

HOPKINS CITY COUNCIL

AGENDA

Tuesday, April 4, 2023

6:30 pm

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

Schedule HRA Regular Meeting, 6:30 p.m. – City Council Meeting immediately following meeting

I. CALL TO ORDER

II. ADOPT AGENDA

III. PRESENTATIONS

1. Police Department Update; Johnson
2. Pavement Management Program and Debt Updates; Klingbeil/Bishop

IV. CONSENT AGENDA

1. Minutes of the March 21, 2023 City Council Regular Meeting Proceedings
2. Ratify Checks Issued in March 2023; Bishop
3. Second Reading: Ordinance 2023-1187 Amending Chapters 40 and 102 of the City Code Regarding Illicit Discharge and Stormwater Management; Howard

V. PUBLIC HEARINGS

VI. OLD BUSINESS

VII. NEW BUSINESS

VIII. PUBLIC COMMENT

IX. ANNOUNCEMENTS

- Next City Council Regular Meetings: April 18 at 6:30 p.m.
- The April 11 City Council Meeting is canceled

X. ADJOURN



CITY OF HOPKINS

Police Department

Memorandum

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

From: Brent Johnson, Police Chief

Date: April 4, 2023

Subject: Police Department Update

PURPOSE

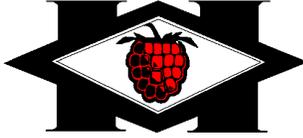
Police Chief Johnson will provide an update on the Hopkins Police Department for the year 2022 and looking ahead to 2023.

INFORMATION

To find out more information about the Hopkins Police Department, please visit the City's website at <https://www.hopkinsmn.com/308/Police> .

FUTURE ACTION

Presentation only.



Public Works Dept.

CITY OF HOPKINS

Memorandum

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

From: Eric Klingbeil

Date: April 4, 2023

Subject: Pavement Management Program Update

PURPOSE

To provide an update on the city's Pavement Management Plan

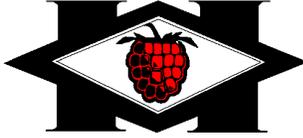
INFORMATION

Hopkins developed a Pavement Management Plan (PMP) in the 1990s to establish a baseline for infrastructure management. Prior to the PMP street reconstruction was typically reactionary and in many instances it was unplanned. The PMP establishes a method to track infrastructure condition, this in turn allows staff to be intentional and strategic when planning for projects. This also provides a way to be financially prepared for construction, by forecasting capital investments out over a horizon in the Capital Improvement Plan. A review of the status of street reconstruction across the city will be included in the presentation.

Currently, segments of 12th, 14th, 15th, and 16th Avenues North and 2nd Street North are to be reconstructed in 2023. As with other reconstruction projects, the scope also includes replacement of sidewalk, water main, sanitary sewer and storm sewer. An overview of the project will be presented and staff will be prepared to answer questions.

FUTURE ACTION

Regarding the next and utility project identified in the CIP, based on council direction at this work session, staff will be prepared to start project development in either 2023 or 2024. The next step is returning to council with a resolution to order a feasibility report.



Finance Department

CITY OF HOPKINS

Memorandum

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

From: Nick Bishop, Finance Director

Date: April 4, 2023

Subject: Debt Update

PURPOSE

To provide an overview and update related to the City's project debt for street projects.

INFORMATION

The City of Hopkins issues debt for infrastructure (roads, water, sewer and storm sewer) and large scale equipment (fire trucks and garbage trucks, among others) with a lifespan at least equal to the length of the debt (in most cases much longer). Despite the lifetime of the infrastructure being decades long, the average city debt is issued for only 15 years, which reduces the amount of interest paid.

The City has been focusing on projects to reconstruct streets, and ensuring our infrastructure is prepared for Southwest Light Rail and the development expected from the significant change projected for the community.

All streets in Hopkins are planned to be reconstructed by 2031. Continuing this program of street surface improvement projects ensures the future preservation of our roadways and helps maintain the quality of life Hopkins residents have come to expect.

As of April 4, 2023, the City of has \$50,085,000 of Tax Levy-supported debt. The City also has \$23,385,000 of debt paid by Utility Revenues and \$8,710,000 of debt paid by Tax Increment Financing (TIF). Total debt outstanding is \$82,180,000.

The approved 2023-2027 Capital Improvement Plan (CIP) includes a one year pause on street reconstruction in 2024. The following charts show the projected debt levy needed to fund the current CIP.

Projected Debt Levy Based on 2023-2027 Capital Improvement Plan (Approved on September 6, 2022)						
	Levy Year					
	2023	2024	2025	2026	2027	2028
Current Debt	3,892,746	4,161,472	4,184,186	3,997,181	3,857,264	3,510,216
Central Avenues (3 year project) 2025 Project	-	-	-	305,000	305,000	305,000
Central Avenues (3 year project) 2026 Project	-	-	-	-	310,000	310,000
Central Avenues (3 year project) 2027 Project	-	-	-	-	-	315,000
Total Debt Levy	3,892,746	4,161,472	4,184,186	4,302,181	4,472,264	4,440,216
Increase (Decrease)	(2.76%)	6.90%	0.55%	2.82%	3.95%	(0.72%)

The chart below shows the projected debt levy needed to begin the Central Avenues street reconstruction project in 2024.

Projected Debt Levy Based on Advancing Central Avenues Project (for discussion)						
	Levy Year					
	2023	2024	2025	2026	2027	2028
Current Debt	3,892,746	4,161,472	4,184,186	3,997,181	3,857,264	3,510,216
Central Avenues (3 year project) 2025 Project - Advance to 2024	-	-	295,000	295,000	295,000	295,000
Central Avenues (3 year project) 2026 Project - Advance to 2025	-	-	-	300,000	300,000	300,000
Central Avenues (3 year project) 2027 Project - Advance to 2026	-	-	-	-	305,000	305,000
Total Debt Levy	3,892,746	4,161,472	4,479,186	4,592,181	4,757,264	4,410,216
Increase (Decrease)	(2.76%)	6.90%	7.63%	2.52%	3.59%	(7.30%)

FUTURE ACTION

City Council will review a preliminary version on the Financial Management Plan (FMP) on June 13th. The FMP is a multi-year fiscal plan for all tax supported funds. The FMP will include existing debt, future debt, Capital Improvement Plans, Equipment

Replacement Plans, tax base growth, TIF de-certifications and projected operating expenses.

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
MARCH 21, 2023**

CALL TO ORDER

Pursuant to due call and notice thereof a regular meeting of the Hopkins City Council was held on Tuesday, March 21, 2023, at 6:45 p.m. in the Council Chambers at City Hall, 1010 1st Street South.

Mayor Hanlon called the meeting to order with Council Members Balan, Beck, Garrido and Hunke attending. Others attending included City Manager Mornson, Assistant City Manager Lenz, Strategic Planning and Initiatives Manager Imihy Bean, City Clerk Domeier, Deputy City Clerk Vidoloff, Director of Planning and Development Elverum, City Engineer Klingbeil, Planner Howard, Public Works Director Autio, and City Attorney Riggs.

ADOPT AGENDA

Motion by Beck. **Second** by Balan.

Motion to Adopt the Agenda.

Ayes: Balan, Beck, Garrido, Hanlon, Hunke

Nays: None. Motion carried.

CONSENT AGENDA

Motion by Balan. **Second** by Garrido.

Motion to Approve the Consent Agenda.

1. Minutes of the February 21, 2023, City Council Regular Meeting Proceedings
2. Minutes of the March 14, 2023, City Council Regular Meeting Proceedings
3. Ratify Checks Issued in February 2023; Bishop
4. Appoint Public Art Committee Members; Elverum

Ayes: Balan, Beck, Garrido, Hanlon, Hunke

Nays: None. Motion carried.

PUBLIC HEARINGS

V.1. Adopt Assessment Roll; 2023 Street and Utility Improvements – City Project 2022-10; Klingbeil

City Engineer Klingbeil accompanied by Professional Engineer Amatuccio of Bolton & Menk, summarized City Council Report 2023-29. The assessment calculations were prepared based on the overall lowest bid received for the 2023 Street and Utility Improvements.

Mayor Hanlon opened the public hearing at 6:56 pm.

Melissa Ziegler, 146 15th Ave. N., questioned whether her property taxes would go up because of this improvement.

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
MARCH 21, 2023**

Sue Gallucci, 1521 Mainstreet, stated her property is mixed-use with residential living and a private business. She requested that her property be assessed at the residential rate with special consideration that her lot has more side yard frontage than most properties being assessed. She also requested that given her age she have the opportunity to defer the assessment at age 65. Assistant City Manager Lenz clarified that deferral does not exempt one from the assessment and is a separate process.

Motion by Beck. **Second** by Balan.

Motion to Close the Public Hearing at 7:04 p.m.

Ayes: Balan, Beck, Garrido, Hanlon, Hunke
Nays: None. Motion carried.

Council Member Beck questioned assessment calculations for corner lots. Mr. Amatuccio explained the assessment calculations used for corner lots. Further discussion was held on the benefit appraisals and statutory limitations on assessment amounts.

Mr. Klingbeil and Mr. Amatuccio followed-up on Ms. Ziegler's question about the property tax impact explaining how benefit value appraisals showed the improvements would increase her overall property value. City Attorney Riggs explained that the benefit value appraisal showed that the improvement was well within the statutory cap for assessments and would ultimately affect property tax values because her overall property value would eventually increase.

Mr. Riggs added that the City Council has discretion with assessments; however, there is an assessment policy and he recommended adhering to the policy. Further City Council discussion was held regarding the assessment policy. The City Council supported treating 1521 Mainstreet as a residential property but wanted the assessment amount to follow the policy. Council Member Balan did not support changing the property designation.

Motion by Beck. **Second** by Garrido.

Motion to Adopt Resolution 2023-013, Resolution Adopting Assessment Roll 2023 Street and Utility Improvements, City Project 2022-10, amended to treat 1521 Mainstreet as a residential property.

Ayes: Beck, Garrido, Hanlon, Hunke
Nays: Balan. Motion Carried.

NEW BUSINESS

VII.1 Accept Bids and Award Contract; 2023 Street and Utility Improvements – City Project 2022-10; Klingbeil

City Engineer Klingbeil summarized Council Report 2023-030. Five total bids were received for the 2023 Street Utility Improvements. The recommendation for award of the project contract is to Northwest Asphalt, including all add alternates.

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
MARCH 21, 2023**

Council Member Beck noted that the bids came in under the engineer's estimate. Brief discussion ensued regarding the bidding process.

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

Motion to Adopt Resolution 2023-014, Resolution Accepting Bids, 2023 Street and Utility Improvements, City Project 2022-10; and Adopt Resolution 2023-015, Resolution for Award of Contract, 2023 Street and Utility Improvements, City Project 2022-10.

Ayes: Balan, Beck, Garrido, Hanlon, Hunke
Nays: None. Motion carried.

VII.2. First Reading: Ordinance 2023-1187 Amending Chapters 40 and 102 of the City Code Regarding Illicit Discharge and Stormwater Management; Howard

Planner Howard summarized Council Report 2023-26. City Engineer Klingbeil explained that this matter needed to be brought before the Planning and Zoning Commission before coming before the Council. Planner Howard made a first reading of the Proposed Ordinance, amending Chapters 40 and 102 of the City Code regarding Illicit Discharge and Stormwater Management.

Per Mayor Hanlon's request, Mr. Klingbeil shared examples of changes in the MS4 Permit process and statutory requirements.

Motion by Balan. **Second** by Garrido.

Motion to Adopt for First Reading, Ordinance 2023-1187, Amending Chapters 40 and 102 of the City Code Regarding Illicit Discharge and Stormwater Management

Ayes: Balan, Beck, Garrido, Hanlon, Hunke
Nays: None. Motion carried.

VII.3. Discussion on No Mow May; Imihy Bean

Strategic Planning and Initiatives Manager Imihy Bean presented on No Mow May and requested guidance from the City Council on if enacting No Mow May should proceed and whether it would be a one year resolution or a permanent change to the ordinance.

The City Council supported the No Mow May initiative and preferred to review the ordinance language annually.

PUBLIC COMMENT

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
MARCH 21, 2023**

Melissa Ziegler, 146 15th Ave. N., asked about the insurance coverage for the people working on the street improvement and who would be liable if they are injured. City Engineer Klingbeil responded that the companies performing the work are required to carry liability insurance for the project.

Four University of Minnesota students were in attendance at the meeting and informed Council they had chosen to study the Hopkins 2023 Street and Utility Improvements Project as part of their Civil Engineering class this semester.

ANNOUNCEMENTS

Mayor Hanlon reviewed the upcoming meeting schedule. The April 11 City Council meeting is canceled.

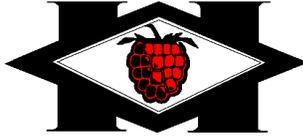
ADJOURNMENT

There being no further business to come before the City Council and upon a motion by Garrido, second by Balan, the meeting was unanimously adjourned at 7:38 p.m.

Respectfully Submitted,



Ann M. Vidoloff, Deputy City Clerk



CITY OF HOPKINS

Finance Department

City Council Report 2023-032

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

From: Nicholas Bishop, Finance Director

Date: April 4, 2023

Subject: Ratify Checks Issued in March 2023

RECOMMENDED ACTION

MOTION TO Ratify Checks issued between March 1, 2023 and March 30, 2023 with numbers 130076 thru 130434 for total distribution of \$2,616,875.11.

OVERVIEW

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.

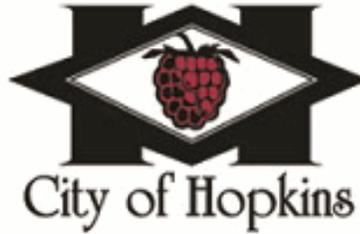
SUPPORTING INFORMATION

- Check Register

Accounts Payable

Checks by Date - Summary by Check Date

User: cdahlstrom@hopkinsmn.com
Printed: 3/30/2023 9:34 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
130076	01045	ABM EQUIPMENT & SUPPLY LLC	03/02/2023	0.00	53.06
130077	31117	ACUITY SPECIALTY PRODUCTS INC	03/02/2023	0.00	105.10
130078	28422	ADVANCED IMAGING SOLUTIONS	03/02/2023	0.00	5,022.32
130079	30899	BAUERS MINNOCO	03/02/2023	0.00	63.90
130080	31246	BLAINE BROTHERS MAINTENANCE I	03/02/2023	0.00	2,291.51
130081	27782	BOUND TREE MEDICAL LLC	03/02/2023	0.00	574.76
130082	UB*00865	AUSTIN M BUDLONG	03/02/2023	0.00	9.23
130083	30127	CINTAS CORPORATION NO. 2	03/02/2023	0.00	369.99
130084	03331	CITY OF ST LOUIS PARK	03/02/2023	0.00	1,306.52
130085	26951	COMCAST	03/02/2023	0.00	158.35
130086	26951	COMCAST	03/02/2023	0.00	142.39
130087	26951	COMCAST	03/02/2023	0.00	135.97
130088	26951	COMCAST	03/02/2023	0.00	2.10
130089	03568	COMO LUBE & SUPPLIES INC	03/02/2023	0.00	132.50
130090	14561	COMPASS MINERALS AMERICA	03/02/2023	0.00	8,497.78
130091	30560	COMPUTER INTEGRATION TECHNOL	03/02/2023	0.00	622.50
130092	UB*00866	CTW GROUP INC	03/02/2023	0.00	8.92
130093	UB*00862	DECHOMAI ASSET TRUST	03/02/2023	0.00	387.06
130094	30436	DORAN 810 APARTMENTS LLC	03/02/2023	0.00	761,765.31
130095	29306	DORAN MARKETPLACE LLC	03/02/2023	0.00	114,645.72
130096	05481	EMERGENCY APPARATUS MAINT INC	03/02/2023	0.00	600.45
130097	29491	FERGUSON WATERWORKS #2518	03/02/2023	0.00	724.58
130098	31346	PAULA FINNEY	03/02/2023	0.00	120.00
130099	30555	MARGARET GONGOLL	03/02/2023	0.00	405.00
130100	UB*00867	MIRIAM GUSTAFSON	03/02/2023	0.00	30.23
130101	08004	HANCE HARDWARE, INC	03/02/2023	0.00	763.74
130102	29645	HENNEPIN CTY TREASURER	03/02/2023	0.00	2,127.00
130103	08627	HOME DEPOT CREDIT SERVICES	03/02/2023	0.00	303.49
130104	08576	HOPKINS F.D. RELIEF ASSOC	03/02/2023	0.00	120.00
130105	UB*00863	MICHAEL JENSEN	03/02/2023	0.00	24.32
130106	13047	MARCO	03/02/2023	0.00	66,172.00
130107	31305	MARY MCCALLUM	03/02/2023	0.00	320.00
130108	13167	MENARDS	03/02/2023	0.00	235.61
130109	29177	RENEE A MEUWISSEN	03/02/2023	0.00	345.00
130110	09085	MISSION SQUARE - ROTH IRA - 70626	03/02/2023	0.00	986.40
130111	13446	MN DEPT OF LABOR & INDUSTRY	03/02/2023	0.00	100.00
130112	14011	NATIONAL LEAGUE OF CITIES	03/02/2023	0.00	1,652.00
130113	15441	OLSEN CHAIN AND CABLE CO INC	03/02/2023	0.00	615.65
130114	15880	OWENS SERVICE CORP- CHEMTEX	03/02/2023	0.00	353.50
130115	16035	PACE ANALYTICAL SERVICES INC	03/02/2023	0.00	1,047.60
130116	31434	PARRY PARASCHOU	03/02/2023	0.00	200.00
130117	UB*00864	BRITTANY PUCKETT	03/02/2023	0.00	112.19
130118	28245	QUADIENT FINANCES USA INC	03/02/2023	0.00	200.45
130119	31435	SEAN RATLIFF	03/02/2023	0.00	415.00
130120	09084	MISSION SQUARE RETIREMENT TRUS	03/02/2023	0.00	2,636.59
130121	19117	SCHERER BROS. LUMBER CO.	03/02/2023	0.00	37.31
130122	19520	SNAP PRINT INC	03/02/2023	0.00	227.17

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
130123	30091	RAY STAFFORD	03/02/2023	0.00	480.00
130124	UB*00868	ADAM STAYMATE	03/02/2023	0.00	24.88
130125	31388	THE JAMAR COMPANY	03/02/2023	0.00	3,900.00
130126	29466	VERIZON WIRELESS	03/02/2023	0.00	1,167.48
130127	30017	VERIZON WIRELESS	03/02/2023	0.00	1,962.40
130128	27065	WALTERS CLIMATE INC	03/02/2023	0.00	161.00
130129	27900	WATER CONSERVATION SERVICES	03/02/2023	0.00	529.48
Total for 3/2/2023:				0.00	985,395.51
130130	30134	MARTY STUART TOURS, INC.	03/03/2023	0.00	10,000.00
Total for 3/3/2023:				0.00	10,000.00
130131	28427	ADVANCED IMAGING SOLUTIONS	03/09/2023	0.00	873.80
130132	01493	AMERICAN PRESSURE, INC	03/09/2023	0.00	189.00
130133	02031	B & W SPECIALTY COFFEE CO	03/09/2023	0.00	653.00
130134	30481	BATTERIES PLUS BULBS #018	03/09/2023	0.00	535.22
130135	29817	GARY BINGER	03/09/2023	0.00	3,800.00
130136	02563	BOLTON & MENK, INC	03/09/2023	0.00	111,050.33
130137	27782	BOUND TREE MEDICAL LLC	03/09/2023	0.00	1,440.36
130138	27822	BRADS PRO AUDIO	03/09/2023	0.00	400.00
130139	31436	SARA E BROWN	03/09/2023	0.00	280.00
130140	29416	CDW GOVERNMENT	03/09/2023	0.00	6,559.30
130141	03160	CENTERPOINT ENERGY MINNEGASC	03/09/2023	0.00	21.30
130142	30038	CIVICPLUS LLC	03/09/2023	0.00	2,096.75
130143	26951	COMCAST	03/09/2023	0.00	14.70
130144	26951	COMCAST	03/09/2023	0.00	348.35
130145	26951	COMCAST	03/09/2023	0.00	286.85
130146	31281	CONFLUENCE INC	03/09/2023	0.00	3,490.12
130147	03640	CPT SERVICES, INC	03/09/2023	0.00	201.25
130148	27060	CROWN MARKING INC	03/09/2023	0.00	24.71
130149	03800	CULLIGAN - METRO	03/09/2023	0.00	278.50
130150	31437	LISA R DOWNS	03/09/2023	0.00	157.50
130151	05481	EMERGENCY APPARATUS MAINT INC	03/09/2023	0.00	14,902.66
130152	30330	FAE LSE 6 LLC	03/09/2023	0.00	209.95
130153	30601	FAE LSE 8 LLC	03/09/2023	0.00	1,153.96
130154	31076	FERGUSON US HOLDINGS INC	03/09/2023	0.00	3,902.20
130155	06567	FORCE AMERICA	03/09/2023	0.00	220.00
130156	07564	GOPHER STATE ONE-CALL, INC	03/09/2023	0.00	51.30
130157	07689	GRAFIX SHOPPE	03/09/2023	0.00	630.00
130158	29377	GRAINGER, INC	03/09/2023	0.00	24.58
130159	30854	GREAT RIVER AUTOMATION LLC	03/09/2023	0.00	660.00
130160	08000	H & L MESABI	03/09/2023	0.00	149.10
130161	08001	HACH COMPANY	03/09/2023	0.00	783.30
130162	31143	SARA HALPERN	03/09/2023	0.00	185.00
130163	08186	HENNEPIN CTY TREASURER	03/09/2023	0.00	87.00
130164	08187	HENNEPIN CTY TREASURER	03/09/2023	0.00	268.00
130165	08192	HENNEPIN CTY TREASURER	03/09/2023	0.00	10,463.07
130166	27248	HENNEPIN CTY TREASURER	03/09/2023	0.00	534.00
130167	08401	HILDI INC	03/09/2023	0.00	5,125.00
130168	08576	HOPKINS F.D. RELIEF ASSOC	03/09/2023	0.00	1,170.00
130169	31441	HOWMEDICA OSTEONICS CORP	03/09/2023	0.00	18,705.18
130170	09521	INDELCO	03/09/2023	0.00	48.84
130171	09578	INNOVATIVE OFFICE SOLUTIONS LLC	03/09/2023	0.00	987.72
130172	31059	INTEGRATED FIRE & SECURITY INC	03/09/2023	0.00	1,645.16
130173	30269	JANELLE JASPERS JONES	03/09/2023	0.00	240.00

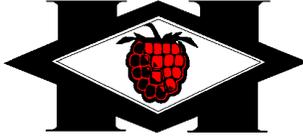
Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
130174	11161	KENNEDY & GRAVEN, CHARTERED	03/09/2023	0.00	12,077.23
130175	31438	KEVIN KLUEVER	03/09/2023	0.00	210.00
130176	12160	LEAGUE OF MN CITIES	03/09/2023	0.00	194,423.00
130177	12160	LEAGUE OF MN CITIES	03/09/2023	0.00	132,410.00
130178	12160	LEAGUE OF MN CITIES	03/09/2023	0.00	1,446.67
130179	12200	LHB INC	03/09/2023	0.00	4,944.80
130180	30145	ZACH LUNDBERG	03/09/2023	0.00	5,350.00
130181	13012	MACQUEEN EQUIPMENT INC	03/09/2023	0.00	14,286.71
130182	29059	MANSFIELD OIL COMPANY	03/09/2023	0.00	23,457.86
130183	29025	METERING & TECHNOLOGY SOLUTIC	03/09/2023	0.00	699.47
130184	13179	METROPOLITAN COUNCIL	03/09/2023	0.00	145,973.17
130185	13275	MICRO CENTER	03/09/2023	0.00	2,207.76
130186	13354	MN BENEFIT ASSOCIATION	03/09/2023	0.00	84.18
130187	04188	MN DEPT OF MOTOR VEHICLES	03/09/2023	0.00	14.25
130188	28599	MN PUBLIC RADIO	03/09/2023	0.00	833.00
130189	19327	PATRICIA NELSON	03/09/2023	0.00	80.00
130190	30300	NORDIC SOLAR HOLDCO LLC	03/09/2023	0.00	1,205.02
130191	29180	NORTHEAST MPLS ARTS ASSN	03/09/2023	0.00	1,100.00
130192	29452	OFFICE OF MN IT SERVICES	03/09/2023	0.00	285.76
130193	15441	OLSEN CHAIN AND CABLE CO INC	03/09/2023	0.00	212.94
130194	15521	ON SITE COMPANIES	03/09/2023	0.00	589.00
130195	29362	OPG-3, INC	03/09/2023	0.00	16,357.00
130196	31306	TERRI OSLAND	03/09/2023	0.00	192.00
130197	16337	PIRTEK PLYMOUTH	03/09/2023	0.00	495.94
130198	30199	PULSE ELECTRIC	03/09/2023	0.00	886.00
130199	04573	QUALITY RESOURCE GROUP INC	03/09/2023	0.00	55.59
130200	17806	QWEST CORP	03/09/2023	0.00	61.08
130201	31439	DEBORAH K RONGLIEN	03/09/2023	0.00	66.50
130202	30360	JULIA ROSS	03/09/2023	0.00	31.77
130203	31440	SIGNATURE CONCEPTS INC	03/09/2023	0.00	1,454.00
130204	19520	SNAP PRINT INC	03/09/2023	0.00	64.67
130205	30075	STONE TRUTH MUSIC LLC	03/09/2023	0.00	4,500.00
130206	30093	TRANSUNION RISK AND ALTERNATIV	03/09/2023	0.00	261.00
130207	20687	TRI-STATE BOBCAT INC	03/09/2023	0.00	2,680.26
130208	29473	VERIZON WIRELESS	03/09/2023	0.00	430.58
130209	29475	VERIZON WIRELESS	03/09/2023	0.00	105.03
130210	30819	VERIZON WIRELESS	03/09/2023	0.00	390.50
130211	25080	XCEL ENERGY	03/09/2023	0.00	289.79
130212	25080	XCEL ENERGY	03/09/2023	0.00	1,848.96
130213	25080	XCEL ENERGY	03/09/2023	0.00	27.09
130214	25080	XCEL ENERGY	03/09/2023	0.00	11,385.73
130215	25080	XCEL ENERGY	03/09/2023	0.00	306.45
130216	25080	XCEL ENERGY	03/09/2023	0.00	5,717.25
130217	25080	XCEL ENERGY	03/09/2023	0.00	39.76
130218	25080	XCEL ENERGY	03/09/2023	0.00	1,506.90
130219	25080	XCEL ENERGY	03/09/2023	0.00	1,291.62
130220	25080	XCEL ENERGY	03/09/2023	0.00	789.92
Total for 3/9/2023:				0.00	787,973.27
130221	31117	ACUITY SPECIALTY PRODUCTS INC	03/16/2023	0.00	207.35
130222	29535	ADVANCED ENGINEERING	03/16/2023	0.00	8,566.50
130223	30899	BAUERS MINNOCO	03/16/2023	0.00	32.95
130224	27822	BRADS PRO AUDIO	03/16/2023	0.00	400.00
130225	31400	BZDOK INSPECTIONS INC	03/16/2023	0.00	1,721.25
130226	30949	CAN HOLDINGS INC	03/16/2023	0.00	340.00
130227	31410	CARLSON PRINTING COMPANY	03/16/2023	0.00	4,172.47

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
130228	28981	CHESTNUT CAMBRONNE PA	03/16/2023	0.00	14,915.80
130229	30127	CINTAS CORPORATION NO. 2	03/16/2023	0.00	385.97
130230	31445	CITY OF BROOKLYN PARK	03/16/2023	0.00	7,000.00
130231	31003	CITY OF EDINA	03/16/2023	0.00	100.00
130232	26951	COMCAST	03/16/2023	0.00	145.97
130233	31384	CONSOLIDATED COMMUNICATIONS	03/16/2023	0.00	166.57
130234	31032	COVERALL NORTH AMERICA	03/16/2023	0.00	5,423.50
130235	03800	CULLIGAN - METRO	03/16/2023	0.00	466.58
130236	04690	DRISKILLS FOODS	03/16/2023	0.00	166.67
130237	05481	EMERGENCY APPARATUS MAINT INC	03/16/2023	0.00	3,829.79
130238	29006	ENTERPRISE FLEET MANAGEMENT	03/16/2023	0.00	2,127.64
130239	06008	FASTENAL CO	03/16/2023	0.00	291.79
130240	31229	KIRI ANN FAUL	03/16/2023	0.00	650.00
130241	07185	GENUINE PARTS	03/16/2023	0.00	420.38
130242	29820	GROUP HEALTH PLAN INC	03/16/2023	0.00	230.00
130243	08000	H & L MESABI	03/16/2023	0.00	2,125.00
130244	08001	HACH COMPANY	03/16/2023	0.00	370.90
130245	31442	HARTFIEL AUTOMATION INC	03/16/2023	0.00	40.58
130246	29748	HENNEPIN COUNTY PUBLIC WORKS	03/16/2023	0.00	10,172.52
130247	08166	HENNEPIN CTY TREASURER	03/16/2023	0.00	3,491.50
130248	08166	HENNEPIN CTY TREASURER	03/16/2023	0.00	269.90
130249	08179	HENNEPIN CTY TREASURER	03/16/2023	0.00	1,883.28
130250	08223	HENNEPIN CTY TREASURER	03/16/2023	0.00	8,969.31
130251	31342	HI-LINE ELECTRIC COMPANY INC	03/16/2023	0.00	676.61
130252	08625	HOPKINS POLICE ASSOCIATION	03/16/2023	0.00	1,110.00
130253	28537	IS LAX LLC	03/16/2023	0.00	25,387.50
130254	27456	JAZZ88 KBEM	03/16/2023	0.00	140.00
130255	11013	KATH FUEL OIL SERVICE	03/16/2023	0.00	813.84
130256	11583	KONE INC	03/16/2023	0.00	872.52
130257	12012	LAW ENFORCEMENT LABOR SERVICE	03/16/2023	0.00	472.50
130258	30392	CIGNA LIFE INS COMP OF AMERICA -	03/16/2023	0.00	763.12
130259	30023	CIGNA LIFE INS COMP OF N AMERICA	03/16/2023	0.00	894.90
130260	30391	THE HARTFORD LTD	03/16/2023	0.00	2,349.44
130261	30145	ZACH LUNDBERG	03/16/2023	0.00	2,400.00
130262	13047	MARCO	03/16/2023	0.00	15,682.14
130263	30134	MARTY STUART TOURS, INC.	03/16/2023	0.00	684.00
130264	30134	MARTY STUART TOURS, INC.	03/16/2023	0.00	4,495.65
130265	31443	MBBA-MINNETONKA BOYS BASKETE	03/16/2023	0.00	465.00
130266	13207	MENARDS	03/16/2023	0.00	22.97
130267	29025	METERING & TECHNOLOGY SOLUTIC	03/16/2023	0.00	4,669.49
130268	30363	MINNEAPOLIS OXYGEN COMPANY	03/16/2023	0.00	85.01
130269	31017	MIRACLE RECREATION EQUIPMENT	03/16/2023	0.00	513.00
130270	09085	MISSION SQUARE - ROTH IRA - 70626	03/16/2023	0.00	986.40
130271	13375	MN DEPT OF HEALTH	03/16/2023	0.00	8,542.00
130272	28599	MN PUBLIC RADIO	03/16/2023	0.00	1,666.00
130273	27705	PRAIRIE RESTORATIONS INC	03/16/2023	0.00	3,600.00
130274	31444	PURE PRAIRIE LEAGUE COMPANY	03/16/2023	0.00	5,000.00
130275	31444	PURE PRAIRIE LEAGUE COMPANY	03/16/2023	0.00	500.00
130276	04573	QUALITY RESOURCE GROUP INC	03/16/2023	0.00	230.10
130277	18164	RED WING BUSINESS ADVANTAGE AC	03/16/2023	0.00	188.99
130278	31120	REPUBLIC SERVICES INC	03/16/2023	0.00	32,200.38
130279	09084	MISSION SQUARE RETIREMENT TRUS	03/16/2023	0.00	2,595.11
130280	19085	SCHINDLER ELEVATOR CORP	03/16/2023	0.00	6,303.40
130281	19520	SNAP PRINT INC	03/16/2023	0.00	77.70
130282	30495	SPEEDWAY LLC	03/16/2023	0.00	20.00
130283	29200	SPRINGBROOK SOFTWARE INC	03/16/2023	0.00	1,358.50
130284	19602	SPS COMPANIES INC	03/16/2023	0.00	189.41

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
130285	30390	THE HARTFORD STD	03/16/2023	0.00	3,248.31
130286	20120	TDS METROCOM - MN	03/16/2023	0.00	351.17
130287	31157	THOMPSON INSPECTIONS INC	03/16/2023	0.00	180.00
130288	20560	TOLL GAS & WELDING SUPPLY	03/16/2023	0.00	134.02
130289	20887	TWIN CITY WATER CLINIC	03/16/2023	0.00	340.00
130290	21523	UNION LOCAL 49	03/16/2023	0.00	787.50
130291	31361	VIQ SOLUTIONS INC	03/16/2023	0.00	21.90
130292	25080	XCEL ENERGY	03/16/2023	0.00	11,847.78
130293	26000	ZARNOTH BRUSH WORKS, INC	03/16/2023	0.00	1,831.50
Total for 3/16/2023:				0.00	223,782.03
130294	31081	ALLEN'S SERVICE	03/23/2023	0.00	330.00
130295	28600	APPLE VALLEY FORD LINCOLN	03/23/2023	0.00	2,785.63
130296	01494	APWA MN	03/23/2023	0.00	382.50
130297	01722	ASPEN EQUIPMENT CO	03/23/2023	0.00	307.00
130298	27839	BATTERIES R US	03/23/2023	0.00	34.99
130299	30899	BAUERS MINNOCO	03/23/2023	0.00	37.49
130300	31208	DENIS BOCI-BEARD	03/23/2023	0.00	45.00
130301	31447	BOLLIG & SONS INC	03/23/2023	0.00	6,991.25
130302	02563	BOLTON & MENK, INC	03/23/2023	0.00	49,602.50
130303	29416	CDW GOVERNMENT	03/23/2023	0.00	12,000.00
130304	03160	CENTERPOINT ENERGY MINNEGASC	03/23/2023	0.00	23,840.92
130305	28430	CENTURY LINK	03/23/2023	0.00	687.51
130306	31267	CINTAS CORPORATION	03/23/2023	0.00	170.06
130307	30127	CINTAS CORPORATION NO. 2	03/23/2023	0.00	177.66
130308	03328	CITY OF MINNETONKA	03/23/2023	0.00	22,424.39
130309	26951	COMCAST	03/23/2023	0.00	404.74
130310	26951	COMCAST	03/23/2023	0.00	168.35
130311	26951	COMCAST	03/23/2023	0.00	142.39
130312	30560	COMPUTER INTEGRATION TECHNOL	03/23/2023	0.00	2,757.00
130313	UB*00875	MATTHEW E/MARA COREY	03/23/2023	0.00	45.87
130314	UB*00871	CORNERSTONE COLLECTIVE LLC	03/23/2023	0.00	108.67
130315	UB*00872	CORNERSTONE COLLECTIVE LLC	03/23/2023	0.00	51.45
130316	UB*00870	BRYCE CRAIG	03/23/2023	0.00	152.51
130317	UB*00874	CTW GROUP INC	03/23/2023	0.00	40.94
130318	28898	ECM PUBLISHERS INC	03/23/2023	0.00	1,029.00
130319	05282	EHLERS AND ASSOCIATES, INC	03/23/2023	0.00	7,275.00
130320	28628	FLEETPRIDE INC	03/23/2023	0.00	113.98
130321	06567	FORCE AMERICA	03/23/2023	0.00	440.50
130322	30184	GOVERNMENTJOBS.COM, INC.	03/23/2023	0.00	2,001.00
130323	07681	GRAINGER, INC	03/23/2023	0.00	215.15
130324	29377	GRAINGER, INC	03/23/2023	0.00	1,065.54
130325	08000	H & L MESABI	03/23/2023	0.00	5,981.00
130326	31450	HALLMARK GLASS INC	03/23/2023	0.00	17,090.82
130327	08004	HANCE HARDWARE, INC	03/23/2023	0.00	957.36
130328	08038	HAWKINS, INC	03/23/2023	0.00	10.00
130329	08336	HIRSHFIELDS	03/23/2023	0.00	170.49
130330	08627	HOME DEPOT CREDIT SERVICES	03/23/2023	0.00	123.81
130331	29345	IMPACT MAILING OF MN	03/23/2023	0.00	2,420.71
130332	UB*00863	MICHAEL JENSEN	03/23/2023	0.00	75.68
130333	11583	KONE INC	03/23/2023	0.00	432.63
130334	UB*00869	ALLISON KRUG SMULKA	03/23/2023	0.00	105.90
130335	29529	LEXISNEXIS RISK SOLUTIONS	03/23/2023	0.00	93.79
130336	13012	MACQUEEN EQUIPMENT INC	03/23/2023	0.00	651.00
130337	UB*00873	LENORE MARAVELAS	03/23/2023	0.00	81.71
130338	13167	MENARDS	03/23/2023	0.00	36.51

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
130339	13275	MICRO CENTER	03/23/2023	0.00	1,919.89
130340	27576	MN POLLUTION CONTROL AGENCY	03/23/2023	0.00	345.00
130341	13564	MOTOROLA	03/23/2023	0.00	24,154.00
130342	31064	MR CUTTING EDGE LLC	03/23/2023	0.00	175.00
130343	13760	MTI DISTRIBUTING INC	03/23/2023	0.00	135.00
130344	31266	NOKOMIS SHOE SHOP INC	03/23/2023	0.00	219.90
130345	29452	OFFICE OF MN IT SERVICES	03/23/2023	0.00	293.43
130346	29468	PARALLEL TECHNOLOGIES	03/23/2023	0.00	363.50
130347	16337	PIRTEK PLYMOUTH	03/23/2023	0.00	419.05
130348	16566	POMPS TIRE SERVICE INC	03/23/2023	0.00	3,981.37
130349	30125	PROJECT COMPANY FINCO PHASE III	03/23/2023	0.00	16,114.44
130350	14188	QUADIENT LEASING INC	03/23/2023	0.00	2,058.03
130351	18121	RDO EQUIPMENT CO.	03/23/2023	0.00	1,100.88
130352	30767	MYRON RUSSELL	03/23/2023	0.00	700.00
130353	31448	SAFETY VEHICLE SOLUTIONS	03/23/2023	0.00	3,973.49
130354	29143	SHRED IT USA	03/23/2023	0.00	151.53
130355	19581	SOUTHWEST LOCK & KEY	03/23/2023	0.00	190.00
130356	19681	SRF CONSULTING GROUP INC	03/23/2023	0.00	1,229.04
130357	28590	ST CLOUD STATE UNIV	03/23/2023	0.00	960.00
130358	31449	STILLWATER MOTOR COMPANY	03/23/2023	0.00	54,285.25
130359	29747	SUMMIT PROTECTION	03/23/2023	0.00	400.00
130360	19824	SUNSHINE CAR WASH	03/23/2023	0.00	68.17
130361	30152	SUPERIOR TECHNOLOGY GROUP	03/23/2023	0.00	475.00
130362	29729	T-MOBILE USA, INC.	03/23/2023	0.00	25.00
130363	29795	TRANE	03/23/2023	0.00	23.55
130364	20687	TRI-STATE BOBCAT INC	03/23/2023	0.00	1,584.21
130365	29458	VERIZON WIRELESS	03/23/2023	0.00	3,531.61
130366	26320	ZIEGLER, INC	03/23/2023	0.00	10,295.04
Total for 3/23/2023:				0.00	293,231.78
130367	28422	ADVANCED IMAGING SOLUTIONS	03/30/2023	0.00	5,022.32
130368	30728	AFSCME COUNCIL 5	03/30/2023	0.00	1,179.03
130369	30933	ANCHOR SOLAR INVESTMENTS LLC	03/30/2023	0.00	3,556.20
130370	01543	ANCOM COMMUNICATIONS INC	03/30/2023	0.00	53,635.50
130371	02031	B & W SPECIALTY COFFEE CO	03/30/2023	0.00	444.99
130372	30481	BATTERIES PLUS BULBS #018	03/30/2023	0.00	441.55
130373	14571	BLUE TARP FINANCIAL INC	03/30/2023	0.00	129.99
130374	30127	CINTAS CORPORATION NO. 2	03/30/2023	0.00	220.37
130375	26951	COMCAST	03/30/2023	0.00	296.85
130376	30560	COMPUTER INTEGRATION TECHNOL	03/30/2023	0.00	220.00
130377	29896	DATAWORKS PLUS LLC	03/30/2023	0.00	1,795.00
130378	04690	DRISKILLS FOODS	03/30/2023	0.00	71.76
130379	31446	ECESSA CORPORATION	03/30/2023	0.00	3,532.00
130380	05453	ELECTRIC PUMP INC	03/30/2023	0.00	13,060.25
130381	29070	ENGAGE PRINT INC	03/30/2023	0.00	335.00
130382	30330	FAE LSE 6 LLC	03/30/2023	0.00	3,062.51
130383	30601	FAE LSE 8 LLC	03/30/2023	0.00	3,831.72
130384	31229	KIRI ANN FAUL	03/30/2023	0.00	650.00
130385	31346	PAULA FINNEY	03/30/2023	0.00	120.00
130386	07003	GARTNER REFRIGERATION & MFG.	03/30/2023	0.00	2,119.11
130387	30555	MARGARET GONGOLL	03/30/2023	0.00	405.00
130388	31455	MARIE GRAHAM	03/30/2023	0.00	6,095.00
130389	08038	HAWKINS, INC	03/30/2023	0.00	4,990.18
130390	29060	HD SUPPLY INC	03/30/2023	0.00	683.82
130391	31456	ERICA HEINRICHS	03/30/2023	0.00	120.00
130392	08192	HENNEPIN CTY TREASURER	03/30/2023	0.00	1,676.54

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
130393	31453	HERITAGE BRICK LLC	03/30/2023	0.00	5,100.00
130394	30941	HOPKINS POLICE CRIME FUND	03/30/2023	0.00	52.91
130395	09801	I.U.O.E. CENTRAL PENSION FUND	03/30/2023	0.00	2,720.00
130396	31457	INTECH SOFTWARE SOLUTIONS INC	03/30/2023	0.00	8,566.00
130397	09002	I-STATE TRUCK CENTER	03/30/2023	0.00	23.46
130398	29249	JR'S ADVANCED RECYCLERS	03/30/2023	0.00	60.00
130399	31454	JAMES KIENITZ	03/30/2023	0.00	593.71
130400	30747	KORTERRA INC	03/30/2023	0.00	1,500.00
130401	31458	KUSSMAUL ELECTRONICS COMPANY	03/30/2023	0.00	451.10
130402	29774	LAURSEN PIANO SERVICE	03/30/2023	0.00	120.00
130403	29059	MANSFIELD OIL COMPANY	03/30/2023	0.00	22,480.86
130404	13047	MARCO	03/30/2023	0.00	2,442.00
130405	29440	MCFOA	03/30/2023	0.00	50.00
130406	13160	MEDICINE LAKE TOURS	03/30/2023	0.00	830.00
130407	13167	MENARDS	03/30/2023	0.00	236.21
130408	13207	MENARDS	03/30/2023	0.00	43.45
130409	13179	METROPOLITAN COUNCIL	03/30/2023	0.00	127,927.80
130410	29177	RENEE A MEUWISSEN	03/30/2023	0.00	345.00
130411	09085	MISSION SQUARE - ROTH IRA - 70626	03/30/2023	0.00	986.40
130412	29437	NORTH AMERICAN SAFETY	03/30/2023	0.00	42.57
130413	15521	ON SITE COMPANIES	03/30/2023	0.00	589.00
130414	04573	QUALITY RESOURCE GROUP INC	03/30/2023	0.00	111.10
130415	08568	RESOURCE WEST	03/30/2023	0.00	27.52
130416	09084	MISSION SQUARE RETIREMENT TRUST	03/30/2023	0.00	2,577.06
130417	19012	SAFETY SIGNS	03/30/2023	0.00	500.55
130418	19004	SAMARITAN TIRE COMPANY	03/30/2023	0.00	60.00
130419	19520	SNAP PRINT INC	03/30/2023	0.00	82.98
130420	19581	SOUTHWEST LOCK & KEY	03/30/2023	0.00	248.00
130421	29200	SPRINGBROOK SOFTWARE INC	03/30/2023	0.00	1,580.47
130422	30091	RAY STAFFORD	03/30/2023	0.00	480.00
130423	30152	SUPERIOR TECHNOLOGY GROUP	03/30/2023	0.00	2,835.00
130424	28755	THALES CONSULTING INC	03/30/2023	0.00	6,500.00
130425	31459	THEATERMANIA.COM INC	03/30/2023	0.00	905.00
130426	20687	TRI-STATE BOBCAT INC	03/30/2023	0.00	941.08
130427	20892	TWIN CITY HARDWARE INC	03/30/2023	0.00	10,314.47
130428	27981	ULINE INC	03/30/2023	0.00	464.32
130429	21529	UNITED WAY	03/30/2023	0.00	57.69
130430	30189	VAN PAPER SUPPLY COMPANY	03/30/2023	0.00	17.20
130431	29466	VERIZON WIRELESS	03/30/2023	0.00	1,195.54
130432	30017	VERIZON WIRELESS	03/30/2023	0.00	1,962.44
130433	31451	WARNERS STELLIAN CO INC	03/30/2023	0.00	1,811.94
130434	28123	WRAP CITY GRAPHICS INC	03/30/2023	0.00	965.00
Total for 3/30/2023:				0.00	316,492.52
Report Total (359 checks):				0.00	2,616,875.11



CITY OF HOPKINS

Planning and Economic
Development Department

City Council Report 2023-031

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

From: Kurt Howard, Planner

Date: April 4, 2023

Subject: Second Reading: Ordinance 2023-1187 Amending Chapters 40 and 102 of the City Code Regarding Illicit Discharge and Stormwater Management

RECOMMENDED ACTION

MOTION TO Adopt for Second Reading, Ordinance 2023-1187, Amending Chapters 40 and 102 of the City Code Regarding Illicit Discharge and Stormwater Management

OVERVIEW

Ordinance 2023-1187 was updated to include a publication summary section to be printed in the official City newspaper in lieu of the complete ordinance due to its significant length. No other changes have been made to the Ordinance since the March 21 first reading.

SUPPORTING INFORMATION

- Ordinance 2023-1187
- Planning & Zoning Commission Resolution 2023-01

**CITY OF HOPKINS
COUNTY OF HENNEPIN**

ORDINANCE NO. 2023-1187

**ORDINANCE AMENDING CHAPTERS 40 AND 102 OF THE
HOPKINS CITY CODE REGARDING ILLICIT DISCHARGE AND STORMWATER
MANAGEMENT**

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

SECTION 1. Hopkins City Code, Part II, Chapter 40, Division 2, Section 40-282 is hereby amended by adding the double-underlined language and deleting the ~~stricken~~ language as follows:

Sec. 40-282. – Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Best management practices or *BMPs* mean schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. Best management practices or BMPs also include treatment practices, operating procedures, and practices to control site runoff; spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

Clean Water Act means the federal Water Pollution Control Act (33 USC § 1251 et seq.), and any subsequent amendments thereto.

Common Plan of Development or Sale means one proposed plan for a contiguous area where multiple separate and distinct land-disturbing activities may be taking place at different times, on different schedules, but under one proposed plan. One plan is broadly defined to include design, permit application, advertisement or physical demarcation indicating that land-disturbing activities may occur.

~~*Construction activity* means activities subject to NPDES construction permits. These include construction projects resulting in land disturbance of one acre or more. Such activities include, but are not limited to, clearing and grubbing, grading, excavating, and demolition.~~

Construction Activity means activities including clearing, grading, and excavating, that result in land disturbance of equal to or greater than one acre, including the disturbance of less than one acre of total land area that is part of a larger common plan of development

or sale if the larger common plan will ultimately disturb equal to or greater than one acre. This includes a disturbance to the land that results in a change in the topography, existing soil cover, both vegetative and nonvegetative, or the existing soil topography that may result in accelerated stormwater runoff that may lead to soil erosion and movement of sediment. Construction activity does not include a disturbance to the land of less than five acres for the purpose of routine maintenance performed to maintain the original line and grade, hydraulic capacity, and original purpose of the facility. Routine maintenance does not include activities such as repairs, replacement and other types of non-routine maintenance. Pavement rehabilitation that does not disturb the underlying soils (e.g., mill and overlay projects) is not construction activity.

SECTION 2. Hopkins City Code, Part II, Chapter 40, Division 2, Section 40-283 is hereby amended by adding the double-underlined language and deleting the ~~stricken~~ language as follows:

This division shall apply to all water entering the ~~storm drainage system~~ MS4 generated on any premises unless explicitly exempted by the city.

SECTION 3. Hopkins City Code, Part II, Chapter 40, Division 2, Section 40-287 is hereby amended by adding the double-underlined language as follows:

Sec. 40-287. Prohibited discharges and connections.

(a) *Illegal discharges.* No person shall throw, drain, or otherwise discharge, cause, or allow others under its control to throw, drain, or otherwise discharge into the MS4 any pollutants or waters containing any pollutants or any non-stormwater discharge. The commencement, conduct or continuance of any illegal discharge to the storm drain system is prohibited except for the following:

(1) The following discharges are exempt from discharge prohibitions established by this division: water line flushing, landscape irrigation, diverted stream flows, rising ground waters, unpolluted ground water infiltration, unpolluted pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, looting drains, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges, and street wash water.

(2) Discharges or flow from firefighting, and other discharges specified in writing by the city as being necessary to protect public health and safety.

(3) Discharges associated with dye testing, however this activity requires a verbal notification to the city prior to the time of the test.

(4) The prohibition shall not apply to any non-stormwater discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger

and administered under the authority of the United States Environmental Protection Agency (EPA), provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.

(b) *Illicit connections.* The construction, use, maintenance or continued existence of illicit connections to the storm drainage system is prohibited and subject to the following:

(1) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(2) A person is in violation of this division if the person makes an illicit connection conveying sewage to the MS4, or allows such a connection to continue.

(3) Illicit connections in violation of this division must be disconnected and redirected, if necessary, to an approved on-site wastewater management system or the sanitary sewer system approved by the city.

(4) Any drain or conveyance that has not been documented in plans, maps or equivalent, and which may be connected to the storm drainage system, shall be located by the owner or occupant of that property upon receipt of written notice of violation from the city requiring that such locating be completed. Such notice will specify a reasonable time period within which the location of the drain or conveyance is to be determined, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to the storm sewer system, sanitary sewer system or other discharge point be identified. Results of these investigations are to be documented and accurate drawings prepared by a qualified contractor or surveyor provided to the city.

(c) *Pet Waste Management*

(1) All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person.

(d) *Salt Storage*

(1) All facilities storing salt must require the following:

(a) Designated salt storage areas must be covered or indoors.

(b) Designated salt storage areas must be located on an impervious surface.

(c) Implementation of practices to reduce exposure when transferring material.

SECTION 4. Hopkins City Code, Part II, Chapter 40, Division 2, Section 40-289 is hereby amended by adding the double-underlined language as follows:

Sec. 40-289. Industrial or construction activity discharge compliance.

(a) Any person subject to an industrial or construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit. This includes compliance with the standards established by the Minnesota Pollution Control Agency's NPDES/SDS Industrial Activity Permit (MNR050000), the Construction Stormwater General Permit MNR100001 (CSW Permit), and the Small Municipal Separate Storm Sewer Systems General Permit MNR040000 (MS4 Permit). Proof of compliance with the permit may be required in a form acceptable to the city prior to the allowing of discharges to the MS4.

SECTION 5. Hopkins City Code, Part II, Chapter 40, Division 2, Section 40-293 is hereby amended by adding the double-underlined language and deleting the ~~stricken~~ language as follows:

Any person violating any provision of this division is guilty of a misdemeanor.

(1) *Warning notice.* When the city finds that any person has violated, or continues to violate, any provision of this division or any order issued hereunder, the city may serve upon that person or business a written warning notice, specifying the particular violation believed to have occurred and requesting the discharger to immediately investigate the matter and to seek a resolution whereby any offending discharge will cease. Investigation or resolution of the matter in response to the warning notice in no way relieves the alleged violator of liability for any violations occurring before or after receipt of the warning notice. Nothing in this subsection shall limit the authority of the city staff to take any action, including emergency action or any other enforcement action, without first issuing a warning notice.

(2) *Notice of violation.* Whenever the city finds a person has violated a prohibition or failed to meet a requirement of this division, the authorized enforcement agency may order compliance by written notice of violation to the responsible person.

a. The notice of violation shall contain:

1. The name and address of the alleged violator;
2. The address when available or a description of the building, structure or land upon which the violation is occurring, or has occurred;

3. A statement specifying the nature of the violation;
4. A description of the remedial measures necessary to restore compliance with this division and a time schedule for the completion of such remedial action;
5. A statement of the penalty that shall or may be assessed against the person to whom the notice of violation is directed;
6. A statement that the determination of violation may be appealed to the city by filing a written notice of appeal within 30 days of service of notice of violation; and
7. A statement specifying that, should the violator fail to restore compliance within the established time schedule, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator.

b. Such notice may require without limitation:

1. Monitoring, analyses, and reporting;
2. Elimination of illicit connections, ~~or~~ discharges, or pet waste;
3. The installation of proper salt storage facilities and implementation of proper salt handling procedures.
- ~~34.~~ Abatement of pollution and hazards;
- ~~45.~~ Restoration of affected property;
- ~~56.~~ Payment of fine to cover administrative and remediation costs;
- ~~67.~~ Implementation of source control or treatment BMPs; and
- ~~78.~~ Other actions as deemed necessary by the city.

SECTION 6. Hopkins City Code, Part III, Chapter 102 is hereby amended by adding the double-underlined language after as follows:

102-1210 Stormwater Management

102-1210 (a) GENERAL PROVISIONS

(1) Findings. The city council finds that uncontrolled stormwater runoff and construction site erosion from land development and land disturbing activities can have significant

adverse impacts upon local and regional water resources, diminishing the quality of public health, safety, public and private property and natural resources of the community.

(2) Purpose

a. The general purpose of the stormwater management regulations of this article is to establish regulatory requirements for land development and land disturbing activities aimed at minimizing the threats to public health, safety, public and private property and natural resources within the city resulting from construction site erosion and post-construction stormwater runoff.

b. These regulations are further intended to meet the current construction site erosion and sediment control and post-construction stormwater management regulatory requirements for construction activity and small construction activity (NPDES permit) as defined in 40 CFR part 122.26(b)(14)(x) and (b)(15), respectively.

(3) Statutory Authorization. The stormwater management regulations of this article are adopted pursuant to the authorization and policies contained in M.S.A. chs. 103B and 462; Minn. Admin. Rules 6120.2500—6120.3900, Minn. Admin. Rules chs. 8410, 8420.

~~(4) Engineering Design Guidelines. The latest version of the City of Hopkins Engineering Design Guidelines is hereby incorporated into this article as if fully set forth herein. The guidelines constitute the official guide for stormwater principles, methods, and practices for proposed development and redevelopment activities.~~

~~(54)~~ Applicability, Exemptions, Waivers

a. Approval Required Prior to Permit. Every application for a conditional use permit that involves construction of a building, subdivision approval or a permit to allow land disturbing activities must be accompanied by a stormwater pollution prevention plan (SWPPP) and a stormwater management plan pursuant to this chapter. No conditional use permit, subdivision approval or permit to allow land disturbing activities shall be issued until approval of the SWPPP and the stormwater management plan or a waiver of the requirements has been obtained in strict conformance with the provisions of this article. The provisions of 102-1210 (e) apply to all land, public or private, located within the city.

b. State Pollution Control Agency (MPCA). The MPCA is the permitting authority for land disturbing activities requiring an NPDES permit for construction activity, including the requirements for developing and implementing a SWPPP. Where required, the NPDES permit is in addition to permits required by the city.

c. Exemptions. The stormwater management regulations of article do not apply to:

1. Any part of a subdivision if a plat for the subdivision has been approved by the city council on or before the effective date of the ordinance from which this article is derived;
2. Any land disturbing activity for which plans have been approved by the watershed management organization and the city within 6 months prior to the effective date of the ordinance from which this article is derived;
3. A lot for which a conditional use permit or building permit has been approved on or before the effective date of the ordinance from which this article is derived;
4. Installation of fence, sign, telephone and electric poles and other kinds of posts or poles;
5. Waiver of plat, re-plat, platting of a developed lot, or a single lot division;
6. Construction of a single-unit to four-unit house;
7. An addition to an existing building that does not require a conditional use permit;
8. Construction of a detached accessory building that does not require a conditional use permit;
9. Emergency work to protect, life, limb or property; or
10. The improvements involve the enlargement of a building that is less than ten percent of the total floor area of the existing building or 5,000 square feet, whichever is less.

d. Waivers. The city council, upon recommendation of the planning commission, may waive any requirement of this article upon making a finding that compliance with the requirement will involve an unnecessary hardship or the project does not have any significant alterations of existing stormwater conditions and the waiver of such requirement will not adversely affect the standards and requirements set forth in 102-1210 (b). The city council may require as a condition of the waiver, such dedication or construction, or agreement to dedicate or construct as may be necessary to adequately meet the standards and requirements set forth in 102-1210 (b).

102-1210 (b) STORMWATER POLLUTION PREVENTION PLAN

(1) General. Development and implementation of the SWPPP shall comply with the standards established by the Minnesota Pollution Control Agency's NPDES/SDS Construction Stormwater General Permit MNR100001 (CSW Permit), the MPCA's Small Municipal Separate Storm Sewer Systems General Permit MNR040000 (MS4 Permit), Minnehaha Creek Watershed District (MCWD) Rules, and Nine Mile Creek Watershed

District (NMCWD) Rules, all as applicable and as now constituted and from time to time amended.

102-1210 (b~~c~~) STORMWATER MANAGEMENT PLANS

(1) General. If permanent stormwater management facilities are required for improvements pursuant to this chapter, a written application for stormwater management plan approval, along with the proposed stormwater management plan, shall be filed with the planning department, and shall include a statement indicating the grounds upon which the approval is requested, that the proposed use is permitted by right or as an exception in the subject zone and adequate evidence showing that the proposed use will conform to the standards set forth in this article. Prior to applying for approval of a stormwater management plan, an applicant may have the stormwater management plan reviewed by the appropriate department of the city.

102-1210 (d) APPLICATION PROCEDURES

(~~2~~1) Required Information.

a. ~~Two sets~~ One set of clearly legible ~~blue or black lined~~ digital copies of drawings and required information shall be submitted to the planning department and shall be accompanied by a receipt from the city evidencing the payment of all required fees for processing and approval as set forth in ~~(3)e~~ (2)f. A bond will be required in accordance with ~~(3)d~~ (2)e if the improvements have not been completed at the time the certificate of occupancy has been completed. Drawings shall be prepared to a scale appropriate to the site of the project and suitable for the review to be performed. At a minimum the scale shall be one inch equals 100 feet.

b. Unless otherwise exempted by this article, an application for stormwater management approval shall include the following as a condition for its consideration:

1. A stormwater management plan; and
2. A maintenance agreement.

c. The stormwater management plan shall be prepared to meet the approval standards of 102-1210 ~~(e f)~~ (e f) ~~as well as the requirements within the city's Engineering Design Guidelines~~; the maintenance agreement shall be prepared to meet the requirements of 102-1210 ~~(e e)~~ (e e).

~~d. In lieu of preparation of a stormwater management plan, major single-family residential projects and minor expansion projects may install a rain garden or similar stormwater improvement as described in the city's Engineering Design Guidelines.~~

(~~3~~2) Process

a. ~~Plan Submittal. A stormwater management plan meeting the requirements of 102-1210~~ (b) All required plans, calculations, and other pertinent design information shall be submitted by the planning department to the planning commission for review in accordance with the approval standards of 102-1210 ~~(d)~~. The commission shall recommend approval, recommend approval with conditions or recommend denial of the stormwater management plan. Following planning commission action, the stormwater management plan along with the conditional use permit and/or subdivision approval shall be submitted to the city council at its next available meeting. City council action on the stormwater management plan must be accomplished within 120 days following the date the application for approval is filed with the planning department unless there has been a delay caused or requested by the applicant.

b. Duration. Approval of a plan submitted under the provisions of this article shall expire one year after the date of approval unless construction has commenced in accordance with the plan; however, if prior to the expiration of the approval the applicant makes a written request to the planning department for an extension of time to commence construction, setting forth the reasons for the requested extension, the planning department may grant one extension of not greater than one single year. Receipt of any request for an extension shall be acknowledged by the planning department within 15 days. The planning department shall make a decision on the extension request within 30 days of receipt. Any plan may be revised in the same manner as originally approved.

c. Conditions. A stormwater management plan may be approved subject to compliance with reasonable conditions necessary to ensure that the requirements contained in this article are met. Such conditions may, among other matters, limit the size, kind or character of the proposed development, require the construction of structures, drainage facilities, storage basins and other facilities, require replacement of vegetation, establish required monitoring procedures, stage the work over time, require alteration of the site design to ensure buffering, and require the conveyance to the city or other public entity of certain lands or interests therein.

d. Financial Security. The owner shall provide the city with financial security to ensure the performance of the owner's obligations for construction site management during construction. The financial security may be a letter of credit in a form acceptable to the city or cash. The financial security must be provided to the city before issuance of the permit. The city may use the financial security to assure that the work is completed in accordance with the stormwater pollution prevention plan and the provisions of this chapter. The financial security may also be used by the city to eliminate any hazardous conditions associated with the work and to repair any damage to public property or infrastructure that is caused by the work. The amount of security shall be 125 percent of the

estimated cost to accomplish compliance with the approved stormwater pollution prevention plan. This shall be in addition to any other security performance required by any other regulations in this Code. The estimated cost shall be subject to approval by the city engineer. If at any time during the course of the work this amount of security falls below 50 percent of the required security deposit, the developer shall make another deposit in the amount necessary to restore the cash deposit to the required amount. If the developer does not bring the financial security back up to the required amount within seven days after notification by the city that the amount has fallen below 50 percent of the required amount the city may withhold scheduling of inspections and certificate of occupancy or revoke the permit.

de. Performance Bond. Prior to approval of any stormwater management plan, the applicant shall submit an agreement to construct such required physical improvements, to dedicate property or easements, or to comply with such conditions as may have been agreed upon. If the improvements have not been constructed at the time the certificate of occupancy is issued, the applicant shall provide a bond to cover the established cost of complying with the agreement. The agreement and bond shall guarantee completion and compliance with conditions within a specific time, which time may be extended in accordance with 102-1210 (e e). The adequacy, conditions and acceptability of any agreement and bond shall be determined by the city council or any official of the city as may be designated by resolution of the city council.

ef. Fees. All applications for stormwater management plan approval shall be accompanied by a process and approval fee, as established in chapter 14.

102-1210 (ee) MAINTENANCE AGREEMENTS

(1) Agreement

a. The responsible party shall enter into a maintenance agreement with the city that documents all responsibilities for operation and maintenance of all stormwater management and treatment practices constructed to meet governmental requirements. Such responsibility shall be documented in a maintenance plan and executed through a maintenance agreement. The maintenance agreement shall be executed and recorded against the parcel.

b. The stormwater maintenance agreement shall be in a form approved by the city and shall describe the inspection and maintenance obligations of this section and, at a minimum:

1. Designate the responsible party, which shall be permanently responsible for maintenance of the structural or nonstructural measures.
2. Pass responsibility for such maintenance to successors in title.

3. Grant the city and its representatives the right of entry for the purposes of inspecting all stormwater treatment practices as described in (1) and (2).
4. Allow the city the right to repair and maintain the facility if necessary maintenance is not performed after proper and reasonable notice to the responsible party.
5. Include a maintenance plan that contains, but is not limited to, the following:
 - 6a. Identification of all structural stormwater treatment practices.
 - 7b. A schedule for regular inspection, monitoring and maintenance for each practice. Monitoring shall verify whether the practice is functioning as designed, and may include, but is not limited to, quality, temperature and quantity of runoff.
 - 8c. Identification of the responsible party for conducting the inspection, monitoring and maintenance for each practice.
 - 9d. Identify a schedule and format for reporting compliance with the maintenance plan to the city.

(2) Inspections

- a. Inspection programs shall be established on any reasonable basis, including, but not limited to, routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; inspection of drainage basins or areas identified as higher than typical sources of sediment or other contaminants or pollutants; inspections of businesses or industries of a type associated with higher than usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical discharge to cause violations of state or federal water or sediment quality standards or the National Pollutant Discharge Elimination System (NPDES) stormwater permit; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to, reviewing maintenance and repair records; sampling discharges, surface water, groundwater and material or water in drainage control facilities; and evaluating the condition of drainage control facilities and other stormwater treatment practices.
- b. When any new stormwater treatment practice is installed on private property, or when any new connection is made between private property and a public drainage control system, sanitary sewer or combined sewer, the property owner shall grant to the city the right to enter the property at reasonable times and in a reasonable manner for the purpose of inspection. This includes the right to enter

a property when the city has a reasonable basis to believe that a violation of this article is occurring or has occurred, and to enter when necessary for abatement of a public nuisance or correction of a violation of this article.

c. ~~The director of public works, or designated representative,~~ A designated city representative shall inspect ~~all-stormwater management facilities during construction, during the first year of operation and at least once every five years thereafter~~ during and post-construction per the schedule outlined in the city's MS4 Stormwater Pollution Prevention Program. The inspection records will be kept on file at the public works department for a period of six years. It shall be the responsibility of the applicant to obtain any necessary easements or other property interests to allow access to the stormwater management facilities for inspection and maintenance purposes.

(3) Record-Keeping. The responsible party shall make records of the installation and of all maintenance and repairs of the stormwater treatment practices, and shall retain the records for at least three years. These records shall be made available to the city during inspection of the stormwater treatment practice and at other reasonable times upon request.

(4) Failure to Maintain. If a responsible party fails or refuses to meet the requirements of the maintenance agreement, the city, after reasonable notice, may correct a violation of the design standards or maintenance needs by performing all necessary work to place the stormwater treatment practice in proper working condition. In the event that the stormwater treatment practice becomes a danger to public safety or public health, the city shall notify the responsible party in writing. Upon receipt of that notice, the responsible party shall have 30 days to perform the maintenance and repair of the facility in an approved manner. After proper notice, the city may specially assess the owners of the stormwater treatment practice for the cost of repair work and any penalties; and the cost of the work shall be assessed against the property and collected along with ordinary taxes by the county.

102-1210 (d) ~~APPROVAL~~ DESIGN STANDARDS

(1) General. ~~Stormwater management plans~~ Plans that fail to meet the approval standards of this subsection may not be approved by the city council.

(2) Land Disturbing Activities. Projects with land disturbing activities of one acre or greater or that are part of a common plan of development or sale that ultimately will disturb greater than one acre shall meet the current requirements for stormwater management as specified by ~~the city's engineering design standards and state pollution control agency~~ the Minnesota Pollution Control Agency (MPCA) ~~construction general permit~~ NPDES permits. This includes compliance with the standards established by the Minnesota Pollution Control Agency's NPDES/SDS Construction Stormwater General Permit MNR100001 (CSW Permit) and the MPCA's Small Municipal Separate Storm Sewer Systems General Permit MNR040000 (MS4 Permit). All land disturbing activities

within the city disturbing less than one acre and down to 10,000 square feet, or which will result in more than 200 cubic yards of cut or fill are ~~only~~ required to follow the construction site stormwater runoff control standards set forth in the NPDES General Construction Permit for the following items; ~~within the city's Engineering Design Guidelines~~. The standards should follow the following requirements:

- ~~a. Erosion control~~ prevention practices.
- b. Sediment control practices.
- ~~c. Temporary sediment basins~~
- ~~d. Dewatering and basin draining~~.
- ec. Inspection and maintenance.
- fd. Pollution prevention management measures.
- ~~f. Final stabilization~~.
- ~~g. Training~~.

(3) Performance Criteria. Unless determined by the city to be exempt or granted a waiver, all site designs shall establish stormwater management practices to control the peak flow rates and pollutants of stormwater discharge ~~associated with specified design storm and runoff volumes, as detailed in the city's Engineering Design Guidelines~~ as follows:

- ~~a. New development; rate control, volume control, and water quality standards shall apply to all new development. There shall be no net increase from pre-project conditions (on an average annual basis) of total volume, TSS and TP. New development projects shall retain a runoff volume equal to one inch times the area of the proposed increase of impervious surfaces on site.~~
- ~~b. Redevelopment; rate control, volume control and water quality standards shall apply to all redevelopment. There shall be a net reduction in the amount of TP, TSS and stormwater runoff volume leaving the site as compared with pre-project conditions. For redevelopment projects where the project proposer intends to add more impervious surfaces, the new development treatment requirements must be applied to the net increase of impervious surfaces. Additional treatment must also be included to reduce the volume, TP and TSS loads from the existing impervious surfaces.~~

a. Rate control. The peak rates for proposed improvements shall not increase from existing conditions for the 2-, 10-, 100-year storm events, and the 100-year, 10-day snowmelt event. Peak rates shall be calculated using Atlas 14 precipitation depths and storm distributions. The storm sewer conveyance system shall be designed for a 10-year, 24-hour storm event. The pond and pond outlet structure shall handle the 100-year, 24-hour storm event.

b. Water quality. At a minimum, proposed improvements must treat the water quality volume as outlined in the MPCA's Small Municipal Separate Storm Sewer Systems General Permit MNR040000 (MS4 Permit).

(4) Stormwater Management Facility Design Standards. Stormwater detention management facilities constructed in the city shall be designed according to the most current technology as reflected in this article and the city's Engineering Design Guidelines, to comply with the city's Engineering Design Guidelines, and to comply with the standards established by the Minnesota Pollution Control Agency's NPDES/SDS Construction Stormwater General Permit MNR100001 (CSW Permit), the MPCA's Small Municipal Separate Storm Sewer Systems General Permit MNR040000 (MS4 Permit), Minnehaha Creek Watershed District (MCWD) Rules, and Nine Mile Creek Watershed District (NMCWD) Rules, all as applicable and as now constituted and from time to time amended.

(5) Wetlands.

a. Runoff shall not be discharged directly into wetlands without pre-settlement of the runoff.

b. A protective buffer strip of natural vegetation must be retained in accordance to the standards given within the city's Engineering Design Guidelines established by Minnehaha Creek Watershed District (MCWD) Rules or Nine Mile Creek Watershed District (NMCWD) Rules, as applicable and as now constituted and from time to time amended.

c. Wetlands may not be drained or filled, wholly or partially, unless replaced by restoring or creating wetland areas of at least equal public value. Replacement must be guided by the following principles in descending order of priority:

1. Avoiding the direct or indirect impact of the activity that may destroy or diminish the wetland;
2. Minimizing the impact by limiting the degree or magnitude of the wetland activity and its implementation;
3. Rectifying the impact by repairing, rehabilitating, or restoring the affected wetland environment;
4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the activity; and
5. Compensating for the impact by replacing or providing substitute wetland resources or environments.

(6) Steep Slopes. No land disturbing or development activities shall be allowed on slopes of 18 percent or more.

(7) Catchbasins. All newly installed and rehabilitated catchbasins directly upstream of an outfall or stormwater management facilities shall be provided with a sump area for the collection of coarse-grained material. ~~Such basins shall be cleaned when they are half filled with material.~~

(8) Drain Leaders. All newly constructed and reconstructed buildings will route drain leaders to pervious areas wherein the runoff can be allowed to infiltrate. The flow rate of water exiting the leaders shall be controlled so no erosion occurs in the pervious areas.

(9) Methodologies & Computations. Hydrologic models and design methodologies used for the determination of runoff and analysis of stormwater management structures shall be approved by the director of public works. Plans, specification and computations for stormwater management facilities submitted for review shall be sealed and signed by a registered professional engineer. All computation shall appear on the plans submitted for review, unless otherwise approved by the director of public works.

(10) Watershed & Groundwater Management Plans. Stormwater management plans shall be consistent with adopted watershed management plans and groundwater management plans prepared in accordance with M.S.A. §§ 103B.23, subd. I and 103B.255 respectively, and as approved by the state board of water soil resources in accordance with state law.

(11) Easements. If a stormwater management plan involves direction of some or all runoff off of the site, it shall be the responsibility of the applicant to obtain from adjacent property owners any necessary easements or other property interests concerning flowage of water.

102-1210 (eg) DRAINAGE FACILITY PROTECTION

(1) General. No person shall apply fertilizer to or deposit grass clippings, leaves, or other vegetative material on impervious surfaces, or within stormwater drainage systems, natural drainage ways, or within wetland buffer areas.

(2) Unimproved Land Areas. Except for driveways, sidewalks, patios, areas occupied by structures or areas which have been improved by landscaping, all areas shall be covered by plants or vegetative growth.

(3) Fertilizer Content. Except for the first growing season for newly established turf areas, no person shall apply liquid fertilizer which contains more than one-half percent by weight of phosphorus, or granular fertilizer which contains more than three percent by weight of phosphorus, unless the single application is less than or equal to one-tenth pound of phosphorus per 1,000 square feet. Annual application amount shall not exceed one-half pound of phosphorus per 1,000 square feet of lawn area.

(4) Buffer Zone. Fertilizer application shall not be made within one rod (16½ feet) of any wetland or water resource.

102-1210 (fh) ENFORCEMENT

(1) Inspections

a. Notification. The erosion control inspector shall make inspections as hereinafter required and either shall approve that portion of the work completed or shall notify the permittee wherein the work fails to comply with the erosion and sediment control plan as approved

b. Procedure. The applicant is responsible for regular inspections and record keeping needed to document compliance with the permit requirements. The applicant must inspect the construction project once per week and within 24 hours after a rain event greater than one half-inch. The city may conduct inspections as needed to ensure that both erosion and sediment control and stormwater measures are properly installed and maintained prior to construction, during construction, and at the completion of the project. The applicant shall notify the city a minimum of 72 hours prior to the following required city inspections:

1. Initial Inspection. When all erosion and sediment control BMPs are installed. This inspection must be completed before a building permit can be issued.

2. Project Complete Inspection. When the project is complete, including, but not limited to, final grading, installation of all stormwater management facilities, and final stabilization measures are complete. The one-year warranty begins after inspector approves project.

3. Warranty Inspection. Completed one year later to confirm that permanent site stabilization methods have been successful and vegetation has been established.

c. Reporting. The applicant shall submit reports to the administrator under the following circumstances and shall submit recommendations for corrective measures, if appropriate, with such reports:

1. There are delays of more than seven days in obtaining materials, machinery, services or manpower necessary to the implementation of the stormwater management plan as scheduled.

2. There are delays of seven days in land disturbing or filling activities or soil storage.

3. The work is not being done in conformance with the approved plans and permit. Any changes to the approved plan must be submitted to the zoning administrator for review and approval before work can commence.

(1) Notification of SWPPP non-compliance

a. Notice of Violation. If the city Inspector notices any non-compliance with the SWPPP, correspondence will be provided to the responsible party indicating items requiring correction and a date to complete corrective actions. The notice shall be in accordance with (4)b of this section.

b. Notification of action on Financial Security. The city shall notify the applicant, when the city is going to act on the financial securities part of this Ordinance. The initial contact will be to a party listed on the application and/or the SWPPP. Forty-eight hours after notification by the city or 72 hours after the failure of the erosion control measures, whichever is less the city, at its discretion, may begin corrective work.

c. Erosion off-site. If erosion breaches the perimeter of the site, the applicant shall immediately develop a cleanup and restoration plan, obtain right-of-entry from the adjoining property owner, and implement the cleanup and restoration plan within 48 hours of obtaining the adjoining property owner's permission. In no case, unless written approval is received from the city, shall more than seven calendar days go by without corrective action being taken. If in the discretion of the city, the applicant does not repair the damage caused by the erosion, the city may do remedial work required and charge the cost to the applicant.

d. Erosion into streets, wetlands or water bodies. If eroded soils (including tracked soils from construction activities) enter or appear likely to enter streets, wetlands, or other water bodies, prevention strategies, cleanup and repair must be immediate. The applicant shall provide all traffic control and flagging required to protect the traveling public during cleanup operations.

e. Failure to do corrective work. When an applicant fails to conform to any provision of this policy within the time stipulated, the city may take the following actions:

1. Issue a stop work order, withhold the scheduling of inspections, and/or the issuance of a certificate of occupancy.

2. Revoke any permit issued by the city to the applicant for the site in question or any other of the applicant's sites within the city's jurisdiction.

3. Direct the correction of the deficiency by city forces or by a separate contract. The issuance of a permit constitutes a right-of-entry for the city or its contractor to enter upon the construction site for the purpose of correcting deficiencies in erosion control.

4. All costs incurred by the city in correcting stormwater pollution control deficiencies must be reimbursed by the applicant. If payment is not made within 30 days after costs are incurred by the city, payment will be made from the applicant's financial securities as described in section 1210 (f).

5. If there is an insufficient financial amount, in the applicant's financial securities as described in section 1210 (f), to cover the costs incurred by the city, then the city may assess the remaining amount against the property. As a condition of the permit, the owner shall waive notice of any assessment hearing to be conducted by the city, concur that the benefit to the property exceeds the amount of the proposed assessment, and waive all rights by virtue of M.S.A. § 429.081 to challenge the amount or validity of assessment

(2) Post-Construction Operation and Maintenance

(a) Notice of Violation: If a responsible party fails or refuses to meet the requirements of the maintenance agreement, the city may issue a Notice of Violation. The notice shall be in accordance with (4)b of this section.

(b) Action by City. If, after deadline set for completion of corrective action in Notice of Violation, the responsible party still fails or refuses to meet the requirements of the maintenance agreement, the city may correct a violation of the design standards or maintenance needs by performing all necessary work to place the stormwater treatment practice in proper working condition. After proper notice, the city may specially assess the owners of the stormwater treatment practice for the cost of repair work and any penalties; and the cost of the work shall be assessed against the property and collected along with ordinary taxes by the county.

(c) Emergency action. If circumstances exist such that noncompliance with this Ordinance poses an immediate danger to the public health, safety and welfare, as determined by the city, the city may take emergency preventative action. The city shall also take every reasonable action possible to contact and direct the applicant to take any necessary action. Any cost to the community may be recovered from the applicant's financial security.

(23) Right of Entry

a. Permit grants right-of-entry. The issuance of a permit constitutes a right-of-entry for the city or its contractor to enter the construction site. The applicant shall allow the city and its authorized representatives to:

1. Enter the permitted site for the purpose of obtaining information, examining records, or conducting investigations or surveys;
2. Bring such equipment on the site as is necessary to conduct such surveys and investigations;
3. Examine and copy any books, papers, or digital files pertaining to activities or records required to be kept under the terms and conditions of the permitted site;
4. Inspect the stormwater pollution control measures;

5. Sample and monitor any items or activities pertaining to stormwater pollution control measures;

6. Correct deficiencies in stormwater and erosion and sediment control measures consistent with the city's ordinances and the engineering guidelines.

b. Search Warrants. If city employees have been refused access to any part of the premises from which stormwater is discharged, and the employees are able to demonstrate probable cause to believe that there may be a violation of this article or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this article or any order issued hereunder or to protect the overall public health, safety, and welfare of the community, the city may seek issuance of a search warrant from any court of competent jurisdiction.

(34) Penalties

a. General. Any person, firm or corporation violating any provision of this article shall be fined not less than \$5.00 or more than \$500.00 for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

b. Notice of Violation. When the city determines that an activity is not being carried out in accordance with the requirements of this article, it shall issue a written notice of violation to the owner of the property. The notice of violation shall contain:

1. The name and address of the owner or applicant.
2. The address when available or a description of the land upon which the violation is occurring.
3. A statement specifying the nature of the violation.
4. A description of the remedial measures necessary to bring the development activity into compliance with this article and a time schedule for the completion of such remedial action.
5. A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed.
6. A statement that the determination of violation may be appealed to the city by filing a written notice of appeal within 15 days of service notice of violation.

c. Stop Work Orders. Persons receiving a notice of violation will be required to halt all construction activities. This stop work order will be in effect until the city confirms that the land disturbance activity is in compliance and the violation has

been satisfactorily addressed. Failure to address a notice of violation in a timely manner may result in civil, criminal, or monetary penalties in accordance with the enforcement measures authorized in this article.

d. Civil and Criminal Penalties. In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of this article shall be guilty of a misdemeanor and subject to prosecution. Such person shall be guilty of a separate offense for each day during which the violation occurs or continues.

e. Restoration of Lands. Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the city may take necessary corrective action, the cost of which may, after notice and opportunity for hearing, be specially assessed against the property and collected along with the ordinary taxes by the county.

(45) Appeals. Any person aggrieved by the action of any official charged with the enforcement of this article as the result of the disapproval of a properly filed application for approval, issuance of a written notice of violation, or an alleged failure to properly enforce this code in regard to a specific application, shall have the right to appeal the action to the city.

a. The applicant shall submit the appeal in writing and include supporting documentation.

b. City staff shall make a decision on the appeal within 15 business days of receipt of a complete appeal application.

c. The applicant may appeal the decision of city staff to the city council. This appeal must be filed with the city within 30 days of city staff's decision.

SECTION 7. In accordance with Section 3.03 of the City Charter and Minn. Stat. § 412.191, subd. 4, due to the significant length of this Ordinance, City staff shall have the following summary printed in the official City newspaper in lieu of the complete ordinance:

On April 4, 2023, the Hopkins City Council adopted Ordinance 2023-1187 **AN ORDINANCE AMENDING CHAPTERS 40 AND 102 OF THE HOPKINS CITY CODE REGARDING ILLICIT DISCHARGE AND STORMWATER MANAGEMENT.**

A printed copy of this ordinance is available for inspection during regular business hours at Hopkins City Hall and is available online at the City's web site located at www.hopkinsmn.com.

SECTION 8. The effective date of this ordinance shall be the date of publication.

First Reading:	March 21, 2023
Second Reading:	April 4, 2023
Date of Publication:	April 13, 2023
Date Ordinance Takes Effect:	April 13, 2023

By:

Patrick Hanlon, Mayor

ATTEST:

Amy Domeier, City Clerk

**CITY OF HOPKINS
HENNEPIN COUNTY, MINNESOTA**

PLANNING & ZONING COMMISSION RESOLUTION 2023-01

**RESOLUTION RECOMMENDING THE CITY COUNCIL APPROVE AN ORDINANCE AMENDING
CHAPTERS 40 AND 102 OF THE CITY CODE REGARDING ILLICIT DISCHARGE AND
STORMWATER MANAGEMENT**

WHEREAS, the City of Hopkins has a Municipal Separate Storm Sewer System (MS4) permit through the Minnesota Pollution Control Agency (MPCA); and

WHEREAS, the MPCA requires that all local public entities that own or operate MS4s obtain an MS4 permit; and

WHEREAS, the MS4 permit is intended to ensure that appropriate stormwater pollution prevention programs and best practices are adopted to prevent stormwater runoff from harming rivers, streams, and wetlands; and

WHEREAS, the proposed ordinance changes are needed in order to maintain compliance with the City of Hopkins' MS4 permit; and

WHEREAS, the proposed ordinance changes were informed by expertise of City staff and consultants.

NOW THEREFORE BE IT RESOLVED, that the Planning & Zoning Commission of the City of Hopkins hereby recommends the City Council of the City of Hopkins approve an ordinance amending Chapters 40 and 102 of the City Code Regarding Illicit Discharge and Stormwater Management.

Adopted this 28th day of February, 2023.



Nathan White, Chair