighborhoods and strive to reduce the potential negative effects of nearby commercial or industrial land through zoning, site plan reviews, and code enforcement.
- Ensure that the infilling of vacant parcels and the rehabilitation of existing developed land will be in accordance with uses specified in the Comprehensive Plan.
- Ensure that incompatible land uses will be improved or removed where possible and the land reused in conformance with the Comprehensive Plan.
- Work to assure strong and well-maintained neighborhoods.

Chapter 6 – Housing also includes goals and policies that support denial of this application. The overall goals provide a framework for housing initiatives in Hopkins. Pertaining to housing, the City of Hopkins seeks to:

- Retain and enhance detached single-family homes. Hopkins has a high percentage of multi-family housing. Most of the housing constructed in the future will also be multi-family due to locational and economic considerations. The city will generally continue to protect existing single-family neighborhoods from redevelopment and undue encroachments to maintain a variety of housing types
- Encourage the development of owner-occupied housing. Hopkins has a high percentage of

rental housing. To maintain overall housing diversity, the city encourages new housing to be owner-occupied where feasible.

Similarly, the Housing Plan within Chapter 6 identifies strategies that also support denial of this request, including:

- Retain and enhance detached single-family homes.
- Encourage the development of owner-occupied housing.

Draft 2040 Comprehensive Plan – Cultivate Hopkins. The proposed text amendment would allow Licensed Residential Programs Serving 7 to 10 Persons as a conditional use in the R-1-D and R-1-E Districts. The Draft 2040 Future Land Use Map guide properties in the R-1-D District as Suburban Neighborhood while R-1-E properties are guided as Estate Neighborhood.

Properties in the Suburban Neighborhood category are designed around a modified grid street network with good access to the surrounding transportation network. Properties in this category are relatively large for Hopkins, with most having ample private yards and attached garages. The Suburban Neighborhood category plans for low density single family neighborhoods and accessory uses such as parks and neighborhood scaled public and institutional uses. Neighborhood scale public and institutional uses would acknowledge and allow for licensed residential facilities serving six (6) or fewer residents as required by state law but not those facilities with more than six (6) residents.

The Estate Neighborhood category is fully contained within the Bellgrove neighborhood along either side of Minnetonka Boulevard. It consists of relatively secluded large lot single family dwellings connected to city sewer and water services. Streets in this area follow a curved and looping design that rarely connects, creating organically shaped blocks to cul-de-sacs that limit pedestrian and bicycle mobility. Properties in this district tend to have larger footprints with attached garages and may include large accessory buildings or amenities. Large lot single family residential should remain the primary use in this category. Densities in this area typically range from 1-2 units per acre on average.

The Built Environment section contains goals and policies that support denial of this application. Built Environment Goal 4 states “support and strengthen the city’s residential areas with reinvestment and appropriate infill.” The supporting policy for this goal states the City should “preserve and enhance the community’s detached single family housing stock, especially in the Estate Neighborhood and Suburban Neighborhood future land use categories.”

Compatibility with Present and Future Land Uses. Based on the analysis above, a zoning code text amendment introducing Licensed Residential Programs Serving 7 to 10 Persons as a conditional use in the R-1-D and R-1-E Districts would be incompatible with present and future land uses. Properties in the R-1-D and R-1-E district are currently, and intended to remain, primarily large lot single family dwellings (see table below). The future land use plans in both the 2030 Comprehensive Plan and Draft 2040 Comprehensive Plan reinforce this land use pattern and would not support introducing group homes with more than six (6) residents, and its related activities, into these single family residential zoning districts.

Surrounding Existing and Future Land Uses Analysis		
Location	Existing	Future
North	Single Family Residential	Low Density Residential
South	Single Family Residential (Hwy. 7)	Low Density Residential
East	Single Family Residential	Low Density Residential
West	High Density Residential	High Density Residential

Conformance with New Standards. Staff recommendation for denial applies to both the proposed use and the associated standards. Should the City Council choose to agree with the Planning & Zoning Commission’s recommendation to approve the proposed use, staff recommends tabling this item so staff can fully vet the applicant’s proposed conditions and how they fit with the other properties within the R-1-D and R-1-E districts and the rest of the standards in the zoning ordinance. Based on an initial review of the applicant’s proposal, staff offers the following comments:

- The City must carefully consider how the proposed use and any associated conditions effect other properties within the community and other existing City regulations not just the applicant’s property.
- The use should be limited to the zoning district where there is currently a zoning issue (R-1-D district).
- The associated conditions should limit the proposed use to properties better able to accommodate the more intense activity associated with residential facilities that have more than 6 residents.
- When considering what conditions to apply to the proposed use, the City should begin with its own standards already in place for Licensed Residential Facilities serving 7 to 16 residents as detailed in Section 530.09(p) and detailed on pages 4 and 5 above, as well as the standards found to be effective by other communities.

Fire Marshal Comments

Should the City approve the proposed text amendment, the Hopkins Fire Marshal will require a new evaluation of any Licensed Residential Facilities with more than 6 residents. The Fire Department’s initial review of the Fire Code suggests any such facility must be sprinkled.

Next Steps

Should the City approve the applicant’s request, the next step for the applicant would be to file for review of a conditional use permit. Conditional use permit applications are considered quasi-judicial actions. In such cases, the City would act as a judge to determine if the regulations within the Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance are being followed. Generally, if a conditional use permit application meets these requirements it should be approved. The City has the ability to add conditions of approval that are directly related to the conditional use permit standards. In evaluating the proposed conditional use permit application, the City must consider and require compliance with the general conditional use permit standards in Section 525.13, Subdivision 15 and any other standards created through this text amendment process.

Alternatives

1. Approve the zoning code text amendment application from Wilshire Properties, LLC. By approving the zoning code text amendment, Licensed Residential Programs for 7 to 10 persons will be allowed as a conditional use in the R-1-D and R-1-E Districts.

2. Deny the zoning code text amendment application from Wilshire Properties, LLC. Should the City Council select this option, it should table this item and direct staff to prepare a supporting resolution and ordinance amendment based on specific findings of fact.
3. Continue for further information. The item should be continued if the City Council finds that further information is needed.

CITY OF HOPKINS
Hennepin County, Minnesota

RESOLUTION 2019-041

**A RESOLUTION DENYING THE ZONING CODE TEXT AMENDMENT REQUEST
FROM WILSHIRE PROPERTIES, LLC TO ALLOW LICENSED RESIDENTIAL
PROGRAMS SERVING 7 TO 10 PERSONS AS A CONDITIONAL USE IN THE R-1-D
AND R-1-E DISTRICTS**

WHEREAS, the applicant, Wilshire Properties, LLC, initiated zoning code text amendment application to allow licensed residential programs serving 7 to 10 persons as a conditional use in the R-1-D and R-1-E single-family zoning districts; and

WHEREAS, the procedural history of the application is as follows:

1. A comprehensive plan amendment, rezoning, and conditional use permit application was initiated by the applicant on February 21, 2019;
2. The applicant held a neighborhood meeting at the Hopkins Pavilion on March 19, 2019 in conformance with the City of Hopkins Neighborhood Meeting Policy;
3. The applicant withdrew its application for a comprehensive plan amendment, rezoning, and conditional use permit on March 22, 2019;
4. A zoning code text amendment to allow licensed residential programs serving 7 to 10 persons as a conditional use in the R-1-D and R-1-E Districts was initiated by the applicant on March 22, 2019;
5. That the Hopkins Planning & Zoning Commission, pursuant to published and mailed notice, held a public hearing and reviewed such application on April 23, 2019 and all persons present were given an opportunity to be heard;
6. That the written comments and analysis of City staff were considered that included a recommendation to deny this application;
7. The Hopkins Planning & Zoning Commission voted 4-3 to recommend the City Council approve the text amendment, as submitted;
8. On May 7, 2019, the Hopkins City Council reviewed such application and the comments and recommendations from the Planning & Zoning Commission, City staff, the applicant, and all others that have provided input on the matter.

WHEREAS, based on a review of the application and the submissions, the Planning and Zoning recommendation, and the written staff report, and after careful consideration of all other written and oral comments concerning the requested zoning code text amendment, the City

Council makes the following findings of fact:

1. The proposed zoning code text amendment would be incompatible with present and future land uses within the zoning districts in which it is proposed. The R-1-D and R-1-E districts are single-family districts whereby licensed residential programs are only permitted for six or fewer persons, which is mostly consistent with a single-family designation. To allow licensed residential programs with greater capacities in these districts, through a conditional use permit or otherwise, would from a land-use perspective create an adverse impact on the surrounding properties. The City Code currently designates licensed residential programs with 7-16 persons as a conditional use in the City's multi-family residential districts due to the impacts created by facilities serving this many persons, and said impacts are inconsistent with the City's single-family districts.
2. The proposed zoning code text amendment is also inconsistent with the 2030 Comprehensive Plan, which guides the R-1-D and R-1-E districts as low-density residential to support the preservation and protection of the City's existing residential neighborhoods. Additionally, the draft 2040 Comprehensive Plan presently maintains, as the primary purpose of R-1-D and R-1-E district, low-density single-family uses.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hopkins that all recitals set forth in this Resolution are incorporated into and made part of this Resolution, and more specifically, constitute the express findings of the City Council.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Hopkins that based on the findings contained herein, the City Council of the City of Hopkins hereby denies the applicant's requested zoning code text amendment.

Adopted by the City Council of the City of Hopkins this 7th day of May 2019.

ATTEST:

Amy Domeier, City Clerk

Jason Gadd, Mayor



6900 Shady Oak Road • Suite 216
Minneapolis, MN 55344
Phone: 952/525-0505 / Fax: 952/525-0506
www.MatrixHomeHealthMN.com

Date: March 22, 2019

To: Mr. Jason Lindahl
Hopkins City Planner
1010 First Street South
Hopkins, MN 55343-7573

Re: Applications for Ordinance Text Change and Conditional Use Permit for
601 Oak Ridge Road, Hopkins, MN 55305

Abstract:

The property at 601 Oak Ridge Road is being operated as a Licensed Residential facility for 8 - 10 residents. This has been the case since it opened in 2011. However the property is zoned R-1-D which allows a maximum of 6 residents in a Licensed Residential facility. The result of a neighborhood meeting regarding a proposed zoning change resulted in little objection to the business operations at 601 Oak Ridge Road but clear objection to any proposal to rezone the property. Contained herein is an application for a text change to Section 530 of the Hopkins Zoning Code to allow between 7 and 10 residents in certain R-1 districts under specific conditions.

Background:

The property at 601 Oak Ridge Road is owned by Wilshire Properties, LLC; Mr. Charles Scott President. The property was operated as a Residential Living facility by Mr. Scott and his spouse Bethany Buchanan, RN beginning in July of 2011. Grace Homes was announced to the Hopkins City Council as an 8-bed senior care home at the March 20, 2012 meeting (See Appendix B). There was also an article in the Hopkins Patch on April 6, 2012 that highlighted an 8-bed facility, <https://patch.com/minnesota/hopkins/hopkins-long-term-care-facility-makes-residents-feel-at-home>. Sometime later a 9th resident was added with permission from Christopher Kearney, the Lead Inspector for the City of Hopkins.

In May of 2017 Matrix Advocare Network, Inc. d/b/a Matrix Home Health Care Specialists (Matrix) purchased the business operations of Grace Homes with the intent of continuing to operate the care home. This includes the properties at 601 Oak Ridge Road and the adjacent property at 414 Wilshire Walk. The physical properties are still owned by Wilshire Properties, LLC and Matrix continued to operate the homes under the name Grace Homes.

As a condition of the purchase, Hennepin County required Matrix to renovate the kitchen at 601 Oak Ridge Road to comply with the current food code. This was completed at a cost of \$55,601.53 and approved in April of 2018. Hennepin County verified that a maximum of 10 residents could occupy the care home without a commercial kitchen and in July of 2018, Matrix registered Grace Homes – Oak Ridge (Oak Ridge) as a 10 resident HWS facility.

In January of 2019, after a routine fire marshal inspection the City of Hopkins cited Matrix for operating the facility with more than 6 residents due to the way the property was zoned.

Excerpt from the Minutes of a Neighborhood Meeting Held March 16, 2019:

The meeting was fairly free flowing with questions and discussion all throughout. In general the attendees agreed that there weren't issues with Grace Homes and acknowledged that the pushback is primarily due to the new home going in on Wilshire Walk. Many acknowledged the need for this type of housing and were supportive of Grace Homes.

The operations at Grace Homes was discussed including the number of bedrooms, how they are allocated, what the staffing ratios by time of day are, and who else works at the house. A question was asked about the number of cars that come and go on a daily basis, not so much as an issue with Grace Homes but a potential issue with the new care home. The Elderly (EW) and CADI waivers were discussed as well as how shared rooms are sometimes necessary for EW residents due to the relatively low reimbursement rate. Also discussed was the ability of Grace Homes to accommodate more EW residents if the total number of residents was more than 6.

The person that called in asked why a conditional use permit couldn't be issued rather than rezoning the property. The answer being that the conditional use permit didn't pertain to R-1 properties. Thus the property needed to be rezoned in order to apply the conditional use permit.

There were several concerns expressed which were shared by all of the neighborhood attendees. They were:

1. Any zoning change is permanent and while they were receptive of what Grace Homes was doing, the property could be used differently in the future which may negatively impact the neighborhood.
2. A precedent gets set if an exception is made for one property that might lead to others wanting to do similar things. "You did it for them, why won't you do it for me".
3. There was concern about the ability to have up to 16 residents if rezoned to R-2. This was addressed by limitations placed on the number of residents by the county as well as the practicality of having too many residents in a limited space as shared rooms are generally more difficult to rent than private rooms.
4. Parking and traffic flow was a concern although a stipulation of the conditional use permit in the R-2 district is that all parking must be off-street. The traffic flow was trivial compared to that generated on Hwy 7 and by the neighboring apartment building. Again the real concern was not with Grace Homes but with the new care home on Wilshire Walk.
5. A concern was expressed as an opinion that property values were being affected by the presence of the care homes citing 3 properties on Wilshire Walk that sold for less than property value. Not all shared this concern as it's not clear what the true connection between property value and the care homes is.

Conditional Use Permit

The general consensus from the Knollwood neighborhood is to apply for a conditional use permit to allow more than 6 residents at the Oak Ridge home. Currently Section 530 of the city ordinance does not have a provision to apply a conditional use permit to this type of operation in an R-1 district. Section 530.06 speaks to licensed residential programs in R-1 districts while Section 530.09 defines the requirements for allowable conditional uses and with subsection p specifically addressing licensed residential programs.

Hopkins City Code (Zoning)

530.06
(Revised 5-17-00)

530.06. Nonresidential Facility and Residential Facility. The following are permitted in single family districts:

- a) Licensed non-residential programs with a licensed capacity of 12 or fewer persons.
- b) Licensed residential programs with a licensed capacity of 6 or fewer persons.
- c) Group family day care facility licensed under Minnesota Rules, parts 9502.0315 to 9502.0445, serving 14 or fewer children. (Added Ord. No. 93-722)

530.09. Conditional uses within R districts. Subdivision 1. The following are conditional uses in R zoning districts and certain of the standards, restrictions and requirements applicable to such conditional uses: (Amended Ord. 95-777 [1-3-96]) (Amended Ord. 2000-833)

p) Licensed residential program in the R-2, R-3, R-4, R-5 and R-6 districts with a licensed capacity of 7 to 16 persons subject to the following:

1. Facilities shall comply with all applicable codes and regulations and shall have, current and in effect, the appropriate State licenses;
2. On-site services and treatment at residential facilities shall be for residents of the facility only, and shall not be for nonresidents or persons outside the facility;
3. The conditional use permit is only valid as long as a valid State license is held by the operator of the facility where such license is required;
4. Traffic generated by the facility not to exceed the design capacity of the local street system or cause a decrease in service levels of intersection, as defined by the Institute of Traffic Engineers. Adequate sight distance at access points shall be available;
5. No on-street parking to be allowed. Adequate off-street parking shall be required by the City based on the staff and resident needs of each specific facility;
6. No external building improvements undertaken which alter the original character of the home unless approved by the City Council;
7. Additional conditions may be required by the City in order to address the specific impacts of a proposed facility. (Added Ord. No. 93-722)

It is believed that the reason Grace Homes was able to operate with more than 6 residents since 2011 was because of two factors:

1. At the time Grace Homes opened there was little knowledge of licensed residential programs by the city of Hopkins. The business was announced at a City Council meeting as an 8-bed care home and the original owners worked directly with Hopkins to put in place facility changes because of the change of use of the property.
2. There were no issues reported that resulted in further review of the codes. There have been several fire inspections since the facility opened none of which resulted in an issue. Because of the location of the property there was little to no impact on the neighborhood resulting in no complaints. The complaint that started the investigation was because of another home coming into the neighborhood not because of anything occurring at the Oak Ridge home.

The primary reason for the lack of complaints is due to the location of the property. While part of the Knollwood neighborhood, the driveway is off of Oak Ridge road and thus does not cause an increase in traffic on neighborhood streets and cars parked in the driveway are not visible by neighborhood residents. The property also faces MN Hwy 7 which is unique among the Knollwood properties and there is an R-4 zoned apartment building across the street.

Thus it can be argued that in the right setting a licensed residential facility can operate in an R-1 district with more than 6 residents without impacting the neighborhood.

Conditional Use Proposal:

In addition to the requirements in Section 530.09 p, add the following limitations:

1. Place a minimum requirement on the lot size.
2. Place a requirement that the exterior of the dwelling may not be modified.
3. Place a dwelling area requirement that defines the maximum number of residents allowed in the facility in the range of 7 to 10.
4. Place a restriction on expanding driveway and parking areas based on location.

Proposed Text Changes to Section 530.09, p:

1. Add: of 7 to 16 persons, **or R-1-D, R-1-E districts with a licensed capacity of 7 to 10 persons**, subject to the following:
2. Add item 8 to Subsection p as follows:
 - 8. In single family districts:**
 - a. **Modifications that change the exterior size of the dwelling are not allowed.**
 - b. **The dwelling living area, excluding the basement, must be at a ratio of 500 sqft per person minimum.**
 - c. **The bedroom area, including closets, for each person may not be less than 105 sqft.**
 - d. **For driveways and parking areas that abut or are across the street from an existing dwelling of the same zoning district, there shall be a landscaped buffer area per Section 542.05 Subd. 1, Item 3.**

Conclusion:

Matrix believes that the property at 601 Oak Ridge road provides a needed service that benefits the community, and can continue to serve more than 6 residents without impacting the neighborhood. As such Matrix requests the text changes discussed here to allow a conditional use permit. Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce J. Lawrence". The signature is written in a cursive style with a large initial "B".

Bruce J. Lawrence

Vice President & Owner, Matrix Advocare Network, Inc.

Appendix A: State and County Licenses:

HFID: 28023 (Healthcare Facility ID)

UMPI: A256662400 (Unique Minnesota Provider ID – for waiver services)

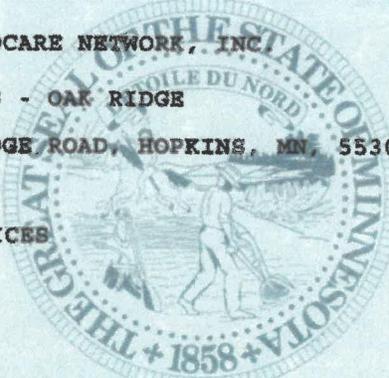
Food License from Hennepin County

State of Minnesota				County of Hennepin	
Human Services and Public Health Department 1011 First Street South Suite 215 Hopkins, MN 55343 Phone: 612-543-5200 Fax: 952-331-5222					
Owner Name:	MATRIX ADVOCARE NETWORK, INC	Est ID:	3226		
Regulated Est:	GRACE HOMES - OAK RIDGE 601 OAK RIDGE RD HOPKINS, MN 55305	Issued:	01/28/2019		
Permit #	427737	Description	Food Medium Small Menu Primary	Location	FDK - DOMESTIC KITCHEN
Permits to operate and annual fee permits are NOT TRANSFERABLE. Those references above are valid ONLY for this owner: MATRIX ADVOCARE NETWORK, INC Permits become VOID on change of ownership. New owners must apply for new Permit(s) prior to beginning operations. VALID FROM February 1, 2019 TO January 31, 2020					
THIS FORM MUST BE DISPLAYED CONSPICUOUSLY ON THE PREMISES.			APPROVED BY: 		

Food Manager Certificate

State of Minnesota Minnesota Department of Health Food, Pools & Lodging Services Section P. O. Box 64975 St. Paul, MN 55164-0975		
FOOD MANAGER CERTIFICATE NO. FM62922		
To:		
Lori A. Hossli		
EFFECTIVE DATE	RENEWAL ISSUED	EXPIRATION DATE
05/22/2018	08/30/2017	05/22/2021

Housing with Services Registration with the MN Department of Health

MINNESOTA DEPARTMENT OF HEALTH CERTIFICATE OF REGISTRATION	
(Registrant) MATRIX ADVOCARE NETWORK, INC.	
to operate the GRACE HOMES - OAK RIDGE	
located at 601 OAK RIDGE ROAD, HOPKINS, MN, 55305	
for the following HOUSING WITH SERVICES	
	Issued at St. Paul, Minnesota
	Effective Date: 08/01/2018
	Expiration Date: 07/31/2019
Not Transferable as to Registrant or Location	Jan K. Malcolm Commissioner 386455
HE-01084-04 (10/00)	

Comprehensive Home Care License from the MN Department of Health

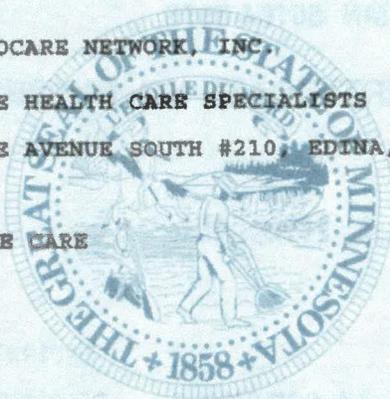
MINNESOTA DEPARTMENT OF HEALTH
HEREWITH GRANTS A LICENSE TO

(Licensee) **MATRIX ADVOCARE NETWORK, INC.**
to operate the **MATRIX HOME HEALTH CARE SPECIALISTS**
located at **7550 FRANCE AVENUE SOUTH #210, EDINA, MN, 55435**
for the following
COMPREHENSIVE HOME CARE

Issued at St. Paul, Minnesota
Effective Date: 05/02/2018
Expiration Date: 05/01/2019

Not Transferable as **Jan K. Malcolm**
to Licensee or Location **Commissioner**

HE-01084-04 (10/00) **License Number: 385827**



Appendix D: Verification of Building Code and Construction Standards Compliance



City of Hopkins

1010 First Street South • Hopkins, MN 55343-7573 • Phone: 952-935-8474 • Fax: 952-935-1834
Web address: www.hopkinsmn.com

November 19th, 2012

Grace Homes 601 Oak Ridge Road, Hopkins, MN 55305 - PID# 24-117-22-11-0049

To whom it may concern,

The City of Hopkins Inspection Department and has worked very closely with Mr. Chuck Scott in bringing the above mentioned property up to code for the current use. There have been numerous building, plumbing, electrical and fire permits issued and inspections done at the property.

By adopting the State of Minnesota Building Code, the City of Hopkins has Building Code and Construction Standards in place in an effort to ensure health and safety, and preserve the quality of our neighborhoods and protect our community and residents. Mr. Scott has complied with these standards as it relates to the business being operated at 601 Oak Ridge Road in Hopkins.

Because it is a State Licensed Facility no City Licensed is required.

Call with any questions or concerns.

Respectfully,

A handwritten signature in blue ink that reads "Christopher P. Kearney".

Christopher P. Kearney
Building Official - City of Hopkins
ckearney@hopkinsmn.com
(952) 548-6321

Appendix E: Letter of Support from Former Resident Family Member

February 19, 2019

To Whom It May Concern,

This letter is being sent in support of the owners of 601 Oakridge and 414 Wilshire. Bruce and Karen Lawrence purchased both homes after my mother had lived in the Wilshire house for about one year. Their ownership brought a dramatic change to the professionalism of the care. The staffing levels dramatically improved. The attention to detail dramatically improved. The quality of the lives of the residents dramatically improved.

My mother passed away just after this past Thanksgiving. I am still grateful for the courtesy and care they provided to her. Many homes of this type are beset with complaints and concerns. This is definitely not the case with these two houses. They are role models for homes of this type. I have extreme confidence in their commitment to do things the right way.

The willingness of Bruce and Karen to invest in their properties and to make this a small business that the City of Hopkins can be proud of is a valuable contribution to the community. I would encourage the City of Hopkins to support their endeavors in any reasonable way possible.

Please feel free to contact me if you have any questions or need clarification.

Russ Rubin

6601 Biscayne Blvd

Edina MN 55436

763-370-2767 (Cell)

PLANNING & ZONING COMMISSION DRAFT MINUTES
April 23, 2019

A regular meeting of the Hopkins Planning & Zoning Commission was held on April 23, 2019, at 6:30 p.m. in the Training Room at Hopkins Fire Station. Present were Commission Members James Warden, Samuel Stiele, Elizabeth Goeman, Gerard Balan, Emily Wallace-Jackson, Kristin Hanneman and Laura Daly. Also present was City Planner Jason Lindahl.

CALL TO ORDER

Chairperson Warden called the meeting to order at 6:30 p.m.

ADOPT AGENDA

Commissioner Wallace-Jackson moved, Commissioner Hanneman seconded, to adopt the agenda. The motion was approved unanimously.

OPEN AGENDA – PUBLIC COMMENTS/CONCERNS – None.

CONSENT AGENDA

Commissioner Goeman moved, Commissioner Balan seconded, to approve the minutes of the March 26, 2019, regular meeting. The motion was approved unanimously.

PUBLIC HEARING

1. Planning Application 2019-06-AMD Wilshire Properties, LLC Zoning Code Text Amendment

Mr. Lindahl gave an overview of this item stating that the applicant, Bruce Lawrence of Wilshire Properties, LLC, requests a zoning code text amendment to allow Licensed Residential Programs for 7 to 10 persons as a conditional use in the R-1-D and R-1-E districts. Mr. Lindahl continued that recent complaints from the surrounding neighborhood led city staff to conduct a series of site inspections and contact the property owners regarding these issues. This process found the property housed a licensed residential facility with 10 residents. Under state law, this type of facility is permitted in any single-family residential district provided it has no more than six residents. As a result, staff initiated a code enforcement process to bring the site into compliance. In response, the property owner filed for the stated application to change the zoning standards to allow a Licensed Residential Facility serving 7 to 10 residents as a condition use in the R-1-D and R-1-E districts. Staff recommends denial of this request.

Chairperson Warden opened the public hearing.

Coming forward to address the Commission was the applicant, Bruce Lawrence. Mr. Lawrence shared some background information on the history of the group home and the services they provide to their residents. Mr. Lawrence also detailed the requested changes to the zoning code for Conditional Uses within the R Districts to include Licensed Residential Programs Service 7 to 10 Persons.

Shannon Schlecht, elected official of the Knollwood Association and resident at 302 Cottage Downs, shared concerns on how allowing the proposed changes to the zoning code could potentially affect the future of the single-family neighborhood in a negative way and the precedent it could set for other group homes to also start allowing more residents. Commissioner Daly followed with a question on how the difference between six or nine residents specifically affects the neighborhood. Mr. Schlecht did not have an example available but replied that the increase in persons contributes to more activity, deliveries, garbage, etc. The Commission asked about the number of cars regularly coming and going from the group home and how that has negatively affected the neighborhood. Mr. Schlecht did not have an average number to provide to the Commission.

Marshal Taniguchi, 122 Wilshire Walk, commented that he is very supportive of group homes and the services they provide, but is wondering what the proper number of residents for a group home is. Mr. Taniguchi also referenced a study that discusses how the quality of life starts to decrease starting at four residents living in a group home, and drops significantly after six.

Arthur Horowitz, resident of the Knollwood neighborhood, is supportive of the group home within the confines of current state law and City ordinance but is concerned that increasing the number of residents opens the neighborhood up to the possibility of major changes.

Ben Rubin, 115 Cottage Downs, is not supportive of the zoning amendment and believes the change, even with the conditions proposed by the applicant, creates the possibility of major changes to the neighborhood. Mr. Rubin is in favor of letting the residents that are currently there stay until they choose to move out or are otherwise no longer living there, after which the property will operate within the current standards. Chairperson Warden questioned whether the City would allow the property to continue to operate under the violation and gradually come into compliance with the standards. Mr. Lindahl replied that he would have to discuss that with the City attorney.

Kim Burmeister, 810 Edgemoor Drive, addressed the Commission seeking clarification on who is the owner of the property and who runs the group home.

Susan Reader, 417 Cottage Downs, shared concerns about the number of cars in the neighborhood around the group home.

Jim Hicks, 815 Park Terrace, commented on the amount of income the group home brings in monthly with each resident.

Sharon Steinfeldt, 240 Bridle Lane, is supportive of the group home but is not in favor of changing the current zoning and shares concerns that allowing more residents will alter the feel of the neighborhood.

Jed Gurlin, 805 Park Terrace, shared a quote from Hubert Humphrey: “The measure of a society is how we take care of the most vulnerable among us.”

Bruce Lawrence was invited to address the Commission and answer the questions and concerns from the community:

- Related to parking and number of cars coming and going from the property, Mr. Lawrence explained that they operate a one to three staff to resident ratio. A maximum of three staff members come and go during shift changes throughout the day. Visitors of residents may also periodically park their cars in the driveway. There could be 9 or 10 cars parked at the property at any given time. In terms of how the traffic affects the Knollwood neighborhood; the applicant does not believe it should, based on the location of the driveway on Oak Ridge Road and not Wilshire Walk.
- In response to the comment on how the number of residents affects quality of life, additional staff is added to be sure there is adequate care for each resident. If the application is denied, a current resident in need of special care would need to be moved to another facility.
- In response to emergency evacuations, there are plans for safe evacuation of the residents in case of an emergency.
- Addressing the concern of how the text amendment could encourage other group homes in the area to expand in a similar way, the applicant reiterated the requested conditions of the text amendment would ensure other group homes would have to go through the same conditional use process in order to make any changes to how they operate.
- Regarding the ownership of the property, the applicant owns the care business that operates inside the property but does not own the property itself.
- In response to a comment about a large amount of cars at the property for a dying person, it does not happen often and is usually only for a short period of time.
- The applicant is willing to make alternations to help conceal the view of cars in the driveway.
- If the application is denied, the applicant requests some time to locate another facility for a resident in need of special care. The Commission questioned how much time is reasonable to move the resident; the applicant responded a minimum of 30 days.

John and Deb Anderson, 203 Wilshire Walk, commented on how the property at 601 Wilshire Walk is the perfect location for the group home and lists the only concern as group homes taking over the rest of the neighborhood.

With no one else wanting to speak, Commissioner Wallace-Jackson moved and Commissioner Balan seconded to close the public hearing at 8:06 p.m. The motion was approved unanimously.

Commission discussion after the public hearing included:

- There are multi-family residential zones in Hopkins that are zoned to accommodate group home 7-16 residents.
- How was this group home previously introduced to the City Council as an 8-bed facility and not recognized as a violation of City Code? Mr. Lindahl responded that he was not a staff member at that time, but believes the prior operators made a good faith effort to introduce themselves to the City Council and because the Council did not have the standards of the City Code in front of them during the meeting, the violation was not immediately

recognized. However, this does not require the City to continue to allow the violation to continue.

- What are the next steps in the process if the City approves the applicant's proposal for the text amendment? Mr. Lindahl responded that applicant would need to come back through the conditional use permit process and meet whatever the City ultimately sets.
- Concern over the precedent the zoning amendment could provide to other group homes and the risk of affecting single-family neighborhoods.
- Concern for the current residents required to vacate if the zoning amendment is denied.
- Commissioner Daly agreed with an earlier comment about 601 Oakridge as an ideal location for the group home.
- Confirmation that the applicant cannot split the lot under current zoning, which would not change with approval of the proposed text amendment.
- The City can set standards that would limit the number of group homes in a single-family neighborhood with seven or more residents; however, group homes with six or fewer residents cannot be restricted as it is state law.
- Support for protecting single-family neighborhoods, but concern about the impact on the vulnerable individuals being cared for by the group home.
- Discussion of the option to table the item in order to examine the broader picture against the Comprehensive Plan.

With no further discussion by the Commission, Commissioner Daly moved and Commissioner Goeman seconded, recommending the City Council approve the zoning code text amendment request from Wilshire Properties, LLC to allow Licensed Residential Programs serving 7 to 10 Persons as a conditional use in the R-1-D and R-1-E zoning districts. The motion was approved 4-3 with Commissioners Balan, Warden, Daly and Goeman voting for, and Commissioners Wallace-Jackson, Hanneman and Stiele voting against.

This application will be presented to the City Council at their May 7, 2019 regular meeting with the Planning Commission's recommendation for approval.

OLD BUSINESS

1. Planning Application 2018-12-AMD 2040 Comprehensive Plan Update

Mr. Lindahl gave a brief overview of the item before introducing Haila Maze from Bolton & Menk who presented a summary of the comments received during the comment period for the 2040 Comprehensive Plan. The Planning Commission was instructed to review the comments and draft responses and determine if there should be any changes to how comments are addressed. When Planning & Zoning Commission and City Council reviews are complete (including a public hearing), the plan will be approved by resolution for submittal to the Metropolitan Council for formal review. Once the plan is submitted, the Met Council will have 15 business days to do a completeness review. If any issues are found, they will be brought to the attention of the city via a letter. The City then will have an opportunity to work with the Met Council to resolve any remaining items before final approval by both bodies.

The Commission requested receiving the draft a week in advance of the public hearing to allow more time for review.

NEW BUSINESS – None.

ANNOUNCEMENTS – None.

ADJOURN

Commissioner Goeman moved, Commissioner Balan seconded, to adjourn the meeting. The motion was approved unanimously. The meeting was adjourned at 9:04 p.m.

Respectfully submitted,

Courtney Pearsall
Administrative Assistant

DRAFT

From: [Charles Horowitz](#)
To: [Jason Lindahl](#)
Cc: [Robin Horowitz](#)
Subject: [EXTERNAL] Grace Homes Zoning Issue
Date: Monday, April 22, 2019 11:22:59 AM

Dear Mr. Lindahl -

I am a homeowner and resident of the Knollwood neighborhood and City of Hopkins taxpayer. I am writing on behalf of my wife Robin and I to voice our strenuous disapproval of the Grace Homes zoning variance proposal seeking to increase the number of beds from seven to ten. Similar to all (or virtually all) of my neighbors, I am gravely concerned about the precedent the proposed expansion would set. If unchecked, addition of facilities like this will destroy the serenity of our neighborhood, and likely lead us to move out. I am concerned about quality of life issues the **existing facility has already created**. We moved here almost twenty years ago owing in large part to the peacefulness and seclusion of the neighborhood. The Group Home in its present state, **even without the proposed expansion**, generates large quantities of rubbish. There is frequently a giant, unsightly dumpster in front of it during the summer months, and lots of vehicles coming and going. Just last week two bags of garbage were in front of the house on the curbside. I attach a picture that I took with my cellphone. Whereas I'm in concept sympathetic that the Twin Cities may have a shortage of "group home" beds (if that be the case), a for-profit home of this sort is more appropriate to an area with a greater population density and public amenities necessary to hand the volume of trash they create. I am urging the zoning commission deny the requested expansion. If you have any questions, please don't hesitate to email or call me (612) 203-8328 (cell).

Thank you for your consideration.

Sincerely,

Charles and Robin Horowitz
102 Bridle Lane

PS I learned online that the couple owning Grace Homes are members of the Wayzata Yacht Club and "a regular at Yoga House in Edina." Which makes me wonder why they chose Hopkins and Burnsville for their group homes over Edina and Wayzata.

<https://www.yelp.com/biz/grace-homes-hopkins>



From: [Anne Steinfeldt](#)
To: [Jason Lindahl](#)
Cc: [Randy L. Engel](#); [Siddhartha Chadda](#)
Subject: [EXTERNAL] Zoning 601 Oak Ridge Road
Date: Thursday, March 21, 2019 8:29:50 AM

Good morning Jason,

I regret that I will be unable to attend the public hearing on Tuesday March 26th but I wanted to share my input with you as Hopkins considers rezoning this property to be a Licensed Residential Program for 7 to 16 persons.

Grace Homes has been a good neighbor but I am not in favor of changing the current zoning.

- I am concerned about increased traffic and safety at a very busy intersection.
- I am concerned about increased traffic/parking when it flows onto Wilshire Walk.
- This past winter, the amount of snow made Wilshire Walk just passable for a single car where drivers would need to take turns in order to safely pass each other.
- I am also concerned about the amount of debris that can overflow onto Oak Ridge Road. Not often, but there have been times when personal property was discarded onto Oak Ridge Road — not in trash bins but on the street. I probably should have reached out to the City when those occurrences happened but I did not. I was just disappointed that a business didn't dispose of oversize items in a business-required fashion. It felt disrespectful to the integrity of the neighborhood and their consideration of neighbors.

Thank you and the Commission for consideration of my concerns. Copied on this email are my husband, Siddhartha Chadda, and Randy Engel, President of the Knollwood Association.

Warmest regards,
Anne Steinfeldt
710 Edgemoor Drive

From: [Anne Steinfeldt](#)
To: [Jason Lindahl](#)
Cc: [Randy L. Engel](#); [Siddhartha Chadda](#); [Sharron Steinfeldt](#)
Subject: [EXTERNAL] Re: [EXTERNAL] Zoning 601 Oak Ridge Road
Date: Saturday, April 20, 2019 1:24:53 PM

Hello Jason,

I am reaching out again regarding my position on a proposed zoning change to 601 Oak Ridge Road.

I've also added my mother, Sharron Steinfeldt, who has lived in Knollwood for 60+ years. I know she shares my concerns.

Again, I regret I am unable to attend the meeting on Tuesday April 23rd but I wanted to express my concerns regarding a proposed zoning change for the reasons I stated in an email on 3/21/19. Those concerns are noted below.

Since my March email, I've come to know that State regulations allow for 6-bed facilities zoned in residential areas. I now further understand that Wilshire Properties as been conducting business outside of their approved zoning. What I don't understand from the narrative on the Hopkins website is if Wilshire Properties currently continue to operate (and sell services) outside their approved zoning number of beds or if they are required in this period to reduce the number of beds. From the narrative, it appears that the only reason Wilshire Properties requested the zoning change is to alleviate a violation and to move forward in a manner best suited to Wilshire Properties' objectives rather than the integrity of the Knollwood neighborhood, what is defined as single-family, residential dwellings.

I reiterate my concerns expressed on 3/21/19 but add the following:

- A 7-10 bed facility is not compatible with current and future land uses of the Knollwood neighborhood
- A 7-10 bed facility creates extra taxation on services such as water and sewer
- A 7-10 bed facility creates extra work for providers of city services such as fire inspectors, building inspectors, city planners, city attorneys, etc (who are paid for by tax payers)
- A 7-10 bed facility doesn't support the Built Environment section of the Draft 2040 Comprehensive Plan - Cultivate Hopkins

I further believe that Wilshire Properties should be retroactively fined for being in violation of zoning codes going back to 2012. Whether or not they knew they were in violation of existing State Zoning Regulations, they were able to sell services and conduct business outside what they were legally allowed to do. Wilshire Properties attempt to change zoning is because they were found to be in violation. I assume they would have continued to operation outside existing zoning regulations for as long as no one inspected them and found them to be in violation.

I am able to determine from the Hopkins website if Wilshire Properties was required to notify neighbors of their 2nd attempt to change the zoning. In their first attempt, we received 3 notifications (our home is 3 tax-ids) but I don't recall getting any notification from them. I could be incorrect in my memory but I don't recall if Wilshire Properties reached out to us this time around.

Jason, thank you for listening to my concerns. I am in agreement with the Hopkins Staff recommendation **to deny** a proposed text amendment to allow Licensed Residential Programs for 7-10 persons as a conditional use in the R-1-D and R-1-E Districts.

Please let me know if you have any follow up questions.

Warmest regards,
Anne Steinfeldt & Siddhartha Chadda
710 Edgemoor Drive

On Mar 21, 2019, at 8:37 AM, Jason Lindahl <jlindahl@HOPKINSmn.com> wrote:

Hi Anne – Thanks for your comments. I will include them in the report on this item to the Planning & Zoning Commission and the City Council.

Thanks

Jason

Jason Lindahl | City Planner | City of Hopkins
[<image001.jpg>](#) 1010 1st St S | Hopkins, MN 55343 | 952-548-6342 | 952-935-1384 Fax
www.hopkinsmn.com

From: Anne Steinfeldt <annesteinfeldt@gmail.com>
Sent: Thursday, March 21, 2019 8:30 AM
To: Jason Lindahl <jlindahl@HOPKINSmn.com>
Cc: Randy L. Engel <randy.engel@buetow2architects.com>; Siddhartha Chadda <siddhartha.chadda@gmail.com>
Subject: [EXTERNAL] Zoning 601 Oak Ridge Road

Good morning Jason,

I regret that I will be unable to attend the public hearing on Tuesday March 26th but I wanted to share my input with you as Hopkins considers rezoning this property to be a Licensed Residential Program for 7 to 16 persons.

Grace Homes has been a good neighbor but I am not in favor of changing the current zoning.

- I am concerned about increased traffic and safety at a very busy intersection.
- I am concerned about increased traffic/parking when it flows onto Wilshire Walk.
- This past winter, the amount of snow made Wilshire Walk just passable for a single car where drivers would need to take turns in order to safely pass each other.
- I am also concerned about the amount of debris that can overflow onto Oak

Ridge Road. Not often, but there have been times when personal property was discarded onto Oak Ridge Road — not in trash bins but on the street. I probably should have reached out to the City when those occurrences happened but I did not. I was just disappointed that a business didn't dispose of oversize items in a business-required fashion. It felt disrespectful to the integrity of the neighborhood and their consideration of neighbors.

Thank you and the Commission for consideration of my concerns. Copied on this email are my husband, Siddhartha Chadda, and Randy Engel, President of the Knollwood Association.

Warmest regards,
Anne Steinfeldt
710 Edgemoor Drive

From: [Ben Rubin](#)
To: [Jason Lindahl](#)
Cc: "[Randy L. Engel](#)"; brubin@deephaveninc.com
Subject: [EXTERNAL] GROUP HOME AT 601 OAK RIDGE ROAD
Date: Saturday, March 23, 2019 8:39:44 AM

Hi Jason:

I understand that Grace Homes as decided not to pursue a zoning change to allow them to operate with more than six residents at the above noted address. However, it troubles me that they have been and may continue operating with more than six residents in violation of the zoning ordinance.

There a number of reasons this concerns me, from traffic to visitors, but none more than setting a precedent for businesses to operate in what we thought was a residential zoned neighborhood when we purchased our lot in 2013 and built our home. So, to be clear, we are adamantly opposed to any change in the zoning or a waiver allowing Grace, or any other business, to operate outside the current zoning guidelines allowing more than six residents. Please feel free to contact me if you want to discuss further.

Sincerely,

Ben Rubin

115 Cottage Downs
Hopkins MN 55305
Tel: 612.868.4462
ben@benrubin.net

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From: [Ben Rubin](#)
To: [Jason Lindahl](#)
Cc: [Ben Rubin](#)
Subject: [EXTERNAL] Re 4/23/19 Hopkins Planning Committee Meeting/Wilshire Properties Group Home
Date: Wednesday, May 1, 2019 3:18:10 PM

Dear Jason:

My wife and I attended the April 23, 2019, Planning and Zoning Commission meeting at the Hopkins Fire Department Facility. I was surprised by the seeming inability of the members of the Commission to confine their discussion and decision to the facts and zoning matter in front of them, their seeming lack of knowledge as to Roberts Rules of Order to running a meeting, how to make a motion, what the actual motion in front of them was, and the resulting outcome.

- First and foremost, I am troubled that the Commission voted 4 to 3 to recommend to Council, Wilshire Properties LLC, request for a conditional use permit to operate a 7-10 bed group home facility, against the express recommendation of staff to deny the request.
- Second, staff specifically and, several times throughout the meeting, advised the Commission that **it had not studied the text request** submitted by Wilshire Properties, because staff is recommending a denial of request. However, should the Commission decide the request by Wilshire has merit, staff would then study the text request and provide an opinion to committee.
- Third, staff several times throughout the meeting, advised the Commission that **Wilshire Properties has been operating with more than 6 beds for years in violation of city ordinance**, yet committee member Laura Daily, who made the motion for Commission to recommend to Council the text as written, stated ‘what’s the difference if they operate with 6, 7, or 8, beds, after all, a number is just a number’. If you follow that logic then similarly, Hopkins residents can drive 50 mph on city streets with limit clearly posted as 30 mph without consequence. After all, a number is just a number, right? Wrong, that is equally ridiculous.
- Fourth, the Commission seemed to focus their discussion on an emotionally charged need to care for aging adults and even mentioned caring for an increasing autistic population. While I agree this is an important societal issue, I do not believe it is an issue for the Zoning Commission. **Zoning and its impact to Hopkins neighborhoods and “the health, safety and general welfare of people living and working in Hopkins and implementing the City's Comprehensive Plan” is their mission**, according to the City of Hopkins’s website.
- Fifth, the Commission’s decision to recommend verbatim, Wilshire Properties text request for a conditional use permit to Council, is a recommendation lacking proper study, adequate thought and, in my opinion, one that unfairly targets the dwellings in the Knollwood neighborhood as few, if any, other Hopkins neighborhoods have multiple

35,000 sq. ft lots.

- Sixth, the Commission voted to recommend the text request, without consideration that it does not specify “within 75’ of a multi-family zoned area within Hopkins”. As recommended, it is possible that some homes along Edgemoor Road may qualify for this conditional use as those homes are within 75’ of the St Louis Park Amhurst multi-family housing development.

My wife and I purchased a vacant lot at 115 Cottage Downs in 2012 and constructed our house in 2013. We did so because we liked the feel of the residential, single-family home, Knollwood neighborhood. We never imagined that the group home that operated at the corner of Oak Ridge Road was operating in violation of code and city ordinance, nor that it would expand to two group homes and then a third operator would expand on the group home concentration on Wilshire Walk in the Knollwood neighborhood. At present, **group homes comprise 5% of the homes in the Knollwood neighborhood.** Given the size of the homes and lots in Knollwood, along with their relatively low- price compared to a commercial building or facility, it is likely that the Knollwood neighborhood is a target of group home operators and the number of group homes in the neighborhood will increase over time.

I urge the Council to deny Wilshire Properties request for conditional use permit at the May 7, 2019, City Council Meeting. I also urge the Council to reach out and, work with, the Minnesota legislature on behalf of the Knollwood neighborhood and, all of Hopkins, to impose a radius limit on the concentration/proximity of group homes within neighborhoods zoned single-family to protect the long-term residential quality of life within Hopkins before it is too late.

Below is a summary provided to me by my attorney. I urge the Council to review it and consider the merits of his comments as well.

City of Hopkins Zoning Code Text Amendment - Licensed Residential Programs for 7 to 10 persons in R-1-D and R-1-E Districts

Ben: The request of Wilshire Properties, LLC for a zoning code text amendment to allow Licensed Residential Programs for 7 to 10 persons as a conditional use is contrary to intent and purpose of the existing zoning code. A few relevant stated purposes of the Hopkin’s zoning code are 1) to protect and provide for the public health, safety and welfare, 2) guide future growth and development of the City in accordance with the comprehensive guide plan, 3) divide the city into zones and districts ... (controlling the) use of structures and land, and 4) protecting the character and social and economic stability of all areas of the City. The proposed zoning text amendment does not advance any of these policy considerations. This proposed text amendment is being advanced for the singular purpose of trying to rectify an existing violation of Hopkins City Code section 530.06(b). A change to the zoning code should be based on policy considerations

consistent with the purpose and intent of the zoning code, not to cure a singular violation. The proposed zoning text amendment is inconsistent with the comprehensive guide plan which the Applicant is also requesting be amended. Per Hopkins existing zoning code, and in compliance with MN Law, Licensed Residential Programs are permitted in R-1-D and R-1-E districts, so long as the number of residents does not exceed 6 persons. The policy purpose for limiting the number to 6 or less is a recognition of the single family residential nature of the R-1-D or R-1-E districts and intended to minimize the impact of the Licensed Residential Programs in that type of residential area. Licensed Residential Programs serving 7 to 16 residents are permitted by the Hopkins zoning code, but only in R-2, R-3, R-4, R-5 and R-6 districts. This recognizes the policy considerations in placing the higher volume, greater density Programs in areas that reflect the City's plan for concentration of density and services in specific districts of the City. I can think of no compelling policy considerations why the City would want to change the comprehensive plan or the zoning code text to permit this intensified use of single family structures in a R-1-D or R-1-E single family district.

Thanks-

Ben Rubin
115 Cottage Downs
Hopkins MN 55305

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Jason Lindahl

From: Kim Burmeister <kimburm@gmail.com>
Sent: Wednesday, April 17, 2019 4:39 PM
To: Jason Lindahl
Subject: [EXTERNAL] Grace Homes - zoning change

Dear Mr. Lindahl,

We have lived in Knollwood for over 25 years and strongly oppose the conditional permit to change the residential group home located at 601 Oak Ridge Road (located next to their other group home on Wilshire Walk) from a 6-bed residence to a 7 to 10 bed facility. Our primary concern is the dramatic negative change that it will cause our quiet and beautiful neighborhood. Our neighbors take great pride in our small community and love the “less travelled” and open landscape of the area.

The changes that have already occurred with the two residential homes (with a third opening on Wilshire Walk) has already caused hardship on local homeowners due to additional traffic and parking issues. We have narrow streets (in need of repair) and tight corners that are not built to take on more traffic.

The current owners of Grace Homes purchased the business knowing the licensing was for six beds and we see no reason why we, a small, quiet and historic neighborhood should have to pay a price for increasing the volume of congestion.

People specifically purchase homes in Knollwood because of the charm, stability and quiet streets. We are one of the very few low-density neighborhoods of Hopkins, and like us, the City of Hopkins would not benefit from increasing the density in a residential area for business operations.

Looking forward, one conditional permit change opens doors for more permit changes, that again we do not support for our neighborhood and other Hopkins neighborhoods.

In conclusion, we strongly oppose the City approving the request for a conditional permit change to increase the number of clients allowed in a home.

We appreciate your consideration.

Kim and John Burmeister
810 Edgemoor Drive
Hopkins, MN 55305

From: [Peg Hicks](#)
To: [Jason Lindahl](#)
Cc: [Jim Hicks](#)
Subject: [EXTERNAL] Grace Homes request for a conditional use zoning permit
Date: Tuesday, April 16, 2019 3:38:57 PM

My husband and I are writing to express our strong opposition to the Grace Homes' request for conditional use permit to allow the operation of a licensed group home with 7 to 10 beds at 601 Oak Ridge Road.

As residents of the Knollwood neighborhood, we strongly value and want to protect the charm and low-density nature of our quiet residential neighborhood. While we understand that the current zoning laws permit 6-bed group homes in residential neighborhoods, we are not in favor of having a larger commercial business operating in our quiet residential neighborhood.

Grace Homes is located at a very busy intersection of Oak Ridge Road and Highway 7. Our neighbors on Wilshire Walk already have experienced increased traffic and cars parking on their quiet residential street from visitors, staff, and deliveries to the the Grace Homes. By approving the Grace Homes' conditional use permit request for additional beds, the City of Hopkins would further add to our neighborhood's traffic burden and potentially harm the historic charm of our low-density residential neighborhood. By approving the Grace Homes' request, the city would be setting a dangerous precedent for both our residential neighborhood and other neighborhoods in Hopkins.

As you will note in the attached link, the Grace Homes' web site includes a photo of the Knollwood neighborhood entrance signs on its web site. Here's the link: <http://gracehomes.info/wilshire-walk-memory-care-home/> This commercial operation already is benefiting greatly at the expense of the rest of our neighborhood. Permitting additional beds at the site is an undue burden to the Knollwood neighborhood.

We respectfully request that you reject Grace Homes conditional use permit zoning request. We plan to attend the Hopkins Planning and Zoning Commission Meeting on April 23 to express our strong opposition to this proposal.

Thank you.

Peg & Jim Hicks
815 Park Terrace
Hopkins, MN 55305

From: [Sharron Steinfeldt](#)
To: [Jason Lindahl](#)
Cc: [Anne Steinfeldt](#); [Randy L. Engel](#)
Subject: [EXTERNAL] Planning Application 2019 -AMD Wilshire Properties L:LC Zoning Code Text Amendment
Date: Monday, April 22, 2019 2:01:17 PM

Jason : I am against Zoning Code text Amendment that would increase the number of people who could be housed at the care facilities from a maximum of 6 people to allowing 7 - 10 people .

I have lived in the Knollwood Neighnothood at 240 Bridal Lane for 61 years and I plan to stay for many more years because I love Hopkins and my neighbors, Hopkins is a great place to raise a family .

I strongly believe that if the City of Hopkins permits this increase it will set a precedent that will be detrimental to not only Knollwood but to many other residential home owners in R1 neighborhoods in Hopkins.

I look forward to being at the meeting tomorrow April 23 at 6:30.

Sharron Steinfeldt 240 Bridal Lan Hopkins Mn 55305

PS I was surprised to hear that a property on Wilshire Walk may already be in violation with 10 people being cared for at that facility. Is that true ? How will this be remedied?

f

Jason Lindahl

From: Susan Kahn <susan.kahn@mac.com>
Sent: Wednesday, April 17, 2019 4:54 PM
To: Jason Lindahl
Subject: [EXTERNAL] Grace Homes (Wilshire Properties, LLC) Request

We are writing in regard to the upcoming request by Grace Homes to amend the Hopkins City Code to allow a licensed group home with seven to 10 beds as a conditional use in certain R-1 zoning districts ... and the potential, if this request is approved, to allow the facility located at 601 Oak Ridge Road to receive a conditional use permit for its current location.

We are opposed to a change to the Hopkins City Code and opposed to Grace Homes receiving a conditional use permit for its current location - to operate a group home with up to 10 beds. We have made significant investments in our property and our neighborhood, treasure the nature and density of our residential neighborhood - and therefore, we are not in favor of this request to expand this group home in the Knollwood neighborhood.

We are unable to attend the Hopkins Planning and Zoning Commission meeting next week on April 23, so we are sharing our perspective via this email and hope that it will be considered in this process.

Sincerely,
Susan and Ken Kahn
712 Valley Way
Hopkins, MN 55305

From: [horow001](#)
To: [Jason Lindahl](#)
Subject: [EXTERNAL] Grace Homes Condition Use Permit
Date: Monday, April 22, 2019 12:22:26 PM

Dear Mr. Lindahl,

Mrs. Horowitz and I have resided in Hopkins since we moved to Minnesota June 1969, initially owning a home in Hobby Acres, but moving to our present residence at 830 Edgemoor Drive in Knowlwood in 1971. When we moved to Knollwood, we chose not to live in a commercially zoned area, but a fine residential community. Mrs. Horowitz and I would like to express our vehement objection to the zoning changes requested by Grace Homes. The owner of Grace Homes and applicant should certainly have been sufficiently knowledgeable to realize that the Hopkins zoning ordinance allowed him to create facility limited to only six beds in an established single family home **but six customers was the limit**. Granted, he can make more money by expanding the number of his residents, but to the detriment of my neighborhood and ultimately the value of my property.

I sympathize with this business owner, but he was the one who made the decision to establish a six bed facility in my neighborhood with the full knowledge of the existing zoning regulation. If he feels that six beds won't do, he should chalk up his problem to a bad business decision.

With regards,
Francine B. Horowitz
Arthur J. Horowitz, MD



Grace Homes
Residential Care Homes For Seniors

6900 Shady Oak Road • Suite 216
Eden Prairie, MN 55344
Phone: 952/525-0505 / Fax: 952/525-0506
www.MatrixHomeHealthMN.com

March 8, 2019

You Are Invited to a Neighborhood Meeting

Grace Homes – Oak Ridge located at 601 Oak Ridge Road has been a part of the Knollwood neighborhood since July of 2011. The facility is licensed by Hennepin County as well as the State of Minnesota to care for seniors, including those on the Elderly Waiver (EW) program, and persons with disabilities, including those on the Community Alternative for Disabled Persons (CADI) Waiver program.

The home was opened with 8 residents and currently has 10 residents which is the most allowed by Hennepin County. In order to continue to accommodate 10 residents the property at 601 Oak Ridge Road needs to be rezoned from R-1-D (single family low density) to R-2-D (multi-family low density). The owners of Grace Homes have submitted an application to the City of Hopkins to request this change. The project description and zoning map are described on the next page.

We would like to invite you to a neighborhood meeting to discuss this proposal and answer any questions you might have. The meeting will be held on Tuesday March 19, 2019 from 6:30 - 7:30 p.m. at the Hopkins Pavilion located at 11000 Excelsior Boulevard, Hopkins, MN 55343 upstairs in room 202. We look forward to sharing our plan with you.

In addition to our neighborhood meeting, our plan must be reviewed and approved by the City of Hopkins. The Hopkins Planning & Zoning Commission will hold a public meeting to review this plan on Tuesday, March 26, 2019 starting at 6:30 p.m. And the Hopkins City Council will review and act upon this plan on Tuesday, April 2, 2019 starting at 7:00 p.m. Both meetings will take place at the Fire Station, located at 101 17th Avenue S, Hopkins, MN 55343.

If you cannot attend the neighborhood meeting but would like to speak with someone regarding this plan, you can contact Bruce Lawrence, Owner of Grace Homes by phone at 952.334.1402 or by email at blawrence@matrixhomehealthmn.com.

Sincerely,

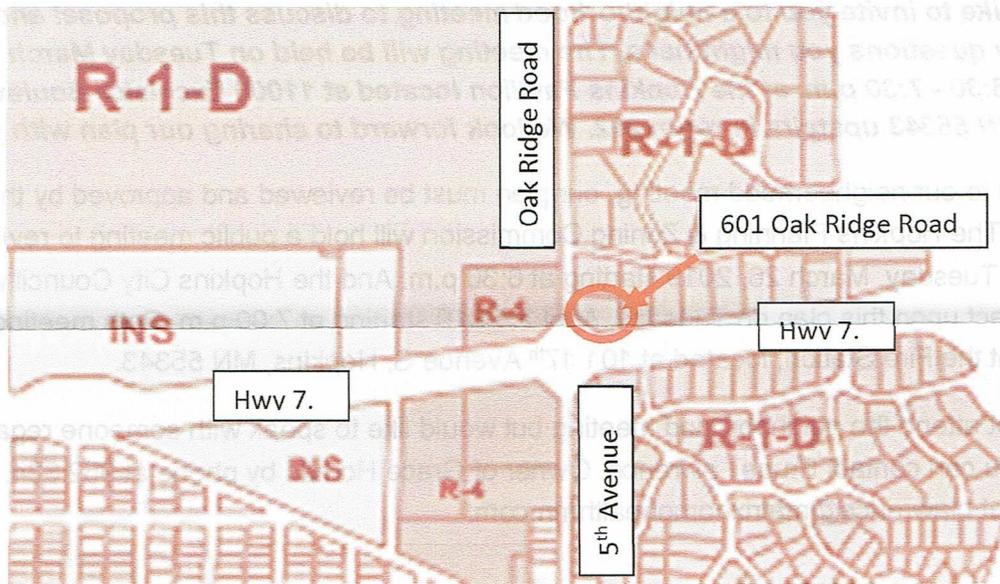
Bruce and Karen Lawrence
Owners, Grace Homes
601 Oak Ridge Road, Hopkins, MN 55305

Project Description:

The property at 601 Oak Ridge Road is being operated as a Licensed Residential facility for 8 to 10 residents. This has been the case since it opened in July of 2011. The original owners worked with the City of Hopkins to upgrade the building to meet safety requirements for this type of facility with work being completed in 2012. The current owners purchased the business in May of 2017 and upgraded the kitchen to meet current and new food safety standards. This work was completed and approved by Hennepin County in April of 2018.

In January of 2019, the City of Hopkins informed the current owners that, due to the way the property was zoned, a maximum of 6 residents was allowed. This project is a request to change the zoning of the property from R-1-D to R-2-D and approve a conditional use permit for up to 10 residents. The property in its current form meets all the requirements for R-2-D zoning. The project does not call for any physical changes to the property or building nor does it change the way the property has been used since it opened in 2011. The project is merely a request to allow the facility to continue to operate as it has been and meet current zoning and use requirements.

Below is a copy of the zoning map showing the subject and surrounding properties.



Sincerely,

 Bruce and Karen Lawrence
 Owners, Grace Homes
 601 Oak Ridge Road, Hopkins, MN 55030



Grace Homes
Residential Care Homes For Seniors

6900 Shady Oak Road • Suite 216
Eden Prairie, MN 55344
Phone: 952/525-0505 / Fax: 952/525-0506
www.MatrixHomeHealthMN.com
www.GraceHomesMN.com

March 19, 2019

Neighborhood Meeting Minutes

Agenda:

- 6:30: Gather and Sign-In
- 6:40: Welcome and Introductions
- 6:50: Project Description and Background
- 7:00: Q & A

Attendance:

7 people from the neighborhood representing 6 properties as follows:

- 122, 203, and 216 Wilshire Walk
- 302 and 417 Cottage Downs
- 810 Edgemoor Drive

2 people with ties to Hopkins Community Arts one of which is a business partner of the Grace Homes owners.

1 person contacted me by phone earlier in the week as they were not able to attend the meeting.

The meeting opened with an introductions and an overview of Matrix Home Health Care Specialists, including when the company was founded, when and why it expanded into home care and when and why residential care came was added. The licensing requirements for care homes was provided including state and county requirements.

The background on how we got to this point was presented highlighting the fact that residential care homes were fairly new to the city when Grace Homes opened in 2011 leading to the oversight in zoning restrictions that lasted for the better part of 7 years. We talked about R-1 zoning and 6 residents being protected by the state and that there is a provision to allow more than 6 residents that requires multiple family zoning and a conditional use permit. R-1-A zoning which supports multiple family housing was discussed although it wasn't a good fit for this situation. The possibility of a text change was also discussed as an option but again not a good fit for this situation.

The meeting was fairly free flowing with questions and discussion all throughout. In general the attendees agreed that there weren't issues with Grace Homes and acknowledged that the pushback is primarily due to the new home going in on Wilshire Walk. Many acknowledged the need for this type of housing and were supportive of Grace Homes.

The operations at Grace Homes was discussed including the number of bedrooms, how they are allocated, what the staffing ratios by time of day are, and who else works at the house. A question was asked about the number of cars that come and go on a daily basis, not so much as an issue with Grace Homes but a potential issue with the new care home. The Elderly (EW) and CADI waivers were discussed as well as how shared rooms are sometimes necessary for EW residents due to the relatively low reimbursement rate. Also discussed was the ability of Grace Homes to accommodate more EW residents if the total number of residents was more than 6.

The person that called in asked why a conditional use permit couldn't be issued rather than rezoning the property. The answer being that the conditional use permit didn't pertain to R-1 properties. Thus the property needed to be rezoned in order to apply the conditional use permit.

There were several concerns expressed which were shared by all of the neighborhood attendees. They were:

1. Any zoning change is permanent and while they were receptive of what Grace Homes was doing, the property could be used differently in the future which may negatively impact the neighborhood.
2. A precedent gets set if an exception is made for one property that might lead to others wanting to do similar things. "You did it for them, why won't you do it for me".
3. There was concern about the ability to have up to 16 residents if rezoned to R-2. This was addressed by limitations placed on the number of residents by the county as well as the practicality of having too many residents in a limited space as shared rooms are generally more difficult to rent than private rooms.
4. Parking and traffic flow was a concern although a stipulation of the conditional use permit in the R-2 district is that all parking must be off-street. The traffic flow was trivial compared to that generated on Hwy 7 and by the neighboring apartment building. Again the real concern was not with Grace Homes but with the new care home on Wilshire Walk.
5. A concern was expressed the opinion that property values were being affected by the presence of the care homes citing 3 properties on Wilshire Walk that sold for less than property value. Not all shared this concern as it's not clear what the true connection between property value and the care homes is.

Summary

The meeting was generally positive and had good discussion. The attendees came to better understand the situation, how it came to be, what the limitations are, and were generally supportive of the business recognizing the need for this type of housing. The attendees were not supportive of a zoning change however due to precedent and future development issues. The meeting concluded at 7:30pm as scheduled.

The following handout was provided:



6900 Shady Oak Road • Suite 216
Eden Prairie, MN 55344
Phone: 952/525-0505 / Fax: 952/525-0506
www.MatrixHomeHealthMN.com
www.GraceHomesMN.com

March 19, 2019

Neighborhood Meeting Agenda

- 6:30: Gather and Sign-In
- 6:40: Welcome and Introductions
- 6:50: Project Description and Background
- 7:00: Q & A

Background:

The property at 601 Oak Ridge Road is owned by Wilshire Properties, LLC; Mr. Charles Scott President. The property was operated as a Residential Living facility by Mr. Scott and his spouse Bethany Buchanan, RN beginning in July of 2011. Grace Homes was announced to the Hopkins City Council as an 8-bed senior care home at the March 20, 2012 meeting. Sometime later a 9th resident was added with permission from Christopher Kearney, the Lead Inspector for the City of Hopkins.

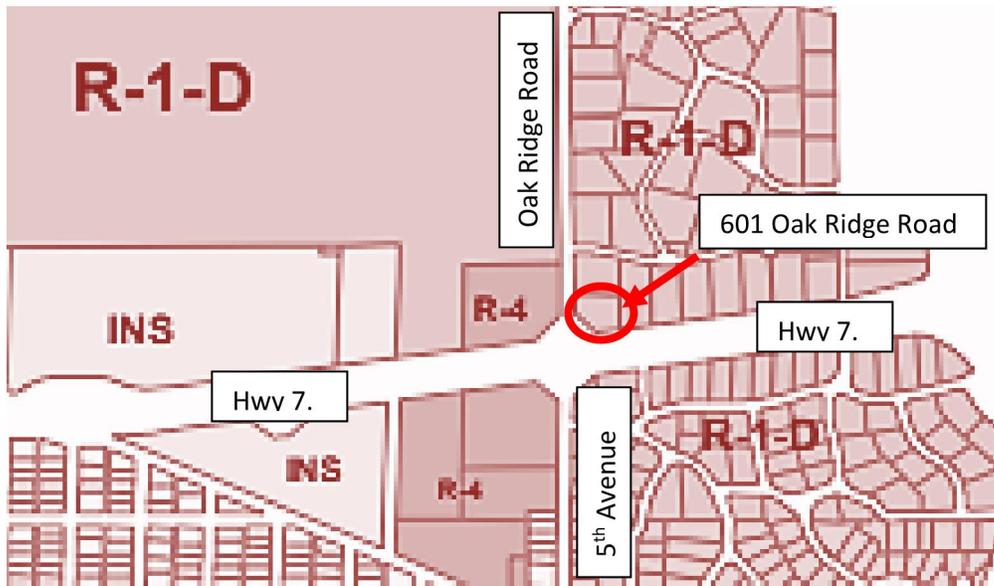
In May of 2017 Matrix Advocare Network, Inc. d/b/a Matrix Home Health Care Specialists (Matrix) purchased the business operations of Grace Homes with the intent of continuing to operate the care home. This includes the properties at 601 Oak Ridge Road and the adjacent property at 414 Wilshire Walk. The physical properties are still owned by Wilshire Properties, LLC and Matrix has continued to operate the homes under the name Grace Homes.

In January of 2019, after a routine fire marshal inspection the City of Hopkins cited Matrix for operating the facility with more than 6 residents due to the way the property was zoned. There haven't been any neighborhood issues to the knowledge of the former or present owners of Grace Homes.

Project Description:

This project is a request to change the zoning of the property from R-1-D to R-2 and approve a conditional use permit for up to 10 residents. The property in its current form meets all the requirements for R-2 zoning. The project does not call for any physical changes to the property or building nor does it change the way the property has been used since it opened in 2011. The project is merely a request to allow the facility to continue to operate as it has been and meet current zoning and use requirements.

Below is a copy of the zoning map showing the subject and surrounding properties.



Grace Homes Neighborhood Meeting Attendance Sheet

March 19, 2019

The Pavilion, 11000 Excelsior Blvd., Hopkins, MN 55343

NAME	ADDRESS	ZIP
Bruce Lawrence	601 OAKRIDGE RD	55305
Maikthon Vang	3802 Hayward Ct S	55343
Paean King	14806 Waterloo Place	55345
Deb Anderson	203 Wisconsin Walk	55305
Kim Bremerstein	510 Edge Moor Dr	55305
Sharon Schueler	302 Cottage Downs	55305
Jan	216 W. Lake Walk	55305
Susan Rendes	417 Cottage Downs	55305
Marshall Tanguich/Theresa Tanguich	122 Wilshire Walk	55305



City of Hopkins

1010 First Street South • Hopkins, MN 55343-7573 • Phone: 952-935-8474 • Fax: 952-935-1834
Web address: www.hopkinsmn.com

February 1, 2019

Mr. Bruce Lawrence
Grace Homes
7550 France Avenue South
Suite 210
Edina, MN 55435

RE: ZONING VIOLATION NOTICE – 601 OAKRIDGE ROAD

Dear Mr. Lawrence:

The purpose of this letter is to inform you of an ongoing zoning violation existing at 601 Oakridge Road, Hopkins, Minnesota (the "Property"). The Property is zoned R-1-D, Single Family Low Density. The City is aware that Grace Homes operates a housing with services establishment at the Property, which is registered under Minnesota Statutes, chapter 144D. Pursuant to Hopkins City Code, section 530.06(b), licensed residential programs, including housing with service establishments, are permitted in the R-1-D district only if they have a "licensed capacity of 6 or fewer persons."

On January 23, 2019, Hopkins Fire Marshal Garret Grniet conducted an inspection of the Property and noted that 10 individuals were residing at the Property. On January 28, 2019, the Minnesota Department of Health also confirmed that the Property's registration records contain a self-reported residential capacity of 10 persons. Accordingly, the Property is being used in a manner prohibited by the Hopkins City Code.

You are hereby directed to bring the Property into compliance with the City's zoning controls on or before March 4, 2019 by reducing the licensed capacity *and* the actual capacity to 6 or fewer persons. The City will conduct a re-inspection on that date and, should you fail to achieve compliance, the City will consider further enforcement action, including both criminal and/or civil remedies, as it deems appropriate.

Thank you in advance for your prompt attention to this matter. Please contact me directly if you have any questions.

Sincerely,

Jason Lindahl, City Planner
952-548-6342
jlindahl@hopkinsmn.com



City of Hopkins

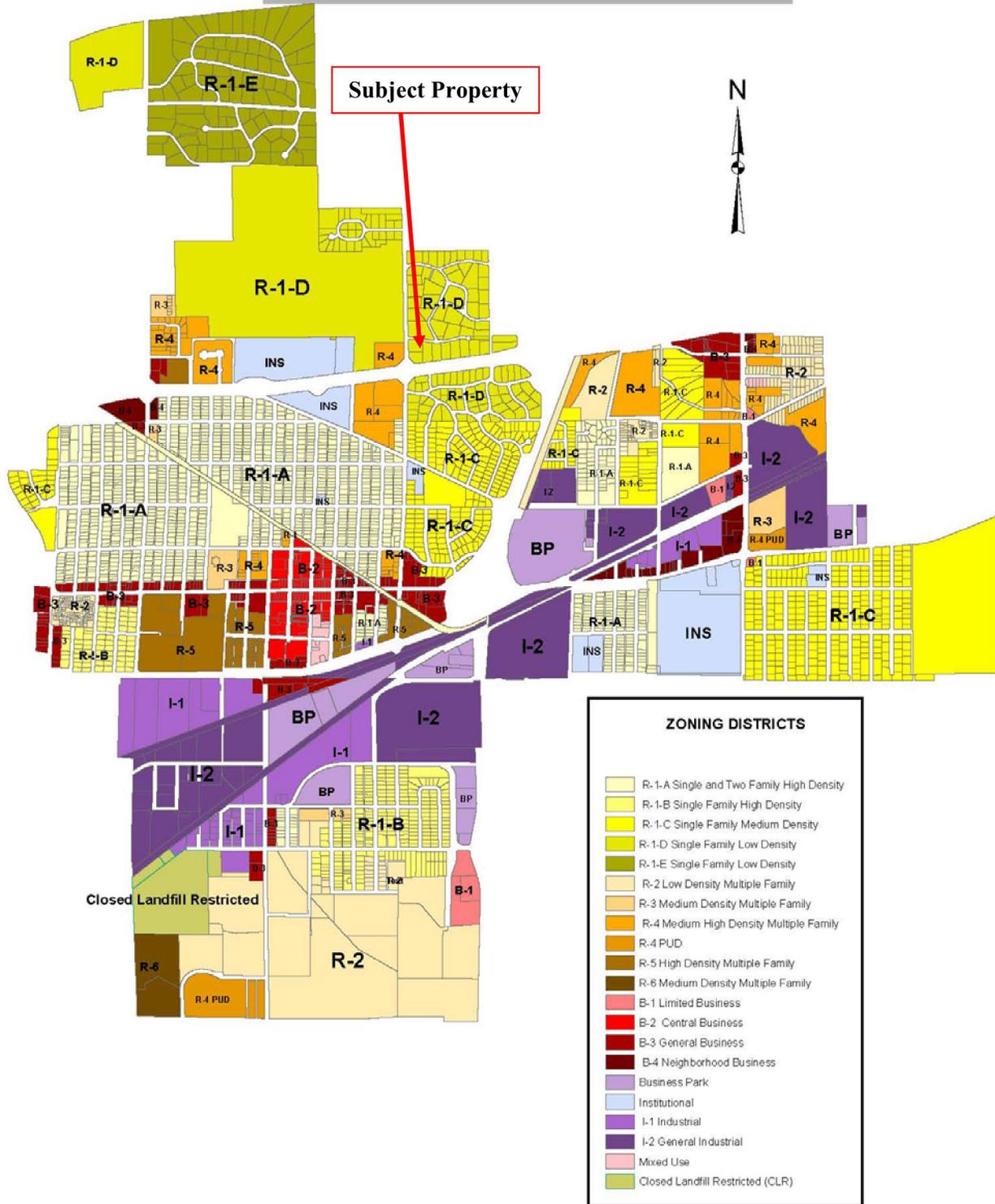
1010 First Street South • Hopkins, MN 55343-7573 • Phone: 952-935-8474 • Fax: 952-935-1834

Web address: www.hopkinsmn.com

Cc: Mike Mornson, City Manager
Garret Grniet, Fire Marshal
Dave Anderson, Asst. City Attorney

Zoning Map

City of Hopkins Zoning Map



Standards for Licensed Residential Facilities in Other Communities

City of Minnetonka. Section 300.16, Subdivision 3.g - Licensed Residential Care Facilities or Community Based Residential Care Facilities:

1. 3,000 square feet of lot area for each overnight resident, based on proposed capacity;
2. 300 square feet of residential building area for each overnight resident, based on proposed capacity;
3. In R-1 and R-2 districts, for new construction including additions, a floor area ratio (FAR) that is no more than 100% of the highest FAR of the homes within 400 feet of the lot lines and within 1,000 feet of the lot along the street where it is located, including both sides of the street. The FAR applies to an existing structure only if it seeks to expand. The city may exclude a property that the city determines is not visually part of the applicant's neighborhood and may add a property that the city determines is visually part of the applicant's neighborhood. The city may waive or modify the floor area requirement where:
 - a. The proposed use would be relatively isolated from the rest of the neighborhood by slopes, trees, wetlands, undevelopable land, or other physical features; or
 - b. The applicant submits a specific building design and site plan, and the city determines that the proposed design would not adversely impact the neighborhood character because of such things as setbacks, building orientation, building height, or building mass. In this case, the approval is contingent upon implementation of the specific site and building plan.
4. No external building improvements undertaken in R-1 and R-2 districts which alter the original character of the home unless approved by the city council. In R-1 and R-2 districts, there must be no exterior evidence of any use or activity that is not customary for typical residential use, including no exterior storage, signs, and garbage and recycling containers;
5. Traffic generation: a detailed documentation of anticipated traffic generation must be provided. In order to avoid unreasonable traffic impacts to a residential neighborhood, traffic limitations are established as follows:
 - a. In R-1 and R-2 districts, the use is not be permitted on properties that gain access by private roads or driveways that are used by more than one lot;
 - b. The use must be located on, and have access only to, a collector or arterial roadway as identified in the comprehensive plan;
 - c. The use must prepare, and abide by, a plan for handling traffic and parking on high traffic days, such as holidays, that has been reviewed and approved by city staff.

6. No on-street parking to be allowed. Adequate off-street parking will be required by the city based on the staff and resident needs of each specific facility. In R-1 and R-2 districts, the parking area must be screened from the view from other R-1 and R-2 residential properties. Private driveways must be of adequate width to accommodate effective vehicle circulation and be equipped with a turnaround area to prevent backing maneuvers onto public streets. Driveways must be maintained in an open manner at all times and be wide enough for emergency vehicle access. Driveway slope must not exceed 8 percent unless the city determines that site characteristics or mitigative measures to ensure safe vehicular circulation are present. Adequate sight distance at the access point must be available;
7. All facilities to conform to the requirements of the Minnesota state building code, fire code, health code, and all other applicable codes and city ordinances;
8. Landscape buffering from surrounding residential uses to be provided consistent with the requirements contained in section 300.27 of this ordinance. A privacy fence of appropriate residential design may be required to limit off-site impacts. Landscape screening from surrounding residential uses may be required by the city depending on the type, location and proximity of residential areas to a specific facility;
9. Submission of detailed program information including goals, policies, activity schedule, staffing patterns and targeted capacity which may result in the imposition of reasonable conditions to limit the off-site impacts;
10. Submission of a formal site and building plan review if a new building is being constructed, an existing building is being modified, or the city otherwise determines that there is a need for such review; and
11. Additional conditions may be required by the city in order to address the specific impacts of a proposed facility.

City of St. Louis Park. Sec. 36-163(C) - Uses permitted with conditions. A structure or land in an R-1 district may be used for one or more of the following uses if its use complies with the conditions stated in section 36-162 and those specified for the use in this subsection.

1. Group home/nonstatutory. The conditions are as follows:
 - a. At least 800 square feet of lot area shall be provided for each person housed on the site.
 - b. At least 12% of the lot area shall be developed as designed outdoor recreation area.
 - c. The residence structure shall be occupied by not more than six persons under treatment.
 - d. The residence structure shall provide one bedroom for each two persons accommodated in group living quarters.

- e. The residence structure shall provide one bathroom for each four persons accommodated in group living quarters.
- f. The use shall not be located within 1,500 feet of any other group homes.

A regular meeting of the Hopkins City Council was held on March 20, 2012, in the Council Chambers of the Hopkins City Hall.

Present were Mayor Maxwell, Council Members Cummings, Gadd, Halverson, and Youakim. Also, present were staff members Bradford, Elverum, Genellie, Mornson, Stadler and City Attorney Jeremy Steiner.

I. CALL TO ORDER

Mayor Maxwell called the meeting to order at 7:31 p.m.

II. OPEN AGENDA - PUBLIC COMMENTS AND CONCERNS

There were no comments.

III. PRESENTATION

The owners of Grace Homes, an 8-bed senior care home in Hopkins, introduced their business. Mayor Maxwell welcomed them to the City of Hopkins.

IV. CONSENT AGENDA

1. Minutes of the Goal Setting Day on February 17, 2012
2. Minutes of the March 6, 2012 Council Meeting
3. Minutes of the March 6, 2012 Work Session following the Council Meeting
4. Minutes of the March 13, 2012 Work Session
5. Approve Overpass Skate Park Operational Agreement with action Sports of Minnesota, Inc., dba, The Third Lair (CR 2012-024)
6. Accept Improvements and Authorize Final Payment on 5th Street South Street and Utility Improvements (CR 2012-025)

Mr. Stadler addressed the Council regarding Consent Agenda Item #5. There are no changes to the agreement and Third Lair continues to add new equipment to provide a fresh experience for the skate park users.

Mr. Bradford addressed Council regarding Consent Agenda Item #6. The contractor completed all work as specified in the contract.

Council Member Cummings moved and Council Member Youakim seconded a motion to approve the Consent Agenda. A poll of the vote was as follows: Council Member Cummings, aye; Council Member Gadd, aye; Council Member Halverson, aye; Council Member Youakim, aye; Mayor Maxwell, aye. The motion carried unanimously.

IV. NEW BUSINESS

1. Approve Preliminary Plans for Shady Oak Road (CR 2012-027)

Mr. Stadler addressed the Council giving an overview of the Shady Oak Road project. Hennepin County representative Craig Twinem reviewed the project location, project history, public meeting input and project schedule.

Tony Heppleman, WSB & Associates Consultant, reviewed the purpose & need for the project which includes poor pavement condition, safety issues, capacity improvements, pedestrian & bicycle facility needs, and drainage issues. Mr. Heppleman reviewed the layout changes & comparison from 2006 to 2012.

Mr. Stadler reviewed the layout changes, property impacts and project funding. The estimated cost to the City of Hopkins is approximately \$2.9 million.

Ms. Elverum discussed the process and plan for working with property & business owners affected by the project.

Staff will continue to keep the Council updated during the final design process and construction.

There was much discussion by Council about the preliminary plan, landscape buffering, keeping the integrity of the neighborhoods, importance of neighborhood input, minimizing property impact and maximizing buffering, Duck Pond viewing area & outlet to prevent flooding, Highway 7 intersection changes, impact of the future SWLRT station, pedestrian friendly trails & sidewalks, road elevations and the importance of working with & communicating with impacted businesses & residents.

Rick Nelson, owner of Nelson's Meats, addressed the Council. Mr. Nelson's business is impacted and parking is a big concern.

Jill & Allen Forrest, 202 West Park Road, Hopkins addressed the Council. The Forrest's home is impacted and the close proximity of the road to their home is a big concern.

Council Member Halverson moved and Council Member Gadd seconded a motion to Approve Resolution 2012-015, Resolution approving preliminary plans, layout #2, for the reconstruction of Shady Oak Road from Excelsior Boulevard to north of Highway 7. A poll of the vote was as follows: Council Member Gadd, aye; Council Member Halverson, aye; Council Member Youakim, aye; Mayor Maxwell, aye. The motion carried.

2. Approve Cooperative Agreement between Hopkins and Met Council (CR 2012-026)

Mr. Bradford addressed the Council regarding the replacement of the sanitary sewer lift station, why it needs to be replaced, possible site locations, review of the public

input meetings, examples of possible lift station design & landscaping and gave an overview of the proposed Oakes Park location. Mr. Bradford explained that there would be additional public input & design meetings as the project moves forward. Mr. Bradford reviewed the Inter-Governmental Agreement with the Metropolitan Council.

Adam Gordon, Met Council representative, discussed the lift station design with the Council. Mr. Gordon explained that new Lift Station buildings are built well above noise & odor standards from twenty years ago.

The following residents addressed the Council about the Lift Station project:

Esther Williams, 921 Abbie Lane, Hopkins, & Parkside Homeowners Association Vice-Chairperson, opposes the Lift Station relocation and is concerned that not all the impacted homeowners were kept informed during the process.

Gerald Healy, 700 Oak Park Lane, Hopkins, opposes the Lift Station being built on Parkland and prefers rebuilding the Lift Station at the present location.

Corinne Braun, 813 Kassie Court, Hopkins, presented Council with a petition from residents opposing the re-location of the Lift Station to Oakes Park and requested community involvement in the site location selection.

Jean Sorenson, 808 Cameron Court, Hopkins, & Parkside Homeowners Association Chairperson, opposes the Lift Station location and would like Council to explore other options.

There was much discussion by Council regarding the lift station design, entrance to the lift station, building maintenance, size of the building, screening of outside equipment, other possible locations & reasons for choosing the Oakes Park site, reasons for not building at current location, most cost-effective solution, project costs, distance of lift station to nearest home, building appearance, enhanced restroom facilities for the park, odor filter systems, possible hockey rink re-location, additional opportunities for public input into the design process and the importance of resident engagement in the process.

Mr. Bradford gave an explanation of the project financials and that staff will continue to engage the Council, community members & Park Board as the process continues.

Council Member Cummings moved and Council Member Gadd seconded a motion to Approve Inter-Governmental Agreement with the Metropolitan Council. A poll of the vote was as follows: Council Member Cummings, aye; Council Member Gadd, aye; Council Member Halverson, aye; Council Member Youakim, aye; Mayor Maxwell, aye. The motion carried unanimously.

3. 2012 Goals (CR 2012- 016)

Mr. Mornson addressed the Council regarding the City of Hopkins 2012 Mission & Goals. Mr. Mornson reviewed the Mission Statement, Vision, accomplishments in 2011 and the goals, strategies & action items.

Council Member Youakim moved and Council Member Halverson seconded a motion to Adopt Resolution 2012-008, affirming the City of Hopkins Mission Statement and adopting the 2012-2013 Goals and Strategic Plan for the City of Hopkins. A poll of the vote was as follows: Council Member Cummings, aye; Council Member Gadd, aye; Council Member Halverson, aye; Council Member Youakim, aye; Mayor Maxwell, aye. The motion carried unanimously.

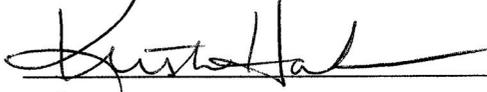
Mr. Mornson recognized Community Development Coordinator Tara Beard for successfully acquiring and completing requirements for grant monies.

V. ADJOURNMENT

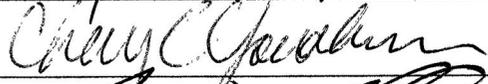
There being no further business, Council Member Halverson moved and Council Member Youakim seconded a motion to adjourn the meeting. The meeting was adjourned at 10:19 p.m.

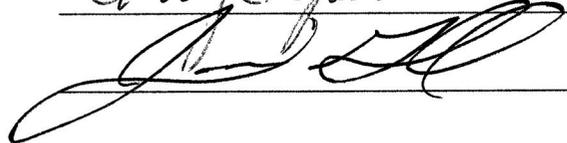
Respectfully Submitted,
Debbie Vold

COUNCIL MEMBERS

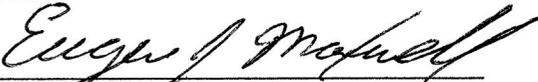








ATTEST:



Eugene J. Maxwell, Mayor



Hopkins, MN



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Hopkins Long-Term Care Facility Makes Residents Feel at Home

Grace Homes specializes in creating a warm atmosphere for those with memory illnesses.

By [James Warden](#) | Apr 6, 2012 2:30 pm ET | Updated Apr 6, 2012 5:55 pm ET



Walk into 601 Oak Ridge Road home, and you're immediately struck by the warmth of hard woods. A spacious kitchen, luxurious living room and beautiful backyard with deck all add to the ambience. Then there's a dog named Daisy, a cat named Angel and two birds, Sunny and Sky, who add a spark of life to the elegance.

This isn't the home of a wealthy suburban family, though. The house is an 8-bed residential care facility specializing in memory care—specifically illnesses such as Alzheimer's and dementia.

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[Grace Homes](#), as the business is named, is a three-year-old company that started in Hopkins on July 1. A crew of certified nursing assistants—overseen by wife and husband owners Bethany Buchanan and Charles Scott—care for residents in the secure but homelike setting.

“I really feel strongly that this is the best model of care for the elderly. It's small. It's personal. It's intimate,” Buchanan said.

Buchanan is a registered nurse who spent eight years in hospital settings and four years

in long-term care. That background gives her the ability to care for patients with severe health issues beyond the memory-related illnesses that are the business' specialty.

But as the home's atmosphere suggests, the focus is on quality of life—not just treating illnesses. The food residents eat is mostly local and organic. They exercise every day, including with a physical fitness specialist who comes in three times a week. They get massages once a month. They listen to old, familiar songs while singing and playing hand instruments.

There's also aromatherapy and, during the winter, light box therapy to keep residents' vitamin D levels up and boost their mood. Buchanan and Scott pride themselves on rarely using psychotropic drugs with patients. They didn't have any residents on that type of medication when Patch visited a week ago.

The team spends as much time engaging the residents as providing for them. The residents feed the pets and water the plants because caring for living beings stimulates memory care patients. They also participate in other light chores, such as getting the mail, that keeps them active—vital because memory care patients can sit for 10 hours at a time if not encouraged.

“They want to feel purposeful, and they need to move,” Buchanan said.

For Grace Homes, the warm atmosphere, the healthy living and the activities all contribute to one goal: Making residents feel at home.

Want to learn more about [Grace Homes](#)? The home will host an open house from 1 p.m. to 4 p.m. May 20 at the facility, located at 601 Oak Ridge Road. The open house is just one way the business is connecting with the community. It has joined its local neighborhood association and will continue taking its residents on outings to local places, such as Dairy Queen and the Farmers' Market. “We've just had a terrific welcome from Hopkins,” Buchanan said.