

City Council Meeting Date: July 21, 2008
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 \$844,178.08 (July 3, 2008 - including Payroll Account transfer of \$173,896.74- and July 11, 2008) as presented to the City Council.

SUMMARY

The City Council is being asked to review disbursements for \$844,178.08. They are within the limitations of the approved budget and resources available.

Please note that with the July 11, 2008 disbursements, we are using the new financial software. Please review the new report format and provide feedback on it. The more detailed report (that lists expenditure accounts and their account number in addition to what you see on the report provided here) triples the number of output pages.

SUBMITTED BY: Julie Nordmeier, Accountant

ATTACHMENTS:

1. Disbursement Lists

ITEM: Appointing Election Judges for September 9 and November 4 Elections

Proposed Motion For Consideration: _____ Motion _____ Second

The City Council of the City of Northfield hereby approves appointment of election judges as shown on the attached list for the September 9, 2008 Primary Election and the November 4, 2008 General Election at an hourly rate of \$9.00/hour for regular judges and \$10.00/hour for lead judges.

SUMMARY AND ACTION REQUESTED: The City Council is being asked to appoint election judges for the September 9 Primary Election and November 4 General Election. Record turnout is predicted for the 2008 elections. Staff continues to seek additional judges to assist with administering election procedures in the polling locations on Election Day. Adequate staffing at the polling locations will be critical during the 2008 elections. Additional judges may be proposed for appointment on August 4, 2008 and prior to the November 4 General Election, as needed.

Several City staff members have volunteered to assist on Election Day. Staff will serve in a variety of roles on election day, including but not limited to, election judges, troubleshooting, and assisting poll workers with a variety of duties including end of the day close out, to help ensure a smooth process. Many other communities use staff members in the polling locations as judges and for other assistance.

Qualifications to be an election judge include:

- Eligible to vote in the State of Minnesota.
- Must be able to read, write, and speak English.
- Must be at least 18 year of age.
- Cannot be a candidate in the election, or closely related to a candidate.
- Cannot be closely related to another election judge in the same precinct, but can serve in another precinct.

(Closely related means a spouse, parent, child or sibling.)

Election judges are required to attend 2 hours of mandatory training. Lead judges, absentee judges and health care judges are required to attend an additional hour of training. Staff recommends judges pay be set at \$9.00 per hour for regular judges and \$10.00 per hour for lead judges. Split shifts for judges were established in 2004. Many judges prefer the shortened workday. The option for split shifts was offered to the judges for 2008.

State law requires employers to give employees time off to serve as a poll worker on Election Day and also to receive the mandatory training required to be an election judge if the training is held during an employee's regularly scheduled hours of work.

Staff recommends appointment of judges as shown on the attached list.

Submitted by: Deborah Little, City Clerk

ATTACHMENTS:

Election Judge List

ITEM: Second Reading of Ordinance No. 879 - Amending the Northfield City Charter

SUMMARY AND ACTION REQUESTED: The City Council is being asked to give second reading to Ordinance No. 879, amending sections of the Northfield City Charter. Minnesota law allows the City Council, upon recommendation of the Charter Commission, to enact Charter amendments by ordinance by an affirmative vote of all of the members of the Council.

Under local law, the ordinance must have two readings and be published. The ordinance would be effective 90 days after publication unless a petition requesting a referendum on the ordinance is filed with the city clerk within 60 days after publication.

EXHIBIT A

CHAPTER NINE. TAXATION AND FINANCES

Section 9.5. Submission of the Budget and the Capital Improvement ~~Program~~ Plan.

The administrator shall submit to the council no later than its first regular meeting in September the required annual budget and a five-year capital improvement ~~budget plan~~. The budget shall be in the form prescribed by ordinance and other law. The capital improvement ~~budget plan~~ shall include the estimated project costs, proposed financing and the estimated annual cost of operating and maintaining ~~the any~~ facilities to be constructed or acquired. ~~The budgets shall be in the form prescribed by ordinance and other law.~~

Section 9.6. Council Action on Budget.

The annual budget and the capital improvement ~~budget plan~~ shall be considered at the first regular monthly meeting of the council in September and at subsequent meetings until a budget is adopted for the ensuing year. The meetings shall be so conducted as to give interested citizens a reasonable opportunity to be heard. The council shall also hold a public hearing on the budgets. The council may revise the proposed budgets but no amendments to the budgets shall increase the authorized expenditure to an amount greater than the estimated income. The council shall adopt the budgets by resolution no later than the dates required by the laws of Minnesota. The council shall also adopt a resolution levying the amount of taxes provided in the budgets and the finance director shall certify the tax resolution to the county auditor in accordance with state law.

SUBMITTED BY:

Peter Dahlen, Charter Commission Chair

ATTACHMENT:

1. Ordinance #879

ORDINANCE NO. 879

AN ORDINANCE AMENDING THE NORTHFIELD CITY CHARTER

THE CITY COUNCIL OF THE CITY OF NORTHFIELD, MINNESOTA, DOES ORDAIN:

That the Northfield City Charter shall be and is hereby amended by inserting the underlined material and deleting the lined out material. Sections which are not proposed to be amended are omitted.

Section 9.5. Submission of the Budget and the Capital Improvement ~~Program~~ Plan.

The administrator shall submit to the council no later than its first regular meeting in September the required annual budget and a five-year capital improvement ~~budget plan~~. The budget shall be in the form prescribed by ordinance and other law. The capital improvement ~~budget plan~~ shall include the estimated project costs, proposed financing and the estimated annual cost of operating and maintaining ~~the any~~ any facilities to be constructed or acquired. ~~The budgets shall be in the form prescribed by ordinance and other law.~~

Section 9.6. Council Action on Budget.

The annual budget and the capital improvement ~~budget plan~~ shall be considered at the first regular monthly meeting of the council in September and at subsequent meetings until a budget is adopted for the ensuing year. The meetings shall be so conducted as to give interested citizens a reasonable opportunity to be heard. The council shall also hold a public hearing on the budgets. The council may revise the proposed budgets but no amendments to the budgets shall increase the authorized expenditure to an amount greater than the estimated income. The council shall adopt the budgets by resolution no later than the dates required by the laws of Minnesota. The council shall also adopt a resolution levying the amount of taxes provided in the budgets and the finance director shall certify the tax resolution to the county auditor in accordance with state law.

Adopted by the City Council of the City of Northfield, Minnesota, this 21st day of July, 2008.

Attest:

Deb A. Little

Lee Lansing

City Clerk

Mayor

First reading: _____

Second reading: _____

Publication: _____

VOTE: LANSING DAVIS DENISON NELSON POKORNEY VOHS

ITEM: Establish the Stormwater Utility Base Rate.

ACTION REQUESTED:

The City Council is being asked to approve Resolution 2008-075, establishing the stormwater utility base rate.

SUMMARY

The City Council is being asked to approve resolution 2008-075, establishing the stormwater utility base rate. Establishment of this rate is the last step in implementing the changes to the City's stormwater utility charges. The evaluation of the base rate was completed as part of the Stormwater Utility Fee Justification Report. Council adopted this report on December 3, 2007 and changes to the code were adopted by Council in April 2008.

HISTORY

The Stormwater Utility Fee Justification Report was completed to update the fees and rate structure that were created in 1986 and have not been updated since 1990. The current fees have not been able to support the enterprise fund and are expected to leave a more significant shortfall as the City begins to implement the NPDES stormwater permit as required by federal law.

The Stormwater Utility Fee Justification Report developed a new rate structure that can be more easily implemented and updated to support the eligible expenditures that will be financed by the fund. The previous rate structure had also been found to be complicated and problematic for administration of the utility. The new rate structure is based on the Stormwater Management Plan developed in 2006-2007 and adopted by the Council September 9, 2007.

UTILITY FEE STRUCTURE

The rate structure is based on a Residential Equivalency Factor (REF) method. The runoff from the average single-family lot was determined and defines the REF factor of 1.0. The REF for each land use is calculated as the ratio of the runoff from the land use to the runoff off from a single-family lot. The runoff is determined from the average annual rainfall events rather than a specified rainfall event. The rate structure will allow office, commercial, and industrial properties to use low impact development techniques to reduce their overall storm fees.

The council will establish the base rate to be charged against one acre of land having a residential equivalent factor of 1.0, by resolution. That base rate will be based on a determination of the equitable share on a monthly basis of all land in the city relative to the total cost of maintaining the stormwater utility system. The base rate may be changed from time to time to reflect changes in the costs of construction, reconstruction, maintenance, repair and operation of the system. This process of establishing a base rate is similar to the other City utilities - water and sanitary sewer - that are reviewed by the Council annually and adopted by resolution. The annual base rate proposed for 2008 is \$114.00 per acre. The typical ¼ acre residential lot charge would be \$28.50.

The rate is a simple formula calculated as follows:

$$\text{REF} \times \$114.00 \times \text{Parcel Area (acres)} = \text{Parcel Rate (\$/year)}$$

The following table summarizes the proposed rates for a few of the land uses:

Land use type	Yearly Rate
Low Density Residential, REF = 1.0 (per acre / ¼ acre lot *)	\$114.00 / \$28.50
Office/Commercial, Industrial, REF = Varies by Parcel (per Acre)	\$34.20 – \$410.40

College (St. Olaf), REF = 0.9	\$102.60
College (Carleton), REF = 0.7	\$79.80

*Residential will be charged per acre. A typical single-family lot is approximately ¼ acre.

The following table shows how the proposed rates compare to other communities within the metro and surrounding areas.

2006 Annual Storm Water Utility Fees for Various Communities

City	Single Family Residential Unit	Commercial Rate Per Acre
Burnsville	\$69.00	\$223.24
Bloomington	\$53.12	\$661.36
St. Anthony	\$52.00	\$198.00 - \$208.00
Rosemount	\$40.84	\$188.96
Faribault (2007 Fees)	\$38.00	\$380.00
Farmington	\$34.00	Varies
Coon Rapids	\$30.12	\$190.00
South St. Paul	\$30.00	\$228.00
Eagan	\$29.68	\$134.92 - \$181.36
Edina	\$29.48	\$396.64
Inver Grove Heights	\$29.32 - \$111.20	\$113.96 - \$735.32
Northfield	\$28.50*	\$34.20 – \$410.40
Brooklyn Park	\$25.48	\$160.60
Roseville	\$21.32	\$322.88
Lakeville	\$21.00	

*Assumes a 1/4 acre Lot

ATTACHMENTS:

1. Resolution #2008-075

SUBMITTED BY: *Joel Walinski, Public Services Director*
Katy Gehler-Hess, P.E., City Engineer

**CITY OF NORTHFIELD, MINNESOTA
CITY COUNCIL RESOLUTION #2008-075**

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTHFIELD, MINNESOTA ESTABLISHING THE STORM WATER UTILITY BASE RATE.

WHEREAS, pursuant to the authority of Minnesota Statutes Section 444.075, the City Council had adopted Ordinance Section 82-301(a) as part of the City of Northfield Ordinance Code; and,

WHEREAS, Ordinance Section 82-301(a) authorizes the City Council to establish the storm water utility base rate in amounts to be determined by resolution from time to time; and,

WHEREAS, The base rate shall be based on a determination of the equitable share on a monthly basis of all land in the city relative to the total cost of maintaining the stormwater utility system and may be changed from time to time to reflect changes in the costs of construction, reconstruction, maintenance, repair and operation of the system.

WHEREAS, the City Council has reviewed the adequacy of the proposed base rate to meet the needs of the stormwater utility system as presented in the Stormwater Utility Fee Justification Report and adopted by Council on December 3, 2007.

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

The City Council of the City of Northfield hereby establishes the monthly base rate to be charged against one acre of land having a residential equivalent factor of 1.0 to be \$9.50 (\$114.00 Annually).

PASSED by the City Council of the City of Northfield this 21st day of July 2008.

ATTEST

City Clerk

Mayor

VOTE: ___DAVIS ___DENISON ___NELSON
 ___POKORNEY ___VOHS ___LANSING

ITEM: Final Payment to Heselton Construction Co., LLC for the Cannon River Sanitary Sewer Crossing

ACTION REQUESTED:

Proposed Motion For Consideration: _____ Motion _____ Second

The City Council of the City of Northfield hereby approves final payment to Heselton Construction, Inc. for 2006 Improvement Project No. 18 – Cannon River Sanitary Sewer Crossing.

SUMMARY

The City Council is being asked to approve the final payment to Heselton Construction Co., LLC. for 2006 Improvement Project No. 18 – Cannon River Sanitary Sewer Crossing. Bids were received on November 8, 2007 and the project awarded November 19, 2007 to Heselton Construction for the amount of \$372,701.76. The total change to the contract amount, including the final adjustment of quantities, is \$9,148.86 less than the original contract amount. The final contract amount is \$363,552.90. This project is covered with a one-year warranty period.

On July 7, 2007 the council accepted the improvements with a reported final contract amount of \$361,634.70. Since the preparation of that report the contractor has requested payment for items that were placed early on in the project totaling \$1,910.20. These items include silt fence and granular backfill material due to soft soils encountered on the site. Although the contractor should have accounted for these items in previous pay requests, staff feels that payment is justified.

SUBMITTED BY: Katy Gehler-Hess, P.E., City Engineer

- ITEM:**
- 6 a. Public Hearing: 2008 – 2012 Street Reconstruction Plan and the Issuance of Street Reconstruction Bonds
 - 6 b. Resolution 2008-076

 - 7 a. Public Hearing: 2008 – 2012 Capital Improvement Plan and the Issuance of CIP Bonds
 - 7 b. Resolution 2008-077

GENERAL INTRODUCTION:

The purpose of tonight's public hearings is to solicit public comments on the Street Reconstruction Plan (SRP) and the Capital Improvement Plan (CIP). These hearings are part of the requirements established by State Statute to allow local governments the ability to issue each type of bond.

The Minnesota State Legislature approved the street reconstruction program law in 2002 that generally exempts city bonds issued under the program from the referendum requirement usually required for bonding for these types of expenditures.

2003, the Legislature adopted a statute that generally exempts municipal bonds issued under a capital improvement program from the referendum requirements usually required for city halls, public works and public safety facilities. In 2005, the Legislature added libraries to the meaning of a capital improvement.

For both types of bonds – Street Reconstruction and CIP – the general requirements are as follows:

- The City must prepare the (five-year) plans describing the projects and the estimated costs;
- The City must advertise the public hearings at least 10 days, but not more than 28 days prior to the hearing for the street reconstruction plan and at least 14 days, but not more than 28 days for the capital improvement plan;
- The City Council holds a public hearing to solicit input on the plan(s);
- At the close of the public hearing(s), the Council by resolution must approve the plan(s), giving preliminary approval to the issuance of bonds -

- ✓ For the Street Reconstruction Plan, the vote must be unanimous (by the members present);
- ✓ For the Capital Improvement Plan, the vote must be by a 2/3rd's majority (for the City of Northfield, 4 out of 6).
- For both Street Reconstruction and Capital Improvement Bonds – there is not a referendum requirement, but there is a reverse referendum provision. A petition, signed by voters representing 5% of votes cast in the last general election - received within 30 days of the preliminary approval - would require a referendum on the bonds. The last general election was held in 2006. A total of 8,582 citizens voted. The number of signatures required for a petition is 430.

Other Information

Both the SRP and CIP documents will be updated annually. This will be done as a follow-up to the City's comprehensive Capital Improvement Plan document.

Tonight's action only provides for the adoption of the plans and preliminary approval to issue bonds. Separate action is required to approve individual projects and to issue bonds.

CAPITAL IMPROVEMENT PLAN

ACTION REQUESTED: The City Council is being asked to hold a public hearing for the Capital Improvement Plan to solicit public input. At the close of the public hearing, the City Council will be asked to approve Resolution No. 2008-076 that adopts the CIP and gives preliminary approval for the issuance of \$880,000 in CIP Bonds. The bond amount is only the total for the first year of the five-year plan. The project for which the bonds would be issued is for the renovation of City Hall.

STREET RECONSTRUCTION PLAN

ACTION REQUESTED: The City Council is being asked to hold a public hearing for the Street Reconstruction Plan to solicit public input. At the close of the public hearing, the City Council will be asked to approve Resolution No. 2008-077 that adopts the SRP and gives preliminary approval for the issuance of \$1,450,000 in SRP Bonds. The bond amount is only the total for the first year of the five-year plan. The projects for which the bonds would be issued are the Transit Hub / Trailhead, Woodley Street and the 5th Street Infrastructure Replacement & Water Street Parking improvements.

PREPARED BY: Kathleen McBride, Administrative Services / Finance Director

ATTACHMENTS:

1. Five-Year Capital Improvement Plan and Resolution 2008-076
2. Five-Year Street Reconstruction Plan and Resolution 2008-077

CITY OF NORTHFIELD, MINNESOTA
CITY COUNTY RESOLUTION #2008-076

A RESOLUTION BY THE MAYOR AND CITY COUNCIL GIVING PRELIMINARY APPROVAL
FOR THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION
CAPITAL IMPROVEMENT PLAN BONDS IN AN AMOUNT NOT TO EXCEED \$880,000 AND
ADOPTING THE CITY OF NORTHFIELD, MINNESOTA CAPITAL IMPROVEMENT PLAN OF
2008 THROUGH 2012 THEREFOR

WHEREAS, the City Council of the City of Northfield, Minnesota (the "City") proposes to issue its general obligation capital improvement plan bonds (the "Bonds") and adopt the City of Northfield, Minnesota Capital Improvement Plan of 2008 through 2012 therefor (the "Plan"); and

WHEREAS, the City has caused notice of the public hearing on the intention to issue the Bonds and on the proposed adoption of the Plan to be published pursuant to and in accordance with Minnesota Statutes, Section 475.58, Subdivision 3b; and

WHEREAS, a public hearing on the intention to issue the Bonds and on the proposed Plan has been held on this date, following published notice of the hearing as required by law; and

WHEREAS, in approving the Plan, the City Council considered for each project and for the overall Plan:

1. The condition of the City's existing infrastructure, including the projected need for repair and replacement;
2. The likely demand for the improvement;
3. The estimated cost of the improvement;
4. The available public resources;
5. The level of overlapping debt in the City;
6. The relative benefits and costs of alternative uses of funds;
7. Operating costs of the proposed improvements; and
8. Alternatives for providing services more efficiently through shared facilities with other local government units.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL hereby gives preliminary approval for the issuance of up to \$880,000 aggregate principal amount of the Bonds. The Plan is hereby adopted, the same being before the City Council and made a part of these proceedings by reference. The City declares its official intent to reimburse itself for the costs of the Plan from the proceeds of the Bonds.

PASSED by the City Council of Northfield on this 21st day of July 2008.

ATTEST:

City Clerk

Mayor

VOTE: ___ LANSING ___ DAVIS ___ DENISON
 ___ NELSON ___ POKORNEY ___ VOHS

STATE OF MINNESOTA
COUNTY OF _____
CITY OF _____

I, the undersigned, being duly qualified and acting Clerk of the City of _____, Minnesota, DO HEREBY CERTIFY that I have carefully compared the attached and foregoing extract of minutes with the original minutes of a meeting of the City Council of said City, duly called and held on the date therein indicated, which are on file and of record in my office, and the same is a full, true and complete transcript therefrom insofar as the same relates to a resolution giving preliminary approval for the issuance of the City's general obligation street reconstruction plan bonds and adopting the City's street reconstruction plan therefor.

WITNESS my hand this _____ day of _____, 20__.

City Clerk

[Bonds must be approved unanimously.]

[Issuance of Bonds is subject to a 30-day reverse referendum after the public hearing.]

CITY OF NORTHFIELD, MINNESOTA
CITY COUNTY RESOLUTION #2008-077

A RESOLUTION BY THE MAYOR AND CITY COUNCIL GIVING PRELIMINARY APPROVAL FOR THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION STREET RECONSTRUCTION PLAN BONDS IN AN AMOUNT NOT TO EXCEED \$1,450,000 AND ADOPTING THE CITY OF NORTHFIELD, MINNESOTA STREET RECONSTRUCTION PLAN OF 2008 THROUGH 2012 THEREFOR

WHEREAS, the City Council of the City of Northfield, Minnesota (the "City") proposes to issue its general obligation street reconstruction plan bonds (the "Bonds") and adopt the City of Northfield, Minnesota Street Reconstruction Plan of 2008 through 2012 therefor (the "Plan"); and

WHEREAS, the City has caused notice of the public hearing on the intention to issue the Bonds and on the proposed adoption of the Plan to be published pursuant to and in accordance with Minnesota Statutes, Section 475.58, Subdivision 3b; and

WHEREAS, a public hearing on the intention to issue the Bonds and on the proposed Plan has been held on this date, following published notice of the hearing as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL hereby gives preliminary approval for the issuance of up to \$1,450,000 aggregate principal amount of the Bonds. The Plan is hereby adopted, the same being before the City Council and made a part of these proceedings by reference. The City declares its official intent to reimburse itself for the costs of the Plan from the proceeds of the Bonds.

PASSED by the City Council of Northfield on this 21st day of July 2008.

ATTEST:

City Clerk

Mayor

VOTE: ___ LANSING ___ DAVIS ___ DENISON
 ___ NELSON ___ POKORNEY ___ VOHS

City Council Meeting Date: 07/21/08
Item #: 8a & c
Public Hearing
Ordinance #: 882

ITEM: Public Hearing to Consider Testimony Regarding Proposed Amendments to the Northfield Zoning Ordinance and have First Reading on Ordinance No. 882.

ACTION REQUESTED:

Proposed Motion For Consideration: _____ **Motion** _____ **Second**

The City Council is being asked to consider testimony regarding proposed amendments to the Northfield Zoning Ordinance and have the first reading on Ordinance No. 882.

SUMMARY:

As a part of the modifications to the rental ordinance the occupancy limitation requirements have been relocated to the Zoning Ordinance. The proposed change would include the R-1 and R-2 rental districts allowing only three unrelated persons by blood, marriage, or adoption to occupy a rental property. A rental property owner may apply for a special permit to allow four or five adult unrelated persons to occupy a rental property in a R-1 and R-2 district. The special permit application request for four or five unrelated persons must be approved by the Building Official prior to occupancy.

The rental ordinance provision removing the occupancy limitation requirements and other proposed amendments are also being proposed in Agenda Item #8b.

SUBMITTED BY: John Brookins, Building Official

ATTACHMENTS:

Ordinance No. 882

City Council Meeting Date: 07/21/08
Item #: 8b & d
Public Hearing
Ordinance #: 883

ITEM: Public Hearing to Consider Testimony Regarding Proposed Amendments to the Northfield Rental Ordinance and have First Reading on Ordinance No. 883

ACTION REQUESTED:

Proposed Motion For Consideration: _____ **Motion** _____ **Second**

The City Council is being asked to consider testimony regarding proposed amendments to the Northfield Rental Ordinance and have the first reading on Ordinance No. 883.

SUMMARY:

The recent decision by the State Supreme Court makes various sections of the Northfield Rental Ordinance, adopted on October 22, 2007, invalid. The State Supreme Court decision stated that enforcing the life safety standards for new construction could not be enforced in existing structures for rental property regulation.

Staff introduced proposed changes on June 23, 2008, at the Council Work Session to correct the rental code to be in compliance with state law. With respect to the rental ordinance, most, if not all, of the standards in the rental ordinance that have their basis in the Building Code as a standard to be complied with in order to obtain a rental license have been DELETED from the rental ordinance. The rental ordinance changes also include several technical changes that make the administration of the ordinance more effective. These technical changes are being proposed in response to experiences that Staff has encountered over the time since the original ordinance was put into effect in late 2007.

With respect to the zoning ordinance, the provisions that were in the rental ordinance that limit the number of unrelated occupants are now proposed to be inserted into the zoning ordinance (See Agenda Item #8a).

SUBMITTED BY: John Brookins, Building Official

ATTACHMENTS:

Ordinance No. 883

City Council Meeting Date: July 21, 2008

Regular

ITEM: 9

Resolution: #2008-074

ITEM: Approving an Amendment to the Contract Between the City of Northfield and ACP Planning Consultants Related to the Comprehensive Plan

ACTION REQUESTED:

The City Council is being asked to approve the attached Resolution #2008-074, which will amend the contract between the City of Northfield and ACP Planning Consultants related to the Comprehensive Plan. The contract amendment will result in an increase in the payment to ACP Planning Consultants totaling \$33,500 and will extend the contract until October of 2008.

SUMMARY:

The City Council is being asked to approve the attached Resolution #2008-074, which will Amend the contract between the City of Northfield and ACP Planning Consultants related to the Comprehensive Plan.

The original Professional Service Agreement was completed in November of 2006 and work on the plan began in earnest in January of 2007. The original time line envisioned for the preparation of the Plan is attached to this Staff report as Attachment #1.

The amount of involvement by numerous Boards and Commissions in reviewing the draft Comprehensive Plan has resulted in a significant overrun in the amount of time needed to complete this important task.

Initially it was envisioned that the Plan and development regulations would be completed by December of 2007. ACP Consultants did provide a draft of the Plan in late 2007 but the amount of review and change that has come from the review by various Boards and Commissions has resulted in a great deal of additional time needing to be devoted to completion of the Plan.

It is expected that the Planning Commission will complete the review of the Plan and sign off on the document in draft form at the Commission meeting of July 29, 2008.

The development regulations have proven to be a much more complicated task than was originally estimated. ACP Consultants were of the belief that the existing code could be more easily folded into a new "hybrid" form-based code. The task of attempting to incorporate large sections of the existing code into a new code has not worked satisfactorily and, therefore, large portions of the proposed code have been re-written at least two times. This has resulted in much more effort by ACP than was originally expected and much more time.

For these reasons, ACP is requesting an additional \$33,500 of project compensation to complete the project and are also requesting that the timeline for the project be extended to October of 2008.

The source of the additional \$33,500 will be from the "Outside Professional Services" budget from both the Planning Division and the Community Development Division budget. As of July 14, 2008, there was \$29,407 remaining as an account balance in the Planning Division Professional Services budget and \$8,614 in the Community Development Professional Services budget; therefore, the combined Outside Professional Services budget from both of these Divisions totals \$38,021. Using these funds will not result in an additional appropriation of money to complete this task. The funds are currently in the budget of these two Divisions and are used to pay expenses for outside consultant assistance such as attorney fees, engineering expenses and similar on-going expenses of both Divisions. Committing an additional \$33,500 to ACP will result in the total cost of the Comprehensive Plan and development regulations being \$181,000.

This is a significant commitment of resources by the City but will serve the City of Northfield for many years into the future. It must be remembered that the development regulations of the City have not been revised in over 20 years to any great degree.

A copy of a letter from Jamie Greene from ACP Planning Consultants is attached to this Staff report, which outlines the justification for the additional compensation and an initial timeline that has now been revised to reflect an updated timeline that will take the project to October of 2008.

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

ATTACHMENTS:

Resolution #2008-074

1. Original Planning Timeline
2. Letter from ACP

CITY OF NORTHFIELD, MINNESOTA
CITY COUNCIL RESOLUTION #2008-074

A RESOLUTION BY THE MAYOR AND CITY COUNCIL AUTHORIZING AN AMENDMENT TO
THE CONTRACT BETWEEN THE CITY OF NORTHFIELD AND ACP PLANNING
CONSULTANTS

- WHEREAS, the City of Northfield and ACP Planning Consultants entered into a Professional Service Agreement for the preparation of a revised Comprehensive Plan and re-written development regulations; and,
- WHEREAS, the original Professional Services Agreement was for an amount not to exceed \$147,600 and was to have been completed in December of 2007; and,
- WHEREAS, there has a been a significant amount of additional time devoted to the completion of this project beyond what was originally envisioned; and,
- WHEREAS, ACP Planning Consultants is now requesting an amendment to the original Agreement that would result in an additional \$33,500 of compensation for the completion of the project and an extension of the timeline for project completion until October of 2008; and,
- WHEREAS, the source of funding for the additional compensation to ACP Planning Consultants will be from the existing "Outside Professional Services" budget of the Planning and Community Development Division budgets thus not requiring an additional appropriation of funds beyond what is already in Department budgets.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL THAT the contract between the City of Northfield and ACP Planning Consultants is hereby amended to provide an additional \$33,500 of compensation and a time extension until the end of October of 2008; and

BE IT ALSO RESOLVED BY THE MAYOR AND CITY COUNCIL THAT the source of funds to pay the additional compensation to ACP Planning Consultants will be from the existing "outside Professional Services budget from the Planning and Community Development Divisions of the City.

PASSED by the City Council of the City of Northfield on this 21st day of July 2008.

ATTEST:

City Clerk

Mayor

VOTE: ___ LANSING ___ DAVIS ___ NELSON
 ___ POKORNEY ___ VOHS ___ DENISON