

City Council Meeting Date: March 2, 2010

Consent

ITEM: 1

Motion

**ITEM:** Reviewing Disbursements

**ACTION REQUESTED:**

**Proposed Motion For Consideration:** \_\_\_\_\_ **Motion** \_\_\_\_\_ **Second**

*The City Council of the City of Northfield hereby reviews disbursements totaling \$ 767,895.00.*

Disbursement Description	Date	Amount
<i>2/12/10 Accounts Payable Checks (incl. Payroll Liabilities)</i>	<i>2/12/10</i>	<i>\$ 467,275.23</i>
<i>2/12/10 Payroll Account Transfer</i>	<i>2/12/10</i>	<i>\$ 156,197.00</i>
<i>2/19/10 Sales Tax Liability ACH</i>	<i>2/19/10</i>	<i>\$ 28,865.00</i>
<i>2/19/10 Accounts Payable Checks</i>	<i>2/19/10</i>	<i>\$ 115,557.77</i>
	<b>TOTAL</b>	<b>\$ 767,895.00</b>

**SUMMARY**

The City Council is being asked to review disbursements for \$ 767,895.00. They are within the limitations of the approved budget and resources available.

**SUBMITTED BY:** *Julie Nordmeier, Accountant*

**ATTACHMENTS:**

1. Disbursement Lists

**ITEM:** Approve liquor license renewals

**ACTION REQUESTED:**

**Proposed Motion for Consideration:** \_\_\_\_\_ **Motion** \_\_\_\_\_ **Second**

*The City Council of the City of Northfield hereby approves liquor license renewals for April 1, 2010 – March 31, 2011 as shown on the attached list, subject to the following conditions:*

1. *Liquor licenses will be issued upon receipt of:*
  - *All required documents*
  - *Payment of all delinquent taxes, assessments, utility bills or other financial claims of the city*
  - *Payment of all remaining liquor license fees*

**SUMMARY:**

The City Council is being asked to approve the 2010 liquor license renewals as shown on the attached list. Current liquor licenses expire on March 31, 2010. The list contains a total of 30 licenses in the following categories:

- 2 - Club licenses
- 13 – On-Sale Intoxicating licenses
- 9 – On-Sale Wine/3.2 licenses
- 1 – On Sale 3.2 license
- 5 - Off-sale 3.2 licenses

Staff has been working on the license renewals since early January. Licensees are provided with copies of applicable state laws, Chapter 6 of the City Code, and upcoming training opportunities pertaining to liquor licenses. Each liquor license renewal application has been checked for compliance, which covers the provisions of Minnesota State law and City Code. These provisions include:

- Background investigations on licensees
- Review of premises layout
- Review of liquor law violations for the previous five years
- Review of insurance certificates
- Review of delinquent utilities, taxes, assessments or other financial claims

There was no criminal law violations discovered that would prohibit any of the license holders from getting a license renewed. Holders of on-sale intoxicating licenses are permitted to pay the

license fee in two installments, one-half when the application is submitted and one-half before the license is issued. Once licenses are approved by the City Council, they will be sent to the Department of Public Safety Alcohol and Gambling Enforcement Division for review and approval. Licenses will be issued after receipt of all required documents, any delinquent payments, and remaining fees.

Compliance checks of license holders were conducted May 1, 2009 by the Northfield Police Department. There were no violations in 2009. Staff commends licensees for passing the 2009 compliance checks.

Y	N	Checklist
X		Does this project fit within the identified Council goals, objectives, and priorities?
X		Does the project fit within the estimated budget & resource parameters?
N/A		Is the public process identified consistent with the scope and implications of the project?
N/A		Have the pertinent boards and commissions been identified for providing review, recommendations, or input?
N/A		Is this decision consistent with current city plans (Comprehensive Plan, Transportation Plan, Park Plan, etc)?
X		Have the future costs to city operations been calculated and identified?
N/A		Are there measurable criteria to aid with the decision-making and have they been identified?
X		Have the suitable timelines and schedules been identified?

**SUBMITTED BY:**

Deborah Little, City Clerk  
 Mark Taylor, Police Chief

**ATTACHMENTS:**

1. 2010 liquor license list

**ITEM:** Approve taxicab licenses

**ACTION REQUESTED:**

**Proposed Motion for Consideration:** \_\_\_\_\_ **Motion** \_\_\_\_\_ **Second**

*The City Council of the City of Northfield hereby approves taxicab licenses for April 1, 2010 – March 31, 2011 as shown on the attached list subject to the following conditions:*

- *Licenses will be issued upon receipt of all required documents*
- *Successful completion of background checks*

**SUMMARY:**

The City Council is being asked to approve 2010 taxicab licenses as shown on the attached list. Current licenses will expire on March 31, 2010. The City received two applications for taxi licenses. Access Direct Companies has been licensed in Northfield for several years. JJ Taxi is a new licensee for 2010. JJ Taxi also holds a taxi license in the City of Faribault. Staff recommends approval of the taxicab licenses as shown on the attached list.

In addition to the completed application, licensees are also are required to submit the following documents:

- Certificate of insurance
- List of vehicles
- List of drivers
- Certificate of compliance Minnesota Workers' Compensation Law
- Tax information form

A license is required for a taxicab to solicit business within the City limits of Northfield. City Code Section 14-176 states that no person shall engage in the taxicab business in the city without first having applied for and been granted a license to do so by the city council. However, any taxicab licensed to operate in any other municipality may carry passengers from such municipality to any place or point within this city and may receive passengers in this city for carriage to such requested designation, but no operator or driver of such taxicab may solicit business in this city without being licensed under this division. Taxi licensees are required to submit completed annual inspection forms for each vehicle stating that the vehicle is safe and sound for transportation. Licensees are also responsible for checking backgrounds and driver's license status on employees prior to any driver operating a taxicab.

<b>Y</b>	<b>N</b>	<b>Checklist</b>
X		Does this project fit within the identified Council goals, objectives, and priorities?
X		Does the project fit within the estimated budget & resource parameters?
N/A		Is the public process identified consistent with the scope and implications of the project?
N/A		Have the pertinent boards and commissions been identified for providing review, recommendations, or input?
N/A		Is this decision consistent with current city plans (Comprehensive Plan, Transportation Plan, Park Plan, etc)?
X		Have the future costs to city operations been calculated and identified?
N/A		Are there measurable criteria to aid with the decision-making and have they been identified?
X		Have the suitable timelines and schedules been identified?

**SUBMITTED BY:**

Deborah Little, City Clerk

**ATTACHMENTS:**

1. 2010 taxicab license list

**2010 TAXI LICENSE**  
**04/01/2010 – 03/31/2011**  
**\$100 license fee + \$25.00/vehicle**

Access Direct Companies, Inc.  
Dba White Dove Limousine Shuttle/First Choice Shuttle  
Reinhold Gamradt  
PO Box 6  
Faribault, MN 55021

JJ Taxi  
412 Prairie Avenue  
Faribault, MN 55021

**ITEM:** Approve refuse license renewals

**ACTION REQUESTED:**

**Proposed Motion for Consideration:** \_\_\_\_\_ **Motion** \_\_\_\_\_ **Second**

*The City Council of the City of Northfield hereby approves renewal of refuse licenses for April 1, 2010 – March 31, 2011 as shown on the attached list subject to the following conditions:*

- *Licenses will be issued upon receipt of all required documents*

**SUMMARY:**

The City Council is being asked to approve 2010 refuse licenses as shown on the attached list. Current licenses will expire on March 31, 2010. The City received 7 applications from refuse haulers.

In addition to the completed application, licensees are also are required to submit the following documents:

- Certificate of insurance
- List of vehicles
- Certificate of compliance Minnesota Workers' Compensation Law
- Tax information form

A license is required to transport garbage, recyclables, or refuse for hire on any street or public place in Northfield.

Staff recommends approval of the refuse licenses as shown on the attached list.

Y	N	Checklist
X		Does this project fit within the identified Council goals, objectives, and priorities?
X		Does the project fit within the estimated budget & resource parameters?
N/A		Is the public process identified consistent with the scope and implications of the project?
N/A		Have the pertinent boards and commissions been identified for providing review, recommendations, or input?
N/A		Is this decision consistent with current city plans (Comprehensive Plan, Transportation Plan, Park Plan, etc)?
X		Have the future costs to city operations been calculated and identified?

N/A		Are there measurable criteria to aid with the decision-making and have they been identified?
X		Have the suitable timelines and schedules been identified?

**SUBMITTED BY:**

Deborah Little, City Clerk

**ATTACHMENTS:**

1. 2010 refuse license list

**2010 REFUSE LICENSE**  
**04/01/2010 – 03/31/2011**  
**\$75 License fee**  
**\$10 per vehicle**

Archambault Brothers Disposal  
1103 Cannon Circle  
Faribault, MN 55021

Allied Waste  
4325 E. 66th Street  
Inver Grove Heights, MN 55076

City & Lakes Disposal  
1000 Hullet Ave  
Faribault, MN 55021

Dicks Sanitation/Lakeville Sanitary Serv.  
P.O. Box 769  
Lakeville, MN 55044

Flom Disposal  
7351 170th Street East  
Nerstrand, MN 55053

LJP Enterprises  
P.O. Box 418  
St. Peter, MN 56082

Waste Management  
PO Box 3  
Northfield, MN 55057

**ITEM:** First Reading of Ordinance No. 906 Revising City Code Section 22-28

**SUMMARY AND ACTION REQUESTED:**

The City Council is being asked to have the first reading of Ordinance No. 906 that would change the first meeting date of the year for the Environmental Quality Commission. The following is a summary of this agenda item:

- At their meeting on January 20, 2010, the Environmental Quality Commission agreed to change their regular meeting date from the third Tuesday of the month to the second Thursday of the month. This change was in response to the City Council changing their regular meeting date.
- City Code Section 22-28 (a) states that the Environmental Quality Commission’s first meeting of the year shall be on the second Tuesday in January. As shown in Ordinance No. 906, this language would be eliminated and language added to state that Commission’s resolution would describe on which dates, time and location the Commission would meet. Regulating meeting specifics through resolution is less cumbersome, if changes are needed, than regulating meeting specifics through the City Code.
- At their meeting on February 11, 2010, the Environmental Quality Commission reviewed and approved draft Ordinance No. 906 and recommended that the City Council accept the Ordinance as revised.

**RECOMMENDATION:**

Staff recommends adoption by the City Council of Ordinance No. 906 upon first reading.

The following is a description of how the proposed date change relates to the City Council’s checklist:

Y	N	Checklist
	NA	Does this project fit within the identified Council goals, objectives, and priorities?
	NA	Does the project fit within the estimated budget & resource parameters?
	NA	Is the public process identified consistent with the scope and implications of the project?
Y		Have the pertinent boards and commissions been identified for providing review, recommendations, or input?

	NA	Is this decision consistent with current city plans (Comp Plan, Transportation Plan, Park Plan, etc)?
	NA	Have the future costs to city operations been calculated and identified?
	NA	Are there measurable criteria to aid with the decision-making and have they been identified?
	NA	Have the suitable timelines and schedules been identified?

**SUBMITTED BY:** Brian Erickson, Public Works Operations Engineer.

**ATTACHMENT:**

Ordinance No. 906

ORDINANCE NO. 906

AN ORDINANCE OF THE CITY OF NORTHFIELD, MINNESOTA, AMENDING NORTHFIELD CODE CHAPTER 22, ARTICLE II

THE CITY COUNCIL OF THE CITY OF NORTHFIELD DOES ORDAIN THAT NORTHFIELD CODE CHAPTER 22, ARTICLE II, SEC. 22-28 IS HEREBY AMENDED AS FOLLOWS (deleted material is lined out; new material is underlined; subsections which are not being amended are omitted):

Sec. 2-28. – Organization.

(a) At the first regular meeting of the calendar year, ~~which shall be held on the second Tuesday in January of each calendar year~~, the environmental quality commission shall elect a chairperson, vice-chairperson, and secretary, who shall each serve until a successor is elected. The chairperson shall appoint the ex officio members of the planning commission and the appropriate city council committees, with the consent of the environmental quality commission. These positions may rotate to other members of the environmental quality commission from time to time, at the discretion of the commission.

(b) The environmental quality commission shall hold at least one regular monthly meeting. Regular meetings of the commission shall be held as prescribed by resolution, which resolution shall state the days, time and usual location of all regular meetings. The chairperson may call special meetings of the commission and must do so upon the request of four voting commission members or at the request of the council. Notice of all meetings of the commission shall be given in compliance with applicable law.

Passed by the City Council of the City of Northfield this 2nd day of March, 2010.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

VOTE:    BUCKHEIT    DENISON    POKORNEY    POWNELL  
   ROSSING    VOHS    ZWEIFEL

First reading: \_\_\_\_\_  
Second reading: \_\_\_\_\_  
Published: \_\_\_\_\_

**ITEM:** Approve the January 1, 2010 – December 31, 2010 collective bargaining agreement (contract) and the Memorandum of Agreement between the City of Northfield and Law Enforcement Labor Services (LELS) for the patrol officers unit.

**ACTION REQUESTED:**

*The City Council of the City of Northfield hereby passes Resolution 2010-016 – Approving the January 1, 2010-December 31, 2010 collective bargaining agreement and the memorandum of agreement with Law Enforcement Labor Services for the Police Patrol Unit #293.*

**SUMMARY:**

The City Council is being asked to approve the January 1, 2010 – December 31, 2010 collective bargaining agreement (contract) and the Memorandum of Agreement between the City of Northfield and Law Enforcement Labor Services (LELS) for the Police Patrol unit #293.

The police patrol officers ratified the contract and the Memorandum of Agreement between the City of Northfield and LELS on February 24, 2010. The City Council now needs to approve the contract and Memorandum of Agreement.

Staff recommends approval of the contract and Memorandum of Agreement as it meets the goals of the City for improving equity among contracts/employees, incorporates the City Council's August 2009 resolution mandating no annual increase and no step increases for budget year 2010 for employees on the City's pay plan and allows flexibility/efficiencies/costs savings in operating the Police department.

Summary of the three changes to the contract:

- 1) Article 8 – Seniority
  - a. Contract language was changed in the first sentence of Article 8 Section 1:
    - i. Previous contract language:
      1. Seniority shall mean an employee's length of continuous employment.
    - ii. New contract language:
      1. Seniority shall be determined by the employee's length of continuous employment as a licensed police officer within the City Police Department
- 2) Article 8 – Seniority
  - a. Contract language was changed in the first two sentences of Article 8 Section 2

- i. Previous contract language:
    - 1. Job classification seniority will be the determining criterion for layoffs. Seniority will be the determining criterion for recall.
  - ii. New contract language:
    - 1. A reduction of the workforce shall be accomplished on the basis of seniority. Employees shall be recalled from layoff on the basis of seniority.
- 3) Article 20 – Wages
  - a. Contract language was changed in the second paragraph of Article 20 Section 1
    - i. Previous contract language:
      - 1. The City Council of the City of Northfield on December 1, 2008 authorized the City’s Job Classification and Compensation Pay Plan matrix to be increased by 3% effective January 1, 2009.
    - ii. New contract language:
      - 1. As per City Council motion on August 3, 2009, employees under the City’s job classification and compensation pay plan will receive 0% wage increase and no step movement for calendar year 2010.

### Summary of Memorandum of Agreement

A Memorandum of Agreement is a document describing an agreement between parties. It expresses a convergence of will between the parties, indicating an intended common line of action. During the recent City of Northfield and LELS collective bargaining negotiations both parties agreed to the following:

- 1) City agrees to withdraw its previous proposal for section 20.2 with the understanding of the parties that this prior proposal cannot be submitted or referred to in any subsequent arbitration hearing.
  - a. Please note that during the negotiating process both the parties, in this case the City of Northfield and LELS, exchange contract language proposals. At times it is in the best interest of both parties to withdraw proposals to reach an agreement and preserve the rights of both parties in the future, thus the language above.
- 2) For 2010 only, the City agrees not to hire any part-time, temporary or seasonal licensed patrol officers in the event a current full-time employee in the bargaining unit is on lay off.

Y	N	Checklist
X		Does this project fit within the identified Council goals, objectives, and priorities? <b>Council Goal #2 Initiative 1: The Council will establish a long-term sustainable financial framework</b>
X		Does the project fit within the estimated budget & resource parameters? <b>Yes. The 2010 budget was balanced based on no annual wage increase, no step increase for all employees on the City's pay plan.</b>
N/A		Is the public process identified consistent with the scope and implications of the project?
X		Have the pertinent boards and commissions been identified for providing review, recommendations, or input? <b>Yes – the City's negotiating team and the Police Patrol unit negotiating team agreed upon the terms of the Police Patrol unit contract for 2010 and the Memorandum of Agreement.</b>
X		Is this decision consistent with current city plans (Comp Plan, Transportation Plan, Park Plan, etc)? <b>Consistent with the City's goal of fair and equitable wages and benefits for all employees.</b>
X		Have the future costs to city operations been calculated and identified? <b>Yes</b>
X		Are there measurable criteria to aid with the decision-making and have they been identified? <b>Yes, measurable savings of personnel costs in 2010.</b>
X		Have the suitable timelines and schedules been identified? <b>Yes.</b>

**SUBMITTED BY:** Elizabeth C. Wheeler, Human Resources Director

**ATTACHMENTS:** Resolution 2010-106

- A. 2010 Labor Agreement between the City of Northfield and Law Enforcement Labor Services for the Police Patrol Unit #293.
- B. Memorandum of Agreement

CITY OF NORTHFIELD, MINNESOTA  
CITY COUNCIL RESOLUTION 2010-016

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTHFIELD, MINNESOTA APPROVING THE JANUARY 1, 2010 – DECEMBER 31, 2010 COLLECTIVE BARGAINING AGREEMENT AND THE MEMORANDUM OF AGREEMENT WITH LAW ENFORCEMENT LABOR SERVICES FOR THE POLICE PATROL UNIT #293.

WHEREAS, the City negotiated the 2010 collective bargaining agreement and the Memorandum of Agreement with Law Enforcement Labor Services; and

WHEREAS, the City has reached agreement with representatives from Law Enforcement Labor Services on the terms of the 2010 collective bargaining agreement and the Memorandum of Agreement; and,

WHEREAS, members of Law Enforcement Labor Services approved the acceptance of the collective bargaining agreement and the Memorandum of Agreement on February 24, 2010.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL THAT:

The 2010 collective bargaining agreement and the Memorandum of Agreement with Law Enforcement Labor Services for police patrol unit #293 for the time period beginning January 1, 2010 and ending December 31, 2010 is approved.

PASSED by the City Council of the City of Northfield on this 2nd day of March 2010.

ATTEST

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

VOTE:     \_\_\_ ROSSING     \_\_\_ POWNELL     \_\_\_ DENISON     \_\_\_ ZWEIFEL  
          \_\_\_ BUCKHEIT   \_\_\_ POKORNEY   \_\_\_ VOHS

**MEMORANDUM OF AGREEMENT**

This Memorandum of Agreement is entered into between the City of Northfield (hereafter "City") and Law Enforcement Labor Services, Inc. (hereafter "Union") representing the Police Patrol Unit #293.

**WHEREAS**, the City and the Union are parties to a Labor Agreement in effect January 1, 2010 to December 31, 2010; and

**NOW THEREFORE**, the City and the Union agree as follows:

- 1. City agrees to withdraw its previous proposal for section 20.2 with the understanding of the parties that this prior proposal cannot be submitted or referred to in any subsequent arbitration hearing.
- 2. For 2010 only, the City agrees not to hire any part-time, temporary or seasonal licensed patrol officers in the event a current full-time employee in the bargaining unit is on lay off.

**IN WITNESS WHEREOF**, the parties have executed this Memorandum of Agreement on this \_\_\_\_ day of \_\_\_\_\_, 2010.

FOR: The City of Northfield

FOR: Law Enforcement Labor Services

\_\_\_\_\_  
Mary Rossing – Mayor

\_\_\_\_\_  
Len McFarland – Business Manager

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

\_\_\_\_\_  
Joel Walinski – City Administrator

\_\_\_\_\_  
Thad Monroe – Union Steward

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

\_\_\_\_\_  
Elizabeth Wheeler – HR Director

\_\_\_\_\_  
Mark Dukatz – Union Steward

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

\_\_\_\_\_  
Scott Johnson – Union Steward

DATE: \_\_\_\_\_

City Council Meeting Date: March 2, 2010

Consent

ITEM: 7

Motion

**ITEM:** Authorize staff to prepare and respond to a Request for Information (RFI) from Google, Inc. for a Google Fiber network in the City of Northfield.

**ACTION REQUESTED:**

**Proposed Motion for Consideration:** \_\_\_\_\_ **Motion** \_\_\_\_\_ **Second**

*The City Council of the City of Northfield approves staff to respond to a RFI (Request for Information) from Google, Inc. expressing Northfield's interest in being involved in a build-out of a fiber optic network throughout the City of Northfield.*

*Specific items staff will address in the response are:*

- *Online application process*
- *Possibilities of right-of-way access for fiber build and inspection process*
- *Options for a fiber head-end location*
- *Media relations and communications for the application process, not to exceed \$3,000.*

**SUMMARY:**

On February 10, 2010, Google Inc. issued a request for information to identify communities interested in being involved in building a fiber network. Google states that this network will offer ultra high speed connectivity with an open network design. An open design is defined as a network where any communications provider can offer their services on the fiber optic network in exchange for a predefined subscriber rate. The response deadline is March 26, 2010.

The submission of a proposal for the Google, Inc RFI is a continuation of the Council direction to explore opportunities for the development of a high speed broadband network within the City of Northfield.

**SUBMITTED BY:** *Melissa Reeder, IT Director*

**ITEM:** Authorizing the Northfield Police Department to enter into the Operation HEAT/Speed Enforcement Grant Agreement for 2010

**ACTION REQUESTED:**

Council is being asked to pass a resolution to authorize the Northfield Police Department to partner with other Rice County communities in a joint grant agreement with the State of Minnesota to participate in the Operation HEAT/Speed Enforcement Program. Staff recommends approval of this resolution.

**SUMMARY:**

The City Council is being asked to authorize the Northfield Police Department to partner with the Minnesota State Patrol and other Rice County law enforcement agencies in a joint grant agreement with the State of Minnesota for funds related to traffic safety through the Operation HEAT/Speed Enforcement Program that provides 124 hours (thirty one shifts of 4 hours) of traffic enforcement and traffic safety activities to the City of Northfield at no cost to the City. There is no cash match or in-kind requirement on the part of the City. The annual application of the grant requires a resolution of participation from each respective city and county law enforcement agency. The grant pays for the costs of officers to work specific traffic enforcement activities during the time period of March 22, 2010 thru September 27, 2010.

**RELATED INFORMATION:**

The Minnesota Department of Public Safety, Office of Traffic Safety, HEAT grant is a federally funded program, which is designed to assist law enforcement agencies to conduct highly-publicized, enhanced enforcement projects that addresses traffic safety issues with emphasis on speed and passenger protection use.

The Minnesota State Patrol is the current Operation HEAT/Speed grant coordinator for the grant application and administrator for Rice County law enforcement agencies. The designation of Lt. Randy Slinger, Minnesota State Patrol, identifies this position as the responsible party for financial activities. The designation of the Northfield Police Chief and/or his designee serves as the responsible party for signing the time reports and activity summary sheets, which are forwarded onto the project coordinator. Sergeant Murphy of the Northfield Police Department will coordinate all reporting correspondence with Lt. Randy Slinger. Zone identification for this project is Minnesota State Trunk Highway 19 from Interstate 35 to eastern city limits of Northfield.

The Operation HEAT/Speed Enforcement grant provides us an opportunity to expand the number of officers available during some special events and selected days of the week and weekends without incurring additional salary costs. The Operation HEAT/Speed Enforcement grant reimburses officers' time to conduct:

- Traffic enforcement
- Aggressive driving enforcement
- Seatbelt education and enforcement
- Other hazardous moving violations

By combining increased enforcement activity with adequate public awareness, the efforts will result in long-lasting improvements in driver behavior. Increasing the number of arrests and raising the perceived risk of arrest, compliance with laws is increased.

The grant dollars received will allow us to continue to concentrate on traffic safety and promote the continued safety of motorists in the City of Northfield and Rice County along Highway 19.

Northfield Police Department has been awarded \$6,820.00 for this grant period.

**ALTERNATIVE:**

Not acting on this resolution would preclude the Northfield Police Department from participating in the grant project.

**DECISION MATRIX:**

Y	N	Checklist
X		Does this project fit within the identified Council goals, objectives, and priorities?
X		Does the project fit within the estimated budget & resource parameters?
	N/A	Is the public process identified consistent with the scope and implications of the project?
	N/A	Have the pertinent boards and commissions been identified for providing review, recommendations, or input?
	N/A	Is this decision consistent with current city plans (Comprehensive Plan, Transportation Plan, Park Plan, etc)?
	N/A	Have the future costs to city operations been calculated and identified?
	N/A	Are there measurable criteria to aid with the decision-making and have they been identified?
X		Have the suitable timelines and schedules been identified?

**ATTACHMENTS:**

1. Resolution 2010-017

**SUBMITTED BY:**

Chuck Walerius, Deputy Chief of Police

CITY OF NORTHFIELD, MINNESOTA  
CITY COUNCIL RESOLUTION 2010-017

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF  
NORTHFIELD, MINNESOTA AUTHORIZING THE EXECUTION OF OPERATION  
HEAT/SPEED ENFORCEMENT GRANT AGREEMENT FOR 2010

WHEREAS, the City of Northfield promotes the continued safety of the motorists of Northfield; and

WHEREAS, the City of Northfield Police Department conducts highly-publicized, enhanced enforcement projects that concentrates on traffic safety issues; and

WHEREAS, the City of Northfield Police Department partners with the Rice County law enforcement agencies by annually entering into a grant agreement with the State of Minnesota; and

WHEREAS, the City of Northfield Police Department enters into an agreement with the Minnesota Department of Public Safety, Office of Traffic Safety for the project entitled OPERATION HEAT/SPEED ENFORCEMENT during the period from March 22, 2010 through September 30, 2010.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL THAT:

Chief Mark Taylor, and/or his successor, is hereby authorized to execute such agreements and amendments as are necessary to implement the Operation Heat/Speed Enforcement grant on behalf of the Northfield Police Department and that State Patrol Lieutenant Randy Slinger, and/or her successor, is hereby authorized to be the fiscal agent and administer the grant on behalf of the Northfield Police Department.

PASSED by the City Council of the City of Northfield on this 2<sup>nd</sup> day of March 2010.

ATTEST

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

VOTE:        \_\_\_\_\_ ROSSING \_\_\_\_\_ BUCKHEIT \_\_\_\_\_ ZWEIFEL \_\_\_\_\_ DENISON  
                 \_\_\_\_\_ POWNELL \_\_\_\_\_ POKORNEY        \_\_\_\_\_ VOHS

**ITEM:** Provide Direction on the Annexation Relationship with Waterford Township

**ACTION REQUESTED:**

**Proposed Motion for Consideration:** \_\_\_\_\_ **Motion** \_\_\_\_\_ **Second**

**Option #1**

The City Council directs that Staff coordinate with Waterford Township Supervisors and invite them to a City Council work session to discuss the annexation relations between the City and the Township and take no further action to adopt Resolution 2010-008 at this time.

**Option # 2**

The City Council can decide to adopt Resolution #2010-008 that will end tax reimbursement payments to Waterford Township Related to the 1980 Joint Resolution for Orderly Annexation between the City of Northfield and Waterford Township.

**Option #3**

The City Council can take no action at this time and refer this issue back to City Staff for additional information

Staff recommends that the City Council select Option #1

**SUMMARY**

The City Council is being asked to give direction to City Staff on the next steps that the City Council would like to pursue relative to the annexation relationship with Waterford Township. At the City Council meeting of January 19, 2010, the Council discussed the background and history related to the annexation relationship between the City and the Township. The content of the existing joint resolution of orderly annexation was highlighted and the legislative history related to tax reimbursement payments was also presented. The City Council considered the adoption of Resolution 2010-008 (See Attachment 1) that would have ended further annexation reimbursement payments to the Township and also heard comments from members of the public related to this issue. The City Council decided to postpone any action for 30 days and provide a period of time for Waterford Township officials to review the joint resolution for orderly annexation and develop a response to the City. The City Council also expressed a desire to discuss further the overall issue of annexation.

At the City Council work session of February 16, 2010, the Council discussed and reviewed the basic legislative framework of annexation in the State of Minnesota. This work session was designed to enable the Council to gain a solid understanding of the purpose of annexation,

review the various methods in which annexation authority can be undertaken by cities and understand the implications of annexation between cities and townships.

On February 17, 2010, the Mayor and City Council members received a letter from the Attorney representing the Township indicating the position of the Township on this joint resolution for orderly annexation (See Attachment #2). This letter outlines the position of the Township related to the joint resolution for orderly annexation and also indicates a willingness by the Township to consider this issue through open meetings in a spirit of give and take. Based on advice from the City Attorney, the City Council should take the letter from the Township Attorney under advisement and continue to explore strategies related to annexation that would be beneficial. This strategy might include a discussion with the Township Supervisors at a work session of the City Council to determine what areas of give and take may exist.

A decision to end further tax reimbursement payments at this time may not be beneficial with respect to the broader issues between the City and the Township; and, therefore, a meeting of the Township Supervisors and the City Council to discuss other strategies is what is recommended by Staff.

<b>Y</b>	<b>N</b>	<b>Checklist</b>
<b>X</b>		Does this project fit within the identified Council goals, objectives, and priorities? <b>(A meeting with the Township will be consistent with the goal of City Council related to effective communication with the broader community.)</b>
<b>X</b>		Does the project fit within the estimated budget & resource parameters? <b>(The potential that the City Council may end further tax reimbursement payments represents a potential cost saving measure for the City.)</b>
<b>X</b>		Is the public process identified consistent with the scope and implications of the project? <b>(Continued meetings with Waterford Township on the annexation issue involving a public process.)</b>
	<b>X</b>	Have the pertinent boards and commissions been identified for providing review, recommendations, or input?
<b>X</b>		Is this decision consistent with current City plans (Comp Plan, Transportation Plan, Park Plan, etc)?
<b>X</b>		Have the future costs to City operations been calculated and identified? <b>(Future costs to the City include the continuing expenditure of City resources to reimburse the Township.)</b>
<b>X</b>		Are there measurable criteria to aid with the decision-making and have they been identified? <b>(A resolution to this issue that is found to be generally satisfactory to the Township and the City is the measurable criteria.)</b>
<b>X</b>		Have the suitable timelines and schedules been identified? <b>(This issue has been brought to the City Council with sufficient time for both the Council and the Township to adjust to any decision that may stem this process.)</b>

**SUBMITTED BY:** *Brian P. O'Connell, Community Development Director*

**ATTACHMENTS:**

1. Resolution 2010-008
2. Letter from Township Attorney

CITY OF NORTHFIELD, MINNESOTA  
CITY COUNCIL RESOLUTION #2010-008

A RESOLUTION BY THE MAYOR AND CITY COUNCIL ENDING FURTHER TAX  
REIMBURSEMENT PAYMENTS TO WATERFORD TOWNSHIP

WHEREAS, the City of Northfield and Waterford Township entered into an orderly annexation agreement in April of 1980; and,

WHEREAS, the orderly annexation agreement, at that time, provided for a reimbursement payment to Waterford Township; and,

WHEREAS, special legislation was enacted by the Minnesota legislature in April of 1981 to allow for the reimbursement payment to Waterford Township by the City of Northfield; and,

WHEREAS, the Minnesota legislature in May of 1981 enacted general legislation that allows for tax reimbursement payments to townships as part of an orderly annexation agreement where the payment would be for a period of between two and six years; and,

WHEREAS, the City of Northfield has been making these reimbursement payments to Waterford Township continuously since 1980 which is now a period of 30 years; and,

WHEREAS, the City of Northfield has undertaken research related to the enforceability and effectiveness of the orderly annexation agreement in relation to adopted Minnesota State Statutes providing for orderly annexation agreements and any tax reimbursement statutes related thereto; and,

WHEREAS, the results of this research reveals that the annexation agreement signed in April of 1980 is of no further force and effect and that additional tax reimbursement payments to Waterford Township should end; and,

WHEREAS, the City of Northfield recognizes the effect of ending tax reimbursement payments to Waterford Township and is therefore prepared to make one additional payment in December of 2010 as a means for the Township to prepare to make adjustments to the Township budget.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL THAT:  
tax reimbursement payments to Waterford Township should end and that the payments as originally stated in the orderly annexation agreement between Waterford Township and the City of Northfield dated April of 1980 have long been fulfilled and hereby end.

BE IT ALSO RESOLVED BY THE MAYOR AND CITY COUNCIL THAT: the City of Northfield recognizes the effect of ending these payments to Waterford Township with respect to the budget of the Township and therefore commit to making one additional payment in December of 2010.

BE IT ALSO RESOLVED BY THE MAYOR AND CITY COUNCIL THAT: the payment to be made in December 2010 is in recognition of the effect of ending future payments on the Township budget and does not create an obligation on the City with respect to payments after December of 2010.

PASSED by the City Council of the City of Northfield on this 19th day of January 2010.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

VOTE:    \_\_\_ BUCKHEIT    \_\_\_ DENNISON    \_\_\_ POWNELL  
         \_\_\_ POKORNEY    \_\_\_ ROSSING    \_\_\_ VOHS    \_\_\_ ZWEIFEL

**ITEM:** Approve selection of architectural services committee members

**ACTION REQUESTED:**

**Proposed Motion For Consideration:** \_\_\_\_\_ **Motion** \_\_\_\_\_ **Second**

*The City Council of the City of Northfield approves Council Members \_\_\_\_\_ and \_\_\_\_\_ as representatives on the Architectural Firm Selection Workgroup.*

**SUMMARY:**

The Council is being asked to consider appointing two members of the City Council to the Architectural Firm Selection Work Group. The work group's charge will be to select and provide a recommendation of an architectural firm to the Council. The Council will be asked to consider approving the recommended firm and subsequent agreement for the assistance with the site selection and design of the Police and Fire Facilities. The Council approved the posting of the Request for Proposal (RFP) on February 16, 2010. The closing date for the proposal submissions is March 10, 2010.

Proposals will be reviewed and scored by the selection work group; scoring will be based on the cumulative score from the A/E Scoring Sheet Example (Attachment #1). The selection work group will interview the top scoring firms and one firm will be recommended to the council for approval. At this time it is expected that three to four firms will be interviewed, although the final number of firms interviewed is dependant on the number of firms submitting proposals and the scoring of the proposals.

Other members of the selection work group include: Mr. Steven Schmidt, Schmidt Construction, Mr. Brian Erickson, Public Works Operation Engineer, Mark Taylor, Police Chief, Joel Walinski City Administrator. Mr. Steve Spehn, Director of Facilities and Capital Planning, Carleton College has also been asked to participate but has yet to confirm. Mr. Schmidt, Mr. Erickson, Mr. Spehn, and Mr. Walinski have significant experience with construction projects of similar scope and size. Police Chief Taylor was added to the original recommended make-up of the selection work group because of the expertise he brings in police and emergency operations and his involvement with the construction of similar facilities in McCleod County.

The recommendation is tentatively scheduled to be provided to the Council on April 6, 2010.

**ATTACHMENT:**

1. A/E Scoring Sheet Example

**SUBMITTED BY:** *J. Walinski, City Administrator*

**ITEM: Items related to the reconstruction of 4<sup>th</sup> Street and adjacent blocks**

**ACTION REQUESTED:**

**Proposed Motion For Consideration: \_\_\_\_\_ Motion \_\_\_\_\_ Second**

*The City Council of the City of Northfield hereby directs staff to move forward with Streetscape Option \_\_\_\_\_ from Division Street to Washington Street in completing the design for 2009 Improvement Project No. 005 – 4<sup>th</sup> Street Reconstruction.*

*Option 1 – Small planters along 4<sup>th</sup> Street curblin, provision for hanging baskets on decorative light poles, no bump-outs or large-scale planters.*

*Option 2 – Small planters along 4<sup>th</sup> Street curblin, provisions for hanging baskets on decorative light poles, flush bump-outs with large-scale planters, style A, to accommodate ornamental tree.*

**SUMMARY**

The City Council is being asked to provide direction to staff in light of input received from various commissions and groups. Staff has been working with the Streetscape Task Force in completing the 4<sup>th</sup> Street Reconstruction design. Originally the intent was to continue to use the elements identified in the Downtown Streetscape Plan adopted by council in May 2006. During the design process a number of physical constraints were encountered, as detailed below, that made the use of these elements not practicable. Staff worked with the Task Force to explore other options to accomplish the overall intent of the Streetscape Plan. The consensus reached by the Task Force was presented to the Historic Preservation Commission (HPC) since about half of the block lies within the Historic Preservation District. The HPC voted on a plan that removed some of the elements recommended by the Task Force. The elements in question are of a permanent nature that impact how the design is completed. Staff is seeking direction on these elements so the final design can be completed and construction documents prepared for bidding. It should be noted that the HPC reviews and votes on projects within the historic district. Their decisions within this district are final unless overturned by the council.

**BACKGROUND INFORMATION**

4<sup>th</sup> Street from Division Street to Washington Street was identified as part of the 2010 road reconstruction project. Due to the location of this block within the downtown area, a number of elements from the Downtown Streetscape Plan were intended to be incorporated into the design as detailed in the Downtown Streetscape Plan. As initial information was received from the project that included the topographic survey and soil borings, constraints with the use of the elements were identified.

1. The existing street cross section accommodates the sidewalks, diagonal parking spaces and travel lanes. To maintain the amount of parking, change to the street cross section was not recommended. The survey showed that the width of the sidewalk ranges from 8.5 – 9.5 feet. The American Disabilities Act (ADA) requires that at least a 5' clear zone be maintained for pedestrians. The tree planters used on 5<sup>th</sup> Street require a 5' width plus space for car overhang. To accommodate the tree planter elements, as used in the 5<sup>th</sup> Street project, a sidewalk with a minimum width of 11.5-12' is needed. Since the space is not available alternative methods were considered.
2. Options to provide a vegetative element along the sidewalk were considered. In ground tree plantings were not seen as favorable for two reasons; soil borings showed that bedrock is within 4 feet of the surface not allowing adequate growth for any type of boulevard tree (as evident by the stunted growth of the existing trees) and any type of tree planted in the sidewalk would be within 5.5-6 feet of a building face not allowing enough space for spread of the tree's canopy leading to misshaped trees.

Working with Hosington Koegler Group, staff presented a plan that offered an alternative while still bringing the vegetative element to the block. The concept consists of bump-out areas that are flush with the street surface. Large-scale planters that accommodate ornamental type trees (i.e. crabapple) were placed in the bump-out areas. This alternative allows the planters to be relocated in the winter so snowplowing can be accomplished without additional time or effort. Public Works staff was consulted regarding the use of the large-planters and affect on the City's maintenance staffing levels. The bump-out areas are proposed to be constructed with the same materials as the paver crosswalks visually differentiating the area from the street. In conjunction with the large-scale planters and flush bump-outs would be the use of smaller planters along the curbline of the street and accommodations for hanging baskets on the light-poles.

The above concept, along with planter style options, was presented to the Streetscape Task Force and HPC on February 18, 2010 for input. Both groups gave differing recommendations that affect the design and preparation of the construction documents. Staff needs to complete these documents for State Aid review, council consideration and bidding.

### ***Streetscape Task Force***

The Streetscape Task Force was originally formed to guide the creation of the Downtown Streetscape Plan that was adopted by the City Council on May 15, 2006. The group more recently was reconvened to make recommendations to the Council on expenditures of the remaining funds in the downtown master development fund. As such the Task Force has been consulted through the 4<sup>th</sup> Street Design process to provide input on the level of enhancements along the block in relation to overall costs.

The Task Force reviewed the concept drawing and gave a recommendation of the style A type planter. In summary the task force felt the concept was a good compromise dealing with the physical limitations of the block, the interests of the downtown and ongoing maintenance issues. The Task Force also expressed an interest in using the large-scale planters as an opportunity for bringing an artistic element to the corridor by allowing local artists to create mosaic tile compositions on the external surface.

Below are excerpts from the Downtown Streetscape Plan that was adopted by the Council on May 15, 2006. This plan guides the work of the Streetscape Task Force. The plan in its entirety can be found on the City's website on the City Plans webpage (under City Government).

#### ***Study Purpose (Page 4)***

*The primary purpose of the Downtown Northfield Streetscape Framework Plan project was to work with the public to identify specific improvements to the public realm that would reinforce a unique identity and improve the image, function and livability of Downtown Northfield.*

*This document represents the completion of a six-month process to formulate a framework plan and implementation strategy for the Downtown Northfield streetscape project. Included are brief descriptions of the streetscape goals and objectives, descriptions of selected streetscape elements, cost estimates, and a recommended implementation strategy. This plan should be used as a template for future decisions regarding both public and private improvements within the project area.*

*The Streetscape Framework Plan project was completed in November of 2005. Following the completion of this project, a recommendation was formulated by the Mayor's Streetscape Task Force that defined a series of Downtown improvement projects to occur during 2006. This recommendation was presented to the Northfield City Council on December 19th, 2005 and subsequently approved by the Northfield City Council. Implementation is now underway and is expected to continue for a number of years.*

#### ***Decision Making Framework (Page 6)***

*The streetscape framework plan and design elements are summarized in this Streetscape Design Framework Manual to guide improvements over time and to ensure improvements to the public realm will reinforce the community vision and integrate into a mutually supportive plan. This document summarizes the process used to develop the plan, outlines design principles, goals, objectives, and proposed improvements, as well as, cost estimates, a prioritized phasing plan, projected funding sources and implementation strategy. This plan should be used as a "kit of parts" and a framework from which to guide future decisions regarding public improvements in Downtown Northfield.*

#### ***Preferred Streetscape Concept (Page 24)***

*The preferred Streetscape concept articulates the overall theme of hospitality by linking a series of downtown focal points/projects (pearls) with consistent treatment of the streets (the string).*

*The concept also:*

- Maintains the existing street configurations within the Downtown.*
- Maintains existing curb and parking quantities.*
- Identifies new tree locations at the end of building bays along Downtown streets.*
- Links project areas with pedestrian amenities – decorative paving, benches, planters, trees, signs, lighting, wayfinding system, etc.*

#### ***Streetscape Elements (Page 44)***

*This chapter focuses on the individual design elements to be used within the streetscape, including lighting, entry monuments, paving, parking lot buffers, and other components. The*

*combination of these elements will help shape a genuine and positive identity for Downtown Northfield. This section is intended to serve as a reference guide that defines an approach for the design of a system of streetscape elements that will act as a “kit of parts” to be applied to the variety of site conditions throughout the study area. The elements are intended to reinforce one another and work together to form a strong, vibrant identity for the Downtown. Additional refinement of the selected elements will occur in the design development and construction document phases of the project. It is the desire of the Mayor’s Streetscape Task Force that these elements be designed to reflect the character and materials described below.*

*Following is an outline of the principles that guided the concept design of the streetscape elements. These principles should be considered as elements are implemented.*

- Vertical streetscape elements should be emphasized – such as lighting, trees, identification signs, and artwork – in order to define edges, reinforce a positive identity, and create a sense of enclosure and human scale.*
- Elements should be functional and simple in design, and should be able to withstand snow, salt, sandblasting from snow plows, vandalism, and other urban conditions.*
- The streetscape elements should contribute to a sense of safety and comfort and promote walking throughout the Downtown.*
- The elements should reinforce existing positive qualities currently found within Downtown. The elements also should utilize traditional materials in a manner that reinforces and expresses the historic identity.*
- The streetscape elements should be designed to minimize maintenance costs.*

### ***Historic Preservation Commission (HPC)***

About half of the block of 4<sup>th</sup> Street between Division and Washington lies within the Downtown Historic Preservation Site. As such the plan was presented to the HPC at their February 18, 2010 meeting for input. Please see the attached memo summarizing the discussion and decision of the commission. The HPC voted to keep the small planters along 4<sup>th</sup> Street curblin and the provision for hanging baskets on the decorative light poles. However, remove the flush bump-outs and large-scale planters. Below is an excerpt from the City Code regarding the authority of the HPC.

#### ***Sec. 34-460. - Review prior to issuance of building permits.***

*(a) Review by the heritage preservation commission. The heritage preservation commission shall review all activities described in subsection (b) below which are proposed for a heritage preservation site within the city. The heritage preservation commission shall review activities in accordance with this article and bylaws as adopted by the heritage preservation commission and with the Downtown Preservation Design Guidelines.*

*(1) To initiate review by the heritage preservation commission, the owner or designated representative of a heritage preservation site shall prepare and submit a site plan application and/or sign permit application to the city detailing all proposed activities. Upon receipt of the application and a fee, which shall be established by the city council by resolution from time to time, the proposed activities shall be considered by the heritage preservation commission. To facilitate approval of the application, the applicant shall have considered the following, and prepared documentation on each for review, prior to submitting the application:*

- a. *Historic photographs of the building;*
  - b. *Drawings and notations that describe the proposed work, clearly identifying and dimensioning each element and feature, its location, size, material, and color;*
  - c. *Paint type and color. Paint may be either oil based, acrylic latex, factory applied, or epoxy coatings, as is appropriate for the material applied to, with assurance to the commission that careful preparations will be made for proper adhesion and durability. Colors shall be similar to those used during the era when the building was constructed (earth tones, greens, dark reds, pale yellows, and browns, were popular in the latter half of the 19th century; lighter shades predominated in later decades). Bright or unusual colors shall be avoided.*
- (2) *Following review of the site plan or sign permit application, the heritage preservation commission shall forward its conditions and directives and certificate of appropriateness to the building official as necessary and other persons interested or affected by the proposal at the discretion of the heritage preservation commission. The building official shall deny any building permit application for work proposed on a heritage preservation site which has not been first considered by the heritage preservation commission or which is inconsistent with conditions or directives issued by the heritage preservation commission in the certificate of appropriateness.*
- (3) *If the owner or designated representative of a heritage preservation site objects to the conditions or directives issued by the heritage preservation commission, an appeal may be made to the city council. In considering an appeal, the city council will review all information generated relative to the proposed project and thereafter issue a decision by resolution of the city council.*
- (b) *Types of activity to be reviewed by the heritage preservation commission are as follows:*
- (1) *Remodel, repair, or change in any manner that will alter the exterior appearance of an existing building or site including painting, signage, awnings, significant landscaping and permanent interior remodeling which affects the exterior appearance;*
  - (2) *New construction including the expansion or enlargement of an existing building or site;*
  - (3) *Moving of buildings;*
  - (4) *Demolition in whole or part; or*
  - (5) *Public improvement projects which directly or indirectly affect a heritage preservation site.*

**PROCESS CHECKLIST:**

Y	N	Checklist
Y		<b>Does this project fit within the identified Council goals, objectives, and priorities?</b> <i>The improvement suggested and recommended by the Streetscape Task Force are in line with the Downtown Streetscape Plan.</i>

Y	N	Checklist
Y		<b>Does the project fit within the estimated budget &amp; resource parameters?</b> <i>The estimated cost of the revised elements is less than the estimates for the street tree planters in the original plan.</i>
Y		<b>Is the public process identified consistent with the scope and implications of the project?</b>
Y		<b>Have the pertinent boards and commissions been identified for providing review, recommendations, or input?</b>
Y		<b>Is this decision consistent with current city plans (Comp Plan, Transportation Plan, Park Plan, etc)?</b> <i>Option 2 of the motion would be consistent with the Downtown Streetscape Plan.</i>
Y		<b>Have the future costs to city operations been calculated and identified?</b> <i>Public Works staff have been consulted regarding the use of the new elements. Although there will be added staff time needed, it has been estimated at 8 hours for one operator per year.</i>
Y		<b>Are there measurable criteria to aid with the decision-making and have they been identified?</b> <i>The Streetscape Plan identifies goals and objectives for streetscape improvements in the downtown area.</i>
Y		<b>Have the suitable timelines and schedules been identified?</b> <i>Staff is asking for guidance from the council so that the 4<sup>th</sup> Street project schedule can be maintained.</i>

**SUBMITTED BY:** *Katy Gehler, P.E., City Engineer*  
*Joel Walinski, City Administrator*

**ATTACHMENTS:**

1. Streetscape Concept Figures (4)
2. Historic Preservation District
3. HPC Memo

TO: Northfield City Council  
FROM: Mary Titus, member Heritage Preservation Commission (HPC)  
RE: HPC Meeting on February 18, 2010

The majority of this evening's meeting was taken up with discussion of a planters/pavement design proposed for 4<sup>th</sup> Street E between Washington and Division by the Northfield downtown streetscape task force. Because this block is within the Historic District, HPC approval is necessary for significant streetscape changes. The City Engineer presented to HPC drawings of the street, identifying the location of the proposed planters and the brick paving inlays that would create visual bump-outs on which the planters could be placed during warmer months. These planters would be very large, sufficient to hold a small tree with ornamental under planting. They would provide an alternative to actual trees, which have not fared well on this block because of bedrock and shading. The City Engineer also provided images of possible planters in varying sizes and styles. She also reported the suggestion that each year, before winter when street plowing occurs, the planters could be moved by forklift to Bridge Square.

After extensive discussion, the HPC unanimously voted against this streetscape proposal. Foremost among reasons for this opposition were the following: such large scale planters have no historical precedents; they are oversized for such a location, and pose potential traffic hazards; they would appear only in this block of the downtown, and hence are more anomalous than integral to streetscape design; their annual relocation to Bridge Square would give the Square an awkward appearance each winter and would likely damage its topsoil each spring.

Although HPC opposed this particular proposal for the downtown historic district streetscape, members of the commission repeatedly expressed their support for smaller planters, and for the presence of flowers and greenery throughout the downtown.

The HPC also discussed and then proposed paint colors for window trim and plywood inserts on the upper windows at 508 Division Street South. The Commission as a whole regretted that the owners of this building are unable at present to put in correctly sized, historically accurate, and more attractive windows to replace the small modern windows and plywood sheets that currently fill the large arched openings on this historic building.

**ITEM:** Northwest Utilities Extension

**SUMMARY**

Funding for City improvements require City staff continually look for opportunities for alternative funding sources for various project needs within the City. Matching the funding source and its given criteria with local projects is key. Staff has been watching the development of two federal funding opportunities that focus on job creation. This goal is in line with economic development within the City, particularly the NW area. Both funding sources could align with the potential project of extending public sewer and water to the eastern boundary of the Sorem parcel of the newly annexed area in the northwest. Extension of these utilities would significantly increase the attractiveness of this area for economic development and would fit within the timelines of the master planning process.

A. 2011 Federal Appropriations Bill - Senator Franken's office released a request for information on local projects for the upcoming 2011 federal appropriations bill. The criteria that will be used to evaluate projects submitted are as follows:

1. Demonstrated need - does it create jobs?
2. Requested by group with proven record
3. State, local or private matching funds
4. No multi year projects (except transportation)
5. Not the first funding source
6. Is there a federal or state grant program that could fund your requests?

B. Federal Jobs Bill – There has been indication that another round of stimulus money is being considered know as the Jobs Bill. Very little information is known about the criteria for this funding at this time other than the time frames for delivery of a project will be 90-120 days. The bill did pass the House. There is potential for this funding to become available in a short period of time meaning projects that will qualify will have to be “shovel ready”.

Staff has requested quotes from engineering firms to complete the design of the utilities from the existing location at the hospital, west to the eastern edge of the Sorem property. If the design is completed this spring prior to the construction season, engineering staff can be used to complete the drafting offering a significant cost savings for the design. It is anticipated that the cost of design would be funded from the water and wastewater enterprise funds. Staff will bring the quotes forward to the council at the March 16, 2010 meeting and ask the council to consider award of a contract.

**SUBMITTED BY:** *Joel Walinski, City Administrator*  
*Katy Gehler, P.E., City Engineer*  
*Jody Gunderson, EDA Director*

**ATTACHMENTS:** Figure

**ITEM:** Response from RKM&C regarding Rate Search

**SUMMARY:**

The City Council is being provided an update tonight on the work completed to date by the law firm of Robins, Kaplan, Miller & Ceresi, L.L.P. (RKM&C). In a motion following a executive session on April 6, 2009, the Council authorized staff to enter into a contract with RKM&C. RKM&C would act as legal council regarding potential litigation against the party or parties responsible for failure to detect mismanagement and loss of City funds invested through Rate Search, Inc. A forensic investigation and review of City documents was completed.

As described in the attached letter from Mr. Thomas Hatch of RKM&C, RKM&C did request a meeting with HLB Tauges Redpath, the City's auditors at the time of the discovery the loss. The auditing firm refused to meet but provided a written response stating Redpath employed qualified personnel who acted in compliance with proper standard. The City was unable to produce any documentation which could confirm that Redpath had been notified of any problems with Rate Search accounts before the notification by Rate Search on June 28, 2007. This notification occurred after the completion of the 2006 audit.

At this time, RKM&C has concluded that the City would encounter difficulties in proving that Redpath could have avoided the losses realized as a result of Rate Search's fraud. It is their recommendation that the City not move forward with litigation at this time unless the City were to become aware of additional information.

The total costs for the investigation, review of information, and letter to Redpath was \$6,326.36. The City attorney has reviewed the RKM&C letter of January 19, 2010 included as Attachment 1. Attachment 2 is a letter dated January 21, 2010 regarding records retention for the work completed by RKM&C.

**ATTACHMENTS:**

1. RKM&C Letter dated January 19, 2010
2. RKM&C Letter dated January 21, 2010

**SUBMITTED BY:** *J. Walinski, City Administrator*

City Council Meeting Date: March 2, 2010

Regular

ITEM: 15

Discussion

**ITEM:** Consider participating in the US Environmental Protection Agency Region 5 Community Climate Change Initiative

**SUMMARY:**

Council Member Zweifel asked that this item be added to tonight's agenda for an update and discussion on the City of Northfield's participation in the US Environmental Protection Agency (EPA) Region 5 Community Climate Change Initiative. The information listed below and on Attachment 1 is general information on the program. More specific information on the initiative can be found at: <http://www.epa.gov/r5climatechange/framework.html>

Region 5 Framework for Addressing Climate Change and Clean Energy

The priorities for the Midwest and Great Lakes derive from the Administrator's action plan; the Agency's emerging work in Eco-Regions; joint priorities negotiated with states and tribes and finally, the measures used to track the Region's annual performance. In addressing these priorities, Region 5 will ensure that decisions and actions are consistent with the Administrator's principles of Results and Accountability; Innovation and Collaboration and Best Available Science. In keeping with the principles, the Region, through partnerships with state, tribal and local environmental regulators, will work to protect human health and the environment by fostering stewardship and furthering voluntary efforts while ensuring compliance with environmental laws through assistance and vigorous enforcement.

**ATTACHMENTS:**

1. U.S. EPA Region 5 Framework for Addressing Climate Change and Clean Energy

**SUBMITTED BY:** *J. Walinski, City Administrator*

City Council Meeting Date: March 2, 2010  
Regular  
ITEM: 16  
Discussion

**ITEM:** Review of City Council 2010 Goals/Initatives

**SUMMARY:**

At the Council Work Session following the February 16, 2010 Council Meeting the Council was asked to complete the 2010 Goals and Initiative handouts identifying the group or person responsible and the prioritizing the initiatives. As of this time, as various council members have been completing the handouts, a number of questions have been raised concerning the organization of the goals/initiatives, sequencing, and definitions. As part of the discussion tonight, the council will be asked to review the information that has been submitted and provide some clarification on the questions that have been raised prior to producing a final document.

The deadline for completing the handouts is February 26, 2010. All the completed forms submitted by the council will be distributed once the deadline has passed, preferably prior to tonight's meeting so the council has an opportunity to review.

**SUBMITTED BY:** *J. Walinski, City Administrator*