

**HOPKINS CITY COUNCIL
AGENDA
Tuesday, March 5, 2019
7:00 pm**

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

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

I. CALL TO ORDER

II. ADOPT AGENDA

III. PRESENTATIONS

IV. CONSENT AGENDA

1. Minutes of the February 19, 2019 City Council Regular Meeting Proceedings
2. Minutes of the February 19, 2019 City Council Work Session following Regular Meeting Proceedings
3. Extension of On-Sale Liquor License for LTD Brewing LLC DBA LTD Brewing Co.; Domeier
4. Approval of Temporary Liquor License for GiGi's Playhouse Inc.; Domeier
5. Approval of Temporary Liquor License for JCI Hopkins; Domeier
6. Ratify Checks Issued in February 2019; Bishop
7. Adopt Resolution 2019-015 Approving Execution of a Hennepin County Healthy Tree Canopy Grant Agreement; Stadler

V. PUBLIC HEARING

VI. OLD BUSINESS

VII. NEW BUSINESS

1. First Reading: Auto Related Uses Zoning Code Text Amendment; Lindahl
2. First Reading: Downtown Overlay District Rezoning; Lindahl
3. Conditional Use Permit to Allow a Private High School Use in a Residential Zone; Lindahl
4. Resolution Declaring a Vacancy on the Hopkins City Council; Domeier

VIII. ANNOUNCEMENTS

- Empty Bowls Event Annual Empty Bowls Fundraiser for Hunger at the Hopkins Center for the Arts, 1111 Mainstreet: Tuesday, March 12 – 11 a.m. to 7 p.m.
- World's Shortest St. Patrick Day Parade from Hopkins Elks Lodge to the Hopkins American Legion: Sunday, March 17 – 2 p.m.

IX. ADJOURN

OPEN AGENDA – PUBLIC COMMENTS/CONCERNS

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

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

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
FEBRUARY 19, 2019**

CALL TO ORDER

Pursuant to due call and notice thereof a regular meeting of the Hopkins City Council was held on Tuesday, February 19, 2019 at 7:00 p.m. at the Hopkins Fire Station, 101 17th Avenue South, Hopkins.

Mayor Cummings called the meeting to order with Council Members Kuznia, Halverson, Gadd, Hunke attending. Staff present included City Manager Mornson, Finance Director Bishop, City Clerk Domeier, Fire Chief Specken, Public Works Director Stadler and Community Development Coordinator Youngquist.

ADOPT AGENDA

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

Motion to Adopt Agenda.

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

Nays: None. **Motion** carried.

PRESENTATIONS

III.1. Update on the 21st Annual Empty Bowls Fundraiser

Tarrah Palm, ResourceWest Executive Director, invited the community to attend the 21st Annual Empty Bowls Fundraiser on Tuesday, March 12 at Hopkins Center for the Arts. All proceeds benefit the ICA Food Shelf and ResourceWest. Volunteer and donation opportunities are still available. Mayor Cummings read the proclamation declaring March 12th as Empty Bowls Day in the City of Hopkins.

III.2. Fire Department Annual Report

Fire Chief Specken gave an overview of the 2018 year-end report. Chief Specken discussed call statistics, fire incidents, fire loss by property and mutual aid given and received. The Fire Department has seen an increase in medical calls and provided over 800 hours of public education opportunities. The Hopkins Fire Department's average response time is 4.2 minutes. Chief Specken reviewed the Chemical Assessment Team (CAT) and 2019 goals which include recruitment and retention efforts, updates to the Strategic and Emergency Operations Plan, succession planning and the implementation of mental health, Post Traumatic Stress Disorder (PTSD) and cancer reduction programs. Fire Chief Specken discussed fire safety grant programs and the Insurance Service Office (ISO) rating. Fire Chief Specken thanked the City Council, city staff and Hopkins citizens for their support.

Council Member Halverson commented that the ISO rating is good for both homeowners and businesses. Fire Chief Specken commented that the ISO rating would be promoted through city publications and social media. Council Member Kuznia asked about the average training costs for fire fighters. Chief Specken commented that the average cost to train a fire fighter is \$10,000-15,000 and the department needs to retain a fire fighter for 5-years to offset the costs. Council Member Gadd commented on the

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
FEBRUARY 19, 2019**

goals to protect the firefighters and prevention initiatives. Council Member Hunke appreciates how the department connects with the community. Mayor Cummings asked about the grants and commented that the Helping Paws organization is working with those suffering from PTSD. Fire Chief Specken commented that the department is waiting to hear on a number of grant applications.

The Council thanked Chief Specken for his leadership, commented on the impressive 4.2 minute response time and commended the Fire Department for all they do for the citizens of Hopkins.

CONSENT AGENDA

Mayor Cummings commented there was a date and an organization name correction to Consent Agenda item 3.

Motion by Gadd. **Second** by Kuznia.

Motion to Approve the Consent Agenda as amended.

1. Minutes of the February 5, 2019 City Council Regular Meeting Proceedings
2. Minutes of the February 5, 2019 City Council Work Session following Regular Meeting Proceedings
3. Minutes of the February 12, 2019 City Council Work Session Proceedings
4. Revise Legislative Policy Manual Chapter 8
5. Second Reading: Ordinance 2019-1137 Amending Section 335 of the Hopkins City Code

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

Nays: None. Motion carried.

PUBLIC HEARING

V.1. 2019 Community Development Block Grant (CDBG) Program

Community Development Coordinator Youngquist gave an overview of the CDBG funds and goals of the program. Ms. Youngquist commented that Hopkins is eligible to receive an estimated \$134,000 to fund the Housing Rehabilitation Program and that area social service agencies can make application to Hennepin County for an overall fifteen percent allocation of the CDBG funds. In 2018 the Housing Rehabilitation Program helped 5 homeowners and it is anticipated that the 2019 program would assist an additional 5-6 households with one household already on the wait list. Council Member Hunke asked how homeowners apply for funds. Ms. Youngquist explained the application process and that the program would be promoted through city publications. Council Member Halverson asked about the loan amount. Ms. Youngquist explained the loan process and commented that homeowners can qualify up to a \$25,000 loan.

Mayor Cummings opened the public hearing at 7:47 pm. No residents came forward to address the Council.

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
FEBRUARY 19, 2019**

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

Motion to close the Public Hearing at 7:47 p.m.
Ayes: Halverson, Kuznia, Cummings, Gadd, Hunke.
Nays: None. Motion carried.

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

Motion to Adopt Resolution 2019-013, Resolution Approving Proposed Use of 2019 Urban Hennepin County Community Development Block Grant Program Funds and Authorizing Execution of Sub recipient Agreement with Hennepin County.

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

NEW BUSINESS

VII.1. Resolution Establishing Legislative Policy 7-G – Fair Housing Policy

Community Development Coordinator Youngquist gave an overview of the Fair Housing Act and Fair Housing Policy. Ms. Youngquist explained that the Metropolitan Council requires that cities who apply for Livable Communities Grants adopt a Fair Housing Policy. Ms. Youngquist gave an overview of the purpose as well as external and internal practices. The policy has been reviewed by the City Attorney. Ms. Youngquist commented that one change that Hopkins added was that the policy would be translated for Somali and Spanish native languages.

Motion by Halverson. **Second** by Gadd.

Motion to Adopt Resolution 2019-11 establishing Legislative Policy 7-G Fair Housing Policy.

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

VII.2. Fourth Quarter Financial Report

Finance Director Bishop gave an overview of the 2018 4th Quarter Financial preliminary and unaudited report. Mr. Bishop gave an overview of the General Fund and Special Revenue Funds, comparison to prior years and ending fund balances. Mr. Bishop gave explanation of expenditures and financial position. Mr. Bishop discussed the Depot Coffee House coffee operation and youth project budgets and the actions taken towards the goal of being profitable. Mr. Bishop discussed the Arts Center projected fund balance and year-end deficit. Mr. Bishop gave an overview of the Enterprise Fund revenues and financial position. Staff would continue to evaluate the funds. Mr. Bishop discussed the next steps of issuing the 2019 bonds, reviewing the

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
FEBRUARY 19, 2019**

water and sewer rates and expenses, preparing for the audit and issuing the financial statements before June 30, 2019.

There was Council discussion about the Parking Fund allocation, bonding for the SWLRT project and Economic Development expenditures. Mr. Bishop discussed the 2019 Parking Fund budget, the three SWLRT agreements and funding sources and explained that the Economic Development fund is flexible to allow projects move forward. Mayor Cummings thanked Finance Director Bishop for the report.

VII.3. Resolution Approving the 2019 Goals and Strategic Plan

City Manager Mornson discussed the 2019 Mission, Vision and Goals. Mr. Mornson commented on the positive comments from community members about the city and staff. Mr. Mornson discussed the 2018 accomplishments and what is upcoming in 2019.

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

Motion to Adopt Resolution 2019-008, Affirming the City of Hopkins Mission Statement and Adopting the 2019 Goals and Strategic Plan for the City of Hopkins.

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

Nays: None. **Motion carried**

ANNOUNCEMENTS

- Empty Bowls Event Annual Empty Bowls Fundraiser for Hunger at the Hopkins Center for the Arts, 1111 Mainstreet: Tuesday, March 12 – 11 a.m. to 7 p.m.
- World's Shortest St. Patrick Day Parade from Hopkins Elks Lodge to the Hopkins American Legion: Sunday, March 17 – 2 p.m.

ADJOURNMENT

There being no further business to come before the City Council and upon a motion by Kuznia, second by Gadd, the meeting was unanimously adjourned at 8:19 p.m.

OPEN AGENDA – PUBLIC COMMENTS AND CONCERNS

The City Council did not receive any comments or concerns.

Respectfully Submitted,
Debbie Vold

ATTEST:

Molly Cummings, Mayor

Amy Domeier, City Clerk

**MINUTES OF THE CITY COUNCIL WORK SESSION PROCEEDINGS
AT CONCLUSION OF THE REGULAR CITY COUNCIL MEETING
TUESDAY, FEBRUARY 19, 2019**

CALL TO ORDER

Pursuant to due call and notice thereof a work session of the Hopkins City Council was held on Tuesday, February 19, 2019 at 8:24 p.m. at the Hopkins Fire Station, 101 17th Avenue South, Hopkins.

Mayor Cummings called the meeting to order with Council Members Kuznia, Halverson, Gadd and Hunke attending. Staff present included City Manager Mornson and Public Works Director Stadler.

Public Works

Public Works Director Stadler gave an update on the recent snow events, snow removal process and the tagging and towing operations during a snow emergency. Council Member Kuznia commented on the good job Public Works staff does to remove the amount of snow with the resources available. Mayor Cummings discussed the issue of clearing sidewalks adequately for those with mobility issues. Mr. Stadler discussed the enforcement policy. On behalf of the City Council, Mayor Cummings thanked the Public Works staff for the winter clean-up efforts.

Mr. Stadler gave an update on the Pavilion arena floor replacement scheduled for May – August 2019. The contractor is responsible for the expense of removing and replacing the floor but the Pavilion would experience lost revenue during the construction timeframe.

City Council

- Council Member Hunke discussed environmental concerns and ways to engage students in government.
- Council Member Gadd would attend the League of Minnesota Cities (LMC) Legislative Conference and Metro Cities meeting.
- Council Member Kuznia would attend the LMC Legislative Conference.
- Mayor Cummings discussed that Council attendance at events is a great opportunity to engage with others.
- Mayor Cummings attended a meeting on unstable housing and homelessness.
- Mayor Cummings attended the Hopkins Business and Civic Association annual meeting. There were many positive comments from community members about the City.
- Mayor Cummings would attend the LMC Legislative Conference.
- Mayor Cummings would attend the Caring Youth Awards at the Minnetonka Community Center.
- Mayor Cummings spoke to a kindergarten class and read to students.
- The Council thanked Debbie Vold for taking the meeting minutes.

Administration:

City Manager Mornson gave the following updates:

- The Watershed District would be meeting regarding the Cold Storage development site.
- Rank Choice voting discussion is on the March 5 Work Session agenda.
- A hearing has been rescheduled to March 18.

ADJOURNMENT

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

Respectfully Submitted,
Deb Vold

ATTEST:

Molly Cummings, Mayor

Amy Domeier, City Clerk



March 5, 2019

Council Report 2019-018

Extension of On-Sale Liquor License for LTD Brewing LLC DBA LTD Brewing Co.

Proposed Action

Staff recommends adoption of the following motion: Approve Extension of On-Sale Liquor License for LTD Brewing LLC DBA LTD Brewing Co. to allow the sale of alcohol and live entertainment in fenced-in area on June 2, 2018.

Passage of this motion will result in the ability of the LTD Brewing Co. (LTD) to serve alcoholic beverages at their event on Saturday, June 2. The event is scheduled from 1 p.m. to 11 p.m.

Overview

The owners of LTD have requested an extension of their on-sale liquor license to cover the sale of alcohol in the fenced in area within their parking lot. The event will be extended into 8th Avenue with live music entertainment, food trucks and kids activities.

The Police Department reviewed the request and has no objection to the liquor license extension, provided LTD abides by regulations outlined in Legislative Policy 5-D – Special Events Policy. LTD security will assist the Police Department in clearing the event at 11 p.m. The 11 p.m. closing time should be prominently displayed throughout, so there is no confusion at the end of the evening when patrons are asked to leave. For the event, LTD will hire one uniformed police officer from 6 p.m. to 11 p.m. to supplement their security staff as required by the Police Department.

LTD will provided payment for all services required by the City for the special event. The establishment is required to obtain an insurance certificate for the event and send a letter to the surrounding neighbors advising them of this outdoor event.

Primary Issues to Consider

- What measures will be taken to assure that persons under the age of 21 will not have access to alcohol? (See attached policy)
- What measures will be taken to assure that outdoor activities will cease at 11 p.m.? (See attached policy)

Supporting Documents

- Policy 5-D – Special Events Policy

Amy Domeier

Amy Domeier, City Clerk

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

POLICY 5-D
SPECIAL EVENTS POLICY

1. PURPOSE

- 1.01 The purpose of this policy is to set forth procedures to be followed by organizers of Special Events who wish to use city property and/or require city services. Any organization wishing to sponsor or hold a Special Event in the City of Hopkins will be required to complete the Special Event Permit Application. The City will conduct a complete review of any Special Event Permit Application and inform the applicant if the event is allowed.

Special Events are defined as any parade, race, procession, carnival, community picnic, celebration, fundraiser, dance, concert, large assembly, or other special event on City property within the corporate limits of the City of Hopkins.

2. CITY SERVICES PROVIDED FOR SPECIAL EVENTS

- 2.01 **Pre-Approved Activities:** Pre-Approved Activities are special events for which the City provides some basic services without charge. Pre-Approved Activities include:

- a. St. Patrick's Day Parade
- b. Raspberry Festival Parade and Family Day
- c. Old Fashioned Holiday
- d. Mainstreet Days
- e. Farmer's Market
- f. National Night Out

- 2.02 **Other Events:** Approval of the following events is at the sole discretion of the City of Hopkins. Events must be determined to be in the general interest of the public. Events must also not require excessive staff support from the City. Approval of an event does not require the City to approve similar events or even the repeat of the same event. Each event will be reviewed separately.

- 2.03 **Co-Sponsored Events:** The City may co-sponsor certain events with other organizations, when the City Council determines that the event is in the general interest to the public and advances the City's public image. The City will provide financial support to these events as determined in the annual budget appropriation. These events must meet the other requirements of the Special Event Policy and must reimburse the City for any City costs in excess of the support level authorized by the budget appropriation. Approval of an event does not require the City to approve similar events or even the repeat of the same event. Each event will be reviewed separately.

- 2.04 **Other Non-Profit Events:** The City may provide up to \$300.00 in City labor costs and related fringe benefit costs, and use of City equipment to assist Special Events operated by non-profit organizations. These events must meet the requirements of the Special Event Policy and must reimburse the City for any costs in excess of this support level. Groups filing an application as a Non-Profit Event must be able to submit a current IRS 501C3 Statement. Approval of an event does not require the City to approve similar events or even the repeat of the same event. Each event will be reviewed separately.

- 2.05 **Other For-Profit Events:** The City may allow other Special Events operated by for-profit sponsors that are beneficial to the City and the public. These events are subject to an additional use charge for the use of the

public property. In addition, these events must pay 100% of all City costs related to the event. These events must meet the other requirements of the Special Event Policy and must reimburse the City for any City costs in addition to the payment of the established permit rate. The minimum additional use charge shall be \$250.00 per day. Approval of an event does not require the City to approve similar events or even the repeat of the same event. Each event will be reviewed separately.

3. FEES FOR SPECIAL EVENTS

3.01 **Hourly Rate** shall be the hourly cost for any employee working on a Special Event as established by City Administration. Please note that these rates are reviewed/adjusted annually. Please refer to Attachment A to confirm rates. The Hourly Rate shall include expenses related to the employee including fringe benefits.

3.02 **Purchased or Rental Materials** shall include all direct costs for all materials purchased or rented by the City of Hopkins for use at the event.

3.03 **Equipment Charges** shall be the current equipment usage rates as established by the City of Hopkins.

3.04 **A Replacement Cost** will be billed for missing and/or damaged equipment and supplies.

4. BILLINGS FOR SPECIAL EVENTS

4.01 Special Event billing by the City shall be itemized by the employee time of Public Works, Police and Fire; any purchased or rented materials; equipment charges; and any replacement costs for missing or damaged equipment/supplies.

4.02 If approved, event sponsors who have previously hosted the same event in the year prior AND paid their bill in a timely manner will be extended the courtesy of paying all City fees after their event is completed and billed for the current year.

4.03 If approved, new events or events that are repeating annually and did NOT pay their bill in a timely manner must submit either a cash deposit, check with payment of 75% of estimated expenses be used as a deposit to be credited against the final payment. Deposit fees must be paid not less than 30 days prior to the newly scheduled event.

5. REGULATIONS AND PROCEDURES

5.01 Any person or organization wishing to sponsor a Special Event must obtain a Special Event Permit not less than 45 days before the special event.

5.02 Applications for a permit for a Special Event will be available at the City Clerk's office, and if approved, shall become a part of the permit. Incomplete applications will be returned.

5.03 The permit fee shall accompany the application.

5.04 Special Events which are not sponsored by the City or deemed Pre-Approved may require a deposit of not less than \$200 or as determined by the City Manager.

- 5.05 The cash deposit will be calculated based on the anticipated and potential cost to the City of Hopkins, and shall be submitted no less than thirty (30) days before the special event.
- 5.06 The return of the deposit is conditioned upon the applicant having not requested nor received services which are a cost to the City of Hopkins and the applicant causing no damage to the public or private property in the City of Hopkins, and further conditioned upon the fact that the applicant will remove all dirt, paper, litter, or other debris generated by its operations, from the site of the event and the adjoining premises upon completion of the event.
- 5.07 Issuance of a Special Event Permit does not constitute a waiver of any Federal, State or Local laws. Applicants are responsible for complying with all applicable Federal, State, and Local laws.
- 5.08 Issuance of a Special Event Permit does not, in any way, imply City sponsorship of the Special Event.
- 5.09 Traffic Control Measures: Applicant is required to pay all costs for traffic control measures and traffic control personnel.
- 5.10 Traffic Barricades: The applicant shall through a bona fide contractor provide, install and remove all the equipment as stipulated by the Public Works Department. The installation and removal of barricades by Hopkins Public Works Department is subject to the Hourly Rates listed in Attachment A.
- 5.11 Notice to Property Owners: The applicant may be required to provide a 30-day notice to all property owners about a Special Event as stipulated by the City Clerk or designee. For events at the 8th Avenue Artery, the City Clerk will provide the applicant with a list of property owners to notify.
- 5.12 Insurance: Applicant must provide the City with a Certificate of Insurance showing proof of general liability insurance, automobile liability insurance (if applicable) and liquor liability insurance (if applicable) meeting the following minimum requirements:
- Applicant shall procure and maintain for the duration of the event commercial general liability insurance or equivalent special event coverages protecting it from claims for damages for bodily injury and property damage which may arise from or in connection with the event's operation and use of the City's property in the minimum amount of \$1,000,000 per occurrence.
 - If automobiles will be used during the event, Applicant shall provide automobile liability insurance with a minimum combined single limit of \$1,000,000 per occurrence. Coverage shall include liability for owned, non-owned and hired automobiles.
 - If alcohol will be sold or served, Applicant must have liquor liability (dram shop) insurance in the minimum amount of \$1,000,000 per occurrence.
 - The City shall be endorsed as an additional insured on all liability policies. Applicant's insurance shall be primary.
 - The City reserves the right to modify these insurance requirements depending on the nature and scope of the event.

5.13

Claims: Applicant agrees to defend and hold the City harmless from claims, demands, actions or causes of actions, of any nature of character, arising out of, or by reason of conduct of the event authorized by such premise extension, including attorney fees and all expenses.

- 5.14. Damages: Applicant will indemnify the City for all damages that may result to City property as a result of an event.
- 5.15 Supervision: Applicant will maintain adult supervision of the event at all times. Applicant will provide security as stipulated by the Chief of Police or designee. Security will be billed at the Hourly Rate outlined in Attachment A.
- 5.16 Clean-up: Applicant will, at no cost to the City, immediately clean up, remove and dispose of all litter or material of any kind, which is placed or left on the street because of the event. If the Applicant neglects or fails to proceed with clean up within a two-hour period immediately following the end of the event, or if the cleanup is done in an inadequate manner, the Director of Public Works or designee is authorized to cleanup and charge Applicant for clean-up at the Hourly Rate shown in Attachment A.
- 5.17 Trash Disposal: Applicant will provide plans for trash disposal including the company contracted for trash disposal as part of the Special Event Permit Application.
- 5,18 Restrooms. Applicant will provide plans for providing restrooms including the company contracted for supplying restrooms as part of the Special Event Permit Application.
- 5.19 Use of City Utilities: The Applicant will not use City utilities for any event unless permission has been granted by the Director of Public Works or designee. The electrical circuits in the Central Business District have a limited amperage capacity. Applicant will provide plans for events on the 8th Avenue Artery where the use of City utilities for events will be permitted.
- 5.20 Food Permits. The Applicant shall obtain a Minnesota Department of Health food license and shall comply at all times with the applicable health codes and regulations. Proof of license shall be provided to the City Clerk at least seven days before the event and kept on site for immediate inspection.
- 5.21 Mobile Food Units. The applicant shall obtain a Mobile Food Unit license from the City Clerk and shall comply with all conditions outlined in Legislative Policy 5-J Mobile Food Units. For units parked at the 8th Avenue Artery, all food sales must locate in the defined space.
- 5.22 Alcoholic Beverages on Public Property. The Applicant is required to follow the procedures listed in Legislative Policy 5-K Alcohol/Security/Conduct Policy at City Facilities. All of the below stipulations are inclusive of interior and exterior areas of any special events:
- Fencing surrounding the defined area for the service of alcoholic beverages will be secured to establish the outdoor event area. All liquor sales and containers used for consumption must remain in the defined space.
 - There should be controlled access to the event with event security personnel to identify and wrist band those of legal age to consume. The gate/emergency exit of the fenced area will need to be continuously staffed to prevent patrons from leaving with alcoholic beverages.
 - Events are “21 and over” after 9 p.m. when alcohol is being served.
 - All alcohol service will cease at 10 p.m. All patrons must exit the defined space by 10:30 p.m.

- Event security will assist the Police Department in clearing the event at closing time. The closing time should be prominently displayed throughout so there is no confusion at the end of the evening when patrons are asked to leave.
 - For events, applicants will be required to hire uniformed police officers to supplement their security staff as required by the Police Department. Monitoring of those consuming alcohol will be done by event coordinators and the Hopkins Police Officers who have been hired to assist with the oversight of the event.
- 5.23 Outdoor Music. No outdoor music or amplified sound is allowed during the hours of 10 p.m. and 7 a.m. The Police Chief or designee has the ability to direct the event manager to control the level of noise and/or terminate the event at any time. Any plans for outdoor music or amplified sound must be described in the Special Event Permit Application.
- 5.24 Outdoor Tents. Applications must be submitted for any tent permits exceeding 200 square feet. Erection of tents, canopies, or similar structures is allowed; however, the applicant cannot drive stakes, nails, screws, posts, or otherwise disturb either paved or unpaved surfaces within the right of way to secure such features.
- 5.25 Variances. The applicant shall provide in writing the condition or conditions that are requested to be modified, the modification that is request, and the factors that the City Manager or designee should consider when determining the modification. Variance requests must be submitted with the Special Event Permit application. Approval of a variance does not require the City to approve similar variances or even the repeat of the same event. Each variance will be reviewed separately.
- 5.26 Termination: The applicant may terminate this agreement at will by giving 14 days written notice to the City. If less than 24 hours' notice is given to cancel an event that required contracted work, staff will be compensated for a 2-hour minimum charge. City staff has the authority to cancel or stop an event, or place additional restrictions on the event, if it is deemed that the public health, safety or welfare would be better served with additional restrictions.
- 5.27 City staff may place any additional requirements on any event. These requirements may include specific staff levels for Police, Fire, Public Works or other personnel. Expenses will be billed to the sponsoring organization under the terms of this policy.

Established: 5/19/88
Revised: 11/16/93
Revised: 01/19/16
Revised: 03/06/18
City of Hopkins

ATTACHMENT A
SPECIAL EVENT FEE SCHEDULE FOR SERVICES
(this fee schedule may be reviewed and updated annually by the City Administration)

Public Works Personnel	Cost Per Hour (Minimum 3 hours per employee call-in)
• General Laborer	\$36 regular time; \$54 OT
• Supervisor	\$64
Police Department Personnel	Cost Per Hour
• Police Officer	\$78.71
Fire Department Personnel	Cost Per Hour
• Firefighter	\$15.53
Vehicles	Cost Per Hour
• Garbage truck	\$90
• Pick Up truck	\$35
• Dump truck	\$90
• Boom truck	\$90
• Fire truck	\$250



March 5, 2019

Council Report 2019-019

Approval of Temporary Liquor License for GiGi's Playhouse Inc.

Proposed Action

Staff recommends adoption of the following motion: Approve the Issuance of a Temporary On-Sale liquor license to GiGi's Playhouse Inc.

Passage of this motion will result in the ability of the organization to serve alcoholic beverages at Cody's Dash for Down Syndrome event on June 29, 2019.

Overview

GiGi's Playhouse Inc. has submitted an application for a temporary on-sale liquor license at the Cody's Dash event. The event will take place at Central Park on June 29 from 9:30 a.m. to 1 p.m. City staff has agreed to deviate from policy and allow Cody's Dash organizer to begin sales at 9:30 a.m. This was allowed last two years without any issues. One uniformed officer will be present during the time that alcohol sales are permitted.

The applicant is required to follow all other regulations set forth in Policy 4-C Temporary Liquor Licenses and Policy 5-D Special Event Policy, specifically Section 5.22. Temporary on-sale liquor licenses must be approved by the State of Minnesota, Alcohol & Gambling Enforcement Division. .

Primary Issues to Consider

- The applicant meets the requirements set forth by State Statute to obtain a temporary on-sale liquor license.
- As required by State Statute, the application must be approved the City before submitting to the State of Minnesota, Alcohol & Gambling Enforcement Division.

Supporting Documents

- Copy of Policy 4-C Temporary Liquor License
- Copy of Policy 5-D Special Events Policy
- Complete application and certificate of insurance are on file in the City Clerk's office.

Amy Domeier, City Clerk

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

**POLICY 4-C
TEMPORARY LIQUOR LICENSE**

1. PURPOSE

- 1.01 The Hopkins City Council recognizes that the issuance of temporary liquor license may result in events which disturb surrounding businesses and residents and also may provide an opportunity for underage drinking. The City Council believes that by creating a set of rules and regulations in regard to the issuance of these licenses, problems can be avoided and the responsible consumption of liquor or 3.2 beer can be encouraged.

2. REGULATIONS

- 2.01 A temporary liquor license will be issued on a per event basis, each event not lasting more than three days.
- 2.02 Sales may only be conducted between the hours of 12:00 p.m. and 12:00 a.m.
- 2.03 A separate license is required for each location where liquor or beer is sold.
- 2.04 Application for a temporary liquor license must be received at least five weeks prior to the event.
- 2.05 Applicants for a temporary liquor license must be an organization whose principal location or office is within the City of Hopkins, has been located in Hopkins for at least two years, and has at least 30 active members.
- 2.06 Sales and/or consumption of liquor or beer will only take place in enclosed building or a fenced area.
- 2.07 Individuals under the age of 21 will not be allowed in any designated area where liquor or beer is sold or consumed, except if accompanied by a parent or guardian.
- 2.08 All organizations which have a temporary liquor license must use the following method for checking identification to ensure that underage individuals do not purchase liquor or beer:
- Anyone wishing to purchase beer must have a either a driver's license, or a Minnesota ID with their picture. Individuals with the proper ID will have their hand stamped so that the actual sellers of the liquor or beer will not have to check IDs. If the event exceeds one day, a different color of ink must be used on subsequent days.
- 2.09 No temporary liquor license shall be issued in conjunction with a youth activity.¹
- 2.10 The number of temporary liquor licenses issued in conjunction with all public events² during any calendar year will be limited to twelve (12).
- 2.11 The City Council reserves the right to deny any liquor license at its sole discretion.
- 2.12 The applicant for any temporary liquor license will provide the City Clerk with a certificate of insurance showing \$1,000,000 of liquor liability coverage and showing the City as con-insured.

Established: 3/19/96
Revised: 4/1/2008

1A "youth activity" is an activity that is designed primarily for individuals under the age of 18 or the majority of the participants are under the age of 18.

2A "Public event" means an event where the public is invited or permitted to attend.

**POLICY 5-D
SPECIAL EVENTS POLICY**

1. PURPOSE

- 1.01 The purpose of this policy is to set forth procedures to be followed by organizers of Special Events who wish to use city property and/or require city services. Any organization wishing to sponsor or hold a Special Event in the City of Hopkins will be required to complete the Special Event Permit Application. The City will conduct a complete review of any Special Event Permit Application and inform the applicant if the event is allowed.

Special Events are defined as any parade, race, procession, carnival, community picnic, celebration, fundraiser, dance, concert, large assembly, or other special event on City property within the corporate limits of the City of Hopkins.

2. CITY SERVICES PROVIDED FOR SPECIAL EVENTS

- 2.01 **Pre-Approved Activities:** Pre-Approved Activities are special events for which the City provides some basic services without charge. Pre-Approved Activities include:
- a. St. Patrick's Day Parade
 - b. Raspberry Festival Parade and Family Day
 - c. Old Fashioned Holiday
 - d. Mainstreet Days
 - e. Farmer's Market
 - f. National Night Out
- 2.02 **Other Events:** Approval of the following events is at the sole discretion of the City of Hopkins. Events must be determined to be in the general interest of the public. Events must also not require excessive staff support from the City. Approval of an event does not require the City to approve similar events or even the repeat of the same event. Each event will be reviewed separately.
- 2.03 **Co-Sponsored Events:** The City may co-sponsor certain events with other organizations, when the City Council determines that the event is in the general interest to the public and advances the City's public image. The City will provide financial support to these events as determined in the annual budget appropriation. These events must meet the other requirements of the Special Event Policy and must reimburse the City for any City costs in excess of the support level authorized by the budget appropriation. Approval of an event does not require the City to approve similar events or even the repeat of the same event. Each event will be reviewed separately.
- 2.04 **Other Non-Profit Events:** The City may provide up to \$300.00 in City labor costs and related fringe benefit costs, and use of City equipment to assist Special Events operated by non-profit organizations. These events must meet the requirements of the Special Event Policy and must reimburse the City for any costs in excess of this support level. Groups filing an application as a Non-Profit Event must be able to submit a current IRS 501C3 Statement. Approval of an event does not require the City to approve similar events or even the repeat of the same event. Each event will be reviewed separately.
- 2.05 **Other For-Profit Events:** The City may allow other Special Events operated by for-profit sponsors that are beneficial to the City and the public. These events are subject to an additional use charge for the use of the public property. In addition, these events must pay 100% of all City costs related to the event. These events must meet the other requirements of the Special Event Policy and must reimburse the City for any City costs in addition to the payment of the established permit rate. The minimum additional use charge

shall be \$250.00 per day. Approval of an event does not require the City to approve similar events or even the repeat of the same event. Each event will be reviewed separately.

3. FEES FOR SPECIAL EVENTS

- 3.01 **Hourly Rate** shall be the hourly cost for any employee working on a Special Event as established by City Administration. Please note that these rates are reviewed/adjusted annually. Please refer to Attachment A to confirm rates. The Hourly Rate shall include expenses related to the employee including fringe benefits.
- 3.02 **Purchased or Rental Materials** shall include all direct costs for all materials purchased or rented by the City of Hopkins for use at the event.
- 3.03 **Equipment Charges** shall be the current equipment usage rates as established by the City of Hopkins.
- 3.04 **A Replacement Cost** will be billed for missing and/or damaged equipment and supplies.

4. BILLINGS FOR SPECIAL EVENTS

- 4.01 Special Event billing by the City shall be itemized by the employee time of Public Works, Police and Fire; any purchased or rented materials; equipment charges; and any replacement costs for missing or damaged equipment/supplies.
- 4.02 If approved, event sponsors who have previously hosted the same event in the year prior AND paid their bill in a timely manner will be extended the courtesy of paying all City fees after their event is completed and billed for the current year.
- 4.03 If approved, new events or events that are repeating annually and did NOT pay their bill in a timely manner must submit either a cash deposit, check with payment of 75% of estimated expenses be used as a deposit to be credited against the final payment. Deposit fees must be paid not less than 30 days prior to the newly scheduled event.

5. REGULATIONS AND PROCEDURES

- 5.01 Any person or organization wishing to sponsor a Special Event must obtain a Special Event Permit not less than 45 days before the special event.
- 5.02 Applications for a permit for a Special Event will be available at the City Clerk's office, and if approved, shall become a part of the permit. Incomplete applications will be returned.
- 5.03 The permit fee shall accompany the application.
- 5.04 Special Events which are not sponsored by the City or deemed Pre-Approved may require a deposit of not less than \$200 or as determined by the City Manager.
- 5.05 The cash deposit will be calculated based on the anticipated and potential cost to the City of Hopkins, and shall be submitted no less than thirty (30) days before the special event.
- 5.06 The return of the deposit is conditioned upon the applicant having not requested nor received services which are a cost to the City of Hopkins and the applicant causing no damage to the public or private property in the City of Hopkins, and further conditioned upon the fact that the applicant will remove all dirt, paper, litter, or other debris generated by its operations, from the site of the event and the adjoining premises upon completion of the event.
- 5.07 Issuance of a Special Event Permit does not constitute a waiver of any Federal, State or Local laws. Applicants are responsible for complying with all applicable Federal, State, and Local laws.
- 5.08 Issuance of a Special Event Permit does not, in any way, imply City sponsorship of the Special Event.

- 5.09 Traffic Control Measures: Applicant is required to pay all costs for traffic control measures and traffic control personnel.
- 5.10 Traffic Barricades: The applicant shall through a bona fide contractor provide, install and remove all the equipment as stipulated by the Public Works Department. The installation and removal of barricades by Hopkins Public Works Department is subject to the Hourly Rates listed in Attachment A.
- 5.11 Notice to Property Owners: The applicant may be required to provide a 30-day notice to all property owners about a Special Event as stipulated by the City Clerk or designee. For events at the 8th Avenue Artery, the City Clerk will provide the applicant with a list of property owners to notify.
- 5.12 Insurance: Applicant must provide the City with a Certificate of Insurance showing proof of general liability insurance, automobile liability insurance (if applicable) and liquor liability insurance (if applicable) meeting the following minimum requirements:
- Applicant shall procure and maintain for the duration of the event commercial general liability insurance or equivalent special event coverages protecting it from claims for damages for bodily injury and property damage which may arise from or in connection with the event's operation and use of the City's property in the minimum amount of \$1,000,000 per occurrence.
 - If automobiles will be used during the event, Applicant shall provide automobile liability insurance with a minimum combined single limit of \$1,000,000 per occurrence. Coverage shall include liability for owned, non-owned and hired automobiles.
 - If alcohol will be sold or served, Applicant must have liquor liability (dram shop) insurance in the minimum amount of \$1,000,000 per occurrence.
 - The City shall be endorsed as an additional insured on all liability policies. Applicant's insurance shall be primary.
 - The City reserves the right to modify these insurance requirements depending on the nature and scope of the event.
- 5.13 Claims: Applicant agrees to defend and hold the City harmless from claims, demands, actions or causes of actions, of any nature of character, arising out of, or by reason of conduct of the event authorized by such premise extension, including attorney fees and all expenses.
- 5.14. Damages: Applicant will indemnify the City for all damages that may result to City property as a result of an event.
- 5.15 Supervision: Applicant will maintain adult supervision of the event at all times. Applicant will provide security as stipulated by the Chief of Police or designee. Security will be billed at the Hourly Rate outlined in Attachment A.
- 5.16 Clean-up: Applicant will, at no cost to the City, immediately clean up, remove and dispose of all litter or material of any kind, which is placed or left on the street because of the event. If the Applicant neglects or fails to proceed with clean up within a two-hour period immediately following the end of the event, or if the cleanup is done in an inadequate manner, the Director of Public Works or designee is authorized to cleanup and charge Applicant for clean-up at the Hourly Rate shown in Attachment A.
- 5.17 Trash Disposal: Applicant will provide plans for trash disposal including the company contracted for trash disposal as part of the Special Event Permit Application.
- 5,18 Restrooms. Applicant will provide plans for providing restrooms including the company contracted for supplying restrooms as part of the Special Event Permit Application.

- 5.19 Use of City Utilities: The Applicant will not use City utilities for any event unless permission has been granted by the Director of Public Works or designee. The electrical circuits in the Central Business District have a limited amperage capacity. Applicant will provide plans for events on the 8th Avenue Artery where the use of City utilities for events will be permitted.
- 5.20 Food Permits. The Applicant shall obtain a Minnesota Department of Health food license and shall comply at all times with the applicable health codes and regulations. Proof of license shall be provided to the City Clerk at least seven days before the event and kept on site for immediate inspection.
- 5.21 Mobile Food Units. The applicant shall obtain a Mobile Food Unit license from the City Clerk and shall comply with all conditions outlined in Legislative Policy 5-J Mobile Food Units. For units parked at the 8th Avenue Artery, all food sales must locate in the defined space.
- 5.22 Alcoholic Beverages on Public Property. The Applicant is required to follow the procedures listed in Legislative Policy 5-K Alcohol/Security/Conduct Policy at City Facilities. All of the below stipulations are inclusive of interior and exterior areas of any special events:
- Fencing surrounding the defined area for the service of alcoholic beverages will be secured to establish the outdoor event area. All liquor sales and containers used for consumption must remain in the defined space.
 - There should be controlled access to the event with event security personnel to identify and wrist band those of legal age to consume. The gate/emergency exit of the fenced area will need to be continuously staffed to prevent patrons from leaving with alcoholic beverages.
 - Events are “21 and over” after 9 p.m. when alcohol is being served.
 - All alcohol service will cease at 10 p.m. All patrons must exit the defined space by 10:30 p.m.
 - Event security will assist the Police Department in clearing the event at closing time. The closing time should be prominently displayed throughout so there is no confusion at the end of the evening when patrons are asked to leave.
 - For events, applicants will be required to hire uniformed police officers to supplement their security staff as required by the Police Department. Monitoring of those consuming alcohol will be done by event coordinators and the Hopkins Police Officers who have been hired to assist with the oversight of the event.
- 5.23 Outdoor Music. No outdoor music or amplified sound is allowed during the hours of 10 p.m. and 7 a.m. The Police Chief or designee has the ability to direct the event manager to control the level of noise and/or terminate the event at any time. Any plans for outdoor music or amplified sound must be described in the Special Event Permit Application.
- 5.24 Outdoor Tents. Applications must be submitted for any tent permits exceeding 200 square feet. Erection of tents, canopies, or similar structures is allowed; however, the applicant cannot drive stakes, nails, screws, posts, or otherwise disturb either paved or unpaved surfaces within the right of way to secure such features.
- 5.25 Variances. The applicant shall provide in writing the condition or conditions that are requested to be modified, the modification that is request, and the factors that the City Manager or designee should consider when determining the modification. Variance requests must be submitted with the Special Event Permit application. Approval of a variance does not require the City to approve similar variances or even the repeat of the same event. Each variance will be reviewed separately.
- 5.26 Termination: The applicant may terminate this agreement at will by giving 14 days written notice to the City. If less than 24 hours’ notice is given to cancel an event that required contracted work, staff will be compensated for a 2-hour minimum charge. City staff has the authority to cancel or stop an event, or place additional restrictions on the event, if it is deemed that the public health, safety or welfare would be better served with additional restrictions.

5.27 City staff may place any additional requirements on any event. These requirements may include specific staff levels for Police, Fire, Public Works or other personnel. Expenses will be billed to the sponsoring organization under the terms of this policy.

Established: 5/19/88
 Revised: 11/16/93
 Revised: 01/19/16
 Revised: 03/06/18
 City of Hopkins

ATTACHMENT A
SPECIAL EVENT FEE SCHEDULE FOR SERVICES
(this fee schedule may be reviewed and updated annually by the City Administration)

Public Works Personnel	Cost Per Hour (Minimum 3 hours per employee call-in)
• General Laborer	\$36 regular time; \$54 OT
• Supervisor	\$64
Police Department Personnel	Cost Per Hour
• Police Officer	\$78.71
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• Firefighter	\$15.53
Vehicles	Cost Per Hour
• Garbage truck	\$90
• Pick Up truck	\$35
• Dump truck	\$90
• Boom truck	\$90
• Fire truck	\$250



March 5, 2019

Council Report 2019-020

Approval of Temporary On-Sale Liquor License for JCI Hopkins

Proposed Action

Staff recommends adoption of the following motion: Approve the Issuance of a Temporary On-Sale Liquor Licenses to JCI Hopkins.

Passage of this motion will result in the ability of the organization to serve alcoholic beverages at Hopkins Raspberry Festival Street Dances.

Overview

JCI Hopkins has submitted an application for a temporary on-sale liquor license at the Raspberry Festival Street Dance events. The events will take place on July 19 from 8 p.m. to 1 a.m. and July 20 from 12 p.m. to 1 a.m. Two uniformed officers will be present during the time that alcohol sales are permitted.

The applicant is required to follow all other regulations set forth in Policy 4-C Temporary Liquor Licenses and Policy 5-D Special Event Policy, specifically Section 5.22. Temporary on-sale liquor licenses must be approved by the State of Minnesota, Alcohol & Gambling Enforcement Division.

Primary Issues to Consider

- The applicant meets the requirements set forth by State Statute to obtain a temporary on-sale liquor license.
- As required by State Statute, the application must be approved the City before submitting to the State of Minnesota, Alcohol & Gambling Enforcement Division.

Supporting Documents

- Copy of Policy 4-C Temporary Liquor License
- Copy of Policy 5-D Special Events Policy
- Complete application and certificate of insurance are on file in the City Clerk's office.

Amy Domeier, City Clerk

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

Policy 4-C
Temporary LIQUOR License

1. PURPOSE

- 1.01 The Hopkins City Council recognizes that the issuance of temporary liquor license may result in events which disturb surrounding businesses and residents and also may provide an opportunity for underage drinking. The City Council believes that by creating a set of rules and regulations in regard to the issuance of these licenses, problems can be avoided and the responsible consumption of liquor or 3.2 beer can be encouraged.

2. REGULATIONS

- 2.01 A temporary liquor license will be issued on a per event basis, each event not lasting more than three days.
- 2.02 Sales may only be conducted between the hours of 12:00 p.m. and 12:00 a.m.
- 2.03 A separate license is required for each location where liquor or beer is sold.
- 2.04 Application for a temporary liquor license must be received at least five weeks prior to the event.
- 2.05 Applicants for a temporary liquor license must be an organization whose principal location or office is within the City of Hopkins, has been located in Hopkins for at least two years, and has at least 30 active members.
- 2.06 Sales and/or consumption of liquor or beer will only take place in enclosed building or a fenced area.
- 2.07 Individuals under the age of 21 will not be allowed in any designated area where liquor or beer is sold or consumed, except if accompanied by a parent or guardian.
- 2.08 All organizations which have a temporary liquor license must use the following method for checking identification to ensure that underage individuals do not purchase liquor or beer:
- Anyone wishing to purchase beer must have a either a driver's license, or a Minnesota ID with their picture. Individuals with the proper ID will have their hand stamped so that the actual sellers of the liquor or beer will not have to check IDs. If the event exceeds one day, a different color of ink must be used on subsequent days.
- 2.09 No temporary liquor license shall be issued in conjunction with a youth activity.¹
- 2.10 The number of temporary liquor licenses issued in conjunction with all public events² during any calendar year will be limited to twelve (12).
- 2.11 The City Council reserves the right to deny any liquor license at its sole discretion.
- 2.12 The applicant for any temporary liquor license will provide the City Clerk with a certificate of insurance showing \$1,000,000 of liquor liability coverage and showing the City as con-insured.

Established: 3/19/96
Revised: 4/1/2008

1A "youth activity" is an activity that is designed primarily for individuals under the age of 18 or the majority of the participants are under the age of 18.

2A "Public event" means an event where the public is invited or permitted to attend.

**POLICY 5-D
SPECIAL EVENTS POLICY**

1. PURPOSE

- 1.01 The purpose of this policy is to set forth procedures to be followed by organizers of Special Events who wish to use city property and/or require city services. Any organization wishing to sponsor or hold a Special Event in the City of Hopkins will be required to complete the Special Event Permit Application. The City will conduct a complete review of any Special Event Permit Application and inform the applicant if the event is allowed.

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3. FEES FOR SPECIAL EVENTS

- 3.01 **Hourly Rate** shall be the hourly cost for any employee working on a Special Event as established by City Administration. Please note that these rates are reviewed/adjusted annually. Please refer to Attachment A

to confirm rates. The Hourly Rate shall include expenses related to the employee including fringe benefits.

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Established: 5/19/88
 Revised: 11/16/93
 Revised: 01/19/16
 Revised: 03/06/18
 City of Hopkins

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SPECIAL EVENT FEE SCHEDULE FOR SERVICES
(this fee schedule may be reviewed and updated annually by the City Administration)

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Vehicles	Cost Per Hour
• Garbage truck	\$90
• Pick Up truck	\$35
• Dump truck	\$90
• Boom truck	\$90
• Fire truck	\$250

CITY OF HOPKINS

FINANCE DEPARTMENT

MEMORANDUM

Date: February 27th, 2019
To: Honorable Mayor and Members of the City Council
From: Nicholas Bishop, Finance Director
Subject: Ratify Checks Issued in February 2019

The checks issued between February 1, 2019 and February 27, 2019, were numbers 113548 through 113898, for a total distribution of \$1,386,981.45

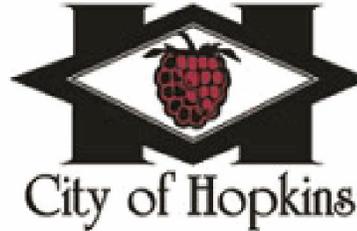
The checks issued, along with the purpose for those payments are attached for your review.

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

Accounts Payable

Checks by Date - Summary by Check Date

User: kpearsall
Printed: 2/27/2019 2:40 PM



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
113548	28422	ADVANCED IMAGING SOLUTIONS	02/08/2019	0.00	4,087.20
113549	29924	ATTN: LAWSON MISC. BILLING ALLIN	02/08/2019	0.00	140.00
113550	30424	AMERICAN OFFICE INSTALLATIONS I	02/08/2019	0.00	3,536.50
113551	01600	APACHE GROUP	02/08/2019	0.00	693.84
113552	28600	APPLE VALLEY FORD LINCOLN	02/08/2019	0.00	679.91
113553	01722	ASPEN EQUIPMENT CO	02/08/2019	0.00	4,401.00
113554	01728	ASTLEFORD INTERNATL & ISUZU	02/08/2019	0.00	17.08
113555	02031	B & W SPECIALTY COFFEE CO	02/08/2019	0.00	416.19
113556	29300	BERGERSON-CASWELL INC	02/08/2019	0.00	66,850.00
113557	29817	GARY BINGER	02/08/2019	0.00	2,700.00
113558	02563	BOLTON & MENK, INC	02/08/2019	0.00	61,163.00
113559	27782	BOUND TREE MEDICAL LLC	02/08/2019	0.00	8.39
113560	29011	JESSICA BRAUN	02/08/2019	0.00	245.00
113561	29416	CDW GOVERNMENT	02/08/2019	0.00	5,275.50
113562	30005	CENTRAL POWER DISTRIBUTORS	02/08/2019	0.00	74.82
113563	28981	CHESTNUT CAMBRONNE PA	02/08/2019	0.00	17,402.54
113564	30127	CINTAS CORPORATION NO. 2	02/08/2019	0.00	266.06
113565	26951	COMCAST	02/08/2019	0.00	14.71
113566	26951	COMCAST	02/08/2019	0.00	6.30
113567	29981	CORE & MAIN LP	02/08/2019	0.00	414.70
113568	29303	DIVERSIFIED COFFEE PRODUCTS	02/08/2019	0.00	228.00
113569	27569	EMERGENCY AUTOMOTIVE TECHNO	02/08/2019	0.00	871.96
113570	29070	ENGAGE PRINT INC	02/08/2019	0.00	332.35
113571	05524	ENTENMANN-ROVIN CO	02/08/2019	0.00	225.25
113572	28971	EXCELSIOR MOTOR VEHICLE CENTE	02/08/2019	0.00	11.00
113573	28971	EXCELSIOR MOTOR VEHICLE CENTE	02/08/2019	0.00	17.00
113574	06008	FASTENAL CO	02/08/2019	0.00	368.85
113575	06567	FORCE AMERICA	02/08/2019	0.00	389.40
113576	27492	FRIENDS OF THE HOPKINS	02/08/2019	0.00	610.21
113577	07564	GOPHER STATE ONE-CALL, INC	02/08/2019	0.00	82.35
113578	07681	GRAINGER, INC	02/08/2019	0.00	14.47
113579	28609	GRANICUS INC	02/08/2019	0.00	626.05
113580	08000	H & L MESABI	02/08/2019	0.00	745.60
113581	08179	HENNEPIN CTY TREASURER	02/08/2019	0.00	1,875.00
113582	08186	HENNEPIN CTY TREASURER	02/08/2019	0.00	29.00
113583	08223	HENNEPIN CTY TREASURER	02/08/2019	0.00	9,610.38
113584	08336	HIRSHFIELDS	02/08/2019	0.00	90.94
113585	08576	HOPKINS F.D. RELIEF ASSOC	02/08/2019	0.00	870.00
113586	27415	ICC UPPER GREAT PLAINS REGION III	02/08/2019	0.00	145.00
113587	09085	ICMA - ROTH IRA - 706260	02/08/2019	0.00	834.23
113588	09534	INTERSTATE BATTERY SYSTEM	02/08/2019	0.00	364.90
113589	30269	JANELLE JASPERS JONES	02/08/2019	0.00	280.00
113590	11013	KATH FUEL OIL SERVICE	02/08/2019	0.00	680.00
113591	15447	ALAN KRATTLEY	02/08/2019	0.00	39.00
113592	12160	LEAGUE OF MN CITIES	02/08/2019	0.00	1,227.11
113593	29529	LEXISNEXIS RISK SOLUTIONS	02/08/2019	0.00	83.33
113594	30423	LM & CB HOLDINGS LLC	02/08/2019	0.00	49.17

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
113595	13160	MEDICINE LAKE TOURS	02/08/2019	0.00	520.00
113596	13275	MICRO CENTER	02/08/2019	0.00	1,432.85
113597	13525	MIDNITE MARKET	02/08/2019	0.00	77.28
113598	30363	MINNEAPOLIS OXYGEN COMPANY	02/08/2019	0.00	19.22
113599	13354	MN BENEFIT ASSOCIATION	02/08/2019	0.00	37.18
113600	28599	MN PUBLIC RADIO	02/08/2019	0.00	651.00
113601	14189	NEOPOST USA INC	02/08/2019	0.00	179.99
113602	30300	NORDIC SOLAR HOLDCO LLC	02/08/2019	0.00	1,551.71
113603	15521	ON SITE SANITATION	02/08/2019	0.00	332.00
113604	26974	O'REILLY AUTO PARTS	02/08/2019	0.00	133.34
113605	29698	PERMITWORKS, LLC	02/08/2019	0.00	4,775.00
113606	29331	POSTMASTER	02/08/2019	0.00	190.00
113607	30199	PULSE ELECTRIC	02/08/2019	0.00	4,050.00
113608	29196	QUAKER SALES & DISTRIBUTION	02/08/2019	0.00	75.48
113609	18164	RED WING BUSINESS ADVANTAGE AC	02/08/2019	0.00	170.99
113610	09084	ICMA RETIREMENT TRUST- 300824	02/08/2019	0.00	4,551.17
113611	18159	ROBERT W REUTIMAN JR	02/08/2019	0.00	300.00
113612	18575	ROC, INC	02/08/2019	0.00	5,824.31
113613	29301	SCHEDULES PLUS LLC	02/08/2019	0.00	720.00
113614	28588	NANCY SHIELDS	02/08/2019	0.00	120.00
113615	30422	SM ENGINEERING	02/08/2019	0.00	296.77
113616	19766	STAR TRIBUNE MEDIA	02/08/2019	0.00	236.86
113617	27735	STEPHANIE STOCKTON	02/08/2019	0.00	400.00
113618	19824	SUNSHINE CAR WASH	02/08/2019	0.00	110.25
113619	29729	T-MOBILE USA, INC.	02/08/2019	0.00	459.00
113620	28482	DOUGLAS A TORVUND JR	02/08/2019	0.00	6,808.50
113621	29708	TOXALERT INTERNATIONAL INC.	02/08/2019	0.00	374.00
113622	08009	TRANSITIONS HOME CARE	02/08/2019	0.00	102.00
113623	30093	TRANSUNION RISK ALTERNATIVE DA	02/08/2019	0.00	151.90
113624	29732	TREECOLOGY, LLC	02/08/2019	0.00	100.00
113625	20687	TRI STATE BOBCAT INC	02/08/2019	0.00	1,627.03
113626	20889	TWINWEST CHAMBER OF COMMERC	02/08/2019	0.00	35.00
113627	27981	ULINE INC	02/08/2019	0.00	193.51
113628	29088	VERIFIED CREDENTIALS INC	02/08/2019	0.00	20.00
113629	29473	VERIZON WIRELESS	02/08/2019	0.00	246.87
113630	29475	VERIZON WIRELESS	02/08/2019	0.00	105.03
113631	23003	WASTE MANAGEMENT OF WI-MN	02/08/2019	0.00	9,568.00
113632	29480	CHARLES WEINSTEIN	02/08/2019	0.00	3,000.00
113633	28624	MICHEAL J WHITE	02/08/2019	0.00	327.90
113634	28960	WIMACTEL INC	02/08/2019	0.00	60.00
113635	13082	WM H MCCOY PETROLEUM FUELS	02/08/2019	0.00	501.23
113636	25080	XCEL ENERGY	02/08/2019	0.00	1,887.62
113637	25080	XCEL ENERGY	02/08/2019	0.00	880.48
113638	25080	XCEL ENERGY	02/08/2019	0.00	1,070.22
113639	25080	XCEL ENERGY	02/08/2019	0.00	2,398.70
113640	25080	XCEL ENERGY	02/08/2019	0.00	363.36
113641	25080	XCEL ENERGY	02/08/2019	0.00	517.62
113642	25080	XCEL ENERGY	02/08/2019	0.00	1,296.37
113643	25080	XCEL ENERGY	02/08/2019	0.00	1,978.60
113644	25080	XCEL ENERGY	02/08/2019	0.00	973.01
113645	25080	XCEL ENERGY	02/08/2019	0.00	2,322.35
113646	25080	XCEL ENERGY	02/08/2019	0.00	9,367.90
113647	25080	XCEL ENERGY	02/08/2019	0.00	5.41
113648	25080	XCEL ENERGY	02/08/2019	0.00	18.41
113649	25080	XCEL ENERGY	02/08/2019	0.00	41.68
113650	25080	XCEL ENERGY	02/08/2019	0.00	5.64
113651	25080	XCEL ENERGY	02/08/2019	0.00	312.77

Check No	Vendor No	Vendor Name	Check Date		Void Checks	Check Amount
113652	25080	XCEL ENERGY	02/08/2019		0.00	64.10
113653	25080	XCEL ENERGY	02/08/2019		0.00	1,391.53
Total for 2/8/2019:					0.00	264,424.43
113654	29817	GARY BINGER	02/11/2019		0.00	2,500.00
113655	29306	DORAN MARKETPLACE LLC	02/11/2019	VOID	132,459.36	0.00
113656	27492	FRIENDS OF THE HOPKINS	02/11/2019		0.00	1,959.47
113657	27248	HENNEPIN CTY TREASURER	02/11/2019		0.00	7,717.50
113658	08585	HOPKINS PET HOSPITAL	02/11/2019		0.00	2,905.13
113659	11161	KENNEDY & GRAVEN, CHARTERED	02/11/2019		0.00	7,682.21
113660	13012	MACQUEEN EQUIPMENT INC	02/11/2019		0.00	33.97
113661	13031	MATTS AUTO SERVICE, INC	02/11/2019		0.00	3,753.00
113662	30179	MEDIANEWS GROUP, INC.	02/11/2019		0.00	2,500.00
113663	12179	LEAGUE OF MN CITIES INSURANCE T	02/11/2019		0.00	1,158.67
113664	13599	MN DEPT OF TRANSPORTATION	02/11/2019		0.00	290.34
113665	28599	MN PUBLIC RADIO	02/11/2019		0.00	638.00
113666	18121	RDO EQUIPMENT CO.	02/11/2019		0.00	146.38
113667	23720	WSB & ASSOCIATES INC	02/11/2019		0.00	12,967.25
113668	25080	XCEL ENERGY	02/11/2019		0.00	12.94
Total for 2/11/2019:					132,459.36	44,264.86
113669	01045	ABM EQUIPMENT & SUPPLY LLC	02/14/2019		0.00	130.28
113670	02162	BECKER ARENA PRODUCTS, INC	02/14/2019		0.00	195.03
113671	27822	BRADS PRO AUDIO	02/14/2019		0.00	875.00
113672	26976	BUCKEYE INTERNATIONAL INC	02/14/2019		0.00	21.63
113673	03160	CENTERPOINT ENERGY MINNEGASCO	02/14/2019		0.00	14,911.93
113674	30127	CINTAS CORPORATION NO. 2	02/14/2019		0.00	99.18
113675	26951	COMCAST	02/14/2019		0.00	239.85
113676	26951	COMCAST	02/14/2019		0.00	135.97
113677	03620	COMMERCIAL FURNITURE SERVICES	02/14/2019		0.00	122.50
113678	03568	COMO LUBE & SUPPLIES INC	02/14/2019		0.00	230.00
113679	03640	CPT SERVICES, INC	02/14/2019		0.00	105.00
113680	30430	CRITEX LLC	02/14/2019		0.00	16,187.30
113681	28123	CRITTERS UNLIMITED INC	02/14/2019		0.00	50.00
113682	03800	CULLIGAN - METRO	02/14/2019		0.00	3.80
113683	30426	HEATHER DEXHEIMER	02/14/2019		0.00	537.50
113684	04690	DRISKILLS FOODS	02/14/2019		0.00	228.81
113685	28898	ECM PUBLISHERS INC	02/14/2019		0.00	113.05
113686	27569	EMERGENCY AUTOMOTIVE TECHNO.	02/14/2019		0.00	116.00
113687	29006	ENTERPRISE FLEET MANAGEMENT	02/14/2019		0.00	4,581.18
113688	30344	FARRELL EQUIPMENT SUPPLY CO INC	02/14/2019		0.00	131.88
113689	06008	FASTENAL CO	02/14/2019		0.00	15.47
113690	29491	FERGUSON WATERWORKS	02/14/2019		0.00	2,189.47
113691	06336	FIRST HOSPITAL LAB INC	02/14/2019		0.00	556.75
113692	28628	FLEETPRIDE INC	02/14/2019		0.00	202.70
113693	30428	GALLAGHER BENEFIT SERVICES INC	02/14/2019		0.00	525.00
113694	07185	GENUINE PARTS	02/14/2019		0.00	1,117.98
113695	07681	GRAINGER, INC	02/14/2019		0.00	111.27
113696	28609	GRANICUS INC	02/14/2019		0.00	551.05
113697	08001	HACH COMPANY	02/14/2019		0.00	1,036.72
113698	08004	HANCE HARDWARE, INC	02/14/2019		0.00	420.85
113699	29748	HENNEPIN COUNTY PUBLIC WORKS	02/14/2019		0.00	6,173.62
113700	08166	HENNEPIN CTY TREASURER	02/14/2019		0.00	217.30
113701	08166	HENNEPIN CTY TREASURER	02/14/2019		0.00	1,602.60
113702	08571	HOPKINS BUSINESS & CIVIC ASSN	02/14/2019		0.00	150.00

Check No	Vendor No	Vendor Name	Check Date		Void Checks	Check Amount
113703	29345	IMPACT MAILING OF MN	02/14/2019		0.00	3,012.82
113704	30425	RICHARD INDRITZ	02/14/2019		0.00	75.00
113705	28537	IS LAX LLC	02/14/2019		0.00	3,784.23
113706	30145	ZACH LUNDBERG	02/14/2019		0.00	125.00
113707	29059	MANSFIELD OIL COMPANY	02/14/2019		0.00	14,815.23
113708	13167	MENARDS - EDEN PRAIRIE	02/14/2019		0.00	92.71
113709	13179	METROPOLITAN COUNCIL	02/14/2019		0.00	132,474.20
113710	13525	MIDNITE MARKET	02/14/2019		0.00	14.01
113711	30129	MINNESOTA AIR, INC.	02/14/2019		0.00	46.91
113712	13446	MN DEPT OF LABOR & INDUSTRY	02/14/2019		0.00	100.00
113713	29598	MN DVS RENEWAL/TITLE & REGISTR	02/14/2019		0.00	21.75
113714	13399	MN SAFETY COUNCIL, INC	02/14/2019		0.00	396.00
113715	13412	MN TROPHIES	02/14/2019		0.00	462.20
113716	29362	OPG-3, INC	02/14/2019		0.00	950.00
113717	16035	PACE ANALYTICAL SERVICES INC	02/14/2019		0.00	651.85
113718	26912	QUALITY PROPANE	02/14/2019		0.00	2.00
113719	17806	QWEST CORP	02/14/2019		0.00	128.00
113720	17806	QWEST CORP	02/14/2019		0.00	64.00
113721	17806	QWEST CORP	02/14/2019		0.00	64.00
113722	17806	QWEST CORP	02/14/2019		0.00	325.00
113723	17806	QWEST CORP	02/14/2019		0.00	325.00
113724	17806	QWEST CORP	02/14/2019		0.00	80.52
113725	17806	QWEST CORP	02/14/2019		0.00	127.00
113726	17806	QWEST CORP	02/14/2019		0.00	858.00
113727	17806	QWEST CORP	02/14/2019		0.00	66.00
113728	17806	QWEST CORP	02/14/2019		0.00	48.00
113729	17806	QWEST CORP	02/14/2019		0.00	64.00
113730	17806	QWEST CORP	02/14/2019		0.00	66.00
113731	17806	QWEST CORP	02/14/2019		0.00	57.27
113732	17806	QWEST CORP	02/14/2019		0.00	84.97
113733	18327	REINDERS INC	02/14/2019		0.00	509.11
113734	19085	SCHINDLER ELEVATOR CORP	02/14/2019		0.00	353.91
113735	30427	SHADOWBOX MUSIC INC	02/14/2019	VOID	2,500.00	0.00
113736	19520	SNAP PRINT INC	02/14/2019		0.00	131.37
113737	29115	MANUEL SOTELO	02/14/2019		0.00	855.00
113738	26975	SPRINT	02/14/2019		0.00	1,697.79
113739	19777	STREICHERS	02/14/2019		0.00	176.83
113740	20560	TOLL GAS & WELDING SUPPLY	02/14/2019		0.00	11.35
113741	20687	TRI STATE BOBCAT INC	02/14/2019		0.00	382.97
113742	20887	TWIN CITY WATER CLINIC	02/14/2019		0.00	272.00
113743	03440	ULTIMATE SAFETY CONCEPTS INC	02/14/2019		0.00	1,476.61
113744	22002	VALLEY-RICH COMPANY, INC	02/14/2019		0.00	7,562.00
113745	30052	VASKE COMPUTER, INC.	02/14/2019		0.00	6,800.00
113746	27692	VESSCO INC	02/14/2019		0.00	31,893.00
113747	22563	VOSS LIGHTING	02/14/2019		0.00	123.72
113748	29967	WOLD ARCHITECTS AND ENGINEERS	02/14/2019		0.00	1,973.13
113749	25080	XCEL ENERGY	02/14/2019		0.00	24.00
113750	25080	XCEL ENERGY	02/14/2019		0.00	10,230.99
113751	26160	ZEE MEDICAL SERVICE	02/14/2019		0.00	141.00
113752	26320	ZIEGLER, INC	02/14/2019		0.00	203.03
113753	26320	ZIEGLER, INC	02/14/2019		0.00	16,427.97
113754	28123	CRITTERS UNLIMITED INC	02/14/2019		0.00	1,435.00
113755	15441	OLSEN CHAIN AND CABLE CO INC	02/14/2019		0.00	68.10
113756	30429	PAULS BOBBY AND STEVES AUTO W	02/14/2019		0.00	170.68
Total for 2/14/2019:					2,500.00	296,187.90

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
113757	30427	SHADOWBOX MUSIC INC	02/15/2019	0.00	2,500.00
Total for 2/15/2019:				0.00	2,500.00
113758	29535	ADVANCED ENGINEERING	02/21/2019	0.00	6,515.40
113759	01328	AIRGAS USA	02/21/2019	0.00	132.18
113760	28840	AUDIO LOGIC SYSTEMS	02/21/2019	0.00	275.00
113761	29669	AVESIS	02/21/2019	0.00	320.52
113762	02031	B & W SPECIALTY COFFEE CO	02/21/2019	0.00	1,119.30
113763	30433	BONGEAUX LLC	02/21/2019	0.00	200.00
113764	28430	CENTURY LINK	02/21/2019	0.00	88.99
113765	28430	CENTURY LINK	02/21/2019	0.00	67.36
113766	30127	CINTAS CORPORATION NO. 2	02/21/2019	0.00	398.89
113767	30038	CIVICPLUS, INC.	02/21/2019	0.00	1,725.00
113768	26951	COMCAST	02/21/2019	0.00	145.97
113769	03640	CPT SERVICES, INC	02/21/2019	0.00	4,479.96
113770	28123	CRITTERS UNLIMITED INC	02/21/2019	0.00	125.00
113771	03800	CULLIGAN - METRO	02/21/2019	0.00	70.60
113772	28747	CULLIGAN BOTTLED WATER CO	02/21/2019	0.00	76.67
113773	29303	DIVERSIFIED COFFEE PRODUCTS	02/21/2019	0.00	345.76
113774	04690	DRISKILLS FOODS	02/21/2019	0.00	303.59
113775	28898	ECM PUBLISHERS INC	02/21/2019	0.00	285.60
113776	29520	ECOLAB	02/21/2019	0.00	192.34
113777	05282	EHLERS AND ASSOCIATES, INC	02/21/2019	0.00	16,770.00
113778	30431	EHLERS INVESTMENT PARTNERS LLC	02/21/2019	0.00	5,398.48
113779	05481	EMERGENCY APPARATUS MAINT INC	02/21/2019	0.00	9,275.25
113780	27569	EMERGENCY AUTOMOTIVE TECHNO	02/21/2019	0.00	4,531.20
113781	29398	ENTERPRISE FLEET MANAGEMENT	02/21/2019	0.00	2,919.20
113782	30331	FIELD ENVIRONMENTAL CONSULTIN	02/21/2019	0.00	2,500.00
113783	30288	GARY L FISCHLER & ASSOCIATES PA	02/21/2019	0.00	1,250.00
113784	07681	GRAINGER, INC	02/21/2019	0.00	22.88
113785	29377	GRAINGER, INC	02/21/2019	0.00	148.54
113786	08166	HENNEPIN CTY TREASURER	02/21/2019	0.00	2,541.55
113787	08336	HIRSHFIELDS	02/21/2019	0.00	47.54
113788	08627	HOME DEPOT CREDIT SERVICES	02/21/2019	0.00	599.71
113789	08625	HOPKINS POLICE ASSOCIATION	02/21/2019	0.00	1,320.00
113790	09801	I.U.O.E. CENTRAL PENSION FUND	02/21/2019	0.00	1,760.00
113791	09085	ICMA - ROTH IRA - 706260	02/21/2019	0.00	834.23
113792	27456	JAZZ88 KBEM	02/21/2019	0.00	400.00
113793	12012	LAW ENFORCEMENT LABOR SERVICE	02/21/2019	0.00	408.00
113794	03369	LEAGUE OF MN CITIES	02/21/2019	0.00	3,240.00
113795	30392	CIGNA LIFE INS COMP OF AMERICA -	02/21/2019	0.00	414.84
113796	30391	CIGNA LIFE INS COMP OF AMERICA -	02/21/2019	0.00	2,706.30
113797	30390	CIGNA LIFE INS COMP OF AMERICA -	02/21/2019	0.00	2,661.10
113798	30023	CIGNA LIFE INS COMP OF N AMERICA	02/21/2019	0.00	723.09
113799	29919	MCCD	02/21/2019	0.00	5,000.00
113800	13160	MEDICINE LAKE TOURS	02/21/2019	0.00	504.00
113801	13167	MENARDS - EDEN PRAIRIE	02/21/2019	0.00	209.20
113802	13173	METRO CHIEF FIRE OFFICERS ASSN	02/21/2019	0.00	100.00
113803	29842	MEYER CONTRACTING, INC.	02/21/2019	0.00	148,088.44
113804	13271	MN DEPT OF PUBLIC SAFETY	02/21/2019	0.00	25.00
113805	28245	NEOFUNDS OR TOTALFUNDS	02/21/2019	0.00	3,000.00
113806	14960	NYSTROM PUBLISHING CO	02/21/2019	0.00	279.49
113807	29793	PANACHE LLC	02/21/2019	0.00	48.00
113808	29196	QUAKER SALES & DISTRIBUTION	02/21/2019	0.00	56.67
113809	30435	REGION 6AA	02/21/2019	0.00	953.70
113810	08568	RESOURCE WEST	02/21/2019	0.00	53.84

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
113811	09084	ICMA RETIREMENT TRUST- 300824	02/21/2019	0.00	4,551.17
113812	19561	SOJOURNER PROJECT, INC	02/21/2019	0.00	15,000.00
113813	30432	CORY SPAWN	02/21/2019	0.00	150.00
113814	19777	STREICHERS	02/21/2019	0.00	8,681.62
113815	19777	STREICHERS	02/21/2019	0.00	559.96
113816	19802	SUBURBAN RATE AUTHORITY	02/21/2019	0.00	886.00
113817	30434	BILL SUTHERALND	02/21/2019	0.00	208.33
113818	29590	SYN-TECH SYSTEMS	02/21/2019	0.00	707.62
113819	20120	TDS METROCOM - MN	02/21/2019	0.00	338.11
113820	20294	THYSSENKRUPP ELEVATOR	02/21/2019	0.00	564.90
113821	28350	TOWMASTER INC	02/21/2019	0.00	247.86
113822	08009	TRANSITIONS HOME CARE	02/21/2019	0.00	612.00
113823	21523	UNION LOCAL 49	02/21/2019	0.00	770.00
113824	29458	VERIZON WIRELESS	02/21/2019	0.00	1,729.91
113825	29489	VERIZON WIRELESS	02/21/2019	0.00	35.01
113826	29490	VERIZON WIRELESS	02/21/2019	0.00	1,571.89
113827	28624	MICHEAL J WHITE	02/21/2019	0.00	449.40
113828	13082	WM H MCCOY PETROLEUM FUELS	02/21/2019	0.00	25.50
113829	25080	XCEL ENERGY	02/21/2019	0.00	62.30
113830	26161	ZEP SALES AND SERVICE	02/21/2019	0.00	1,016.57
113831	26320	ZIEGLER, INC	02/21/2019	0.00	801.14
Total for 2/21/2019:				0.00	274,627.67
113832	30437	BCA	02/22/2019	0.00	133.00
Total for 2/22/2019:				0.00	133.00
113833	01045	ABM EQUIPMENT & SUPPLY LLC	02/27/2019	0.00	3,226.81
113834	01543	ANCOM COMMUNICATIONS INC	02/27/2019	0.00	318.00
113835	28600	APPLE VALLEY FORD LINCOLN	02/27/2019	0.00	346.18
113836	02031	B & W SPECIALTY COFFEE CO	02/27/2019	0.00	743.18
113837	02012	BATTERIES PLUS BULBS	02/27/2019	0.00	135.92
113838	27782	BOUND TREE MEDICAL LLC	02/27/2019	0.00	527.12
113839	29416	CDW GOVERNMENT	02/27/2019	0.00	244.40
113840	30005	CENTRAL POWER DISTRIBUTORS	02/27/2019	0.00	89.46
113841	26951	COMCAST	02/27/2019	0.00	69.95
113842	14561	COMPASS MINERALS AMERICA	02/27/2019	0.00	23,728.24
113843	30438	DAHLEN SIGN COMPANY	02/27/2019	0.00	255.00
113844	30436	DORAN 810 APARTMENTS LLC	02/27/2019	0.00	46,634.79
113845	29306	DORAN MARKETPLACE LLC	02/27/2019	0.00	85,824.57
113846	04600	DPC INDUSTRIES, INC	02/27/2019	0.00	948.00
113847	05282	EHLERS AND ASSOCIATES, INC	02/27/2019	0.00	1,062.00
113848	05481	EMERGENCY APPARATUS MAINT INC	02/27/2019	0.00	2,712.08
113849	30330	FAE LSE6 LLC	02/27/2019	0.00	2,705.65
113850	06008	FASTENAL CO	02/27/2019	0.00	203.61
113851	UB*00396	MICHAEL FRIES	02/27/2019	0.00	58.46
113852	UB*00397	JOS GARMELLA	02/27/2019	0.00	149.79
113853	30184	GOVERNMENTJOBS.COM, INC.	02/27/2019	0.00	4,531.80
113854	07681	GRAINGER, INC	02/27/2019	0.00	81.22
113855	30336	GS SYSTEMS INC AND AFFILIATES	02/27/2019	0.00	8,060.00
113856	08158	HENNEPIN CTY ATTORNEYS OFFICE	02/27/2019	0.00	121.50
113857	30048	RICH HILL	02/27/2019	0.00	486.24
113858	08576	HOPKINS F.D. RELIEF ASSOC	02/27/2019	0.00	7,820.00
113859	30118	HOPKINS HIGH SCHOOL BOYS HOCKEY	02/27/2019	0.00	5,918.50
113860	09578	INNOVATIVE OFFICE SOLUTIONS	02/27/2019	0.00	538.26
113861	29366	KAY PARK & RECREATION	02/27/2019	0.00	5,972.00

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
113862	30439	LOS LONELY TOURING INC	02/27/2019	0.00	8,640.00
113863	13012	MACQUEEN EQUIPMENT INC	02/27/2019	0.00	3,868.44
113864	12995	MAHCO	02/27/2019	0.00	160.00
113865	13160	MEDICINE LAKE TOURS	02/27/2019	0.00	512.00
113866	13172	METRO ELEVATOR, INC	02/27/2019	0.00	160.00
113867	29177	RENEE A MEUWISSEN	02/27/2019	0.00	345.00
113868	13275	MICRO CENTER	02/27/2019	0.00	424.97
113869	13375	MN DEPT OF HEALTH	02/27/2019	0.00	5,614.29
113870	27880	MORECOM INC	02/27/2019	0.00	792.00
113871	29452	OFFICE OF MN IT SERVICES	02/27/2019	0.00	287.96
113872	UB*00395	LISA OGILVIE ARNOLD	02/27/2019	0.00	11.03
113873	26974	O'REILLY AUTO PARTS	02/27/2019	0.00	56.03
113874	16166	PETTY CASH	02/27/2019	0.00	300.00
113875	16440	PLASTIC BAGMART INC	02/27/2019	0.00	620.00
113876	16566	POMPS TIRE SERVICE INC	02/27/2019	0.00	798.00
113877	29911	POSTMASTER	02/27/2019	0.00	235.00
113878	16687	PRO-TEC DESIGN INC	02/27/2019	0.00	5,352.00
113879	16801	PUMP & METER SERVICE, INC	02/27/2019	0.00	321.60
113880	28762	QUALITY BICYCLE PRODUCTS INC	02/27/2019	0.00	512.28
113881	17806	QWEST CORP	02/27/2019	0.00	1,150.31
113882	17806	QWEST CORP	02/27/2019	0.00	167.17
113883	17806	QWEST CORP	02/27/2019	0.00	88.28
113884	17806	QWEST CORP	02/27/2019	0.00	88.93
113885	18327	REINDERS INC	02/27/2019	0.00	601.81
113886	30163	RJM CONSTRUCTION, LLC	02/27/2019	0.00	10,741.35
113887	30163	RJM CONSTRUCTION, LLC	02/27/2019	0.00	998.63
113888	29264	SCHMOLL ENTERPRISES LLC	02/27/2019	0.00	1,000.00
113889	19520	SNAP PRINT INC	02/27/2019	0.00	766.18
113890	30091	RAY STAFFORD	02/27/2019	0.00	480.00
113891	29205	CHRIS STRONER	02/27/2019	0.00	360.00
113892	08009	TRANSITIONS HOME CARE	02/27/2019	0.00	170.00
113893	20687	TRI STATE BOBCAT INC	02/27/2019	0.00	244.56
113894	30017	VERIZON WIRELESS	02/27/2019	0.00	35.01
113895	27900	WATER CONSERVATION SERVICES	02/27/2019	0.00	293.44
113896	29547	WESTBROOKE PATIO HOMES	02/27/2019	0.00	255,000.00
113897	13082	WM H MCCOY PETROLEUM FUELS	02/27/2019	0.00	50.17
113898	26320	ZIEGLER, INC	02/27/2019	0.00	84.42
Total for 2/27/2019:				0.00	504,843.59
Report Total (351 checks):				134,959.36	1,386,981.45

CITY OF HOPKINS
Hennepin County, Minnesota

RESOLUTION NO. 2019-015

RESOLUTION APPROVING EXECUTION OF HEALTHY TREE CANOPY GRANT AGREEMENT
BETWEEN THE CITY OF HOPKINS AND HENNEPIN COUNTY

WHEREAS, Hennepin County has established a Healthy Tree Canopy Grant Program to provide reimbursements for selected eligible community tree projects; and

WHEREAS, the City of Hopkins has applied for a grant and has been awarded a grant of \$5,000 to assist in the preparation of a citywide tree inventory:

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Hopkins:

- I. That the Healthy Tree Canopy Grant Agreement is hereby approved for execution.
- II. That the City of Hopkins will provide 25% matching funds or in-kind services.
- III. That the Public Works Director is authorized and directed to execute said grant agreement and serve as official liaison with Hennepin County or its authorized representative.

Adopted by the Hopkins City Council on this 5th day of March, 2019.

BY _____
Molly Cummings, Mayor

ATTEST:

Amy Domieier, City Clerk

HEALTHY TREE CANOPY GRANT AGREEMENT

This Agreement is between the COUNTY OF HENNEPIN, STATE OF MINNESOTA, A-2300 Government Center, Minneapolis, Minnesota 55487, on behalf of the Hennepin County Environment and Energy Department, 701 Fourth Avenue South, Minneapolis, Minnesota 55415 ("COUNTY"), and City of Hopkins, 11100 Excelsior Boulevard, Hopkins, Minnesota 55343 ("CONTRACTOR"), a Minnesota government entity.

WHEREAS, the Hennepin County Board has established a Healthy Tree Canopy Grant Program to provide awards, which may be in the form of reimbursements ("Tree Grant Funds") to selected eligible community tree projects; and

WHEREAS, the ORGANIZATION has made an application for an award of Healthy Tree Canopy Grant Program and has been selected for funding of said described project in accordance with the terms of this Agreement;

NOW, THEREFORE, the parties agree as follows:

1. TERM AND COST OF THE AGREEMENT

This Agreement shall commence March 1, 2019 and terminate March 1, 2020, unless terminated earlier in accordance with the Default and Cancellation provisions of this Agreement.

The total value of Tree Grant Funds awarded under this Agreement, including all reimbursable expenses, shall not exceed Five Thousand Dollars (\$5,000).

2. GRANT REQUIREMENTS

- a. The ORGANIZATION shall operate its tree canopy enhancement project ("Project"), including the proposed Project budget, as described in the application submitted by the ORGANIZATION and kept on file with the COUNTY. See attachment A for details regarding the project scope.
- a. The ORGANIZATION shall provide 25 percentage matching funds as described in the project budget and project requirements, as well as provide proof of matching funds before reimbursement.
- b. In addition to the obligation to operate the project as described, the ORGANIZATION shall:
 1. Submit to the DEPARTMENT in a format acceptable to the COUNTY a final report by June 1, 2020. The report should include at a minimum:
 - Project summary with photos of work completed;
 - Results achieved;

- Obstacles/challenges encountered;
- Maintenance strategy; and
- Actual budget expenditures.

The COUNTY shall have full ownership and control of all reports, which includes the right of the COUNTY to use any data and information contained in such project report in any manner the COUNTY determines, including but not limited to case studies or public presentations.

2. Establish a separate accounting mechanism, such as a Project number, activity number, cost center, or fund that will separate Tree Grant Fund expenditures from all other ORGANIZATION activities.
3. To ensure compliance with the purpose of this grant, comply with COUNTY's request for an audit of Tree Grant Fund Project activities, revenues, or expenditures.

3. AWARD OF GRANT

The COUNTY shall pay all Tree Grant Funds once work is completed to the ORGANIZATION valued not-to-exceed Five Thousand Dollars (\$5,000). Receipts may be submitted throughout the project timeline on a monthly basis for reimbursement. Incidental expenses such as shipping costs shall be deducted from the final Tree Grant Fund payment. Subject to verification of adequacy of submitted receipts, the COUNTY will disburse the requested amount to the Organization within six (6) weeks after the submission of the receipts. The final request for disbursement must be submitted within three (3) months of the expiration date of this Agreement.

The COUNTY, in its sole discretion, through the DEPARTMENT Director, may adjust the allocation of Tree Grant Funds if actual costs differ in amount from budgeted costs listed in the Application. Any such adjustment shall be in writing, shall be signed by the DEPARTMENT Director and the ORGANIZATION and shall be attached hereto as a supplement. No other terms, conditions or provisions of this Agreement may be changed except in accordance with regular COUNTY contracting procedures as set forth in Section 11 of this Agreement.

4. INDEPENDENT CONTRACTOR

ORGANIZATION shall select the means, method, and manner of performing the services. Nothing is intended or should be construed as creating or establishing the relationship of a partnership or a joint venture between the parties or as constituting ORGANIZATION as the agent, representative, or employee of the COUNTY for any purpose. ORGANIZATION is and shall remain an independent contractor for all services performed under this Agreement. ORGANIZATION shall secure at its own expense all personnel required in performing services under this Agreement. Any

personnel of ORGANIZATION or other persons while engaged in the performance of any work or services required by ORGANIZATION will have no contractual relationship with the COUNTY and will not be considered employees of the COUNTY. The COUNTY shall not be responsible for any claims related to or on behalf of any of ORGANIZATION's personnel, including without limitation, claims that arise out of employment or alleged employment under the Minnesota Unemployment Insurance Law (Minnesota Statutes Chapter 268) or the Minnesota Workers' Compensation Act (Minnesota Statutes Chapter 176) or claims of discrimination arising out of state, local or federal law, against ORGANIZATION, its officers, agents, contractors, or employees. Such personnel or other persons shall neither require nor be entitled to any compensation, rights, or benefits of any kind from the COUNTY, including, without limitation, tenure rights, medical and hospital care, sick and vacation leave, workers' compensation, unemployment compensation, disability, severance pay, and retirement benefits.

5. NON-DISCRIMINATION

In accordance with the COUNTY's policies against discrimination, ORGANIZATION shall not exclude any person from full employment rights nor prohibit participation in or the benefits of, any program, service or activity on the grounds of race, color, creed, religion, age, sex, disability, marital status, sexual orientation, public assistance status, or national origin. No person who is protected by applicable Federal or State laws against discrimination shall be subjected to discrimination.

6. [Intentionally Omitted]

7. INDEMNIFICATION

ORGANIZATION shall defend, indemnify, and hold harmless the COUNTY, its officials, officers, agents, volunteers and employees from any liability, claims, causes of action, judgments, damages, losses, costs, or expenses, including reasonable attorney's fees, resulting directly or indirectly from any act or omission of ORGANIZATION, a subcontractor, anyone directly or indirectly employed by them, and/or anyone for whose acts and/or omissions they may be liable in the performance of the services required by this Agreement, and against all loss by reason of the failure of ORGANIZATION to perform any obligation under this Agreement. . For clarification and not limitation, this obligation to defend, indemnify and hold harmless includes but is not limited to any liability, claims or actions resulting directly or indirectly from alleged infringement of any copyright or any property right of another, the employment or alleged employment of ORGANIZATION personnel, the unlawful disclosure and/or use of protected data, or other noncompliance with the requirements of the provisions set forth herein.

8. INSURANCE

A. With respect to the services provided pursuant to this Agreement, ORGANIZATION shall during its sole expense, procure and maintain insurance of the types, and in the form and amounts described below from insurer(s)

authorized to transact business in the state where services or operations will be performed by ORGANIZATION. Such insurance and required coverage shall be in forms acceptable to COUNTY. The insurance requirements described below shall be maintained uninterrupted for the duration of this Agreement and beyond such term when so required, and shall cover ORGANIZATION, and others for whom and/or to whom ORGANIZATION may be liable, for liabilities in connection with work performed by or on behalf of COUNTY, its agents, representatives, employees or contractors. ORGANIZATION is required to have and keep in force the following minimum insurance coverages, or ORGANIZATION’s actual insurance limits for primary coverage and excess liability or umbrella policy limits, whichever is greater:

Limits

1. Commercial General Liability (CGL) on an occurrence basis with contractual liability coverage (this coverage shall be written on the most current ISO (Insurance Services Office, Inc.) CGL form or its equivalent provided XCU (explosion, collapse and underground) is not excluded):

General Aggregate	\$2,000,000
Products—Completed Operations Aggregate	2,000,000
Personal and Advertising Injury	1,500,000
Each Occurrence—Combined Bodily Injury and Property Damage	1,500,000

2. Workers’ Compensation and Employer’s Liability:

Workers’ Compensation	Statutory
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If ORGANIZATION is based outside the state of Minnesota, coverage must comply with Minnesota law. If ORGANIZATION is a sole proprietor, it is exempted from the above Workers’ Compensation requirements to the extent provided by Minnesota law. In the event that ORGANIZATION should hire employees or subcontract this work, ORGANIZATION shall obtain the required insurance.

Employer’s Liability. Bodily injury by:

Accident—Each Accident	500,000
Disease—Policy Limit	500,000
Disease—Each Employee	500,000

- B. An umbrella or excess policy over primary liability insurance coverages is an acceptable method to provide the required insurance limits.

Coverage shall not include any exclusion or other limitations related to:

1. Scope of services;
2. Delays in project completion and cost overruns;
3. Persons or entities authorized to notify the carrier of a claim or potential claim; or
4. Mold, fungus, asbestos, pollutants or other hazardous substances.

The above establishes minimum insurance requirements. It is the sole responsibility of ORGANIZATION to determine the need for and to procure additional insurance which may be needed in connection with this Agreement. Upon written request, ORGANIZATION shall promptly submit copies of insurance policies to the COUNTY.

ORGANIZATION shall not commence work until it has obtained required insurance and filed with COUNTY a properly executed Certificate of Insurance establishing compliance. The certificate(s) must name Hennepin County as the certificate holder, and as an additional insured for the commercial general liability coverage required herein. A self-insured retention (SIR) is not acceptable, unless expressly agreed to in writing by COUNTY. The funding of deductibles and self-insured retentions maintained by ORGANIZATION, if allowed by COUNTY, shall be the sole responsibility of ORGANIZATION. If the certificate form contains a certificate holder notification provision, the certificate shall state that the insurer will endeavor to mail to COUNTY thirty (30) day prior written notice in the event of cancellation/termination of any described policies. If ORGANIZATION receives notice of cancellation/termination from an insurer, ORGANIZATION shall fax or email a copy of the notice to COUNTY within two business days.

ORGANIZATION shall furnish to COUNTY updated certificates during the term of this Agreement as insurance policies expire. If ORGANIZATION fails to furnish proof of insurance coverages, COUNTY may withhold payments and/or pursue any other right or remedy allowed under contract, law, equity, and/or statute.

ORGANIZATION's required insurance shall be primary insurance and any insurance or self-insurance maintained by COUNTY shall be in excess of and non-contributory with ORGANIZATION'S insurance. ORGANIZATION waives all rights against COUNTY, its officials, officers, agents, volunteers, and employees for recovery of damages to the extent that damages are covered by insurance of ORGANIZATION. If necessary, ORGANIZATION agrees to

endorse the required insurance policies to permit waivers of subrogation in favor of COUNTY.

9. DUTY TO NOTIFY

ORGANIZATION shall promptly notify the COUNTY of any claim, action, cause of action or litigation brought against ORGANIZATION, its employees, officers, agents or subcontractors, which arises out of the provisions contained in this Agreement.

10. DATA

ORGANIZATION, its officers, agents, owners, partners, employees, volunteers and subcontractors shall, to the extent applicable, abide by the provisions of the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13 (MGDPA) and all other applicable state and federal laws, rules, regulations and orders relating to data or the privacy or, confidentiality or security of data, which may include the Health Insurance Portability and Accountability Act of 1996 and its implementing regulations (HIPAA). For clarification and not limitation, COUNTY hereby notifies ORGANIZATION that the requirements of Minnesota Statutes section 13.05, subd. 11, apply to this Agreement. ORGANIZATION shall promptly notify COUNTY if CONTRACTOR becomes aware of any potential claims, or facts giving rise to such claims, under the MGDPA or other data or privacy laws. , data security, privacy or confidentiality laws, and shall also comply with the other requirements of this Section. If ORGANIZATION has access to or possession/control of Data (as defined in the DEFAULT AND CANCELLATION/TERMINATION provisions below), ORGANIZATION shall safeguard and protect the Data in accordance with generally accepted industry standards, all laws, and all applicable COUNTY policies, rules and direction. To the extent of any inconsistency between accepted industry standards and COUNTY policies, rules and directions, ORGANIZATION shall notify COUNTY of the inconsistency and follow COUNTY direction. ORGANIZATION shall immediately notify COUNTY of any actual or suspected security breach or unauthorized access to Data, then comply with all responsive directions provided by COUNTY. The foregoing shall not be construed as eliminating, limiting or otherwise modifying ORGANIZATION's indemnification obligations herein.

Classification of data, including trade secret data, will be determined pursuant to applicable law and, accordingly, merely labeling data as "trade secret" by ORGANIZATION does not necessarily make the data protected as such under any applicable law.

11. RECORDS – AVAILABILITY/ACCESS

Subject to the requirements of Minnesota Statutes Section 16C.05, Subd. 5, COUNTY, the State Auditor, or any of their authorized representatives, at any time during normal business hours, and as often as they may reasonably deem necessary, shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers,

records, etc., which are pertinent to the accounting practices and procedures of ORGANIZATION and involve transactions relating to this Agreement. ORGANIZATION shall maintain these materials and allow access during the period of this Agreement and for six (6) years after its termination or cancellation.

12. SUCCESSORS, SUBCONTRACTING AND ASSIGNMENTS

- A. ORGANIZATION binds itself, its partners, successors, assigns and legal representatives to the COUNTY for all covenants, agreements and obligations contained in the contract documents.
- B. ORGANIZATION shall not assign, transfer or pledge this Agreement and/or the services to be performed, whether in whole or in part, nor assign any monies due or to become due to it without the prior written consent of the COUNTY. A consent to assign shall be subject to such conditions and provisions as the COUNTY may deem necessary, accomplished by execution of a form prepared by the COUNTY and signed by ORGANIZATION, the assignee and the COUNTY. Permission to assign, however, shall under no circumstances relieve ORGANIZATION of its liabilities and obligations under the Agreement.
- C. ORGANIZATION shall not subcontract this Agreement and/or the services to be performed, whether in whole or in part, without the prior written consent of COUNTY. Permission to subcontract, however, shall under no circumstances relieve ORGANIZATION of its liabilities and obligations under the Agreement. Further, ORGANIZATION shall be fully responsible for the acts, omissions, and failure of its subcontractors in the performance of the specified contractual services, and of person(s) directly or indirectly employed by subcontractors. Contracts between ORGANIZATION and each subcontractor shall require that the subcontractor's services be performed in accordance with this Agreement. ORGANIZATION shall make contracts between ORGANIZATION and subcontractors available upon request. For clarification and not limitation of Section 15E the provisions herein, none of the following constitutes assent by COUNTY to a contract between ORGANIZATION and a subcontractor, or a waiver or release by COUNTY of ORGANIZATION's full compliance with the requirements of this Section: (1) COUNTY's request or lack of request for contracts between ORGANIZATION and subcontractors; (2) COUNTY's review, extent of review or lack of review of any such contracts; or (3) COUNTY's statements or actions or omissions regarding such contracts.
- D. ORGANIZATION shall notify the COUNTY in writing if another person/entity acquires, directly or indirectly, more than 50 percent of the voting power of the shares entitled to vote for directors of ORGANIZATION. Notice shall be given within ten (10) days of such acquisition and shall specify the name and business address of the acquiring person/entity. The COUNTY reserves the right to require the acquiring person/entity to promptly become a signatory to this

Agreement by amendment or other document so as to help assure the full performance of this Agreement.

13. MERGER AND MODIFICATION

- A. The entire Agreement between the parties is contained herein and supersedes all oral agreements and negotiations between the parties relating to the subject matter. All items that are referenced or that are attached are incorporated and made a part of this Agreement. If there is any conflict between the terms of this Agreement and referenced or attached items, the terms of this Agreement shall prevail.

ORGANIZATION and/or COUNTY are each bound by its own electronic signature(s) on this Agreement, and each agrees and accepts the electronic signature of the other party.

- B. Any alterations, variations, modifications, or waivers of provisions of this Agreement shall only be valid when they have been reduced to writing as an amendment to this Agreement signed by the parties. Except as expressly provided, the substantive legal terms contained in this Agreement including but not limited to Indemnification, Insurance, Merger and Modification, Default and Cancellation/Termination or Minnesota Law Governs may not be altered, varied, modified or waived by any change order, implementation plan, scope of work, development specification or other development process or document.

14. DEFAULT AND CANCELLATION

- A. If ORGANIZATION fails to perform any of the provisions of this Agreement or so fails to administer the work as to endanger the performance of the Agreement, it shall be in default. Unless ORGANIZATION's default is excused by the COUNTY, the COUNTY may upon written notice immediately cancel this Agreement in its entirety. Additionally, failure to comply with the terms of this Agreement shall be just cause for the COUNTY to delay payment until ORGANIZATION's compliance. In the event of a decision to withhold payment, the COUNTY shall furnish prior written notice to ORGANIZATION.
- B. Upon cancellation or termination of this Agreement, the ORGANIZATION shall itemize any and all Tree Grant Fund expenditures up to the date of cancellation or termination and return any Tree Grant Funds not yet expended.
- C. For purposes of this subsection, "Data" means any data or information, and any copies thereof, created by CONTRACTOR or acquired by CONTRACTOR from or through COUNTY pursuant to this Agreement, including but not limited to handwriting, typewriting, printing, photocopying, photographing, facsimile transmitting, and every other means of recording any form of communication or

representation, including electronic media, email, letters, works, pictures, drawings, sounds, videos, or symbols, or combinations thereof.

Upon expiration, cancellation or termination of this Agreement:

1. At the discretion of COUNTY and as specified in writing by the Contract Administrator, CONTRACTOR shall deliver to the Contract Administrator all Data so specified by COUNTY.
2. COUNTY shall have full ownership and control of all such Data. If COUNTY permits CONTRACTOR to retain copies of the Data, CONTRACTOR shall not, without the prior written consent of COUNTY or unless required by law, use any of the Data for any purpose or in any manner whatsoever; shall not assign, license, loan, sell, copyright, patent and/or transfer any or all of such Data; and shall not do anything which in the opinion of COUNTY would affect COUNTY's ownership and/or control of such Data.
3. Except to the extent required by law or as agreed to by COUNTY, CONTRACTOR shall not retain any Data that are confidential, protected, privileged, not public, nonpublic, or private, as those classifications are determined pursuant to applicable law. In addition, CONTRACTOR shall, upon COUNTY's request, certify destruction of any Data so specified by COUNTY.

- D Notwithstanding any provision of this Agreement to the contrary, CONTRACTOR shall remain liable to COUNTY for damages sustained by COUNTY by virtue of any breach of this Agreement by CONTRACTOR. Upon notice to CONTRACTOR of the claimed breach and the amount of the claimed damage, COUNTY may withhold any payments to CONTRACTOR for the purpose of set-off until such time as the exact amount of damages due COUNTY from CONTRACTOR is determined. Following notice from COUNTY of the claimed breach and damage, CONTRACTOR and COUNTY shall attempt to resolve the dispute in good faith.
- E. The above remedies shall be in addition to any other right or remedy available to the COUNTY under this Agreement, law, statute, rule, and/or equity.
- F. The COUNTY's failure to insist upon strict performance of any provision or to exercise any right under this Agreement shall not be deemed a relinquishment or waiver of the same, unless consented to in writing. Such consent shall not constitute a general waiver or relinquishment throughout the entire term of the Agreement.
- G. This Agreement may be canceled with or without cause by either party upon thirty (30) day written notice.

15. SURVIVAL OF PROVISIONS

Provisions that by their nature are intended to survive the term, cancellation or termination of this Agreement include but are not limited to: SERVICES TO BE PROVIDED (as to ownership of property); INDEPENDENT ORGANIZATION; INDEMNIFICATION; INSURANCE; DUTY TO NOTIFY; DATA; RECORDS-AVAILABILITY/ACCESS; DEFAULT AND CANCELLATION/TERMINATION; PROMOTIONAL LITERATURE; and MINNESOTA LAW GOVERNS.

16. CONTRACT ADMINISTRATION

In order to coordinate the services of ORGANIZATION with the activities of the Hennepin County Environment and Energy so as to accomplish the purposes of this Agreement, Jennifer Kullgren, Environmentalist, who can be contacted at (612) 596-1175 at Jen.Kullgren@Hennepin.us or successor (Contract Administrator), shall manage this Agreement on behalf of the COUNTY and serve as liaison between the COUNTY and ORGANIZATION.

Jay Strachota, Jstrachota@hopkinsmn.com, 952-548-6372, shall immediately give written notice to the COUNTY of the name, phone number and email address of such substitute person and of any other subsequent substitute person.

17. COMPLIANCE AND NON-DEBARMENT CERTIFICATION

- A. ORGANIZATION shall comply with all applicable federal, state and local statutes, regulations, rules and ordinances currently in force or later enacted.
- B. ORGANIZATION shall comply with all applicable conditions of the specific referenced grant.
- C. ORGANIZATION certifies that it is not prohibited nor has it hired any business which is prohibited from doing business with either the federal government or the State of Minnesota as a result of debarment or suspension proceedings.

18. RECYCLING

ORGANIZATION must have or establish a recycling program for at least three recyclable materials, such as, but not limited to, paper, glass, plastic, and metal.

19. NOTICES

Any notice or demand which must be given or made by a party under this Agreement or any statute or ordinance shall be in writing, and shall be sent registered or certified mail.

Notices to the COUNTY shall be sent to the County Administrator with a copy to the originating Department at the address given in the opening paragraph of the Agreement. Notice to ORGANIZATION shall be sent to the address stated in the opening paragraph of the Agreement.

20. MEDIA OUTREACH

ORGANIZATION shall not use the term “Hennepin County”, or any derivative thereof in ORGANIZATION’s advertising, external facing communication and/or marketing, including but not limited to advertisements of any type or form, promotional ads/literature, client lists and/or any other form of outreach, without the written approval of the Hennepin County Public Affairs/Communications Department, or their designees.

21. MINNESOTA LAWS GOVERN

The Laws of the State of Minnesota shall govern all questions and interpretations concerning the validity and construction of this Agreement and the legal relations between the parties and their performance. The appropriate venue and jurisdiction for any litigation will be those courts located within the County of Hennepin, State of Minnesota. Litigation, however, in the federal courts involving the parties will be in the appropriate federal court within the State of Minnesota. If any provision of this Agreement is held invalid, illegal or unenforceable, the remaining provisions will not be affected.

COUNTY ADMINISTRATOR APPROVAL

Reviewed for COUNTY by
the County Attorney's Office:

COUNTY OF HENNEPIN
STATE OF MINNESOTA

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By:

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Reviewed for COUNTY by:

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ORGANIZATION

ORGANIZATION warrants that the person who executed this Agreement is authorized to do so on behalf of ORGANIZATION as required by applicable articles, bylaws, resolutions or ordinances.*
.*

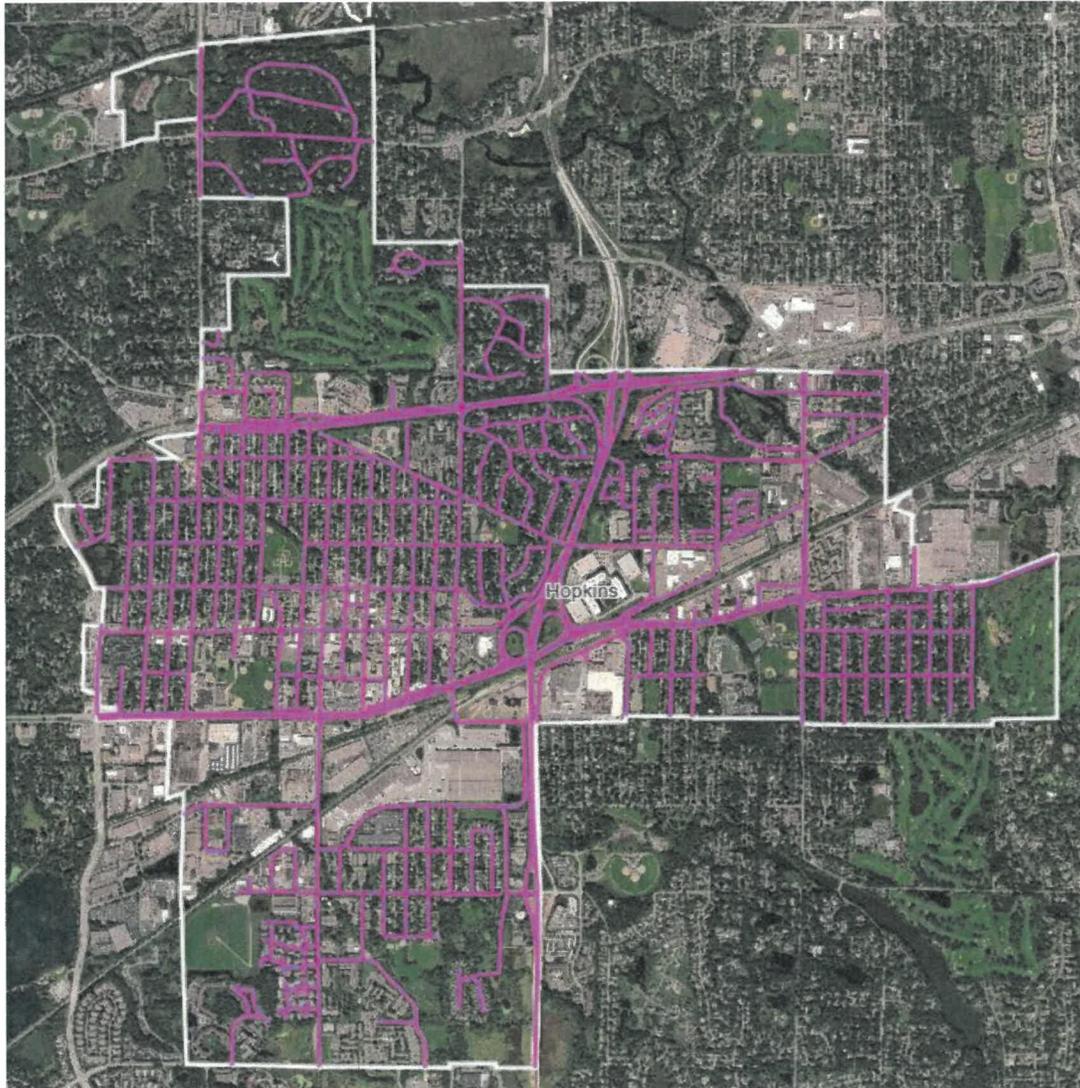
By:

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* ORGANIZATION represents and warrants that it has submitted to the COUNTY all applicable documentation (articles, bylaws, resolutions or ordinances) that confirms the signatory's delegation of authority. Documentation is not required for a sole proprietorship.
of authority. Documentation is not required for a sole proprietorship.

Updated Proposal to Collect Public Tree Inventory Data for The City of Hopkins

December 21, 2018



Submitted by:
Jeff Hafner
Rainbow Treecare
11571 K-Tel Drive
Minnetonka, MN 55343
612.290.4779

Project Understanding

The emerald ash borer (EAB) threatens the lives of the thousands of ash trees located in the City of Hopkins (City). The threat of an EAB infestation also brings attention to the importance of managing all trees growing within a community.

A 2010 Community Tree Survey done by the Department of Natural Resources estimated more than 45,000 trees growing within maintained areas of the City, with 8,500 of those trees estimated to be ash. That 2010 estimate provides an important starting point but no distinction was made between public and private trees and it cannot be relied upon to develop City management strategies or budgets.

In an effort to update the accuracy of the public tree count, the City has asked Rainbow Treecare (RTC) to submit a proposal to collect an inventory of the public (ROW and City Property) trees growing within the city limits.

Work Plan

Option 1—Inventory all ash trees growing within the Project Areas: RTC will collect tree inventory data for public ash trees located within the Project areas.

- Option 1 Project Areas:
 - City’s street right-of-way (ROW)
 - Maintained areas of city parks.
 - Rainbow Treecare will use publically available GIS parcel data as an indication of the ROW boundaries.
- Specifications of data collected:
 - Size: Tree size will be measured on the trunk in inches of diameter at breast height (DBH). Diameter measurements will be taken 4.5 feet from the ground.
 - Species: Inventoried trees will be identified by the botanical names for genus and species.
 - Condition: All condition ratings will be scored 0-4 using the following guidelines:

Condition Rating	Description
4	No apparent problems
3	Minor problems
2	Major problems
1	Extreme problems
0	Dead

Updated Proposal to Collect Public Tree Inventory Data for The City of Hopkins

- Location: The spatial coordinates for each inventoried tree will be described by latitude and longitude with accuracy within 3 meters.

Option 2—Inventory all trees growing within a city neighborhood: RTC will collect a complete tree inventory of all trees located within a specific neighborhood, to be defined by City Staff.

- Option 2 Project Area:
 - A specific neighborhood to be defined by City Staff. The number of total trees to be collected will be determined by available funding remaining after Option 1 is complete.
- Specifications of data collected:
 - Size: Tree size will be measured on the trunk in inches of diameter at breast height (DBH). Diameter measurements will be taken 4.5 feet from the ground.
 - Species: Inventoried trees will be identified by the botanical names for genus and species.
 - Condition: All condition ratings will be scored 0-4 using the following guidelines:

Condition Rating	Description
4	No apparent problems
3	Minor problems
2	Major problems
1	Extreme problems
0	Dead

- Location: The spatial coordinates for each inventoried tree will be described by latitude and longitude with accuracy within 3 meters.

Inventory Deliverables

RTC will provide the following deliverables to City staff:

Deliverable 1—Public Ash Tree Inventory Table: RTC will provide a table of the inventoried public ash trees including the above specifications of data collected.

Updated Proposal to Collect Public Tree Inventory Data for The City of Hopkins

Deliverable 2—Tree Location GIS/GPS Data: RTC can provide this data in formats including shapefile, Kml, or file geodatabase.

Project Estimates and Limitations

There is currently no accurate way to determine the number of public trees to be inventoried for this project. It is reasonable to estimate that 10% of the trees in the 2010 DNR survey would be growing in the City ROW or on City property.

RTC is presenting this proposal with a cost per inventoried tree, with an estimate of approximately 4,500 total trees and 850 ash trees may be counted.

Estimated Schedule

Work on this project will begin after this agreement is fully aligned-upon and executed. RTC will give estimated completion dates based on current inventory capacity at the time of agreement execution. This project shall be completed and final data submitted within any deadlines assigned with grant funding sources.

Statement of Fees

Item		Fee (\$)
Cost per inventoried tree located within the Project areas		\$ 3.50
Option 1	Estimated Total Cost for Ash Only Inventory (assuming 850 public ash tree collected)*	\$ 2,975
Option 2	Inventory all trees growing within a city neighborhood*	\$ TBD
Total Project Estimate not to Exceed (without City consent)		\$ 5,000

*The final price will be determined by the number of trees collected.

Updated Proposal to Collect Public Tree Inventory Data for The City of Hopkins

Signatures

Contractor: Rainbow Treecare
11571 K-Tel Drive
Minnetonka MN 55343



By: Jeff Hafner
Title: Director of Municipal Consulting
Dated: 12/21/18

City of Hopkins

By: _____

Title: _____

Dated: _____

Option Number(s): _____

Estimated Total Cost: _____

Purchase Order #: _____



Auto Related Uses Zoning Code Text Amendment

Proposed Action

Staff recommends the following motion: Move to adopt Resolution 2019-017 approving the first reading of Ordinance 2019-1138 amending the City Code related to auto related uses.

Overview

This application was initiated by staff in response to code enforcement complaints and a study of auto related uses in Hopkins. In 2018, the City considered revisions to the zoning standards for auto related uses (auto sales, auto repair, outdoor storage and junk vehicles). The Planning & Zoning Commission reviewed staff’s recommended zoning changes during their February and March meetings where they recommended approval by the City Council.

Staff reviewed this item with the City Council during the February and March 2018 work sessions and brought the Planning & Zoning Commission’s recommended changes to the City Council in April. During that meeting, the City Council tabled the item. In May, the City Council decided to approve a one year moratorium on auto related uses to allow more time for study and public engagement. During the Moratorium, staff met with the City Council to review and revise its original proposal while also seeking feedback from businesses and stakeholders. This report summarizes this process and the revised zoning changes. Both the Planning & Zoning Commission and staff recommend approval of the attached ordinance amending the City Code related to auto related uses.

Primary Issues to Consider

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

Supporting Documents

- Resolution 2019-017
- Draft Ordinance 2019-1138
- Auto Related Uses Study Maps
- Comments from Hometown Auto
- Comments from Walser Automotive Group
- Comments from Luther Automotive Group

Jason Lindahl, City Planner

Financial Impact: \$ _____ N/A _____ Budgeted: _____ Y/N _____ Source: _____

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

Notes: _____

Background

Planning & Zoning Commission Action. The Planning & Zoning Commission held a public hearing to review this item (Planning Application 2018-03-TA) during their meeting on February 26, 2019. During the meeting, the Commission heard a summary presentation from staff and presentations from representatives of both Luther Companies and Walser Automotive Group. Representatives from Luther Companies summarized their comment letter (see attached) emphasizing appreciation of the changes already made by staff while also restating their concerns with the other items that go beyond the current scope of this text amendment including: definitions for automobile repair, categories of permitted and conditional uses, and building to parking/display area ratio. The representative of Walser Automotive Group also addressed the Commission and shared their same concerns. The Commission thanked them for their comments but stated they did not support expanding the scope of the text amendment. Chairperson Warden also directed staff to include a new definition for the term “Ancillary” which staff has added to the proposed ordinance. The Commission then voted 6-0 to recommend the City Council approve this application.

Auto Related Uses Study. In early 2018, staff began a process to review the City’s zoning regulation for auto related uses (auto sales, auto repair, outdoor storage and junk vehicles). That process included a review of the comprehensive plan, zoning regulations, inspections of various sites throughout the community and a mapping analysis of all auto repair and auto sales uses. The findings from this study are summarized below.

- Hopkins has at least 37 automobile repair and sales uses. This number does not include brokers that operate an office with no inventory or have an inventory they keep inside.
- Auto related uses are clustered in three main areas: west of 11th Avenue South, along Excelsior Boulevard north of the Blake School and along the west end of Mainstreet (see attached maps). It should also be noted that these uses along Excelsior Boulevard are located in the B-4, Neighborhood Business District which does not allow automobile repair or sales uses.
- Some auto related uses have generated significant code enforcement issues that may have a negative impact on their surroundings and the overall image of the community.
- Hopkins existing zoning regulations are insufficient to address the existing operation of auto related uses and are inconsistent with the goals and policies in both the Comprehensive Plan and the City Council’s Goals & Strategic Plan.

As a result of these findings, staff recommends the zoning changes detailed in this report. The proposed zoning changes will eliminate inconsistencies in the existing zoning regulations, implement the Comprehensive Plan and the City Council’s Goals & Strategic Plan, and help mitigate the impact of auto related uses on adjacent properties and surrounding neighborhoods.

Moratorium. During the moratorium period, staff worked to revise the auto related uses standards based on feedback from both the public and City Council. Last December, the City Council reviewed and was generally supportive of the revised zoning standards and proposal to rezone certain properties in the Downtown Overlay district. Overall, the City Council felt

Hopkins had its fair share of auto related uses but the local economy should include a diverse mix of uses that includes auto repair and auto sales services. The standards for auto related use should be modernized to more closely align with the City's long range planning documents while still recognizing the role existing businesses fill in Hopkins. These standards should be clear, consistent and enforced. The Council directed staff to further revise the proposed zoning changes based on this feedback and engage interested businesses and stakeholders by making this information available on the City's website and holding an open house to provide an opportunity for the public to learn about the proposal and ask questions of staff.

Staff brought this item back to the City Council during their February 12 work session. During this meeting, staff updated the Council on the public engagement process and the revised zoning standards. Notice of the open house and that the revised standards were available for review on the City's website, at the Fire Station and mailed directly to all effected property owners on January 11, 2019. Staff received no comments prior to the open house.

Staff held the open house at the Fire Station from 5:30 to 6:30 PM on January 22, 2019. Thirteen people attended the open house including Planning & Zoning Commissioners James Warden and Sam Stiele and representatives of Bell Mobile, Hopkins Auto Services, Smith Auto Care, Luther Hopkins Honda, Walser Chrysler and the real estate industry.

During the open house, staff reviewed the revised standards and allowed time for questions. There was general appreciation that the revised standards were clearer, more consistent and no longer included provisions that would prohibit automobile sales or repair uses along Mainstreet or require overhead repair bay doors to be closed. There were no comments about the proposal to rezone some properties in the Downtown Overlay district.

Comments Since the Open House & City Council Work Session. Staff has received the following comments since the open house and City Council work session. Written comments are attached for your reference.

- Hometown Auto (1409 Mainstreet). Letter from the owner's attorney expressing appreciation for the revisions to the original proposal. It encouraged the City to allow flexibility in implementing the new standards especially with regard to the building to parking/display area ratio and screening standards.
- Jeff's Auto Services (1505 Mainstreet). Call from owner Jeff Kinny with general questions about the proposed zoning changes. After discussing the proposed changes with Mr. Kinny, he seemed generally supportive.
- Walser Automotive Group (314 Mainstreet). E-mail from PR and Communications Director Doug Sprinthall (attached) expressing concern with the subordinate automobile repair standard requiring it to occupy less than fifty (50) percent of the gross floor area of the building. Staff has re-titled this section ancillary automobile repair and removed the building square footage standard.
- Luther Companies. Letter from Kate Uding, General Counsel for Luther Automotive Group and a revised draft ordinance with their suggested revisions (attached). Their letter

states general support for updating the auto related uses zoning standards while expressing concern with some of the current regulations. These comments can be organized into two groups. The first group includes minor revision to proposed changes like lighting, junk vehicles, licensed vehicles and subordinate automobile repair. Staff has made revisions to these items that attempt to balance Luther Companies' concerns while protecting the public's interest. The second group of Luther Companies' comments are major changes to existing zoning standards that go beyond the City's original scope for this application. These items include definitions for automobile repair, categories of permitted and conditional uses, and building to parking/display area ratio. The City Council reviewed these major changes during the February 12 work session. Both the City Council and staff do not recommend expanding the scope of the proposed auto related uses zoning changes to include these items.

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, the City has wide flexibility to create standards that will ensure the type of development it desires; however, zoning regulations must be reasonable and supported by a rational basis relating to promoting the public health, safety and welfare. Staff finds the proposed zoning changes reasonable and supported by a rational basis as they seek to address the number and concentration of auto related businesses, code enforcement issues created by how these businesses operate, conflicts in zoning regulations and consistency with the City's future plans as detailed in the Comprehensive Plan and the City Council's Goals and Strategic Plan.

Consistency with the Comprehensive Plan. The proposed zoning ordinance text amendment would update the City's zoning regulation for auto related uses including automobile repair, automobile sales and/or leasing, junk vehicles and outdoor storage. Staff finds the proposed changes consistent with the applicable goals and implementation strategies from the Comprehensive Plan and the City Council's 2017 Goals and Strategic Plan. The applicable goals and strategies are detailed below.

- 1. Protect and Enhance Downtown Hopkins.** According to the comprehensive plan, it is rare to have a distinctive, pedestrian-scale, commercial area set in the heart of a small suburban community. Downtown Hopkins and Mainstreet give the City a strong central focus and sense of place, or identity, that many other communities find very difficult to recreate. Major improvements have been made downtown in recent years through public-private cooperative efforts. Staff finds it is important to safeguard and attempt to enhance this investment by revising the City's zoning regulations to include land uses and development standards that protect and support the City's vision for Downtown and Mainstreet.
- 2. Continue to coordinate land use and transportation needs.** Coordinated land use and transportation standards are crucial to the future of Hopkins and its redevelopment efforts. This goal calls on the City to continually assess the relationships between land use and transportation in two ways: by assessing the impacts of redevelopment on the existing transportation systems and, in some cases and locations, assessing the impacts that new transportation improvements will have on land use. Staff finds the proposed changes will improve the relationship between land use and transportation in these targeted areas by

addressing the number and concentration of auto related businesses, code enforcement issues created by how these businesses operate, conflicts in zoning regulations and consistency with the City's future plans as detailed in the Comprehensive Plan and the City Council's 2018 Goals and Strategic Plan.

- 3. Review and Update Zoning and Subdivision Regulations.** In addition to the eight primary goals, the Comprehensive Plan identifies strategies to implement these goals. Specifically, the Comprehensive Plan identifies the implementation strategy to review and update the City's zoning and subdivision regulations. Updating the zoning regulations for auto related uses including automobile repair, automobile sales and/or leasing, junk vehicles and outdoor storage will revise the specific standards necessary to implement the City's goals.

In addition to the Comprehensive Plan, the City Council also creates an annual strategic plan. Applicable goals and action steps from that document include "Preserving the Community's Home Town Feel" and "Enhancing the Mainstreet Experience." The proposed zoning changes support these goals and action steps and will encourage reinvestment and redevelop in these targeted areas.

Zoning Standards. The proposed zoning ordinance text amendment would revise the development standards for auto related uses including automobile repair, automobile sales and/or leasing, junk vehicles and outdoor storage regulations. As detailed above, during the moratorium staff worked with effected businesses, stakeholders and the City Council to revise the original proposal reviewed by the Planning & Zoning Commission in 2018. The revised proposed zoning changes are summarized below and detailed in the attached draft ordinance.

1. Update standards for junk vehicles and definitions for Automobile Reduction Yard and Open Storage. The current standards for junk vehicles allow them to be stored outside in any commercial or industrial district for up to 30 days. The 30 day period may be extended another 150 days (for a total of nearly 6 months) for vehicles awaiting a Sheriff's sale. This standard is very difficult to administer and has the potential to change automobile repair establishments into junk yards or outdoor storage facilities with significant impacts on surrounding neighborhoods. The new standards for junk vehicles would make it unlawful to park, store or leave any junk vehicle on any public or private property unless it is stored inside an enclosed building or located at a lawfully zoned and operated recycling center.

The second part of this change would eliminate the definition for "Automobile or Motor Reduction Yards" and revise the definition for "Open Storage." The definition for "Automobile or Motor Reduction Yards" is no longer needed because this use is not located within the City. The definition for "Open Storage" should be revised to specify the activities that can occur under this term, where it can be located and how it may be screened.

2. Update terms for New Automobile Sales and add standards for exterior lighting and parking and display areas. Past recommendations made more wholesale revisions to the standards for Automobile Sales including prohibiting these uses along Mainstreet or adjacent to residential uses and requiring overhead repair bay doors to be closed. Based on feedback from the City Council and stakeholders, staff has simplified the recommended changes. The overall framework of the existing standards remains with minor text revisions for clarity and

consistency and new standards for exterior lighting, parking and display areas, accessory fuel stations and ancillary automobile repair were added. For simplicity and uniformity, staff also recommends these revised standards for Automobile Sales serve as the basis for the new conditional use standards for Major and Minor Automobile Repair (see next section below).

It is important to note that the new standards for ancillary automobile repair includes a provision prohibiting business with both automobile sales and automobile repair from locating on property that abuts a residential use or district. This scenario does not currently exist in Hopkins. The intent of adding this standard is to protect existing residential uses from an intensification of both automobile sales and automobile repair on sites directly touching residential uses or districts.

3. Fully implement the existing definition for Major and Minor Automobile Repair. In the past, the City established definitions for Major and Minor Automobile Repair but did not fully implement these terms into specific zoning districts. Staff's current recommendation for changes for these uses remain unchanged from past recommendations. This change would replace the general Auto Repair and Motor Repair uses with more specific Major and Minor Automobile Repair uses already defined in the zoning ordinance (see below). These uses would also change from a permitted to a conditional uses. For clarity and consistency, the new conditional use standards for Major and Minor Automobile Repair would be based on the revised standards for Automobile Sales. The most notable change for existing businesses would be that they would now be subject to the same building to parking area ratio and screening requirements that are currently required for New Auto Sales uses.

Automobile repair - major: general repair, rebuilding or reconditioning of engines, motor vehicles, trailers, including body work, frame work, welding and major painting service.

Automobile repair - minor: the replacement of any part or repair of any part which does not require the removal of the engine head or pan, engine, transmission or differential, incidental body and fender work, minor painting and upholstering service when said service above stated is applied to passenger automobiles, motor cycles, snowmobiles, small engines and trucks not exceeding 9000 pounds rated capacity.

Potential Non-Conformity Issues

As with any change to the City's regulations, this zoning ordinance text amendment has the potential to create sites that are non-conforming or do not meet the new proposed standard. 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.

Should the City approve the proposed changes, staff would begin to implement the performance standards for junk vehicles, outdoor activity, outdoor storage, and vehicle parking and display. More substantial development standards such as building to parking/display area, exterior lighting, screening and ancillary automobile repair would be addressed as part of any proposed changes to these items or general expansion of the business.

Alternatives

To take action on this item, the City Council has the following options:

1. Approve the first reading of Ordinance 2019-1138. By approving the first reading of this Ordinance 2019-1139, this application will move forward for a second reading and formal approval at the March 19, 2019 City Council meeting.
2. Deny the first reading of Ordinance 2019-1138. By denying the first reading, this application will not move forward for a second reading and formal approval at the March 19, 2019 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 2019-017

**A RESOLUTION APPROVING THE FIRST READING OF ORDINANCE 2019-1138
AMENDING SECTIONS 515, 535, 540 AND 550 OF THE CITY CODE RELATED TO
AUTOMOBILE REPAIR, AUTOMOBILE SALES AND OUTDOOR STORAGE**

WHEREAS, the City of Hopkins initiated an application to amend the Zoning Ordinance for automobile related uses and outdoor storage; and

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

1. That an application to amend the Zoning Ordinance for auto related uses was initiated by the City of Hopkins on January 26, 2018; and
2. That the Hopkins City Council reviewed and discussed this item during their February 13, 2018 work session; and
3. That the Hopkins Planning & Zoning Commission, pursuant to published notice, held a public hearing to review such application on February 27 and March 27, 2018 and all persons present were given an opportunity to be heard; and
4. That written comments and analysis of City staff were considered.
5. That the Hopkins City Council was updated on this item during their March 20, 2018 City Council meeting; and
6. That the Hopkins City Council reviewed this item on April 3, 2018 and continued this item to allow more time for study; and
7. That the Hopkins City Council reviewed this item on April 17, 2018 and voted to approve Resolution 2018-033 approving the first reading of Interim Ordinance 2018-1131, regarding the regulation of automobile repair and automobile sales or leasing uses; and
8. That the Hopkins City Council reviewed this item on May 1, 2018 voted to approve Resolution 2019-040 approving the second reading of Interim Ordinance 2018-1131, regarding the regulation of automobile repair and automobile sales or leasing uses and authorizing its publication on May 1, 2018; and
9. That Ordinance 2018-1131 was published on May 10, 2018 and established a one year moratorium on auto related uses to allow more time for study and to engage the public; and
10. That the Hopkins Planning & Zoning Commission, pursuant to published notice, held a public hearing to review such application on February 26, 2019 and all persons present were given an opportunity to be heard; and
11. That written comments and analysis of City staff were considered; and

12. That the Hopkins City Council reviewed this item during their March 5, 2019 meeting and agreed with the findings of the Planning & Zoning Commission.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hopkins hereby approves the First Reading of Ordinance 2019-1138 amending Sections 515, 535, 540 And 550 of the City Code related to Automobile Repair, Automobile Sales and Outdoor Storage based on the findings detailed in City Council Report 2019-026.

Adopted this 5th day of March 2019.

ATTEST:

Molly Cummings, Mayor

Amy Domeier, City Clerk

CITY OF HOPKINS
Hennepin County, Minnesota

ORDINANCE NO. 2019-1138

**AN ORDINANCE AMENDING SECTIONS 515, 535, 540 AND 550 OF THE CITY
CODE RELATED TO AUTOMOBILE REPAIR, AUTOMOBILE SALES
OUTDOOR STORAGE AND JUNK VEHICLES**

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

SECTION 1. Section 515.7, Definitions, is hereby amended to add the following:

~~Automobile or motor vehicle reduction yard: a lot or yard where one or more unlicensed vehicles, or the remains thereof, are kept for the purpose of dismantling, wrecking, crushing, repairing, rebuilding, sale of parts, sale of scrap, storage or abandonment.~~

Accessory or Ancillary Use: A use incidental to and customarily associated with a specific principal use, located on the same lot or parcel.

~~Subd. 169. Open Outdoor storage: The keeping in an unroofed and open area a substantial part of which is visible to the public view from a street right-of-way 50 feet or more in width, or adjacent to a residentially zoned area used for such purposes, any equipment, machinery, inventory, junk, parts, and other such items in the same location for more than 24 hours. (Added Ord. 95-758) Exterior depository, stockpiling, or safekeeping of all merchandise, materials, supplies, products (finished or unfinished), equipment, vehicles or trailers, or the like. Outdoor storage areas are located within a clearly defined boundary and may be enclosed by a structure that includes a roof but no side walls or any uncovered areas surrounded by fencing, berming, landscaping or other screening material. Outdoor storage does not include, and shall not be located in any parking, loading, maneuvering or pedestrian area.~~

~~Sub. 196. Restaurant – Carry Out and/or Delivery: Food is prepared for consumption off the premises only. Any establishment that provides, as a principal use, the preparation and sale of food and/or beverages in a ready-to consume state, primarily for consumption off the premises. A carryout restaurant shall not include drive-through facilities.~~

SECTION 2. 535 Subdivision 3, Permitted Uses, is hereby amended to add the following:

Permitted Uses	B-1	B-2	B-3	B-4
8. Automobile Repair - Minor			X (2)XB	
10. Automobile Sales and/or Lease			(2)XA	
18. Bike Sales		X	X	X
74. Motors Repairing			X	
83. Pet Grooming		X		
Sub. 196. Restaurant – Carry Out and/or Delivery		X		

SECTION 3. 535.03, Subdivision 3, Conditional Use Requirements, is hereby amended to add the following:

A) New Automobile Sales or Leasing including sales lot and major auto repair provided:

1. Building to Parking/Display Area Ratio. The sales lot parking or display area shall not be larger in square footage than the square footage of the building devoted to the related business.
2. Setback. A 20-foot front yard setback in which there shall be no auto parking. Within this 20-foot setback there shall be a permanent barrier of landscaping.
3. Exterior Lighting. Exterior Lighting shall be consistent in character, design and bulb type throughout the entire site.
 - a. Lighting of the sales lot shall be totally from indirect lighting;
 - b. Light shall be directed toward the ground. Externally lit signs, display, building and aesthetic lighting must be lit from the top and shine downward. Lighting must be shielded to prevent direct glare.
 - c. Light levels shall not exceed 0.5 lumens at any residential property line or 1.0 lumens at any nonresidential property line.
 - d. The maximum height for exterior lighting shall be thirty (30) feet. The maximum height for exterior lighting within one hundred (100) feet of a residential use or district shall be twenty (20) feet.
 - e. All nonessential lighting shall be turned off after business hours, leaving only the lighting necessary for site security.
4. Screening. Should the lot abut an R district an acceptable design of screening fence five six feet in height shall be constructed along the abutting lot line(s);
5. Vehicle Size. The auto sales lot shall not include vehicles over a 9,000 lb. rated weight;
6. Junk Vehicles. ~~No Junk vehicles which are unlicensed and/or inoperative shall be stored on the premises; (Added Ord. 96-787).~~ shall comply with Section 550.01, Subdivision 11, Junk Vehicles.
7. ~~Outdoor Activity. All repair, assembly, disassembly or maintenance of vehicles shall occur within a closed building, except minor maintenance including tire inflation, adding oil, and wiper replacement.~~

8. Outdoor Storage. Outdoor storage of parts, materials, or equipment is prohibited. No outside storage or display except vehicles for sale or rent lease with a valid license or dealer inventory control number.
9. Public Address Systems. No public address system.
10. Test Driving. No test driving of vehicles on local residential streets as designated in the comprehensive plan.
11. Sales Activity. Used car lots sales shall be permitted only when an integral part of a new car dealership.
12. Vehicle Parking or Display. Automobile Sales and Leasing uses shall designate on a site plan areas for required off-street parking including customer parking and areas for inventory vehicle display. Such required off-street parking areas shall be designed and maintained in compliance with Section 550, Off-Street Parking and other applicable sections of this code. No site shall contain more vehicles than can be placed in accordance with these standards. No vehicle shall be positioned in any way to interfere with access to any parking, loading, maneuvering or pedestrian area.
13. Accessory Fuel Station. An Accessory Fuel Station may be allowed provided it is not visible from a public right-of-way and it is secured so as to insure its exclusive use by the Automobile Sales or Leasing business for the fueling its inventory. Retail sale of gasoline to the general public is prohibited.
14. Ancillary Automobile Repair. Automobile Sales or Leasing uses require a separate conditional use permit for ancillary automobile repair. Ancillary automobile repair associated with an Automobile Sales or Leasing use may include either minor and/or major automobile repair. Automobile Sales or Leasing uses that include ancillary automobile repair shall not be located on property that abuts a residential use or district.

B) Automobile Repair – Minor

1. Building to Parking Area Ratio. The parking area shall not be larger in square footage than the square footage of the building devoted to the related business.
2. Setback. Conformance with the standard setbacks for the zoning district in which the property is located.
3. Exterior Lighting. Exterior lighting shall be consistent in character, design and bulb type throughout the entire site.
 - a. Light shall be directed toward the ground. Externally lit signs, display, building and aesthetic lighting must be lit from the top and shine downward. Lighting must be shielded to prevent direct glare.

- b. Light levels shall not exceed 0.5 lumens at any residential property line or 1.0 lumens at any nonresidential property line.
- c. The maximum height for exterior lighting shall be thirty (30) feet. The maximum height for exterior lighting within one hundred (100) feet of a residential use or district shall be twenty (20) feet.
- d. All nonessential lighting shall be turned off after business hours, leaving only the lighting necessary for site security.
- 4. Screening. Should the lot abut an R district, an acceptable design of screening fence five six (6) feet in height shall be constructed along the abutting lot line(s);
- 5. Junk Vehicles. Junk vehicles shall comply with Section 550.01, Subdivision 11, Junk Vehicles.
- 6. Outdoor Activity. All repair, assembly, disassembly or maintenance of vehicles shall occur within an enclosed building, except minor maintenance including tire inflation, adding oil, wiper or battery replacement, glass repair or replacement, paintless dent repair and the like.
- 7. Outdoor Storage. Outdoor storage of parts, materials, or equipment is prohibited except licensed vehicles awaiting repair or repaired vehicles awaiting pick up.
- 8. Public Address Systems. No public address system.
- 9. Test Driving. No test driving of vehicles on local residential streets as designated in the comprehensive plan.
- 10. Vehicle Parking or Display. Automobile repair uses shall designate on a site plan areas for required off-street parking including customer parking, storage of inoperable vehicles awaiting repair and repaired vehicles awaiting pick up. Such required off-street parking areas shall be designed and maintained in compliance with Section 550, Off-Street Parking and other applicable sections of this code. No site shall contain more vehicles than can be placed in accordance with these standards. No vehicle shall be positioned in any way to interfere with access to any repair bay or any parking, loading, maneuvering or pedestrian area.

SECTION 4. 540.01, Industrial Districts, is hereby amended as follows:

Permitted Uses	I-1 Industrial	I-2 General Industrial
<u>Auto Reduction Yard</u>	<u>X</u>	<u>X</u>
<u>Vehicle painting, body work, repair</u>	<u>X</u>	<u>X</u>

SECTION 5. 540.03. Conditional Uses: I Districts, is hereby amended as follows:

A) Automobile Repair – Major subject to:

1. Building to Parking/Display Area Ratio. The parking or display area shall not be larger in square footage than the square footage of the building devoted to the related business.
2. Setback. Conformance with the standard setbacks for the zoning district in which the property is located.
3. Exterior Lighting. Exterior Lighting shall be consistent in character, design and bulb type throughout the entire site.
 - a. Light shall be directed toward the ground. Externally lit signs, display, building and aesthetic lighting must be lit from the top and shine downward. Lighting must be shielded to prevent direct glare.
 - b. Light levels shall not exceed 0.5 lumens at any residential property line or 1.0 lumens at any nonresidential property line.
 - c. The maximum height for exterior lighting shall be thirty (30) feet. The maximum height for exterior lighting within one hundred (100) feet of a residential use or district shall be twenty (20) feet.
 - d. All nonessential lighting shall be turned off after business hours, leaving only the lighting necessary for site security.
4. Screening. Should the site abut an R district an acceptable design of screening six feet in height shall be constructed along the abutting lot line(s);
5. Junk Vehicles. Junk vehicles awaiting repair or pick up shall comply with Section 550.01, Subdivision 11, Junk Vehicles.
6. Outdoor Activity. All repair, assembly, disassembly or maintenance of vehicles shall occur within an enclosed building, except minor maintenance including tire inflation, adding oil, and wiper or battery replacement, glass repair or replacement, paintless dent repair and the like.
7. Outdoor Storage. Outdoor storage of parts, materials, or equipment is prohibited ~~No outside storage or display~~ except licensed vehicles awaiting repair or repaired vehicles awaiting pick up.
8. Public Address Systems. No public address system.
9. Test Driving. No test driving of vehicles on local residential streets as designated in the comprehensive plan.
10. Vehicle Parking or Display. Automobile repair uses shall designate on a site plan areas for required off-street parking including customer parking, storage of inoperable vehicles

awaiting repair and repaired vehicles awaiting pick up. Such required off-street parking areas shall be designed and maintained in compliance with Section 550, Off-Street Parking and other applicable sections of this code. No site shall contain more vehicles than can be placed in accordance with these standards. No vehicle shall be positioned in any way to interfere with access to any repair bay or any parking, loading, maneuvering or pedestrian area.

11. All painting must be conducted in an approved paint booth. All paint booths and all other activities of the operation shall thoroughly control the emission of fumes, dust, or other particulate matter in compliance with Minnesota pollution control standards and applicable fire and building codes.

SECTION 6. 550.01, Subdivision 11. Junk Vehicles, is hereby amended as follows:

Subd. 11. Junk vehicles. ~~The parking of any junk vehicle, as defined in Section 515.07 Subd. 93, for more than 30 days within any business district (B-1, B-2, B-3, or B-4), or industrial district (I-1 or I-2) is prohibited, including the parking of vehicles awaiting repair. The extension of no more than 150 days extension may be obtained for vehicles awaiting Sheriff's sale upon application to the City Planner and presentation of evidence sufficient to the Planner of intent to sell the vehicles at the Sheriff's sale. (Added Ord. 07-986).~~ It is unlawful for any person to park, store or leave any junked motor vehicle, whether attended or not, upon any public or private property within the city, or for any person, as an owner of or an occupant having control of private property within the city to permit the parking, storing or leaving of any junked vehicle upon such private property, unless such junked vehicle is within an enclosed building or structure lawfully situated upon private property or is so parked, stored or left upon private property lawfully zoned and operated as a recycling operation.

SECTION 7. This ordinance shall take effect and be in force upon its publication, in accordance with Section 3.07 of the City Charter.

First Reading:	March 5, 2019
Second Reading:	March 19, 2019
Date of Publication:	April 7, 2019
Date Ordinance Takes Effect:	April 7, 2019

Molly Cummings, Mayor

ATTEST:

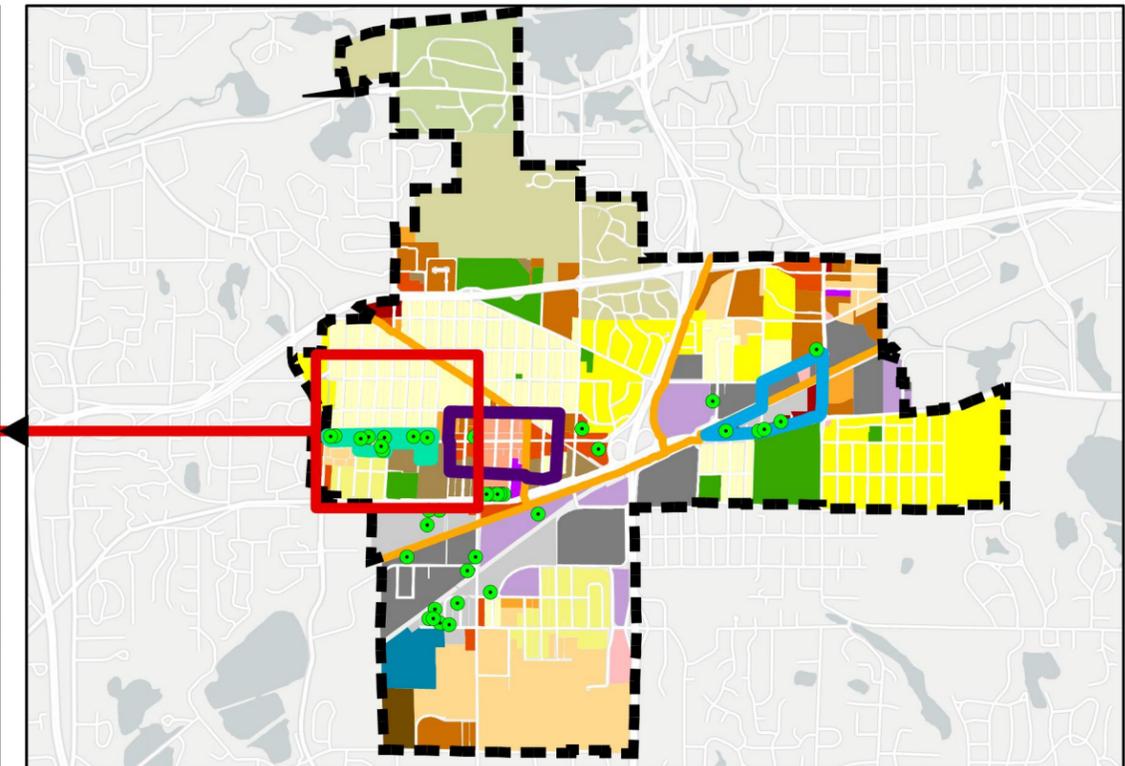
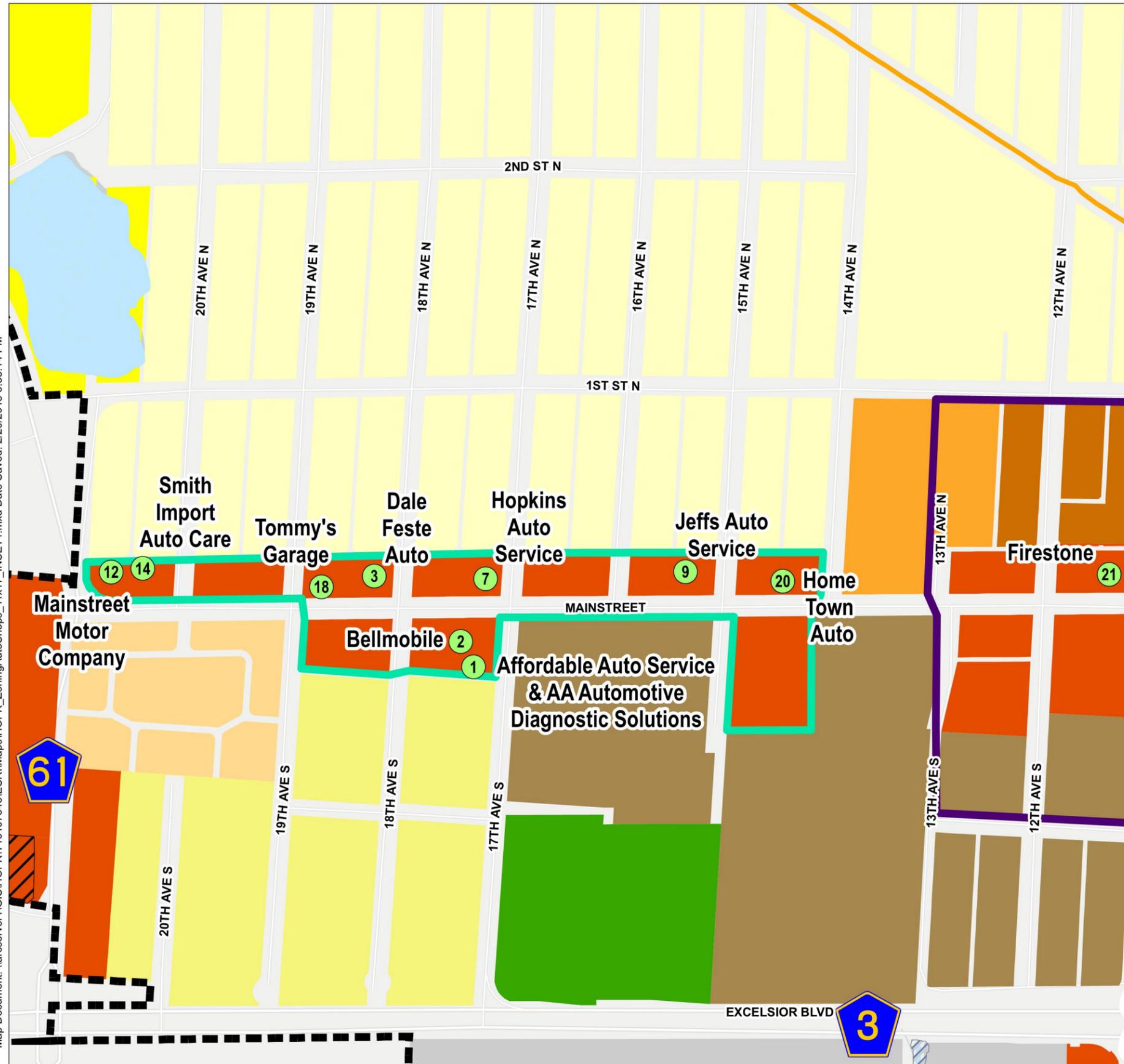
Amy Domeier, City Clerk



Zoning Map & Auto Repair/Sales Locations

Hopkins, MN

February, 2018



Legend

- Auto Repair/Sales Locations
- Municipal Boundary
- Roads
- Regional Trail
- Wetlands
- Downtown Overlay District
- East End Overlay District
- West Mainstreet Overlay District
- PUD
- 100 Year Floodplain

Zoning Districts

- (R-1-A) Single and Two Family High Density
- (R-1-B) Single Family High Density
- (R-1-C) Single Family Medium Density
- (R-1-D) Single Family Low Density
- (R-1-E) Single Family Low Density
- (R-2) Low Density Multiple Family
- (R-3) Medium Density Multiple Family
- (R-4) Medium High Density Multiple Family
- (R-5) High Density Multiple Family
- (R-6) Medium Density Multiple Family
- (B-1) Limited Business
- (B-2) Central Business
- (B-3) General Business
- (B-4) Neighborhood Business
- Mixed Use
- Business Park
- (I-1) Industrial
- (I-2) General Industrial
- Landfill
- Institutional

0 1,000 Feet

Source: City of Hopkins, Hennepin County, & MnGeo

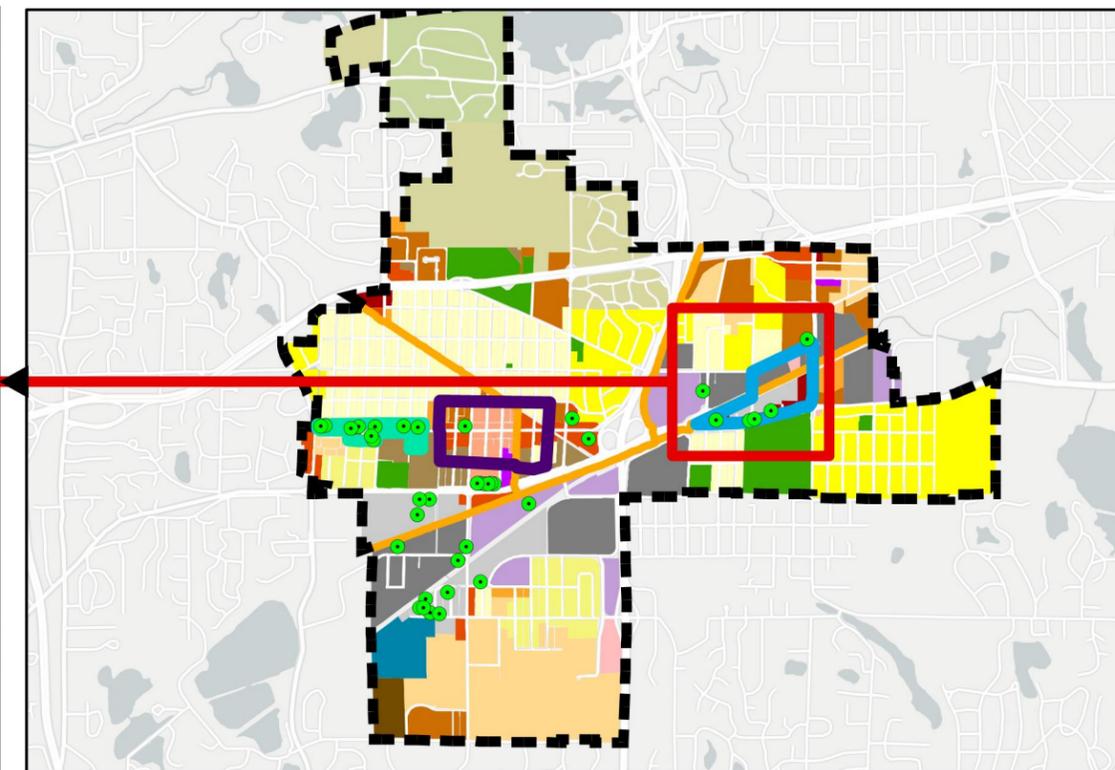
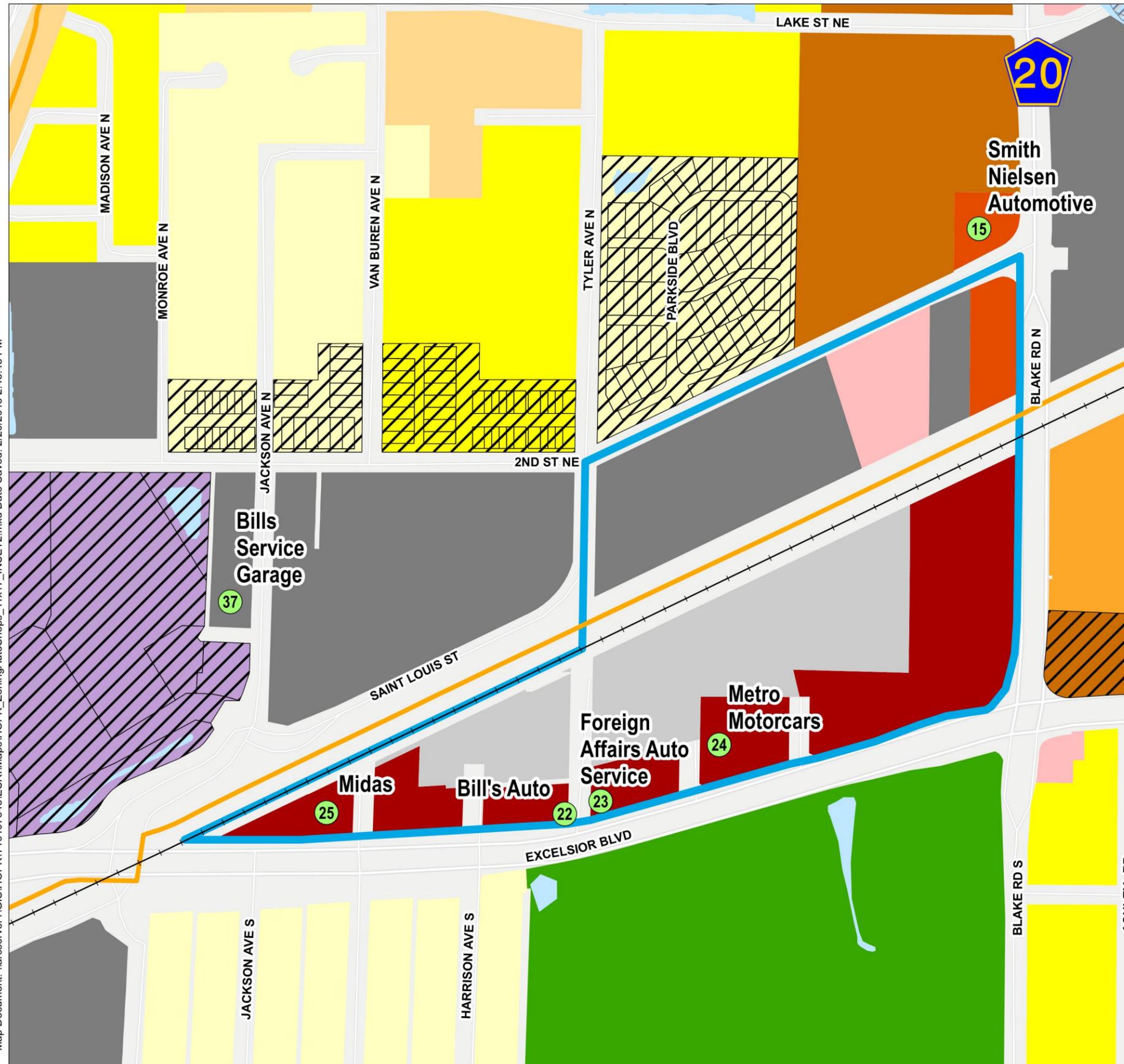




Zoning Map & Auto Repair/Sales Locations

Hopkins, MN

February, 2018



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- Mixed Use
- Business Park
- (I-1) Industrial
- (I-2) General Industrial
- Landfill
- Institutional

0 500 Feet

Source: City of Hopkins, Hennepin County, & MnGeo

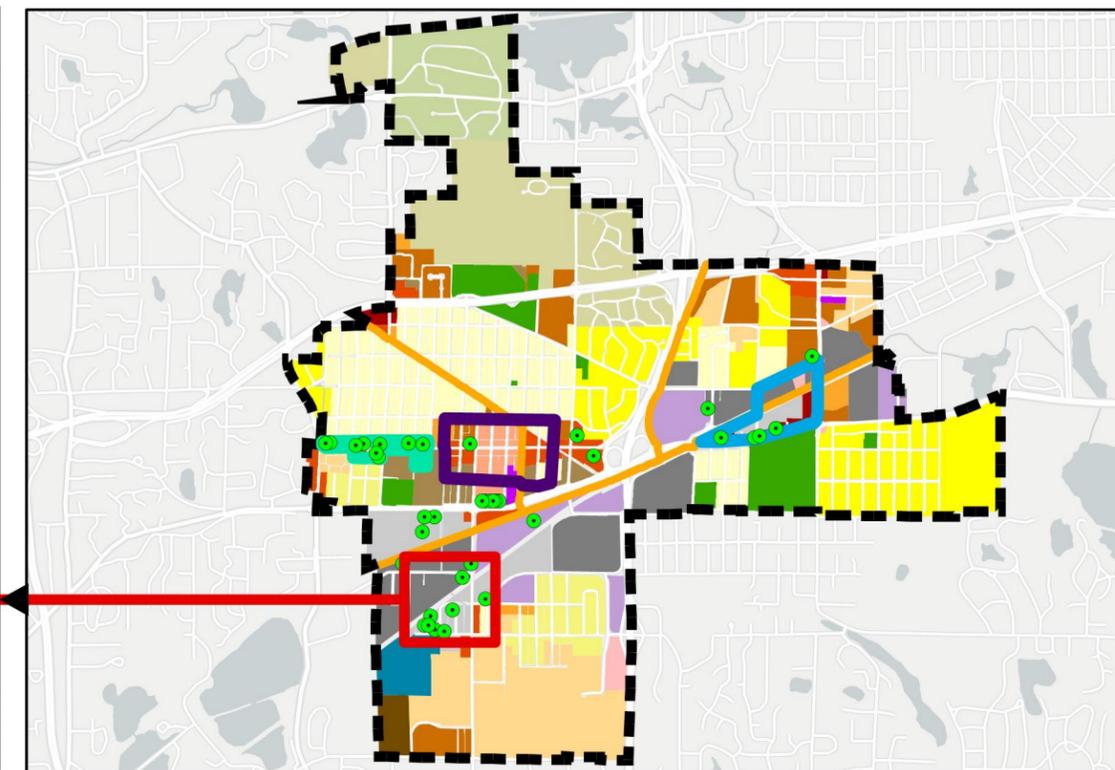




Zoning Map & Auto Repair/Sales Locations

Hopkins, MN

February, 2018



Legend

- # Auto Repair/Sales Locations
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- Mixed Use
- Business Park
- (I-1) Industrial
- (I-2) General Industrial
- Landfill
- Institutional

0 500 Feet

Source: City of Hopkins, Hennepin County, & MnGeo





February 12, 2019

Tammera R. Diehm
Direct Dial: (612) 604-6658
Direct Fax: (612) 604-6958
tdiehm@winthrop.com

VIA E-MAIL

Mr. Jason Lindahl, Planner
City of Hopkins
1010 1st Street South
Hopkins, Minnesota 55343

Re: Auto Related Uses Zoning Text Amendment

Dear Mr. Lindahl:

As you may recall, our firm represents Richard Rotenberg and TRC Glass One, LLC, the owner of real property located at 1413 Mainstreet (the "TRC Glass One Property"). We are writing to provide comments to proposed amendments to the Hopkins Zoning Code (the "Code") provisions related to automobile uses, currently being considered by the City of Hopkins (the "City").

First, we want to express our appreciation for the City's decision to re-examine the proposed restrictions on auto-related uses along Mainstreet. While we recognize that the City seeks to establish a clear vision for what type of uses are desirable in this part of the City, this needs to be balanced with an understanding that too many restrictions could result in vacant, underutilized properties in this key area..

In reviewing the current proposal, we encourage you to build in as much flexibility as you can to allow uses to change gradually over time. Because a conditional use permit (CUP) allows the City to review each property on a case-by-case basis, we hope you consider broader language in sections of the proposed ordinance. This will allow you to preserve the character of the surrounding area while still offering flexibility to existing properties.

Specifically, we suggest the following :

- **Building to Parking/Display Area Ratio**, Section 3(A)(1): this section currently provides that the "parking or display area shall not be larger in square footage than the square footage of the building devoted to the related business." In reality, the properties along Mainstreet that are impacted by this ordinance are pre-existing buildings and because of this, the building to parking / display area ration may not conform to the requirements. Rather than making this a prohibition to use, the City could require that the property owner demonstrate that they have taken reasonable steps to bring the building to parking / display ratio closer to compliance. Doing so would allow the City to consider the specific site plan challenges

February 12, 2019

Page 2

of each property and impose conditions, as necessary, to ameliorate concerns related to this ration.

- **Screening**, Section 3(A)(4): this section currently requires screening “six feet in height” to be constructed along the abutting lot line of any property that abuts a residential district. While we agree that a screening requirement makes sense for properties abutting residential districts, the specific six (6) foot standard may not make sense in all instances. We believe that the City could still accomplish its goals, but provide flexibility, by simply requiring “screening” without specifying a particular height.

Thank you for inviting public comment and for taking the time to consider our proposals. We look forward to participating in the process as the Code amendments move forward.

Very truly yours,

WINTHROP & WEINSTINE, P.A.



Tammera R. Diehm

cc: Mr. Richard Rotenberg

16846231v1

From: [Douglas Sprinthall](#)
To: [Jason Lindahl](#)
Subject: [EXTERNAL] RE: [EXTERNAL] quick question
Date: Wednesday, February 20, 2019 12:51:09 PM

Hi Jason,

At our last meeting, you'd asked for some building measurements. As you may recall, we were concerned about the proposed regulation of the service department being smaller than the showroom. Modern New car dealerships aren't designed that way. The show room only has to carry a representative sample of the inventory whereas every vehicle worked on must be in the service department.. Here are the measurements of our Chrysler store in Hopkins.

Total sq ft. 46,545
Sales dept 6,368
Service dept 19,500
Parts & service lounge 3,890
Service reception 4,000

Let me know if you have any questions and I'll see you next week at the fire station.

Doug

Doug Sprinthall
PR and Communications Director
Walser Automotive Group
4401 American Blvd West
Bloomington, MN 55437
612-247-3436

From: Jason Lindahl [jlindahl@HOPKINSmn.com]
Sent: Tuesday, February 19, 2019 2:14 PM
To: Douglas Sprinthall
Subject: RE: [EXTERNAL] quick question

Hi Doug -

We have not received any comment from Walser. To be include in the Planning Commission report, comments should be submitted to me by the end of the day tomorrow.

Let me know if you have questions or would like to discuss.

Thanks

Jason

Jason Lindahl | City Planner | City of Hopkins
1010 1st St S | Hopkins, MN 55343 | 952-548-6342 | 952-935-1384 Fax
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-----Original Message-----

From: Douglas Sprinthall <dsprinthall@walser.com>
Sent: Tuesday, February 19, 2019 7:42 AM
To: Jason Lindahl <jlindahl@HOPKINSmn.com>
Subject: [EXTERNAL] quick question

Jason,

Jessica Monson left our company a week ago. Did she send you a letter of comments after the previous meeting?
Thanks in advance and I'll see you next week.

Doug

Doug Sprinthall
PR and Communications Director
Walser Automotive Group
4401 American Blvd West
Bloomington, MN 55437
612-247-3436

Walser Automotive Group Confidentiality Notice:

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Planning and Zoning Commission
City of Hopkins
1010 1st Street South
Hopkins, MN 55343-7558

Attention: Jason Lindahl, City Planner

Re: Auto-Related Uses Zoning Code Text Amendments

Dear Planning and Zoning Commission Members:

I serve as General Counsel to The Luther Company LLLP (“Luther”) and we write in response to recently recommended changes by staff to the auto-related uses zoning code text amendments. As a reminder from our presentations to the Planning and Zoning Commission in 2018, Luther owns and operates two businesses in Hopkins, including Hopkins Honda, a full-service automobile dealership located at 250 5th Avenue South; and Automotive Performance Studio (“APS”), an automobile detail, accessory installation and repair business located at 499 Mainstreet.

Luther has owned property in the City of Hopkins for over forty years and has a long history of working with the City to use and develop its properties in ways that benefit both Luther and the City. Hopkins Honda was developed on the site of a vacant and polluted former lumberyard. Luther worked with the City in a model of public/private cooperation to get this property redeveloped into a state-of-the-art automobile dealership that has been a great benefit to the City.

Luther paid nearly \$719,000 in real estate taxes on its Hopkins properties in 2018 and employs over 200 people on these properties, with a total payroll of over \$10,000,000. In addition, Hopkins Honda alone generates 60,000 to 70,000 customer visits to Hopkins per year. The ripple effects of Hopkins Honda employee and customer spending in Hopkins have a significant financial impact on Downtown Hopkins. Luther is proud to be located in Hopkins, is proud to be an asset of the City, and is proud of the positive impact its Hopkins businesses have had on Downtown Hopkins.

Luther believes an update to the auto-related uses ordinance is a good idea, to the extent those revisions provide clarification and set clear and reasonable guidelines for automobile sales and automobile repair. From our perspective, the current draft falls short of that goal. However, we are hopeful that with some revisions to what staff has proposed, both businesses and the Planning Commission can support the updated ordinance. Attached are our proposed revisions which we have reviewed with staff, with yellow highlighting our changes to staff recommended language. We made a number of suggestions which are smaller “tweaks” to the ordinance as proposed, but our substantive revisions are summarized as follows:

- Under the current proposed revisions, a new automobile dealership (selling new and used cars with a full service center) would need several conditional use permits. Since all new car dealerships require a service center, it makes sense to differentiate those dealerships (franchised dealerships operating under manufacturer requirements) from automobile sales-used, operating as a stand-

alone business.

- We suggest that the best way to accomplish this is to create a new definition for “Automobile Sales-Franchised, “ which includes new and used automobile sales, leasing, rental and repair; and to make that use a conditional use in the B-3 zone. This approval would allow new state of the art automobile dealerships in the city subject to reasonable standards and conditions.
- The 1:1 building to parking/display area ratio will not work for franchised dealerships given the manufacturer requirements for display, parking for customers, auto repair parking, etc.

There are approximately 37 automobile repair and sales businesses in Hopkins. These businesses generate hundreds of direct jobs, hundreds of thousands of dollars in real estate taxes, and help support many other businesses in Hopkins, particularly Downtown Hopkins, through spin-off economic activity. We believe that taking a more comprehensive approach to these revisions will benefit the current businesses and add clarity to the zoning amendment. We appreciate the opportunity to discuss these revisions with the Planning Commission and staff and look forward to working toward zoning amendments that serve the needs of both businesses and the City of Hopkins.

Sincerely,



Kate Uding

Cc: David Luther, President
Linda McGinty, Vice President, Real Estate
Kyle Allison, General Manager, Luther Hopkins Honda

CITY OF HOPKINS
Hennepin County, Minnesota

ORDINANCE NO. 2019-XXXX

**AN ORDINANCE AMENDING SECTIONS 515, 535, 540 AND 550 OF THE CITY
CODE RELATED TO AUTOMOBILE REPAIR, AUTOMOBILE SALES
OUTDOOR STORAGE AND JUNK VEHICLES**

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

SECTION 1. Section ~~515.7,~~515.07, Definitions, is hereby amended ~~to add the following as follows:~~

~~Subd. 17. Automobile or motor vehicle reduction yard: a lot or yard where one or more unlicensed vehicles, or the remains thereof, are kept for the purpose of dismantling, wrecking, crushing, repairing, rebuilding, sale of parts, sale of scrap, storage or abandonment.~~

Subd. 18. Automobile or truck repair – major: general repair, rebuilding or reconditioning of engines, motor vehicles or trucks exceeding 9,000 pounds weighted capacity, trailers, including body work, frame work, welding and major painting service.

Subd. 19. Automobile repair – minor: the repair, rebuilding or reconditioning of replacement of any part or repair of any part which does not require the removal of the engine head or pan, engine, transmission or differential, incidental body and fender work, minor painting and upholstery service when said service above stated is applied to passenger automobiles, motor cycles, snowmobiles, small engines and trucks not exceeding 9000 points rated capacity.

Subd. 19. Automobile Sales – Franchised: the sales, leasing, rental, repair and servicing of new and used automobiles pursuant to a licensing agreement with an automobile manufacturer.

Subd. 19.1. Automobile Sales – Used: the sales and leasing of used automobiles not operating under a licensed mark with an automotive manufacturer.

Subd. 169. Open Outdoor storage: The keeping in an unroofed and open area a substantial part of which is visible to the public view from a street right-of-way 50 feet or more in width, or adjacent to a residentially-zoned area used for such purposes, any equipment, machinery, inventory, junk, parts, and other such items in the same location for more than 24 hours. (Added Ord. 95-758) Exterior depository, stockpiling, or safekeeping of all merchandise, materials, supplies, products (finished or unfinished), equipment, vehicles or trailers, or the like. Outdoor storage areas are located within a clearly defined boundary and may be enclosed by a structure that includes a roof but no side walls or any uncovered areas surrounded by fencing, berming, landscaping or other screening material. Outdoor storage ~~does not include, and~~ shall not be located in any parking, loading, maneuvering or pedestrian area.

SECTION 2. 535 Subdivision 3, Permitted Uses, is hereby amended to add the following:

Permitted Uses	B-1	B-2	B-3	B-4
8. Automobile Repair - Minor			X-(2)XB	
10. <u>Franchised and Used</u> Automobile Sales- and/or Lease			(2)XA	
74. Motors Repairing			X	

SECTION 3. 535.03, Subdivision 3, Conditional Use Requirements, is hereby amended to add the following:

A) New Automobile Sales or Leasing- Franchised and Automobile Sales – Used (collectively “Automobile Sales”); including sales lot and major auto repair provided:

1. Building to Parking/Display Area Ratio. ~~The~~ Except in the case of Automobile Sales – Franchised, the sales lot parking or display area shall not be larger in square footage than the square footage of the building devoted to the related business.
2. Setback. A 20-foot front yard setback in which there shall be no auto parking. Within this 20-foot setback there shall be a permanent barrier of landscaping.
3. Exterior Lighting. Lighting of the sales lot shall be ~~totally~~ from indirect lighting; Exterior Lighting shall be consistent in character, design and bulb type throughout the entire site.
 - a. Any light fixture must be placed in such a manner that no light emitting bulb surface is visible from any residential area or public/private roadway, walkway, trail or other public way when viewed at ground level.
 - b. Light shall be directed toward the ground. Externally lit signs, display, building and aesthetic lighting must be lit from the top and shine downward. Lighting must be shielded to prevent direct glare.
 - c. Light levels shall not exceed 0.5 lumens at any residential property line or 1.0 lumens at any nonresidential property line.
 - d. The maximum height for exterior lighting shall be thirty (30) feet. The maximum height for exterior lighting within one hundred (100) feet of a residential use or district shall be twenty (20) feet.
 - e. All nonessential lighting shall be turned off after business hours, leaving only the lighting necessary for site security.
4. Screening. Should the lot abut an R district an acceptable design of screening fence ~~five~~ six feet in height shall be constructed along the abutting lot line(s);

5. Vehicle Size. The auto sales lot shall not include vehicles over a 9,000 lb. rated weight;

6. ~~Junk Vehicles. No vehicles which are unlicensed and/or inoperative shall be stored on the premises; (Added Ord. 96-787).~~ [Suggestion to strike this Subsection, as we believe it is covered by Section 550.01(11)].

7. ~~Outdoor Activity.~~ All repair, assembly, disassembly or maintenance of vehicles shall occur within a closed building, except minor maintenance including tire inflation, adding oil, and wiper replacement.

8. Outdoor Storage. Outdoor storage of parts, materials, or equipment is prohibited. ~~No outside storage or display~~ except licensed vehicles or current vehicle inventory for sale ~~or~~ rent lease, or repair.

9. Public Address Systems. No public address system.

10. Test Driving. No test driving of vehicles on local residential streets as designated in the comprehensive plan.

11. ~~Sales Activity. Used car lots sales shall be permitted only when an integral part of a new car dealership.~~ [As we understand it, used auto sales is a conditional use in Hopkins; this section should be deleted to give clarity to used-only auto dealers and definition of auto sales – used should be adopted.]

12. Vehicle Parking or Display. Automobile Sales ~~and Leasing~~ uses shall designate on a site plan areas for required off-street parking including customer parking and areas for inventory vehicle display. Such required off-street parking areas shall be designed and maintained in compliance with Section 550, Off-Street Parking and other applicable sections of this code. No site shall contain more vehicles than can be placed in accordance with these standards. No vehicle shall be positioned in any way to interfere with access to [any repair bay or any] parking, loading, maneuvering or pedestrian area for more than forty-eight (48) hours.

13. Accessory Fuel Station. An Accessory Fuel Station may be allowed provided it is not visible from a public right-of-way and it is secured so as to insure its exclusive use by the Automobile Sales or Leasing business for the fueling its inventory. Retail sale of gasoline to the general public is prohibited.

14. Subordinate Automobile Repair. Automobile Sales or Leasing– Used uses may apply for a separate conditional use permit for subordinate automobile repair subject to the specific standards for that use and provided: [Should a separate permit really be required here?]

a. The subject property does not abut a residential use or district.

- b. The automobile repair use shall be subordinate to the principal automobile sales or leasing use and occupy less than fifty (50) percent of the gross floor area of the building in which it is located. [Note: we are not understanding the intent here and suggest striking.]

B) Automobile Repair – Minor

1. Building to Parking Area Ratio. The parking area shall not be larger in square footage than the square footage of the building devoted to the related business, unless otherwise approved by a conditional use permit.
2. Setback. Conformance with the standard setbacks for the zoning district in which the property is located.
3. Exterior Lighting. Lighting of the sales lot shall be from indirect lighting; exterior lighting shall be consistent in character, design and bulb type throughout the entire site.
 - a. Any light fixture must be placed in such a manner that no light emitting bulb surface is visible from any residential area or public/private roadway, walkway, trail or other public way when viewed at ground level.
 - b. Light shall be directed toward the ground. Externally lit signs, display, building and aesthetic lighting must be lit from the top and shine downward. Lighting must be shielded to prevent direct glare.
 - c. Light levels shall not exceed 0.5 lumens at any residential property line or 1.0 lumens at any nonresidential property line.
 - d. The maximum height for exterior lighting shall be thirty (30) feet. The maximum height for exterior lighting within one hundred (100) feet of a residential use or district shall be twenty (20) feet.
 - e. All nonessential lighting shall be turned off after business hours, leaving only the lighting necessary for site security.
4. Screening. Should the lot abut an R district, an acceptable design of screening fence five six (6) feet in height shall be constructed along the abutting lot line(s);
5. Junk Vehicles. Junk vehicles shall comply with Section 550.01, Subdivision 11, Junk Vehicles.
6. Outdoor Activity. All repair, assembly, disassembly or maintenance of vehicles shall occur within an enclosed building, except minor maintenance including tire inflation, adding oil, wiper or battery replacement, glass repair or replacement, paintless dent repair and the like.

7. Outdoor Storage. Outdoor storage of parts, materials, or equipment is prohibited except licensed vehicles awaiting repair or repaired vehicles awaiting pick up.
8. Public Address Systems. No public address system.
9. Test Driving. No test driving of vehicles on local residential streets as designated in the comprehensive plan.
10. Vehicle Parking or Display. Automobile repair uses shall designate on a site plan areas for required off-street parking including customer parking, storage of inoperable vehicles awaiting repair and repaired vehicles awaiting pick up. Such required off-street parking areas shall be designed and maintained in compliance with Section 550, Off-Street Parking and other applicable sections of this code. No site shall contain more vehicles than can be placed in accordance with these standards. No vehicle shall be positioned in any way to interfere with access to [any repair bay or any] parking, loading, maneuvering or pedestrian area for more than forty-eight (48) hours.

SECTION 4. 540.01, Industrial Districts, is hereby amended as follows:

Permitted Uses	I-1 Industrial	I-2 General Industrial
Auto Reduction Yard	X	X
Vehicle painting, body work, repair	X	X

SECTION 5. 540.03. Conditional Uses: I Districts, is hereby amended as follows:

A) Automobile Repair – Major subject to:

1. Building to Parking/Display Area Ratio. The parking or display area shall not be larger in square footage than the square footage of the building devoted to the related business, unless otherwise approved by a conditional use permit.
2. Setback. Conformance with the standard setbacks for the zoning district in which the property is located.
3. Exterior Lighting. Lighting of the sales lot shall be totally from indirect lighting; Exterior Lighting shall be consistent in character, design and bulb type throughout the entire site.
 - a. Any light fixture must be placed in such a manner that no light emitting bulb surface is visible from any residential area or public/private roadway, walkway, trail or other public way when viewed at ground level.
 - b. Light shall be directed toward the ground. Externally lit signs, display, building and aesthetic lighting must be lit from the top and shine downward. Lighting must be shielded to prevent direct glare.

- c. Light levels shall not exceed 0.5 lumens at any residential property line or 1.0 lumens at any nonresidential property line.
 - d. The maximum height for exterior lighting shall be thirty (30) feet. The maximum height for exterior lighting within one hundred (100) feet of a residential use or district shall be twenty (20) feet.
 - e. All nonessential lighting shall be turned off after business hours, leaving only the lighting necessary for site security.
4. Screening. Should the site abut an R district an acceptable design of screening six feet in height shall be constructed along the abutting lot line(s);
 5. Junk Vehicles. Junk vehicles awaiting repair or pick up shall comply with Section 550.01, Subdivision 11, Junk Vehicles.
 6. Outdoor Activity. All repair, assembly, disassembly or maintenance of vehicles shall occur within an enclosed building, except minor maintenance including tire inflation, adding oil, and wiper or battery replacement, glass repair or replacement, paintless dent repair and the like.

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 7. Outdoor Storage. Outdoor storage of parts, materials, or equipment is prohibited ~~No outside storage or display~~ except licensed vehicles awaiting repair or repaired vehicles awaiting pick up.
 8. Public Address Systems. No public address system.
 9. Test Driving. No test driving of vehicles on local residential streets as designated in the comprehensive plan.
 10. Vehicle Parking or Display. Automobile repair uses shall designate on a site plan areas for required off-street parking including customer parking, storage of inoperable vehicles awaiting repair and repaired vehicles awaiting pick up. Such required off-street parking areas shall be designed and maintained in compliance with Section 550, Off-Street Parking and other applicable sections of this code. No site shall contain more vehicles than can be placed in accordance with these standards. No vehicle shall be positioned in any way to interfere with access to [any repair bay or any] parking, loading, maneuvering or pedestrian area for more than forty-eight (48) hours.
 11. All painting must be conducted in an approved paint booth. All paint booths and all other activities of the operation shall thoroughly control the emission of fumes, dust, or other particulate matter in compliance with Minnesota pollution control standards and applicable fire and building codes.

SECTION 6. 550.01, Subdivision 11. Junk Vehicles, is hereby amended as follows:

Subd. 11. Junk vehicles. ~~The parking of any junk vehicle, as defined in Section 515.07 Subd. 93, for more than 30 days within any business district (B-1, B-2, B-3, or B-4), or industrial district (I-1 or I-2) is prohibited, including the parking of vehicles awaiting repair. The extension of no more than 150 days extension may be obtained for vehicles awaiting Sheriff's sale upon application to the City Planner and presentation of evidence sufficient to the Planner of intent to sell the vehicles at the Sheriff's sale. (Added Ord. 07-986).~~ It is unlawful for any person to park, store or leave any junked motor vehicle, whether attended or not, upon any public or private property within the city, or for any person, as an owner of or an occupant having control of private property within the city to permit the parking, storing or leaving of any junked vehicle upon such private property, unless such junked vehicle is within an enclosed building or structure lawfully situated upon private property or is so parked, stored or left upon private property lawfully zoned and operated as a recycling operation.

SECTION 7. This ordinance shall take effect and be in force upon its publication, in accordance with Section 3.07 of the City Charter.

First Reading:	XXX, 2019
Second Reading:	XXX, 2019
Date of Publication:	XXX, 2019
Date Ordinance Takes Effect:	XXX, 2019

Molly Cummings, Mayor

ATTEST:

Amy Domeier, City Clerk

Background

The Downtown Overlay District was established in 2003 with boundaries from the south side of First Street North to the north side of First Street South and the west side of 6th Avenue to the east side of 13th Avenue (see attached map). The District was created to serve the following goals:

- Preserve the hometown, unique character of Mainstreet Hopkins.
- Complement the existing historic architecture.
- Enhance the pedestrian orientation of downtown Hopkins and encourage streetscape design that is inviting and on a human scale.
- Communicate the community's vision for the Mainstreet area.

In reviewing the zoning standards for auto related uses (Planning Application 2018-03-TA), staff discovered inconsistencies between the goals of the overlay district and the underlying zoning classifications. The B-2, Central Business District has uses and development standards that are generally consistent with the Downtown Overlay District while the B-3, General Business District has uses and development standards more consistent with a contemporary suburban development pattern. To resolve this inconsistency, staff recommends rezoning all properties within the Downtown Overlay District currently zoned B-3, General Commercial to B-2, Central Business District.

Planning & Zoning Commission Action. The Planning & Zoning Commission held a public hearing to review this item (Planning Application 2019-03-RZ) during their meeting on February 26, 2019. During the meeting, the Commission heard a summary presentation from staff but no comments from the public. After some general discussion regarding the uses allowed in each district, the Commission directed staff to revise the definitions and associated uses as requested in the comment letters from Bill Beard and Roz Peterson. The Commission then voted 6-0 to recommend the City Council approve this application.

Public Engagement

State law requires cities to hold a public hearing to review all rezoning application. Notice of the public hearing must be mailed to all property owners within 350' of the subject properties. In response to this notice, the City received 5 comments before the Planning & Zoning Commission meeting (2 e-mails and 3 phone calls). All of these comments were supportive of the proposed rezoning and are summarized below.

- Eric Johnson – Owner of 6 – 6th Avenue North (House of Dance). Supports proposed rezoning.
- Marlow Rimbauer – Resident of City Gables Condomiums. Supports proposed rezoning.
- Roz Peterson – Owner of commercial space in Marketplace Lofts. Supports proposed rezoning.
- Russ Thompson – Member of the Home Owners Association for Marketplace Lofts. Supports proposed rezoning.
- Bill Beard – Owner of Hopkins Entertainment Center (between 10th and 11th Avenues along Mainstreet). Supports proposed rezoning conditioned on adding certain uses as permitted in the B-2 district including: Medical Supplies, Pet Grooming, Restaurant – Carry-Out & Delivery, and Restaurant – Fast Food. Staff is supportive of these recommended changes with the exception of Restaurant – Fast Food.

Rezoning.

Rezoning applications are considered a legislative action. When considering legislative actions, the City is advancing health, safety, and welfare by making rules that apply throughout the entire community. When acting legislatively, the City has broad discretion and will be afforded considerable deference by any reviewing court.

There are four key criteria for the City to weigh when considering a rezoning request. These criteria and staff's findings for each are outlined below. Based on these findings, staff recommends rezoning the subject properties from B-3, General Business to B-2, Central Business.

Consistency with the Comprehensive Plan. Rezoning the subject properties from B-3, General Business to B-2, Central Business is consistent with both the 2030 Comprehensive Plan and the Draft 2040 Comprehensive Plan – Cultivate Hopkins. The Future Land Use Map in the 2030 Comprehensive Plan guides the subject properties as C – Commercial with the exception of the Hopkins Center for the Arts (guided I - Institutional) and the Marketplace Lofts building (guided HDR – High Density Residential). All of these properties are currently zoned commercial and include commercial activities. Rezoning them from B-3, General Business to B-2, Central Business would be more consistent with the 2030 Comprehensive Plan the current use of the properties.

By comparison, the Draft 2040 Comprehensive Plan – Cultivate Hopkins Future Land Use Map guides the subject properties as Downtown Center. This district is intended to serve as the central economic, social and civic district for Hopkins and the region. This area is intended to absorb a significant amount of anticipated future growth. Maintaining Hopkins' unique identity and sense of place must be a central consideration when planning for future growth. Rezoning the subject properties from B-3, General Business to B-2, Central Business would be more consistent with the City's long-range plans as outlined in the Draft 2040 Cultivate Hopkins Comprehensive Plan.

Compatibility with Present and Future Land Uses. Rezoning the subject properties from B-3, General Business to B-2, Central Business is consistent with surrounding present and future land uses. These uses are detailed in the tables below.

Land Use Analysis for Properties Between 6th & 8th Avenues			
Location	Existing	Future	Status
North	Regional Trail & Single Family Residential	2030 – Commercial 2040 - DTWN Activity Center	Conforming
South	Single & Multifamily Residential	2030 – Commercial 2040 - DTWN Activity Center	Conforming
East	Commercial and Vacant	2030 – Commercial 2040 - DTWN Activity Center	Conforming
West	Mixed Use Commercial	2030 – Commercial 2040 - DTWN Activity Center	Conforming

These tables detail the existing and planned land uses around the two areas within the Downtown Overlay District proposed to be rezoned from B-3, General Commercial to B-2, Central Business. Both locations are surrounded by a assortment of residential, commercial, institutional and mixed use activities. The 2030 Comprehensive Plans for a generalized commercial land use while the Draft 2040 Comprehensive Plan envisions mixed-use

development pattern more consistent with both the historical development pattern along Mainstreet and the City’s vision for the future.

Land Use Analysis for Properties Between 11th & 13th Avenues			
Location	Existing	Future	Status
North	Single & Multifamily Residential	2030 – Commercial 2040 - DTWN Activity Center	Conforming
South	Multifamily Residential	2030 – Commercial 2040 - DTWN Activity Center	Conforming
East	Mixed Use Commercial	2030 – Commercial 2040 - DTWN Activity Center	Conforming
West	Church & Multifamily Residential	2030 – Commercial 2040 - DTWN Activity Center	Conforming

Availability of Utilities. The subject properties are connected to municipal water, sewer and infrastructure facilities capable of supporting development under the B-2, Central Business District zoning classification.

Conformance with New Zoning Standards. The existing uses and development pattern of the subject properties would be more consistent with the proposed B-2, Central Business District than the current B-3, General Business District zoning. The B-3, General Business District has uses and development standards more consistent with a contemporary suburban development pattern (see attached Use Comparison table). The most notable zoning change for property owners rezoned to B-2, Central Business will be the elimination of auto related uses like auto sales, auto repair and car washes and the removal of the requirement for off-street parking.

Of the properties proposed to be rezoned to B-2, only one (the former Firestone at 1201 Mainstreet) was historically used as an auto related use. This property is in need of significant repair, has outstanding code violations from the Building Inspections Department and has been vacant for over a year. This property is also under a purchase agreement and the potential buyer has indicated their support for the proposed rezoning.

Staff finds that the elimination of the off-street parking requirements should not significantly effect the subject properties. The existing development pattern within the proposed rezoning area is more like the B-2 district with sites that have historically operated with little or no off-street parking. Newer development like Marketplace and Main or Marketplace Lofts have included their own surface and/or underground parking. In addition, the City’s existing district parking facilities within the Downtown can help accommodate off-street parking needs.

Potential Non-conformities

As with any rezoning, this change has the potential to create non-conformities. As mentioned above, the existing development pattern within the proposed rezoning area is more like the B-2 district so non-conformities should be minimal. Any non-conformities that should arise will be governed under Minnesota Statute 462.357, Subdivision 1e.. This law states 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. However, it should be noted that by statute, the City may prohibit any nonconformity that cease for a period of more than one year.

Alternatives

1. Approve the first reading of Ordinance 2019-1139. By approval the first reading of this Ordinance 2019-1139, this application will move forward for a second reading and formal approval at the March 19, 2019 City Council meeting.
2. Deny the first reading of Ordinance 2019-1139. By denying the first reading, this application will not move forward for a second reading and formal approval at the March 19, 2019 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 2019-018

**A RESOLUTION APPROVING THE FIRST READING OF ORDINANCE 2019-1139
REZONING ALL PROPERTIES WITHIN THE DOWNTOWN OVERLAY DISTRICT
CURRENTLY ZONED B-3, GENERAL COMMERCIAL DISTRICT TO B-2, CENTRAL
BUSINESS DISTRICT**

WHEREAS, the applicant, the City of Hopkins, initiated an application requesting to rezone all properties within the Downtown Overlay District currently zoned B-3, General Commercial to B-2, Central Business District, and

WHEREAS, these properties are legally described in Ordinance 2019-1139; and

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

1. That the above stated application were initiated by the applicant on January 25, 2019;
2. That the Hopkins Planning and Zoning Commission, pursuant to published and mailed notice, held a public hearing on the application and reviewed such application on February 26, 2019: all persons present were given an opportunity to be heard; and,
3. That the written comments and analysis of City staff were considered; and,
4. That the Hopkins Planning & Zoning Commission voted 6-0 to recommend the City Council approve this request; and
5. That the Hopkins City Council reviewed this application during their March 5, 2019 meeting and agreed with the findings of the Planning & Zoning Commission.

WHEREAS, staff recommended approval of the above stated application based on the findings outlined in City Council Report 2019-027 dated March 5, 2019.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hopkins hereby approve the first reading of Ordinance 2019-1139 rezoning all properties within the Downtown Overlay District currently zoned B-3, General Commercial to B-2, Central Business District.

Adopted by the City Council of the City of Hopkins this 5th day of March 2019.

Molly Cummings, Mayor

ATTEST:

Amy Domeier, City Clerk

CITY OF HOPKINS
Hennepin County, Minnesota

ORDINANCE NO. 2019-1139

AN ORDINANCE REZONING PROPERTY WITHIN THE DOWNTOWN OVERLAY DISTRICT CURRENTLY ZONED B-3, GENERAL COMMERCIAL DISTRICT TO B-2, CENTRAL BUSINESS DISTRICT

WHEREAS, the City of Hopkins has initiated the rezoning of all property within the Downtown Overlay District currently zoned B-3, General Commercial to B-2, Central Business District; and

WHEREAS, the property that is the subject of said rezoning are those parcels listed on the attached Exhibit A; and

WHEREAS, on February 26, 2019, the Hopkins Planning and Zoning Commission, pursuant to duly published and mailed notice in accordance with law, held a public hearing on the rezoning whereby all persons present were given an opportunity to be heard; and

WHEREAS, following the public hearing, the Hopkins Planning and Zoning Commission, upon due consideration of all comments from staff and the public, recommended approval of the rezoning; and

WHEREAS, City staff also recommended approval of the rezoning based on the staff report that was prepared and provided to the City Council prior to its consideration of this matter.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF HOPKINS DOES HEREBY ORDAIN AS FOLLOWS:

1. That all property within the Downtown Overlay District currently zoned B-3, General Commercial, which property is described on Exhibit A attached hereto, is hereby rezoned to B-2, Central Business District.

2. The property remains part of the Downtown Overlay District.

First Reading: _____, 2019
Second Reading: _____, 2019
Date of Publication: _____, 2019
Date Ordinance Takes Effect: _____, 2019

ATTEST: _____
Molly Cummings, Mayor

Amy Domeier, City Clerk

EXHIBIT A

PROPERTY AFFECTED

Properties within the Downtown Overlay District to be Rezoned from B-3 to B-2			
Number	Address & Parcel Identification Number (PID)	Number	Address & Parcel Identification Number (PID)
1	6 – 6th Avenue North PID 24-117-22-42-0029	17	3 – 7th Avenue North PID 24-117-22-42-0179
2	611 Mainstreet PID 24-117-22-42-0184	18	1106 Mainstreet PID 24-117-22-34-0249
3	615 Mainstreet PID 24-117-22-42-0183	19	621 Mainstreet PID 24-117-22-42-0181
4	619 Mainstreet PID 24-117-22-42-0182	20	1221 Mainstreet PID 24-117-22-31-0062
5	621 Mainstreet PID 24-117-22-42-0181	21	Common area for townhomes PID 24-117-22-42-0185
6	9 - 7th Avenue South PID 24-117-22-43-0032	22	1209 Mainstreet PID 24-117-22-31-0135
7	750 Mainstreet PID 24-117-22-43-0164	23	1201 Mainstreet PID 24-117-22-31-0059
8	30 Address Unassigned PID 24-117-22-43-0159	24	1111 Mainstreet PID 24-117-22-31-0149
9	15 - 8th Avenue South PID 24-117-22-34-4085	25	3 ½ - 7th Avenue North PID 24-117-22-42-0178
10	PID 24-117-22-34-0300 (only the segment that was zoned B-3 when this Ordinance was adopted)	26	15 – 8th Avenue North PID 24-117-22-42-0177
11	1 – 7th Avenue North PID 24-117-22-42-0180	27	10 – 7th Avenue North PID 24-117-22-42-0173
12	1218 Mainstreet PID 24-117-22-34-0301	28	19 – 8th Avenue North PID 24-117-22-42-0176
13	1208 Mainstreet PID 24-117-22-34-0081	29	1213 Mainstreet PID 24-117-22-31-0136
14	1208 Mainstreet PID 24-117-22-34-0082	30	715 Mainstreet PID 24-117-22-42-0172
15	1206 Mainstreet PID 24-117-22-34-0083	31	9 – 7th Avenue South PID 24-117-22-43-0239
16	1200 Mainstreet PID 24-117-22-42-0179	32	9 – 7th Avenue South PID 24-117-22-43-0240



February 19, 2019

Jason Lindahl, AICP
City Planner
101 17th Ave South
Hopkins, MN 55343

RE: Proposed Zoning Change: Hopkins Entertainment Center (10th & Mainstreet) from B-3 to B-2

Dear Jason:

Please accept this letter as support for the zoning change from B-3 to B-2 conditioned upon the following uses being added to the permitted use list for B-2:

Orthopedic – medical supplies
Pet Grooming
Restaurant – carry-out and delivery
Restaurant – Fast Food

These uses have either been present on the site, an existing use or are an important use for the future. Please don't hesitate to contact me with any questions or comments.

Sincerely,
Hopkins Mainstreet, Inc.

A handwritten signature in blue ink, appearing to read "William H. Beard", with a stylized flourish at the end.

William H. Beard
President

Molly Cummings, Mayor (sent via email)

750 2nd Street NE, Suite 100 Hopkins, MN 55343 (952) 930-0630 Fax (952) 930-0631

From: [Roz Peterson](#)
To: [Jason Lindahl](#)
Subject: [EXTERNAL] Re: [EXTERNAL] B-2 zoning
Date: Tuesday, February 26, 2019 11:14:34 AM

Dear Jason

I plan on attending tonight's meeting.

I agree that automotive related uses are inappropriate for this area.

The differences I noticed that I have some concerns about between B-3 and B-2 are (because they are not allowed):

Bike Sales--this would be a great use in this area, so what is the concern? Our building is on a bike path.

Health Clubs (studio)--I have had different fitness uses with My House Fitness currently located in Marketplace Lofts

Orthopedic-medical supplies--Where does Cornerstone Medical like business fit in?

Pet Grooming--maybe not a car wash type dog grooming, but a typical one tub with cutting stations does not seem inappropriate

Rental service--maybe define by square footage or types of rental? What if someone wants to rent a bike?

Restaurant--carry out and delivery--not sure why this wouldn't work on Mainstreet

I don't feel that any of the potential uses should the market want to go here should be non-conforming.

See you tonight! Thanks

On Tue, Feb 19, 2019 at 1:53 PM Jason Lindahl <jlindahl@hopkinsmn.com> wrote:

Hi Roz -

Sorry for any confusion with the notice. As you may know, last May the City approved a moratorium for auto repair and auto sales uses to allow time to review the current standards and consider changes. As part of this review, city staff is recommending rezoning the property along Mainstreet between 13th and 11th Avenues and 8th and 6th Avenues from B-3, General Business to B-2, Central Business.

The most notable impact from this changes would be that auto repair and auto sales uses would no longer be allowed on any property rezoned to from B-3, General Business to B-2, Central Business. A detailed list comparing the uses in each district will be in the staff report for this item which will be available on the City's website Friday afternoon.

I hope this information answers your initial questions. If not, please let me know some times you are available this week and we can setup an appointment to discuss further.

Thanks

Jason



Jason Lindahl | City Planner | City of Hopkins
1010 1st St S | Hopkins, MN 55343 | 952-548-6342 | 952-935-1384 Fax
www.hopkinsmn.com

From: Roz Peterson <rozskidoo@gmail.com>
Sent: Sunday, February 17, 2019 10:23 PM
To: Jason Lindahl <jlindahl@HOPKINSmn.com>
Subject: [EXTERNAL] B-2 zoning

Hi Jason

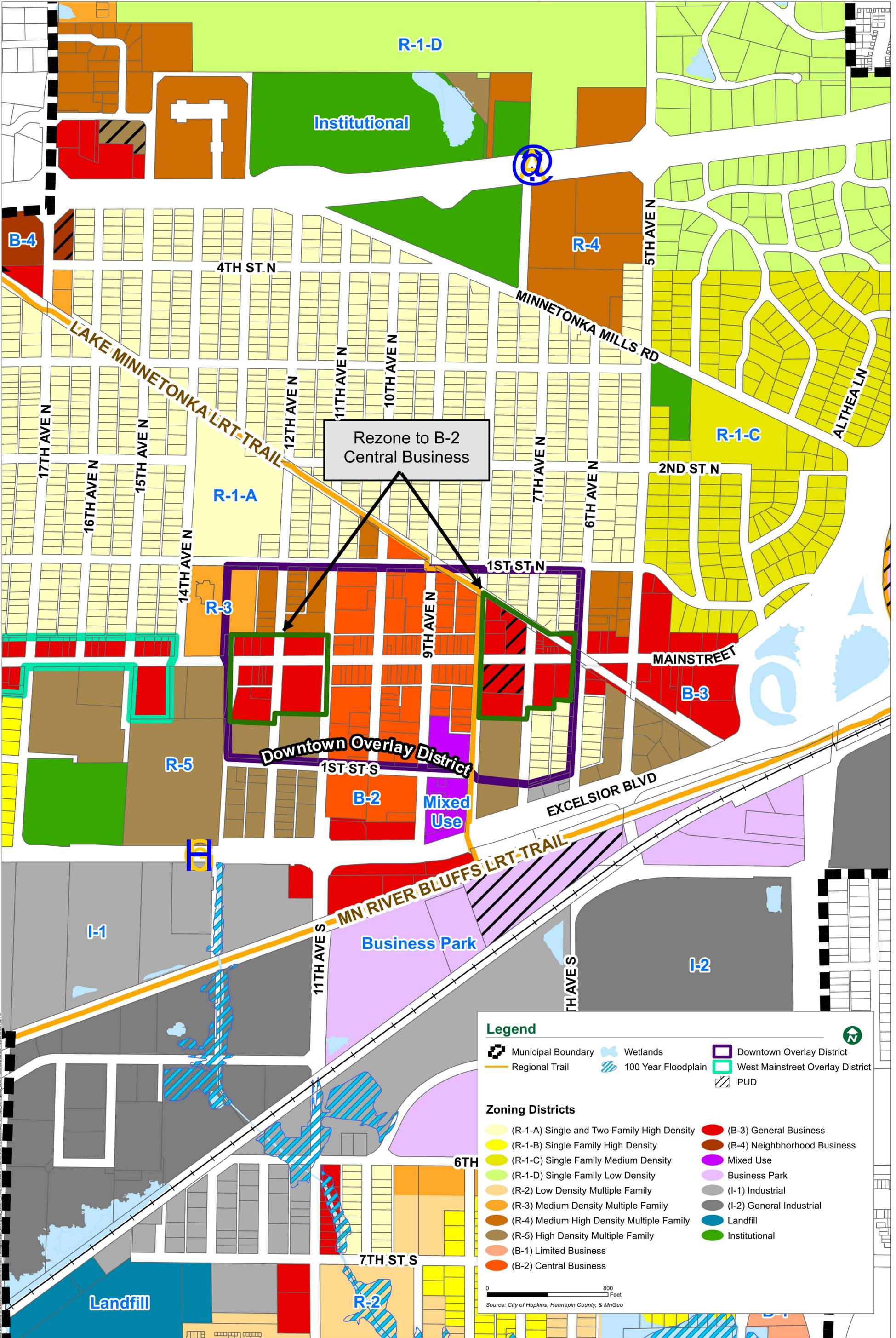
I received your letter about changing the zoning of Markeplace Lofts from B-3 to B-2 zoning. What uses are allowed or not allowed in comparison to the current zoning of B-3? What are any other differences that affect the retail portion of our building? Thanks!

Roz Peterson

rozskidoo@gmail.com

--

Roz Peterson
rozskidoo@gmail.com



Legend

- Municipal Boundary
- Regional Trail
- Wetlands
- 100 Year Floodplain
- Downtown Overlay District
- West Mainstreet Overlay District
- PUD

Zoning Districts

- (R-1-A) Single and Two Family High Density
- (R-1-B) Single Family High Density
- (R-1-C) Single Family Medium Density
- (R-1-D) Single Family Low Density
- (R-2) Low Density Multiple Family
- (R-3) Medium Density Multiple Family
- (R-4) Medium High Density Multiple Family
- (R-5) High Density Multiple Family
- (B-1) Limited Business
- (B-2) Central Business
- (B-3) General Business
- (B-4) Neighborhood Business
- Mixed Use
- Business Park
- (I-1) Industrial
- (I-2) General Industrial
- Landfill
- Institutional

0 800 Feet
Source: City of Hopkins, Hennepin County, & MnGeo

B-2, Central Business & B-3, General Business Comparison

PERMITTED USES	B-2	B-3
1. Adult day care (Added Ord. 13-1064)	(2)XE	(2)XE
2. Adult-oriented business, as governed and regulated by Chapter 1165 of the City Code. (Amended 95-762)	X	X
3. Airport	X	X
4. Amusement device	(3)XBB	XBB
5. Appliance store (Amended Ord.06-977)	X	X
6. Art shops - pictures	X	X
7. Auction – public or private	(1)X	X
8. Auto repair		X
9. Auto accessory and parts	(1)X	X
10. Auto sales and/or lease		(2)XA
11. Auto wash subject to permit		X
12. Armory, auditorium, exhibit hall	(2)XB	(2)XB
13. Bakery	X	X
14. Banks, savings and loan	X	(2)XV
15. Bar - Tavern	X	X
16. Beauty or barber shop	X	X
17. Bed and breakfasts (Added Ord. 08-1000)		(2)XHH)
18. Bike sales (Added Ord. 05-951)		
19. Boat - marine sales		X
20. Books - office supplies	X	X
21. Bottling plant not in excess of 6,000 sq. ft.		X

22.	Boutiques	X	(2)XJ
23.	Bowling - table tennis, pool hall	X	X
24.	Brewpub (Added Ord. 13-1064)	X	(2)XJJ
25.	Broadcasting (T.V. - radio)	X	X
26.	Bus and other transit	X	X
27.	Business school	(1)X	X
28.	<i>Cabinet - electrical, heating, plumbing, upholstery, air conditioning, provided the operation does not exceed 6,000 sq. ft.</i>		X
29.	Camera - photographic	X	
30.	Carpet and floor covering (Amended Ord.06-977)	X	X
31.	Clinics	X	X
32.	Clothing store	X	
33.	Clubs (private - non profit)	(1)XC	(2)XC
34.	Coin and stamp (Amended Ord.06-977)	X	
35.	<i>Commercial greenhouse</i>		(2)XD
36.	Costume & formal wear rental	X	X
37.	Currency Exchange (Added Ord. 04-920)	(2)XEE	
38.	Cycle shop and snowmobile	(2)XW	X

- **ITALICIZED USES NOT ALLOWED IN B-2.**

B-2, Central Business & B-3, General Business Comparison

	PERMITTED USES	B-2	B-3
39.	Day nursery (Amended Ord.06-977)	(2)XE	(2)XE
40.	Delicatessen	X	X
41.	Department store	X	
42.	Dental - Med. Lab	(1)X	X
43.	Domestic animal day care facility (Added Ord. 08-1002)		(2)XII
44.	Drive-ins (non food)	(2)XF	(2)XF
45.	Dry cleaning and laundry	(2)XG	X
46.	Dry cleaning and laundry pickup	X	X
47.	Employment agency	X	X
48.	Essential public service & utility structures	X	X
49.	Fabric and sewing store	X	
50.	Fixit shop	XY	XY
51.	Florist	X	X
52.	Furniture store (Amended Ord.06-977)	X	X
53.	Garden and landscape (Amended Ord.06-977)	(2)XZ	(2)XZ
54.	Gifts and novelties	X	(2)XJ
55.	Glassware, china, pottery	X	X
56.	<i>Glass and mirror installation</i>		X
57.	Grocery, fruit, vegetable	X	X
58.	Hardware	X	X
59.	Health clubs - studio		
60.	Hobby - crafts - instruction	X	X
61.	Hotel - motel	(2)XK	(2)XK
62.	Interiors - decorating studio	X	
63.	Jewelry	X	
64.	Karate, health club, dance studio	(1)X	X
65.	Leather goods - luggage	X	
66.	Library - public or private	X	X
67.	Liquors (Added Ord. 11-1033) (Amended Ord. 14-1070)	(4)*X	(4)*X
68.	Locker plan - 6,000 sq. ft. maximum		X
69.	Locksmith and fixit shop	(2)XY	(2)XY
70.	<i>Lumber and related items</i>		X
71.	Meats	X	X
72.	<i>Mortuary</i>		X
73.	<i>Motors repairing</i>		X
74.	Music store	X	X
75.	Newsstand	X	
76.	Offices	X	X
77.	Open sales lot	(2)XO	(2)XO
78.	Optical-jewelry mfg.(Amend.Ord.06-977)	(1)X	X
79.	<i>Orthopedic - medical supplies (sales and manufacturing)</i>		X
80.	Paint and wallpaper (Amended Ord.06-977)	X	X
81.	Parking ramps and lots	X	X
82.	Pawn shop - antiques - used materials	X	X
83.	<i>Pet Grooming (Added Ord. 07-985)</i>		X

- ***ITALICIZED USES NOT ALLOWED IN B-2.***

B-2, Central Business & B-3, General Business Comparison

PERMITTED USES		B-2	B-3
84.	Pet Store		
85.	Pharmacy - drug store	X	X
86.	Photography - studio	X	X
87.	Picture framing - art shop	X	X
88.	Pipe - tobacco shop (Amended Ord. 07-990)	(5)X	
89.	Post office	X	
90.	Print shop	(2)XP	X
91.	<i>Public auction (see auction)</i>		X
92.	Records, TV, radio, sound, phono (Amended Ord.06-977)	X	X
93.	Religious institutions, etc.	(2)XCC	(2)XCC
94.	<i>Rental service</i>		(2)XQ
95.	<i>Research labs</i>		(2)XT
96.	Residential	(2)XH	(2)XH
97.	Restaurant - traditional	X	X
98.	<i>Restaurant - carry-out and delivery</i>		X
99.	<i>Restaurant - drive-in</i>		(2)XR
100.	<i>Restaurant - fast food</i>		(2)XS
101.	<i>Roller rink - ice arena</i>		X
102.	<i>Self-service station</i>		(2)XDD
103.	<i>Service station</i>		(2)XM
104.	Shoes - boots store	X	
105.	Sporting goods (Amended Ord. 06-977)	X	X
106.	Stationery - card shop	X	(2)XJ
107.	Stone monument sales		X
108.	Tailoring	X	X
109.	Taxidermist		X
110.	Taxi terminal		X
111.	Theater (Added Ord. 2016-1107)	X	X
112.	Theater – Multiplex (Amended Ord. 2016-1107)	X	X
113.	<i>Tires - battery, accessory & recap</i>		X
114.	Trade school	(1)X	X
115.	Transient merchants (Added Ord. 05-947)		
116.	<i>Truck - trailer sales</i>		(2)XAA
117.	Variety stores	X	
118.	Veterinary clinic	X	X
119.	Video - sales, rental	X	X
120.	Warehouse - 16,000 sq. ft. maximum, not abutting Mainstreet (Amended Ord. 2000-841)		X

- **ITALICIZED USES NOT ALLOWED IN B-2.**

The original St. Joseph church building located at 1310 Mainstreet was founded in 1922. It merged with St. John church located at 6 – Interlach Road and became St. Gabriel. The St. Joseph church campus includes the church building along with separate convent and school buildings. St. Joseph also owns a 2.5 acre parcel to the east that contains open space and a 170 stall off-street parking lot.

City records indicate the school building was added to the St. Joseph campus in 1953. It housed a catholic kindergarten to 8th grade school until the mid-1990s. In 2003, the school was renovated for the new Mainstreet School of Performing Art tenant which occupied the building until 2016.

The church now intend to contract with the Chesterton Academy for use of the school building. According to the Chesterton Academy, they are a private Catholic high school that provides a rigorous, integrated curriculum taught through the lens of the Catholic faith. The school was launched in the fall of 2008 with just 10 students and now enrolls 170 students in grades 9 through 12 at two campuses. Additional students are enrolled at 15 sister schools operating in the United States, Canada and Italy as part of the growing Chesterton Schools Network.

Neighborhood Meeting. Hopkins neighborhood meeting policy requires applicants for conditional use permit or rezoning applications located adjacent to or within residential zoning district to host an informational meeting for neighbors within 350 feet of the subject property. The applicant held their neighborhood meeting on Monday, February 18 from 7:00 to 8:00 P.M. at the church. According to the applicant, no members of the public attended the meeting to provide comment (see attached e-mail).

Planning & Zoning Commission Action. The Planning & Zoning Commission held a public hearing to review this item (Planning Application 2019-02-CUP) during their meeting on February 26, 2019. During the meeting, the Commission heard a summary presentation from staff but no comments from the public.

Headmaster and Superintendent for Chesterton Academy Dave Beskar also addressed the Planning & Zoning Commission. Mr. Beskar gave a brief summary of the school and expressed their excitement about moving to Hopkins. Chairperson Warden thanked Mr. Beskar and asked if any of the other Commissioners had questions. Hearing none, the Commission voted 6-0 to recommend the City Council approve this application.

Conditional Use Permit.

Conditional use permit applications are considered quasi-judicial actions. In such cases, the City is acting as a judge to determine if the regulations within the Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance are being followed. Generally, if an application meets these requirements it should be approved. The City may choose to add conditions of approval that are directly related to the conditional use permit standards.

In evaluating a conditional use permit application, the Planning & Zoning Commission and City Council shall consider and require compliance with the general conditional use permit standards in Section 525.13, Subdivision 15. Section 530.09, Subdivision 1.d also lists specific conditional use permit standards for public or private schools in residential zoning districts. A detailed review of both the general conditional use permit standards in Section 525.13, Subdivision 15 and the specific standards for public or private schools in residential zoning districts in Section

530.09, Subdivision 1.d are provided below.

Section 525.13, Subdivision 15. General Standards for Conditional Use Permits.

- a) The consistency with the elements and objectives of the City's development plan, including the comprehensive plan and any other relevant plans at the time of the request.

Finding: Re-establishment of a private school on the subject property is consistent with both the 2030 Comprehensive Plan and the Draft 2040 Comprehensive Plan – Cultivate Hopkins. The 2030 Comprehensive Plan Future Land Use Map guides the subject property as HDR – High Density Residential. According to the 2030 Comprehensive Plan, the High Density Residential category is associated with the R-5 and R-6 zoning classifications. The subject property is zoned R-5, High Density Multiple Family, which allows public or private schools as a conditional uses.

By comparison, the Draft 2040 Comprehensive Plan – Cultivate Hopkins Future Land Use Map guides the subject property as Downtown Center. This district is intended to serve as the central economic, social and civic district for Hopkins and the region. This area is intended to absorb a significant amount of anticipated future growth. Maintaining Hopkins' unique identity and sense of place must be a central consideration when planning for future growth.

- b) Consistency with this ordinance;

Finding: The existing use and proposed improvement to the subject property are consistent with the City's ordinance, subject to conditions. In this case, "ordinance" refers to the zoning standards contained in Section 530 (Residential Districts) and Section 525.13 (Conditional Use Permit). The R-5, High Density Residential zoning district identifies public or private schools as a conditional use. The applicable standards are addressed in the conditional use permit criteria below.

- c) Creation of a harmonious relationship of buildings and open spaces with natural site features and with existing and future buildings having a visual relationship to the development;

Finding: Since this application proposed no changes to the site or exterior building, staff finds the proposed improvements will not significantly alter the existing relationship of buildings and open space with natural site features or their visual relationship to the development.

- d) Creation of a functional and harmonious design for structures and site features, with special attention to the following:

- 1.) An internal sense of order for the buildings and uses on the site and provision of a desirable environment for occupants, visitors and the general community;

Finding: The applicant intends to renovate and update the interior space in the building facilities. These changes will improve the internal sense of order for the buildings and uses on the site and provide a desirable environment for occupants, visitors and the general community.

- 2.) The amount and location of open space and landscaping;

Finding: The applicant proposed no changes to the amount or location open space or landscaping.

- 3.) Materials, textures, colors and details of construction as an expression of the design concept and the compatibility of the same with the adjacent and neighboring structures and uses.

Finding: The applicant proposes no changes to the exterior materials.

- 4.) Vehicular and pedestrian circulation, including walkways, interior drives and parking in terms of location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic and arrangements and amount of parking.

Finding: As designed, the site has adequate off-street parking and vehicle and pedestrian circulation facilities to accommodate the existing church and proposed private high school. Based on the City’s off-street parking standards in Section 550, the existing church requires 180 stalls while the new private high school use requires 95 stalls for a total of 275 stalls. By comparison, the church has a total of 189 off-street parking stalls (19 on the church property and another 170 on the property they own directly across 13th Avenue South).

While the church and school uses together exceed the off-street parking requirements, neither use on its own exceeds the requirement and they have complimentary hours of operation. Section 550.01, Subdivision 8 allows for joint parking facilities provided the individual facilities are not reduced and the joint parking space is not greater than 350 feet from the entrance of the building being served. Two striped crosswalks across 13th Avenue South guide church patrons and students from the parking lot to the church campus.

Off-Street Parking Requirements for the Mixed Use District				
Use	Standard	Requirement	Proposed	Status
School	1stall/2 classrooms 1 install/7 students	16 classrooms = 8 606 students = 87	189	Conforming based on shared parking with complementary use times
Church	1 stall/3.5 seats	630 seats = 180		
Total	N/A	275		

Notes – Number of students based on design capacity (occupancy) for the classrooms. One pew seat equal to 22”.

- e.) Promotion of energy conservation through design, location, orientation and elevation of structures, the use and location of glass in structures and the use of landscape materials and site grading;

Finding: At this point, applicant’s remodeling plans do not include improvement to promote energy efficiency. Should the applicant’s building permit plans include improvements to lighting, water, plumbing or mechanical facilities, the applicant will be required to provide more detailed energy calculations as part of any applicable permits

applications.

- f.) Protection of adjacent and neighboring properties through reasonable provision for surface water drainage, sound and sight buffers, preservation of views, light and air and those aspects of design not adequately covered by other regulations which may have substantial effects on neighboring land uses, and;

Finding: Since the applicant proposes no changes to the site or exterior building, no additional protection for adjacent and neighboring properties are required.

- g.) The use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor tend to or actually diminish and impair property values within the neighborhood.

Finding: The existing church has operated in its current location since 1922. Based on past experience, the proposed use will not be injurious to the use and enjoyment of other property in the immediate vicinity or diminish and impair property values within the neighborhood.

- h.) In Institutional zoning districts, the Conditional Use Permit application shall comply with the standards, conditions and requirements stated in Section 542.03 of this Ordinance.

Finding: Section 542.03 provides for standards related to a conditional use that includes demolition or removal of dwelling units and does not apply to this application.

- i.) Traffic impacts such as increases in vehicular traffic, changes in traffic movements, traffic congestion, interference with other transportation systems or pedestrian traffic, and traffic hazards shall be considered by the Planning & Zoning Commission and City Council in evaluating an application for a Conditional Use Permit.

Finding: Re-establishment of a private high school use on the church campus should not significantly change or increase traffic patterns or parking needs on the site (see parking analysis in Section d.4 above).

Section 530.09, Subdivision 1.d. Public or private schools within the R-2 to R-6 districts provided:

- a) No buildings are located less than 50 feet from any lot line.

Finding: The original church was constructed in 1922 and predates the City's current zoning standards. As could be expected, the existing school building does not conform to these the 50 foot setback standard with existing side yard setbacks as close as 5 feet. Therefore, the site is considered legal non-conforming with regard to setbacks and must comply with Minnesota Statute 462.357, Subdivision 1e., which allows legal nonconformities the 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.

b) A fence is erected along the boundary line, which is common with abutting private property.

Finding: The portion of the church campus that contains the school only abuts private property along its western boundary line. An existing fence and several large trees run along this shared property line. Staff recommends a condition of approval require the applicant to maintain this fence and landscaping.

Engineering Review. Given the applicant plans no exterior changes to the building or site, the Engineering Department has no comments regarding this application.

Alternatives

1. Approve the conditional use permit application from St. Gabriel Church. By approving the conditional use permit, Chesterton Academy will be allowed to operate a private high school within a residential zone.
2. Deny the conditional use permit application from St. Gabriel Church. By denying the conditional use permit, Chesterton Academy will not be allowed to operate a private high school within a residential zone. Should the City Council consider this option, findings must be identified that support this alternative.
3. Continue for further information. The items should be continued if the City Council finds that further information is needed.

CITY OF HOPKINS
Hennepin County, Minnesota

RESOLUTION 2019-016

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR ST. GABRIEL CHURCH TO OPERATE A PRIVATE SCHOOL (THE CHESTERTON ACADEMY) WITHIN A RESIDENTIAL ZONE (PID 24-117-22-33-0001)

WHEREAS, the applicant, St. Gabriel Church, initiated an application for a conditional use permit (CUP) to allow operation of a private high school (the Chesterton Academy) within a residential zone, subject to conditions; and

WHEREAS, the subject property is located at 1310 Mainstreet (PID 24-117-22-33-0001) and legally described as follows:

COM AT INTERSEC OF S LINE OF EXCELSIOR AV AND THE E LINE OF SW 1/4 OF SW 1/4 TH W ALONG SAID S LINE 270 FT TH S 350 FT TH E PAR WITH SAID S LINE OF EXCELSIOR AVE TO E LINE OF SW 1/4 OF SW 1/4 TH N TO BEG, UNPLATTED 24 117 22 ADDITION, HENNEPIN COUNTY, MINNESOTA; and

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

1. That a conditional use permit application was initiated by the applicant on February 6, 2019; and
2. That the applicant held a neighborhood meeting at St. Joseph Church on February 18, 2019 in conformance with the City of Hopkins Neighborhood Meeting Policy.
3. That the City of Hopkins Planning & Zoning Commission, pursuant to published and mailed notice, held a public hearing and reviewed such application on February 26, 2019 and all persons present were given an opportunity to be heard; and
4. That the written comments and analysis of City staff were considered;
5. That the Hopkins Planning & Zoning Commission voted 6-0 to recommend the City Council approve this request; and
6. That the Hopkins City Council reviewed this application during their March 5, 2019 meeting and agreed with the findings of the Planning & Zoning Commission.

WHEREAS, staff recommended approval of the above stated application based on the findings outlined in City Council Report 2019-025 dated March 5, 2019.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hopkins hereby approves a conditional use permit allowing operation of a private high school (the Chesterton Academy) in a residential zone, subject to the conditions listed below.

1. The applicant shall receive approval of all necessary permits from the Building, Engineer and Fire Departments.
2. Conformance with all general conditional use permit standards in Section 525.13, Subdivision 15,

and the specific conditional use permit standards for public or private schools within a residential zone in Section 530.09, Subdivision 1.d.

3. The applicant shall receive all necessary permits and approvals from the Nine Mile Creek Watershed District prior to issuance of a building permit.
4. Maintenance of the existing fence and landscaping along the subject property's western property line.

Adopted by the City Council of the City of Hopkins this 5th day of March 2019.

Molly Cummings, Mayor

ATTEST:

Amy Domeier, City Clerk

Site Location Map – St. Joseph Church



COLLEGE ACCEPTANCE

The majority of Chesterton Academy graduates go on to attend four-year colleges and universities. Students have been accepted to a wide range of institutions, including:

Catholic Colleges and Universities

- Ave Maria University
- Belmont Abbey College
- Benedictine College
- Boston College
- Christendom College
- University of Dallas
- Franciscan University of Steubenville
- St. John Paul the Great University
- St. Catherine University
- University of Mary
- University of Notre Dame
- Thomas Aquinas College
- University of St. Thomas
- St. John Vianney College Seminary

Private Colleges and Universities

- Augsburg College
- Baylor University
- Berklee College of Music
- Florida Institute of Technology
- Hillsdale College
- Milwaukee School of Engineering
- St. Olaf College

Public and State Schools

- Dunwoody College of Technology
- Metropolitan State University
- North Hennepin Community College
- Normandale Community College
- Minneapolis Community and Tech College
- Minnesota State University - Mankato
- Montana State University
- University of Kentucky
- University of Minnesota Twin Cities
- College of Science and Engineering
- Carlson School of Management
- College of Liberal Arts
- University of Minnesota – Duluth
- Swenson College of Science and Engineering
- University of Nebraska Lincoln
- North Dakota State University
- United States Naval Academy
- University of North Dakota
- University of South Dakota
- University of Tulsa
- University of Wisconsin River Falls

OTHER ENDEAVORS

Our alumni have pursued other post-graduate endeavors, including: United States Marine Corps; NET Ministries; The Atelier Studio Program of Fine Art; gap year teaching English at the Chesterton Academy of Italy.

VOCATIONS

Several of our alumni are discerning the priesthood or religious life. Five of our alumni are studying for the priesthood at St. John Vianney College Seminary at the University of St. Thomas.

OUR TRANSCRIPT. Chesterton Academy is on a two semester per year system and uses letter grades on school transcripts. Grades and grade point averages (GPA) are not weighted. Chesterton does not rank students. Grades correlate as you can see in the following table.

Grade	Percentage	GPA
A	93 and above	4.0
A-	90-92	3.67
B+	87-89	3.33
B	83-86	3.0
B-	80-82	2.67
C+	77-79	2.33
C	73-76	2.0
C-	70-72	1.67
D+	67-69	1.33
D	63-66	1.0
D-	60-62	0.67
F	0-59	0.00

HONOR CLASSES. High achievement in specified classes will earn an “Honors” designation if the student receives a score of A- or higher. These classes are denoted on the transcript with an asterisk (*). Advanced Placement (AP) courses are not offered.

HONOR DISTINCTION ON TRANSCRIPT. First and Second Honors are awarded on the following basis:

- *First Honors: cumulative GPA for that year between 3.67 and 4.0.*
- *Second Honors: cumulative GPA for that year between 3.33 and 3.66.*

The following distinctions are awarded at graduation based on the following cumulative GPA: *Summa Cum Laude* - 3.90 or higher; *Magna Cum Laude* - 3.80 - 3.89; *Cum Laude* - 3.67 - 3.79.

AWARDS. Chesterton Academy awards the following unique distinctions:

Socrates Award. Awarded to the senior who manifests the best spirit of discourse in classroom discussion.

G.K. Chesterton Award. Awarded to the senior who has exemplified the great virtues of charity and joy so evident in our patron, G.K. Chesterton.

Best Essay Award. Awarded to the senior who wrote the best essay during the academic year.

STANDARDIZED TEST

RESULTS. Our rigorous and integrated curriculum prepares students for success

Class of 2018	English	Math	Reading	Science
ACT Averages	25.6	23.3	26.8	24.3

on the SAT, ACT, and CLT (Classic Learning Test) exams, and positions students to do well on AP, CLEP and SAT subject exams. A majority of our seniors take the ACT standardized test. The average composite ACT score for the Class of 2018 was 25.0, 4.0 points above the national benchmark and 3.5 points above the Minnesota average.

HOUSE SYSTEM AND STUDENT LIFE. Chesterton Academy students participate in a range of extracurricular activities, including:

SPORTS

- Fall**
- Bowling (co-ed)
- Soccer (boys & girls)
- Volleyball (girls)
- Cross Country (co-ed)
- Winter**
- Basketball (boys & girls)
- Spring**
- Baseball (boys)
- Softball (girls)

EXAMPLE CLUBS & ACTIVITIES

- Chamber Singers
- St. Cecilia String Ensemble
- Women's Ensemble
- Schola (Men's and Women's)
- Mock Trial Competition
- Yearbook Club
- Women's Self-Defense Club
- Robotics Club
- Rosary Club
- Pro-Life Club
- March for Life DC Pilgrimage
- Rome and Assisi Pilgrimage

HOUSES AT CHESTERTON

Our House system draws on the 1,000 year-old tradition of Christian education exemplified in the colleges at Oxford and Cambridge. Each student is assigned to one of four houses for their tenure at Chesterton. Students have the opportunity to lead as a House Prefect or Captain. Houses organize activities and competitions centered on social, spiritual, service, and scholarship.



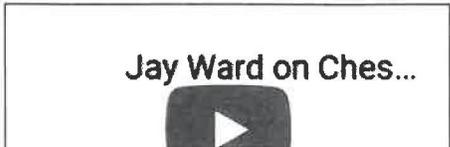
High School with a Higher Purpose

Chesterton Academy is raising up a new generation of joyful leaders and saints, educated in the classical tradition and the truths of the Catholic faith. Our rigorous, integrated curriculum unlocks student potential and prepares students to succeed in college and professional life, and to excel in service of family, of country, and of Christ our Lord.



Chesterton Academy offers:

- A well-rounded education that develops strong intellectual habits
- A supportive community growing in virtue and holiness
- A catalyst for promoting character and leadership skills



An Education for Life



Chesterton Academy Chairman,
Jay Ward, shares how Chesterton
Academy graduates meet the
needs of employers in today's
global business world.

ABOUT JAY WARD

Jay Ward is Chief Executive Office
of Quadion LLC, a global
technology manufacturer of
integrated product
solutions... [Read more](#)

Explore Chesterton

Cluts O'Brien Strother ARCHITECTS

7328 MARKET PLACE DRIVE
EDEN PRAIRIE, MN 55344
(952)941-4822
FAX (952)941-1951

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.
DATE: 06-MAY-04 REG. NO. 12,501

PROJECT: 10316HOP
CURRENT: A02-1.DWG

ISSUE DATA
22-MAY-04: DD, PRICING
21-APR-04: ELEVATOR ONLY
06-MAY-04: BUILDING PERMIT



Remodeling of the School at St. Joseph's Parish, Hopkins, Mn

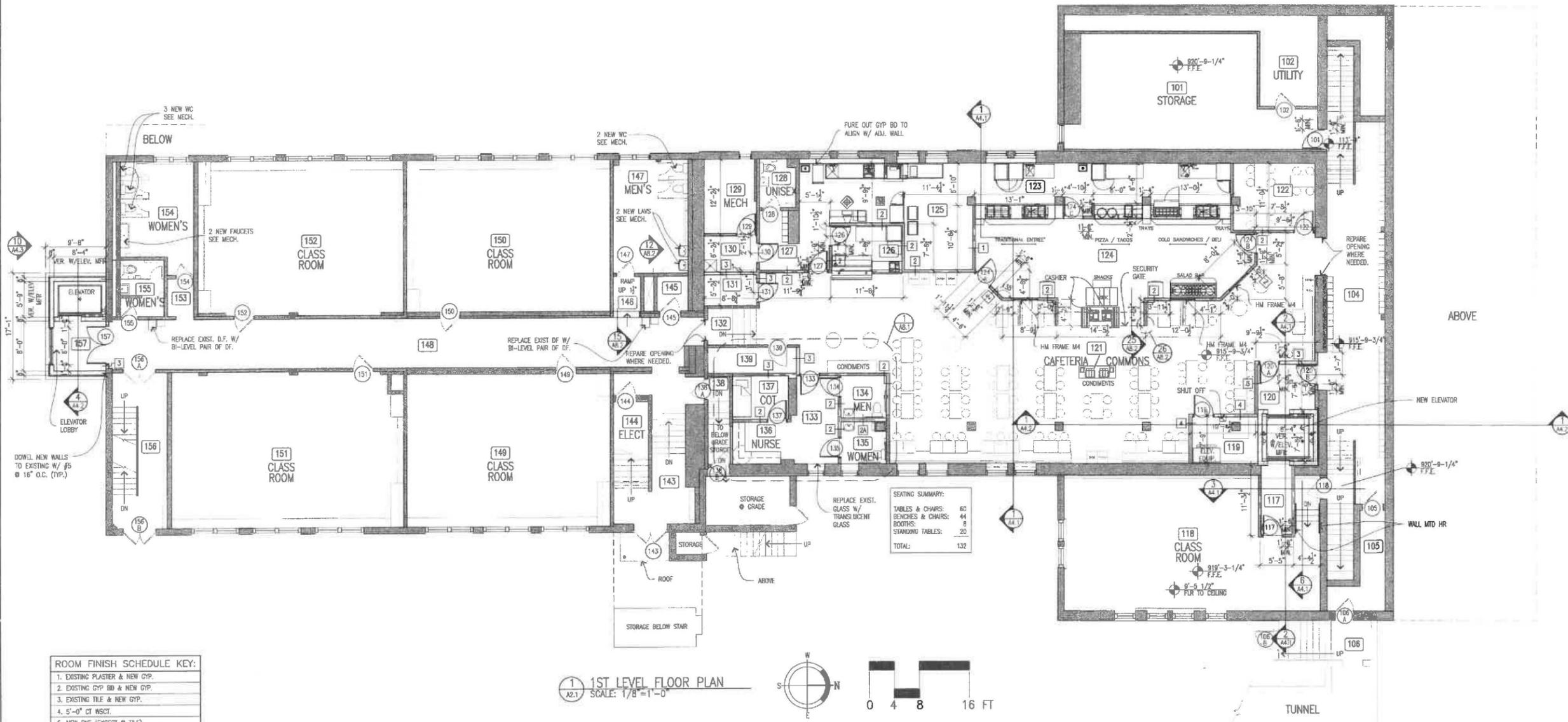
1ST LEVEL FLOOR PLAN

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COMMISSION NO. 10316
FILE NO. 10316HOP

SHEET NO. **A2.1**

OF XX



ROOM FINISH SCHEDULE KEY:

- EXISTING PLASTER & NEW GYP.
- EXISTING GYP BD & NEW GYP.
- EXISTING TILE & NEW GYP.
- 5'-0" CT W/SC.
- NEW PNT (EXCEPT @ TILE).

ROOM FINISH SCHEDULE - 1ST LEVEL

MARK	ROOM NAME	FLOOR		BASE		NORTH WALL		EAST WALL		SOUTH WALL		WEST WALL		CEILING		NOTES	FLOOR AREA NET (SF)	OCCUPANT LOAD FACTOR	BLDG CODE OCCUPANT LOAD	
		MAT'L	FINISH	MAT'L	FINISH	MAT'L	FINISH	MAT'L	FINISH	MAT'L	FINISH	MAT'L	FINISH	MAT'L	FINISH					
101	STORAGE	CONC	CPT	CPT	---	---	---	---	---	---	---	---	---	---	---	* 214 ACS	812	500	2	
102	UTILITY	CONC	CONC	---	---	---	---	---	---	---	---	---	---	---	---	7'-11" CLAY TILE	218	---	---	
103	NOT USED																			
104	HALL WAY	CONC	VCT	VIN	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	11'-0" ACB	---	510	---	---	
105	HALL WAY	CONC	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	11'-0" ACB	---	88	---	---	
106	TUNNEL	CONC	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	---	---	---	---	---	
107-116	NOT USED																			
117	ELEVATOR LOBBY	CONC	VCT	VIN	GYP	PNT	GYP	PNT	GYP	PNT	GYP	PNT	GYP	PNT	9'-0" ACB	---	56	---	---	
118	CLASS ROOM	CONC	VCT	WD	SEE 1.	PNT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	SEE 1.	PNT	9'-0" TILE	* 12"X12" TILE CEILING	846	20	43	
119	ELEVATOR EQUIPMENT	CONC	SLR	VIN	CMU	PNT	GYP	PNT	GYP	PNT	GYP	PNT	GYP	PNT	---	* 2 LAYERS GYP BD	79	---	---	
120	ELEVATOR LOBBY	CONC	VCT	VIN	SEE 2.	PNT	GYP	PNT	GYP	PNT	GYP	PNT	GYP	PNT	10'-0" ACB	---	58	---	---	
121	CAFETERIA / COMMONS	CONC	VCT	VIN	GYP	PNT	SEE 2.	PNT	GYP	PNT	GYP	PNT	GYP	PNT	10'-0" ACB	---	1995	15	133	
122	TEACHER'S LOUNGE	CONC	VCT	VIN	SEE 2.	PNT	---	---	---	---	---	---	---	---	9'-0" ACB	---	142	15	10	
123	KITCHEN	CONC	QT	QT	GYP	FRP	GYP	FRP	GYP	FRP	GYP	FRP	GYP	FRP	9'-0" MACB	---	612	200	4	
124	SERVING / CASHIER	CONC	VCT	VIN	GYP	PNT	GYP	PNT	GYP	PNT	GYP	PNT	GYP	PNT	9'-0" MACB	---	602	15	41	
125	WALK-IN COOLER	CONC	---	---	ALL FINISHES BY EQUIPMENT SUPPLIER	---	---	---	---	---	---	---	---	---	---	---	114	200	1	
126	SNACK BAR	CONC	QT	QT	GYP	FRP	---	---	GYP	FRP	GYP	FRP	GYP	FRP	9'-0" ACB	---	85	200	1	
127	OFFICE/ADDOCKERS	CONC	QT	QT	PLASTER	FRP	GYP	FRP	PLASTER	FRP	PLASTER	FRP	PLASTER	FRP	8'-10" MACB	---	90	100	1	
128	UNISEX TOILET	CONC	CT	CT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	8'-0" ACB	* 2X2 ACS	45	---	---	
129	MECH	CONC	SLR	VIN	PLASTER	PNT	GYP	PNT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	13'-8" ACB	* GRID, NO TILE	100	---	---	
130	CUSTODIAN	CONC	SLR	VIN	PLASTER	PNT	GYP	PNT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	13'-8" ACB	* GRID, NO TILE	49	---	---	
131	WATER HEATERS	CONC	SLR	VIN	SEE 1.	PNT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	11'-8" ACB	* GRID, NO TILE	43	---	---	
132	LANDING	CONC	VCT	VIN	---	---	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	8'-0" ACB	---	46	---	---	

ROOM FINISH SCHEDULE - 1ST LEVEL

MARK	ROOM NAME	FLOOR		BASE		NORTH WALL		EAST WALL		SOUTH WALL		WEST WALL		CEILING		NOTES	FLOOR AREA NET (SF)	OCCUPANT LOAD FACTOR	BLDG CODE OCCUPANT LOAD	
		MAT'L	FINISH	MAT'L	FINISH	MAT'L	FINISH	MAT'L	FINISH	MAT'L	FINISH	MAT'L	FINISH	MAT'L	FINISH					
133	WAITING	CONC	CPT	CPT	---	---	---	---	---	---	---	---	---	---	---	---	104	100	1	
134	MEN'S TOILET	CONC	CT	CT	GYP	PNT	TILE*	---	---	---	---	---	---	---	9'-0" ACB	---	50	---	---	
135	WOMEN'S TOILET	CONC	CT	VIN	TILE*	---	---	---	---	---	---	---	---	---	9'-0" ACB	---	47	---	---	
136	NURSE	CONC	CPT	CPT	---	---	TILE*	---	---	---	---	---	---	---	9'-0" ACB	---	63	---	1	
137	COT	CONC	CPT	CPT	SEE 3.	---	---	GYP	PNT	TILE*	---	GYP	PNT	---	9'-0" ACB	---	63	---	1	
138	HALL WAY	CONC	CT	---	SEE 3.	---	---	---	---	---	---	---	---	---	VARIES	---	50	---	---	
139	STORAGE	CONC	CT	VIN	GYP	PNT	SEE 1.	---	PNT	PLASTER	PNT	PLASTER	PNT	---	11'-1"	60	---	---		
139-142	NOT USED																			
143	HALL WAY	CONC	VCT	---	---	---	---	---	---	---	---	---	---	---	VARIES	PLASTER	TILE W/CL. PATCH & NEW PLUMBING	214	---	---
144	ELECTRICAL ROOM	CONC	CONC	---	---	---	---	---	---	---	---	---	---	---	8'-8" CONC	---	74	---	---	
145	CLOSET	CONC	VCT	VIN	CMU	---	---	---	---	---	---	---	---	---	10'-8" PLASTER	---	28	---	---	
146	HALL WAY	CONC	VIN	VIN	CMU	---	---	---	---	---	---	---	---	---	10'-8" PLASTER	---	29	---	---	
147	MEN'S TOILET	CONC	CT	---	TILE*	---	---	---	---	---	---	---	---	---	10'-0" ACB	---	219	---	---	
148	HALL WAY	CONC	VIN	---	TILE*	---	---	---	---	---	---	---	---	---	10'-8" PLASTER	---	754	---	---	
149	CLASS ROOM	CONC	CPT	CMU	PNT	CMU	PNT	CMU	PNT	CMU	PNT	CMU	PNT	---	10'-8" PLASTER	---	811	20	41	
150	CLASS ROOM	CONC	CPT	VIN	CMU	PNT	CMU	PNT	CMU	PNT	CMU	PNT	CMU	PNT	10'-8" PLASTER	---	806	20	41	
151	CLASS ROOM	CONC	CPT	CMU	PNT	CMU	PNT	CMU	PNT	CMU	PNT	CMU	PNT	---	10'-8" PLASTER	---	827	20	47	
152	CLASS ROOM	CONC	VCT	VIN	BROCK	PNT	CMU	PNT	CMU	PNT	CMU	PNT	CMU	PNT	10'-8" PLASTER	---	820	20	41	
153	HALL WAY	CONC	CT	---	TILE*	---	---	---	---	---	---	---	---	---	8'-0" PLASTER	---	26	---	---	
154	MEN'S TOILET	CONC	CT	---	TILE*	---	---	---	---	---	---	---	---	---	10'-4" PLASTER	---	197	---	---	
155	WOMEN'S TOILET	CONC	CT	---	TILE*	---	---	---	---	---	---	---	---	---	8'-0" PLASTER	---	65	---	---	
156	HALL WAY	CONC	VCT	---	---	---	---	---	---	---	---	---	---	---	10'-4" PLASTER	---	167	---	---	
157	ELEVATOR LOBBY	CONC	VCT	VIN	---	---	---	---	---	---	---	---	---	---	10'-0" ACB	---	67	---	---	

EXISTING TO REMAIN

409 TOTAL

7500 MARKET PLACE DRIVE
EDEN PRARIE, MN 55344
(952)841-4822
FAX (952)841-4821

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

DATE: 06-MAY-04 REG. NO. 12,501

H:\CADD\0318HOP\CURRENT\A02-3.DWG

ISSUE DATA
22-JAN-04 DO PRICING
21-APR-04 ELEVATOR ONLY
06-MAY-04 BUILDING PERMIT



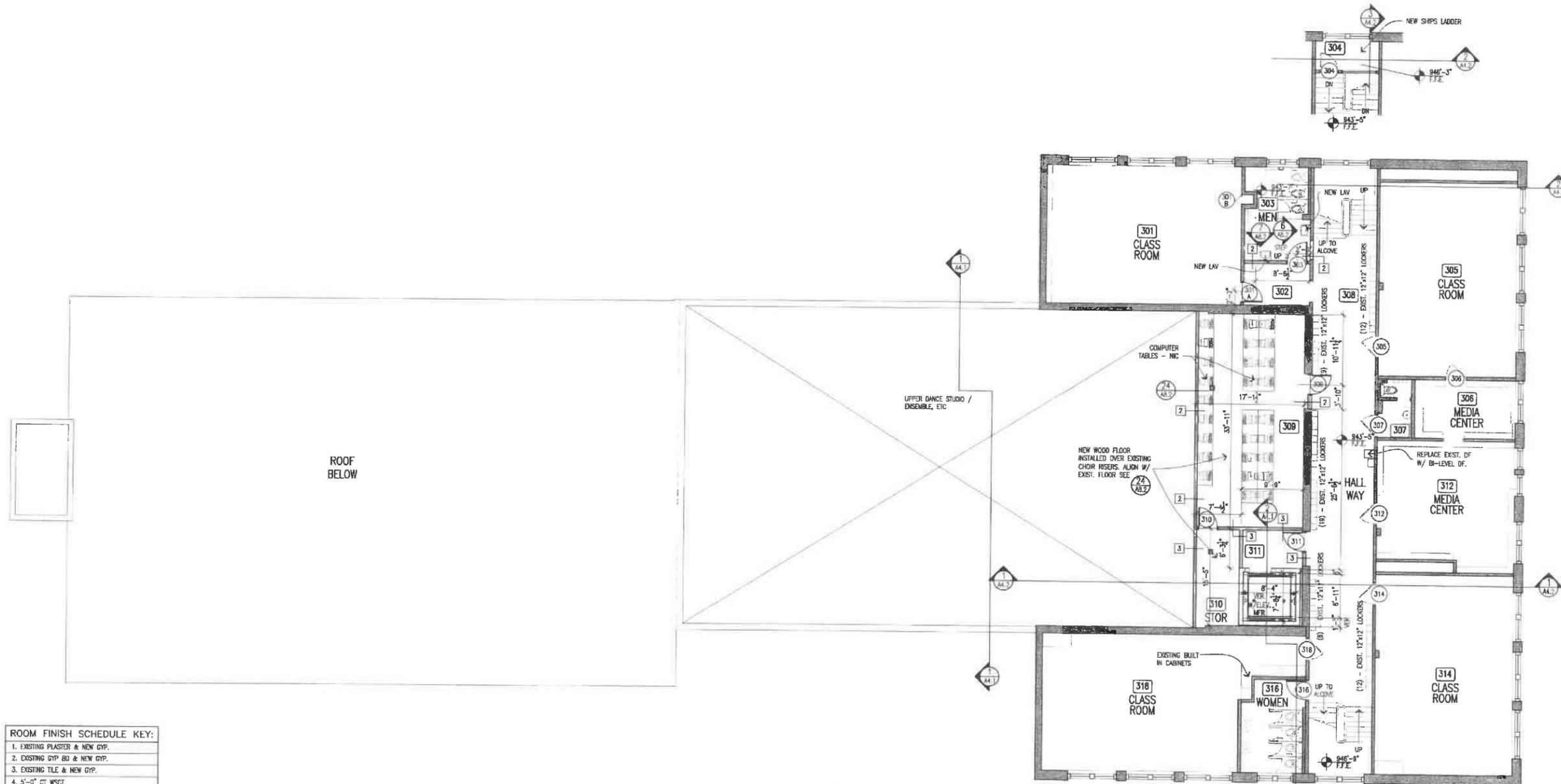
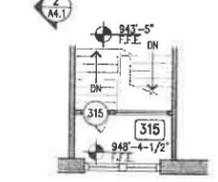
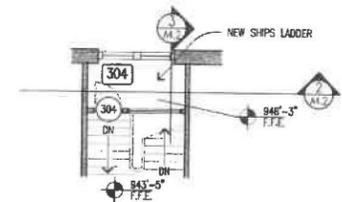
Remodeling
of the School at
St. Joseph's
Parish,
Hopkins, Mn

3RD LEVEL
FLOOR PLAN

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COMMISSION NO. 10316
FILE NO. 10318HCP

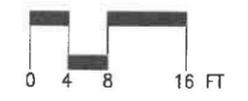
SHEET NO. A2.3
of XX



ROOM FINISH SCHEDULE KEY:

- EXISTING PLASTER & NEW GYP.
- EXISTING GYP BU & NEW GYP.
- EXISTING TILE & NEW GYP.
- 5'-0" CT W/ST.
- NEW PNT (EXCEPT @ TILE).

1 3RD LEVEL FLOOR PLAN
A2.3 SCALE: 1/8" = 1'-0"



ROOM FINISH SCHEDULE - 3RD LEVEL

MARK	ROOM NAME	FLOOR		BASE	NORTH WALL		EAST WALL		SOUTH WALL		WEST WALL		CEILING		NOTES	FLOOR AREA	OCCUPANT LOAD FACTOR	OCCUPANT LOAD BLDG CODE
		MAT'L	FINISH		MAT'L	FINISH	MAT'L	FINISH	MAT'L	FINISH	MAT'L	FINISH	HEIGHT	MAT'L				
301	CLASS ROOM	CONC	OPT	WN	SEE 1.5	PNT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	12'-1"	TILE*	* 12"x12" TILE CEILING	685	20	35
302	HALL WAY	CONC	OPT	WN	PLASTER	PNT	PLASTER	PNT	SEE 1.5	PNT	PLASTER	PNT	9'-0"	ACB	* PATCH @ REMODELED DOORS	68	--	--
303	MEN'S TOILET	CONC	CT	CT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	8'-0"	ACB	* 6'-0" W/ST @ PATCH @ PLASTER/PNT ABOVE NEW FUTURE	148	--	--
304	ALCOVE	CONC	PNT	WD	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	6'-0"	PLASTER	PNT	47	--	--
305	CLASS ROOM	CONC	WCT	WN	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	12'-1"	TILE*	* 12"x12" TILE CEILING	675	20	34
306	MEDIA CENTER	CONC	OPT	WN	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	11'-6"	ACB	* ACB 214	147	20	8
307	UNISEX TOILET	CONC	CT	CT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	7'-11"	ACB	* ACB 212	45	--	--
308	HALL WAY	CONC	WCT	WD	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	12'-4"	TILE*	* 12"x12" TILE CEILING	740	--	--
309	COMPUTER LAB	WDM	OPT	OPT	PLASTER	PNT	GYP	PNT	GYP	PNT	GYP	PNT	9'-0"	ACB	* NEW & EXIST.	573	20	29
310	STORAGE	WDM	OPT	OPT	GYP/CMU	PNT	PLASTER	PNT	GYP	PNT	GYP	PNT	9'-0"	ACB	* NEW & EXIST.	106	--	--
311	ELEVATOR LOBBY	WDM	OPT	OPT	GYP	PNT	GYP	PNT	GYP	PNT	GYP	PNT	9'-0"	ACB	* NEW & EXIST.	58	--	--
312	MEDIA CENTER	CONC	OPT	WN	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	11'-6"	ACB	* 12"x12" TILE CEILING	434	20	22
313	N O T U S E D																	
314	CLASS ROOM	CONC	OPT	WN	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	12'-0"	TILE*	* 12"x12" TILE CEILING	695	20	35
315	ALCOVE	CONC	PNT	WD	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	8'-0"	PLASTER	PNT	46	--	--
316	WOMEN'S TOILET	CONC	CT	CT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	12'-1"	PLASTER	PNT	139	--	--
317	N O T U S E D																	
318	CLASS ROOM	CONC	OPT	OPT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	PLASTER	PNT	12'-0"	TILE*	* 12"x12" TILE CEILING	761	20	39

EXISTING TO REMAIN

202 TOTAL

H:\CADD\0318HOP\CURRENT\A02-3.DWG_A2.3_05062004 03:22:43 PM 88278



1310 Mainstreet

Washburn-McReavy
Hopkins Chapel

Mainstreet

Mainstreet

Mainstreet

Mainstreet

13th Ave N

14th Ave N

13th Ave S



From: [Jack Matasosky](#)
To: [Jason Lindahl](#)
Cc: [Rich Kirchoff](#); [Gordy Schiltz](#)
Subject: [EXTERNAL] Chesterton School
Date: Tuesday, February 19, 2019 6:50:47 AM

Good morning Jason - as an FYI- the neighborhood meeting was held and no one came, except for church and school officials.

That being said, and therefore assuming there is no objection to the uses, are you ready to prepare the staff report?

Do you see staff recommendation as supporting the use?

Am traveling today and back in office tomorrow morning.

Thank you!

Jack

Sent from my iPhone



RESOLUTION DECLARING A VACANCY ON THE HOPKINS CITY COUNCIL

Proposed Action.

Staff recommends that the Council approve the following motion: Approve Resolution 2019-014 Declaring a Vacancy on the Hopkins City Council.

This action will allow the City Council to move ahead with the appointment of a Council Member to replace the vacant seat left by Mayor Cummings.

Overview:

Mayor Molly Cummings was elected to a two-year starting January 2, 2018. Mayor Cummings has resigned from that position effective March 5, 2019 at 11:59 p.m. The City Charter requires the City Council shall by resolution declare a vacancy to exist and shall appoint an eligible person to fill the same.

As the appointed Mayor Pro Tempore Council Member Halverson will serve as the presiding officer and Acting Mayor. It is anticipated that the City Council will appoint a Mayor at a Special Meeting on March 6, 2019. The appointed Mayor will be given the oath of office immediately after the appointment. Because there are less than two years remaining in the original term of office, a special election is not required. The election of Mayor will be held in conjunction with the regular municipal election on November 5, 2019. The terms of all Council Members in charter cities expire on the first Monday in January. Whoever is elected to this two-year term would be sworn into on office on January 7, 2020.

Supporting Information:

- Draft Resolution 2019-014
- Mayor Molly Cumming's Resignation Letter

A handwritten signature in cursive script, appearing to read 'Amy Domeier', is written in black ink.

Amy Domeier
City Clerk

**CITY OF HOPKINS
HENNEPIN COUNTY, MINNESOTA**

RESOLUTION 2019-014

RESOLUTION DECLARING A VACANCY ON THE HOPKINS CITY COUNCIL

WHEREAS, Molly Cummings was elected to a two-year term as Mayor of the City of Hopkins on November 7, 2017; and

WHEREAS, Mayor Molly Cummings has resigned from that position effective March 5, 2019 at 11:59 p.m.; and

WHEREAS, There are less than two years remaining in the term; and

WHEREAS, Section 2.05 of the Hopkins Charter provides that the City Council shall by resolution declare the City Council seat vacant.

NOW, THEREFORE BE IT RESOLVED, the City Council of the City of Hopkins hereby declares a vacancy on the City Council effective March 5, 2019 at 11:59 p.m.

Adopted by the City Council of the City of Hopkins this 5th day of March, 2019.

By _____
Molly Cummings, Mayor

ATTEST:

Amy Domeier, City Clerk

2/27/19

To: Mike Mornson, Hopkins City Manager

From: Molly Cummings, Hopkins Mayor

On Monday, February 25, 2019, I was appointed by Governor Tim Walz to represent District 5 on the Metropolitan Council. I am pleased to accept this appointment. As required, "due to the incompatibility of office doctrine," I will resign my role as Mayor of the City of Hopkins, effective at 11:59 p.m. on Tuesday, March 5, 2019, as I will be sworn in to the Metropolitan Council on Wednesday, March 6, 2019.