City Council Meeting

Monday, May 4, 2026 6:00 PM

Agenda

Pledge of Allegiance

1 Approve or Amend Agenda

2 Sheriff's Report

3 Consent Agenda

Those items on the Council Agenda which are considered routine or noncontroversial are included as part of the Consent Agenda. Unless a Councilmember specifically requests that an item on the Consent Agenda be removed and considered separately, items on the Consent Agenda are considered under one motion, second and vote. Any item removed from the consent agenda shall be placed at the end of General Business.

3.1 Minutes form the April 20, 2026 City Council meeting

3.2 Accept Bids and Award Contract to Asphalt Surface Technologies Corp for 2026 Micro-Surfacing Project

3.3 Approve Payment of Claims (Bills) and Transfer Requests as Presented.

4 Open Forum

The public forum is intended to afford the public an opportunity to address concerns to the Council. The public forum will be no longer than 30 minutes in length and each presenter will have no more than five (5) minutes to speak. Topics of discussion are restricted to local governmental topics rather than private or political agendas. The Council may discuss but will not take formal action on public forum presentations.

5 Presentation(s)

5.1 Scott County CDA - Business & Community Development Program Presentation

6 Public Hearing(s)

7 General Business

7.1 Codification of Municipal Ordinances

7.2 RFP for Realtor Services for City Hall Land Acquisition

7.3 Mining Ordinance Amendment - Ordinance 2026-04

7.4 Urban Expansion Reserve Ordinance Amendment - Ordinance 2026-03

7.5 Consider Revised Joint Powers Agreement for Judicial Road

7.6 Discussion of Action Items for Municipal Water/Sewer

8 Staff and Council Member Reports

8.1 Update on Election Information

9 Adjourn

AGENDA ITEM NO. 3.1

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: May 4, 2026

SUBMITTED BY: Lynda Jirak,Clerk

ITEM TYPE: Minutes

AGENDA SECTION: Consent Agenda

SUBJECT: Minutes form the April 20, 2026 City Council meeting

SUGGESTED ACTION: Approve minutes from the April 20, 2026 City Council meeting

ATTACHMENTS:
4.20.2026 City Council Minutes.docx

City Council Meeting
Monday, April 20, 2026

MINUTES

Present: Mayor Chris Kostik, Councilmembers Bill Markert, Jay Saterbak, Leroy Schommer and Abe Zanto

Absent: None

Also Present: City Administrator Steve Jelinski, City Attorney Peter Mikhail (via Zoom), Finance Director Sue Iverson, City Planner Claire Stickler, City Engineer Shane Nelson, City Clerk Lynda Jirak and Scott County Property and Customer Service Manager Julie Hanson (via Zoom)

The Mayor called the meeting to order at 6:05 pm.

Pledge of Allegiance

1. **Approve or Amend Agenda**
   Councilmember Schommer requested moving Consent Agenda Item 3.6, Accept Quotes for Dust Coating and Award contract to Northern Salt Incorporated to General Business Item 7.5 for discussion.

   Motion to approve amended Agenda by Councilmember Schommer
   Second: Councilmember Saterbak
   Motion passes 5-0

2. **Sheriff's Report**
   Deputy Amanda Schmitt presented a three-month police activity report for January, February and March for the City and noted that nothing of concern stood out.

3. **Consent Agenda**
   Those items on the Council Agenda which are considered routine or noncontroversial are included as part of the Consent Agenda. Unless a Councilmember specifically requests that an item on the Consent Agenda be removed and considered separately, items on the Consent Agenda are considered under one motion, second and vote. Any item removed from the consent agenda shall be placed at the end of General Business.

   3.1 Minutes from April 6, 2026, City Council Meeting
   3.2 City Administrator Employment Contract
   3.3 City Administrator and Finance director Office Furniture Replacement
   3.4 Accept Quotes and Award contract to Prior Lake Blacktop for Casey Addition Temporary Overlay
   3.5 Accept Quotes for Crack Filling and Seal Coating City Hall parking Lot and Award Contract to SealTech
   3.6 ~~Accept Quotes for Dust Coating and Award Contract to Northern Salt Incorporated~~
   3.7 Accept Quotes for Gravel Hauling and Award Contract to Klingberg Trucking
   3.8 Approve Hire of Kelly Saldivar for Permit Technician Position
   3.9 Resolution 2026-12 Denying a Variance at 19773 Foxfield Drive
   3.10 Resolution 2026-13 Denying a Conditional Use Permit at 19773 Foxfield Drive
   3.11 Approve Payment of Claims (Bills) and Transfer Requests as Presented

City Planner Stickler noted that Resolutions No. 2026-12 and 2026-13 were updated to reflect revisions for a corrected date and an updated attestation to City Clerk, Lynda Jirak.

Motion to approve the Consent Agenda by Councilmember Zanto
Second: Councilmember Saterbak
Motion passes 5-0

4. Open Forum

The public forum is intended to afford the public an opportunity to address concerns to the Council. The public forum will be no longer than 30 minutes in length and each presenter will have no more than five (5) minutes to speak. Topics of discussion are restricted to local governmental topics rather than private or political agendas. The Council may discuss but will not take formal action on public forum presentations.

Clare Hoelderle, 19685 Oak Grove Avenue, approached the podium to address comments made during Councilmember Markert's presentation on Municipal Sewer and Water Planning and risk Assessment at the April 6, 2026 City Council meeting.

Tom Briant, 7697 Cress View Drive, addressed the Council regarding concerns related to the General Business Discussion to Hire Realtor on the agenda.

5. Presentation(s)

5.1 Scott County Assessor's Office Presentation

Scott County Deputy County Assessor, Christian Huskey, provided an overview of current property assessments in Credit River. Huskey stated valuation notices and tax statements had been mailed and emphasized the limited timeline for residents to contract the Assessor's Office with questions. Huskey reported interest rates remain significantly higher than recent years, affecting affordability and reducing housing supply. Huskey stated foreclosure activity remains low, days on the market have increased and the County remained in a seller leaning but stabilizing market. Huskey stated the County must stay within the state - required 90 – 105% sales ratio to avoid state-mandated adjustments. Huskey outlined appeal options, encouraged residents to review their property data and contact the assigned appraiser listed on the green notice, and noted several property tax refund programs are available, including a special refund not based on income.

6. Public Hearing(s)

None.

7. General Business

7.1 Discussion on In-Person Absentee Voting Space

City Clerk Jirak requested Council discussion and direction regarding the need for an appropriately sized, secure and accessible space to effectively administer in-person absentee voting at Credit River City Hall in compliance with statutory requirements.

During Council discussion, Scott County Property and Customer Service Manager Julie Hanson provided background on Scott County's role in administering absentee voting, the delegation of these responsibilities to cities and responded to Council questions. Ms. Hanson concurred with Councilmembers that Credit River City Hall has space limitations for offering absentee in-person voting while noting that absentee voting was successfully conducted at City Hall for both 2022

elections. She also indicated that she would meet with City Clerk Jirak the following week to explore absentee voting options for Credit River residents.

Following discussion, Council directed Staff to work with Ms. Hanson to identify the most suitable solution for providing absentee voting services to Credit River residents and to present a recommendation at the May 4, 2026 City Council meeting.

7.2 Summary of the April 6, 2026, Closed Session

Mayor Kostik stated that the City Council held a Closed Session on April 6, 2026, pursuant to Minnesota Statutes 13D.05 Subd. 3(a) to conduct a performance evaluation of City Administrator Jelinski.

7.3 Discussion of Section 2-5-2 Procedure of Zoning Ordinance

Councilmember Markert requested Council review of Section 2-5-2 Procedure of the Zoning Ordinance, noting the current ordinance primarily addresses resident-initiated requests and lacks clarity for staff-initiated proposals. He expressed concern that a recent staff-initiated amendment proceeded to a Planning Commission public hearing without prior Council discussion or direction and noted inconsistency with past practices. He recommended establishing a consistent process requiring Council review prior to Planning Commission consideration for staff- or Council-initiated amendments.

Councilmembers Saterbak and Zanto indicated support for additional Council discussion prior to advancing items to the Planning Commission, noting it could improve efficiency and avoid unnecessary public hearings on items the Council may not support. Councilmember Saterbak suggested a workshop setting for initial discussion and direction.

Mayor Kostik expressed concern about adding unnecessary steps to the process and suggested a workshop discussion may be more appropriate than formal Council action to avoid premature decision-making. Staff and legal counsel noted that in other communities, such discussions often occur at workshops and emphasized the importance of allowing the Planning Commission to provide an independent recommendation based on public input.

Motion to direct Staff to draft an amendment to the ordinance to require that Staff- or Council-initiated zoning ordinance amendments be reviewed at a City Council workshop prior to Planning Commission consideration to ensure consistency with Council goals by Councilmember Markert
Second: Councilmember Saterbak
Motion passes 5-0

7.4 Discussion to Hire Realtor

Councilmember Schommer initiated discussion regarding the potential acquisition of land for future City facilities. Schommer suggested engaging a realtor to assist in identifying a suitable parcel, noting the need for long-term planning and future staffing needs.

Council discussed whether the City had previously engaged a broker; no formal agreement was confirmed.

Councilmembers generally acknowledged that acquiring land and constructing facilities are separate decisions. It was noted that securing land in advance may be beneficial as available properties become more limited and costly. The potential use of existing funds for land acquisition was also mentioned.

Councilmember Markert expressed concern that the discussion may be premature. Councilmember Zanto indicated support for planning ahead and securing land, while noting that acquisition does not obligate immediate development.

Council discussed the process for moving forward, including issuing a Request for Proposals (RFP) to identify a realtor. Clarification was provided that engaging a broker would be an initial step, with further direction on property criteria to follow. The Mayor suggested additional discussion at a future workshop.

City Attorney Mikhail noted that commercial realtors are typically compensated through commission upon completion of a transaction.

Motion to direct Staff to prepare an RDP for realtor services by Councilmember Schommer
Second: Councilmember Saterbak
Motion passes 4-1, with Councilmember Markert dissenting

7.5 Accept Quotes for Dust Coating and Award Contract to Northern Salt Incorporated

Councilmember Schommer requested that this item be removed from the consent agenda for discussion.

Councilmember Schommer noted that Envirotech has provided dust control services for the City's gravel roads for many years and is familiar with local conditions and application practices. It was also noted that Northern Salt is newer to providing this service.

During review of the quotes, Council observed that the proposals reflected different application quantities. Upon further comparison using consistent measurements, the bids were found to be more comparable.

Council expressed satisfaction with Envirotech's past performance and indicated a preference to continue utilizing their services for dust control.

Motion to approve the Envirotech quote for Dust Coating by Councilmember Markert
Second: Mayor Kostik
Motion passes 5-0

8. Staff and Council Member Reports

City Administrator Jelinski reported that he will be attending the MCMA Conference on April 29 – May 1. He also noted that Metropolitan Mosquito Control will participate in the May 11th park meeting at Country Court Park, providing educational activities for children.

Councilmember Schommer reported that road shouldering is underway on 170th Street and noted

that seasonal weight restrictions were lifted today.

Mayor Kostik reported ongoing issues with illegal dumping in ditches and right-of-way. He also noted that road construction on County Road 91, including the roundabout at County Road 68, is scheduled to begin next week as part of a resurfacing project.

Councilmember Markert inquired about grader work taking place on Murphy Lake Boulevard.

Finance Director Iverson reported that the audit will begin on May 4.

City Engineer Nelson reported he is coordinating with County Staff for border signage and noted there are areas of concern that still need to be addressed.

9. Adjourn

Motion to Adjourn, by Councilmember Zanto
Second: Councilmember Schommer
Motion passes 5-0

Meeting adjourned at 7:35 pm.

Recorded by: **Approved by:**

_____ _____

Lynda Jirak, City Clerk Chris Kostik, Mayor

AGENDA ITEM NO. 3.2

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: May 4, 2026

SUBMITTED BY: Shane Nelson,Engineer

ITEM TYPE: Agenda Report

AGENDA SECTION: Consent Agenda

SUBJECT: Accept Bids and Award Contract to Asphalt Surface Technologies Corp for 2026 Micro-Surfacing Project

BACKGROUND: Bids were received on April 23, 2026 for the Micro-Surfacing Project. Two Bids were received, as follows:

Asphalt Surface Technologies Corp	$348,827.00
Fahrner Asphalt Sealers LLC	$391,412.86

Asphalt Surface Technologies Corp (ASTECH) was the low bidder and has successfully completed other project for the City. Therefore, we recommend award of the contract to Asphalt Surface Technologies Corp.

FINANCIAL IMPACT: This is a unit price contract, therefore, payment is made based on actual units of work performed. The total estimated value of this contract based on ASTECH's bid is $348,827.00.

SUGGESTED ACTION: Award the Contract to Asphalt Surface Technologies Corp and Authorize the Mayor and Administrator to execute contracts on behalf of the City.

ALTERNATIVES: 1. Do not award the Contract

ATTACHMENTS:
CT341_Bid Tabulation.pdf

BID TABULATION
City of Credit River
2026 Street Micro-surfacing Project

Bids were opened at 2:00 p.m., April 23, 2026.
There were two (2) bids received, as shown herein.

Base Bid					Asphalt Surface Technologies Corp		Fahrner Asphalt Sealers, LLC	
ITEM NO.	MnDOT SPEC. NO.	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1	2021.501	MOBILIZATION	LS	1	$ 33,000.00	$ 33,000.00	$ 30,000.00	$ 30,000.00
1	2354.506	BITUMINOUS MATERIAL FOR MICRO-SURFACING	GAL	35300	$ 3.53	$ 124,609.00	$ 3.77	$ 133,081.00
3	2354.509	MICRO-SURFACING SURFACE COURSE	TON	840	$ 161.00	$ 135,240.00	$ 191.24	$ 160,641.60
4	2354.509	MICRO-SURFACING SCRATCH COURSE	TON	298	$ 161.00	$ 47,978.00	$ 210.37	$ 62,690.26
5	2564.601	TRAFFIC CONTROL	LS	1	$ 8,000.00	$ 8,000.00	$ 5,000.00	$ 5,000.00
		Base Bid Total				**$ 348,827.00**		**$ 391,412.86**

AGENDA ITEM NO. 3.3

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 4, 2026
SUBMITTED BY:	Sue Iverson,Finance
ITEM TYPE:	Agenda Report
AGENDA SECTION:	Consent Agenda
SUBJECT:	Approve Payment of Claims (Bills) and Transfer Requests as Presented.
SUGGESTED ACTION:	Approve Claims for Payments and Transfer Requests - See Attached.

ATTACHMENTS:

_Check Detail Register 05.04.26.pdf

20260502162143977.pdf

CITY OF CREDIT RIVER

*Check Detail Register©

Batch: 05-02-26 AP

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
10100 Anchor Bank					
13096	05/04/26	**AMAZON CAPITAL SERVICES**			
G 100-20200		Accounts Payable	$64.71	1F64-PLJF-D	paper towel, toilet paper, kleenex, plastic silverware
G 100-20200		Accounts Payable	$55.00	1MRN-YTYV-	copy paper
		Total	$119.71		
13097	05/04/26	**ANIMAL DAMAGE CONTROL MN, LLC**			
G 602-20200		Accounts Payable	$500.00	269	beaver trapping
G 602-20200		Accounts Payable	$1,214.00	270	beaver trapping- spring related services
		Total	$1,714.00		
13098	05/04/26	**BUCKINGHAM**			
G 100-20200		Accounts Payable	$86.62	2026-2	city hall garbage & recycling
		Total	$86.62		
13099	05/04/26	**DAKOTA ELECTRIC ASSOCIATION**			
G 100-20200		Accounts Payable	$75.33	2026-04/15/2	street lights on Natchez Ave
		Total	$75.33		
13100	05/04/26	**Earl F. Andersen**			
G 100-20200		Accounts Payable	$116.35	0142576-IN	various road signs
		Total	$116.35		
13101	05/04/26	**ECM PUBLISHERS INC**			
G 100-20200		Accounts Payable	$126.37	1094735	street microsurfacing bids
		Total	$126.37		
13102	05/04/26	**GALLAGHERS**			
G 100-20200		Accounts Payable	$30,685.00	28495	snow plowing roads- March 2026
G 100-20200		Accounts Payable	$465.00	28496	Reverence development- March 2026
		Total	$31,150.00		
13103	05/04/26	**Genesis Heating and Air, Inc.**			
G 100-20200		Accounts Payable	$1.00	2026-refd1	refund state surcharge fee
G 100-20200		Accounts Payable	$75.00	2026-refd1	refund air conditioning permit fee permit# MIN26-000077
G 100-20200		Accounts Payable	$75.00	2026-refd1	refund furnace permit fee
		Total	$151.00		
13104	05/04/26	**HAKANSON ANDERSON ASSOC INC**			
G 800-20200		Accounts Payable	$2,751.75	56959	The Ranch of CR 2nd
G 800-20200		Accounts Payable	$411.00	56960	Holman Addition
G 800-20200		Accounts Payable	$225.00	56961	Cardinal Pass
G 800-20200		Accounts Payable	$213.75	56962	Yellowstone 3rd addition
G 800-20200		Accounts Payable	$3,892.00	56963	Yellowstone 5th addition
G 100-20200		Accounts Payable	$148.00	56964	misc site review
G 401-20200		Accounts Payable	$15,792.50	56965	microsurfacing project
G 100-20200		Accounts Payable	$2,212.00	56966	NPDES/MS4 administration
G 401-20200		Accounts Payable	$213.75	56967	170th St Culvert
G 100-20200		Accounts Payable	$1,110.00	56968	sanitary sewer study
G 100-20200		Accounts Payable	$2,208.25	56969	general engineering

CITY OF CREDIT RIVER

*Check Detail Register©

Batch: 05-02-26 AP

Check #	Check Date	Vendor Name		Amount	Invoice	Comment
G 100-20200		Accounts Payable		$910.00	56970	building permit reviews
G 100-20200		Accounts Payable		$9,201.00	56971	general road projects
G 100-20200		Accounts Payable		$1,118.88	56972	utiltiy permit reviews
G 602-20200		Accounts Payable		$25.00	56973	Territory locate- 7844 Bent Tree Cir
G 603-20200		Accounts Payable		$546.88	56973	Stonebridge- 21960 Carrbridge Ct
G 601-20200		Accounts Payable		$10.00	56973	general city locate- 9550 195th St E
G 701-20200		Accounts Payable		$3,809.88	56974	municipal review & construction obsevation- various addresses
			Total	$44,799.64		
13105	05/04/26	**MARKS BOBCAT SERVICE, INC.**				
G 100-20200		Accounts Payable		$2,300.00	9565	sweeping gravel out of the ditches
			Total	$2,300.00		
13106	05/04/26	**METRO WEST INSPECTION SERVICES, INC**				
G 100-20200		Accounts Payable		$13,397.41	5008	finalized permits- April 2026
			Total	$13,397.41		
13107	05/04/26	**Modern Office**				
G 401-20200		Accounts Payable		$3,948.00	266168	office furniture- finance director
			Total	$3,948.00		
13108	05/04/26	**MORE IT**				
G 100-20200		Accounts Payable		$130.83	600-8893	office wide tech labor
			Total	$130.83		
13109	05/04/26	**NATURAL SYSTEMS UTILITIES MN**				
G 601-20200		Accounts Payable		$186.00	INV-0001184	general maintenance
G 601-20200		Accounts Payable		$54.98	INV-0001184	vericomm
G 601-20200		Accounts Payable		$1,316.78	INV-0001184	monitoring
G 604-20200		Accounts Payable		$1,253.78	INV-0001184	monitoring
G 604-20200		Accounts Payable		$36.67	INV-0001184	vericomm
G 603-20200		Accounts Payable		$1,382.62	INV-0001184	monitoring
G 603-20200		Accounts Payable		$58.66	INV-0001184	vericomm fee
G 602-20200		Accounts Payable		$139.50	INV-0001184	7681 Prairie Grass Pass
G 602-20200		Accounts Payable		$28.00	INV-0001184	general professional services
G 602-20200		Accounts Payable		$1,141.28	INV-0001184	general repairs
G 602-20200		Accounts Payable		$216.29	INV-0001184	Verricom fee
G 602-20200		Accounts Payable		$5,264.09	INV-0001184	monitoring
			Total	$11,078.65		
13110	05/04/26	**Susan Iverson**				
G 100-20200		Accounts Payable		$2,231.52	SueFSA2026	FSA reimbursement
			Total	$2,231.52		
13111	05/04/26	**WESTconsin CREDIT UNION**				
G 100-20200		Accounts Payable		$100.00	SteveHSA20	3/27 payroll employee contribution
			Total	$100.00		
13112	05/04/26	**WESTconsin CREDIT UNION**				
G 100-20200		Accounts Payable		$192.30	SteveHSA20	April employer contribution

CITY OF CREDIT RIVER

*Check Detail Register©

Batch: 05-02-26 AP

Check #	Check Date	Vendor Name		Amount	Invoice	Comment
G 100-20200		Accounts Payable		$100.00	SteveHSA20	4/10 payroll employee contribution
G 100-20200		Accounts Payable		$100.00	SteveHSA20	4/24 payroll employee contribution
			Total	$392.30		
13113	05/04/26	**WHITE TRASH INC**				
G 100-20200		Accounts Payable		$133.13	927226	junk removal from 195 St E
G 100-20200		Accounts Payable		$175.73	927229	junk removal from ditch on Hobby Hills Trail
			Total	$308.86		
13114	05/04/26	**WOODDALE BUILDER INC**				
G 701-20200		Accounts Payable		$1,235.00	2026-1	escrow refund- 7910 207th St E
			Total	$1,235.00		
			10100	$113,461.59		

Fund Summary

10100 Anchor Bank	
100 GENERAL FUND	$67,594.43
401 CAPITAL IMPROVEMENTS FUND	$19,954.25
601 MONTEREY HEIGHTS SSD	$1,567.76
602 TERRITORY SSD	$8,528.16
603 STONEBRIDGE SSD	$1,988.16
604 SOUTH PASSAGE SSD	$1,290.45
701 NPDES ESCROW	$5,044.88
800 DEVELOPER ESCROW ACCOUNT	$7,493.50
	$113,461.59

I approve the above Claims for payment

Susan Iverson _____ Date: _____

Transfer Request for May 4, 2026

Beginning Bank Balance - May 2, 2026	$	251,731.30
Outstanding Checks		($21,756.37)
Outstanding Deposit		
Outstanding CC Payment		
Payroll and Benefits Outstanding		
Claims - 4/20/26	$	(113,461.59)
Net Balance	$	116,513.34
Transfer from Savings to Checking	**$**	**90,000.00**
Checking Balance		206,513.34

We approve the above transfer from Savings to Checking:

Chris Kostik

Bill Markert

Jay Saterbak

Leroy Schommer

Abe Zanto

AGENDA ITEM NO. 5.1

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 4, 2026
SUBMITTED BY:	City Admin,Administrator
ITEM TYPE:	Presentation
AGENDA SECTION:	Presentation(s)
SUBJECT:	Scott County CDA - Business & Community Development Program Presentation
BACKGROUND:	Jo Faust, Business & Community Development Director and Michael Werenke, Business Development Manager will present on CDA programs within Scott County
SUGGESTED ACTION:	

ATTACHMENTS:

Credit River CC Meeting 5.4.26.pdf

CDA | COMMUNITY DEVELOPMENT AGENCY SCOTT COUNTY

CITY OF CREDIT RIVER, MN

Pursue opportunities for economic growth, develop pathways for residents to have affordable homes, and co-operate with communities to design achievable goals that support all people's lives.





Business & Community Development

Strategic Plan Goals

- Facilitate a thriving entrepreneurial network in Scott County
- Increase number of businesses established in Scott County
- Increase Housing Capacity

SCOTT COUNTY
CENTER FOR ENTREPRENEURSHIP (CFE)

Your Hub for Business Growth & Innovation

1 BUSINESS ACCELERATOR
Office + Virtual Membership options

- Mentorship & advisory support
- Networking & peer connections
- Shared workspace & meeting space
- Access to lenders & resources
- Tools and support to help your business grow and scale

2 NEXTSTAGE
FREE 1:1 Business Consulting

- Expert guidance for startups and existing businesses
- Business planning & strategy
- Financial strategy & capital access
- Marketing, operations & more
- Confidential, customized support to help you take the next step

CENTER FOR ENTREPRENEURSHIP
SCOTT COUNTY CDA

The central hub connecting entrepreneurs and small businesses to the resources, relationships and support they need to start, grow and thrive.

MENTORSHIP | NETWORKING | WORKSPACE | CAPITAL ACCESS

3 FAST-TRACK CHALLENGE
Pitch. Compete. Win.

- "Shark Tank"-style pitch competition
- Open to entrepreneurs, students and professionals
- Win funding, business services and recognition
- Valuable feedback from local business leaders

4 BUSINESS RESOURCES
Tools. Guides. Know-How.

- MN DEED startup & business guides
- Educational video library
- Business guidebooks & templates
- Local, regional & state resources
- Practical tools to help you start and grow with confidence

5 ECOSYSTEM & PARTNERSHIPS
Stronger Together.

LOCAL PARTNERS
Cities, lenders, chambers and business organizations working together to support local entrepreneurs.

STATE PARTNERS
Connections to programs like MN DEED, Launch MN and other statewide resources.

COMMUNITY NETWORK
A thriving network of mentors, investors, advisors and peers committed to your success.

FROM IDEA TO IMPACT—WE'RE WITH YOU EVERY STEP OF THE WAY.

START >> GROW >> SCALE >> SUCCEED

Scott County Center for Entrepreneurship

CDA | COMMUNITY DEVELOPMENT AGENCY SCOTT COUNTY



ENTREPRENEURIAL SUPPORT

- InBIA Certified Staff
- Mentorship
- Business Advisory Services
- Software Development



PROFESSIONAL SERVICE GRANTS

- Legal Assistance
- Marketing
- Branding
- Search Engine Optimization
- Videography



ENTREPRENEURSHIP PROGRAMMING

- Monthly Educational Sessions
- Round Tables
- Networking
- Fast-Track Business Challenge
- Spanish Educational Sessions



INNOVATION LAB

- Commercial 3D Printers
- Laser Cutting
- Product Mockup Space



BUSINESS COHORT

- Entrepreneurship Cohort for the East African Community

Scott County Business ACCELERATOR

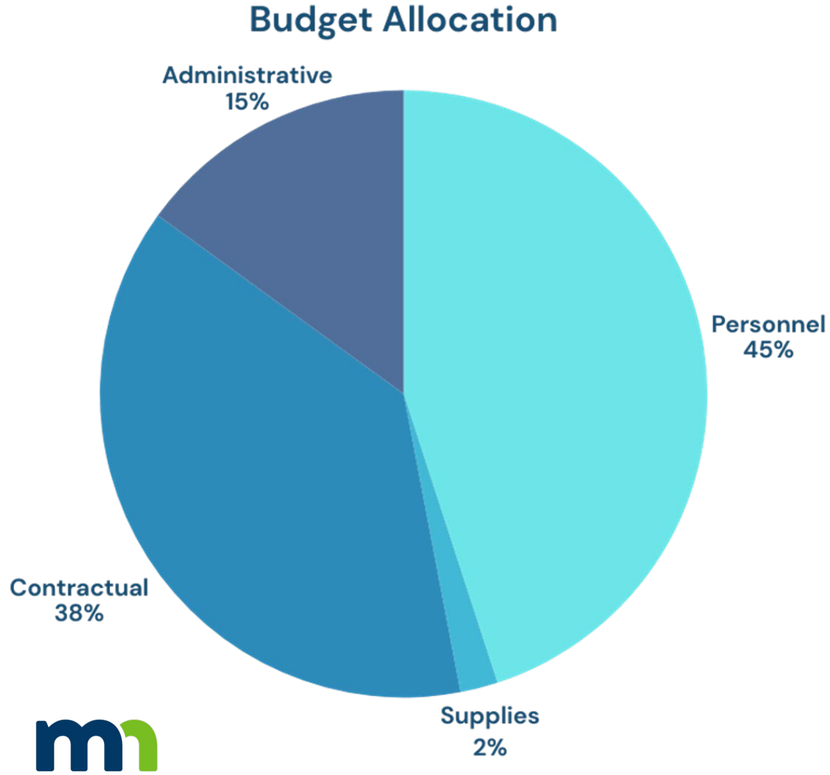
Scott County Center for Entrepreneurship

CDA | COMMUNITY DEVELOPMENT AGENCY SCOTT COUNTY

2025 Highlights/Statistics

- 19 Business Members: 7 tenants + 12 virtual
  10 total in 2022
- 177 entrepreneurs served
- $2M in outside capital accessed
- 16 Jobs created; average wage $68,764
- 11 Monthly Educational Events provided

2026-2027 DEED Grant Award



EMPLOYMENT AND ECONOMIC DEVELOPMENT

FAST TRACK
BUSINESS CHALLENGE

9TH ANNUAL
SCOTT COUNTY
BUSINESS CHALLENGE
OCTOBER 9TH, 2025

Hosted by
Scott County CDA
100 5th Ave E
Shakopee, MN 55379

2025

11 Applicants
5 Finalists
13 Sponsors
$21,850 Prize Package
55 Attendees









Entrepreneurship & Business Support







Entrepreneurship & Business Support















- MNCAPs Student Pitch Event April 2026 – Over 100 Participants
- Monthly Educational Sessions

Business Attraction









Business Recruitment – Site Marketing

Promoting Scott County &
Building on Partnerships



November 5, 2025

700+ commercial real estate deal makers

85 Exhibitors









Business Attraction

GREATER MSP
Minneapolis Saint Paul Regional Economic Development Partnership

EMPLOYMENT AND ECONOMIC DEVELOPMENT

Promoting SCOTT COUNTY INDUSTRIAL SITES

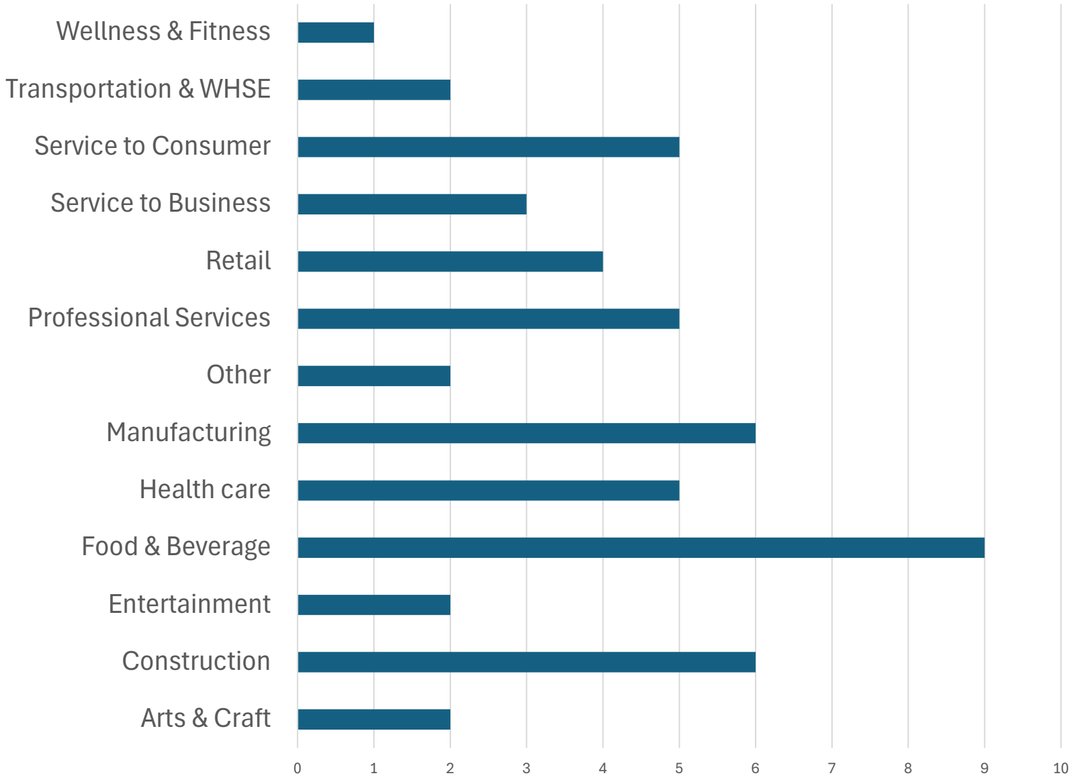


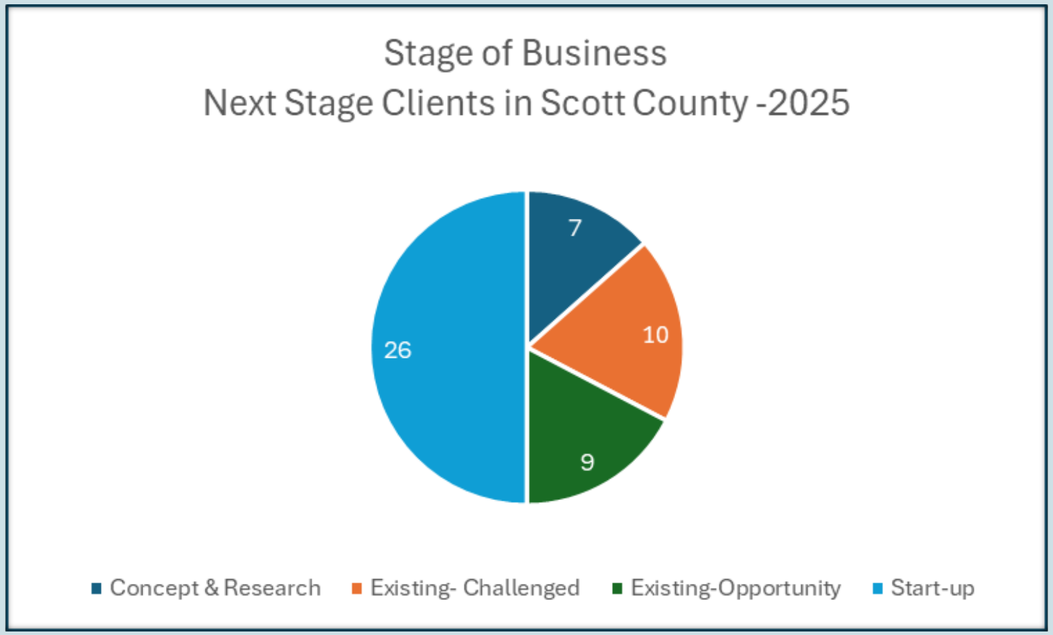


City & county representatives showcased their communities to GreaterMSP

CDA
COMMUNITY DEVELOPMENT AGENCY SCOTT COUNTY

Business Programs





# of Financing Events	6
NextStage Direct Lending	$370,000
Leveraged Financing	$5,500,000
Equity	$3,509,250
Total Financing/Investment	$9,379,250

* New Business Starts: 3 | Significant Expansion: 2

Workforce Development



25+ Business Partners!

Become a Business Partner!
SW Intermediate
St. Francis Regional Medical Center
Rahr Corporation
Great Lakes Management
Shakopee Public Schools
Jordan Public Schools
Belle Plaine Public Schools
Accelerated Care Solutions
All Saints Senior Living
Allina
Amada Senior Care
Amazon
Benedictine – Windermere Way
Benedictine – St. Gertrudes
Bright Star Care
Canterbury Park - EMT
Mala Strana Senior Care
Oak Terrace Senior Living
Rivers of Life Savage
Shakopee Fire Department
Friendship Manor – Shakopee
The Lutheran Home
The Lutheran Home – Hope Residence
Walgreens

Workforce Development

Drive for 5/Career Lift

135 Grant Goal

170 Actual Enrolled

700+ on waiting list

Current Grant: June 2026

CNA/Medication Aide Boiler Class

Pharmaceutical Tech

CompTIA, Cisco CyberOps

EMT/EMR

2026/27 Program

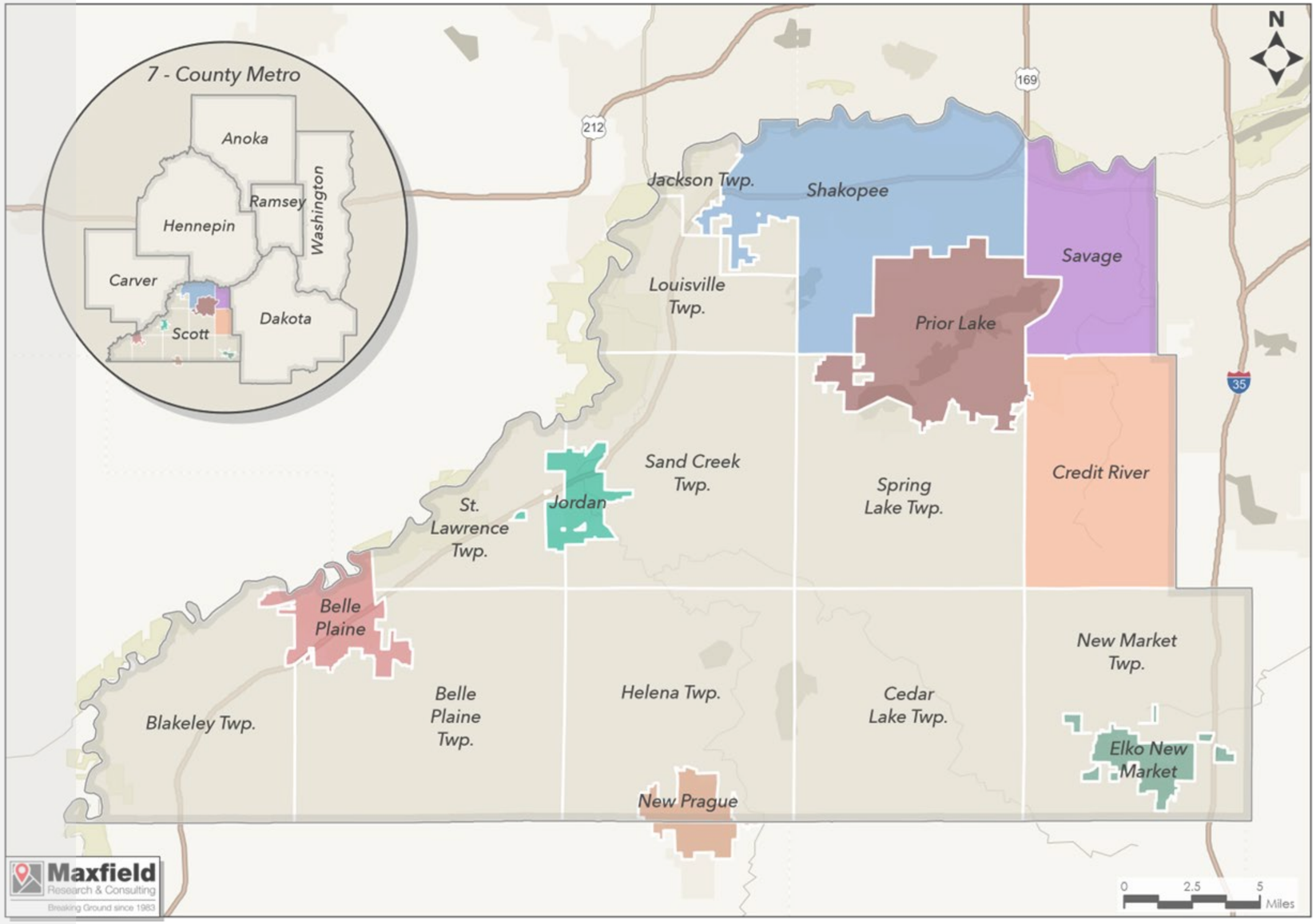
Starting Soon! Phlebotomy, Welding, CDL, etc.



Market Study

Commercial
Industrial
Housing Needs

Maxfield Research & Consulting



SCOTT COUNTY HOUSING TRUST FUND

Resources through Local Affordable Housing Aid

Investing locally. Strengthening our community.

RESOURCES

Local Affordable Housing Aid
State Sales and Use tax distributed locally

Scott County Investments
Local dollars dedicated to housing

Other Local Revenue Sources
MN Housing, Tax Credits, Developer Investment, etc

SCOTT COUNTY HOUSING TRUST FUND

Local resources working together to create and preserve quality, affordable housing

SUPPORTING LOCAL HOUSING PROJECTS



NEW APARTMENT BUILDINGS
Increase the supply of affordable rental housing for individuals and families.



RESIDENTIAL REHABILITATION
Preserve and improve existing homes, supporting safe, stable housing.



OTHER LOCAL HOUSING NEEDS
Support a variety of eligible housing projects that strengthen our community.

Stronger housing. Stronger communities. A better quality of life for all Scott County residents.

CDA | COMMUNITY DEVELOPMENT AGENCY SCOTT COUNTY

Great Scott & Social Media



Great Scott County

One website, many ways to make life easier

great scott

Finding local information often means bouncing between websites, social media posts, and word-of-mouth. Job listings are in one place, events in another, and learning opportunities scattered everywhere else. GreatScottCounty.org was built to bring those pieces together!

Local organizations recognized that sustained economic vitality doesn't happen by accident—it grows when people are aware of opportunities, can easily access them, and see pathways to thrive. By bringing housing, jobs, learning, and community life into one shared space, the site helps turn awareness into engagement and that engagement into long-term investment in Scott County.

At GreatScottCounty.org, you will find…

Free, accessible job postings: Great Scott partners with CareerForce to post jobs from local employers across many industries and for a wide range of skill levels. Job seekers can find options to build a career where they live, without the hassle of local options getting buried on larger platforms. Posting and searching is free for everyone involved. There is often more available than people realize! Check out over 400 jobs available in Scott County at https://www.greatscottcounty.org/jobs/.

Affordable family events: It's easy for families to miss local events when they don't know where to look. Sometimes the options they find are too expensive, difficult, or not family-friendly, and social media algorithms limit what can be seen. Thankfully, the Great Scott events calendar is updated regularly with low or no-cost, publicly accessible events built for families across Scott County. Great Scott simplifies the process by putting everything on one calendar, so families can focus on what is important — connecting with community and having fun!

Lifelong learning opportunities: Whether getting a child started in learning or advancing a career as an adult, it can be difficult to figure out where to start. Great Scott makes this easier by providing an open, easy-to-use platform to find local opportunities for all ages in one place. Information on schools and libraries is paired with community learning, and free CareerLift training opportunities for high-demand jobs.

Follow Great Scott County on social media for updates and local resources: Facebook, Instagram, and LinkedIn!



SCOTT COUNTY *Homeownership* PROGRAMS

Resources. Education. Support.

Your path to home.

Scott County
Community Development Authority





EDUCATIONAL
8 HR HOMEBUYER SESSION

Interactive classes that cover the homebuying process, budgeting, financing, and more.



PRE-PURCHASE
ONE-ON-ONE COUNSELING

Work with HUD certified counselors to review your goals, finances, and options to prepare for homeownership.



FORECLOSURE
COUNSELING

Get help understanding your options and creating a plan to protect your home and financial future.



1ST TIME
HOMEBUYER GRANTS

Qualified first-time buyers may be eligible for grants to help with down payment and closing costs.



COMMUNITY
LAND TRUST PROGRAM

Affordable homes, lasting stability. Keeping homes affordable for generations to come.

Building stronger communities by helping more people achieve the dream of homeownership. | Learn more: **www.scottcda.org**

Homeownership- CLT

CDA | COMMUNITY DEVELOPMENT AGENCY SCOTT COUNTY

1st Time Homebuyer CLT Program

COMMUNITY LAND TRUST



TOWNHOMES
ANNUAL INCOME LIMITS
$55,000-79,500



REHAB-HOMES
ANNUAL INCOME LIMITS
Up to $106,000

*Offering affordable homes to low-income & moderate-income households.

Pre-Screen & Information:

*Availability is limited.
Income & eligibility requirements apply.
Equal Housing Opportunity.

METROPOLITAN COUNCIL

MINNESOTA HOUSING



NEW CONSTRUCTION
ANNUAL INCOME LIMITS
Up to $106,000

CDA secures $1.4 M award to expand Community Land Trust Program

The Scott County Community Development Agency (CDA) is pleased to announce it has been awarded new grant funding from the Minnesota Housing's Impact Fund to support the continued growth of the CDA's Community Land Trust (CLT) program for first-time homebuyers. The 2026–2028 award includes:

- $1,084,800 to support the acquisition, rehabilitation, and resale of four existing single-family homes to income-qualified first-time homebuyers through the Community Land Trust program, and
- $404,000 to assist Habitat for Humanity with construction of the final four-plex of three- and four-bedroom townhomes in Prior Lake.

This Habitat for Humanity development represents the last phase of the project (four-units), resulting in a total of 12 townhomes, eight of which have been sold to qualifying buyers.

Supporting first-time homebuyers

The Community Land Trust program is designed to help households earning 80 percent or less of the Area Median Income (AMI) — approximately $79,500 to $106,000, depending on household size — achieve affordable homeownership. All buyers must complete required homebuyer education and counseling prior to purchase, ensuring long-term success and stability.

Growing impact across Scott County

The Scott County CDA launched its Community Land Trust program in 2021 with just three homes. Today, the Land Trust portfolio has grown to 23 homes throughout the County. With this new Impact Fund award, combined with an existing grant already in place, the CDA anticipates expanding the program to 39 homes within the next three years, significantly increasing access to affordable, sustainable homeownership opportunities for Scott County residents.

This investment underscores Minnesota Housing's commitment to addressing housing affordability and highlights the CDA's ongoing efforts to build pathways to homeownership for local families.

Questions?

CDA | COMMUNITY DEVELOPMENT AGENCY SCOTT COUNTY

Michael Werneke, Business Development Manager: mwerneke@scottcda.org

Jo Foust, Business & Community Development Director: jfoust@scottcda.org

AGENDA ITEM NO. 7.1

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: May 4, 2026

SUBMITTED BY: Lynda Jirak,Clerk

ITEM TYPE: Agenda Report

AGENDA SECTION: General Business

SUBJECT: Codification of Municipal Ordinances

BACKGROUND:

Currently, our ordinances are maintained as individual amendments and resolutions, making it challenging for Staff, residents and legal counsel to locate and interpret applicable laws. This system increases the risk of conflicting provisions and administrative inefficiencies.

Engaging in a professional Codification service would allow:

- Review and consolidate all existing ordinances.
- Identify and resolve conflicts and redundancies.
- Create a searchable, indexed municipal code available both in print and online.

Benefits in a professional Codification service would allow:

- Transparency: Residents can easily access and understand local laws.
- Efficiency: Staff can quickly reference applicable regulations.
- Legal Consistency: Reduces risk of contradictory or outdated provisions.

Staff have attached two proposals - American Legal Publishing and CivicPlus for Codification service providers and present cost estimates and timeline for council consideration. Staff has worked with American Legal Publishing in the past and more than 300 cities in Minnesota use American Legal Publishing.

Codification will modernize our legal framework, enhance public trust and streamline governance.

FINANCIAL IMPACT:

The 2025 City Budget included an allocation of $17,500 for Codification services. The current budget provides $2,500 annually for these services through 2029.

SUGGESTED ACTION: Provide direction to Staff regarding Codification services.

ALTERNATIVES: Direct Staff to include Codification services in the 2027 budget.
Not pursue Codification services at this time.

ATTACHMENTS:

Credit River proposal 2026.pdf

City of Credit River, MN - Cod FS Proposal 3.26.2026.pdf

Code of Ordinances

Proposal for
Credit River, MN





League of Minnesota Cities
145 University Avenue West
St. Paul, MN 55103-2044

Kyle Hartnett, Esq.
Codification Attorney
(651) 215-4084

American Legal Publishing, LLC
525 Vine Street, Ste. 310
Cincinnati, OH 45202

Ray Bollhauer, Esq.
President
(800) 445-5588

LEAGUE OF MINNESOTA CITIES
and
AMERICAN LEGAL PUBLISHING

PROPOSAL FOR CREDIT RIVER, MINNESOTA

TABLE OF CONTENTS

1) Letter

2) Qualifications and Experience
Key Personnel Profile

3) References and League Affiliations

4) Proposed Agreement

5) Sample Code Style

6) Internet Services; Search & Retrieval Program

7) Additional Services via International Code Council

8) Sample Legal Report

3/26

LEAGUE OF MINNESOTA CITIES

CONNECTING & INNOVATING
SINCE 1913

March 10, 2026

Lynda Jirak
Credit River City Clerk
18985 Meadow View Blvd.
Prior Lake, MN 55372

Re: Credit River Codification of Ordinances

Dear Ms. Jirak:

As requested, enclosed is the League of Minnesota Cities' proposal for codification of the city ordinances. As part of the League's Codification Services Program, American Legal Publishing who is the codification consultant to the League, will assist the League by performing the editorial and publishing aspects of the codification project. **The League's experience in codifying Minnesota municipal ordinances is unmatched. We currently provide codification services to over 300 Minnesota cities.**

A custom codification includes organizing ordinances by subject matter, creating an index and tables as needed, formatting the pages into single or dual column print at the city's option, and printing complete copies of the entire code book. It also includes a legal review and written report by one of our staff attorneys. The review will uncover inconsistency between the ordinances that are being codified, and inconsistency with state statutes. Binders and divider tabs are included in the price. There is also the option to have us post the new code on the internet in a searchable format.

In future years, new ordinances can be easily added to your code with American Legal's supplement services. And, when you need a model ordinance, simply call us; we don't charge for providing model ordinances. You can also search all codes on our internet site free of charge when you feel like looking for models yourself.

Should you have any questions about the proposal, please call us.

Sincerely,

RAY BOLLHAUER, Esq.
ALP President

(800/445-5588)
rbollhauer@amlegal.com

KYLE HARTNETT, Esq.
LMC Codification Attorney

(615/215-4084)
khartnett@lmc.org

If signing contract, please return to Ray at:

American Legal Publishing
525 Vine Street, Ste. 310
Cincinnati, OH 45202

QUALIFICATIONS AND WORK EXPERIENCE

The League of Minnesota Cities proposes to work in conjunction with its Codification Consultant, American Legal Publishing, to perform this project for the City of Credit River.

The League's codification attorney will assist American Legal in performing a legal review of the code. In addition, American Legal Publishing will perform the editorial and printing work for the project.

American Legal Publishing began as the codification division of the Anderson Publishing Company of Cincinnati in **1934** and became a separate corporation in 1979. Beginning in 2006, it became primarily employee-owned, and is now a Member of the International Code Council Family of Solutions.. The editorial support staff consists of over 20 experienced editors skilled in the multiple disciplines required in providing codification services: editing, computer operation, proofreading and indexing. Our typical editor is a college graduate with a degree in English, Journalism, or Law. Today, American Legal serves nearly 3,400 local government clients across the nation, ranging in size from New York, Los Angeles, Philadelphia, Chicago, Dallas and Boston, to cities with populations under 500.

The League of Minnesota Cities has provided quality codification services to over 250 member cities during the last decade. This joint effort between LMC and ALP will allow your city to have the best of both worlds utilizing American Legal's codification expertise and the League's vast experience with Minnesota law and Minnesota local government.

The primary contact persons for this project will be Kyle Hartnett, Codification Attorney with The League of Minnesota Cities. American Legal's project coordinator will be Ray Bollhauer, President and Staff Attorney.

The only work which is subcontracted is the printing of code binders and tab dividers.



KEY PERSONNEL

LEAGUE OF MINNESOTA CITIES:

KYLE HARTNETT

- B.A. Political Science, Saint John's University (Minnesota)
- J.D. Hamline University School of Law
- Serves as a League of Minnesota Cities Staff Attorney in charge of codification program and as an Assistant Research Manager.

AMERICAN LEGAL PUBLISHING:

RAY G. BOLLHAUER - PRESIDENT

- J.D., University of Cincinnati College of Law
- B.A., Economics, University of Cincinnati
- Former Trustee and Past President of local Council
- Program Coordinator for League of Minnesota Cities codification program

American Legal has 13 attorneys and 3 paralegals on staff.

REFERENCES

City of Brooklyn Park
5200 85th Avenue N.
Brooklyn Park, MN 55443
Contact: Devin Montero
City Clerk
(763) 493-8180

City of Benson
1410 Kansas Avenue
Benson, MN 56215
Contact: Val Alsaker,
City Clerk
(919) 894-3553

City of North Saint Paul
2526 7th Avenue E.
North St. Paul, MN 55109
Contact: Jennie Kloos
Deputy City Clerk
(651) 748-2572

Other custom code clients: Aitkin, Amboy, Apple Valley, Arden Hills, Aurora, Austin, Avon, Babbitt, Backus, Bagley, Baldwin, Barnesville, Barnum, Battle Lake, Becker, Big Lake, Blooming Prairie, Bloomington, Braham, Brainerd, Brooten, Brownsville, Browton, Buhl, Byron, Cambridge, Cannon Falls, Carver County, Center City, Centerville, Chisholm, Clara City, Clarissa, Cokato, Cologne, Columbia Heights, Cook, Cosmos, Crookston, Crosby, Currie, Dassel, Dayton, Deephaven, Dilworth, Eagle Bend, East Grand Forks, Eden Valley, Elbow Lake, Elysian, Emily, Eyota, Fairmont, Forest Lake, Fulda, Gaylord, Gilbert, Glenwood, Good Thunder, Goodview, Grand Marais, Granite Falls, Grygla, Ham Lake, Hamburg, Hampton, Harris, Hastings, Hector, Henderson, Hinckley, Hokah, Hoyt Lakes, Hutchinson, Jackson, Jenkins, Jordan, Kassota, Kasson, Keewatin, Kettle River, LaCrescent, Lafayette, Lake City, Lake Crystal, Lake Elmo, Lakefield, Lakeland, LeSueur, Lewiston, Lindstrom, Lino Lakes, Litchfield, Lonsdale, Luverne, Madelia, Madison, Madison Lake, Mahnomen, Mantorville, Mapleton, Mayer, Maynard, Menahga, Milaca, Monticello, Montrose, Mora, Morris, Morristown, Motley, Mounds View, New Germany, New Prague, New York Mills, Newport, North Mankato, North Oaks, Oronoco, Ortonville, Osakis, Osseo, Owatonna, Park Rapids, Parkers Prairie, Perham, Pine River, Pipestone, Plato, Preston, Proctor, Redwood County, Redwood Falls, Robbinsdale, Rock County, Rushford, Rushmore, St. Anthony, St. Bonifacius, St. Charles, St. James, St. Michael, Sandstone, Sauk Centre, Scandia, Shakopee, Shorewood, Slayton, Spicer, Spring Valley, Stacy, Stewartville, Verndale, Virginia, Wabasha, Wadena, Wanamingo, Warren, Warroad, Waseca, Waseca County, Waterville, Watkins, Waverly, Wells, West St. Paul, Winnebago, Worthington, Wright County and Zumbrota.

AMERICAN LEGAL PUBLISHING

American Legal Publishing is proud of its relationship as consultants to the following organizations:

INTERNATIONAL MUNICIPAL LAWYERS ASSOCIATION (IMLA)
1110 Vermont Avenue, NW, Suite 200
Washington, DC 20005
Contact: Executive Director
(202) 466-5424

LEAGUE OF MINNESOTA CITIES
145 University Avenue West
St. Paul, MN 55103-2044
Contact: Kyle Hartnett
Codification Attorney
(651) 215-4084

LEAGUE OF ARIZONA CITIES AND TOWNS
1820 West Washington Street
Phoenix, AZ 85007
Contact: Matt Lore,
Deputy Executive Director
(602) 258-5786

OHIO MUNICIPAL LEAGUE
175 South Third Street, Suite 510
Columbus, OH 43215
Contact: Kent Scarrett
Executive Director
(614) 221-4349

NORTH CAROLINA LEAGUE OF MUNICIPALITIES
P.O. Box 3069
Raleigh, NC 27602
Contact: Kim Hibbard
General Counsel
(919) 834-1311

LEAGUE OF OREGON CITIES
1201 Court Street NE, Suite 302
Salem, OR 97301
Contact: Patty Mulvihill
General Counsel
(503) 588-6550

WEST VIRGINIA MUNICIPAL LEAGUE
2020 Kanawba Blvd., East
Charleston, WV 25311
Contact: Susan Economou
Executive Director
(304) 342-5564

INTERNATIONAL INSTITUTE OF MUNICIPAL CLERKS (IIMC)
8331 Utica Avenue
Rancho Cucamonga, CA 91730
Contact: Executive Director
(909) 592-4462

LEAGUE OF WISCONSIN MUNICIPALITIES
202 State Street, Suite 300
Madison, WI 53703-2215
Contact: Claire Silverman
General Counsel
(608) 267-2380

LEAGUE OF NEBRASKA MUNICIPALITIES
1335 L Street
Lincoln, NE 68508
Contact: L. Lynn Rex
Legal Counsel
(402) 476-2829

SOUTH DAKOTA MUNICIPAL LEAGUE
214 E. Capitol Avenue
Pierre, SD 57501
Contact: Yvonne Taylor
Executive Director
(605) 224-8654

INDIANA ASSOCIATION OF CITIES & TOWNS
150 West Market Street
Indianapolis, IN 46204
Contact: Jodie Woods
General Counsel
(317) 237-6200

LEAGUE OF KANSAS MUNICIPALITIES
300 SW 8th Avenue
Topeka, KS 66603
Contact: Nathan Eberline
Executive Director
(785) 354-9565

CODIFICATION SERVICES AGREEMENT

March 10, 2026

The City of Credit River, Minnesota ("City") and the League of Minnesota Cities and its codification consultant, American Legal Publishing, L.L.C., (jointly known as "Codifier"), agree as follows:

I. THE CODIFIER SHALL:

(1) Examine the City's prior Code of Ordinances and all ordinances or resolutions provided by the City which have been passed since the last codification, and determine which materials are to be codified. The zoning ordinance shall be included either in full or by reference in the new code at the City's option.

(2) Classify all materials into titles, chapters, and sections, according to subject matter.

(3) Simplify language where appropriate to provide uniformity of style and to convert to gender neutral language wherever possible.

(4) Organize the code in an easy to use manual which utilizes a numbering system that allows for the easy insertion of future ordinances.

(5) (a) Prepare title, chapter, and section headings.

(b) Prepare a legislative history for each section, citing the ordinance number and date of passage, as indicated on copies of ordinances supplied to the Codifier.

(c) Prepare a table of contents and sectional analysis for each chapter.

(d) Prepare an index (which will be created after the first draft of the Code is submitted).

(6) Utilize its staff of attorneys to review all materials to be codified and prepare a written report for the city attorney.

(a) The report may include notice of and suggestions for resolving the following:

1. Internal discrepancies such as duplications, ambiguities, and obsolete terminology.
2. Repealed, renumbered, or obsolete state and federal statutory citations; and
3. Apparent conflicts with prominent federal case law.

(b) Suggest new provisions which the City should consider including in the code, and suggest deleting old provisions which are no longer necessary.

(c) The review will not involve re-drafting of entire chapters by the Publisher. However, the Publisher will provide model ordinances to the City upon request if in possession of such models.

(7) Within seven months of the execution of this contract and return of the code questionnaire, prior code and new ordinances by the City, submit to the City a draft of the code and then a legal report prepared by American Legal with the assistance of the League's Attorney.

(8) When the City either returns to American Legal its answers to the legal report with any additional comments about the draft, or completes the legal conference, it shall be deemed authorization by the City to the Codifier to finish editing and publish the code in final form. Any further changes, additions, or deletions shall be made in the future supplements to the code in accordance with paragraph III (3) of this Agreement.

(9) Within three months of receipt of authorization as indicated in paragraph (8), the Codifier will deliver 5 printed copies of the code meeting the following specifications:

(a) Type to be single or dual column, at the option of the City.

(b) Page size to be 8½" x 11".

(c) All copies to be in hard leather-like covered, 3-ring, loose leaf binders. All binders shall have the City's name stamped in gold and shall contain divider tabs.

(10) Deliver to the City a sample ordinance that can be used to adopt the new code.

II. THE CITY SHALL:

(1) Provide clear copies of all materials necessary to perform the codification, including a copy of any previously published code of ordinances, ordinances passed since the code was last updated, and completed code questionnaire.

(2) After receipt of the draft of the code and legal report described in paragraph I (7), the City shall have 60 days to review the draft and report and to return to the Codifier its answers to the legal report. In the alternative, if the City opts for the legal conference described in paragraph III (1), it must contact the Codifier's Staff Attorney within 60 days to set up a meeting date. The meeting, itself, need not occur within the same 60 day period. If the City is unable to either return its comments and answers to the legal report within 60 days or, if applicable, to set up a meeting date, the City may request that the Codifier extend the deadline in writing. The Codifier may adjust the contract price to cover any increased costs due to the City's delay, including applying a supplement editing rate to incorporate new ordinances, resolutions or changes to the code not previously provided to the Codifier within the 60 day time period - even if an extension is granted. Should the City abandon the project prior to completion, it will be billed for a total of 80% of the base price.

(3) Pay the following (which can be paid over two fiscal years):

a) The sum of $8,190 (plus shipping/handling) for codification excluding the full text of the zoning and subdivision ordinances, or

b) The sum of $16,340 (plus shipping/handling) for codification including the zoning and subdivision ordinances in full.

Payable as follows: 10% down payment due upon acceptance of this agreement;
60% of the balance upon receipt of the code draft;
The remaining balance upon receipt of the printed code books.

(4) The base price above is based upon a code of the following number of pages according to the format option of the City. Should the final number of code pages exceed the estimate by more than 5%, the base price will increase accordingly at the time of final invoice:

FORMAT	NUMBER OF PAGES	INCREASE
8½" x 11" Single-column page	390 without zoning/subdivision 815 with zoning/subdivision	$18 per page beyond 5%
8½" x 11" Dual-column page	320 without zoning/subdivision 665 with zoning/subdivision	$22 per page beyond 5%

III. OPTIONAL SERVICES.

The City, by the initials of the person signing the agreement, chooses the following options:

INITIAL

(1) Legal Conference: _____

The Codifier's Staff Attorney will meet with City representatives to review the draft of the code and legal report. The City will pay for the Staff Attorney' travel expenses from Cincinnati, Ohio, including meals and lodging expenses, and this charge is in addition to the base contract price. There is no additional charge for phone conferences.

(2) Code Format: Print style (circle one): Single-column or Dual-column

(3) Three year supplemental service plan: _____

For a period of three years after delivery of the code:

(a) The Codifier shall:

1. Incorporate into the code new pertinent ordinances submitted by the City.

2. Revise or make additional entries to the table of contents and index as necessary to reflect the incorporation of additional, changed or deleted material.

3. Deliver to the City 5 printed copies of supplemental pages with an instruction sheet for directing the placement of the new pages in the code.

(b) The City shall:

1. Provide a copy of ordinances or resolutions passed subsequent to publication of the previous code supplement;

2. Pay to the Codifier the sum of $19 per single column page or $22 per dual column page which is re-printed for the supplement, plus shipping/handling.

The prices above are for a three-year period and cannot be changed except for adjustments starting in the second year of this agreement to reflect any increase in the United States Consumer Price Index calculable from the month of delivery of the Code.

(c) Upon completion of the three-year period, this agreement shall automatically renew itself from year to year except that either party may alter or cancel the terms of this agreement at any time upon ninety days written notice.

(4) Code Online in Searchable Program:

(a) The Publisher shall convert the Municipality's code into a fully searchable format for Internet for a one-time setup fee: _____

$595 without zoning/subdivision, or
$895 with zoning/subdivision

(Future Code Updates to Searchable Code are at $2.50/page; cost is in addition to editing charge for printed pages in Par. 3(b)2. above) _____

(b) Code on the Internet annual hosting fee: $595 per year (increases 2% per year). _____

Choose a schedule for future updates:

Printed Book Updates:_____ annually _____ six months _____ quarterly _____ as ordinances pass

Internet Updates: _____ annually _____ six months _____ quarterly _____ as ordinances pass

OPTIONAL ONLINE SERVICES:	**Price**	**Initial if Choosing**
New Ordinance List Service (Advance Legislation) *Ordinances not yet codified are listed with a link to the ordinances (ordinances are removed from the list once they are codified)*	$125/yr + $10/ordinance ***or*** $300/yr for unlimited ordinances	
New Ordinance Notification *Notice posted at beginning of code section with a link to ordinances that will amend that code section (ordinances are removed from code once they are codified)*	$10/ordinance linked (5 links included; $2 per addit. link)	
Comprehensive Ordinance List *Ordinances linked to list of all ordinances codified and remain even after code is updated*	$8/ordinance if hosted on city's website, or $10/ordinance if hosted on ALP website; additional $50/year hosting fee with annual increase of $15	
Ordinances History Links within code section histories *Ordinances linked in section history following a code section as new ordinances are added to the code*	$8/ordinance if hosted on city's website, or $10/ordinance if hosted on ALP website	
Definition Links *Popup box with definition appears when hovering over a term that is defined in the code*	$75/hour	
Searchable desktop version *Searchable version of the code can be provided for desktop/ PC use offline*	$50	

Archive of prior code versions and Comparing different versions *Prior versions of the code hosted online for research purposes, including creating a compared document*	Annual code updates: $50/yr; 2 - 4 code updates per year: $100/yr; More than 4 code updates per year: $250/yr	
Custom Website Banner *Government seal or logo posted at code site*	$25 for seal/logo on front page; $100-950 for banner	

Meeting Minutes online in searchable database	**Price**	**Initial if Choosing**
Setup fee to create database	$250	
Per page fee	$1 per page if provided from city to ALP in electronic format such as PDF or MS Word (min. fee $10 per update)	
Hosting fee	$250/year + 3% increase in subsequent years	

IV. ADDITIONAL TERMS:

City License. The City will retain all rights, including copyrights, and title to the text of its municipal code (the "Code") but hereby grants to the Codifier the right and license to reproduce, distribute, display and advertise the Code, and to digitize the Code and to prepare, reproduce, publish, distribute, transmit, perform, display, broadcast, upload, download, communicate to the public, lend or otherwise transfer or make available or store in any medium a copy of the Code whether or not adapted or abridged on its own or in combination with any other work by means of or through any electronic medium, including, digital, optical and magnetic information storage and retrieval platforms or systems, on-line, electronic or other reproduction, transmission or publication, or by any other means whether now known or subsequently developed.

Codifier Intellectual Property. All computer software and other intellectual property of the Codifier used in performing its services shall remain the property of the Codifier and/or its affiliates and/or licensors. Model building codes and/or other model codes used by the Codifier in the Licensed Program or otherwise in performing its services shall remain the property of the Codifier and/or its affiliates, and no ownership or other proprietary right in those model codes is conveyed in the City.

Warranties. The Codifier warrants that the services and any deliverables provided hereunder will be in accordance with the terms and conditions of this Agreement and will be free of material defects. Regardless of the City's acceptance of completed materials when delivered, the Codifier shall correct errors found either by the City or the Codifier.

Disclaimers. The Codifier's warranties contemplated herein do not extend to failures arising out of (i) incorrect or insufficient data, specifications or instructions provided by the City or (ii) work or services performed by others. Except as expressly stated herein, THE CODIFIER MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF ANY KIND, INCLUDING, WITHOUT LIMITATION, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WITH REGARD TO ANY SERVICES, DELIVERABLES AND/OR RELATED MATERIALS FURNISHED BY THE CODIFIER HEREUNDER.

Limitations on Liability. The cumulative liability of the Codifier and its licensors for all obligations, warranties and guaranties, whether express or implied, with respect to services performed and software licensed hereunder shall be limited to the amount paid to the Codifier pursuant to this Agreement. The Codifier and its licensors shall not be liable to the City or any other person or entity for lost profits, revenues, use, opportunities, or data, or any indirect, special, incidental, punitive or consequential damages arising from the performance or nonperformance of services or the use or inability to use any software or product. The limitations and protections against liability afforded the Codifier, and its licensors herein shall apply to any action or claim in connection with the services, whether based on contract, tort, statute or otherwise (including but not limited to negligence, warranty and strict liability).

Assignment. Codifier may, without the other party's consent with thirty (30) days written notice, transfer this agreement or any of its rights and obligations under this Agreement, to any of its affiliated entities, including but not limited to International Code Council, Inc., General Code Enterprises, LLC, or ICC Codification, Inc.

V. TRANSMITTAL AS OFFER:

The transmittal of this Agreement to the City is an offer by the Codifier to perform the stated services at the terms referenced within the Agreement. This offer will expire if not executed by the City by May 31, 2026, unless such date is extended in writing by the Codifier.

IN WITNESS WHEREOF, the parties have hereunto set their hands on the date(s) indicated:

CITY OF CREDIT RIVER, MN

BY _____

TITLE _____

DATE _____

LEAGUE OF MINNESOTA CITIES AND AMERICAN LEGAL PUBLISHING, L.L.C.

BY _____

TITLE _____

DATE _____

Return signed contract to:

Ray Bollhauer
American Legal Publishing
525 Vine Street, Ste. 310
Cincinnati, OH 45202



1) Sample Typestyle and Formatting:

- Sample of formatted page in single column

- Sample of formatted page in dual column

Note: We recommend 12 point font size for single column printing (but 11 point is acceptable). And, we recommend 11 point font size for dual column printing.
10 point font is available, but we believe it is too small for comfortable reading.
(This line is printed in 10 point font.)

2) American Legal Publishing standard numbering and organizational chart

(City can chose to use ALP's standard or retain current numbering and organization of the code)

3) **Binders:**

- **Ring Binders:** Most clients prefer ring binders over post for the following reasons:

– Ring binders stay open to the page you are reading if you lay it flat on a desk (post binders tend to close up when laid open).

– If you need to copy one page out of the code book, you can turn to just that page and remove it, while with post binders, you have to remove all of the pages in front of it to get to the page you want (and then re-insert all of them).

– When the code is updated annually or more often, it takes much longer to insert the new pages in a post binder because you have to remove all of the pages in front of the page you want to remove (and then re-insert all of them).

CHAPTER 71: TRAFFIC REGULATIONS

Section

General Provisions

71.01 Speed limit in city alleys
71.02 Operation of motor vehicles on unpaved public or private property prohibited

Motorcycles; Motor Scooters and Motor Bikes

71.25 Safety helmet or headgear required
71.26 Operator's permit required

71.99 Penalty

Cross-reference:

Speed limits on designated streets, see Chapter 76, Schedule I
Citations for traffic and parking violations, see §§ 72.150 through 72.157

GENERAL PROVISIONS

§ 71.01 SPEED LIMIT IN CITY ALLEYS.

(A) For purposes of this chapter an ***ALLEY*** shall mean every street or way within a block, which is set apart for public use, vehicular traffic and local convenience. ('72 Code, § 34-4)

(B) No person shall drive a motor vehicle upon any alley in the city at a speed in excess of ten miles per hour. ('72 Code, § 34-5)
(Ord. 2087, passed - - ; Am. Ord. O-87-72, passed 12-23-87) Penalty, see § 71.99

§ 71.02 OPERATION OF MOTOR VEHICLES ON UNPAVED PUBLIC OR PRIVATE PROPERTY PROHIBITED.

(A) It shall be unlawful for any person to operate a motor vehicle, as defined by the Florida Uniform Traffic Control Law, F.S. Chapter 316, as may be amended from time to time, on any unpaved public property, or on any paved or unpaved shoulder of a public road.

CHAPTER 71: TRAFFIC REGULATIONS

Section

General Provisions

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(B) It shall be unlawful for any person to operate a motor vehicle on any unpaved private property, not owned by the operator or his immediate family, without the express written consent of the owner, lessee, tenant or other person entitled to possession and use of such premises; said written consent to be carried on the operator's person.

(C) The foregoing provisions shall not apply to the following:

(1) A licensed and franchised public utility in the conduct of its business;

(2) Any federal, state or local governmental agency;

(3) Any licensed emergency vehicle;

(4) Any situation where such operation is necessary to avoid collision with other traffic;

(5) Where such operation is in compliance with other laws or the directions of a law enforcement officer or official traffic-control devices.
('72 Code, § 34-13) (Ord. O-73-51, passed 6-27-73) Penalty, see § 71.99

American Legal Publishing's:

STANDARD NUMBERING SYSTEM

31.01 = Title 3, First Chapter (or referred to as Ch. 31),

STANDARD FORMAT AND ORGANIZATION

The city can retain its current organization and format or choose another that it prefers; we suggest the following organization of the code:

Municipal Officials/Officers List
Table of Contents
Charter and Charter Index
Title 1 General Provisions
Title 3 Administration Ordinances
Title 5 Public Works Ordinances
Title 7 Traffic Code Ordinances
Title 9 General Regulations Ordinances
Title 11 Business Regulations Ordinances
Title 13 General Offenses Ordinances
Title 15 Land Usage Ordinances
Table of Special Ordinances (ordinances that are included in summary form only)
Parallel Reference Tables
Index

Titles are odd numbered to allow for expansion if necessary.
Sections within a chapter are grouped in a subchapter name if appropriate and a gap of 5-10 section numbers are left for expansion within that subchapter.

Divisions within a section are as follows, with a space tab added in front of each new subdivision:

§ 31.03 DUTIES.

(A)

(B)

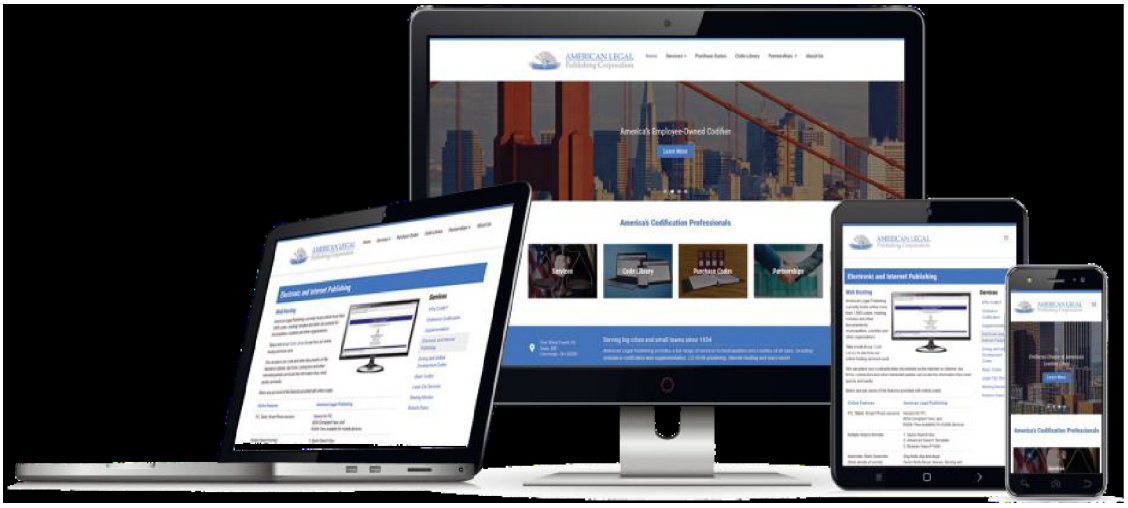
(1)

(2)

(a) Subdivisions rarely go beyond (A)(1)(a/b)

(b)

American Legal Publishing Internet Code Features



Our online codes have the following features:

Online Features:	Many features are included in current annual hosting fee at no additional cost	Price:
PC, Tablet, Smart Phone versions	PC and Mobile Views	Included
Multiple Search formats	1. Quick Search 2. Advanced Search Template	Included
Automatic Stem Searches (finds plurals of words)	*Dog* finds *dog* and *dogs* *Fence* finds *fence, fences, fencing* and *fenced*	Included
Synonym Searches	Users can choose synonym searching: *Grass* finds *grass, turf, lawn* *Garbage* finds *garbage, litter, trash, rubbish*	Included
Continuous Next Hit feature	You can go through all hits without having to go back to the Results List for each chapter	Included
Table of Contents expands and links to sections	View and navigate the TOC while also viewing code text and option to view TOC, Document and Search Results at same time	Included
Download text in multiple file choices from the web	Can download into MS Word, HTML, TXT, PDF, MOBI and EPUB (can also use copy/paste feature)	Included
Email links to text	Can email link to specific text in code	Included

Cross-references hyperlinked	Cross-references to other sections, including Penalty references are hyperlinked	Included
Color Graphics	Yes - if provided in color by the Municipality	Included
Static Links to specific sections can be set	Ability to set links to titles, chapter or individual sections in the code	Included
Scrolling tables - static header	The titles of table columns remain visible as you scroll through tables	Included
Limit searches to specific sections	Use TOC feature to limit search to chapters or sections (or expand search to other municipal codes)	Included
Email notifications of code changes	Staff and the public can create a free account to receive email notifications when the code changes	Included
Annotations	Staff and the public can create a free account to create annotations	Included
Electronic format	Online document flows uninterrupted; no page breaks or page numbers to interrupt the text	Included
Translation into other languages	Apply Google Translate to the Code	Included
Search over 2,000 municipal codes	Free access to all codes we publish online; no need to subscribe to any service	Included
Online help features	Use online help features or contact our technical service reps via email or toll-free phone number	Included
OPTIONAL SERVICES:		
New Ordinance List Service (Advance Legislation Notice)	Ordinances not yet codified listed with link to full text of ordinances (ordinances removed from list once they are codified)	
New Ordinance Notification	Notice posted at beginning of code section with link to ordinance that will amend that section (ordinances removed from code once they are codified)	
Comprehensive Ordinance List	New ordinances added to list of all ordinances codified and remain even after code is updated	

Ordinances History Links within code section histories	As new ordinances are added to the code section history list, links to the original ordinance can be set	
Definition Links	Defined terms in the code can be hyperlinked directly to their definition (See Weston, FL code)	
Archive of prior versions of code online and Comparing different versions	Prior versions of the code may be hosted online for research purposes, including creating a compared document	
Custom Website Banner	Municipal seal or logo posted at code site, or partial or complete banner from the Municipality's website can be used	

Meeting Minutes hosted online in searchable database:

Prior minutes (initial set-up of database): $1 per page if provided from city to ALP in electronic format such as PDF or MS Word (minimum start up fee of $250) + hosting fee

Future minutes posted at $1 per page if provided from city to ALP in electronic format such as PDF or MS Word (minimum fee of $10 per update) + hosting fee

Hosting Fee: $250/year hosting fee; increases by 3% per year after third year

American Legal Publishing

ICC INTERNATIONAL CODE COUNCIL

ICC INNOVATION

Digital Solutions to Empower Growth & Efficiency

As a member of the ICC Family of Solutions, American Legal Publishing is proud to share ICC Innovation - digital solutions and services to empower growth and efficiency.

CONTENT, CODIFICATION & TOOLS

Stay ahead with our digital content and constantly updated resources on building safety content, codification, software & technology platforms and consultancy tailored to meet the needs of building professionals.

ICC DIGITAL CODES PREMIUM | MapLink powered by ZoningHub | eCode ALP | ICC Code Connect™ API

PERMITTING & CODE ENFORCEMENT

Switch to virtual permitting and inspections with a highly configurable web-based software solution.

MUNICITY Cloud-Based Municipal Software

RECORDS MANAGEMENT

Automate your procedures, and digitize any data, including paper documents.

Laserfiche

TRAINING & CREDENTIALING

The Code Council offers a range of training and certification opportunities to earn CEUs, LUs, or PDHs for CodeCouncil certification renewal and career advancement.

ONLINE LEARNING | pronto ICC ONLINE EXAMS | ICC SKGA S. K. GHOSH ASSOCIATES | ICC LEARN LIVE

Let us know if you would like more information about these optional services.

Sample LEGAL AND EDITORIAL RESEARCH AND REPORT
STACY, MINNESOTA
AMERICAN LEGAL PUBLISHING

Introduction

These editorial notes have been created in conjunction with the preparation of a preliminary manuscript of the code of ordinances for Stacy, Minnesota, and are intended to assist in the review of the preliminary manuscript of your code. They describe editorial decisions made in creating the manuscript and provide a list of questions which need to be addressed by the city.

Please note that any questions of a legal nature contained in this report should be addressed to your City Attorney. This editorial report should not be considered as a substitute for the competent advice of your City Attorney, and we are in no way assuming the role of attorney for the city.

Upon receipt of your answers to the following notes, we will be able to complete production of your new code. Under provision II(2) of your contract, the review period (during which the city is to review the draft manuscript and respond to these notes) is **60 days** following your receipt of these notes**.** If the city needs additional time to respond, please contact Aimee Mercer at American Legal Publishing (amercer@amlegal.com) to discuss the city's options. There may be a charge to include ordinances adopted by the city after this 60-day review period ends.

Please remember that the draft manuscript is for review purposes only. The new code books will have tab dividers inserted before each chapter, parallel reference tables, and the index. The code pages will also be printed on both sides of each page, on white paper.

General Comments

1) We have organized the new code into the following titles with chapters, subchapters, and sections. Note that titles are designated only with odd numbers so as to accommodate maximum expansion during future supplementation:

Title I	General Provisions	Title XI	Business Regulations
Title III	Administration	Title XIII	General Offenses
Title V	Public Works	Title XV	Land Usage
Title VII	Traffic Code	Table of Special Ordinances	
Title IX	General Regulations		

2) Definitions and rules of construction contained in Title I will not be repeated throughout the code unless a variation of the definition or rule applies to a particular code provision.

3) Severability provisions throughout the code have been eliminated, as they are covered by the severability provisions of § 10.06.

4) A simplified penalty reference ("Penalty, see § . . .") has been placed in a separate line at the end of the

text of each section, where appropriate.

5) As histories for the code sections, we have listed the specific number and passage date of the original ordinance and any amending ordinances. Example: (Ord. 19, passed 1-1-60; Am. Ord. 20, passed 1-1-70; Am. Ord. 30, passed 1-1-80).

6) An M.S. cite included in the history indicates that the text of the section reads either verbatim or substantially the same as the statute. Example: (M.S. § 13.01) (Ord. 10, passed 1-17-80; Am. Ord. 20, passed 1-1-85). An M.S. cite set forth as a "statutory reference" following the text of the section indicates that the reader should refer to that statute for further information. Example:

> **§ 39.10 PUBLIC RECORDS AVAILABLE.**
> The city shall make available to any person for inspection or copying all public records, unless otherwise exempted by state law.
> ***Statutory reference:***
> *For provisions concerning the inspection of public records, see M.S. § 13.01 et seq.*

7) To determine the disposition of codified ordinances, please see the Parallel Reference table near the end of the draft manuscript. This table specifies the section(s) of the code in which each ordinance is codified. Please keep in mind that only current ordinances of a general and permanent nature are codified. Ordinances which are special or temporary in nature are not codified. Ordinances which have been repealed, superseded, or are otherwise obsolete are also not codified. In some instances, we substituted Minnesota Basic Code models for local legislation; each of those instances are noted later in this report.

8) Note that the titles in your new code are separately paginated, for ease of supplementation. If, for example, the city adds material to Title III during a supplement, then the page numbers in Title III will shift accordingly. The page numbers in the remaining titles (V through XV) will not shift, because they have self-contained pagination. Because the city will pay a charge per changed page in supplementation, this style of pagination will actually save the city money. If someone is concerned about ability to locate material quickly, please remember that the final product will have tabbed dividers before each title, clearly marked with the name of that title.

9) In order to complete your new code, we require the following items from the city:

   a) Responses to this report, which may be marked directly on this report;

   b) A copy of each new ordinance passed since the last one included in the draft manuscript (which is listed on the front cover of the blue draft manuscript); and

   c) Any other changes the city may wish to make, which may be marked directly on the blue draft manuscript or on a separate sheet of paper.

10) After your new code is completed and adopted, additional changes can be made by ordinance at any time. We recommend that each time a new ordinance is passed, the city routinely send a copy to American Legal Publishing (at the address listed on the first page of this report). Ordinances will be kept on file, and the city may request that supplement pages be issued at any time. We suggest that your new code be updated at least annually.

Responses

Research and analysis

GENERAL COMMENTS

11) Many municipalities insert prior to the actual code sections a page acknowledging the current officials of the municipality. If you desire such an acknowledgment, the responses to this report should include a current list of the any officials the city wants to include. Should such an acknowledgment page be added to the code?

12) The base price will be adjusted according to Contract provision II(4) if the code is shorter or longer. The current page count of the draft manuscript is 326 pages. The index will add approximately 30 - 40 pages. Please also keep in mind that adding or deleting provisions in your code (such as Basic Code models recommended in this report) may affect the final page count.

    The city made a down payment of $500. After you receive this report, the city will be billed for 60% of the remaining balance. The remaining amount will be due when the code is completed and the city receives its new code books.

13) Copies of state laws, session laws, and rules may be easily obtained through the internet at the following link: http://www.let.state.mn.us/leg/statutes.htm

14) Whenever a statute or rule is cited, after the citation the words, "as it may be amended from time to time," has been added in your code. Under M. S. § 471.62, which authorizes cities to adopt laws and rules by reference, there is some controversy over whether, when a rule or law is referenced or adopted in an ordinance or code, future amendments to the law or rule are or can also be included. The Attorney General is of the opinion that future amendments to laws and rules cannot be adopted by reference because at the point of time when an ordinance is enacted or a code is adopted, the governing body has no knowledge what future amendments to state laws and rules will be.

    However, in drafting codes, the Minnesota League recommends including the language "as they may be amended from time to time" after a citation to a statute or rule to at least attempt to include future amendments in the adoption of a law or rule by reference. Please note that even including this language may not be effective to adopt future amendments to laws and rules.

    The League further recommends that each year after the legislative session the city should adopt a brief ordinance stating that: "Any amendments to a rule or statute adopted by reference in the city code shall be included by reference in the code as if the amended statute or rule had been in existence at the time the code was adopted." The above phrase has been inserted in your draft code as § 10.19 as well.

Responses

Research and analysis

TITLE I: GENERAL PROVISIONS

15) Chapter 10: General Provisions. The purpose of this chapter is to reduce duplication and create consistency throughout the code. To this end, we have replaced obsolete and repetitive ordinance sections with comprehensive, general code provisions, most of which are self-explanatory in nature and need no particular comment; however, we ask that you review the chapter and advise if anything is unclear or unsatisfactory.

TITLE III: ADMINISTRATION

16) § 30.01 Meetings. Division (B) of this section cites M.S. § 471.705, which was repealed and replaced with M.S. § 13D.04. We will correct this citation accordingly. Is this acceptable?

17) § 30.09 Salaries of Mayor and Council members. Most municipalities do not include specific salary amounts in their codes, because this information is internal and administrative in nature, and subject to frequent change. We suggest replacing this section with the below model, referring to your salary legislation and the authorizing statute. Do you wish to make this revision?

COMPENSATION OF MAYOR AND COUNCIL MEMBERS.

The compensation of the Mayor and the compensation of each Council Member shall be established from time to time by City Council ordinance pursuant to M.S. § 415.11, as it may be amended from time to time.

18) Chapter 33: Emergency Management. Please note that this chapter is a model chapter from the Minnesota Basic Code. It replaces the city's prior legislation regarding civil defense, which appeared dated and perhaps obsolete. Please review this model chapter to verify that it meets your city's current needs. Unless otherwise instructed, we will retain this model chapter as presently edited.

TITLE V: PUBLIC WORKS

19) Chapter 52: Sanitary Sewer System. Please review this chapter to verify that it reflects current city practices and procedures. It appears to be derived from older legislation, as evidenced in some of the cited documents (see, for example, § 52.01, referring to a 1972 Standards of Industrial Classification Manual). You may specify any revisions you wish to make to this chapter. Unless otherwise instructed, we will retain this chapter as presently edited.

TITLE VII: TRAFFIC CODE

20) § 73.07 Uses specifically prohibited. Division (A)(1) of this section cites M.S. § 169.211, which does not exist. The correct citation appears to be M.S. § 169A.03. We will replace this citation accordingly. Is this acceptable?

TITLE IX: GENERAL REGULATIONS

21) § 91.12 Rules adopted by reference. This section cites Minn. Rules parts 7005.0705 to 7005.0805, which are repealed. Please find enclosed MBC §§ 92.60 - 92.70, Open Burning. We suggest replacing your current §§ 91.01 - 91.12 with the enclosed models. Do you wish to make this revision?

22) Ch. 92: Animals. Please find enclosed a copy of MBC Ch. 91: Animals. The enclosed model appears to address current issues more comprehensively than your prior code provisions. For example, the enclosed includes barking dog provisions, drafted in compliance with state case law requiring a specific time definition for nuisance barking. Please also note that the enclosed model provisions regarding animals running at large eliminate the often-used excuse that the animal, "just got away from me; I didn't permit it to run at large." Do you wish to replace your current Ch. 92 with the enclosed MBC model?

23) § 93.09 Assessment. This section cites M.S. § 429.01, which was repealed and replaced with M.S. § 429.011. We believe, however, that it would be better to cite to the entire authorizing chapter, and will revise this citation to read, "M.S. Ch. 429." Is this acceptable?

24) § 95.03 Public nuisances affecting morals and decency. Since limited gambling is now authorized under state law, we suggest revising division (A) of this section to read, "All gambling devices, slot machines, and punch boards, except as otherwise authorized by federal, state, or local law." Do you wish to make this revision?

TITLE XI: BUSINESS REGULATIONS

25) Chapter 112: Alcoholic Beverages. Some provisions in this chapter appear outdated or refer to repealed statutes, as below noted. We have enclosed for your reference a copy of the MBC Chapter 112: Alcoholic Beverages. The enclosed is for your review and use if you should decide to revise your current alcoholic beverages provisions. Please specify any changes you wish to make to this chapter. Unless otherwise instructed, we will retain this chapter as presently edited, with the exception of updating statutes as below noted.

26) § 112.053 Suspension and revocation. This section cites M.S. §§ 15.0418 to 15.0426. These sections, for the most part, were renumbered M.S. §§ 14.57 - 14.69. (Some text was not renumbered; please refer to M.S. Ch. 14 for details.) We will replace this citation accordingly. Is this acceptable?

27) § 112.074 Suspension and revocation. Division (A) of this section cites M.S. § 14.70, which was repealed in 1983. We will update this citation by revising it to read, "M.S. §§ 14.57 to 14.69." Is this acceptable?

28) Please note that our editors did not include Ord. 61, entitled, "An order Prohibiting the Presence of Intemperate Drinkers and Drunkards in the Stacy Municipal Liquor Dispensary." Should this legislation be added to Ch. 112?

29) Chapter 113: Gambling. We were unsure of the age of this legislation. Parts of it appear obsolete. (See, for example, the next note regarding a statutory citation.) We suggest you review the League's research memorandum, *Lawful Gambling*, available in the Library section of the League's website, www.lmnc.org. Please specify any changes you wish to make to this chapter. Unless otherwise instructed, we will retain these provisions as presently edited.

30) § 113.01 Lawful gambling permitted. This section cites M.S. § 349.12, subd. 2, for the definition of "lawful gambling." However, the term is actually defined in subd. 24 of M.S. § 349.12. We will correct this citation accordingly. Is this acceptable?

TITLE XIII: GENERAL OFFENSES

31) § 130.02 Curfews. Division (B) of this section cites M.S. § 260.015, subd. 9, which is repealed. Please also note that prevailing case law holds that an ordinance which prohibits any minor under the age of 18 from being on the streets during restrictive hours unless accompanied by a person over 18 is invalid under the U.S. Constitution for being overbroad, because it prohibits return from employment or attendance at religious or social activities which are a part of the growing-up process. See, for example, *Johnson v. City of Opelousas*, 658 F.2d 1065 (5th Cir. 1981). This section does not appear to provide such constitutionally-required exceptions to the curfew imposed.

Please find enclosed for your reference a copy of the MBC Title XIII, which includes a model curfew section (§ 130.03). We recommend replacing this section with the enclosed model curfew section. Do you wish to make this revision?

TITLE XV: LAND USAGE

32) Title XV: Land Usage. Enclosed for your reference is a copy of the League's research memorandum, Common Mistakes in Land Use Ordinances. We suggest the city refer to the enclosed while reviewing your land use regulations. Please especially note that the 60 day rule, which is explained briefly in the enclosed (point #1), applies to the process of issuing permits. The zoning administrator should be familiar with this law and ensure that decisions are made within its framework. The courts apply this law very strictly against cities and counties.

33) § 150.01 Building Code.

a) Please find enclosed for your reference a model provision from the Minnesota Basic Code. The state adopted a new building code in March of 2003, and the enclosed model provision is the ordinance the state recommends cities use for its adoption. If you decide to use the enclosed model, your building official should assist the city in completing the blanks. Do you wish to replace your current section with the enclosed model?

b) Division (D) of this section cites M.S. § 16B.775, which does not exist. We believe the correct citation should be, "... pursuant to M.S. §§ 16B.59 through 16B.875...." Should we revise this citation accordingly?

c) Division (D)(1) contains a list of adopted codes. Please review the list to verify that it accurately reflects what the city is enforcing. Unless otherwise instructed, we will retain this list as presently edited, with the exception of updating citations to repealed and replaced rules as below noted. Is this acceptable?

d) Division (D)(1)(a) cites Minn. Rules Ch. 1313, which was repealed and replaced with Minn. Rules Ch. 1315. We will update this citation accordingly. Is this acceptable?

34) Chapter 151: Subdivision Regulations. This chapter contains forms which refer to the year 19___. Do you wish to revise these to 20___ ?

35) § 151.02 Purpose. This section cites M.S. § 62.358, which does not exist. It appears that this may have been a clerical error, the correct cite being M.S. § 462.358. We will replace this citation accordingly. Is this acceptable?

36) § 153.008 Street lighting standards. This ordinance contained text which directed the city to adopt residential standards. We have retained and highlighted this text for your review, as it is not the type of material usually included in a code. Should we delete this text from your code?

37) § 153.031 Accessory buildings and structures. Division (F) of this section had handwritten text in the margin: "... if 120 sq ft or less then no permit necessary." If we should revise this section to reflect this handwritten text, please specify exactly how this section should read. Unless otherwise instructed, we will retain this section as presently edited.

38) § 153.032 Fence requirements. We received part (last page only) of an ordinance placed between the pages of your code. The ordinance was passed 9-14-93. We edited the part we received (Subd. 6, permits) into this section as division (F). Please specify any changes or deletions we should make to this section. If you wish to include the entire ordinance, please send a complete copy with your responses to this report.

39) § 153.070 Roadside standards. This section had the following handwritten text in the margin: "... county row is 50ft no of 19 + 75 ft south of 19. Take row plus 60 for setback." If we should revise this section to reflect this handwritten text, please specify exactly how this section should read. Unless otherwise instructed, we will retain this section as presently edited.

40) §§ 153.095 - 153.099 Signs. As a general note, the City Attorney should probably review the sign regulations in light of the following case law. The following is not meant to be all-inclusive list of case law concerning signs; rather, these issues are common problem areas, both in theory and practice. We especially recommend that the City Attorney closely examine any content-based regulations, particularly relating to political signs and commercial signs. In the meantime, unless otherwise directed, we will make no revisions to your sign regulations.

a) A resident should not be restricted from displaying both election and non-election political yard signs of reasonable size on a front lawn or window. *City of Ladue v. Gilleo*, 114 S. Ct. 2038 (1994).

b) Regulations on election political signs has been held to be an unconstitutional content-based restriction when no provisions have been made for non-election political signs. *City of Ladue v. Gilleo*, 114 S. Ct. 2038 (1994); McCormack v. Township of Clinton, 872 F. Supp. 1320 (D. N.J. 1994); *Collier v. City of Tacoma*, 854 P.2d 1046 (Wash. 1993).

c) Durational limits for temporary political signs tied to a specific election violate the First Amendment when applied to prohibit a person from posting on their own private property a political sign outside of the durational period set by the ordinance. *Painesville Bldg. Dept. v. Dworken & Berstein Co., L.P.A.,* 733 N.E.2d 1152 (Ohio 2000).

d) Restricting advertising to the product sold (or to the business conducted on the premises) and excluding all non-commercial messages violates the First Amendment. *Norton Outdoor Advertising, Inc. v. Village of Arlington Heights*, 433 N.E.2d 198 (Ohio 1982).

e) Imposing a fee or a cash bond for political signs and limiting the number of political signs may be unconstitutional. *Verrilli v. Concord*, 548 F.2d 262 (9th Cir. 1977); *Whitton v. City of Gladstone, Mo.*, 54 F.3d 1400 (8th Cir. 1995); *Arlington County Republican Committee v. Arlington County Virginia*, 983 F.2d 587 (4th Cir. 1993); Mcquillin, *Municipal Corporations* § 24.446.10.

41) § 153.136 Action requiring environmental assessment worksheets. Division (B)(4) of this section cites M.S. § 105.485, which was repealed in 1990. It appears the correct replacement citation is M.S. § 103F.205. We will revise this citation accordingly. Is this acceptable?

42) § 153.191 Moratorium. We were unsure whether this section was intended to be included in this chapter, or intended as a temporary measure that has not been extended. Should we delete this section from your code??

Editorial report prepared by:
Staff Attorney

municode
codification
POWERED BY CIVICPLUS

Codification, Supplementation, and Online Code Hosting Services

City of Credit River, MN

PRESENTED BY:

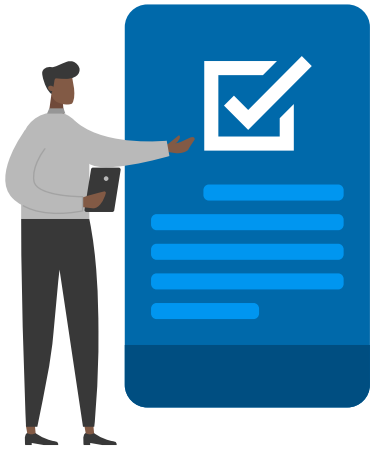
J.R. Riley, Legal Account Executive

Contact
850-696-7012
JRiley@civicplus.com



CIVICPLUS

Codification



During the codification process, the attorney assigned to your project will organize and examine all ordinances and code-related material in order to produce a code of ordinances that is free from conflicts and inconsistencies and conforms to state statutes. Your codification attorney will be available to consult with you and your staff at any time during the codification process. This personal dialogue ensures that your code will accurately reflect the intent of your ordinances and the unique needs of your community. The complete process is outlined below, followed by the scope of services for supplementation and online hosting of your new code.

Codification Process

1. **Ordinances** – Only legislation of a general and permanent nature, passed in final form by you, as set forth in this proposal, will be included in the code. All material that we receive will be acknowledged via e-mail to establish a record of included ordinances. Legislation not of a general and permanent nature is not included as part of the code and does not need to be provided to us. Notations can be added in the code to reference legislation adopted by reference, if elected.

2. **Attorney Analysis and Review of Material** – Your codification attorney, along with their team of legal editors, proofreaders, and indexers will be assigned to this project. Our legal team will research legislation permanent in nature submitted by you to ensure conformity with state statutes and to determine if there are any inconsistencies or conflicts within the legislation itself. If requested, we will suggest a structure and organization for the code and provide a table of contents indicating the recommended structure.

3. **Page Format Options** – Based on our experience codifying legislation for thousands of customers, we have devised a standard style that has proven time and again to provide the most user-friendly and readable code for staff and residents alike. We will provide our Style Guide which outlines this effective style and layout. Any deviations from this style will add time and cost to your project. Please reach out for additional information.

4. **References** – We will provide state statutes references within the code. Editorial notes will be provided as appropriate. Internal cross references within the code will be hyperlinked in the online version.

5. **Legal Memorandum** – We will provide you with a user-friendly Legal Memorandum containing all our analyses and recommendations. This memorandum will reflect our attorney's Legal Review and will provide you with recommendations to remove conflicts and inconsistencies; delete obsolete provisions; conform to state statutes, when appropriate; and ensure compliance with your charter (if included in the project). This approach facilitates collaboration and dissemination among departments, thus making the process as easy for you as possible.

6. **Conference** – Within 45 days of your receipt of the Legal Memorandum, we will conduct a conference via either telephone or webinar to review the Legal Memorandum and our recommendations. All interested personnel may be included, but your attorney and clerk are essential. Issues discovered during the legal research will be discussed at the conference, with the goal of the conference being to come to agreement on any required changes. Your attorney has the final decision-making authority for

resolution of issues brought up at the conference or noted in the Legal Memorandum. Up to three hours is included in the contract with additional hours available for purchase.

7. **Editing and Proofreading** – Our team will edit the text of your code to reflect proper grammar and stylistic consistency. We will not reword any provision that changes the substantive intent of the code unless you approve the revision. However, non-substantive revisions to improve readability are a part of the process. We will proofread your code. The text will be reviewed for sense and structure and to ensure the implementation of the decisions by your attorney and our attorney.

8. **Index, Graphics, and Tables** – Our team will create a hierarchical, subject matter Index (if elected) and all tables (contents, ordinance disposition, etc.) for your code as necessitated by the materials provided. We will insert the graphics you have provided into the printed and electronic versions of the code.

   The following tables will be created and are included in the quoted cost: supplement history table, code comparative table, and ordinance history table. An additional hourly charge applies for creation, modification, addition, or updating of any table or schedule (including traffic and fee tables or schedule) other than those enumerated above.

   Tabular matter, defined as algebraic formula, or other materials that require special programs or extra editorial time to modify and prepare for inclusion can also be reviewed and included for an additional charge.

9. **Post Conference Code Draft** – After editing and proofreading, one post-conference code draft (Proofs) incorporating solutions captured in the Legal Memorandum and agreed upon at the legal conference will be delivered to you for final review prior to printing and shipping. You will have 30 days to review and provide any needed corrections. We guarantee typographical correctness. Any errors attributable to our team will be corrected at no charge during the term of this agreement. Any new legislation adopted after the code draft is provided will be held for your first supplement unless you would like to add it to the project for an additional charge.

10. **Sample Adopting Ordinance** – Our attorney will provide a sample adopting ordinance upon completion of the codification.

11. **Printing and Binding** – We will print your new code on high quality acid-free paper, with an SFI (Sustainable Forest Initiative) certification. These copies will be housed in heavy duty, three-post leatherette binders (with two color choices, black and blue), name-stamped on the front and spine of each binder. Divider tabs for each major section of the code and index (if elected) will also be provided.

Your Role

Your participation in the Scope of Services for Codification of the code is anticipated to be as follows:

- Provide all ordinances and code material in an editable, electronic format, preferably Microsoft Word format.
- Provide images, graphics, and tabular matter, preferably in original electronic format.
- Be available to answer any questions from the codification attorney conducting the project.
- Attend the conference to discuss the findings of the Legal Memorandum.
- Work with the codification attorney to resolve the findings of the Legal Memorandum.
- Determine the desired formatting and style of the new code.
- Return the draft code within 30 days with any revisions noted.
- Adopt the new code.

Codification Timeline

STEP 1	Immediately	**CUSTOMER** sends signed contract and all applicable material. **CIVICPLUS** acknowledges contract, provides a Disposition List of all ordinances/material received.
STEP 2	Within 2 Weeks	**CIVICPLUS** provides a project introduction letter outlining all phases of the project and all material received to date. **CUSTOMER** confirms CivicPlus has all applicable materials.
STEP 3	Within 6-10 Months	**CIVICPLUS** submits Legal Memorandum. **CUSTOMER** attorney reviews Legal Memorandum and prepares questions/comments for conference.
STEP 4	Within 45 Days	**CIVICPLUS** hosts Legal Memorandum conference. **CUSTOMER** attorney and other interested officials meet virtually with CivicPlus to discuss issues of concern noted in the Legal Memorandum and come to an agreement on the implementation of recommended changes.
STEP 5	Within 2-4 Months	**CIVICPLUS** submits final code draft. **CUSTOMER** reviews code draft, and returns it to CivicPlus within 30 days, with all corrections noted for final implementation and publication.
STEP 6	Within 3-5 Months	**CIVICPLUS** delivers final code and model adopting ordinance. **CUSTOMER** adopts code and provides CivicPlus with a copy of the officially enacted adopting ordinance. CivicPlus ships the code and publishes code online via our Online Code Hosting system. Supplementation begins anew with Supplement No. 1.

MEETING DEADLINES

The time frame for completion of the codification project is within 15 to 18 months from our receipt of all relevant material in an editable, electronic format and excepting any delays occasioned by your submission of the material or return of the draft code. More time would need to be added to this project timeline if the materials provided must be converted to an editable, electronic format as well as incurring additional fees. Adhering to an established schedule of deadlines is critical to the success of this project and will ensure the contents of the Legal Memorandum remain current and complete at the time the code is adopted and published. Legislation added to the project must be approved and received prior to the established cutoff date.

To ensure a successful project completion, it is important that a conference is held to discuss the findings of the Legal Memorandum within 45 days of its receipt, and that the subsequent code draft we provide be returned within 30 days with any revisions noted. Following the delivery of the final code draft for customer proofing, any extensive changes requested in the code content, and/or any material added to the code that was not previously contemplated, will be subject to an additional code draft update fee. Further, if the code draft is not returned within 30 days, additional update fees may apply.

Supplementation Services

Our supplementation process has been designed for timeliness, efficiency, simplicity, and most of all, for our customers' convenience. Supplements will be provided on your chosen schedule, and you will be billed on an annual basis. Color printing and an increase in the desired number of supplement hard copies may result in an increase in the annual fee.

We pride ourselves on a turnaround time of 40 to 45 days for printed supplements and can provide our always-up-to-date electronic update services within 15 days. The online code is updated within three days after shipping the supplement; there is no additional fee for this service. Rush supplements will be assessed an additional one-time fee. A recent analysis of our printed supplement services indicated an editorial error rate of less than 0.1 percent, which is made possible by our attention to detail, ongoing communication with our customers, and strict quality control checks to ensure we continue to produce the best printed and electronic supplements available in our industry. Any errors attributable to CivicPlus during the preparation, printing, and maintenance of the code will be corrected at no cost. The printed supplement process is outlined as follows:

Supplementation Process

Printed Supplementation Process	
	**Submission of Materials**
	**Editorial Review**
	**Mark Up**
	**Indexing**
	**Proofreading**
	**Corrections**
	**Printing & Shipping**
	**Upload to the Internet**

1. **Initial Receipt** – The receipt of the new legislation will be acknowledged within 24 hours. Our production support team will record the adoption date, effective date, and ordinance number(s). You will be advised promptly if any pertinent information is missing from your submission. Your material will then be immediately forwarded to our supplement team for codification. If our OrdBank service is elected (advance legislation service), the legislation will be posted online within 48 hours as a PDF under "adopted legislation not yet codified" at this time.

2. **Editorial Review** – Our editorial team will review all ordinances received to determine whether the ordinance should be included in your code; where the ordinance should be placed; whether the ordinance conflicts with your existing code format; what material should be removed from your existing code; whether history notes will be added; what tables will be updated; and whether the table of contents in the front of the code and at the chapter/title level should be amended. If any significant errors or numbering issues are noted, your editor will contact you for clarification. Our editorial team will make no substantive changes to your legislation; however, minor typographical errors will be corrected as part of the supplement process. Should the editorial, legal, or proofreading team find discrepancies in your ordinances, we will communicate with you promptly.

3. **Indexing** – If an Index is elected, your supplement will be sent to our indexing team, where new legislation is indexed and cross-referenced in all appropriate locations.

4. **Proofreading** – The proofreader assigned to your editorial team will then examine your supplement line by line to ensure editorial accuracy, code hierarchy, and layout and confirm that your supplement is grammatically correct and free of errors in spelling and capitalization. Finally, your supplement is examined line by line again to ensure that the improvements made by

the editorial team are thorough and accurate. The original ordinance is compared with the newly added text to ensure editorial accuracy.

5. **Posting the Supplement Online** – After your supplement has been completed, your online code will be updated within one to three days, and we will provide any electronic products requested. You will receive a notification that the website has been updated via email. If our CodeBank Compare + eNotify service is elected, subscribers will be notified when the online code is updated. When your code is updated, all internal cross-reference links are updated on our Online Code Hosting system.

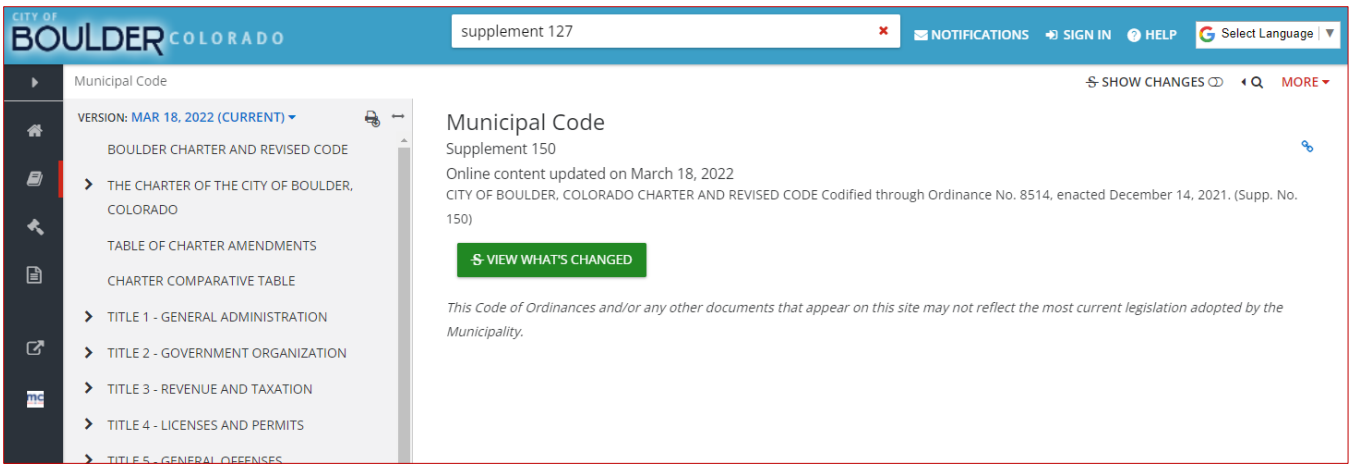
6. **Printing and Shipping** – We will print, cut, hole-punch, insert divider tabs (if elected), and ship your supplement to you per your elected schedule.

   If you utilize OrdBank and a CivicPlus Agenda and Meetings Management solution, your newly adopted legislation will be posted on the landing page of your online code of ordinances within one minute of sending said legislation to CivicPlus. The history notes throughout your code of ordinances will also be automatically linked and associated to the meeting in which your newly adopted legislation was considered. If you are interested in learning more about our CivicPlus Agenda and Meetings Management solutions, please let me know.

Online Code Hosting

Our Online Code Hosting system is continuously enhanced and improved by our in-house team of Internet Technology professionals. It includes Standard and upgradeable Premium features, designed to provide a wide variety of additional capabilities for researching and navigating your code and preserving its history.

Our system is extremely user-friendly and requires no special training or login information. In addition, we offer a variety of on-demand video tutorials. We can also host a personalized training webinar for you and your staff to demonstrate our online features and capabilities before your new code goes live online.



Online Code Hosting Standard Features

Responsive Design – We designed our intuitive User Interface (UI) to provide easy access to our full suite of features from any device, including a tablet or mobile device running iOS or Android.



Print/Save/Email – With delivery available in Microsoft Word or PDF format, users can share a link, print, download (as a Microsoft Word document), or email files at the section, article, or chapter levels or even non-sequential sections from multiple portions of your code(s).

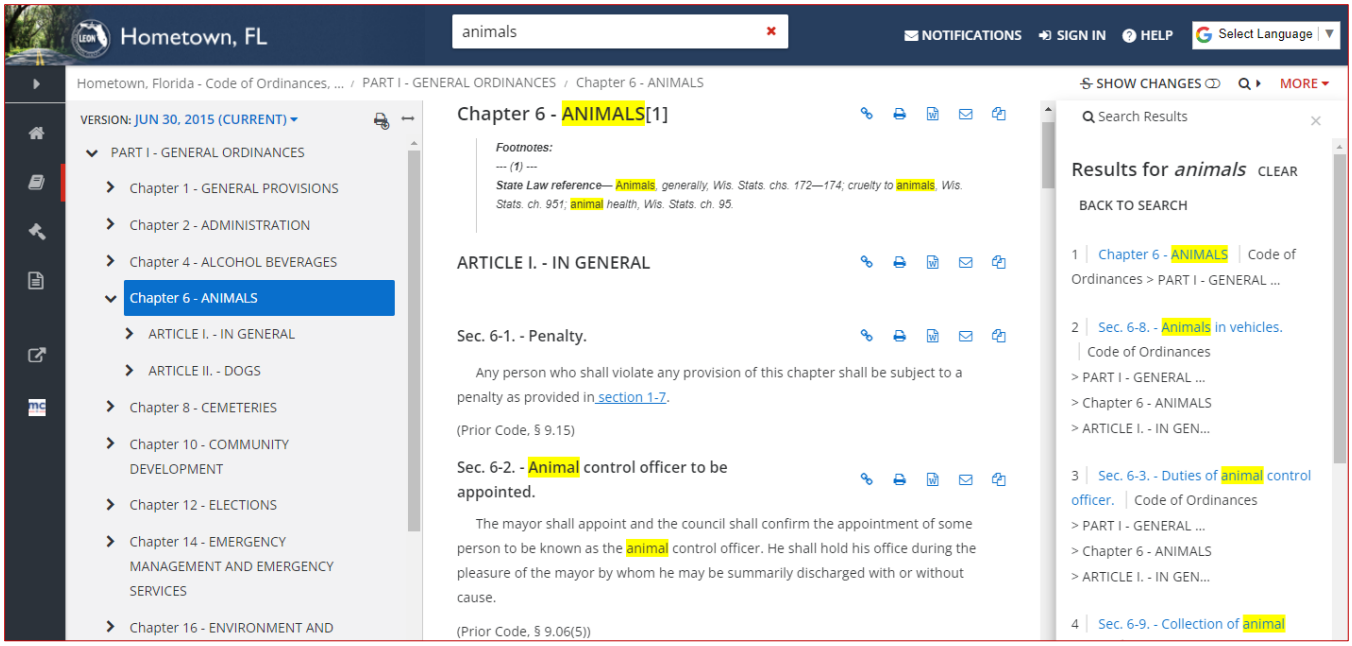
Not all codification companies enable you to download Microsoft Word documents directly from the website. Being able to do so enhances your ability to draft new legislation.

Social Media Sharing – You and your users can share code sections via Facebook and Twitter. This functionality makes it easier for you and your team to utilize social media to engage your community and enhance your level of transparency.

Browsing – Online Code Hosting provides a persistent breadcrumb trail when browsing or searching and a Previous/Next button at the top and bottom of any document you're viewing. The table of contents and content pane also sync as you scroll to deliver the most intuitive reading experience possible.

Ease of Navigation – Our collapsible table of contents, continuous next-hit feature, and internal and external hyperlinking and cross-referencing features simplify and enhance the navigation of your online code, allowing your staff and residents the capability of simultaneously searching your code, ordinances, minutes, resolutions, budgets, and more.

Searching – Our powerful search engine allows users to easily search the code using keywords or phrases and print, download, or email any portion of your code. Search starts on a dedicated page, then moves to a persistent right-hand sidebar as you cycle through the

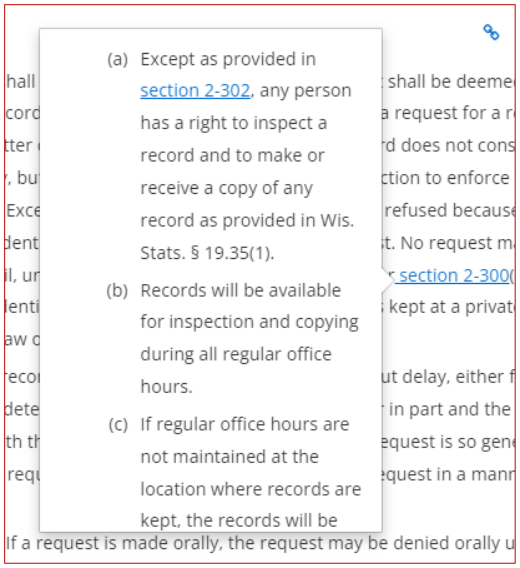


results, which enables a user to quickly move through search results and view results simultaneously. The section also indexes your code, returning more accurate, granular results. Search results can be sorted by relevance or book order.

- **Advanced Searching** – Conduct searches using Natural Language (think Google) or Boolean Logic, including simple or advanced searches supporting stemming, wildcards, proximity searches, and a global synonym list.
- **Multiple Publications** – Multiple publications (e.g., code, zoning) incorporated into the Online Code Hosting system will be searchable from one interface.
- **Narrow Searching** – Search terms can be applied to the entire code or narrowed within specific chapters or sections with the ability to sort results by relevance or book order.
- **Stored Searching** – Online Code Hosting allows all search result listings to be bookmarked under your browser's bookmark tabs; users need only conduct a search and press Ctrl+D to add the search result listing to your browser's tabs.
- **Searchable Ordinances** – With our OrdBank service, ordinances posted pre- and post-codification are full-text searchable.
- **Search All Content Types** – If you use our OrdBank or MuniDocs service, you can search any combination of your code, ordinances, and MuniDocs simultaneously; Search results are labeled for easy identification.

Internal Cross-Reference Linking – Cross-references within your code are linked to their respective destination article, chapter, or section.

Mouseover (clue tips) – Navigate to your code, and any linked cross-reference will quickly display in the pop-up preview window.



Collapsible TOC – The table of contents collapses, providing additional real estate with which you may view your code. Easily view your maps, graphs, and charts by enlarging the item.

Translation – Google Translate allows users to view our hosted codes in over 100+ languages.

Static Linking – Copy links of any section, chapter, or title to share via email or social media.

Scrolling Tables and Charts – Headers stay fixed while you scroll through the table/chart.

GIS – We can provide a permalink to any code section and assist staff in creating a link from your GIS system to relevant code sections.

In-line Images and PDFs – We take great care to ensure that your images match online and in print and are captured at the highest quality possible. Our online graphics can be enlarged by hiding the table of contents to maximize the image. CivicPlus can also incorporate PDFs of certain portions of the code that have particular viewing and layout requirements.

Public Notes – Post public notes or documents within the online code to inform residents about current issues pertinent to any specific section of your code.

Website Accessibility – The User Interface and all HTML content viewed via our Online Code Hosting System's web application are WCAG 2.1 Level AA compliant. While we take several steps to improve the accessibility of PDF documents uploaded to the Online Code Hosting System, we cannot guarantee full ADA compliance of PDF documents. If a fully ADA compliant PDF document is uploaded to our Online Code Hosting System, it will remain compliant while stored in our system. Each PDF document uploaded to our system is OCR scanned and document title, primary language, and other PDF metadata fields, and base level of tags for screen readers are set.

Hosting and Security – Our tech stack includes HTML5 and CSS3, Javascript (AngularJS), and a RESTful API written in C# running on .Net Core. All content is rendered in standard HTML and is viewable in all modern browsers, including PC: Microsoft Internet Explorer 10 or later, Firefox 3.6 or later, macOS®: Safari™ 5.0 or later, and Chrome 18 or later. We host our Online Code Hosting System in Microsoft's Azure Government secure cloud environment and guarantee an SLA of 99.95 percent uptime. SSL encryption is used by default to secure access to the site, and the entire system is backed up to multiple geographic locations within the Azure Government cloud ecosystem.

Support – Phone, email, and web support for residents and staff: 24-hour email response; phone support from 7 a.m. to 8 p.m. CT. We offer a variety of video tutorials, and we are always available to host a personalized webinar for you and your staff to demonstrate our online features.

There are multiple premium features available to enhance your staff and residents' experience using and searching through your code – most available for purchase in our Premium Bundle or à la carte.

Premium Features

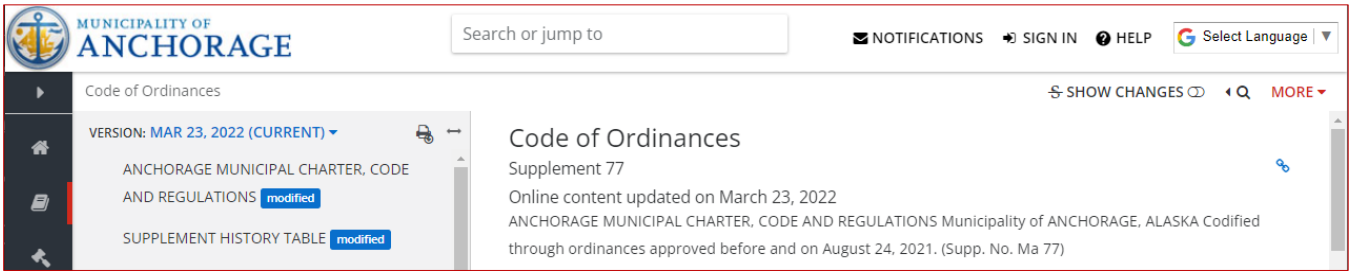
We recommend our **Premium Bundle** for the most transparent and feature-rich code possible at the best cost savings. The bundle includes our annual online code hosting and maintenance service along with each of the following features:

- Custom Banner
- CodeBank
- CodeBank Compare + eNotify
- OrdBank
- MuniPRO Service

OrdLink and MuniDocs can be added to a **Premium Bundle**, if desired.

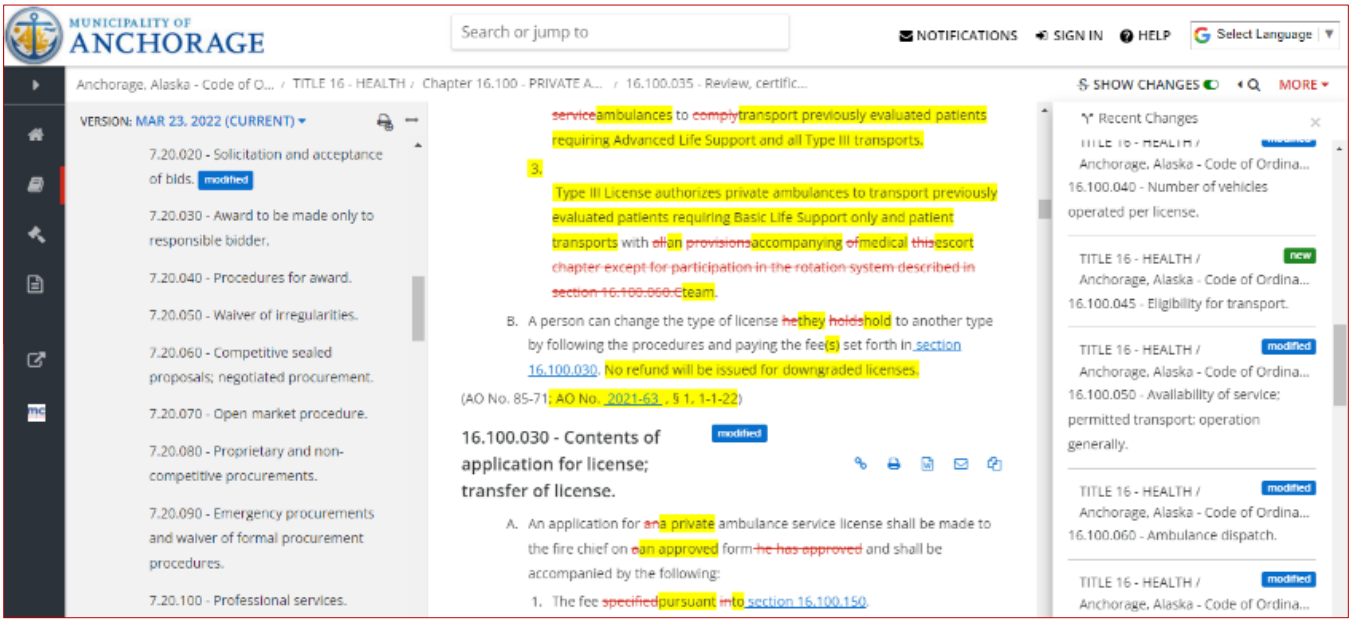
Summary of All Premium Features

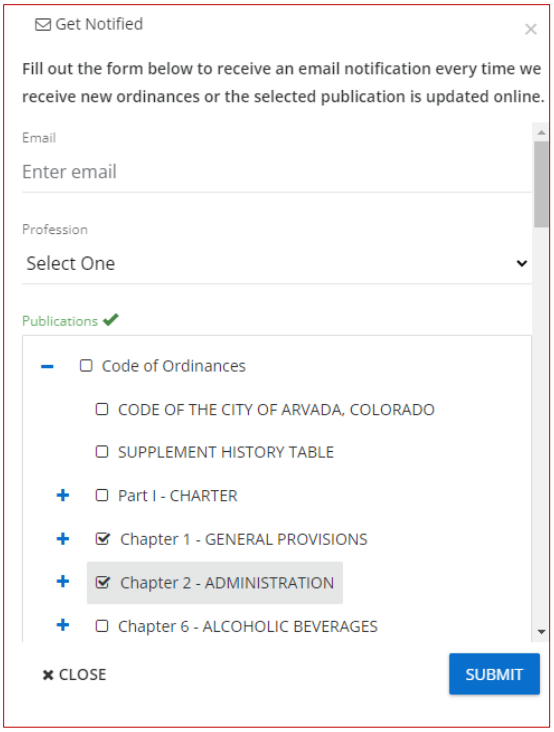
Custom Banner – We can customize the look and feel of your code to match your website more closely.



CodeBank – Our CodeBank feature provides an online archival system for previous supplements of your code. Empower your staff and residents to access every previous code version with one click.

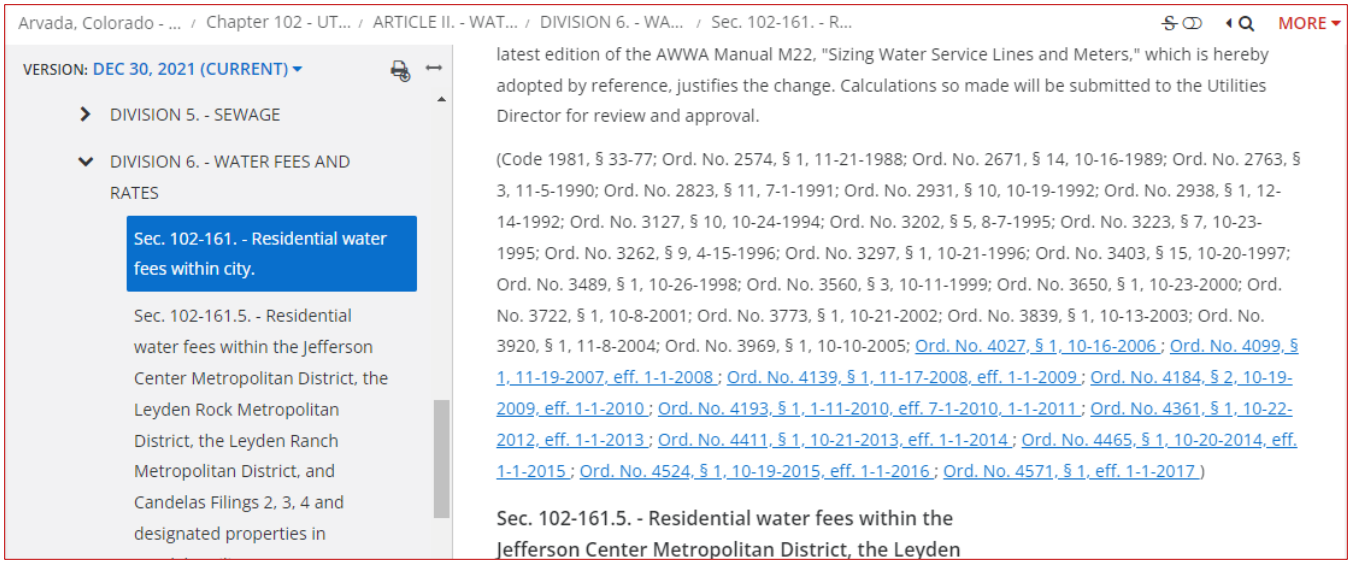
CodeBank Compare + eNotify – Our CodeBank Compare service is a powerful feature that allows users to select a past version of your online code and compare it to any other version. The differences will be shown via highlights (added material) or strikethrough (deleted material). Users will be notified of the changes in the table of contents and within the text of the code via "modified," "new," or "removed" badges. Users can also select an option to view all of the changes in a single view, complete with strikethrough and highlights showing the specific textual changes made. In addition, the CodeBank Compare service will show all amendments to your code that were implemented during the most recent update. Please note that the CodeBank feature is required to access CodeBank Compare.



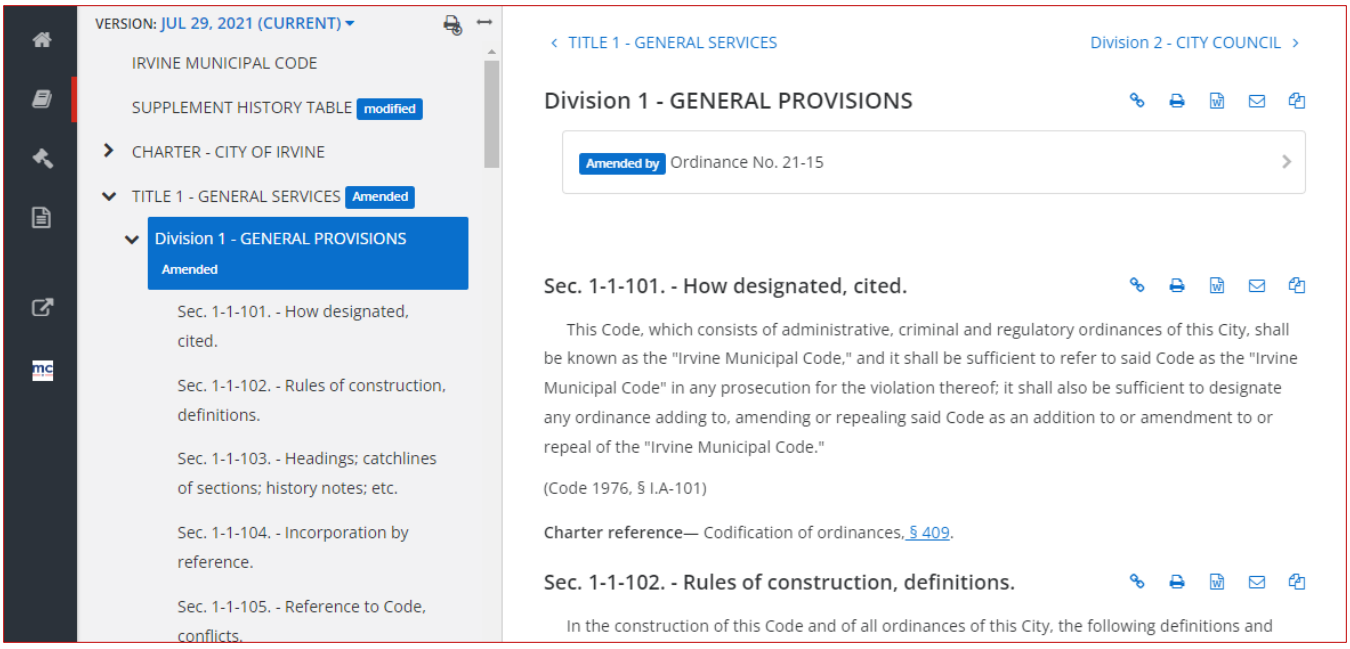


Our eNotify service allows users to enroll online and receive email notifications each time the online code is updated. Please note that the CodeBank Compare feature is required to utilize the eNotify service.

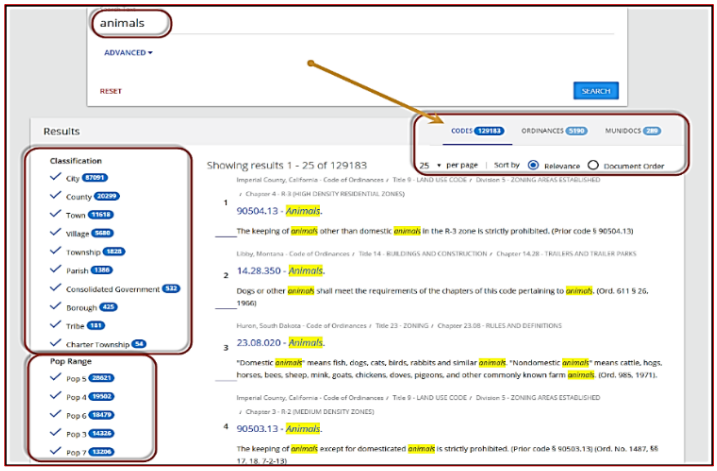
OrdBank – With our OrdBank solution, newly adopted, amendatory legislation will be posted online between supplements. Upon completion of your supplement, the ordinances will be linked in your history notes and stored in your OrdBank Repository under the "OrdBank" tab. All ordinances for codification and all ordinances for linking via our OrdBank feature can be emailed to us at municodeords@civicplus.com.



OrdLink – Before incorporating the ordinances into your code via supplementation, the OrdLink feature can hyperlink newly adopted amendatory ordinances to the amended code section. Linked sections are highlighted in the table of contents, and links are created from the amended sections to the new ordinances. Once the linked ordinances are incorporated into your code, they are added to your OrdBank repository and hyperlinked to your history notes. This service lets everyone know that new ordinances have been adopted. OrdLink must be purchased with OrdBank or as an addition to the Premium Bundle.



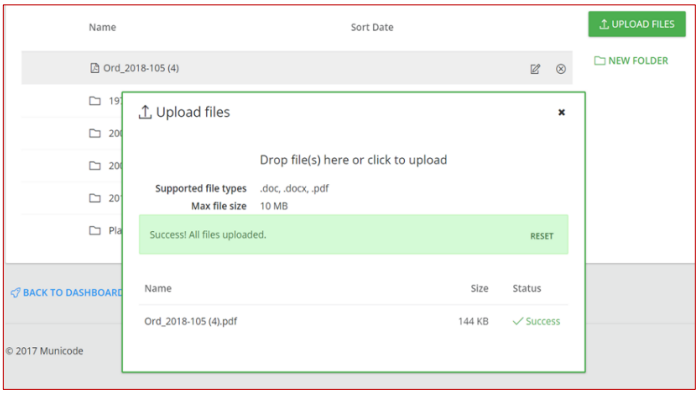
MuniPRO Services – MuniPRO searching allows you to search the over 4,300 codes we host (the entire country, a single state, or individually selected codes of your choosing). MuniPRO searches are ideal for researching local regulations of interest or discovering how other communities are dealing with similar issues. In addition, MuniPRO provides subscribers with the following tools:



- Multiple Code Search – Search all codes within one state, multiple codes within one state, or search all codes in the U.S. hosted by CivicPlus; search results are sorted by relevancy and indicate the source publication, showing excerpts and keyword highlighting.
- MuniPRO Saved Searches – Save frequently used or complex searches for easy retrieval from the MuniPRO Dashboard.
- MuniPRO Notes – Create a note and attach it to any section in any publication; note icons are present when viewing the section, alerting the user to a previously written note; a global listing of notes can be accessed and managed from the MuniPRO Dashboard.
- MuniPRO Drafts – Begin a new ordinance draft to keep track of pending legislation.
    - Draft icons are present when viewing the section, alerting the user to a previously created draft.
    - A global listing of drafts can also be accessed and managed from the MuniPRO Dashboard.

MuniDocs – MuniDocs allows you to upload many types of documents to browse and search alongside your online code and is fully searchable and filterable. After users log in, they are presented with a dashboard that allows them to upload new documents and manage previously uploaded documents. When uploaded, users can pick from a list of predefined document types.

Uploading a document is as simple as dragging and dropping the document from your computer into the upload dialog box on the admin dashboard. Uploaded documents are immediately converted to PDF and indexed for search. Users may upload .rtf, .doc, .docx, and .pdf documents and organize these documents by nested folders. The public can then browse and search these documents immediately.



Your MuniDocs files can also serve as storage for archived ordinances within MuniDocs. Unlike our online OrdBank feature, these self-loaded archived ordinances will not be linked to the legislation within the online code.

Investment Proposal

CivicPlus can appreciate the monetary constraints facing our governments each day. To help ease these concerns and assist with budgeting and planning, our proposed project and pricing is valid for 90 days upon date received.

Codification

- Includes Ordinances received through March 2026, with Zoning, Subdivision and Land Usage
- 670 single column, 10-point font pages, $23.06 per-page
- Receipt, review, and organization of materials
- Legal analysis and research by a codification attorney
- Legal memorandum by a codification attorney
- Up to three-hour virtual conference with attorney
- Implementation of approved legal findings
- Update state statutes references
- Editorial preparation, proofreading, page formatting, and indexing
- Insertion of tables and graphics
- Final proofreading, corrections, and quality control review
- Print three copies, including three post-stamped binders and tabs Sample adopting ordinance prepared by a codification attorney

Online Code Hosting

- Mobile friendly site with full functionality and optimal screen resolution on all devices
- In-line images with scrolling tables and charts
- Narrow, pinpoint, and advanced (including Boolean) searching
- Previous and hit buttons
- Persistent breadcrumb trail
- Print or save as formatted Word (DOCX)
- **(Optional) Premium Bundle – Custom Banner, CodeBank, CodeBank Compare + eNotify, OrdBank, and MuniPro Service**

Supplementation

- Supplementation of legislation permanent and general in nature (omitted legislation not included)
- Includes Zoning, Subdivision, Inland Wetlands Acknowledgment of material
- Editorial work, proofreading, and updating the index
- Updating online code upon completion of each supplement
- Printing up to three black and white copies per print schedule elected, includes instruction sheet and checklist of up-to-date pages
- Freight for supplements
- Images, graphics, and tabular matter
- **(Optional) Increase to Supplementation Plus to update your Code online on a bi-monthly basis (must select supplementation and supplementation plus)**

Investment	One-Time
Codification	**$15,450.00**
Gender Neutralization (suggested)	**$670.00**
Total One-Time	**$16,120.00**
	Renewable
Supplementation	**$2,500.00**
Online Code Hosting Premium Bundle (recommended)	**$1,375.00**
Total Annual Renewable	**$3,875.00**
Total Project Cost	**$19,995.00**

Standard Invoicing

Additional Fees

- Sales tax will be applied, if applicable
- Actual freight costs will be submitted for initial code delivery, but excluded from annual supplement cost
- Additional pages outside materials submitted for proposal, will be charged $25.00 per-page changed in the code of ordinance before publication.

Invoicing

- An Initial Term shall commence upon contract signing and continue for **18 months**. Payments for the initial term shall be invoiced as follows:
    - 25% upon execution of agreement **(estimated $4,998.75)**
    - 25% upon submission of the legal memorandum **(estimated $4,998.75)**
    - 25% upon submission of proofs **(estimated $4,998.75)**
    - Balance upon delivery of final code (**estimated $4,998.75)**
    - Any additional costs will be billed separately, upon delivery
- The Initial Annual Recurring Services will be invoiced 18 months from the date of signing
- Subsequent Annual Recurring Services shall be invoiced annually on the anniversary date of the Initial Annual Recurring Services and will be subject to a 5% increase start of year 3.

Optional Enhancements

We are confident in the ability of our proposed project to meet your main needs. However, we recommend the following options that could positively impact your experience and goals.

Optional Services & Tools	One-Time	Annual
Codification		
Gender Neutralization of code	**$320**	N/A
Archival OrdBank, per ordinance	**$25**	N/A
One additional hour of virtual conference with attorney	**$200**	N/A
Creation, modification, addition, or updating of any table or schedule (including traffic and fee tables or schedules) not described as included.	Quote upon request	N/A
Supplementation		
Code in Microsoft Word (DOCX) (sent via email download)	N/A	**$175**
Adobe PDF of each supplement (sent via email download)	N/A	**$175**
State Statute Linking	**$75/hour**	**$425**
Additional copies, reprints, binders, and/or tab orders	Quote upon request	
The addition of Manuals, Policies, Procedures, Comprehensive Plans, Land Use, Unified Codes, Zoning (or equivalent).	Quote upon receipt of material	
Online Code Hosting		
Online Code Hosting Only	N/A	**$550**
Custom Banner	**$250**	N/A
CodeBank	N/A	**$275**
CodeBank Compare + eNotify	N/A	**$275**
OrdBank	N/A	**$450**
OrdLink (must be purchased with OrdBank)	N/A	**$275**

MuniDocs – Upgraded capabilities to host any other municipal documents in a fully searchable format, including Minutes, Agendas, Resolutions, Budgets, and more for self-loading to the MuniDocs platform	N/A	**Up to:** **25GB $375** **50GB $685** **75GB $975** **100GB $1,375** **Over 100GB – quote upon request**
MuniPRO Service – Search over 4,000 codes in our full-service codification library, save frequently used or complex searches, create notes to attach to any publication and draft new ordinances	N/A	**$500.00**
Additional MuniPRO service licenses	N/A	**$150 each**
Premium Bundle: **Online Code Hosting, Custom Banner, CodeBank, CodeBank Compare + eNotify, OrdBank, and MuniPRO Service**	N/A	**$1,375**

Proposal as Non-Binding Document

A successful project begins with a contract that meets the needs of both parties. This proposal is intended as a non-binding document, and the contents hereof may be superseded by an agreement for services. Its purpose is to provide information on a proposed project we believe will meet your needs based on the information available. If awarded the project, CivicPlus reserves the right to negotiate the contractual terms, obligations, covenants, and insurance requirements before a final agreement is reached. We look forward to developing a mutually beneficial contract.

AGENDA ITEM NO. 7.2

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 4, 2026
SUBMITTED BY:	City Admin,Administrator
ITEM TYPE:	Agenda Report
AGENDA SECTION:	General Business
SUBJECT:	RFP for Realtor Services for City Hall Land Acquisition
BACKGROUND:	At last City Council meeting, Council directed staff to draft an RFP for realtor services for land for a City Hall site.
SUGGESTED ACTION:	Approve RFP for Realtor Services for City Hall Land Acquisition
ALTERNATIVES:	Don't approve the RFP. Approve the RFP with Council changes. Table the item.

ATTACHMENTS:

RFP Realtor 2026.docx

Request for Proposals (RFP)
Professional Real Estate Brokerage Services for Acquisition of Land for New City Hall
Issued By: City of Credit River
Issue Date: May 5, 2026
Proposal Due Date: May 29, 2026

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1. Introduction

The City of Credit River ("City") is soliciting proposals from qualified and licensed real estate professionals or firms to provide brokerage and advisory services to assist the City in identifying, evaluating, negotiating, and acquiring land for the development of a new City Hall facility.

The City seeks a consultant with demonstrated experience in public-sector real estate transactions, land acquisition, negotiations, due diligence coordination, and municipal project support.

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2. Background

The City of Credit River is planning for the future development of a new City Hall to better serve residents, improve operational efficiency, and accommodate anticipated growth. The City desires to purchase a parcel or parcels of land suitable for the construction of a new municipal building.

The selected Realtor/Broker will work closely with City staff, legal counsel, and elected officials throughout the acquisition process.

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3. Scope of Services

The selected proposer may be asked to perform the following:

A. Site Search & Identification

- Identify on-market and off-market parcels
- Contact owners where authorized by City
- Develop inventory of candidate properties
- Prepare parcel maps and ownership summaries

B. Market & Value Analysis

- Comparable land sale analysis
- Asking price reasonableness review
- Timing recommendations
- Acquisition strategy options

C. Land Use / Development Review

- Existing zoning and comprehensive plan review
- Access and traffic considerations
- Utilities availability
- Wetlands, floodplain, or environmental constraints
- Preliminary development suitability

D. Negotiation Services

- Confidential owner outreach
- Offer strategy
- Letter of intent drafting support

- Purchase agreement assistance
- Counteroffer management

E. Due Diligence Coordination

- Survey coordination
- Title review support
- Appraisal coordination
- Environmental review referrals
- Closing checklist management

F. Public Sector Support

- Attend City Council / workshop meetings as requested
- Present options in public meetings
- Maintain lawful confidentiality where permitted

G. Closing Support

- Coordinate with title company, legal counsel, and staff through closing

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4. Desired Property Criteria

The City is seeking land generally meeting the following criteria:

- Located within Credit River city limits.
- Adequate acreage for City Hall, parking, future expansion, and public access.
- Reasonable access to major roads.
- Availability of utilities.
- Suitable topography and development conditions.
- Compatible zoning or rezoning potential.

(Final criteria may be refined with selected consultant.)

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5. Minimum Qualifications

Respondents must demonstrate:

- Current active real estate broker license in the State of Minnesota.
- Minimum [5] years of commercial/land brokerage experience.
- Experience representing cities, counties, schools, or public entities preferred.
- Experience in Scott County / south metro preferred.
- Experience with land acquisition transactions.
- Knowledge of local market conditions.
- Strong negotiation and communication skills.
- No conflicts of interest that would impair representation of the City of Credit River.

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6. Proposal Requirements

Proposals should include the following:

A. Cover Letter

- Firm name, address, contact information.
- Authorized representative signature.

B. Firm Overview

- History, ownership, office location, staffing.

C. Relevant Experience

Include up to five similar projects involving:

- Municipal land acquisition
- Civic facilities
- Public redevelopment sites
- Greenfield land purchases

D. Project Team

- Identify lead broker and support staff.
- Resumes and qualifications.

E. Approach & Methodology

- Strategy for identifying suitable parcels.
- Negotiation approach.
- Communication process.

F. Compensation Proposal

Proposals shall clearly state compensation, including one or more of:

- Seller-paid commission
- Hourly advisory rate
- Flat fee
- Success fee
- Hybrid structure

The City reserves the right to negotiate compensation after selection.

G. References

Provide at least three (3) client references for similar work.

H. Conflict of Interest Disclosure

Respondents must disclose:

- Current listings in Credit River / Prior Lake / Scott County relevant to this assignment
- Ownership interests in candidate parcels
- Relationships with elected officials or staff
- Existing representation of likely sellers

Failure to disclose may disqualify proposer or terminate contract.

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7. Evaluation Criteria

Proposals may be evaluated on the following:

Criteria	Weight
Public-sector relevant experience	30 %
Scott County / local market knowledge	20 %
Proposed approach	20 %
Qualifications of assigned team	15 %
Compensation proposal	10 %
References	5%

The City may interview finalists.

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8. Tentative Schedule

Milestone	Date
RFP Issued	May 5, 2026
Questions Due	May 19, 2026
Proposal Due	May 29, 2026
Interviews (if needed)	Week of June 8th
Selection Recommendation	June 15, 2026
Contract Approval	June 15, 2026

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9. Submission Instructions
Submit proposals electronically or in sealed envelope to:

Steve Jelinski
City Administrator
City of Credit River
18985 Meadow View Blvd, Prior Lake, MN 55372
cityadmin@creditriver-mn.gov

Clearly mark: **RFP – Realtor Services for City Hall Land Acquisition**

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10. Terms and Conditions

- The City reserves the right to reject any or all proposals.
- The City may waive informalities or irregularities.
- The City is not liable for proposal preparation costs.
- All submitted materials become public records subject to applicable law.
- Final contract subject to City Council approval.
- Selected proposer must comply with all applicable laws and regulations.

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11. Questions
All questions regarding this RFP shall be submitted in writing to:
Steve Jelinski
cityadmin@creditriver-mn.gov
May 19, 2026

AGENDA ITEM NO. 7.3

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: May 4, 2026

SUBMITTED BY: Claire Stickler,Planning

ITEM TYPE: Agenda Report

AGENDA SECTION: General Business

SUBJECT: Mining Ordinance Amendment - Ordinance 2026-04

BACKGROUND: The proposed amendments to Section 10 of the City Code (Mining and Excavation) are intended to modernize the City's regulations, strengthen performance standards, and improve compatibility between mining operations and surrounding land uses. The updates focus on measurable operational controls, enhanced enforcement mechanisms, and increased transparency. The Planning Commission held a public hearing on the draft ordinance, and staff brought this to a City Council workshop. The ordinance reflects the discussions and suggestions of the public, planning commission and City Council members.

SUGGESTED ACTION: Approve Ordinance 2026-04 Mining Ordinance Amendment

ALTERNATIVES: Don't Approve Ordinance 2026-04
Approve Ordinance with Council changes

ATTACHMENTS:
Ordinance - 2026-04.docx
4.29 Proposed Mining Ordinance Amendments Memo.docx
Staff Memo for Proposed Mining Amendment.docx

CITY OF CREDIT RIVER

SCOTT COUNTY, MINNESOTA

ORDINANCE NO. 2026-04

AN ORDINANCE AMENDING SECTION 10 OF THE CITY ZONING ORDINANCE REGARDING MINING, AND REPEALING AND REPLACING SECTION 10 IN ITS ENTIRETY

THE CITY COUNCIL OF THE CITY OF CREDIT RIVER DOES ORDAIN:

SECTION 1. PURPOSE AND FINDINGS.

The City Council finds that the regulation of mining, excavation, and related activities is necessary to protect the public health, safety, and welfare, to minimize impacts to adjacent properties and public infrastructure, to ensure proper reclamation of mined lands, and to provide clear and enforceable standards for such operations.

The Council further finds that updates to Chapter 10 are necessary to address modern operational practices, including material processing, groundwater protection, and long-term site restoration.

SECTION 2. REPEAL AND REPLACEMENT.

Section 10 of the City Zoning Ordinance, entitled "Mining," is hereby repealed in its entirety and replaced with the following:

SECTION 10: MINING

10-1 PURPOSE.
It is unlawful for any person to do any grading, excavation or filling without first having obtained a permit from the City. Changes or deviation from previously approved plans require that an amended permit be applied for and approved before the work is performed.

10-2 EXCEPTIONS.
The provisions of this subchapter shall not apply to, nor shall permits under this subchapter be required for, the following:

(A) Excavations or filling of less than 15 cubic yards of material;

(B) Construction of buildings for which a permit has been applied for and issued, provided the contemplated excavation or filling operation was sufficiently described at the time of building permit application;

(C) Excavations or filling operations that have been approved with a development project on platted property which have commenced within two years after an approved plat has been filed with the county;

(D) Excavations or filling operations by state, county or city authorities in connection with the construction or maintenance of roads, highways, parks or utilities or on slope or utility easements provided the activity is conducted within public right-of-way or easements;

(E) Curb cuts, utility hook-ups or street openings for which a permit is required from the City; and

(F) Any development for which a conditional use permit has been approved and granted and a final grading plan approved as a part thereof.

10-3 GENERAL CONFORMANCE.
Whenever the City determines that any existing excavation or embankment or fill on private property has become a hazard to life and limb, or endangers property, or adversely affects the drainage, safety, use or stability of a property, public way or drainage channel, the owner of the property upon which the excavation or fill is located, or other person or agent in control of the property, upon receipt of notice in writing from the City, shall within the period specified therein repair or eliminate the excavation or embankment so as to eliminate the hazard, and be in conformance with the requirements of this subchapter. The City may inspect any property for compliance.

10-4 MINOR EXCAVATION/FILLING PERMIT.
(A) Excavation or filling of any material in excess of 15 cubic yards, but less than 2,000 cubic yards, or to a depth of one foot or more, but less than three feet over an area of 130 square feet or more shall require a minor excavation/filling permit from the City Engineer.

(B) Application for minor excavating and filling permits shall be made in writing on forms supplied by the City and shall be submitted to the City Engineer for processing. Applications shall be filed jointly by the landowner and the earth moving contractor. The following information and exhibits shall be submitted with the completed application form:

(1) Legal description of property;

(2) Two copies of the plat map or half-section map of the property proposed to be excavated or filled indicating the area where the activity is to occur together with an estimate of the amount of material to be moved.

10-5 MAJOR EXCAVATION/FILLING PERMIT.
(A) Excavation or filling of any material in the amount equal to 2,000 cubic yards or more, or to a depth of three feet or more, shall require a major excavation/filling permit from the City Engineer.

(B) Application for major excavating and filling permits shall be made in writing on forms supplied by the City and shall be submitted to the City Engineer for processing. Applications shall be filed jointly by the landowner and the earth moving contractor. The following information and exhibits shall be submitted with the completed application form:

(1) Legal description of the property;

(2) A map showing existing conditions both on the property and 300 feet beyond the boundaries of the property. This information shall include but not be limited to land ownership, structures, utilities, platting and easements, street and railroad right of ways, vegetation, waterways and topography shown by a two-foot contour minimum. This information shall be no more than two months old at the time of application;

(3) A plan to show materials removed from, or deposited upon, the property. The plan shall include final topography at two-foot contours or less, steps to be taken to conserve topsoil and to minimize erosion, areas where topsoil is to be stockpiled and the proposed phasing and timing of restoration;

(4) Identification of proposed truck hauling routes and method of controlling dust on-site and along haul routes; Maximum Average Daily Truck Trips and peak-hour cap; designated ingress/egress and a queuing plan (no shoulder queuing); pavement-sweeping trigger thresholds; prohibited turning movements where warranted; and GPS-geofenced routing requirements for contracted haulers.

(5) Hours and period of operation;

(6) Copies of any agreements contemplated or entered into between the owner of the property and any other person charged with performance of the earth work; and

(7) In the case of commercial sand and gravel mining operations, a concept plan showing the ultimate development of the property including future streets, lots, topography and proposed land use.

(8) A plan for groundwater quality protection shall be submitted with the mining application, and all potential contaminant sources shall meet state required isolation distances form all wells. If determined by the City, monitoring wells with submitted reporting to the City may be required to ensure the operations are not contaminating the watershed.

10-6 PERMIT REQUIREMENTS.
(A) All operations.

(1) At the end of excavation or filling operations, the disturbed area shall be restored with topsoil or other approved cover material and shall be reseeded to establish approved vegetation.

(2) Finished grades shall not adversely affect adjacent properties.

(3) Drainage facilities shall be provided to effectively divert or convey stormwater runoff.

(4) It shall be unlawful for any person to dig and leave open, unfenced, unbarricaded or uncovered, any pit, quarry, hole or excavation, including basements, wells, septic tanks or cesspools.

(5) Sufficient erosion minimization and sediment controls shall be installed and maintained to prevent soil movement off-site until vegetation is established in compliance with the Stormwater Management subchapter of the Code.

(B) Major operations.

(1) Provisions shall be made for effectively controlling dispersal of material by wind or by hauling to and from the site, and for general maintenance of the site, including implementation of a Dust Control Plan specifying water/suppressant application rates, wheel-wash, covered loads, paved aprons, and rapid cleanup of track-out.

(2) Spillage of material on and damage to public streets used as haul roads shall be cleaned up and repaired to the satisfaction of the City Engineer. Haul-route pavement condition surveys shall be performed each spring and fall; the permittee shall fund repairs attributable to haul traffic as determined by the City Engineer; seasonal load limits (including spring thaw restrictions) shall be observed; and on-site idling is limited to five (5) minutes except for safety or maintenance.

(3) Hours of operation shall be limited to between the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturdays. Operations on Sunday shall be prohibited. The City Council shall have authority to modify, on an individual basis, the operational hours. Applicants must make a specific request and must provide documentation to support the request. The modifications shall be made only after a public hearing has been held. Any Council-approved modification of hours shall be conditioned on: (i) a 30-day pilot with continuous noise logging; (ii) no exceedances of §10-6(B)(7); and (iii) no more than three validated complaints in any 30-day period. Extensions are revocable upon exceedance or complaint threshold. Any Council-approved modification of hours shall be conditioned on: (i) a 30-day pilot period with continuous noise logging if required by the City; (ii) no exceedances of the noise limits in this Section; and (iii) no more than three validated complaints in any 30-day period. The City Council may revoke or modify the extended hours upon exceedance of an applicable standard, failure to comply with permit conditions, or satisfaction of the complaint threshold.

(4) All operations shall be conducted no closer than 100 feet to an adjacent property, unless under common lease or ownership, and no closer than 100 feet to any right-of-way line.

(5) All operations shall be conducted no closer than 300 feet to an existing dwelling, school, hospital or similar residential or public use.

(6) Noise Limits: Noise from mining operations, including crushers, screens, generators, and mobile equipment, shall not exceed 60 dBA Leq(1-hr) at the property line. Evening/Saturday after 6:00 p.m.: not to exceed 55 dBA Leq(1-hr) at the property line. Compliance shall be demonstrated through baseline monitoring and quarterly third-party monitoring that shall be submitted to the City.

(7) Noise Mitigation Plan. The permittee shall submit a plan showing acoustical enclosures, mufflers, acoustic curtains or barriers, and berms; plant layout shall orient crushers/screens down-gradient and shielded from receptors. The City may require relocation or additional barriers if exceedances are recorded.

(8) Crusher/Screen/Wash Plant Siting. Stationary crushers, primary screens, generators, and material transfer points must be located not less than 500 feet from any residential property line

and not less than 1,000 feet from any existing dwelling, unless the City Council approves an alternative based on a site-specific noise study demonstrating compliance with §10-6(B)(7). Mobile crushers shall comply when operating for more than 48 consecutive hours in one location.

(9) Vibration and Blasting. Public notice shall be required for each blasting. Fourty-eight-hour notification of blasting shall occur for all properties located within 1 mile of the blast. The mine owner or operator will provide blast monitoring in three to five locations to be determined as part of the mining permit approval.

(10) Particulate Performance & Monitoring. Visible emissions from crushing/screening and on-site unpaved roads shall not exceed 10% opacity for more than 6 minutes in any hour, measured by EPA Method 9 or equivalent.

(11) Community Response & Transparency. (a) The permittee shall maintain a 24/7 complaint line and web form; acknowledge complaints within 24 hours and provide written findings within 5 business days.

(12) Groundwater Monitoring.

(a) The permittee shall install and maintain groundwater monitoring wells on-site and, where required by the City Engineer, off-site, in locations sufficient to characterize groundwater conditions and potential impacts from mining operations.

(b) Baseline groundwater elevations and water quality data shall be collected prior to commencement of mining activities. Groundwater monitoring shall occur at annually and submitted to the City for their review, or more frequently as determined by the City.

(c) If monitoring indicates degradation of groundwater quality or significant changes in groundwater elevation attributable to the mining operation, the permittee shall implement corrective actions as directed by the City and within an appropriate timeline as determined by the seriousness of this degradation.

10-6(C) Processing Operations.

(A) Processing of mined materials shall be permitted only as part of an approved major excavation/mining operation and shall require specific authorization within the permit.
(B) Processing activities shall not be considered accessory uses and must comply with all applicable performance standards of this section. No processing of materials imported from off-site shall be permitted. No aggregate, concrete, asphalt, demolition material, soil, fill, overburden, or other mineral or construction material originating off-site shall be imported for crushing, screening, washing, blending, resale, storage, or processing.
(C) All processing equipment, including crushers, screens, and wash plants, shall comply with the siting requirements of §10-6(B)(9) and all applicable noise, dust, and vibration standards.
(D) Processing operations shall be limited to the approved hours of operation and shall not occur outside those hours, including startup, maintenance, or material handling activities.
(E) All processing activities shall be subject to and in full compliance with §§10-6(B)(7) through (12).

10-7 EXCAVATION/FILLING OPERATIONS.

(A) Cuts. Unless otherwise recommended in a soils engineering and/or engineering geology report submitted by a professional deemed qualified by the City, cuts shall conform to the provisions of this subchapter. In the absence of the report, these provisions may be waived by the City for minor cuts not intended to support structures.

(B) Slope. The slope of cut surfaces shall be no steeper than is safe for the intended use and shall be no steeper than two units horizontal to one unit vertical, for a short term interim period, unless the owner furnishes a soils engineering or an engineering geology report, or both, stating that the site has been investigated and giving an opinion that a cut at a steeper slope will be stable and not create a hazard to public or private property. Unless specifically approved, permanent slopes shall be no steeper than three horizontal units to one vertical unit.

(C) Filling. Unless otherwise recommended in a soils engineering and/or engineering geology report submitted by a professional deemed qualified by the City, filling shall conform to the provisions of this subchapter. In the absence of the report, these provisions may be waived by the City for minor filling not intended to support structures.

(1) Clearing area to be filled. All timbers, logs, trees, brush and rubbish shall be removed from the site. All clearing must conform with the tree preservation regulations.

(2) Preparation of ground. The ground surface shall be prepared to receive fill by removing vegetation, non-complying fill, topsoil and other unsuitable material, scarifying to provide a bond with the new fill and, where slopes are steeper than five to one and the height is greater than five feet, by benching into sound bedrock or other competent material as determined by the soils engineer. The bench under the toe of a fill on a slope steeper than five to one shall be at least ten feet wide. The area beyond the toe of fill shall be sloped for sheet overflow or a paved drain shall be provided. When fill is to be placed over a cut, the bench under the toe of fill shall be at least ten feet wide but the cut shall be made before placing the fill and accepted by the soils engineer or engineering geologist, or both, as a suitable foundation for fill.

(3) Fill material. Organic material shall not be permitted in building pad or roadway areas. Except as permitted by the City, no rock or similar irreducible material with a maximum dimension greater than 12 inches shall be buried or placed in fills.

(4) Fill material exceptions. The City may permit placement of larger rock when the soils engineer properly devises a method of placement, continuously inspects its placement and approves the fill stability. The following conditions shall also apply: (a) Prior to issuance of the permit, potential rock disposal areas shall be delineated on the plan; (b) Rock sizes greater than 12 inches in maximum dimension shall be ten feet or more below grade, measured vertically; and (c) Rocks shall be placed so as to assure filling of all voids with fines.

(D) Compaction. All fillings shall be compacted to a minimum 90% of maximum density as determined by the specified density method. In-place density shall be determined in accordance with ASTM D698-70.

(E) Slope. The slope of fill surfaces shall be no steeper than is safe for the intended use, or three horizontal units to one vertical unit, whichever in less.

(F) Grading and terracing. Grading and terracing shall be provided and the area above fill slopes and the surfaces of terraces shall be graded and paved as required by this subchapter.

(G) Setbacks. Cut and fill slopes shall be set back from site boundaries in accordance with this subchapter. Setback dimensions shall be horizontal distances measured perpendicular to the site boundary. Setback dimensions shall be shown on the grading plan.

(H) Top of cut slope. The top of cut slopes shall be made not nearer to a site boundary line than one-fifth of the vertical height of cut with a minimum of two feet and a maximum required setback of ten feet. The setback may need to be increased for any required interceptor drains.

(I) Toe of fill slope. The toe of fill slopes shall be made not nearer to the site boundary line than one-half the height of the slope with a minimum of two feet and a maximum required setback of 20 feet. Where a fill slope is to be located near the site boundary and the adjacent off-site property is developed, special precautions shall be incorporated in the work as the City deems necessary to protect adjoining property from damage as a result of grading. These precautions may include but are not limited to: (1) Additional setbacks; (2) Provision for retaining or slough walls; (3) Mechanical or chemical treatment of the fill slope surface to minimize erosion; and (4) Provisions for the control of surface waters.

(J) Modification of slope location. The City may approve alternate setbacks based upon an investigation and recommendation by a qualified engineer or engineering geologist stating that the intent of this subchapter has been satisfied.

(K) Drainage and terracing. Unless otherwise indicated on the approved plan, drainage facilities and terracing shall conform to the provisions of this subchapter for cut or fill slopes.

(1) Terraces. Terraces at least six feet in width shall be established at not more than 30-foot vertical intervals on all cut or fill slopes to control surface drainage and debris except that where only one terrace is required, it shall be at the mid-point of the vertical height. For cut or fill slopes greater than 60 feet and up to 120 feet in vertical height, one terrace at approximately mid-height shall be 12 feet in width. Terrace widths and spacing for cut and fill slopes greater than 120 feet in height shall be designed by a geotechnical engineer and reviewed by the City. Suitable access shall be provided to permit proper cleaning and maintenance. Swales or ditches on terraces shall have a minimum gradient of 5% and must be paved with reinforced concrete not less than three inches in thickness or an approved equal paving. They shall have a minimum depth at the deepest point of one foot and a minimum paved width of five feet. A single run of swale or ditch shall not collect runoff from a tributary area exceeding 13,500 square feet (projected) without discharging into a down drain.

(2) Subsurface drainage. Cut and fill slopes shall be provided with subsurface drainage as necessary for stability.

(3) Disposal. All drainage facilities shall be designed to carry waters to the nearest practicable drainage way approved by the City for the deposit of the waters. Erosion of ground in the area of discharge shall be prevented by installation of non-erosive downdrains or other devices. Building pads shall have a drainage gradient of 2% toward approved drainage facilities, unless waived by the City.

(4) Exceptions. The gradient from the building pad may be 1% where the following conditions exist throughout the site: (a) No proposed fills are greater than ten feet in maximum depth; (b) No proposed finish cut or fill slope faces have a vertical height in excess of ten feet; and (c) No existing slope faces, which have a slope face steeper than ten horizontally to one vertically, have a vertical height in excess of ten feet.

(5) Interceptor drains. Paved interceptor drains shall be installed along the top of all cut slopes where the tributary drainage area above slopes towards the cut and has a drainage path greater than 40 feet measured horizontally. Interceptor drains shall be paved with a minimum of three inches of concrete or granite and reinforced. They shall have a minimum depth of 12 inches and a minimum paved width of 30 inches measured horizontally across the drain. The slope of drain shall be approved by the City.

10-8 INSPECTION.
All grading operations for which a permit is required shall be subject to inspection by the City. When required by the City, special inspection of grading operations and special testing shall be performed. The special inspector shall be a qualified person who shall demonstrate competence, to the satisfaction of the City, for inspection of the particular type of grading or operation requiring special inspection. The duties and responsibilities of the special inspector shall be as follows:

(A) The special inspector shall observe the work assigned for conformance with the approved design drawings and specifications.

(B) All discrepancies shall be brought to the immediate attention of the contractor for correction. If corrections are not undertaken by the contractor in a timely manner, discrepancies shall be brought to immediate attention of the proper design authority and to the City.

(C) The special inspector shall submit a final signed report stating whether the work requiring special inspection was, to the best of the inspector's knowledge, in conformance with the reviewed plans and specifications. The report shall be furnished to the City and other designated persons.

(D) Inspections may be made on a periodic basis to satisfy the requirements of continuous inspection, provided the periodic inspection is performed as outlined in the project plans and specifications and approved by the City.

10-9 RECLEMATION

(A) A Rehabilitation, Reclamation, and Restoration Plan

Providing for the orderly and continuing rehabilitation of all excavated land shall be required. Such plan shall illustrate, using appropriate photographs, maps, and surveys drawn to a scale of one-inch equals two hundred feet (1" = 200') and with a five-foot (5') contour interval satisfactory to the engineer, the following:

(1) Removal of Planned Contours: The removal of planned contours of the land when the mineral removal operations are completed.
(2) Timetable: The estimated period of time that the pit will be operated and a schedule setting forth the timetable for excavation and rehabilitation of the land lying within the active, inactive and restoration areas
(3) Soil Stockpiles: Those areas of the site used for storage of topsoil and overburden
(4) Depth,Slope,Revegitation: The depth of all water bodies, the slopes of all slopes after rehabilitation and a description of the type and quantity of plantings where revegetation is to be established.
(5) Contour Extension: The five-foot contours shall extend at least 200 feet beyond the boundary of the operation or beyond the adjoining right of way, whichever is more inclusive.
(6) Maximum Slope : The maximum slope of the reclamation area that is developable shall be at no steeper than five feet (5') horizontal to one foot (1') vertical. The maximum slope of the reclamation area that is undevelopable, such as the area between a water body and a right of way line shall be no steeper than two feet (2') horizontal to one foot (1') vertical. Any slope greater than three feet (3') horizontal to one foot (1')
(7) Development: The reclamation and rehabilitation plan shall provide for reasonable development consistent with the adopted Comprehensive Plan. Grades provided on the plans must provide for installation of utilities and roadway systems consistent with the regulations of the city and the engineering standards for road and utility installation.

(B) End Use Grading Plan

For mining operations that are expected to require more than twenty (20) years to complete, the city council may approve an end use grading plan for the area that is expected to be completed within twenty (20) years. The city council shall not approve an annual operating permit for an area without an approved end use grading plan.

(C) Removal of Buildings, Structures and Vehicles

Within eighteen (18) months of the reclamation of each phase, all buildings, structures and plants incidental to that phase of operation shall be dismantled and removed by and at the expense of the operator last operating the building, structure or plant, or the owner of the property, unless the structure or use is compatible with the anticipated ultimate use of the property. All buildings, structures or plants not removed as required by this section may be removed by the city with the costs for the removal charged to the permittee or the owner of the property.

(F) Obligations Run With the Land. The approved reclamation, rehabilitation, and restoration plan, together with all obligations to complete reclamation and maintain financial security,

shall run with the land and shall bind the property owner, permittee, operator, successors, assigns, and any subsequent owner or operator until the City determines in writing that reclamation has been completed and accepted.

(G) Recording. The City may require the approved reclamation plan, permit conditions, development agreement, financial security agreement, or other instrument acceptable to the City Attorney to be recorded against the property.

(D) Financial Surety

1. Financial security shall be provided before issuance of any mining permit or annual operating permit and shall be maintained for the duration of the operation and until reclamation is complete and accepted in writing by the City.
2. The financial security shall be in a form acceptable to the City and City Attorney, including cash escrow, letter of credit, performance bond, or other security approved by the City Council.
3. The amount of financial security shall be determined by the City Council based on the estimated cost for the City to complete reclamation and restoration of the site in accordance with the approved plans, including grading, drainage, revegetation, erosion control, removal of structures and equipment, correction of hazardous conditions, street repair attributable to the operation, replacement of required landscaping, and related administrative, engineering, legal, and inspection costs.
4. The City may require the amount of financial security to include a contingency amount, inflation adjustment, or other factor determined necessary to ensure that sufficient funds are available to complete required work.
5. The amount of financial security shall be reviewed at least annually and may be increased or decreased by the City based on acreage disturbed, acreage reclaimed, remaining reclamation obligations, road impacts, monitoring results, and compliance history.
6. The City may draw upon the financial security if the permittee, operator, or owner fails to perform required work, fails to maintain the site in compliance with approved plans or permit conditions, fails to correct a violation, fails to repair public infrastructure impacts attributable to the operation, or fails to complete required reclamation.
7. Financial security shall not be released until the City determines in writing that all required reclamation, restoration, reporting, monitoring, infrastructure repair, and permit obligations have been completed. Partial releases may be approved by the City based on completed and accepted work.
8. Transfer of ownership, transfer of the mining operation, expiration of an interim use permit, expiration of an annual operating permit, or cessation of mining shall not release the owner, operator, or permittee from reclamation obligations or financial security requirements unless the City approves replacement obligations and replacement financial security.

(E) Notification of Competition

The City shall be notified when the grading operation is ready for final inspection, but not before all work, including installation of drainage facilities and their protective devices, and erosion and sediment control measures, have been completed and vegetation has been established in accordance with the final approved grading plan and the required reports have been submitted.

10-10 FEES.
Fees shall be established for grading and excavation permits and for plan review as established in the official City fee schedule. When a plan or other data are required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. Fees shall be charged in accordance with the provisions of this subchapter as set forth in the fee schedule adopted by the Council.

10-11 AMENDED PERMIT.
Any changes desired to be made to the grading plan by the applicant following the issuance of a permit shall be submitted to the City for review. No changes may be implemented by the applicant unless approved by the City. Any desired change to the plans shall be supported by information showing the change desired, the reasons for the change, the effect the change would have upon buildings, structures, drainage facilities and patterns. The request shall be accompanied by soils engineering and geology reports as necessary. If the changes requested by the applicant are acceptable, the City may issue an amendment to the permit.

10-12 EROSION AND SEDIMENT CONTROL.
All areas disturbed by grading activities shall be prepared and maintained to control against erosion and to contain sediment. Where necessary, silt fence, filter logs, rock checks, riprap or other devices or methods shall be employed to control erosion, contain sediment and provide for site safety. Grading operations, construction sites and other sediment sources shall provide for erosion and sediment control devices.

(A) Notification of non-compliance. If the designer, soils engineer, engineering geologist or testing agency finds that the work is not being completed in conformance with this section or the reviewed grading plans, the discrepancies shall be reported immediately in writing to the person in charge of grading work and to the City. Recommendations for corrective measures, if necessary, shall be submitted.

(B) Areas of responsibility. The soils engineer's area of responsibility shall include, but need not be limited to, the professional inspection and approval concerning the preparation of ground to receive fills, testing for required compaction, stability of all finish slope and the design of buttress fills, where required, incorporating data supplied by the engineering geologist.

10-13 SUSPENSION OR REVOCATION OF PERMIT

(A) The city council may suspend or revoke the interim use permit issued under this section upon a finding of a violation of any of the provisions of this section or violation of any conditions of the annual operating permit.

(B) A revocation or suspension by the city council shall be preceded by written notices to the permittee and a public hearing. The written notice shall give at least 8 days notice of the time and place of the hearing and shall state the nature of the charges against the permittee.
(C) A revocation or suspension by the city council may occur upon determination that the facility has been inactive.

SECTION 3. SEVERABILITY.

If any section, subsection, sentence, clause, or provision of this ordinance is held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 4. EFFECTIVE DATE.

This ordinance shall take effect and be in full force upon its passage and publication according to law.

SECTION 5. SUMMARY PUBLICATION.

The City Council authorizes the publication of a summary of this ordinance in accordance with Minnesota Statutes § 412.191, Subd. 4.

ADOPTED by the City Council of the City of Credit River this 4th day of May, 2026.

CITY OF CREDIT RIVER

By: _____

Chris Kostik

Its: Mayor

Attested:

By: _____

Lynda Jirak

Its: City Clerk

SECTION 10: MINING - AMENDMENT DETAILS

10-5 MAJOR EXCAVATION/FILLING PERMIT

10-5(B)(4) - Haul Routes and Trucking

Existing language removed:

~~Identification of proposed truck hauling routes and method of controlling dust on-site and along haul routes;~~

Replacement/amended language:

Identification of proposed truck hauling routes and method of controlling dust on-site and along haul routes; Maximum Average Daily Truck Trips and peak-hour cap; designated ingress/egress and a queuing plan (no shoulder queuing); pavement-sweeping trigger thresholds; prohibited turning movements where warranted; and GPS-geofenced routing requirements for contracted haulers.

10-5(B)(8) - Groundwater Protection Plan

New language added:

A plan for groundwater quality protection shall be submitted with the mining application, and all potential contaminant sources shall meet state required isolation distances form all wells. If determined by the City, monitoring wells with submitted reporting to the City may be required to ensure the operations are not contaminating the watershed.

10-6 PERMIT REQUIREMENTS

10-6(B)(1) - Dust Control Plan

Existing language removed:

~~Provisions shall be made for effectively controlling dispersal of material by wind or by hauling to and from the site, and for general maintenance of the site.~~

Replacement/amended language:

Provisions shall be made for effectively controlling dispersal of material by wind or by hauling to and from the site, and for general maintenance of the site, including implementation of a Dust Control Plan specifying water/suppressant application rates, wheel-wash, covered loads, paved aprons, and rapid cleanup of track-out.

10-6(B)(2) - Spillage, Street Damage, Pavement Surveys, and Idling

Existing language removed:

~~Spillage of material on and damage to public streets used as haul roads shall be cleaned up and repaired to the satisfaction of the City Engineer.~~

Replacement/amended language:

Spillage of material on and damage to public streets used as haul roads shall be cleaned up and repaired to the satisfaction of the City Engineer. Haul-route pavement condition surveys shall be performed each spring and fall; the permittee shall fund repairs attributable to haul traffic as determined by the City Engineer; seasonal load limits (including spring thaw restrictions) shall be observed; and on-site idling is limited to five (5) minutes except for safety or maintenance.

10-6(B)(3) - Hours of Operation and Council Modification Conditions

Existing language removed:

~~Hours of operation shall be limited to between the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturdays. Operations on Sunday shall be prohibited. The City Council shall have authority to modify, on an individual basis, the operational hours. Applicants must make a specific request and must provide documentation to support the request. The modifications shall be made only after a public hearing has been held.~~

Replacement/amended language:

Hours of operation shall be limited to between the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturdays. Operations on Sunday shall be prohibited. The City Council shall have authority to modify, on an individual basis, the operational hours. Applicants must make a specific request and must provide documentation to support the request. The modifications shall be made only after a public hearing has been held. Any Council-approved modification of hours shall be conditioned on: (i) a 30-day pilot with continuous noise logging; (ii) no exceedances of §10-6(B)(7); and (iii) no more than three validated complaints in any 30-day period. Extensions are revocable upon exceedance or complaint threshold. Any Council-approved modification of hours shall be conditioned on: (i) a 30-day pilot period with continuous noise logging if required by the City; (ii) no exceedances of the noise limits in this Section; and (iii) no more than three validated complaints in any 30-day period. The City Council may revoke or modify the extended hours upon exceedance of an applicable standard, failure to comply with permit conditions, or satisfaction of the complaint threshold.

10-6(B)(6) - Prior Financial Security Requirement Deleted

Existing language removed:

~~The operator shall post a cash escrow or letter of credit as designated by the City. The City shall be in possession of the cash escrow or letter of credit prior to issuance of a permit. The cash escrow or letter of credit shall remain in effect for a period of not less than one year and shall expire on August 1 following the expiration of the permit. The amount of the cash escrow or letter of credit shall be set by ordinance.~~

Replacement:

This requirement is replaced by the expanded Financial Surety requirements in Section 10-9(D).

10-6(B)(6) - Noise Limits

New language added:

Noise Limits: Noise from mining operations, including crushers, screens, generators, and mobile equipment, shall not exceed 60 dBA Leq(1-hr) at the property line. Evening/Saturday after 6:00 p.m.: not to exceed 55 dBA Leq(1-hr) at the property line. Compliance shall be demonstrated through baseline monitoring and quarterly third-party monitoring that shall be submitted to the City.

10-6(B)(7) - Noise Mitigation Plan
New language added:

Noise Mitigation Plan. The permittee shall submit a plan showing acoustical enclosures, mufflers, acoustic curtains or barriers, and berms; plant layout shall orient crushers/screens down-gradient and shielded from receptors. The City may require relocation or additional barriers if exceedances are recorded.

10-6(B)(8) - Crusher/Screen/Wash Plant Siting
New language added:

Crusher/Screen/Wash Plant Siting. Stationary crushers, primary screens, generators, and material transfer points must be located not less than 500 feet from any residential property line and not less than 1,000 feet from any existing dwelling, unless the City Council approves an alternative based on a site-specific noise study demonstrating compliance with §10-6(B)(7). Mobile crushers shall comply when operating for more than 48 consecutive hours in one location.

10-6(B)(9) - Vibration and Blasting
New language added:

Vibration and Blasting. Public notice shall be required for each blasting. Fourty-eight-hour notification of blasting shall occur for all properties located within 1 mile of the blast. The mine owner or operator will provide blast monitoring in three to five locations to be determined as part of the mining permit approval.

10-6(B)(10) - Particulate Performance and Monitoring
New language added:

Particulate Performance & Monitoring. Visible emissions from crushing/screening and on-site unpaved roads shall not exceed 10% opacity for more than 6 minutes in any hour, measured by EPA Method 9 or equivalent.

10-6(B)(11) - Community Response and Transparency
New language added:

Community Response & Transparency. (a) The permittee shall maintain a 24/7 complaint line and web form; acknowledge complaints within 24 hours and provide written findings within 5 business days.

10-6(B)(12) - Groundwater Monitoring
New language added:

(a) The permittee shall install and maintain groundwater monitoring wells on-site and, where required by the City Engineer, off-site, in locations sufficient to characterize groundwater conditions and potential impacts from mining operations.

(b) Baseline groundwater elevations and water quality data shall be collected prior to commencement of mining activities. Groundwater monitoring shall occur at annually and submitted to the City for their review, or more frequently as determined by the City.

(c) If monitoring indicates degradation of groundwater quality or significant changes in groundwater elevation attributable to the mining operation, the permittee shall implement corrective actions as directed by the City and within an appropriate timeline as determined by the seriousness of this degradation.

10-6(C) PROCESSING OPERATIONS - New Section

New language added:

(A) Processing of mined materials shall be permitted only as part of an approved major excavation/mining operation and shall require specific authorization within the permit.

(B) Processing activities shall not be considered accessory uses and must comply with all applicable performance standards of this section. No processing of materials imported from off-site shall be permitted. No aggregate, concrete, asphalt, demolition material, soil, fill, overburden, or other mineral or construction material originating off-site shall be imported for crushing, screening, washing, blending, resale, storage, or processing.

(C) All processing equipment, including crushers, screens, and wash plants, shall comply with the siting requirements of §10-6(B)(9) and all applicable noise, dust, and vibration standards.

(D) Processing operations shall be limited to the approved hours of operation and shall not occur outside those hours, including startup, maintenance, or material handling activities.

(E) All processing activities shall be subject to and in full compliance with §§10-6(B)(7) through (12).

10-9 SUSPENSION OR REVOCATION - Existing Section Deleted/Replaced

Existing language removed:

~~The City may, in writing, suspend or revoke a permit issued under the provisions of this subchapter whenever the permit is issued in error or on the basis of incorrect information supplied, or is found to be in violation of any regulation or provision of the City code.~~

10-9 RECLAMATION - New Replacement Section

New language added:

10-9 RECLEMATION

(A) A Rehabilitation, Reclamation, and Restoration Plan

Providing for the orderly and continuing rehabilitation of all excavated land shall be required. Such plan shall illustrate, using appropriate photographs, maps, and surveys drawn to a scale of one-inch equals two hundred feet (1" = 200') and with a five-foot (5') contour interval satisfactory to the engineer, the following:

(1) Removal of Planned Contours: The removal of planned contours of the land when the mineral removal operations are completed.

(2) Timetable: The estimated period of time that the pit will be operated and a schedule setting forth the timetable for excavation and rehabilitation of the land lying within the active, inactive and restoration areas

(3) Soil Stockpiles: Those areas of the site used for storage of topsoil and overburden

(4) Depth,Slope,Revegitation: The depth of all water bodies, the slopes of all slopes after rehabilitation and a description of the type and quantity of plantings where revegetation is to be established.

(5) Contour Extension: The five-foot contours shall extend at least 200 feet beyond the boundary of the operation or beyond the adjoining right of way, whichever is more inclusive.

(6) Maximum Slope : The maximum slope of the reclamation area that is developable shall be at no steeper than five feet (5') horizontal to one foot (1') vertical. The maximum slope of the reclamation area that is undevelopable, such as the area between a water body and a right of way line shall be no steeper than two feet (2') horizontal to one foot (1') vertical. Any slope greater than three feet (3') horizontal to one foot (1')

(7) Development: The reclamation and rehabilitation plan shall provide for reasonable development consistent with the adopted Comprehensive Plan. Grades provided on the plans must provide for installation of utilities and roadway systems consistent with the regulations of the city and the engineering standards for road and utility installation.

(B) End Use Grading Plan

For mining operations that are expected to require more than twenty (20) years to complete, the city council may approve an end use grading plan for the area that is expected to be completed within twenty (20) years. The city council shall not approve an annual operating permit for an area without an approved end use grading plan.

(C) Removal of Buildings, Structures and Vehicles

Within eighteen (18) months of the reclamation of each phase, all buildings, structures and plants incidental to that phase of operation shall be dismantled and removed by and at the expense of the operator last operating the building, structure or plant, or the owner of the property, unless the structure or use is compatible with the anticipated ultimate use of the property. All buildings, structures or plants not removed as required by this section may be removed by the city with the costs for the removal charged to the permittee or the owner of the property.

(F) Obligations Run With the Land. The approved reclamation, rehabilitation, and restoration plan, together with all obligations to complete reclamation and maintain financial security, shall run with the land and shall bind the property owner, permittee, operator, successors, assigns, and any subsequent owner or operator until the City determines in writing that reclamation has been completed and accepted.

(G) Recording. The City may require the approved reclamation plan, permit conditions, development agreement, financial security agreement, or other instrument acceptable to the City Attorney to be recorded against the property.

(D) Financial Surety

1. Financial security shall be provided before issuance of any mining permit or annual operating permit and shall be maintained for the duration of the operation and until reclamation is complete and accepted in writing by the City.

2. The financial security shall be in a form acceptable to the City and City Attorney, including cash escrow, letter of credit, performance bond, or other security approved by the City Council.

3. The amount of financial security shall be determined by the City Council based on the estimated cost for the City to complete reclamation and restoration of the site in accordance with the approved plans, including grading, drainage, revegetation, erosion control, removal of structures and equipment, correction of hazardous conditions, street repair attributable to the operation, replacement of required landscaping, and related administrative, engineering, legal, and inspection costs.

4. The City may require the amount of financial security to include a contingency amount, inflation adjustment, or other factor determined necessary to ensure that sufficient funds are available to complete required work.

5. The amount of financial security shall be reviewed at least annually and may be increased or decreased by the City based on acreage disturbed, acreage reclaimed, remaining reclamation obligations, road impacts, monitoring results, and compliance history.

6. The City may draw upon the financial security if the permittee, operator, or owner fails to perform required work, fails to maintain the site in compliance with approved plans or permit conditions, fails to correct a violation, fails to repair public infrastructure impacts attributable to the operation, or fails to complete required reclamation.

7. Financial security shall not be released until the City determines in writing that all required reclamation, restoration, reporting, monitoring, infrastructure repair, and permit obligations have been completed. Partial releases may be approved by the City based on completed and accepted work.

8. Transfer of ownership, transfer of the mining operation, expiration of an interim use permit, expiration of an annual operating permit, or cessation of mining shall not release the owner, operator, or permittee from reclamation obligations or financial security requirements unless the City approves replacement obligations and replacement financial security.

(E) Notification of Competition

The City shall be notified when the grading operation is ready for final inspection, but not before all work, including installation of drainage facilities and their protective devices, and erosion and sediment control measures, have been completed and vegetation has been established in accordance with the final approved grading plan and the required reports have been submitted.

10-10 FEES

Existing language removed:

~~Fees shall be established for grading and excavation permits and for plan review.~~

Replacement/amended language:

Fees shall be established for grading and excavation permits and for plan review as established in the official City fee schedule.

10-11 FINANCIAL SECURITY - Existing Section Deleted

Existing language removed:

~~The City may require a cash escrow or letter or credit in the form and amounts as may be deemed necessary to assure that the work, if not completed in accordance with the reviewed plans and specifications, will be corrected to eliminate hazardous conditions. If requested by the applicant, the amount of the financial security may be reduced by the City based upon the extent to which the grading and restoration have been completed and shall consider the continued need for erosion control.~~

Replacement:

This section is deleted and replaced by the comprehensive Financial Surety provisions in Section 10-9(D).

10-12 AMENDED PERMIT - Renumbered to 10-11

Existing section number removed:

~~10-12 AMENDED PERMIT.~~

Replacement section number:

10-11 AMENDED PERMIT.

10-13 EROSION AND SEDIMENT CONTROL - Renumbered to 10-12

Existing section number removed:

~~10-13 EROSION AND SEDIMENT CONTROL.~~

Replacement section number:

10-12 EROSION AND SEDIMENT CONTROL.

10-13 SUSPENSION OR REVOCATION OF PERMIT - New/Expanded Procedure

New language added:

(A) The city council may suspend or revoke the interim use permit issued under this section upon a finding of a violation of any of the provisions of this section or violation of any conditions of the annual operating permit.

(B) A revocation or suspension by the city council shall be preceded by written notices to the permittee and a public hearing. The written notice shall give at least 8 days notice of the time and place of the hearing and shall state the nature of the charges against the permittee.

(C) A revocation or suspension by the city council may occur upon determination that the facility has been inactive.

10-14 FINAL REPORTS - Existing Section Deleted

Existing language removed:

~~Upon completion of the rough grading work and at the final completion of the work the City may require the following reports and drawings and supplements thereto.~~
~~(A) An as-graded grading plan prepared by the designer including original ground surface elevations, as-graded ground surface elevations, lot drainage patterns, and location, and elevations of all surface and subsurface drainage facilities. The designer shall state that to the best of his or her knowledge the work was done in accordance with the final approved grading plan.~~
~~(B) A soils grading report prepared by the soils engineer, including locations and elevations of field density tests. Summaries of field and laboratory tests and other substantiating data and comments on any changes made during grading and their effect on the recommendations made in the soils engineering investigation report. The soil engineer shall render a finding as to the adequacy of the site for the intended use.~~
~~(C) A geologic grading report prepared by the engineering geologist, including a final description of the geology of the site and any new information disclosed during the grading and the effect of same on recommendations incorporated in the approved grading plan. The geologic engineer shall render a finding as to the adequacy of the site for the intended use as affected by geologic factors.~~

10-15 NOTIFICATION OF COMPLETION - Existing Section Deleted/Moved into 10-9(E)

Existing language removed:

~~The City shall be notified when the grading operation is ready for final inspection, but not before all work, including installation of drainage facilities and their protective devices, and erosion and sediment control measures, have been completed and vegetation has been established in accordance with the final approved grading plan and the required reports have been submitted.~~

Replacement:

Notification language is incorporated into Section 10-9(E) Notification of Competition.

SOURCE NOTE

This memo compares the existing Section 10 ordinance language provided by the City with Ordinance No. 2026-04, which repeals and replaces Section 10 regarding mining.

Memo

To: The City of Credit River Mayor and City Council

From: Claire Stickler, City Planner

Subject: Proposed Mining Ordinance Amendments

Date: April 29, 2026

The proposed ordinance repeals and replaces the existing Section 10 of the City Code related to mining operations. The amendments are intended to modernize the City's regulations, and strengthen protections for public health, safety, and welfare. Overall, the ordinance shifts from general and discretionary standards to a more comprehensive, performance-based framework with clearer expectations and stronger enforcement tools.

The proposed amendments also reflect direction provided by the City Council during the recent work session and the public hearing held at the April Planning Commission Meeting. Based on Council discussion, and public hearing commentadditional provisions were incorporated to strengthen groundwater protection, clarify reclamation requirements, and ensure that adequate financial assurances are in place to protect the City in the event of non-compliance or incomplete site restoration.

The amendments expand application requirements to ensure that mining operations are more thoroughly evaluated at the outset. Applicants will now be required to provide additional detail related to operational impacts and environmental protection, including:

- Identification of haul routes, truck volumes, and routing controls
- Measures to prevent roadway damage and debris tracking
- A groundwater protection plan addressing potential impacts to water resources

Operational standards have been strengthened to better manage day-to-day impacts. The ordinance introduces measurable and enforceable requirements related to:

- Dust control, including preparation and implementation of a dust control plan and use of best management practices
- Trucking and haul routes, including pavement condition monitoring, seasonal load restrictions, and idling limits
- Noise, including specific decibel limits, required monitoring, and a noise mitigation plan
- Air quality, through particulate performance standards
- Community engagement, including a required complaint response system

The ordinance also establishes a new section regulating processing activities, such as crushing, screening, and washing. Processing is now clearly defined as a principal mining activity and must be specifically authorized as part of a permit. The ordinance:

- Prohibits the import and processing of off-site materials

- Requires all processing activities to comply with applicable performance standards
- Limits processing to approved hours of operation

Environmental protections are enhanced through the addition of groundwater monitoring requirements. These provisions allow the City to require monitoring wells, establish baseline conditions, and require ongoing monitoring throughout the life of the operation. If impacts are identified, operators must implement corrective actions as directed by the City.

Reclamation requirements have been substantially expanded to ensure that mining sites are restored in a timely and usable manner. The updated ordinance requires a detailed reclamation plan that addresses grading, slopes, revegetation, soil management, and long-term land use. Additional provisions require progressive restoration where feasible, removal of structures and equipment, and ensure that reclamation obligations remain in place until the City determines that restoration has been satisfactorily completed.

Financial assurance requirements have been significantly strengthened in response to feedback. Financial security must be provided prior to permit issuance and maintained throughout the life of the operation. The amount is based on the estimated cost for the City to complete reclamation and restoration and is subject to periodic review and adjustment. The City is authorized to draw upon the financial security if the operator fails to meet its obligations, ensuring that adequate resources are available to address outstanding work.

Finally, the ordinance clarifies and expands enforcement provisions, including updated procedures for suspension or revocation of permits. These changes provide the City with clearer authority to address violations and ensure compliance with ordinance requirements.

In summary, the proposed amendments provide a more detailed, enforceable, and transparent regulatory framework for mining operations. The changes are intended to reduce impacts on surrounding properties and public infrastructure, enhance environmental protections, and ensure that mining activities are conducted and completed in a manner consistent with the City's long-term planning goals.

AGENDA ITEM NO. 7.4

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: May 4, 2026

SUBMITTED BY: Claire Stickler,Planning

ITEM TYPE: Agenda Report

AGENDA SECTION: General Business

SUBJECT: Urban Expansion Reserve Ordinance Amendment - Ordinance 2026-03

BACKGROUND: The UER, Urban Expansion Reserve District is intended to preserve large tracts of land for long-term urban development while maintaining very low-density rural uses until such time as public utilities and infrastructure are extended. Under current regulations, the district requires a minimum lot size of forty (40) acres and limits density to one dwelling unit per forty (40) acres. The existing ordinance can create challenges for property owners of large parcels who wish to establish a single rural homesite for existing residential units without significantly impacting the long-term development potential of the property. The proposed amendment introduces a narrowly tailored, one-time exception that allows the creation of a single one-acre residential parcel from qualifying properties, provided that the remainder parcel retains a minimum size of forty (40) acres and is restricted from further subdivision.

SUGGESTED ACTION: Approve Ordinance 2026-03 - Urban Expansion Reserve Ordinance Amendment

ALTERNATIVES: Do Not Approve Ordinance Amendment
Approve Ordinance Amendment with Alternate Council Changes

ATTACHMENTS:
Ordinance - 2026-03.docx
Staff Memo for Proposed UER Amendment.docx

CITY OF CREDIT RIVER

SCOTT COUNTY, MINNESOTA

ORDINANCE NO. 2026-XX

AN ORDINANCE AMENDING SECTION 30-3 OF THE CITY ZONING ORDINANCE RELATED TO THE UER, URBAN EXPANSION RESERVE DISTRICT

THE CITY COUNCIL OF THE CITY OF CREDIT RIVER DOES ORDAIN:

SECTION 1. PURPOSE AND FINDINGS.

The purpose of this Ordinance is to amend Section 30-3 of the City Code to allow a limited, one-time subdivision of qualifying parcels within the UER, Urban Expansion Reserve District, while preserving the long-term planning intent of maintaining large parcels for future urban development consistent with the Comprehensive Plan.

SECTION 2. AMENDMENT

Section 30-3 of the Credit River City Code is hereby amended by adding the following subsection:

30-3(4) Limited One-Time Lot Exception.

Notwithstanding the density and minimum lot size requirements of this Section, a parcel of record containing at least forty-one (41) acres may be subdivided one (1) time to create a single additional residential lot of not less than one (1) acre, subject to the following conditions:

i. The proposed lot has an existing residential unit.

ii. The proposed lot shall be demonstrated to support an individual sewage treatment system, including both a primary and a designated replacement (alternate) site, as verified by a qualified professional in accordance with applicable County and State standards;

iii. This provision shall not be used to increase the overall residential density otherwise permitted on the original parcel and shall be limited to the creation of one (1) additional lot;

iv. The remaining lands after subdivision shall contain not less than forty (40) acres and shall be legally described and platted as an outlot or other non-buildable tract, restricted from further subdivision for residential development purposes until the time that water and sewer facilities are available;

v. The location and configuration of the created lot shall not impede the logical extension of public utilities, public streets, or planned urban development as guided by the Comprehensive Plan;

vi. The subdivision shall comply with all other applicable provisions of this Ordinance, including but not limited to frontage, access, environmental, and platting requirements.

SECTION 3. EFFECTIVE DATE.

This ordinance shall take effect and be in full force upon its passage and publication according to law.

SECTION 4. SUMMARY PUBLICATION.

The City Council authorizes the publication of a summary of this ordinance in accordance with Minnesota Statutes § 412.191, Subd. 4.

ADOPTED by the City Council of the City of Credit River this 4th day of May, 2026.

CITY OF CREDIT RIVER

By: _____

Chris Kostik

Its: Mayor

Attested:

By: _____

Lynda Jirak

Its: City Clerk

Memo

To: The City of Credit River Planning Commission

From: Claire Stickler, City Planner

Subject: Proposed UER Ordinance Amendment

Date: April 10, 2026

The UER, Urban Expansion Reserve District is intended to preserve large tracts of land for long-term urban development while maintaining very low-density rural uses until such time as public utilities and infrastructure are extended. Under current regulations, the district requires a minimum lot size of forty (40) acres and limits density to one dwelling unit per forty (40) acres. These standards are designed to prevent premature fragmentation of land and to support orderly, planned urban growth consistent with the City's Comprehensive Plan.

In practice, however, the existing ordinance can create challenges for property owners of large parcels who wish to establish a single rural homesite for existing residential units without significantly impacting the long-term development potential of the property. The current code does not provide a clear or consistent mechanism for accommodating such requests while maintaining the integrity of the 40-acre planning framework.

The proposed amendment introduces a narrowly tailored, one-time exception that allows the creation of a single one-acre residential parcel from qualifying properties, provided that the remainder parcel retains a minimum size of forty (40) acres and is restricted from further subdivision. The amendment also requires that the newly created parcel be suitable for on-site septic systems, including a designated replacement area, ensuring that development remains consistent with rural service levels.

The City is considering this amendment at this time for several reasons:

- The City has received ongoing inquiries and requests from property owners seeking limited subdivision opportunities for family or residential purposes that are not currently addressed by the ordinance.
- By requiring that the remaining parcel retain at least forty (40) acres and be restricted as an outlot or non-buildable tract, the amendment preserves the large parcel pattern necessary for future urban development and infrastructure planning.
- The one-time limitation and prohibition on additional subdivision of the remainder parcel ensures that this provision cannot be used to gradually increase density or undermine the intent of the UER district.
- The requirement for a viable primary and alternate septic site ensures that any new lot can function independently without reliance on future urban services, maintaining consistency with rural land use patterns.

AGENDA ITEM NO. 7.5

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: May 4, 2026

SUBMITTED BY: Shane Nelson,Engineer

ITEM TYPE: Agreement

AGENDA SECTION: General Business

SUBJECT: Consider Revised Joint Powers Agreement for Judicial Road

BACKGROUND:

The Credit River City Council previously approved an updated JPA with the City of Lakeville, however, that agreement was not fully executed.

The City of Lakeville has presented a revised JPA for city council consideration. The main change of the revised JPA is that it also includes the segment of Judicial Road from 185th Street East to the north. (the previous JPA's only included from CSAH 68 to 185th Street)

A mill and overlay project is planned for the added segment (north of 185th Street East) in 2027. The estimated cost of the 2027 project is $230,000 and the costs are proposed to be split 50/50 between the City of Credit River and the City of Lakeville. Therefore, the (preliminary) estimated cost to the City of Credit River is $115,000. Note - this segment would not be eligible for MSA funding.

In addition to the CIP cost in 2027, the agreement also stipulates that Credit River would be invoiced for future maintenance on this segment.

2026 Project Schedule (CSAH 68 to 185th Street East)
Complete Design in May
Bid Opening in June
Construction in July / August

FINANCIAL IMPACT:

As stated above, this updated JPA would require cost participation for the 2027 project, which was not previously included in our CIP. The preliminary estimated cost for the 2027 project is $115,000 (Credit River's 50% share).

Additionally, the City of Credit River will have future maintenance expenses for the added segment.

SUGGESTED ACTION: Discuss and approve the revised agreement (if there are no objections)

ALTERNATIVES:
1. Do not approve the updated JPA
2. Request specific revisions to the updated JPA

ATTACHMENTS:
2026.03.16 DRAFT JPA.docx
Scott GIS Map.pdf

JOINT POWERS AGREEMENT FOR

JUDICIAL ROAD IMPROVEMENTS AND MAINTENANCE

BETWEEN

THE CITY OF LAKEVILLE

AND

THE CITY OF CREDIT RIVER

FOR

STATE AID PROJECT NO.

CITY OF LAKEVILLE PROJECT NOS. 26-03 AND 27-02

CITY OF CREDIT RIVER PROJECT NOS. XX-XX

DRAFT

THIS JOINT POWERS AGREEMENT (“Agreement”), is entered into by and between the City of Lakeville (“Lakeville”), a Minnesota municipal corporation, and the City of Credit River (“Credit River”), a Minnesota municipal corporation, hereafter collectively referred to as “Parties”, and individually as “Party”, and witnesses the following:

WHEREAS, Judicial Road is a shared roadway lying within and adjacent to the corporate boundaries of Lakeville and Credit River and is designated as a Municipal State-Aid roadway; and

WHEREAS, the Parties share a common interest in maintaining Judicial Road in a safe, efficient, and cost-effective manner consistent with accepted pavement management practices; and

WHEREAS, the Parties previously entered into a Joint Powers Agreement dated October 1, 2007, for the improvement and maintenance of Judicial Road; and

WHEREAS, Credit River is now incorporated as a city, and the Parties desire to update the Agreement to reflect current jurisdictional status, roadway designation, and planned pavement preservation improvements; and

WHEREAS, the Parties agree that pavement preservation through timely maintenance and rehabilitation projects is the most cost-effective approach to extending the service life of Judicial Road and minimizing long-term maintenance costs; and

WHEREAS, the Parties desire to program and cooperatively fund mill and overlay improvements to Judicial Road in 2026 and 2027, consistent with Lakeville’s Pavement Management Program; and

WHEREAS, Minnesota Statutes § 471.59 authorizes two or more governmental units to jointly or cooperatively exercise any power common to the contracting parties.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Parties agree as follows:

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1. Purpose. The purpose of this Agreement is to establish the responsibilities of the Parties for the design, construction, cost sharing, and maintenance of Judicial Road, including specific pavement preservation projects programmed for 2026 and 2027.

2. Project Descriptions.

    a. 2026 Improvement Project

    Mill and overlay of Judicial Road from 205th Street to 185th Street (Dakota County State Aid Highway 60) ("2026 Project").

    b. 2027 Improvement Project

    Mill and overlay of Judicial Road from 185th Street (Dakota County State Aid Highway 60) to a point approximately 2,635 feet north of 185th Street, at the intersection of Judicial Road and the northerly right-of-way extension of Judicial Way (north junction) ("2027 Project"). Collectively referred to as "Projects".

3. Lead Agency. Lakeville shall serve as the lead agency for the design, bidding, construction, construction administration, and maintenance for the 2026 Project and the 2027 Project. Subject to the requirements below, the Parties shall each retain final decision-making authority within their respective jurisdictions.

4. Design, Plans and Specifications. Lakeville shall be responsible for preparation or procurement of engineering services necessary for the Projects, including plans and specifications consistent with City, Municipal State-Aid and Minnesota Department of Transportation design standards and specifications. All plans and specifications shall be subject to review and approval by both Parties prior to advertisement for bids.

5. Bidding and Contract Award. Lakeville shall advertise for bids, receive and analyze bids, and award construction contracts in accordance with Minnesota law. Credit River's approval shall be required prior to award of the construction contract. If a bid is not awarded, this Agreement shall terminate for the specific project that is not awarded, and all costs incurred as of the date of termination shall be apportioned in accordance with the terms of this Agreement.

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6. Cost Sharing. Project costs for the 2026 Project and the 2027 Project shall be shared equally (50% Lakeville / 50% Credit River). Project costs include engineering, inspection, testing, and construction costs. Project costs do not include costs associated with regular salaries or overhead of either Party's employees unless directly attributable to the Project.

7. Payment. Lakeville shall act as the paying agent for Project costs. Lakeville shall bill Credit River for its share of eligible costs on an itemized basis. Credit River shall reimburse Lakeville within 30 days of receipt of an invoice. If any portion of an itemized claim is questioned by the receiving agency, the remainder of the claim shall be promptly paid, and accompanied by a written explanation of the amounts in question. Payment of any amounts in dispute will be made following good faith negotiation and documentation of actual costs incurred in carrying out the work.

8. Change Orders. Any change order or supplemental agreement that affects the total Project cost or materially alters the scope of work shall require prior written approval from both Parties. Both Parties shall endeavor to provide timely approval of change orders and supplemental agreements so as not to delay construction operations.

9. Amendments. Any amendments to this Agreement will be effective only after approval by each governing body and execution of a written amendment document by duly authorized officials of each body.

10. Ownership. Each Party shall own that portion of Judicial Road located within its respective corporate boundaries.

11. Maintenance. Following completion of the Projects, Lakeville shall continue to perform routine maintenance of Judicial Road. Maintenance includes, but is not limited to striping, snow plowing, patching, pothole repair, crack sealing, seal coating, sanding, and salting. Maintenance costs shall be shared equally (50% Lakeville / 50% Credit River). Credit River shall reimburse Lakeville within 30 days of receipt of an invoice. If any portion of an itemized claim is questioned by the receiving agency, the remainder of the claim shall be promptly paid, and accompanied by a written explanation of the amounts in question. Payment of any amounts in dispute will be made following good

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faith negotiation and documentation of actual costs incurred in carrying out the work. Either Party may terminate the maintenance cost-sharing provision upon one (1) year written notice to the other Party.

12. Rules and Regulations. All work performed under this Agreement shall comply with applicable Minnesota Department of Transportation standards, Municipal State-Aid requirements, and applicable federal, state, and local laws.

13. Indemnification. Each Party agrees to defend, indemnify, and hold harmless the other Party against any and all claims, liability, loss, damage, or expense arising under the provisions of this Agreement and caused by or resulting from its own negligent acts or omissions and/or those of its employees or agents. All parties to this Agreement recognize that provisions of the Minnesota Municipal Tort Claims Law; Minnesota Statutes, Chapter 466. In the event of any claims or actions filed against either Party, nothing in this Agreement shall be construed to allow a claimant to obtain separate judgments or separate liability caps from the individual Parties.

14. Employees. Employees of one Party shall not be considered employees of the other Party for any purpose, including workers' compensation coverage, and any and all claims that may or might arise out of said employment context on behalf of said employees while so engaged. Any and all claims made by any third party as a consequence of any act or omission on the part of Lakeville's employees while so engaged on any of the work contemplated herein shall not be the obligation or responsibility of Credit River. The opposite situation shall also apply to any and all claims made by any third party as a consequence of any act or omission on the part of Credit River's employees while so engaged on any of the work contemplated herein shall not be the obligation or responsibility of Lakeville.

15. Records and Audit. Pursuant to Minnesota Statutes § 16C.05, Subdivision 5, all records relating to this Agreement shall be maintained for a minimum of six (6) years and shall be subject to audit by the State Auditor or Legislative Auditor.

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16. Term of Agreement. This Agreement shall be effective upon execution by both Parties and shall remain in effect for a period of ten (10) years, unless terminated earlier by mutual written agreement.

17. Periodic Review. The Parties agree to conduct a joint review of this Agreement prior to expiration of the ten-year term to determine whether continuation, modification, or termination is appropriate based on roadway condition, maintenance costs, and jurisdictional needs.

18. Entire Agreement. This Agreement supersedes all prior agreements related to Judicial Road, including the Joint Powers Agreement dated October 1, 2007, except as expressly incorporated herein.

19. Authorized Representatives. The authorized representatives for the purpose of the administration of this Agreement are:

CITY OF LAKEVILLE	CITY OF CREDIT RIVER
Zach Johnson	Steve Jelinski
City Engineer (or successor)	City Administrator (or successor)
20195 Holyoke Avenue	18985 Meadow View Blvd
Lakeville, MN 55044	Prior Lake, MN 55372
Office: 952-985-4500	Phone: 952-440-5515
zjohnson@lakevillemn.gov	cityadmin@creditriver-mn.gov

All notices or communications required or permitted by this Agreement shall be either hand delivered or mailed by certified mail, return receipt requested, to the above addresses. Either Party may change its address by written notice to the other Party. Mailed notice shall be deemed complete two business days after the date of mailing.

[SIGNATURE PAGE TO FOLLOW]

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IN WITNESS THEREOF, the Parties have caused this Agreement to be executed by their duly authorized officials.

CITY OF LAKEVILLE

RECOMMENDED FOR APPROVAL:

_____ By _____

Zach Johnson, City Engineer Mayor

(SEAL)

By_____

City Clerk

Date: _____

CITY OF CREDIT RIVER

By _____

Mayor

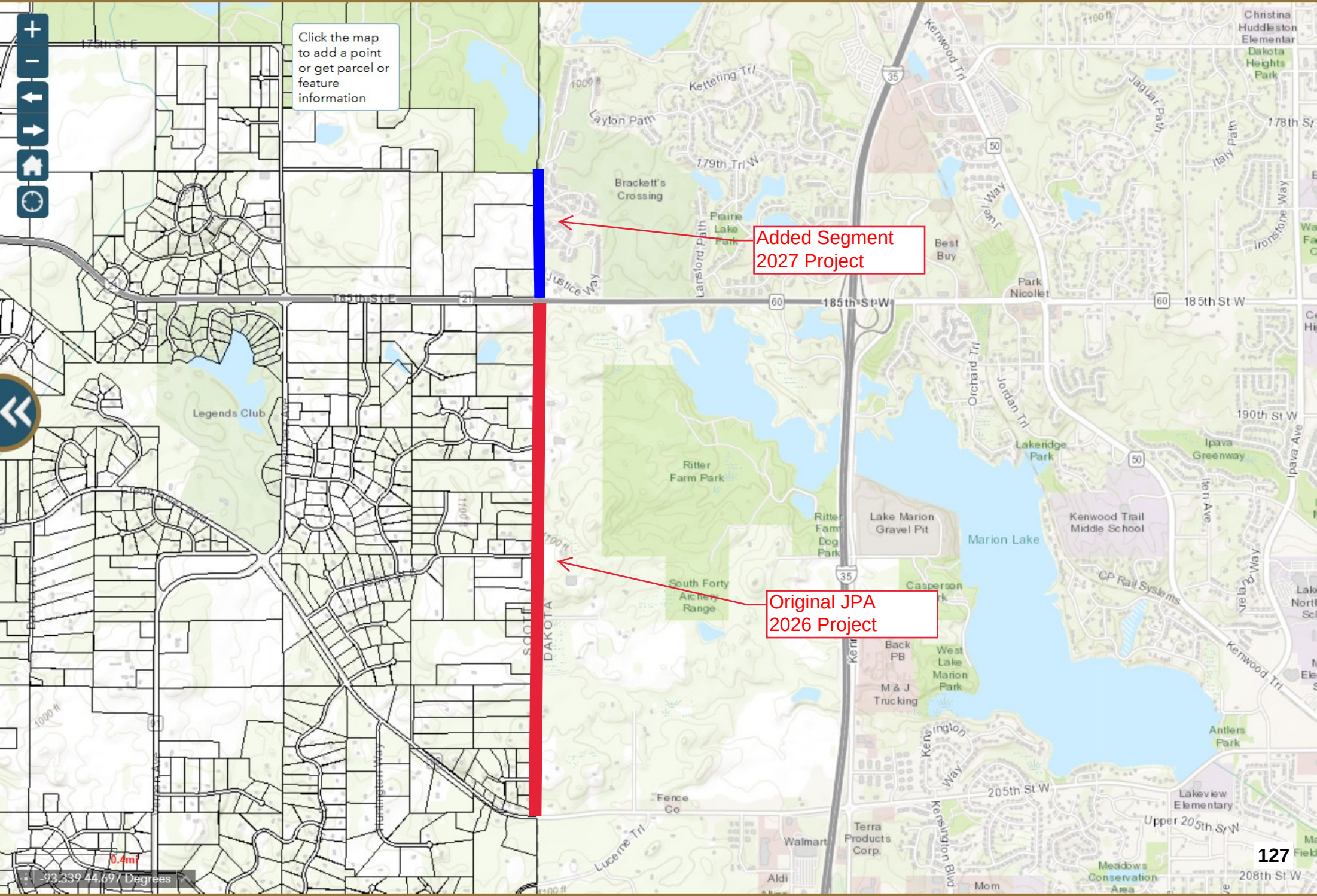
(SEAL)

By_____

City Clerk

Date: _____

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Click the map to add a point or get parcel or feature information
Added Segment
2027 Project
Original JPA
2026 Project
175th St E
185th St E
185th St W
Kettering Trl
Layton Path
179th Trl W
Brackett's Crossing
Prairie Lake Park
Lansford Path
Justice Way
Best Buy
Park Nicollet
Kenwood Trl
Jaguar Path
Italy Path
178th St
Ironstone Way
Orchard Trl
Jordan Trl
190th St W
Lakeridge Park
Ipava Greenway
Ipava Ave
Iteri Ave
Ritter Farm Park
Ritter Farm Dog Park
Lake Marion Gravel Pit
Marion Lake
Kenwood Trail Middle School
CP Rail Systems
Legends Club
South Forty Archery Range
Casperson
Back PB
West Lake Marion Park
M & J Trucking
Antlers Park
Kensington Way
Kensington Blvd
205th St W
Upper 205th St W
Lakeview Elementary
Fence Co
Terra Products Corp.
Walmart
Aldi
Mom
Meadows Conservation Area
208th St W
Lucerne Trl
Christina Huddleston Elementar
Dakota Heights Park
SCOTT
DAKOTA
0.4mi
93.339 44.697 Degrees

AGENDA ITEM NO. 7.6

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: May 4, 2026

SUBMITTED BY: City Admin,City Council

ITEM TYPE: Agenda Report

AGENDA SECTION: General Business

SUBJECT: Discussion of Action Items for Municipal Water/Sewer

BACKGROUND: From Councilmember Markert: From the April 6, 2026, City Council meeting: I committed to sending you a list of actions and/or considerations that we (the council) need to continue to discuss and/or have city staff or consultants investigate/undertake before making any decision to begin construction of municipal sewer and water to serve the properties in Country Court, Creekwood, Whitewood and Casey.

SUGGESTED ACTION:

ATTACHMENTS:
Action Items from 4.6.26 Meeting (Markert).docx

These are the actions or considerations (there may be others I am missing) that I suggest we (the council) continue to discuss and/or have city staff or consultants investigate/undertake before making any decision to begin construction of municipal sewer and water to serve the 443 properties in Country Court, Creekwood, Whitewood and Casey. My opinion – the council needs to have a clear understanding of what we are getting ourselves into if we proceed and what it will cost our taxpayers.

1. Investigate the condition of existing septic systems and wells to determine the urgency / timing of when to construct municipal sewer and city water services in each of the four subdivisions.

2. Based on #1, decide whether to amend our 2040 Comprehensive Plan which currently reflects all four subdivisions being connected by the end of this decade. An amendment to the 2040 Comprehensive Plan should seriously be considered because a 2030 timeline to install sewer and city water services to the Country Court, Creekwood, Whitewood, and/or Casey Addition subdivisions is unattainable by a 2030 timeline given the current status of local conditions and the potential time involved in: (1) conducting an in-depth investigation and commensurate surveys and studies of the existing septic systems and wells in the Country Court, Creekwood, Whitewood, and Casey Addition subdivisions, (2) conducting research in collaboration with the Scott County Office of Environmental Services into alternative septic system solutions as allowed for under Scott County's "Subsurface Sewage Treatment System Ordinance No. 4," and (3) calculating the total estimated costs to extend and provide sewer and city water services to homes in the Country Court, Creekwood, Whitewood, and Casey Addition subdivisions.

3. Based on #1, amend our existing Capital Improvement Plan as necessary.

4. Complete all engineering studies to determine / refine estimated costs to build sewer and water infrastructure to serve all four subdivisions.

5. From #1 and #4, prepare a fully allocated cost analysis to construct municipal sewer and water in each of the four subdivisions. Do it in-house or hire a financial consultant.

6. Calculate each property owner's share of the fully allocated cost.

7. Hire a professional appraiser to calculate the incremental market value increase for each property in the four subdivisions to determine how much cost can be assessed to each property in each of the four subdivisions.

    a. Share amount with all assessed residents.
    b. Conduct open houses/workshops with the residents in these subdivisions to get their thoughts.

8. Identify any and all funding sources and timing of when those monetary sources are required/received to pay the fully-allocated costs of the sewer and city water project(s).

9. In conjunction with Nos. 1, 2 and 7 above, provide residents with information and a ballpark cost estimate of:

    a. Bringing sewer and water into their homes from the street that they would have to pay
    b. Decommissioning their septic system and well
    c. Estimating street and yard reconstruction costs due to the lateral installation of sewer and water pipes to their homes
    d. Estimated range of municipal utility rates that property owners are going to have to pay

10. Document / put to paper our current City Assessment Policy. Include our existing policy position stated in our Comp Plan that the city does not pay for these projects by assessing / taxing non-benefiting properties, unless the council is proposing to change this.

11. Prepare a financial cost analysis reflecting costs that will be incurred by the city and recovered via future tax levies to establish municipal utilities, including:

a. Land acquisition
b. Capital costs for any infrastructure buildings, public works vehicles/equipment, office equipment, etc., required.
c. Ongoing operating costs that will be incurred to run municipal services including staffing and overhead related to accounting, billing, collections, inventory, repair/maintenance, customer service, etc.

12. In concert with #11, prepare an operating plan needed to run a municipal utility, including:
    a. Identify staffing requirements
    b. Drafting job descriptions
    c. Being prepared to deal with unions
    d. Office planning and city hall office expansion to accommodate increased staff size

AGENDA ITEM NO. 8.1

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE:	May 4, 2026
SUBMITTED BY:	Lynda Jirak,Clerk
ITEM TYPE:	Agenda Report
AGENDA SECTION:	Staff and Council Member Reports
SUBJECT:	Update on Election Information
SUGGESTED ACTION:	
ATTACHMENTS:	