

**HOPKINS CITY COUNCIL
AGENDA
Tuesday, September 1, 2020
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

I. CALL TO ORDER

II. ADOPT AGENDA

III. PRESENTATIONS

1. Development Presentation; Elverum

IV. CONSENT AGENDA

1. Minutes of the August 18, 2020 City Council Regular Meeting Proceedings
2. Amendment to the 2020 City Council Meeting Schedule; Domeier
3. Ratify Checks Issued in August 2020; Bishop

V. PUBLIC HEARING

VI. OLD BUSINESS

VII. NEW BUSINESS

1. First Reading: Zoning Code Text Amendment Related to Residential Fence Standards; Lindahl
2. First Reading: Zoning Code Text Amendment Related to Dynamic (Electronic) Signs; Lindahl
3. Review of 2021 Preliminary Budget and Tax Levy and Preliminary HRA Levy; Bishop

VIII. ANNOUNCEMENTS

- Next Regular City Council Meeting: Tuesday, September 15 at 7:00 p.m.

IX. ADJOURN

DUE TO THE COVID-19 HEALTH PANDEMIC, THE CITY COUNCIL'S REGULAR MEETING PLACE IS NOT AVAILABLE TO THE PUBLIC. MEMBERS OF THE PUBLIC WHO DESIRE TO MONITOR THE MEETING REMOTELY OR GIVE INPUT OR TESTIMONY DURING THE MEETING CAN FIND INSTRUCTIONS AT www.hopkinsmn.com/virtualmeetings OR BY CALLING CITY HALL AT 952-548-6302 (DURING NORMAL BUSINESS HOURS 8 AM TO 4:30 PM.)

Planning & Economic
Development

MEMORANDUM

TO: Honorable Mayor and Hopkins City Council Members
FROM: Kersten Elverum, Director of Planning & Development
DATE: September 1, 2020
SUBJECT: Development Presentation

Hopkins staff will present an overview of the City's role in development at the September 1, 2020, City Council meeting. The presentation will cover the continuum of how the city responds to, influences and makes decisions on development activity within the City. The presentation will highlight the use of tax increment financing to achieve major community goals.

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
AUGUST 18, 2020**

CALL TO ORDER

Pursuant to due call and notice thereof a regular meeting of the Hopkins City Council was held on Tuesday, August 18, 2020 at 7 p.m. in the Council Chambers at City Hall, 1010 1st Street South.

Mayor Gadd called the meeting to order with Council Members Beck, Brausen and Hunke attending in person. Council Member Halverson attend via electronic means pursuant to Minnesota Statute 13D.021. Others attending included City Manager Mornson, Assistant City Manager Lenz, City Clerk Domeier, Director of Planning and Economic Development Elverum, City Attorney Riggs and Finance Director Bishop.

Mayor Gadd provided information on the meeting format and other opening remarks.

ADOPT AGENDA

Motion by Beck. **Second** by Brausen.

Motion to Adopt Agenda.

Ayes: All.

Nays: None. Motion carried.

CONSENT AGENDA

Motion by Beck. **Second** by Hunke.

Motion to Approve the Consent Agenda.

1. Minutes of the August 4, 2020 City Council Regular Meeting Proceedings

Ayes. All.

Nays. None. Motion carried.

OLD BUSINESS

VI.1. Second Reading of Ordinance 2020-1156; Lenz

Assistant City Manager Lenz provided a that a resident wanted to speak as well as Council Member Hunke has new language proposed in Ordinance 2020-1156 amending the City Code to allow for chickens in single-family residential neighborhoods.

Abbie Seba, 134 9th Avenue North, asked if the City Council had read her previously submitted email and was looking for any feedback on her request. The current ordinance would not allow for her to have chickens due to the setbacks and the layout of her backyard. Discussion was held about the proposed setbacks.

Mayor Gadd commented on the fees noting it was a two year license that covered staff services and inspections. Council Member Hunke agreed with the proposed license fee. Ms. Seba felt the process was over regulated compared to owning a dog or cat. Mayor Gadd responded that dog and cats are able to go inside the home unlike chickens. He

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
AUGUST 18, 2020**

added that the goal is to be respectful of neighbors. Ms. Lenz added that the chicken licensing process will be including a built structure. She added that the proposed regulations meet the needs of the community while addressing concerns residents had during the survey.

Council Member Hunke shared the proposed changes to the maximum size of the chicken coop and chicken run. He wanted to offer more flexibility to residents. Discussion was held on the maximum size of the coops and runs. Council Member Hunke suggested keeping the setbacks as proposed.

Motion by Hunke. **Second** by Beck.

Motion to amend the ordinance with upgraded chicken coop and chicken run sizes.

Ayes: All.

Nays: None. Motion carried.

Motion by Beck. **Second** by Brausen.

Motion to approve the second reading of Ordinance 2020-1156 as amended.

Ayes: All.

Nays: None. Motion carried.

NEW BUSINESS

VII.1. Resolution Approving an Exclusive Liquor Store On-Sale Liquor License for Projects in Person LLC DBA Projects in Person LLC; Domeier

City Clerk Domeier provided a summary of Council Report 2020-059 where the applicant, Jill Miller of Projects in Person LLC, requested an exclusive liquor license for on-sale at 906 Mainstreet. Sales are limited to experienced-based activities as outlined in Ordinance 2020-1147. Sales are not allowed on Sundays, for private rentals or to-go sales.

Jill Miller, owner of Projects in Person shared her excitement for the opportunity to have this liquor license. She commented it would be a great addition to their business as they start holding more workshops. Mayor Gadd questioned if Ms. Miller understood the conditions of the proposed license and she confirmed yes.

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

Motion to grant an Exclusive Liquor Store On-Sale Liquor Licenses to Projects in Person LLC DBA Projects in Person LLC by adopting Resolution 2020-041.

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
AUGUST 18, 2020**

Ayes: All.

Nays: None. Motion carried.

Mayor Gadd congratulated Ms. Miller on the five year business anniversary and wished her all the best with the new offering.

VII.2. Budget Update; Bishop

Finance Director Bishop provided the second quarter financial results and 2020 budget projections. Discussion was held about the depreciation and revenues at the Pavilion, Hopkins Center for the Arts, and The Depot. Council Member Beck requested more information on the depreciation. Council Member Beck commented on CARES funding. Mr. Bishop stated that some of the funding covers direct expenses noting that not all the funds will be used by the November 15 deadline.

VII.3. Resolution Approving Economic Supports to Businesses & Individuals; Bishop

Finance Director Bishop provided a summary of Council Report 2020-060 approving a Resolution that will provide economic support to local businesses and individuals. The City has received CARES funding that must be used for eligible expenditures.

Mayor Gadd has received a lot of emails about the financial impacts due to COVID-19. He appreciated the opportunity to help businesses, residents and the school district. Council Member Hunke thanked staff for putting the information together and providing the opportunities especially for the school district. A future meeting will include more information about the programs and resources. Council Member Brausen echoed the comments previously made.

Motion by Beck. **Second** by Hunke.

Motion to Approve Resolution 2020-042 a Resolution Approving Economic Support to Businesses & Individuals.

Ayes: All.

Nays: None. Motion carried.

PUBLIC COMMENT

Mayor Gadd stated that a comment was missed during the budget engagement session last night. The question was related to five years of tax increases. Mr. Gadd commented on the decades of flat taxes and the financial management plan that was put in place.

Brigid Peterson, 32 11th Ave. S., Unit 314, opposed any tax increase for 2021 and requested that the City Council not move forward with their proposal.

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
AUGUST 18, 2020**

Harlan Limpert, 925 Nine Mile Cove, opposed any tax increase for 2021 and asked the City Council to reduce their expenses and/or seek new revenues that are not taxes.

Patrick Hanlon, 109 11th Avenue North, opposed any tax increase for 2021 and asked City Council to reduce expenses for 2021.

ANNOUNCEMENTS

The following announcements were shared: Assistant City Manager Lenz provided information about Hopkins School District using space at the Hopkins Activity Center; City Manager Mornson shared that a development presentation and an update from the Met Council will be part of September 1 agenda, County Commissioner Jan Callison will provide an update at the September 15 meeting, and the plan is to have a work session on September 8; and Mayor Gadd added that the next regular City Council meeting will be on Tuesday, September 1 at 7 p.m.

Council Member Brausen appreciated the comments received during the budget engagement process. Council Member Beck hoped that everyone would work together to come up with the budget for 2021. He added that City Council makes the final decision on the budget not individual staff members.

ADJOURNMENT

There being no further information to come before the City Council and upon a motion by Brausen, second by Halverson, the meeting was unanimously adjourned at 8:13 p.m.

Respectfully Submitted,
Amy Domeier, City Clerk

ATTEST:

Jason Gadd, Mayor

Amy Domeier, City Clerk



Amendment to the 2020 City Council Meeting Schedule

Proposed Action.

Staff recommends adoption of the following motion: Move to approve the Amendment to the 2020 City Council Meeting Schedule.

The Amendment would change the HRA and City Council Meetings scheduled for November 16 to November 17.

Overview:

The HRA Meeting and City Council Meeting were scheduled to be held on Monday, November 16. Due a change in schedules, the HRA Meeting and City Council meetings will now be held on the normal meeting night, Tuesday, November 17.

Regular City Council meetings will be held the first and third Tuesday of each month at 7:00 p.m. Work Session meetings will be held the second Tuesday of each month at 6:30 p.m. and/or immediately following the adjournment of regular Council meetings. Occasionally meeting dates are changed to avoid conflicts with holidays or other events.

Primary Issues to Consider:

- When creating the calendar staff attempts to foresee all dates and times for meeting, and attempts to address as many potential conflicts as possible; there are times where a special meeting may need to be scheduled during the course of the year.

Handwritten signature of Amy Domeier in blue ink.

Amy Domeier, City Clerk

CITY OF HOPKINS

FINANCE DEPARTMENT

MEMORANDUM

Date: August 26, 2020
To: Honorable Mayor and Members of the City Council
From: Nicholas Bishop, Finance Director
Subject: Ratify Checks Issued in August 2020

The checks issued between July 31, 2020 and August 26, 2020 were number 120058 through 120406, for a total distribution of \$2,476,570.13.

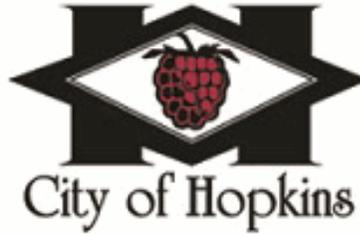
The checks issued, along with the purpose for those payments are attached for your review.

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: jthoennes
Printed: 8/26/2020 10:15 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
120058	30908	BARBERSHOP HARMONY SOCIETY-M	08/07/2020	0.00	150.00
120059	29817	GARY BINGER	08/07/2020	0.00	2,900.00
120060	30903	GREGORY & MICHELE BIRGY	08/07/2020	0.00	328.44
120061	02563	BOLTON & MENK, INC	08/07/2020	0.00	300.00
120062	27822	BRADS PRO AUDIO	08/07/2020	0.00	1,500.00
120063	30905	CHARLIE BROWN	08/07/2020	0.00	57.17
120064	30127	CINTAS CORPORATION NO. 2	08/07/2020	0.00	40.32
120065	26951	COMCAST	08/07/2020	0.00	156.85
120066	03628	COMMERCIAL ASPHALT CO	08/07/2020	0.00	2,364.60
120067	30251	CARMEN DOUGHERTY-HEIM	08/07/2020	0.00	200.00
120068	04600	DPC INDUSTRIES, INC	08/07/2020	0.00	1,830.48
120069	01523	EARL F. ANDERSEN, INC	08/07/2020	0.00	382.65
120070	28898	ECM PUBLISHERS INC	08/07/2020	0.00	577.15
120071	06008	FASTENAL CO	08/07/2020	0.00	9.89
120072	06041	FBINAA - NORTHWEST CHAPTER	08/07/2020	0.00	100.00
120073	07564	GOPHER STATE ONE-CALL, INC	08/07/2020	0.00	333.45
120074	07681	GRAINGER, INC	08/07/2020	0.00	167.04
120075	30854	GREAT REIVER AUTOMATION LLC	08/07/2020	0.00	387.50
120076	08004	HANCE HARDWARE, INC	08/07/2020	0.00	1,398.47
120077	27454	HENNEPIN CTY TREASURER	08/07/2020	0.00	14,745.90
120078	08336	HIRSHFIELDS	08/07/2020	0.00	177.10
120079	08576	HOPKINS F.D. RELIEF ASSOC	08/07/2020	0.00	870.00
120080	29916	HOUSE OF DANCE TWIN CITIES LLC	08/07/2020	0.00	200.00
120081	09085	ICMA - ROTH IRA - 706260	08/07/2020	0.00	1,314.23
120082	28537	IS LAX LLC	08/07/2020	0.00	500.00
120083	29201	KG LANDSCAPE MANAGEMENT	08/07/2020	0.00	6,747.14
120084	30005	MEDART- CENTRAL POWER DISTRIBI	08/07/2020	0.00	347.22
120085	13354	MN BENEFIT ASSOCIATION	08/07/2020	0.00	37.18
120086	30300	NORDIC SOLAR HOLDCO LLC	08/07/2020	0.00	6,882.71
120087	15521	ON SITE SANITATION	08/07/2020	0.00	60.86
120088	30904	KRISTIN PAVELKA	08/07/2020	0.00	81.20
120089	09084	ICMA RETIREMENT TRUST- 300824	08/07/2020	0.00	3,405.30
120090	27124	SHERWIN WILLIAMS	08/07/2020	0.00	3,737.50
120091	29143	SHRED IT USA	08/07/2020	0.00	57.96
120092	29384	SITEONE LANDSCAPE SUPPLY	08/07/2020	0.00	341.63
120093	30422	SM ENGINEERING	08/07/2020	0.00	91.00
120094	19520	SNAP PRINT INC	08/07/2020	0.00	146.06
120095	29795	TRANE	08/07/2020	0.00	308.83
120096	20687	TRI-STATE BOBCAT INC	08/07/2020	0.00	16.84
120097	29466	VERIZON WIRELESS	08/07/2020	0.00	1,039.54
120098	29475	VERIZON WIRELESS	08/07/2020	0.00	105.03
120099	30017	VERIZON WIRELESS	08/07/2020	0.00	1,564.19
120100	30563	NILI VERMA	08/07/2020	0.00	200.00
120101	22563	VOSS LIGHTING	08/07/2020	0.00	171.20
120102	23003	WASTE MANAGEMENT OF WI-MN	08/07/2020	0.00	9,568.00
120103	30250	MARY M. WEST	08/07/2020	0.00	200.00

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
			Total for 8/7/2020:	0.00	66,100.63
120104	30030	AMERICAN LEGION POST 320	08/13/2020	0.00	174.00
120105	30660	PATRICIA MAUREEN ANDERSON	08/13/2020	0.00	132.00
120106	28600	APPLE VALLEY FORD LINCOLN	08/13/2020	0.00	29.28
120107	02031	B & W SPECIALTY COFFEE CO	08/13/2020	0.00	733.39
120108	29512	BACHMAN'S	08/13/2020	0.00	115.52
120109	30230	BARNA, GUZY & STEFFEN, LTD.	08/13/2020	0.00	6,780.60
120110	02162	BECKER ARENA PRODUCTS, INC	08/13/2020	0.00	609.90
120111	29300	BERGERSON-CASWELL INC	08/13/2020	0.00	9,348.50
120112	30865	BLAZIN WINGS INC	08/13/2020	0.00	351.00
120113	02563	BOLTON & MENK, INC	08/13/2020	0.00	100,058.00
120114	27782	BOUND TREE MEDICAL LLC	08/13/2020	0.00	405.38
120115	29011	JESSICA BRAUN	08/13/2020	0.00	117.00
120116	30912	BRIN GLASS COMPANY	08/13/2020	0.00	822.00
120117	26976	BUCKEYE INTERNATIONAL INC	08/13/2020	0.00	93.56
120118	28981	CHESTNUT CAMBRONNE PA	08/13/2020	0.00	18,000.00
120119	30866	CHIPOTLE MEXICAN GRILL OF COLC	08/13/2020	0.00	351.00
120120	30127	CINTAS CORPORATION NO. 2	08/13/2020	0.00	305.32
120121	26951	COMCAST	08/13/2020	0.00	145.97
120122	26951	COMCAST	08/13/2020	0.00	2.10
120123	26951	COMCAST	08/13/2020	0.00	6.30
120124	29574	CONSOLIDATED FLEET SERVICES	08/13/2020	0.00	550.00
120125	30910	CONSTRUCTION SUPPLY ACQUISITIO	08/13/2020	0.00	118.81
120126	03800	CULLIGAN - METRO	08/13/2020	0.00	183.60
120127	29303	DIVERSIFIED COFFEE PRODUCTS	08/13/2020	0.00	166.51
120128	30584	DLT SOLUTIONS, LLC	08/13/2020	0.00	6,529.54
120129	01523	EARL F. ANDERSEN, INC	08/13/2020	0.00	276.40
120130	30874	EL LORITO OF HOPKINS INC	08/13/2020	0.00	1,926.00
120131	05481	EMERGENCY APPARATUS MAINT INC	08/13/2020	0.00	6,368.82
120132	29006	ENTERPRISE FLEET MANAGEMENT	08/13/2020	0.00	522.47
120133	06336	FIRST HOSPITAL LAB INC	08/13/2020	0.00	281.90
120134	28628	FLEETPRIDE INC	08/13/2020	0.00	20.80
120135	06567	FORCE AMERICA	08/13/2020	0.00	180.00
120136	30208	GLORIA HESS	08/13/2020	0.00	205.36
120137	29377	GRAINGER, INC	08/13/2020	0.00	87.20
120138	30911	HD ENTERTAINMENT INC	08/13/2020	0.00	1,500.00
120139	08166	HENNEPIN CTY TREASURER	08/13/2020	0.00	2,686.90
120140	08166	HENNEPIN CTY TREASURER	08/13/2020	0.00	229.90
120141	08179	HENNEPIN CTY TREASURER	08/13/2020	0.00	2,217.40
120142	08186	HENNEPIN CTY TREASURER	08/13/2020	0.00	87.00
120143	08209	HENNEPIN CTY TREASURER	08/13/2020	0.00	13,796.42
120144	29818	HIAWATHA TREE SERVICE INC.	08/13/2020	0.00	1,755.00
120145	29345	IMPACT MAILING OF MN	08/13/2020	0.00	3,060.22
120146	09528	INTEREUM INC	08/13/2020	0.00	53.32
120147	30269	JANELLE JASPERS JONES	08/13/2020	0.00	273.00
120148	10172	JEFFERSON FIRE & SAFETY	08/13/2020	0.00	92.65
120149	28601	JENN ARI GROUP	08/13/2020	0.00	1,659.46
120150	29249	JR'S ADVANCED RECYCLERS	08/13/2020	0.00	120.00
120151	29804	SCOTT LAURSEN	08/13/2020	0.00	142.16
120152	12160	LEAGUE OF MN CITIES	08/13/2020	0.00	173.29
120153	29529	LEXISNEXIS RISK SOLUTIONS	08/13/2020	0.00	88.41
120154	28103	LIBERTY TIRE RECYCLING LLC	08/13/2020	0.00	63.25
120155	30872	LTD BREWING LLC	08/13/2020	0.00	126.00
120156	13012	MACQUEEN EQUIPMENT INC	08/13/2020	0.00	10,401.88
120157	13167	MENARDS - EDEN PRAIRIE	08/13/2020	0.00	175.20

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
120158	13179	METROPOLITAN COUNCIL	08/13/2020	0.00	127,519.29
120159	13275	MICRO CENTER	08/13/2020	0.00	333.84
120160	30363	MINNEAPOLIS OXYGEN COMPANY	08/13/2020	0.00	20.46
120161	13446	MN DEPT OF LABOR & INDUSTRY	08/13/2020	0.00	100.00
120162	13760	MTI DISTRIBUTING INC	08/13/2020	0.00	376.93
120163	29825	NACHOS MEXICAN GRILL	08/13/2020	0.00	351.00
120164	14582	NORTHWEST ASPHALT INC	08/13/2020	0.00	1,133,123.84
120165	28540	OAK RIDGE COUNTRY CLUB	08/13/2020	0.00	213.00
120166	26974	O'REILLY AUTO PARTS	08/13/2020	0.00	12.54
120167	16337	PIRTEK PLYMOUTH	08/13/2020	0.00	77.86
120168	29278	PIZZA LUCE VI INC	08/13/2020	0.00	1,926.00
120169	30460	PLYMOUTH RIDGE INC	08/13/2020	0.00	5,423.50
120170	17806	QWEST CORP	08/13/2020	0.00	3,806.81
120171	17806	QWEST CORP	08/13/2020	0.00	225.26
120172	28845	RIGID HITCH INCORPORATED	08/13/2020	0.00	41.44
120173	19085	SCHINDLER ELEVATOR CORP	08/13/2020	0.00	365.46
120174	30901	SERVICE RESTORATION	08/13/2020	0.00	72.24
120175	29537	SMSC ENTERPRISES	08/13/2020	0.00	341.40
120176	29200	SPRINGBROOK SOFTWARE INC	08/13/2020	0.00	1,138.50
120177	30909	SULLIVANDAY CONSTRUCTION INC	08/13/2020	0.00	50,000.00
120178	19824	SUNSHINE CAR WASH	08/13/2020	0.00	90.64
120179	29590	SYN-TECH SYSTEMS	08/13/2020	0.00	1,175.00
120180	29254	TARGETSOLUTIONS LEARNING LLC	08/13/2020	0.00	1,000.00
120181	30647	TENVOORDE FORD, INC.	08/13/2020	0.00	35,637.56
120182	20560	TOLL GAS & WELDING SUPPLY	08/13/2020	0.00	11.35
120183	30093	TRANSUNION RISK ALTERNATIVE DA	08/13/2020	0.00	184.30
120184	20680	TRI-K SERVICES	08/13/2020	0.00	576.00
120185	20887	TWIN CITY WATER CLINIC	08/13/2020	0.00	272.00
120186	03440	ULTIMATE SAFETY CONCEPTS INC	08/13/2020	0.00	625.00
120187	30189	VAN PAPER SUPPLY COMPANY	08/13/2020	0.00	509.14
120188	30819	VERIZON WIRELESS	08/13/2020	0.00	200.05
120189	28624	MICHEAL J WHITE	08/13/2020	0.00	364.30
120190	23720	WSB & ASSOCIATES INC	08/13/2020	0.00	500.00
120191	25080	XCEL ENERGY	08/13/2020	0.00	7,735.41
120192	25080	XCEL ENERGY	08/13/2020	0.00	40.66
120193	26160	ZEE MEDICAL SERVICE	08/13/2020	0.00	113.50
Total for 8/13/2020:				0.00	1,569,203.97
120194	UB*00429	SUSAN ABDUL-WAHAB	08/19/2020	0.00	42.92
120195	UB*00399	DON BATES	08/19/2020	0.00	37.63
120196	UB*00270	TONI M BRAY	08/19/2020	0.00	87.63
120197	UB*00452	RYAN BURT	08/19/2020	0.00	58.47
120198	UB*00384	JANET M CAGE	08/19/2020	0.00	20.87
120199	UB*00313	COVENTRY HOMES LLC	08/19/2020	0.00	30.85
120200	UB*00319	CHRISTINE E DOCHERTY	08/19/2020	0.00	25.94
120201	UB*00247	PETER HINAHARA	08/19/2020	0.00	66.64
120202	UB*00259	MARY JAY	08/19/2020	0.00	16.65
120203	UB*00407	JOSEPH KERBER	08/19/2020	0.00	43.23
120204	UB*00465	DAN KRAWCZAK	08/19/2020	0.00	174.89
120205	UB*00312	KEVIN MANZ	08/19/2020	0.00	20.07
120206	UB*00257	NICOLE SAILER	08/19/2020	0.00	31.54
120207	UB*00356	DONALD L SIMON	08/19/2020	0.00	26.69
120208	UB*00204	VAUGHN THOMAS	08/19/2020	0.00	247.95
120209	UB*00375	SONAM WANGYAL	08/19/2020	0.00	81.99
120210	29870	SAMIRA AWAD	08/19/2020	0.00	26.00
120211	29011	JESSICA BRAUN	08/19/2020	0.00	300.00

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
120212	30239	JESSIE ERICKSON	08/19/2020	0.00	44.00
120213	30478	RAE GUNTZEL	08/19/2020	0.00	96.26
120214	30311	IRON MALTESE ATHLETICS	08/19/2020	0.00	270.00
120215	30151	THOMPSON JACOB	08/19/2020	0.00	38.00
120216	30026	KOGAN REALTY, INC.	08/19/2020	0.00	85.00
120217	30603	ROGER KUMM	08/19/2020	0.00	20.00
120218	30100	NOLAN MESCHKE	08/19/2020	0.00	50.00
120219	29552	BEN OLSON	08/19/2020	0.00	42.00
120220	30290	PI HOLDINGS LLC	08/19/2020	0.00	40.00
120221	29989	BENJAMIN ROMAIN	08/19/2020	0.00	30.00
120222	30236	BRITNEY SHATTUCK	08/19/2020	0.00	34.00
120223	30635	ZACHARY STANTON	08/19/2020	0.00	35.00
Total for 8/19/2020:				0.00	2,124.22
120281	29535	ADVANCED ENGINEERING	08/20/2020	0.00	354.00
120282	30728	AMERICAN FEDERATION OF STATE, C	08/20/2020	0.00	783.42
120283	28600	APPLE VALLEY FORD LINCOLN	08/20/2020	0.00	304.48
120284	29669	AVESIS	08/20/2020	0.00	301.13
120285	30481	BATTERIES PLUS BULBS #018	08/20/2020	0.00	111.80
120286	28848	BOUNDLESS NETWORK INC	08/20/2020	0.00	463.15
120287	26976	BUCKEYE INTERNATIONAL INC	08/20/2020	0.00	61.76
120288	30916	JON CARLSON	08/20/2020	0.00	75.00
120289	03160	CENTERPOINT ENERGY MINNEGASC	08/20/2020	0.00	950.95
120290	30508	TROY CLAY	08/20/2020	0.00	2,245.00
120291	26951	COMCAST	08/20/2020	0.00	404.74
120292	26951	COMCAST	08/20/2020	0.00	14.70
120293	26951	COMCAST	08/20/2020	0.00	142.45
120294	03640	CPT SERVICES, INC	08/20/2020	0.00	140.00
120295	28123	CRITTERS UNLIMITED INC	08/20/2020	0.00	520.00
120296	27060	CROWN MARKING INC	08/20/2020	0.00	219.55
120297	03800	CULLIGAN - METRO	08/20/2020	0.00	77.85
120298	04217	DISCOUNT STEEL INC	08/20/2020	0.00	660.00
120299	29303	DIVERSIFIED COFFEE PRODUCTS	08/20/2020	0.00	335.00
120300	30436	DORAN 810 APARTMENTS LLC	08/20/2020	0.00	459,773.95
120301	29306	DORAN MARKETPLACE LLC	08/20/2020	0.00	88,606.08
120302	04600	DPC INDUSTRIES, INC	08/20/2020	0.00	1,533.25
120303	04690	DRISKILLS FOODS	08/20/2020	0.00	118.49
120304	01523	EARL F. ANDERSEN, INC	08/20/2020	0.00	200.45
120305	28898	ECM PUBLISHERS INC	08/20/2020	0.00	321.30
120306	05282	EHLERS AND ASSOCIATES, INC	08/20/2020	0.00	5,858.75
120307	05453	ELECTRIC PUMP INC	08/20/2020	0.00	471.45
120308	06008	FASTENAL CO	08/20/2020	0.00	7.43
120309	01705	FOUNDATION BUILDING MATERIALS	08/20/2020	0.00	89.18
120310	07185	GENUINE PARTS	08/20/2020	0.00	737.25
120311	07681	GRAINGER, INC	08/20/2020	0.00	155.50
120312	29377	GRAINGER, INC	08/20/2020	0.00	1,327.38
120313	29748	HENNEPIN COUNTY PUBLIC WORKS -	08/20/2020	0.00	10,062.21
120314	08627	HOME DEPOT CREDIT SERVICES	08/20/2020	0.00	835.29
120315	08570	HOPKINS AUTO BODY	08/20/2020	0.00	1,976.50
120316	08625	HOPKINS POLICE ASSOCIATION	08/20/2020	0.00	1,320.00
120317	09801	I.U.O.E. CENTRAL PENSION FUND	08/20/2020	0.00	1,840.00
120318	09085	ICMA - ROTH IRA - 706260	08/20/2020	0.00	1,314.23
120319	09002	I-STATE TRUCK CENTER	08/20/2020	0.00	79,284.00
120320	30913	PATRICIA JENSEN	08/20/2020	0.00	396.00
120321	30514	CHARLYN KERR	08/20/2020	0.00	180.00
120322	11327	KILLMER ELECTRIC CO INC	08/20/2020	0.00	262.50

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
120323	06329	KIRK STENSURUD ENTERPRISES INC	08/20/2020	0.00	350.00
120324	12012	LAW ENFORCEMENT LABOR SERVICE	08/20/2020	0.00	496.00
120325	30392	CIGNA LIFE INS COMP OF AMERICA -	08/20/2020	0.00	207.40
120326	30391	CIGNA LIFE INS COMP OF AMERICA -	08/20/2020	0.00	2,706.68
120327	30390	CIGNA LIFE INS COMP OF AMERICA -	08/20/2020	0.00	2,689.94
120328	30023	CIGNA LIFE INS COMP OF N AMERICA	08/20/2020	0.00	672.42
120329	13012	MACQUEEN EQUIPMENT INC	08/20/2020	0.00	513.51
120330	30005	MEDART- CENTRAL POWER DISTRIBUTI	08/20/2020	0.00	46.96
120331	13207	MENARDS - GOLDEN VALLEY	08/20/2020	0.00	60.06
120332	13375	MN DEPT OF HEALTH	08/20/2020	0.00	8,578.00
120333	19181	MN SECRETARY OF STATE	08/20/2020	0.00	120.00
120334	30914	ROB MUIR	08/20/2020	0.00	20.00
120335	15521	ON SITE SANITATION	08/20/2020	0.00	2,127.00
120336	15521	ON SITE SANITATION	08/20/2020	0.00	68.00
120337	26974	O'REILLY AUTO PARTS	08/20/2020	0.00	368.66
120338	30915	DAN PIERCE	08/20/2020	0.00	114.34
120339	16687	PRO-TEC DESIGN INC	08/20/2020	0.00	3,806.64
120340	30199	PULSE ELECTRIC	08/20/2020	0.00	911.00
120341	28762	QUALITY BICYCLE PRODUCTS INC	08/20/2020	0.00	187.77
120342	08568	RESOURCE WEST	08/20/2020	0.00	61.58
120343	09084	ICMA RETIREMENT TRUST- 300824	08/20/2020	0.00	3,405.30
120344	18805	RUMPCA COMPANIES, INC	08/20/2020	0.00	7,012.50
120345	30901	SERVICE RESTORATION	08/20/2020	0.00	130.00
120346	30125	SOCORE ENERGY	08/20/2020	0.00	31,949.59
120347	19752	STAGES THEATRE COMPANY	08/20/2020	0.00	470.82
120348	19802	SUBURBAN RATE AUTHORITY	08/20/2020	0.00	922.00
120349	20120	TDS METROCOM - MN	08/20/2020	0.00	342.34
120350	28482	DOUGLAS A TORVUND JR	08/20/2020	0.00	2,924.62
120351	29795	TRANE	08/20/2020	0.00	939.57
120352	21523	UNION LOCAL 49	08/20/2020	0.00	805.00
120353	21529	UNITED WAY	08/20/2020	0.00	47.70
120354	29489	VERIZON WIRELESS	08/20/2020	0.00	35.01
120355	30326	CHRIS WOLF	08/20/2020	0.00	146.00
Total for 8/20/2020:				0.00	738,072.58
120356	01328	AIRGAS USA	08/26/2020	0.00	161.02
120357	02019	BARNUM COMPANIES INC	08/26/2020	0.00	200.00
120358	30903	GREGORY & MICHELE BIRGY	08/26/2020	0.00	1,217.27
120359	30918	ELISA BOETTCHER	08/26/2020	0.00	141.74
120360	27782	BOUND TREE MEDICAL LLC	08/26/2020	0.00	129.24
120361	UB*00553	CASH FOR HOMES INC	08/26/2020	0.00	100.00
120362	30127	CINTAS CORPORATION NO. 2	08/26/2020	0.00	111.04
120363	26951	COMCAST	08/26/2020	0.00	136.85
120364	03628	COMMERCIAL ASPHALT CO	08/26/2020	0.00	3,253.01
120365	01523	EARL F. ANDERSEN, INC	08/26/2020	0.00	201.65
120366	28898	ECM PUBLISHERS INC	08/26/2020	0.00	130.90
120367	29398	ENTERPRISE FLEET MANAGEMENT	08/26/2020	0.00	2,564.08
120368	27492	FRIENDS OF THE HOPKINS	08/26/2020	0.00	4,600.00
120369	29923	ELAINE GOEPFERT	08/26/2020	0.00	560.50
120370	UB*00550	PATRICIA GRAVES	08/26/2020	0.00	22.02
120371	29968	GROTH SEWER & WATER LLC	08/26/2020	0.00	3,750.00
120372	08001	HACH COMPANY	08/26/2020	0.00	439.85
120373	08166	HENNEPIN CTY TREASURER	08/26/2020	0.00	1,703.55
120374	08600	HOPKINS SCHOOL DISTRICT 270	08/26/2020	0.00	50,000.00
120375	UB*00552	ROBERT JOHANSEN	08/26/2020	0.00	70.45
120376	UB*00554	ROBERT JOHANSEN	08/26/2020	0.00	40.44

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount	
120377	11013	KATH FUEL OIL SERVICE	08/26/2020	0.00	680.00	
120378	11327	KILLMER ELECTRIC CO INC	08/26/2020	0.00	594.30	
120379	29047	LAMBERTS LANDSCAPE LLC	08/26/2020	0.00	170.00	
120380	30922	ANDREE LASALLE	08/26/2020	0.00	70.97	
120381	29059	MANSFIELD OIL COMPANY	08/26/2020	0.00	12,227.15	
120382	13167	MENARDS - EDEN PRAIRIE	08/26/2020	0.00	228.42	
120383	13207	MENARDS - GOLDEN VALLEY	08/26/2020	VOID	60.06	0.00
120384	UB*00551	KENDRA MOEN	08/26/2020	0.00	34.50	
120385	30920	COLE NELSON	08/26/2020	0.00	75.00	
120386	29317	OFFICE OF MN IT SERVICES	08/26/2020	0.00	65.33	
120387	29452	OFFICE OF MN IT SERVICES	08/26/2020	0.00	285.76	
120388	UB*00548	RABEKA OMDAHL	08/26/2020	0.00	33.40	
120389	16035	PACE ANALYTICAL SERVICES INC	08/26/2020	0.00	439.95	
120390	UB*00549	COLE PETERSON	08/26/2020	0.00	25.02	
120391	30352	PQL INC	08/26/2020	0.00	281.93	
120392	30199	PULSE ELECTRIC	08/26/2020	0.00	272.00	
120393	30921	JAHANTAB SAIFEE	08/26/2020	0.00	30.00	
120394	30615	SEACHANGE PRINTING AND MARKE	08/26/2020	0.00	133.35	
120395	19296	SHAKOPEE GRAVEL INC	08/26/2020	0.00	2,698.35	
120396	19520	SNAP PRINT INC	08/26/2020	0.00	87.71	
120397	30917	SOUTH METRO STARS	08/26/2020	0.00	100.00	
120398	19602	SPS COMPANIES INC	08/26/2020	0.00	253.53	
120399	30923	JEROLD STILLMAN	08/26/2020	0.00	14.52	
120400	30919	BILL STREETAR	08/26/2020	0.00	20.00	
120401	20294	THYSSENKRUPP ELEVATOR	08/26/2020	0.00	602.57	
120402	UB*00557	PETER TORVIK	08/26/2020	0.00	37.01	
120403	30031	TOTER LLC	08/26/2020	0.00	11,087.85	
120404	UB*00556	BRADLEY TUTTLE	08/26/2020	0.00	69.49	
120405	29490	VERIZON WIRELESS	08/26/2020	0.00	790.31	
120406	UB*00538	ANN ZWEBER	08/26/2020	0.00	126.70	
Total for 8/26/2020:				60.06	101,068.73	
Report Total (292 checks):				60.06	2,476,570.13	



Zoning Code Text Amendment Related to Residential Fence Standards

Proposed Action: Move to adopt Resolution 2020-044, approving the first reading of Ordinance 2020-1158 amending the City Code related to residential fence standards.

Overview

This zoning code text amendment was initiated by staff to address challenges with administering one of the most common residential permit requests – residential fences. Staff finds that the City’s current residential fence standards are unnecessarily complex and result in struggles and frustration for many permit applicants. These issues most commonly result from the City’s fence height and opacity standards. The attached ordinance revises these standards and makes other “housekeeping” revisions to simplify and streamline Hopkins’ residential fence standards while maintaining the original spirit and intent of these regulations to guard against the potential for residential fences to create a more dense, closed-off and isolated community character. Both the Planning & Zoning Commission and staff recommended approval of this text amendment. Should the City approve the recommended changes, they would:

- Allow fences up to 6’ in height alongside yard property lines up to the front of the principal building (house).
- Allow fences 4’ or less in height to be 100 percent opaque.
- Make other minor “housekeeping” revisions.

Primary Issues to Consider

- Background
- Zoning Code Text Amendment
- Potential Non-Conformity Issues
- Alternatives

Supporting Documents

- Resolution 2020-0044
- Ordinance 2020-1158
- Public Comments

Jason Lindahl, City Planner

Financial Impact: \$ <u> N/A </u> Budgeted: <u> </u> Y/N <u> </u> Source: _____ Related Documents (CIP, ERP, etc.): _____ Notes:
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Background

The City’s fence regulations are detailed in City Code Part III, Chapter 102, Section 102-13. For your reference, staff has attached both an original and revised copy. While this section includes standards for fences throughout the City, the recommended changes are specifically targeted at fences in residential areas. The current text uses technical language that is difficult to follow. In addition, the height and opacity standards are often in conflict with the needs of individual property owners. The current regulations set the maximum height for a residential fence at four (4) feet except for the area between the back of the principal structure (house) and the rear property line where a fence can be up to 6’ feet high.

The current regulations results in three primary challenges for homeowners. First, residents often comment that they would like a 6’ fence between the side of their home and the neighboring property for additional privacy. Residential side yard setbacks can be as little as 5’ resulting in no more than 10’ between neighboring dwellings. Second, many homes in Hopkins have doors along the side of the house that provide access to the rear yard and detached garage. It is common for residents to want the 6’ high fence to extend beyond the back of the house to the side door for security and ease of access. Finally, a fence height standard based on the back of the home is inherently problematic because this location is the most likely to change as a result of improvements or additions to the home. Any addition to the back of the home could have the unintended consequence of making an existing fence non-conforming.

Planning & Zoning Commission Action. The Planning & Zoning Commission reviewed this item (Planning Application 2020-20) during their August 25, 2020 meeting. During the meeting, the Commission heard a presentation from staff and no direct public comments. Due to the ongoing coronavirus pandemic and the related statewide emergency declaration, notice of the public hearing for this item directed all interested parties to make their comments to City Planner Jason Lindahl by mail, phone or e-mail before noon on Tuesday, August 25, 2020.

The City has received two comments supporting the proposed text amendment (attached). The first came through an anonymous submission to the 2040 comprehensive plan page on the City’s website. This person supports the proposed change to the opacity standard citing the need for additional privacy. The second comment submission came from David Almquist of 201 Holly Road. Mr. Almquist is a recent fence permit applicant and states he supports the proposed changes because many fence products commonly available today are pre-made and don’t meet the 25 percent openness standard. He goes on to state having a 4’ solid fence would have more openness than a 6’ fence that meets the 25 percent openness standard. While these are only two comments, staff would add that they are generally representative of the feedback received regarding the existing residential fence standards.

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, cities have wide flexibility to create standards that will ensure the type of development they desire. However, zoning regulations must be reasonable and supported by a rational basis relating to promoting the public health, safety and welfare. Based on the findings made below, staff recommends approval

of this request.

Consistency with the Comprehensive Plan. The proposed zoning code text amendment is consistent with both the 2030 Comprehensive Plan and Draft 2040 Comprehensive Plan.

2030 Comprehensive Plan. 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. Staff believes the proposed zoning changes to the City’s residential fence standards will help preserve and protect the City’s existing residential neighborhoods by encouraging investment. In order to facilitate this residential land use pattern, 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.
- Work to assure strong and well-maintained neighborhoods.

Draft 2040 Comprehensive Plan – Cultivate Hopkins. As the City moves toward adoption of the 2040 Land Use Plan, staff believes it is also important to weigh the goals and policies of this draft plan when considering land use applications. However, it is important to keep in mind the 2040 Plan has yet to be officially approved by the Metropolitan Council or adopted by the City. Still, this draft plan can offer valuable guidance when considering current land use applications.

The Draft 2040 Plan contains goals and policies that support approval of this application. Staff finds the proposed zoning text amendment is consistent with the following goals and policies.

Built Environment – Land Use & Design

- Goal 4 - 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.”
- Goal 5 - Reinforce Hopkins’ unique identity and sense of community through high quality urban design. This goal is supported by a policy to “Reinforce the distinctive characteristics of Downtown and existing neighborhoods by encouraging developments that are compatible in design and supportive within their context.”
- Goal 6 - Create appropriate transitions between areas of the city where there are potential incompatibilities in land use or scale. This goal is supported by the policy to “Use urban design elements, building massing, land use strategies, and public realm improvements to provide appropriate transitions between developments – particularly those of different scale and intensity.”

Compatibility with Present and Future Land Uses. Based on the analysis above, staff finds the proposed zoning changes to the City’s residential fence standards compatible with present and future land uses. The proposed changes would provide both existing and future residential properties additional privacy and security while maintaining the City’s goal that fences do not create a more dense and isolated development pattern.

Conformance with New Standards. This section considers how the proposed zoning changes will fit in with the rest of the zoning regulations and the existing development pattern. In this case, staff believes the proposed changes will fit well with both of these measures. Generally, fences are a common tool to enhance privacy and security for individual property owners. Because of Hopkins' relatively dense residential development pattern, the City has taken the additional step to consider how the height and opacity of residential fences could impact the residential development pattern and overall character of the community. To be sure, higher and more opaque fences could create a denser and closed-off development pattern. However, staff believes the proposed changes offer a reasonable compromise between the City's land use and community character goals and the privacy and security needs of individual residential property owners.

Potential Non-Conformity Issues

According to Minnesota Statute 462.357, Subdivision 1e., legal nonconformities generally have a statutory right to continue through repair, replacement, restoration, maintenance, or improvement but not through expansion. These rights run with the land and are not limited to a particular landowner. If the benefited property is sold, the new owner will have the same rights as the previous owner. So any non-conformities resulting from these changes would be allowed to continue in their present form as long as it does not expand or is discontinued for a period of more than one year. Regardless, staff believes there should be few non-conformities that result from the proposed residential fence revisions because they tend to offer a greater range of options to individual property owners rather than less.

Alternatives

1. Approve the first reading of Ordinance 2020-1158. By approving the first reading of this ordinance, this application will move forward for a second reading and formal approval at the September 15, 2020 City Council meeting.
2. Deny the first reading of Ordinance 2020-1158. By denying the first reading of this ordinance, this application will not move forward for a second reading and formal approval at the September 15, 2020 City Council meeting. Should the City Council consider this option, it must also identify specific findings that support this alternative.
3. Continue for further information. The items should be continued if the City Council finds that further information is needed to evaluate this application.

CITY OF HOPKINS
Hennepin County, Minnesota

RESOLUTION NO. 2020-044

**A RESOLUTION APPROVING THE FIRST READING OF ORDINANCE 2020-1158
AMENDING THE CITY CODE RELATED TO RESIDENTIAL FENCE STANDARDS.**

WHEREAS, the City of Hopkins initiated an application to amend the City Code related to residential fence standards; and

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

1. That an application to amend the City Code related to residential fence standards was initiated by the City of Hopkins on July 24, 2020; and
2. That the Hopkins Planning & Zoning Commission, pursuant to published notice, held a public hearing to review such application on August 25, 2020 and all persons present were given an opportunity to be heard; and
3. That written comments and analysis of City staff were considered
4. That during the August 25, 2020 regular meeting the Planning & Zoning Commission of the City of Hopkins approved a motion to recommend the City Council approve this item.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hopkins hereby approves the first reading of Ordinance 2020-1158 amending the City Code related to residential fence standards based on the findings of fact detailed in City Council Report 2020-063 dated September 1, 2020.

Adopted this 1st day of September, 2020.

Amy Domeier, City Clerk

Jason Gadd, Mayor

**CITY OF HOPKINS
COUNTY OF HENNEPIN**

ORDINANCE NO. 2020-1158

**ORDINANCE AMENDING CITY CODE PART III, CHAPTER 102, SECTION 102-13
REGARDING RESIDENTIAL FENCES**

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HOPKINS
HEREBY ORDAINS AS FOLLOWS:**

SECTION 1. Hopkins City Code, Part II, Chapter 4, Article II, Section 4-36(a) is hereby amended by adding the underlined language and deleting the ~~stricken~~ language as follows:

Sec. 102-13. - Fences.

- (a) *Permit required before work may commence.* No person may construct, or cause to be constructed or erected within the city, any fence without first making application for and securing a permit therefor from the zoning administrator.
- (b) *Location.* Boundary line fences shall be located entirely upon the private property of the person constructing or causing the construction of such fence ~~unless the owner of the property adjoining agrees, in writing, that such fence may be erected on the division line of the respective properties.~~ The zoning administrator may require the owner of the property upon which a fence now currently exists, or may require any applicant for a fence permit to cause to establish the boundary lines of his their property by a survey thereof to be made by ~~any registered land surveyor.~~ any applicant for a fence permit or any property owner with an existing fence to establish the boundary lines of their property by means of a property survey produced by a registered land surveyor.
- (c) *Materials and Construction and maintenance.* A fence shall be constructed in a substantial, workmanlike manner ~~and~~ of substantial material widely accepted in the fencing industry and reasonably suitable for the purpose for which the fence is ~~proposed to be used~~ intended. No plywood boards, canvas, plastic sheeting, metal sheeting or similar materials shall be used for any fence construction. Link fences shall be constructed in a manner that no barbed ends shall be at the top. The side of any fence considered to be its "face" (i.e., the finished side having no structural supports) shall face the abutting property or street right of way. The finished side of all fences (i.e., the side of the fence without posts or visual structural support elements) must face outward, toward the abutting lot or right-of-way. Barbed wire fences are permitted only in Industrial Districts as provided by this code. Electric boundary fences are not permitted within the city.

Maintainance. The fence shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair or danger, or constitute a nuisance, public or private. Link fences, wherever permitted, shall be constructed in such manner the barbed end is at the bottom of the fence and the knuckle end is at the top thereof.

- (d) *Nuisances.* Any fence which is, or has become dangerous to the public safety, health or welfare, is a public nuisance. The zoning administrator may commence proper proceedings for the abatement thereof.
- (e) *Barbed wire or electric fence.* ~~Barbed wire fences are permitted only in Industrial Districts as provided by this code. Electric boundary fences are not permitted within the city.~~ Easements: All fences located in recorded easements are done so at the sole risk of the property owner; and the cost of any removal, relocation, or placement of said structures caused by any activity permitted in said easements is the sole responsibility of the property owner.

Temporary Or Seasonal Fences: Temporary or seasonal fences (such as snow fences, erosion control fences, fences to protect newly seeded areas and the like) are allowed without a permit provided: a) no such fence may be left in place for more than six (6) months without written city approval; b) any such fence must be removed

within fifteen (15) days of the city providing written notice to the landowner that the city has determined the fence no longer serves its originally intended, temporary or seasonal purpose.

- (f) *Residential District fences.* All fences in Residential Districts shall be constructed in such manner that at least 25 percent of the plane between the ground and the top of the fence is open, and in calculating such percentage, distances of 50 feet may be averaged beginning at the permitted point opposite the principal building. All boundary line fences in Residential Districts shall be erected or maintained to measure no more than four feet in height except that:
- (1) Fences on any corner lot erected within 30 feet of the intersecting curb line are subject to section 102-12;
 - (2) Fences on side property lines shall not be more than six feet in height for the distance commencing from a point on such side property line located at the rear lot line and proceeding thence along such side property line to a point therein which would be intersected by the rear wall line of the then existing principal building on that lot on either side of such fence, which building line intersecting such fence line is closest to the rear lot line from which such fence commences provided that if such principal building is located more than 50 feet away from such fence line and is owned by someone other than the fence owner or erector, then such six foot side yard fence may be constructed to a point of such side yard which would be intersected by the rear wall of the principal building on the lot thus fenced;
 - (3) Fences along any rear property line, which is also the rear property line of an abutting lot shall not exceed six feet in height;
 - (4) Fences along a rear property line which line constitutes the side lot line of an abutting lot may not exceed six feet in height for a distance calculated as in subsection (f)(2) of this section and may not exceed four feet in height thereafter;
 - (5) Fences on side street lot lines shall not be more than six feet in height for the distance commencing from a point on such side street lot line located at the rear lot line and proceeding thence along such side lot line to a point thereon which is 40 feet distant from the front lot line, but in no case shall the fence extend forward of the front line of the house;
 - (6) Property line fences abutting R Districts shall conform to those conditions applying to the R Districts.
 - (7) Fences enclosing swimming pools must have a minimum height of four feet and shall not exceed six feet subject to the provisions of this section.
 - (8) The side of residentially zoned properties abutting a state or county road may have an opaque fence.
 - (9) The side of the fence facing the public right of way shall not contain the structure and/or support of the fence.

Height. The maximum allowed fence height depends on its location in relationship to the front of the existing principal structure (house) excluding porches or entry features. Fences located between the front of the principal structure and the front property line shall not exceed four (4) feet in height, subject to section 102-12 (Traffic Visibility). Fences located between the front of the principal structure and the rear property line shall not exceed six (6) feet in height. Fences enclosing swimming pools shall have a minimum height of four (4) feet.

Opacity. Fences up to four (4) feet in height may be 100 percent opaque. Fences greater than four (4) feet in height shall not exceed 75 percent opacity leaving at least 25 percent of the fence open. Any fence along the side of a residentially zoned property abutting a state or county road may be 100 percent opaque. The opacity of a fence shall be determined by calculating the average openness from the top to the bottom of the fence structure over a distance of 50 feet.

- (g) *Business District fences.* Property line fences in a B District shall not exceed six feet in height. The council may grant a conditional use permit for a fence up to eight feet in height, provided:
- (1) That applicant has an approved open sales lot;
 - (2) Open sales lot classified as a non-conforming use;
 - (3) Has a commercial or industrial operation which requires the storage of equipment outside the building;
 - (4) The premises or use may be dangerous to the public;
 - (5) The use is an attractive nuisance and the applicant can show that for security reasons a fence of six feet will not be adequate.
- (h) *Industrial District fences.* Property line fences in an I District shall not exceed eight feet in height except that:

- (1) Fences in Industrial Districts which are primarily erected as a security measure may have arms projecting into the applicant's property on which barbed wire can be fastened commencing at a point at least seven feet above the ground; and
- (2) A fence located in the front yard of premises in an Industrial District abutting a right-of-way containing 50 feet or more in width shall conform to setback requirements for buildings in said district. Said area consisting of the setback shall be landscaped in accordance with a plan approved by the city. Ornamental fences utilized for landscaping purposes are excluded from the provisions of this chapter.
- (i) *Special purpose fences.* Fences for special purposes and fences differing in construction, height or length may be permitted in any district in the city by the issuance of a conditional use permit and by the council upon proof and reasons submitted by the applicant and upon the signing by said bodies that such special purpose is necessary to protect, buffer or improve the premises for which such fence is intended. The special fence permit, if issued, may stipulate and provide for the height, location, construction and type of special fence thereby permitted.
- (j) *Institutional District fences.* In an Institutional District no boundary line fence shall be erected or maintained more than four feet in height except that, fences along any property line that abuts a parking lot may exceed four feet but shall not exceed six feet in height.

(Code 1986, § 520.13; Ord. No. 613; Ord. No. 87-601; Ord. No. 88-613; Ord. No. 95-777, 1-3-1996; Ord. No. 97-797, 4-15-1997; Ord. No. 2000-833; Ord. No. 13-1064)

SECTION 2. The effective date of this ordinance shall be the date of publication.

First Reading:	September 1, 2020
Second Reading:	September 15, 2020
Date of Publication:	September 24, 2020
Date Ordinance Takes Effect:	September 24, 2020

By: _____
Jason Gadd, Mayor

ATTEST:

Amy Domeier, City Clerk

From: noreply@civicplus.com
To: [Jason Lindahl](#); [Courtney Pearsall](#)
Subject: [EXTERNAL] Online Form Submittal: Draft Comprehensive Plan Feedback Form
Date: Tuesday, August 4, 2020 10:19:59 AM

Draft Comprehensive Plan Feedback Form

Draft Comprehensive Plan Feedback Form

Please provide any feedback on the Cultivate Hopkins draft comprehensive plan

1) Fencing Guidelines. The 25% open Rule is outdated and should be removed.
The reason I was given by Nancy Anderson (retired?) was the City needed Visual Access to All properties for potential Code violations. But this has restricted my ability to have ANY privacy and security on my property.

Which of the 4 Environments should Hopkins make its top priority when implanting the comprehensive plan?

Built Environment – Land use and development, multimodal transportation, and housing and neighborhoods.

Feedback from the comprehensive plan public engagement process identified 8 implementation focus areas. Select what you believe should be the THREE highest priorities for the City when implementing the comprehensive plan.

Accessible & Connected Community – Develop and maintain networks that facilitate safe connections for walking, biking and transit., Race & Equity – Proactively identify and address racial disparities in the community and promote equity for all. , Livable Communities – Support a community that provides a high quality of life and access to daily needs.

Rank your three most important implementation focus areas from the question above, where 1 is the highest priority.

1. Highest priority

Remove Fencing Guidelines. The 25% open Rule.

2. Second highest priority

Field not completed.

3. Third highest priority

Field not completed.

Email not displaying correctly? [View it in your browser.](#)

From: [David Almquist](#)
To: [Jason Lindahl](#)
Subject: [EXTERNAL] Hopkins Fence Restrictions
Date: Friday, July 17, 2020 6:52:17 AM

Jason,

Thanks for the call yesterday in talking through the Hopkins fence restrictions and the possibility of changing the codes.

I am highly in favor of changing the code that allows for a fence 4' or less being solid all the way through. Many fences today come manufactured and you can't make any changes to them ie the manufacturer doesn't provide a lattice top option. Also and in my instance and under today's code, I would essentially need to make my fence higher to gain 25% visibility which when left at 4' with no add on would actually have more than 25% visibility and will be more aesthetically pleasing.

I hope this can be helpful in making a permanent change in the code for the city of Hopkins.

Thanks again

Dave Almquist
201 Holly Rd
Hopkins MN 55343

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

Notes:

Background

Dynamic signs (also known as electronic signs) include signs that appear to have movement or change without changing or removing the signs physical components. These signs are allowed in the Business and Institutional districts provided they do not change more than once every 24 hours. However, Hopkins' current sign regulations do not address other typical modern elements of electronic sign regulation like text size, mode, brightness and operation.

The primary concerns with electronic signs are their potential to distract passing drivers and impact on adjacent properties. In 2007, the League of Minnesota Cities produced a resource memo entitled *Regulating Dynamic Signs* (attached) which summarized the findings of a broader research study on dynamic signs conducted by SRF Consulting for the City of Minnetonka. That memo provides information on the framework, tools and aspect of regulating electronic signs and served as the basis for the proposed dynamic sign regulation changes (see attached).

Planning & Zoning Commission Action. The Planning & Zoning Commission reviewed this item during three meetings. The first was in December of 2019 when the Commission reviewed the City's current regulations, a study from the League of Minnesota Cities, regulations from other communities and a request to update the standards from Zion Lutheran Church (see attached). Minutes from that meeting are attached for your reference. As a result of that meeting, the Commission directed staff to conduct more research and bring the draft zoning changes back for further review and discussion.

The Commission next reviewed this item during the July 2020 regular meeting (see attached minutes). Given the time since the last meeting and the changeover in the members of the Planning & Zoning Commission, during this meeting staff re-introduced this item and took additional comment. Staff also noted that since the December meeting, Gethsemane Lutheran Church had also approached the City about installing a dynamic sign; however, based on their residential zoning, the current zoning regulations would not allow this type of sign on their property.

Most recently the Planning & Zoning Commission reviewed this item (Planning Application 2020-04) during their August 25, 2020 meeting. During the meeting, the Commission heard a presentation from staff and no direct public comments. Due to the ongoing coronavirus pandemic and the related statewide emergency declaration, notice of the public hearing for this item directed all interested parties to make their comments to City Planner Jason Lindahl by mail, phone or e-mail before noon on Tuesday, August 25, 2020.

The City received three comments regarding the proposed dynamic sign regulations. The first two were the original requests from Zion Lutheran Church and Gethsemane Lutheran Church mentioned above. The third comment comes from the sign company working with Gethsemane Lutheran Church and provides comments regarding the draft standards. In summary, they support the draft standards with the exception of the minimum display time, minimum text size and brightness standards. After reviewing and discussing the comments and information from staff, the Commission voted to recommend the City Council approve this item.

Zoning Code Text Amendment

Legal Authority. 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, cities have wide flexibility to create standards that will ensure the type of development they desire. However, zoning regulations must be reasonable and supported by a rational basis relating to promoting the public health, safety and welfare. Based on the findings made below, staff recommends approval of the proposed draft dynamic sign standards.

Consistency with the Comprehensive Plan. The proposed zoning code text amendment is consistent with both the 2030 Comprehensive Plan and Draft 2040 Comprehensive Plan. While neither of these plans specifically address electronic signage, both seek to modernize and streamline the City's regulations to take full advantage of technology to support the ever changing needs of businesses. At the same time, these plans also emphasize the need for standards to protect Hopkins' neighborhoods and unique community character. Staff used this two goals to guide the preparation of the draft dynamic sign standards.

Compatibility with Present and Future Land Uses. Based on the analysis above, staff finds the proposed zoning changes to the City's dynamic sign standards compatible with present and future land uses. The proposed changes would modernize the City's sign regulations to take full advantage of changing technology while protecting Hopkins unique community character.

Conformance with New Standards. This section considers how the proposed zoning changes will fit in with the rest of the zoning regulations and the existing development pattern. In this case, staff finds the proposed changes to the City's dynamic sign standards well suited to the community. The City seeks to encourage businesses to take full advantage of technology while at the same time holding on to the community's hometown character.

Potential Non-Conformity Issues

According to Minnesota Statute 462.357, Subdivision 1e., legal nonconformities generally have a statutory right to continue through repair, replacement, restoration, maintenance, or improvement but not through expansion. These rights run with the land and are not limited to a particular landowner. If the benefited property is sold, the new owner will have the same rights as the previous owner.

The proposed dynamic sign regulations include a specific section to address potential non-conformities. It states that the new dynamic sign standards apply to all existing and future dynamic signs, unless otherwise determined by the city that an existing sign qualifies as a non-conforming use under state statute cited above. Any existing dynamic sign that cannot meet the minimum text size as required by the speed limit must use the largest size possible for one line of copy to fit in the available display space.

Alternatives

1. Approve the first reading of Ordinance 2020-1157. By approving the first reading of this ordinance, this application will move forward for a second reading and formal approval at the September 15, 2020 City Council meeting.
2. Deny the first reading of Ordinance 2020-1157. By denying the first reading of this ordinance, this application will not move forward for a second reading and formal approval at the September 15, 2020 City Council meeting. Should the City Council consider this option, it must also identify specific findings that support this alternative.

3. Continue for further information. The items should be continued if the City Council finds that further information is needed to evaluate this application.

CITY OF HOPKINS
Hennepin County, Minnesota

RESOLUTION NO. 2020-043

**A RESOLUTION APPROVING THE FIRST READING OF ORDINANCE 2020-1157
AMENDING THE CITY CODE RELATED TO DYNAMIC (ELECTRONIC) SIGNS**

WHEREAS, the City of Hopkins initiated an application to amend the City Code related to dynamic sign standards; and

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

1. That an application to amend the City Code related to dynamic sign standards was initiated by the City of Hopkins on July 24, 2020; and
2. That the Hopkins Planning & Zoning Commission, pursuant to published notice, held a public hearing to review such application on August 25, 2020 and all persons present were given an opportunity to be heard; and
3. That written comments and analysis of City staff were considered.
4. That during the August 25, 2020 regular meeting the Planning & Zoning Commission of the City of Hopkins approved a motion to recommend the City Council approve this item.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hopkins hereby approves the first reading of Ordinance 2020-1157 amending the City Code related to dynamic (electronic) signs based on the findings of fact detailed in City Council Report 2020-062 dated September 1, 2020.

Adopted this 1st day of September, 2020.

Amy Domeier, City Clerk

Jason Gadd, Mayor

**CITY OF HOPKINS
COUNTY OF HENNEPIN**

ORDINANCE NO. 2020-1157

**ORDINANCE AMENDING CITY CODE REGARDING DYNAMIC (ELECTRONIC)
SIGNS**

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HOPKINS
HEREBY ORDAINS AS FOLLOWS:**

SECTION 1. Hopkins City Code, Part III, Chapter 102, Article XXI, Signs is hereby amended by adding as follows:

Sec. 102-729. – Dynamic Signs.

1. **District Limitations:** All dynamic signs shall comply with the zoning and road classification standards listed below and the performance standards detailed in this section. A conditional use permit shall be required for any dynamic signs located on a property adjacent to any residential use or district.
 - a. Business, Business Park or Institutional Districts. Dynamic signs may be located on properties within the B-3 - General Business, B-4 - Neighborhood Business, Business Park or Institutional zoning districts, provided the property has frontage along a principal arterial or minor reliever road as designated in the comprehensive plan.
 - b. Residential Districts. Dynamic signs may be located on public and institutional uses within a residential zone, provided the property has frontage on a principal arterial, minor reliever or major collector road as designated in the comprehensive plan and subject to approval of a conditional use permit.
2. **Location:** The sign must be located on the site of the use identified or advertised by the sign.
3. **Orientation:** Electronic signs must be positioned so as to limit their impact on adjacent residential uses. At a minimum, such signs shall be positioned perpendicular to the adjacent public right-of-way.
4. **Type of Sign:** Dynamic signs are limited to ground signs only as defined in this Article.
5. **Text Size and Legibility:** The following minimum text sizes shall apply to all dynamic signs. If a sign is located on a corner with streets that have differing speed limits, the minimum text size shall be based on the standard for the higher speed limit to ensure maximum legibility.

Minimum Text Sizes for Dynamic Signs	
Speed Limit of Adjacent Road	Minimum Text Size
25 to 34 MPH	7"
35 to 44 MPH	9"
45 to 54 MPH	12"
55 MPH or More	15"

6. **Mode:** Dynamic signs shall only be allowed to operate in a static mode. Animation, motion or video displays are prohibited. Any change from one static display to another must be instantaneous and shall not include any distracting effects, such as dissolving, spinning or fading. The images and messages displayed must be complete in themselves, without continuation in content to the next image or message or to any other sign.
7. **Size and Number of Dynamic Display:** The dynamic portion of any sign shall not exceed eighty (80) percent of the total allowable area of the sign. The remaining twenty (20) percent of the allowable sign area cannot have dynamic capabilities even if it is not used. Each site can have only one dynamic sign and that sign can have only one dynamic display.
8. **Minimum Display Time:** The minimum display time shall be twenty (20) minutes. One exception to this standard would be for time, date and temperature signs which the federal court has acknowledged as a justifiable exception to limitations on variable message signs. The time, date and temperature information may change no faster than once every three (3) seconds, provided that the display of this information remains for at least twenty (20) minutes before changing to another display.
9. **Brightness:** Dynamic signs shall not exceed a maximum illumination of five thousand (5,000) nits during daylight hours and a maximum illumination of five hundred (500) nits between dusk to dawn as measured from the sign's face at maximum brightness. All dynamic sign applications shall include certification from the sign's manufacturer that the sign has been preset to conform to the luminance levels noted above and these settings are protected from end users' manipulation by password protected software.
10. **Color:** Dynamic signs may use multiple colors within the display but the use of color shall not create distraction or a hazard to the public health, safety or welfare. No portion of the display may change in color or color intensity in any manner. Each line of text in any direction shall be uniform in color.
11. **Operation:** All dynamic signs shall be equipped with a means to immediately discontinue the display if it malfunctions. The owner of a dynamic sign must immediately cease operation of their sign when notified by the city that it fails to comply with the standards of this chapter. The

dynamic sign shall remain inoperable until such time that the owner demonstrates to the city that the device is in satisfactory working condition and conforms to the standards of this chapter. Appeals of the city's direction regarding the operation of a dynamic sign shall follow the appeals process outlined in Chapter 102, Article III, Section 102-96, "Board of Appeals and Adjustments."

12. **Application to Existing Signs:** The dynamic sign standards shall apply to all existing and future dynamic signs, unless otherwise determined by the city that an existing sign qualifies as a nonconforming use under state statute or this code. Any existing dynamic sign that cannot meet the minimum text size as required by the speed limit must use the largest size possible for one line of copy to fit in the available display space.

SECTION 2. The effective date of this ordinance shall be the date of publication.

First Reading:	September 1, 2020
Second Reading:	September 15, 2020
Date of Publication:	September 24, 2020
Date Ordinance Takes Effect:	September 24, 2020

By: _____
Jason Gadd, Mayor

ATTEST:

Amy Domeier, City Clerk

From: dan@dahlensign.com
To: [Jason Lindahl](#)
Subject: [EXTERNAL] Gethsemane
Date: Thursday, August 6, 2020 7:55:02 AM

Jason,

John Nelson sent me over the draft of the possible adjustments

I noticed a few things.

1 – under #7 it looks like only one display is allowed. If they changed out their sign it would need two displays. One for each side of the sign.

2 – The display time minimum seems long. Bloomington is 8 seconds for text, Prior Lake is 10 seconds and Shakopee 30 seconds are other examples. These shorter times seem to be where this is moving from earlier once a day, hour and others.

3 - the no movement, etc makes sense to me.

4 – If they have a 50 mph road going past them can they only display 10” or larger? Eagan has something like this, however they only require the display to have the capability to display that size, not require they use that size. It’s in the interest of the business to use an appropriate size to display their message if they want people to see it.

5 – the brightness statement. The manufacturers as far as I have seen have a sensor to measure the ambient brightness and it adjusts based on that brightness. It’s at it’s brightest when the sun is shining direct on the sign and dimmest at night. It will change with storms coming thru during the day and could be to night levels. I believe the higher quality units are set to be over 5000 in the brightest conditions. I can check with Daktronics to see how their units are set. Prior Lake has 7500 in their ordinance for the high number. From my experience the brightness is not locked by the company. It can be adjusted within the sign programming software the sign owner uses. I don’t recall any of our installs doing any adjusting to the original settings.

If we changed the Gethsemane sign for a new one the same 6’x10’ (60sf) would the message display area be able to be 48 square feet?

Thanks,

Dan Dahlen,

[Dahlen Sign Co.](#)

[901 Stagecoach Road](#)

[Shakopee, MN 55379](#)

952-888-3413

fax 952-888-7178

dan@dahlensign.com

[Click here to watch our video!](#)

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Randall A. Neal
Senior Pastor

Howie A. Krienke
Assistant Pastor

Daniel E. Schultz
Associate Pastor

Brice Petersen
Director of Parish Music

Paula Hance
*Director of Zion Early
Childhood Center*

Bonnie Shelton
Office Manager

Carol Kline
Administrative Assistant

Rick Tupa
Property Engineer

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*A congregation of
The Lutheran Church-
Missouri Synod*

August 15, 2019

City of Hopkins, Minnesota
Jason Lindahl, City Planner
1010 1st St. S
Hopkins, MN 55343

RE: Outdoor Digital Sign Ordinance – Hopkins, MN

We are requesting consideration for a revision to Hopkin's outdoor message sign ordinance.

It is apparent from driving around the Twin Cities electronic digital signs have become quite common. Our current outdoor digital message sign in front of the church along 5th Ave. N. has been in operation since February 5, 2016. Under the current ordinance we are able to change the sign once per day. We would like to be to change the message more frequently.

It appears many/most of the signs throughout the Cities have a message change cycle rate somewhere in the 1-2 minute range. We would like to be able to change the message on our sign at a similar rate.

Thank you for your consideration of this request.

Rev. Randall Neal, Pastor

*Egan – allows changes no more than once per 1 minute
Maplewood – each display must be maintained for 2 minutes
New Hope – change no more than once every five seconds
Redwood Falls – each display must be maintained for 8 seconds*



RISK MANAGEMENT INFORMATION
REGULATING DYNAMIC SIGNAGE

Executive summary

Cities have authority and responsibility to regulate dynamic signs as appropriate for each community. There is no single correct approach to regulation. Because the regulation of signs involves the First Amendment, courts hold sign regulations to a higher standard than most land use regulations. Cities still have considerable discretion to regulate, as long as they do so reasonably and without regard to sign content.

Introduction

In the fall of 2006, a number of Minnesota cities were surprised by the appearance of large electronic billboards akin to giant television screens. These signs are the next generation of sign displays with the ability to feature changing images and movement—known collectively as dynamic signs. Attempts to regulate them resulted in litigation in at least one community- Minnetonka. In developing a regulatory response, Minnetonka partnered with the League of Minnesota Cities to commission a study, conducted by SRF Engineering, on the impact of such dynamic signs on traffic safety. This memorandum discusses the legal framework of regulating dynamic signage in light of the recent litigation and study.

More Information

Find the results of the SRF Consulting Group's research on dynamic signage in:

- *"Dynamic" Signage: Research Related to Driver Distraction and Ordinance Recommendations*

It's available in the Land Use area of the League website at www.lmc.org.

Regulatory framework

While the federal and state government can enact and have enacted laws regulating signs, those regulations only provide minimum standards. Courts have explicitly recognized that cities have the ability to regulate signs, including dynamic signs, more restrictively.

There is no uniform system of regulation that cities must follow. Each community is different and has different needs that local ordinances may reflect. Such regulations must meet the same basic legal tests for all sign regulation.

Most city land use decisions get a very deferential standard of review known as *rational basis* review. Under this level of review, city decision will be upheld if they have any rational basis.

Because sign regulations implicate free speech rights which are protected by the First Amendment, they are subjected to higher levels of scrutiny. The highest level of scrutiny, called *strict scrutiny*,

This material is provided as general information and is not a substitute for legal advice.
Consult your attorney for advice concerning specific situations.

applies when government tries to regulate based on the content of speech. The only content-based sign regulation that courts have upheld is treating off-premise signs (billboards) differently than on-premise signs that advertise the business on the same property.

One distinction that may seem like it is content based, but our federal court of appeals has said is not, is a ban on dynamic signs with an exception for time and temperature displays. The court held

that because of their unique nature, allowing only time and temp displays is not a prohibited content-based regulation. It is important not to overstate this, however. Regulations that go further and carve out a broader exception for “public information” are likely to be struck down as impermissibly content-based.

Sign regulations that are not content based are subject to *intermediate scrutiny*, which tests whether the regulation is substantially related to a significant government interest. This roughly translates to “regulate for a good reason.” Cities should take care that the *scope* of the regulation is not excessive when viewed in light of all of the regulatory objectives, and that they do not create exceptions to the regulations that cannot be justified by reference to one or more of the city’s articulated objectives

Big-picture regulatory tools

The available research on traffic impacts supports significant content-neutral limits or even bans on dynamic signs for safety reasons. The studies confirm that billboards can tend to distract drivers, dynamic features contribute to the distraction, and even short distractions can increase the risk of accidents. This is not surprising as promotional materials put out by sign companies themselves boast the signs’ ability to hold viewer attention as a benefit of dynamic signs.

Safety is only one concern. Cities may also regulate signs based on values, preferences, and aesthetics. Not every sign is appropriate in every community or every neighborhood. Not every community wishes to become Las Vegas or even downtown Minneapolis.

Cities can take a number of different macro-level approaches to regulation. Some examples include:

1. Complete or near-complete bans that do not allow dynamic signs at all.
2. Allow dynamic signs with restrictions such as minimum display time, allowing only a percentage of a sign to change, or text size limitations.
3. Allow different things in different zoning districts, such as allowing brighter dynamic signs in a downtown business district than in residential neighborhoods.
4. Offering incentive programs to billboard companies to allow dynamic signs in exchange for removal of non-conforming static signs.
5. Encourage dynamic displays. Some communities like the clean, new look of dynamic signs and encourage them to remove old blighted and poorly maintained signs.

More Information

Learn more about sign regulations and free speech in:

- *Sign Ordinances and the First Amendment*

It’s available at www.lmc.org.

Regulating sign aspects

A content-neutral regulation that regulates dynamic signage will be subject to intermediate scrutiny, so a community must show a regulation is substantially related to a significant government interest. In plain language, you must articulate what problem a regulation is intended to address and how the regulation addresses it.

There are at least six aspects of dynamic signs that regulations may address:

1. **Duration of messages/ speed of changeover.** Studies have described the Zeigarnik effect, a psychological need to see a task through to its end. In the case of dynamic signs, a driver's desire to read an entire message before it changes or to complete a scrolling message has been shown to negatively impact drivers' tendencies to maintain a constant speed or remain in a lane. To address these issues, many cities have imposed minimum message durations that might vary depending on community preference and traffic conditions.
2. **Motion, animation, and video.** Motion can range from simple visual effects to full realistic video. Motion can extend the period of time a driver will keep watching a sign, increasing distractedness. Cities may prohibit motion or limit it either to specific areas or to specific characteristics such as a motion time frame calibrated to traffic speed.
3. **Brightness.** Brightness can be a safety factor, particularly at night, as sudden brightness can be distracting or diminish night vision. A number of communities limit brightness based on time of day and by color displayed. This can be difficult to quantify and measure.
4. **Sign placement and spacing.** The number of signs and their location can be a big factor in driver awareness. A large number of signs can increase distractedness. Poorly placed signs may block views or cause distraction in unsafe areas. Cities may impose site standards and spacing requirements. These may present regulatory challenges as spacing may be dependent on the actions of neighboring property owners.
6. **Size of signs.** Size can have impacts in several ways. Too big, and it obstructs views and distracts. Too small, and it takes longer to read and encourages sign users to sequence messages. Cities may limit dynamic signs or the percentage of a sign that can be dynamic.
7. **Text size and legibility.** Signs that are difficult to read invite increased driver focus. Regulations can, for example, require minimum sizes based on road speed.

The specifics of how to regulate each of these aspects is up to each community. Because review of regulations must face intermediate scrutiny, cities have to take some extra steps when drafting and adopting ordinances.

For each aspect regulated, cities should consider adopting findings or local studies that articulate the reason and any support for the regulation. The SRF study and other materials can provide a scientific basis for a number of regulatory steps. In addition, cities may choose more stringent regulation in order to take a conservative approach to protecting safety.

Moving forward

It is recommended that cities think about dynamic signs as early as possible. Regardless of your city's approach, it is better to make a rational choice rather than by having dynamic signs arrive before you have thought about the issue. Once the signs are up, Minnesota's nonconforming use law arguably grants them "grandfathered" status, with a narrow exception for safety.

If your city would like more information about regulating dynamic signs, Paul Merwin, LMCIT Senior Land Use Attorney, can provide assistance and refer you to more information and resources. Contact Paul at (651) 281-1278 or pmerwin@lmc.org.

Disclaimer: This memorandum is intended as general information only and should not be read as legal advice or as creating an attorney-client relationship. This memo addresses general concerns and has not been reviewed in the context of a specific client or situation. This memo was drafted as a loss control document and is intended to avoid conflicts rather than form an opinion as to the legality or defensibility of any action.

Paul Merwin 07/07

Sample Ordinance

View a sample sign ordinance from the city of Hopkins in the Land Use area of the League website at www.lmc.org.

PLANNING & ZONING COMMISSION MINUTES
December 17, 2019

A regular meeting of the Hopkins Planning & Zoning Commission was held on December 17, 2019 at 6:30 p.m. in the Raspberry Room at Hopkins City Hall. Present were Commission Members Gerard Balan, Samuel Stiele, Nathan White, Emily Fiamova, and Kristen Hanneman. Commissioners Laura Daly and Elizabeth Goeman were absent. Also present was City Planner Jason Lindahl.

CALL TO ORDER

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

ADOPT AGENDA

Commissioner Hanneman moved, Commissioner Stiele seconded, to adopt the agenda. The motion was approved unanimously.

OPEN AGENDA – PUBLIC COMMENTS/CONCERNS – None.

CONSENT AGENDA

Commissioner Hanneman moved, Commissioner Stiele seconded, to approve the minutes of the October 22, 2019 regular meeting. The motion was approved unanimously.

PUBLIC HEARING – None.

OLD BUSINESS – None.

NEW BUSINESS

1. Review Zoning Standards Related to Massage Therapy

Mr. Lindahl gave an overview of this item stating that this item is for review and discussion only. Staff is looking for feedback from the Planning Commission and seeks further direction about potential changes to the City's massage therapy regulations. The key question to consider is: should Hopkins allow independent Massage Therapy Establishments or continue the current policy, which limits these businesses to an accessory use? Mr. Lindahl continued with background on current massage therapy regulations in Hopkins and the reason for reviewing these regulations now.

Discussion from the Commission included:

- Have the current regulations stopped any illegal activity?
- Continue to prohibit massage businesses as a home occupation
- Illegal activity can take place in many types of businesses, not just massage therapy
- The previous problem with illegal activity operating under massage therapy businesses was solved with the 2013 ordinance. Would making changes risk these activities starting again?

- The City should continue to protect small businesses in the downtown area by not allowing franchises
- Allowing massage therapy as an accessory use as stated in the current ordinance is the best compromise for massage therapists to operate in Hopkins without permitting large franchises
- Staff should research what communities similar to Hopkins have for massage therapy regulations and report back to the Commission.

After thorough discussion, the Commission was split on the question whether Hopkins should allow independent Massage Therapy Establishments or continue the current policy, which limits these businesses to an accessory use. Commissioners Balan and White were supportive of changes while Commissioner Hanneman was opposed. Commissioners Fiamova and Stiele were unsure and requested more information. Staff will research massage standards in similar communities and report back to the Planning & Zoning Commission at a future meeting.

2. Review Zoning Standards Related to Electronic Signs

Mr. Lindahl gave an overview of this item stating that this item is for review and discussion only. Staff received a letter from Zion Lutheran Church requesting the City consider changes to the zoning regulations for electronic signs. Specifically, the church asked about changes regarding the length of time currently required between message changes. The current regulations require that message changes in electronic signs be made no more than once every 24 hours. Mr. Lindahl presented the Commission with the background on these regulations and the variety of standards in surrounding communities. The Council is seeking feedback from the Planning Commission on the duration of time between message changes.

Discussion from the Commission included:

- Less than 2 minutes between message changes may be too frequent and distracting, but could be lessened from the current 24-hour requirement
- 30 minutes was suggested as a possible duration limit
- Is there any input from neighbors of current properties with electronic signs? Broader engagement from the community would be part of the process should the Council move forward with making any changes to the standards
- The surrounding land use pattern and type of road are important. Look into creating different regulations based on zoning and road classification. It is important to protect residential use
- Updating standards to include electronic dynamic sign regulations
- Interest in more information or studies on the subject if available.

After thorough discussion, the Commission was generally in favor of revisiting the electronic sign ordinance standards related to the duration between message changes and updating the standards to apply to current technology options.

ANNOUNCEMENTS

During the announcements, City Planner Jason Lindahl updated the Planning & Zoning Commission on the following items:

- Planning applications for Two Men and a Truck and Bank of America were approved by the City Council at their November 18, 2019 meeting.
- The Beacon item from the November 4 meeting and was further discussed at the November 12 work session. The first reading of the item was approved at the December 3 meeting and the second reading will be discussed at the December 17, 2019 meeting.
- The February 25, 2020 Planning Commission meeting is scheduled on caucus night. Although state law only requires City Council meetings be moved for this conflict, staff suggests moving the meeting to Monday, February 24. The Planning Commission had no objections to the change.

ADJOURN

Commissioner Fiamova moved, Commissioner Hanneman seconded, to adjourn the meeting. The motion was approved unanimously. The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Courtney Pearsall
Administrative Assistant

PLANNING & ZONING COMMISSION MINUTES
July 28, 2020

A regular meeting of the Hopkins Planning & Zoning Commission was held on July 28, 2020, at 6:30 p.m. by video conference call through Zoom in response to the COVID-19 emergency. Present were Commission Members Gerard Balan, Sam Stiele, Emily Fiamova, Nathan White, Douglas Dyrland, Maggie Sedoff and Jason Miller. Also present was City Planner Jason Lindahl, Assistant City Manager Ari Lenz, Building Official Christopher Kearney, Housing Inspector Susan Zasada and Code Enforcement Officer Liz Page.

CALL TO ORDER

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

ADOPT AGENDA

Commissioner Fiamova moved, Commissioner White seconded, to adopt the agenda. The motion was approved unanimously.

OPEN AGENDA – PUBLIC COMMENTS/CONCERNS –

CONSENT AGENDA

Commissioner Fiamova moved, Commissioner White seconded, to approve the minutes of the June 23, 2020 regular meeting. The motion was approved unanimously.

PUBLIC HEARING

1. Planning Application 2020-19 Animal Regulations City Code Text Amendment

After receiving resident requests, the Hopkins City Council decided to review whether to allow backyard chickens in Hopkins. Staff reviewed the ordinances of neighboring communities, CDC recommendations and other sources, discussed concerns regarding our specific community, and then drafted an ordinance for public comment. Housing Inspector Zasada presented an overview of this information outlined in the staff report and draft ordinance. City Planner Lindahl followed with details on zoning district requirements.

Chairperson Balan opened the public hearing. There were also no additional comments received outside of the comments included in the agenda packet ahead of the meeting. Motion to close public hearing by Commissioner Sedoff and seconded by Commissioner Fiamova. The motion was approved unanimously.

Discussion from the Commission included the following:

- Commissioner Sedoff questioned how the proposed ordinance compares with those of neighboring cities. Ms. Zasada responded that 7 surrounding cities were used as a basis in drafting the draft ordinance for Hopkins.

- Defining the side yard and rear setback requirements for corner lots.
- Including mobile chicken runs in the draft ordinance.
- Commissioner White questioned how the number of chickens per lot size was determined. Ms. Zasada responded that the maximum of 4 chickens is also the maximum consistently allowed in all of the surrounding communities.
- Disposal of chickens. Ms. Zasada responded that chicken carcasses or waste matter cannot be composted, but they can be disposed of in the regular garbage. Processing of chickens is allowed, but not on residential property.
- What kind of volume have surrounding communities experienced in regards to complaints on noise or smell of chickens? Ms. Zasada responded that the 3 cities consulted did not report a high volume of complaints related to chickens.
- Will there be a limit to the number of licenses granted in the City? Ms. Lenz responded that there will not be a limit enforced.
- Maximum height of chicken coops being 6 feet tall could be raised. Mr. Kearney responded that it was a common height in surrounding communities, but is something that can be looked into. Mr. Lindahl stated that accessory buildings have a maximum height of 15 feet and a coop could potentially fall somewhere between 6 feet and 15 feet. Commissioner Miller suggested discussion on raising the coop height from 6 feet.
- Accessory building definitions for the zoning code update.

Ms. Lenz stated this item will be presented to the City Council at their regular meeting on August 4 with the Planning Commission's comments and staff recommendation.

2. Planning Application 2020-18 210 – 7th Avenue North Variance

Mr. Lindahl gave an overview of the staff report for this item stating the applicant, Daniel Martin, requests a variance from the two-family dwelling (duplex) minimum lot size variance standard in the R-1-A district. Staff is recommending denial for this item as the applicant does not demonstrate a practical difficulty as required by state statute.

Commissioner Sedoff questioned the lot size information. Mr. Lindahl explained that lot size information commonly used is provided by Hennepin County's GIS website. If the applicant feels the information is not accurate, a survey can be done, which is not a service that is provided by the City and would need to be conducted by a private company.

Daniel Martin addressed the Commission, stating that he had located his property irons and found his property to be 6,800 square feet and that his plans for converting the home to a duplex would add to the top of the home and not to the side and feels the variance request should be granted.

After some general discussion, the majority of the Planning Commission was in agreeance with staff's recommendation for denial. Planning Commissioner White moved and Commissioner Fiamova seconded to adopt Planning & Zoning Commission Resolution 2020-05, recommending the City Council deny the variance request from Daniel Martin for the property located at 210 7th Avenue North. The motion was approved 6-1 with Commissioner Sedoff voting nay.

Mr. Lindahl stated this item will be presented to the City Council at their August 4 meeting with the Planning Commission's recommendation of denial.

3. 2020-08 Experience-Based Entertainment Businesses Zoning Code Text Amendment

Commissioner Miller stated that he would be recusing himself from all discussion and any voting on this item citing a conflict of interest.

Mr. Lindahl presented an overview of the staff report, stating that this item was initiated by staff to amend the City Code related to on-sale intoxicating liquor licenses and experience-based businesses. The proposed ordinance will amend the zoning code to establish a new use to be known as "Experience-Based Entertainment". This use will be allowed as a permitted use only in the B-2, Central Business District. Experience-Based Entertainment businesses would be the only use eligible for an Exclusive Liquor Store license but Experience-Based Entertainment uses could operate without such a license. Both City staff and the City Attorney have reviewed this ordinance and recommend approval.

The City Council is responsible for reviewing the liquor licenses portion of this application and they approved the first reading of this ordinance on July 14. Since this item includes changes to the zoning code, it must also be reviewed by the Planning & Zoning Commission.

Commissioner White questioned why the ordinance only includes the B-2 district and not also B-3. Mr. Lindahl explained that the City is taking a phased approach and there could be an opportunity to expand the ordinance to include the west end of Mainstreet. This could be done through the zoning update process.

After general discussion on the item, Commissioner Fiamova moved and Commissioner White seconded to close the public hearing. The motion was approved 5-2 with Commissioner Stiele and Commissioner Miller abstaining due to conflict of interest.

Commissioner Sedoff moved and Commissioner Dyrland seconded to adopt Planning & Zoning Resolution 2020-04, recommending the City Council approve Ordinance 2020-1147, amending Chapters 4 and 102 and Appendix A of the Hopkins City Code regarding on-sale intoxicating liquor licenses and experience-based entertainment. The motion was approved 5-2 with Commissioner Stiele and Commissioner Miller abstaining due to conflict of interest.

The second reading of this ordinance will be presented to the City Council at their August 4 meeting with the Planning Commission's recommendation for approval.

OLD BUSINESS – None.

NEW BUSINESS

1. Planning Application 2020-16 425 Madison Avenue North Concept Plan

Mr. Lindahl stated that this application does not require formal action by the Planning & Zoning Commission or City Council. The applicant requests feedback on the proposals so they can work toward preparing a future, formal submittal.

Mr. Lindahl presented an overview of this item. The applicant, Xijing Zhang, requests concept plan review to subdivide the existing 1.48 acre single family property into three single family lots. The proposal would keep the existing single family home and divide the remaining area into two new single family lots for future development.

During discussion on the concept plan, the Commission was generally supportive of the concept plan but had questions about the shared access and driveway for lots 1 and 2 and about the adjacent creek. Mr. Lindahl responded that the shared driveway was the best overall design given the limited amount of street frontage along Madison Avenue. The applicant agreed and added that they would prefer to keep future construction activity on lots 1 and 2 on a separate driveway to limit impact on their property. The applicant added that they had completed a wetland survey of the adjacent creek and none of it is located on their property. Mr. Lindahl added that the applicant will also be required to receive approval from the Minnehaha Creek Watershed District.

Mr. Lindahl explained the next steps for this item. Staff will include the Planning Commission's comments in the report that will be presented to the City Council at their August 4 meeting. The applicant can use the comments and suggestions from the Planning Commission and City Council to prepare a formal application submittal.

2. Planning Application 2020-04 Electronic Signs Text Amendment Discussion

Mr. Lindahl stated that this item is for review and discussion only. During the December 17, 2019 Planning & Zoning Commission meeting, staff reviewed the City's sign regulations and asked the Planning Commission for feedback on the City's electronic sign regulations. After discussion during that meeting, the Commission directed staff to conduct more research on electronic sign regulations and bring forward potential zoning changes for further discussion. In response, staff prepared a draft of the electronic sign standards, which Mr. Lindahl presented to the Commission for additional feedback and comment.

After reviewing the additional information provided by staff, the Commission was generally supportive of the following updates to the City's electronic sign regulations:

- Reducing minimum display time from once every 24 hours to once every 20-30 minutes in commercial areas with the potential for longer display times in residential areas.
- Allowing electronic signs at public or institutional uses (churches or schools) in residential zones through a conditional use permit.

- Adding standards for other modern elements of electronic sign regulation like text size, mode, brightness and operation.

The Planning & Zoning Commission will hold a public hearing on the final ordinance at the August 25 meeting.

ANNOUNCEMENTS –

City Planner Lindahl updated the Commission on the following items.

- The Planning & Zoning Commission was informed on the requirements for an Environmental Assessment Worksheet (EAW) for the Blake Road Station project. Once the EAW is complete, it will come to the Planning & Zoning Commission and City Council for review.
- The City Attorney will provide legal training to the Commission during the August meeting

ADJOURN

Commissioner Fiamova moved, Commissioner Sedoff seconded, to adjourn the meeting. The motion was approved unanimously. The meeting was adjourned at 9:40 p.m.

Respectfully submitted,

Courtney Pearsall
Administrative Assistant



Finance Department

CITY OF HOPKINS

Memorandum

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

From: Nick Bishop, Finance Director

Date: September 1, 2020

Subject: Review 2021 Preliminary Budget and Tax Levy

PURPOSE

No formal action is required at this meeting. Staff is requesting input on the revisions being made to the draft budget and tax levy presented on July 21, 2020.

INFORMATION

Summary: A draft version of the 2021 Budget and Tax Levy was prepared by staff and presented to City Council on July 21st. The draft included both conservative revenue estimates and decreased expenditures. Charges for services and miscellaneous revenue have decreased from the 2020 Budget by \$22,800 and \$48,300, respectively. The City also hosted a virtual budget engagement session on August 17th that reviewed the same draft version of the budget and tax levy. City Council has directed staff to make reductions before the preliminary levy is set in September.

The general fund budget and tax levy will still meet the needs of the community, but does offer a lower level of services than in 2020. The General Fund budget is balanced. Revenues and expenditures are both set at \$15,750,835, a \$389,122 or 2.53% increase from 2020. The 2021 tax levy has also been revised based on the direction of City Council. The total tax levy is \$18,023,384, a \$493,700 or 2.82% increase from 2020. Based on preliminary tax capacity information, city taxes on a median value home (\$291,000) will be \$1,867, a \$40 or 2.19% increase from 2020.

Details regarding the budget and reductions being proposed are provided in the remainder of the memo.

Local Government Aid (LGA) amounts were certified and published the last week in July. We have incorporated the certified amount of \$853,671 in this budget. This is an increase of \$118,725 over the draft budget previously presented and results in a reduction to the tax levy of the same amount. Although the 2021 amounts have been certified there is still some uncertainty surrounding the State's budget. Projections released on July 31st project a \$4.7 billion deficit during the State's next two-year budget period. The 2021 LGA payments are scheduled for July 2021 and December 2021 could still be impacted by the actions of the Legislature or Governor. In the past, there have been reductions to LGA that have had a substantial impact on our organization.

General Fund Reductions of \$100,000 have been identified and removed from the budget. An open public works superintendent position was eliminated and the supervisory aspects combined with an existing position. Other reductions identified include reducing crack sealing on City streets by 25%, a 20% reduction in tree re-planting and delaying all pole painting.

COVID-19 Contingency of \$150,000 has been removed from the budget. This contingency budget was included to address the financial uncertainty surrounding COVID-19 in 2021. It could have been transferred to any of the City's funds experiencing financial difficulty. Staff believes funds from the Equipment Replacement Fund and Capital Improvement Fund could be used as one-time contingency for 2021. Any additional impacts from COVID-19 could cause the city to need to rely on existing reserves or further reductions.

Burnes Park debt service has previously been paid for with a portion of our debt levy. \$150,000 of franchise fees that were previously dedicated to current park improvements will be used to pay debt service for the 2017 project. The tax levy was planned through 2032 and this decision could be one-time or continued. The five-year plan for the Park Dedication Fund would need updating based on this change. The fund would rely on park dedication fees from new development to fund current projects. This will likely leads to cancelled or delayed projects at Shady Oak Beach, Cottageville Park, Maetzold Field, Oakes Park and Downtown Park.

FUTURE ACTION

A preliminary levy must be adopted by September 30th of each year. The preliminary levy is planned to be approved at the September 15th City Council Meeting. The preliminary levy will be the maximum allowable amount for 2021 and can only be reduced.

A final levy must be adopted by December 31st of each year at or below the preliminary levy amount. A Truth and Taxation hearing is planned for Monday, November 30th. The final levy can be approved on December 1st or 15th.

City of Hopkins
DRAFT General Fund Revenue Budget
For the Year Ending December 31, 2021

September 1, 2020

Department	2020 Budget	DRAFT 2021 Budget	% Increase (Decrease)
Property Taxes	12,564,305	12,893,552	2.62%
Intergovernmental Revenue			
Local Government Aid	734,946	853,671	
Intergovernmental Revenue - Other	618,000	621,000	
Total Intergovernmental Revenue	1,352,946	1,474,671	9.00%
Licenses, Permits & Fines			
Court Fines & Penalties	177,750	176,000	
Building Permits & Inspections	461,300	479,300	
Inspection Fines & Citations	8,000	6,000	
City Clerk - Business Licenses	7,000	7,000	
PD - Liquor, Animal Licenses & Penalties	102,300	97,800	
Fire - Licenses & Permits	1,100	300	
Public Works - Licenses & Permits	19,415	19,415	
Planning & Zoning - Licenses & Permits	1,000	1,000	
Total Licenses, Permits & Fines	777,865	786,815	1.15%
Charges for Service			
Finance Department	5,500	5,500	
Assessing	3,000	3,000	
Inspections	105,900	103,900	
Police	35,000	35,000	
Fire	10,500	10,500	
Public Works	4,150	3,150	
Activity Center	87,000	67,500	
Total Charges for Service	251,050	228,550	-8.96%
Miscellaneous Revenue			
Franchise Fees	296,200	296,200	
Miscellaneous	15,250	15,250	
Finance Department	1,200	2,000	
Police	2,000	500	
Fire	3,500	3,500	
Public Works	5,300	5,300	
Activity Center	32,100	14,500	
Community Development	60,000	30,000	
Total Miscellaneous	415,550	367,250	-11.62%
Total Revenues	15,361,716	15,750,838	2.53%

City of Hopkins
DRAFT General Fund Revenue Budget
For the Year Ending December 31, 2021

September 1, 2020

Department	2020 Budget	DRAFT 2021 Budget	% Increase (Decrease)
City Council	97,630	102,095	4.57%
Administrative Services	854,893	866,311	1.34%
Finance	400,495	426,278	6.44%
Legal	175,000	200,000	14.29%
Municipal Building	404,014	390,560	-3.33%
Assessing	221,835	245,920	10.86%
City Clerk	237,513	176,656	-25.62%
Inspections	863,296	879,588	1.89%
Police	5,977,982	6,242,453	4.42%
Fire	1,483,177	1,566,528	5.62%
Public Works	3,443,017	3,469,191	0.76%
Recreation	285,279	291,339	2.12%
Activity Center	497,843	456,798	-8.24%
Planning & Zoning	222,382	233,000	4.77%
Community Development	108,160	114,921	6.25%
Tuition Reimbursement	19,200	19,200	0.00%
Contingency	50,000	50,000	0.00%
Transfer to Other Funds	20,000	20,000	0.00%
Total Expenditures	15,361,716	15,750,838	2.53%

City of Hopkins
DRAFT General Fund Revenue Budget
For the Year Ending December 31, 2021

September 1, 2020

Purpose	ACTUAL FY2020	DRAFT FY2021	% Increase (Decrease)
General Operations			
General Fund	12,479,305	12,808,552	2.64%
Capital Levy	75,000	175,000	133.33%
Arts Center	325,225	331,182	1.83%
Pavilion Fund	290,000	340,000	17.24%
Equipment Replacement	110,000	250,000	127.27%
Total General Operations	13,279,530	13,904,734	4.71%
Debt Levy	4,250,154	4,118,650	-3.09%
Total Levy	17,529,684	18,023,384	2.82%



CITY OF HOPKINS

Memorandum

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

From: Nick Bishop, Finance Director

Date: September 1, 2020

Subject: Review 2021 Preliminary Housing & Redevelopment Authority (HRA) Levy

PURPOSE

No formal action is required at this meeting. Staff is requesting input on the preliminary HRA Levy for 2021.

INFORMATION

The HRA Levy is the main revenue source for the City's Economic Development Fund and plays an important role in the City's continued efforts for redevelopment. The Fund does have recurring costs. The HRA levy is a separate levy and appears on tax statements under Other Taxing Districts.

There are levy limits for the HRA Levy based on 0.01850% of the City's estimated market value. The market value used for the 2021 Levy is \$2,203,931,800, resulting in a maximum HRA Levy of \$407,727. Setting the levy at \$407,727 would be an increase of \$39,776 or 10.81% from 2020. The City's market value over this time period increased by \$215,006,800 or 10.81%. The HRA Levy has been set at the maximum allowed over the past five years:

Tax Year	HRA Levy	\$ Increase	% Increase
2016	296,813.00	24,241.00	8.89%
2017	310,200.00	13,387.00	4.51%
2018	331,337.00	21,137.00	6.81%
2019	350,154.00	18,817.00	5.68%
2020	367,951.00	17,797.00	5.08%

Recommended Options to Consider:

Option 1: Approve the maximum allowable levy of \$407,727, which is a \$39,776 or 10.81% increase from 2020. This is consistent with prior years and will allow the most flexibility in the Economic Development Fund. This is a preliminary levy and can be reduced.

Option 2: Approve a levy with a modest inflationary increase of 2.75%. This would result in a total levy amount of \$378,070, which is a \$10,119 increase from 2020. This still allows some flexibility in the Economic Development Fund. It is also preliminary and can be reduced.

FUTURE ACTION

A preliminary levy must be adopted by September 30th of each year. The preliminary levy is planned to be approved at the September 15th City Council Meeting. The preliminary levy will be the maximum allowable amount for 2021 and can only be reduced.

A final levy must be adopted by December 31st of each year at or below the preliminary levy amount. A Truth and Taxation hearing is planned for Monday, November 30th. The final levy can be approved on December 1st or 15th.