

**HOPKINS CITY COUNCIL
AGENDA
Tuesday, January 21, 2020
7:00 pm**

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

Schedule City Council Meeting, 7 p.m. – Work Session immediately following City Council Meeting

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE

II. ADOPT AGENDA

III. PRESENTATIONS

1. Body Worn Cameras; Johnson
2. Financial Management Plan and 2021 Budget Process; Bishop

IV. CONSENT AGENDA

1. Minutes of the January 7, 2020 City Council Regular Meeting Proceedings
2. Minutes of the January 7, 2020 City Council Work Session following Regular Meeting Proceedings
3. Minutes of the January 14, 2020 City Council Work Session Proceedings
4. Second Reading: Ordinance Adopting the Recodification of the Hopkins City Code; Domeier

V. PUBLIC HEARING

VI. OLD BUSINESS

VII. NEW BUSINESS

VIII. 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.

IX. ANNOUNCEMENTS

- Next Regular City Council Meeting: Tuesday, February 4 at 7:00 p.m.
- Taste of Hopkins and State of the City Event at Hopkins Center for the Arts, 1111 Mainstreet: Thursday, January 30 starting at 5:00 p.m.

X. ADJOURN

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

Memorandum



To: Hopkins City Council

CC: City Manager Mornson

From: Chief Johnson

Date: 1/21/2020

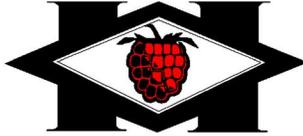
Re: Body Worn Cameras

The Hopkins Police Department will be implementing body worn cameras in the first quarter of 2020. According to Minnesota State law, all "local law enforcement must provide for public comment before it purchases or implements a portable recording system. At a minimum, the agency must accept public comments submitted electronically or by mail, and the governing body with jurisdiction over the budget of the law enforcement agency must provide for public comment at a regularly scheduled meeting."

The written draft policies are available for public comment and have been posted on the City website. This has also been publicized in Hopkins Connections to our residents.

The body worn camera policy will be also available for comment at the City Council meeting on Tuesday, January 21, at 7 p.m., at Hopkins City Hall.

We appreciate the publics comments regarding these draft policies.



CITY OF HOPKINS

Memorandum

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

From: Nick Bishop, Finance Director

Date: January 21, 2020

Subject: Financial Management Plan and 2021 Budget Process

PURPOSE

Stacie Kvilvang, Municipal Advisor with Ehlers will present the City's Financial Management Plan (FMP). Nick Bishop, the City's Finance Director will present the planned process for the 2021 Budget.

INFORMATION

Financial Management Plan

Traditionally cities have taken a short term view for financing city operations. The one year budget is still the norm for most cities. Hopkins began to use long term planning for large expenditures such as construction projects and large pieces of equipment in the 1980s. One year operating budgets were used by the City through 2014.

Beginning with the 2015 Budget, the City decided to take a long term view of financing its operations through the use of a FMP. The FMP is a multi-year fiscal plan for all tax-supported funds. It integrates existing debt, Capital Improvement Plans, Equipment Replacement Plans, future debt, tax base growth and future operating expenses. The FMP is used to level out expenditures and bond costs to smooth tax increases, ensure funding is available to carry out the City's vision and as a tool to better understand effects of budget decisions.

2021 Budget Process

Approving the City's Annual Budget is one of the most important decisions made by City Council. The 2021 budget will be based on staff recommendations and input received from the community.

The public is invited to attend any or all City Council meetings where the budget is discussed. The City will also provide additional engagement opportunities for residents who wish to participate in the budget process.

January 21, 2020 starting at 7:00 in City Hall Council Chambers

Information on the City's financial management plan and how the budget process works will be presented during a City Council meeting.

March 6 – May 19, 2020

The City's Budget Survey will be available on the City's website or at City Hall.

May 19, 2020 from 6:00 to 7:00 at City Hall

A public meeting will be held to discuss the budget process and the Financial Management Plan, focusing on the next 5 years. There will be opportunities for the public to provide input.

August 18, 2020 from 6:00 to 7:00 at City Hall

A public meeting will be held to discuss the budget process, Financial Management Plan and the proposed 2021 budget. There will be opportunities for the public to provide input.

September 1 or 15, 2020 starting at 7:00 in City Hall Council Chambers

A preliminary budget and tax levy will be approved.

November 30, 2020 starting at 7:00 in City Hall Council Chambers

Truth in Taxation hearing will be held as a separate City Council meeting. It is being held on a Monday to avoid conflicts with other taxing jurisdictions.

December 1 or 15, 2020 at 7:00 in City Hall Council Chambers

A final budget and tax levy will be approved.

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
JANUARY 7, 2020**

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Pursuant to due call and notice thereof a regular meeting of the Hopkins City Council was held on Tuesday, January 7, 2020 at 7:00 p.m. in the Council Chambers at City Hall, 1010 First Street South, Hopkins.

Mayor Gadd called the meeting to order followed by the Pledge of Allegiance with Council Members Beck, Brausen, Halverson and Hunke attending. Staff present included City Manager Mornson, City Clerk Domeier, 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.

Oath of Office – Mayor Gadd and Council Members Beck and Hunke

City Clerk Domeier issued the Oath of Office to Mayor Gadd, Council Member Beck and Council Member Hunke. Mayor Gadd welcomed back Council Member Hunke and welcomed new Council Member Beck.

ADOPT AGENDA

Motion by Brausen. **Second** by Hunke.

Motion to Adopt Agenda.

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

Nays: None. Motion carried.

PRESENTATIONS

III.1. Bicycle Friendly Community Designation

Community Development Coordinator Youngquist discussed the staff report explaining that Hopkins has made an investment in infrastructure to improve trail connections and has been committed to providing recreational opportunities to the Hopkins community. Ms. Youngquist discussed the application process. A representative on behalf of the League of American Bicyclists thanked the City of Hopkins for their commitment to making the streets safer for people biking in the community and presented the Bicycle Friendly Community award to the City of Hopkins. On behalf of the City Council, Mayor Gadd thanked the League of American Bicyclists for the award, commenting on the City's commitment to a liveable and bikeable community.

CONSENT AGENDA

Mayor Gadd commented on the need to modify Consent Agenda item #3 to recognize the St. Louis Park/Hopkins Sun-Sailor as the 2020 Official Newspaper for the City of Hopkins.

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
JANUARY 7, 2020**

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

Motion to Approve the Consent Agenda.

1. Minutes of the December 17, 2019 City Council Regular Meeting Proceedings
2. Appointment of Mayor Pro Tempore for 2020
3. Designation of Official Newspaper for 2020
4. Designation of Official Depositories for 2020
5. Authorize Out-of-State Travel
6. Ratify Checks Issued in December 2019
7. Approve Resolution 2020-003 Declaring the Official Intent of the City to Reimburse Certain Expenditures from the Proceeds of Equipment Certificates to be Issued by the City regarding equipment purchases
8. Professional Services Agreement – Zoning Ordinance Update

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

Nays: None. Motion carried.

NEW BUSINESS

VII.1. Approve Final Plans and Order Bids – 2020-2021 Street and Utility Improvements, City Project 2091-10

Assistant City Engineer Klingbeil discussed the staff report. In addition to City staff, representatives present for the item were Mike Waltman and Nick Amatuccio, Bolton and Menk, Inc. Mr. Amatuccio discussed the project area, final design process, utility improvements, drainage issues and storm sewer improvements. Mr. Amatuccio discussed the removal of boulevard trees and gave an overview of the tree impact coordination process. The tree removal number totals have been reduced from 199 to 143 with the hope that the number would decrease with utility options to save additional trees. Mr. Amatuccio gave an overview of the street and other improvements, project budget, costs and funding categories. Mr. Amatuccio discussed the project timeline and schedule. The project website is www.Hopkins-Interlachen.com. Assistant City Engineer Klingbeil commented that staff recommends approving final plans and ordering bids with adoption of resolution 2020-001.

Mayor Gadd commented that this action is a continuation of a multiple step process for the street reconstruction project and appreciates the extra effort to save as many trees as possible. Council Member Hunke asked about the bike trail. Mr. Klingbeil commented that the trail was removed because a land use agreement could not be reached. Council Member Brausen asked about tree replacement options. Mr. Klingbeil commented that staff works with the City Forester to offer a diverse tree canopy coverage. City Engineer Stanley commented on the effort of staff to inspect and install trees to reestablish the urban canopy. The next public hearing on the street improvement project is scheduled on the March 16 City Council agenda.

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

Motion to adopt Resolution 2020-001, Resolution Approving Plans and Specifications and Authorizing Advertisement for Bids, 2020-2021 Street and Utility Improvements, City Project 2019-10.

Ayes: Brausen, Gadd, Halverson, Hunke.
Abstain: Beck. Nays: none. Motion carried.

VII.2. First Reading: Ordinance Adopting the Recodification of the Hopkins City Code

City Clerk Domeier discussed the staff report explaining the updates and changes to the City Code. Ms. Domeier explained that staff has reviewed each chapter and the City Attorney has reviewed the changes. Ms. Domeier commented that the recodification would make the City Code available in 99 languages. The second reading is scheduled on the January 21 City Council agenda. Mayor Gadd appreciated the option of multiple languages and asked why Municode was selected. Ms. Domeier commented on Municode's option for languages and the good experience by neighboring communities. Council thanked staff for their efforts to update the City Code.

Motion by Brausen. **Second** by Hunke.

Motion to adopt for first reading Ordinance 2020-1145 An Ordinance Adopting the Recodification of the Hopkins City Code.

Ayes: Beck, Brausen, Gadd, Halverson, Hunke.
Nays: none. Motion carried.

ANNOUNCEMENTS

- Next Regular City Council Meeting: Tuesday, January 21 at 7:00 p.m. A discussion of the Financial Management Plan and budgeting process is scheduled on the agenda.
- Taste of Hopkins and State of the City Event at Hopkins Center for the Arts, 1111 Mainstreet: Thursday, January 30 starting at 5:00 p.m.

ADJOURNMENT

There being no further business to come before the City Council and upon a motion by Brausen, second by Halverson, the meeting was unanimously adjourned at 7:44 p.m.

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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, January 7, 2020**

CALL TO ORDER

Pursuant to due call and notice thereof a work session of the Hopkins City Council was held on Tuesday, January 7, 2020 at 7:51 p.m. in the City Council Chambers at Hopkins City Hall, 1010 First Street South, Hopkins.

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

Administration

City Attorney Riggs gave an overview of meeting protocol, common issues and what constitutes a meeting violation with the Council. There was discussion about text messaging and social media issues. The City Attorney advised that the Council consult with staff regarding a directed response. City Manager Mornson discussed the League of Minnesota Cities social media policy.

Public Works

Public Works Director Stadler discussed the snow emergency tag and towing process. 46 vehicles were towed during the December 30 snow emergency. Mr. Stadler discussed the plowing system and the difficulty of plowing in areas of high density with many parked cars. Mr. Stadler explained the process of posting high-density streets and cleaning curb to curb.

Mayor Gadd commented that it is important to understand the process and be effective. General feedback from the Council was that Public Works staff should continue the snowplow process; provide tagging and towing in the areas where they make the most impact and leave high-density areas to be posted and plowed curb to curb later. City Manager Mornson commented that the City receives more compliments than complaints about snow plowing.

Community Development

City of Minnetonka property update

Director of Planning and Development Elverum discussed the City of Minnetonka's proposal of a \$74,000 one-time payment for annexation of property on Shady Oak Road. Ms. Elverum discussed the proposed Minnetonka development, property access, potential long-term impact to the parcel and past annexation discussions with the City of Minnetonka.

There was Council discussion regarding the payment proposal, resident perception of the housing development and potential tax impact. Council Member Halverson asked

about a driveway easement to help potential redevelopment. Ms. Elverum commented that an easement agreement would be between the property owners. Council Member Hunke commented that the development would improve the area. Council Member Beck discussed the public perception regarding the project. There was Council discussion about neighborhood concerns and potential to shift the development.

City of Minnetonka staff would be invited to discuss the proposal further at the next Work Session. Staff would convey that the City Council is not happy with the offer and have additional questions.

Artspace Update

Ms. Elverum discussed the background of Artspace, a proposal to strengthen Hopkins as an arts community, provide long-term affordability and bring in a broad base of residents. Ms. Elverum discussed potential locations for the project and reasons why Lot #800, non-revenue producing underutilized lot, is being considered as a site. Ms. Elverum discussed the community engagement process, public feedback and differing opinions. Mayor Gadd asked what were the public concerns. Ms. Elverum commented that height, density and parking were the big issue. Council Member Beck commented that some attendees at the first session wanted direct questions answered. Ms. Elverum commented that the meeting was intended for development concepts and ideas. Ms. Elverum commented that staff would be discussing the future of parking and would continue to monitor parking as development opportunities happen. Ms. Elverum discussed the City's role in assisting development and generating the most tax base. There was Council discussion about a site appraisal, what is the project worth to the City of Hopkins and to have broader discussions about potential redevelopment properties. Council Member Brausen discussed public perception. Ms. Elverum discussed the community comments, commenting that staff is responding to concerns and gave an overview of the schedule to stay on track. Council Member Brausen discussed the importance of communication, open discussion and would like to review the history of the project. A representative from Artspace discussed producing information from Artspace properties around the country, keeping testimonials in the forefront and sharing information how projects impact surrounding neighborhoods.

General feedback from the City Council was to have more discussion and that the data and the site selection process be in the forefront to dispel misinformation. Council appreciated all the community engagement, as it is important to listen to the neighborhoods.

City Manager Mornson asked about the grant timeline. Ms. Youngquist commented that to stay on schedule the item would need to be on the agenda the first meeting in March.

Staff will continue to discuss and keep the Council updated.

Community Development Updates

Planning and Zoning Commission discussed massage businesses and electronic signage. The Commission was split on the decision regarding massage businesses and

supportive of revisiting regulations for electronic signage. Staff would continue to research and provide recommendations.

City Council

- Council Member Halverson commented that a resident's snow plowing complaint has been resolved.
- Council Member Brausen asked about the Minnehaha Creek Watershed District meeting. City Manager Mornson commented that a future meeting would be scheduled.
- Council Member Beck asked about the outside walkway railing. Staff will investigate.
- Mayor Gadd commented on the newly appointed Metropolitan Council Chairperson.
- Mayor Gadd discussed Tobacco 21. All license holders would be informed regarding an ordinance change.
- Mayor Gadd is participating in a KSTP interview regarding the World's Largest Raspberry.
- Discussion of the League of Minnesota Cities elected officials conference.

Administration

City Manager Mornson gave the following updates:

- Council will review the State of the City script on January 21. The State of City is scheduled for January 30.
- Presidential primary balloting begins on January 17.

ADJOURNMENT

There being no further business to come before the City Council and upon a motion by Brausen, seconded by Hunke, the meeting was unanimously adjourned at 9:59 p.m.

Respectfully Submitted,
Debbie Vold

ATTEST:

Jason Gadd, Mayor

Amy Domeier, City Clerk

**HOPKINS CITY COUNCIL
WORK SESSION PROCEEDINGS
JANUARY 14, 2020**

CALL TO ORDER

Pursuant to due call and notice thereof a regular work session of the Hopkins City Council was held on Tuesday, January 14 at 6:30 p.m. in the Raspberry Room at City Hall, 1010 1st Street South.

Mayor Gadd called the meeting to order with Council Members Beck, Brausen, Halverson and Hunke attending. Staff present included City Manager Mornson, Assistant City Manager Lenz, City Clerk Domeier, Director of Planning and Economic Development Elverum and Community Development Coordinator Youngquist.

MINNETONKA ANNEXATION

Joining the City Council and staff for this discussion were City of Minnetonka staff members GERALYN BARONE, City Manager and Julie Wischnack, Community Development Director. Mayor Gadd summarized the project information and proposed annexation plan as provided in the Council packet.

Ms. Barone thanked the City Council for the opportunity to meet. Ms. Wischnack provided additional background on the project. She provided information on the proposed total payment to Hopkins for the proposed annexation/detachment. Ms. Barone added that any payment would need to be brought to Minnetonka City Council as well. She stated that Minnetonka would cover the costs associated with the annexation legal costs.

Discussion ensued regarding the property boundaries, setbacks, grading, and design issues. Ms. Wischnack did talk about the implications moving the building north with the sewer line location. Council Member Brausen was concerned about Hopkins ending up with a useable lot. He was also concerned about the payment project stopping at the year 2026. Ms. Wischnack talked about the phase in and phase out of tax revenue noting that five years is a typical outlook period. Mayor Gadd commented about previous land swaps with other cities. He also wanted to protect options for redevelopment in the area.

Council Member Beck commented on the proposed building roofline. Ms. Wischnack talked about the rooflines and aesthetics of the project. Council Member Hunke wanted to make sure that if the strip mall was redeveloped that we could have a mixed use development getting access from the new road. Ms. Wischnack will check on that issue for future redevelopment. All Council Members wanted to ensure reuse of the road was included in the project and that the City was left with a desirable project. Council Member Brausen also wanted to ensure the City was receiving the best options for the development.

Ms. Wischnack summarized that Minnetonka will explore moving the building a little more north, explain the 5/7 years on outlook, making sure ability on cross parking for future redevelopment, and changing the curve to straight line at intersection. They will

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be in touch soon by following up with Ms. Elverum and City Manager Mornson. Mr. Mornson added that Minnetonka is looking for a decision soon.

COMMUNITY HOUSING DEVELOPMENT CORPORATION (CHDC) PLANS

Joining the City Council and staff for this discussion were Dan Walsh, Vice President of CHDC and Rachel Peterson with Hess, Roise and Company. Director of Planning and Economic Development Elverum provided a brief summary of the proposed plan and development at Raspberry Ridge as provided in the Council packet.

Mr. Walsh provided an overview of the project for Raspberry Ridge Renovation and Hopkins Village II New Construction. He requested to add the Activity Center to the National Register of Historic Places conditioned upon staff review of the final application to the state review board. He talked about the five year recapture period that would be associated with the Hopkins Activity Center. Assistant Manager Lenz further clarified the change of use as a community use and there were no implications should the historical society leave their space. She added that no exterior changes are proposed other than a new roof for the center.

Mr. Walsh talked about the benefits of the project including the options for grants and legacy funds. He would like to proceed with the national register application and asked for City approval. Discussion was held regarding the designation and the architectural components, grant options, potential for adding security cameras, historic tax credits, and financing for the project. Ms. Elverum talked about the affordable housing component of the project. Ms. Lenz asked Mr. Walsh to talk about the renovation effect on current residents. He provided an overview on the renovation activities for residents, interior and exterior. Council Member Brausen and Mayor Gadd were concerned about renovating units with tenants in place.

Mr. Walsh reviewed the critical path schedule including concept review, financing, and land use approvals. He also shared the proposed conceptual plans noting designs were very preliminary. City Council supported the current location of the community room. Discussion was held about the proposed parking and the need for a parking study. Council Member Brausen was concerned about parking that would affect the area residents. He requested the project come to the City Council for concept review before it goes to the Planning Commission. He shared concerns about the financing, renovations and parking.

Ms. Elverum provided information about the conduit financing policy. She added that the Police Department is aware of the project. This project fills in a gap on Mainstreet and there are unique opportunities for intergenerational connections.

Council Member Brausen also requested the City to look at the density down 6th and 7th Avenue, landscaping around the project and snow plow operation implications. He would like another conversation about these items before it goes to Planning

**HOPKINS CITY COUNCIL
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Commission. Mayor Gadd questioned the next steps for the City regarding the National Historic Designation. Ms. Elverum stated there will be an agreement brought back to the City Council. Mr. Walsh anticipated the agreement would be ready in spring or summer.

REVIEW OF LEGISLATIVE POLICY 5-J MOBILE FOOD UNIT POLICY

City Clerk Domeier and Assistant City Manager Lenz provided the proposed changes of the policy as outlined in the Council packet. Discussion was held about the proposed changes. Mayor Gadd thanked staff for looking at the policy. It is anticipated this item will be on the February 4, 2020 Consent Agenda.

OTHER

City Manager Mornson provided information on the proposed January 21 City Council Meeting Agenda. After the meeting, Council will review and practice the State of the City script. He also shared the upcoming calendar of events and potential meeting conflicts.

Assistant City Manager Lenz provided an update on the Board and Commission recruitment timeline and attendance policy. More information to be presented at an upcoming meeting.

Mayor Gadd talked about the meeting process for January 21. Attendees would fill out a form to provide comment. Not all questions may be answered on the spot this would ensure we have a way to follow up with participants. The three minute time limit will be imposed.

Council Member Brausen provided his thoughts on the Minnetonka annexation. He wants to ensure it's the best option moving forward. Ms. Elverum suggested doing a land swap for the Subway property. She could obtain additional feedback from the Police Department on the property and look at any tax implications.

Council Member Brausen provided information on a meeting with Jill Miller from Projects in Person regarding liquor licensing. Ms. Lenz provided information on the liquor license conversation around social businesses. Ms. Domeier clarified some of the liquor license requirements that are included in state statute. Staff supports the use the issue has been determining a few for the proposed use that is equitable for all license holders.

Council Member Beck provided his thoughts on the Minnetonka annexation noting he was fine with the gas station. He stated he supports accessory dwelling units. Council Member Brausen concurred.

Council Member Hunke provided his thoughts on the Minnetonka annexation noting he was supportive of the Subway site because of potential development. He has met with

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residents regarding the Artspace project. Access Hopkins is meeting tomorrow night at Pizza Luce at 6:30 p.m.

Council Member Halverson provided her thoughts on the Minnetonka annexation noting the cash offer seemed low but could support the Subway project. She is open to options.

Discussion was held regarding the Artspace project including meetings, outreach and concept plans. Ms. Elverum was hoping to have concept plans in February. City Manager Mornson expressed concerns about Open Meeting Law and the work staff has done to date.

Mayor Gadd provided his thoughts on the Minnetonka annexation noting he was undecided on the cash option payment or the Subway parcel but knew he didn't want the gas station.

Mayor Gadd mentioned he would not be able to attend the Hopkins Superintendent meeting being held next week. If another member wants to attend his place, please contact Mr. Mornson.

ADJOURNMENT

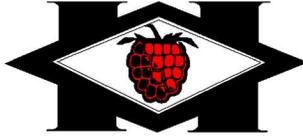
There being no further business to come before the City Council and upon a motion by Brausen, second by Hunke, the meeting was unanimously adjourned at 8:59 p.m.

Respectfully Submitted,
Amy Domeier, City Clerk

ATTEST:

Jason Gadd, Mayor

Amy Domeier, City Clerk



CITY OF HOPKINS

Memorandum

To: Honorable Mayor and Council Members
From: Amy Domeier, City Clerk
Copy: Mike Mornson, City Manager
Date: January 21, 2020
Subject: Second Reading of Ordinance 2020-1145

Staff recommends that the Council approve the following motion: Move that the Hopkins City Council adopt Ordinance 2019-1145 for second reading.

There have been no changes to the ordinance since the first reading held on January 7, 2020.

Attachments:
Ordinance 2020-1145

CITY OF HOPKINS
Hennepin County, Minnesota

ORDINANCE NO. 2020-1145

**AN ORDINANCE ADOPTING THE
RECODIFICATION OF THE HOPKINS CITY CODE**

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

ARTICLE I. Authority. Minnesota Statutes, sections 415.02, 415.021, and 599.13 (collectively the “Act”) and the Hopkins City Charter, section 3.03 authorize the City of Hopkins (the “City”) to adopt and codify ordinances. The Act also provides that any ordinance included in a new city code, but not previously published, is sufficiently published if a substantial quantity of the code is printed for general distribution to the public.

ARTICLE II. Background. At the direction of the Hopkins City Council, City staff and consultants undertook an extensive process to review and update the Hopkins City Code with the understanding that once all the amendments were finalized, they would be incorporated into a new code book, which would be reformatted and readopted as a single unified Hopkins City Code. The purpose of the recodification is not to implement substantive revisions to local laws and policies, but rather to remove outdated and unnecessary code language, reformat the code, update staff titles, and modernize the code to conform to current City practices and state law, as necessary. The updated code has been prepared and it is the intent of this Ordinance to adopt the recodification, which is entitled The Hopkins City Code (the “Code”). No amendments to the City’s current zoning ordinance are incorporated into the Code. A complete copy of the Code was presented to the City Council and the public together with this Ordinance and is further on file with the City Clerk and available on the City’s website.

ARTICLE III. Adoption. Pursuant to the City’s authority contained in the Act and in the Hopkins City Charter, the Code is hereby adopted.

ARTICLE IV. Copies. The City Clerk is authorized and directed to prepare sufficient copies of the Code for use by the City Council and City staff and for general distribution to the public in accordance with City policies regarding the distribution and availability of City documents. The City Clerk shall also keep an official copy of the Code in the office of the City Clerk and ensure that a copy is available through the City’s website.

ARTICLE V. Effect. The Code shall be controlling and shall supersede and replace previously adopted ordinances pertaining to the same subjects contained within the Code, which are hereby repealed as of the effective date of this Ordinance. Such repeal shall not affect: (i) any offense committed or penalty incurred under the previous code; (ii) any rights vested prior to the effective date of this Ordinance; or (iii) the provisions of ordinances levying taxes, appropriating money, annexing or detaching territory, establishing franchises, granting special rights to certain persons, authorizing public improvements, authorizing the issuance of bonds or borrowing of money, authorizing the purchase or sale of real or personal property, granting or accepting easements, plat or dedication of land to public use; or vacating or setting the boundaries of streets or other public places. Furthermore, nothing in this Ordinance or the Code is to be construed to modify, abrogate or abridge: (i) the rights, duties, liabilities, privileges or immunities of the City; (ii) the qualifications or terms of office of City officers as they existed prior to adoption; or (iii) any special

ordinance or franchise not embodied in the Code. The Code is declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by Minnesota Statutes by the courts of the State of Minnesota.

ARTICLE VI. General Penalty. Unless another penalty is expressly provided in the Code, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine up to the maximum permitted or required by law. Each act of violation and each day upon which any such violation shall continue or occur shall constitute a separate offense. The penalty provided herein, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the City Council may pursue other remedies, including without limitation, abatement of nuisances, injunctive relief and revocation of licenses or permits.

ARTICLE VII. Amendments. Additions or Amendments to the Code when passed in such form as to indicate the intention of the City Council to make the same part of the Code shall be deemed to be incorporated in the Code, so that reference to the Hopkins City Code includes such additions and amendments.

ARTICLE VIII. Corrections. Given the size of this project and numerous amendments made as part of the Code, the City Council recognizes the Code may contain certain errors, such as cross-references to changes subsections, typographical errors, and other non-substantive matters that may be discovered once the Code is placed in use. The City Council hereby authorizes the City Clerk to work with the City Attorney, as necessary, to make any non-substantive corrections to the Code as may be needed upon discovery. Such corrected provisions shall be incorporated in and made part of the official Hopkins City Code without further action by the City Council.

ARTICLE IX. Summary Publication. In accordance with Hopkins City Charter, section 3.03 and Minnesota Statutes, section 412.191, the City Council determines that publication of the title and a summary of this Ordinance would clearly inform the public of its intent and effect, and so City staff shall have the following summary printed in the official City newspaper in lieu of the complete ordinance:

On January 21, 2020, the Hopkins City Council adopted Ordinance 2020-1145 which adopted a recodification of the City's ordinances. City staff and consultants undertook an extensive process to review and update the Hopkins City Code so that the City's ordinances could be incorporated into a new code book, which was reformatted as a single unified Hopkins City Code. The purpose of the recodification was not to implement substantive revisions to local laws and policies, but rather to remove outdated and unnecessary code language, reformat the code, update staff titles, and modernize the code to conform to current City practices and state law, as necessary. Prior to adoption, a complete copy of the new Hopkins City Code was presented to the City Council and the public and was further on file with the City Clerk and made available for viewing on the City's website.

Printed copies of the new Hopkins City Code, as adopted by Ordinance 2020-_____, are available for inspection and general distribution to the public during regular business hours at Hopkins City Hall. It can also be viewed online through the City's website, www.hopkinsmn.com.

ARTICLE X. Effective Date. This Ordinance and the Code, as presented to the City Council and the public and made available for inspection in accordance with law, shall be effective upon publication of a summary (the “Effective Date”). Ordinances adopted after the Effective Date that amend or refer to the Code shall be construed as if they amend or refer to like provisions of said Code.

First Reading:	January 7, 2020
Second Reading:	January 21, 2020
Date of Publication:	January 30, 2020
Date Ordinance Takes Effect:	January 30, 2020

BY THE CITY COUNCIL

Jason Gadd, Mayor

ATTEST:

Amy Domeier, City Clerk