EMPIRE CITY COUNCIL AGENDA
May 26, 2026 - 7:00 PM, Empire City Hall

A. Call Meeting to Order and Flag Pledge

B. Roll Call

C. Approve the Agenda

D. Consent Agenda
D.1 Minutes of the 5/12/2026 City Council Meeting
D.2 Bill List as of 5/26/2026
D.3 Cash Balance Report as of 5/26/2026

E. Visitors

The Visitors Forum is intended to afford the public the opportunity to address concerns to the City Council. Each presenter will have no more than five (5) minutes to speak. Topics of discussion are restricted to local governmental topics rather than private agendas. The Council may discuss but will not take formal action on visitors' forum presentations.

F. Committee Reports:

Maintenance / Sewer and Water / Road and Bridges
1. Information on Existing Water Tower Rehabilitation
2. Proposed Animal Crossing Signs on 197th Street

Law Enforcement

Park & Rec

Engineering
1. Engineering Report

Planning
1. Planning Updates / Update on Vertical Bridge Cell Tower

Clerk-Administrator

G. Old Business

H. New Business
H.1 Information & Discussion on Safety at City Hall and at City Council Meetings

I. Meetings: Planning Commission Meeting 6/2/2026, 8PM; Park & Rec. Meeting 6/8/2026, 7PM; City Council Meeting 6/9/2026, 7PM

J. FYI

K. Adjournment

MEMORANDUM

Date:	May 26, 2026
To:	Empire City Council
From:	Charles Seipel-Teng, Clerk-Administrator
RE:	Minutes of the 5/12/2026 City Council Meeting

Attachment(s): 5 12 26 Council Minutes.pdf

CITY OF EMPIRE

Empire City Council Meeting Minutes
May 12, 2026, Empire City Hall

The meeting of the Empire City Council was called to order by Mayor Melanie Lee at 7:00 PM.

Present were: Council Members: Eric Hanson; Danny Rubio; Marla Vagts; Mark Page. Also present were Brian Hilgardner, Consulting Engineer with Bolton & Menk; Jenni Faulkner, Consulting Planner with Bolton & Menk (via Teams); Hanah Martin, Dakota County Sheriff's Deputy; Jerod Waltman, Maintenance Supervisor; Charles Seipel-Teng, Clerk-Administrator.

A. Call Meeting to Order and Flag Pledge

B. Roll Call

C. Approve the Agenda

Eric Hanson made a motion to approve. Marla Vagts seconded. Motion carried 5-0

D. Consent Agenda

D.1 Minutes of the 4/28/2026 Meeting; 5/5/2026 Planning Commission Meeting; 5/11/2026 Park & Rec. Commission Meeting

D.2 Bill List as of 5/12/2026

D.3 Profit & Loss / Budget Comparison as of 5/12/2026

Danny Rubio made a motion to approve. Mark Page seconded. Motion carried 5-0

D. Visitors

Miranda Christianson on Cabrilla Way noted that she is concerned about geese and goslings being hit and killed by traffic on 197th Street adjacent to the pond. She is requesting that the City investigate the possibility of putting up animal crossing signs on 197th Street between Calgary Trail and Canada Ave. in the hopes of slowing traffic down and hitting the geese.

Al Full on Biscayne Ave. inquired about the status of the proposed Dakota County Trial that will run from Whitetail Woods to Farmington. He is concerned about the potential impact to drainage and noted that the County should work with the Met Council in obtaining an easement for the trail and drainage ditch.

E. Committee Reports:

Maintenance / Sewer and Water / Road and Bridges

Jerod Waltman reported that there was a curb stop repair on Butternut Trial. This was likely leaking prior to this year. Hydrant flushing has been completed, staff are spraying for weeds, spray patching has been completed, and Stelzel Fields should be open and clean before this weekend.

The City Council reviewed several colors, with color code, for the repainting of the water tower. A representative from KLM will attend a future meeting with the color swatches to view.

Law Enforcement

Deputy Martin presented the Statistics Reports for April 2026. Deputy Martin discussed some of the resent calls that she has responded to. There is some concern regarding the City's nuisance ordinance pertaining to electric scooters and statute. Scooters are not permitted in the MXR District by the nuisance ordinance. She is planning several "ride with a deputy" events throughout the summer. The first one will be held on Tuesday, June 16, starting in the Stelzel Fields parking lot. The Sheriff's Office has speed trailers available. Council discussed placing them on 197th Street as well as Biscayne Ave.

Park & Rec

Eric Hanson reported that the Park & Rec. Commission is ready for Food Truck night this Friday evening. They discussed with Deputy Martin hosting a Trunk-or-Treat event at Stelzel Fields again this October.

Engineering

1. **Continued Discussion on Proposed Water Tower Timeline**

   Brian Hilgardner reviewed the proposed timelines for the new water tower. The timeline that shows bidding in 2026 is expedited and will cut down on the inflating costs of materials and labor. The current 2026 Budget has $150,000 included for preliminary design and permitting for the wells that will serve the tower. Eric Hanson stated that he does not think the City should amend the budget to move up the water tower schedule. Mayor Lee indicated that she is concerned about the increased costs associated with waiting until late 2027 to bid the project.

   Brian Hilgardner noted that it will likely be possible to complete design this upcoming winter and bid the project in late spring of 2027. This would help cut out anticipated cost increases for much of 2027. The City Council indicated that they are comfortable with that timeline.

2. **Discussion on Proposed Housing Market Study**

   Charlie Seipel-Teng reported that the proposed market study has not been budgeted for in 2026 and a quote for the study is $10,000. It may be possible to conduct the study and include it as a professional service expense. Seipel-Teng indicated that he cannot ensure that professional services will stay under budget this year if the study is included. Eric Hanson noted that the City should rely on data provided by developers prior to making a decision to issue debt for the tower. Seipel-Teng noted that because the proposed water tower will be put out for bid in the spring of 2027, the city can discuss the possibility of including the housing market study in the 2027 budget. Prior to discussing whether to pursue the housing market

study in 2027 staff will meet with property owners, developers, and provide a press release to seek more development interest, then provide information that has been gathered to the City Council.

Planning

1. Consider Application for IUP Renewal and Expansion From McNamara Contracting (Berg West Mining Operation)

Jenni Faulkner presented a memo outlining the proposed IUP application. The applicant is requesting an extension of the existing IUP with an amendment to the mining limits that will add approximately 14 acres to the phasing plan and constitute phase 3. The additional acres include a drainageway, known as Tributary No. 5 to the Vermillion River, and its associated floodplain.

The mineral extraction ordinance now requires that mining operators pave site access roads up to at least 150 feet from the entrance. The applicant noted that they do not have any issue with this requirement. The applicant is requesting that this renewal of the five-year term for this permit, which would put the expiration of the permit to May 12, 2031.

The Planning Commission discussed the potential long-term impacts to the drainage resulting from this project. The city's engineer noted that the applicant will be required to restore the site to existing grade so that water will flow through the tributary after site reclamation.

Danny Rubio made a motion to approve the amended IUP for McNamara Berg West Mining Operation. Marla Vagts seconded. Motion carried 5-0

2. Consider Application for IUP Expansion from Fischer Mining, LLC (Fischer Mining Operation)

Jenni Faulkner presented a memo outlining the proposed IUP application.
The applicant is requesting an amendment to the mining limits of the existing IUP that will add approximately 10 acres to the phasing plan. This new phase is expected to be mined by 2030. The additional acres include a drainageway, known as Tributary No. 5 to the Vermillion River, and its associated floodplain.

The mineral extraction ordinance now requires that mining operators pave site access roads up to at least 150 feet from the entrance.

At the public hearing related to this amendment request, a resident on Biscayne Ave. noted that trucks are currently parking along 170th Street in the morning waiting to access the entrance just to the east of Highway 3. He is concerned that this may create a safety hazard. The resident also had concerns about degradation to 170th Street from hauling, which paving then entrance should help to resolve. Representatives with the mining operation noted that the gate for the entrance will be moved back to allow trucks to stage in the morning on the newly paved entrance and not on the road.

Danny Rubio made a motion to approve the amended IUP for Fischer Mining. Mark Page seconded. Motion carried 5-0

3. 2040 MUSA Comprehensive Plan Amendment Update

Jenni Faulkner presented maps that show the current MUSA staging area in the 2040 comprehensive plan and well as the proposed amendments to the MUSA staging area for the proposed 2040 comprehensive plan amendment. The maps have been reviewed by the Planning Commission. The comprehensive plan amendment will attempt to include the AUAR study area in the future MUSA extension map, with parcels placed in different phases based on their estimated time for development. Staff will also work with the Planning Commission to discuss amendments to the proposed land use map in the comprehensive plan. The City Council had no additional recommendations on the proposed amendments to the MUSA staging map.

4. Consider Adopting Ordinance No. 170, Establishing A Reasonable Accommodation Process in Accordance with the Fair Housing Act and Summary for Publication

Charles Seipel-Teng reported that staff have reached out to several other cities and developed a proposed application for reasonable accommodations requests. Few cities have adopted a similar ordinance, however the City's attorney is recommending it to their clients to help protect the City against ADA challenges and to provide guidance when receiving these requests. Other cities that staff have spoken to note that these applications are rarely received and when they are, staff consult legal counsel and utilize other resources in making a decision to approve or deny an accommodation request.

Danny Rubio made a motion to adopt Ordinance No. 170 and its summary for publication. Marla Vagts seconded. Motion carried 5-0

G. Old Business

None.

H. New Business

H.1 Consider Appointing Shannon Coyne as Deputy Clerk

Charles Seipel-Teng reported that the City has received 49 applications for the position and interviewed several great candidates. The Personnel Committee has recommended the appointment of Shannon Coyne to the position and comes with park and recreation and public facing experience. Proposed compensation is Grade 6, Step 2 of the adopted Compensation and Classification table for 2026.

Eric Hanson made a motion to appoint Shannon Coyne as Deputy Clerk. Marla Vagts seconded. Motion carried 5-0

I. Meetings: Food Truck Night 5/15/2026, 5-8PM; Planning Commission Meeting 5/19/2026, 8PM; Memorial Day Holiday 5/25/2026; City Council Meeting 5/26/2026, 7PM

J. FYI

J.1 Charter - Cable Lineup Changes

K. Adjournment

Marla Vagts made a motion to adjourn. Eric Hanson seconded. Motion carried 5-0. The City Council meeting ended at 8:45 PM.

_____

Melanie Lee, Mayor

_____

Charles Seipel-Teng, Clerk - Administrator

MEMORANDUM

Date:	May 26, 2026
To:	Empire City Council
From:	Charles Seipel-Teng, Clerk-Administrator
RE:	Bill List as of 5/26/2026

Attachment(s): *Bill List.pdf*
_Claim RegisterÂ©.pdf

City of Empire

Claims List for Approval (May 13- May 26, 2026)

Invoices Paid Previous to Claims List Batch

14-May-26	EFT	Castle Rock Bank	Chargeback	121.47
14-May-26	EFT	United States Treasury	Federal Withholding	4,199.28
14-May-26	EFT	Minnesota Dept. of Revenue	State Withholding	782.00
14-May-26	EFT	PERA	Retirement	2,293.87
		SEE ATTACHED CLAIMS REGISTER REPORT		**90,538.66**

Subtotal	97,935.28
Payroll	11,181.80
Total	**109,117.08**

CITY OF EMPIRE

*Claim Register©

052626PAY

MAY 2026

Claim Type

Claim# 6354 *Banyon Data Systems Inc.* Ck# 028766 5/26/2026

Cash Payment	E 101-41510-309 EDP, Software and Design	Invoicing Module Purchase	$795.00
Invoice 00167765			
Cash Payment	E 101-41510-309 EDP, Software and Design	Invoicing Module Annual Support	$295.00
Invoice 00167765			

Transaction Date 5/26/2026 Due 0 Checking 10100 **Total** $1,090.00

Claim# 6355 *RENT N SAVE* Ck# 028781 5/26/2026

Cash Payment	E 101-45000-415 Rental - Other	April Portable Restrooms	$459.53
Invoice 87325			

Transaction Date 5/26/2026 Due 0 Checking 10100 **Total** $459.53

Claim# 6356 *CIT* Ck# 028772 5/26/2026

Cash Payment	E 101-41000-300 Professional Services	June 2026 Service Agreement	$153.60
Invoice 515469			
Cash Payment	E 101-41000-300 Professional Services	May 2026 365 Agreement	$214.20
Invoice 515130			

Transaction Date 5/26/2026 Due 0 Checking 10100 **Total** $367.80

Claim# 6357 *Cardenuto, Catherine* Ck# 028769 5/26/2026

Cash Payment	E 600-49400-221 Equipment Parts	3064 191st St. W Booster Pump Reimbursement	$3,967.60
Invoice			

Transaction Date 5/26/2026 Due 0 Checking 10100 **Total** $3,967.60

Claim# 6358 *CCP NI Master Tenant 4, LLC* Ck# 028771 5/26/2026

Cash Payment	E 101-41000-381 Electric Utilities	Buildings Electric	$1,408.83
Invoice			
Cash Payment	E 600-49400-381 Electric Utilities	Water Electric	$3,825.30
Invoice			
Cash Payment	E 600-49450-381 Electric Utilities	Sewer Electric	$64.65
Invoice			

Transaction Date 5/26/2026 Due 0 Checking 10100 **Total** $5,298.78

Claim# 6359 *Delta Dental of Minnesota* Ck# 028774 5/26/2026

Cash Payment	E 101-41510-132 Dental	Admin Dental	$45.18
Invoice			
Cash Payment	E 101-45000-132 Dental	Parks Dental	$74.23
Invoice			
Cash Payment	E 101-43000-132 Dental	Roads Dental	$74.23
Invoice			
Cash Payment	E 600-49400-132 Dental	Water Dental	$74.24
Invoice			
Cash Payment	G 101-21026 Dental Insurance	Dental Withholding	$87.16
Invoice			

Transaction Date 5/26/2026 Due 0 Checking 10100 **Total** $355.04

Claim# 6360 *Calibrations & Controls* Ck# 028768 5/26/2026

Cash Payment	E 600-49400-402 Repair & Maintenance	Replace Well Flow Meter	$17,221.43
Invoice 211109			
Cash Payment	E 600-49400-402 Repair & Maintenance	Replace Well Flow Meter	$14,200.25
Invoice 211130			

Transaction Date 5/26/2026 Due 0 Checking 10100 **Total** $31,421.68

CITY OF EMPIRE

*Claim Register©

052626PAY

MAY 2026

Claim#	6361 *RCM Specialties Inc,*		Ck# 028780 5/26/2026			
Cash Payment	E 101-43000-402 Repair & Maintenance		Street Spray Patching			$9,070.00
Invoice 104979						
Cash Payment	E 101-43000-402 Repair & Maintenance		Street Spray Patching			$4,535.00
Invoice 104983						
Transaction Date	5/26/2026	Due 0	Checking	10100	**Total**	$13,605.00
Claim#	6362 *Dakota County Finance*		Ck# 028773 5/26/2026			
Cash Payment	E 101-43000-381 Electric Utilities		Q1 2026 Utilities			$33.14
Invoice						
Cash Payment	E 101-43000-224 Street Maintenance Materi		April 2026 Road Salt			$403.15
Invoice						
Transaction Date	5/26/2026	Due 0	Checking	10100	**Total**	$436.29
Claim#	6363 *Kennedy & Graven, Chartered*		Ck# 028778 5/26/2026			
Cash Payment	E 101-41610-304 Legal Fees		Legal Services			$3,236.00
Invoice						
Transaction Date	5/26/2026	Due 0	Checking	10100	**Total**	$3,236.00
Claim#	6364 *Bolton & Menk*		Ck# 028767 5/26/2026			
Cash Payment	E 101-41000-303 Engineering Fees		Engineering- General			$7,099.00
Invoice						
Cash Payment	E 101-43000-303 Engineering Fees		Engineering-Streets & Stormwater			$1,139.00
Invoice						
Cash Payment	E 600-49400-303 Engineering Fees		Engineering-Water/Sewer			$4,583.50
Invoice						
Cash Payment	E 101-43000-303 Engineering Fees		Deer Creek Site Observation/Inspection			$6,450.50
Invoice						
Transaction Date	5/26/2026	Due 0	Checking	10100	**Total**	$19,272.00
Claim#	6365 *Full, Ryan*		Ck# 028775 5/26/2026			
Cash Payment	R 101-41000-34103 Zoning and Subdivision		Subdivision Application Escrow Balance			$580.50
Invoice						
Transaction Date	5/26/2026	Due 0	Checking	10100	**Total**	$580.50
Claim#	6366 *USAble Life*		Ck# 028784 5/26/2026			
Cash Payment	E 101-41510-133 Life		Life & Disability Ins.			-$55.27
Invoice						
Cash Payment	E 101-45000-133 Life		Life & Disability Ins.			$43.43
Invoice						
Cash Payment	E 101-43000-133 Life		Life & Disability Ins.			$43.43
Invoice						
Cash Payment	E 600-49400-133 Life		Life & Disability Ins.			$43.43
Invoice						
Transaction Date	5/26/2026	Due 0	Checking	10100	**Total**	$75.02
Claim#	6367 *Carquest Auto Parts Stores*		Ck# 028770 5/26/2026			
Cash Payment	E 101-41000-215 Shop Materials		Shop Supply			$78.34
Invoice						
Cash Payment	E 101-45000-221 Equipment Parts		Gator Parts			$2.33
Invoice						
Transaction Date	5/26/2026	Due 0	Checking	10100	**Total**	$80.67
Claim#	6368 *Schindeldecker, Marcella*		Ck# 028782 5/26/2026			

Cash Payment Invoice	R 600-49400-37110 Rate Class I		W/S Overpayment			$98.26
Transaction Date	5/26/2026	Due 0	Checking	10100	**Total**	$98.26
Claim#	6369 *Xcel Energy*		Ck# 028786 5/26/2026			
Cash Payment Invoice	E 101-41000-381 Electric Utilities		51-6291687-0 City Hall			$0.00
Cash Payment Invoice	E 101-41000-381 Electric Utilities		51-9344076-7 Maint. Bldg.			$0.00
Cash Payment Invoice	E 101-45000-381 Electric Utilities		51-0203701-8 Ballfield			$395.04
Cash Payment Invoice	E 101-43000-381 Electric Utilities		51-6005472-6 Street Lgt.			$0.00
Cash Payment Invoice	E 101-43000-381 Electric Utilities		51-8372975-3 Street Lgt.			$12.35
Cash Payment Invoice	E 600-49400-381 Electric Utilities		51-7928991-1 Well			$0.00
Cash Payment Invoice	E 600-49400-381 Electric Utilities		51-5015068-6 Well			$0.00
Cash Payment Invoice	E 600-49400-381 Electric Utilities		51-4664833-7 Tower			$0.00
Cash Payment Invoice	E 600-49450-381 Electric Utilities		51-6960047-5 Lift Station			$0.00
Cash Payment Invoice	E 101-43000-381 Electric Utilities		51-001330188-0 170th St. Roundabout			$73.53
Transaction Date	5/26/2026	Due 0	Checking	10100	**Total**	$480.92
Claim#	6370 *Hawkins Water Treatment*		Ck# 028776 5/26/2026			
Cash Payment Invoice 7433724	E 600-49400-216 Chemical Products		Chlorine Cylinder			$5,342.06
Cash Payment Invoice 7423230	E 600-49400-216 Chemical Products		Chlorine Cylinder			$40.00
Transaction Date	5/26/2026	Due 0	Checking	10100	**Total**	$5,382.06
Claim#	6371 *Summit Fire Protection*		Ck# 028783 5/26/2026			
Cash Payment Invoice 4111242	E 101-41000-300 Professional Services		Annual Fire Extinguisher Inspection			$761.24
Transaction Date	5/26/2026	Due 0	Checking	10100	**Total**	$761.24
Claim#	6372 *Juniors Tree Service*		Ck# 028777 5/26/2026			
Cash Payment Invoice 88	E 101-43000-402 Repair & Maintenance		Tree Removal 3647 Upper 204th/ 20495 Colorado Ave.			$2,500.00
Transaction Date	5/26/2026	Due 0	Checking	10100	**Total**	$2,500.00
Claim#	6373 *Kodiak Power Solutions*		Ck# 028779 5/26/2026			
Cash Payment Invoice 25312193	E 101-41000-300 Professional Services		Maint. Shop Generator Repair			$649.05
Transaction Date	5/26/2026	Due 0	Checking	10100	**Total**	$649.05
Claim#	6374 *Wex Bank*		Ck# 028785 5/26/2026			
Cash Payment Invoice	E 101-43000-212 Motor Fuels		Fuel Card			$421.22
Transaction Date	5/26/2026	Due 0	Checking	10100	**Total**	$421.22

CITY OF EMPIRE

*Claim Register©

052626PAY

MAY 2026

Claim Type	Total	$90,538.66

Pre-Written Checks	$90,538.66
Checks to be Generated by the Compute	$0.00
Total	$90,538.66

MEMORANDUM

Date: May 26, 2026

To: Empire City Council

From: Charles Seipel-Teng, Clerk-Administrator

RE: Cash Balance Report as of 5/26/2026

Attachment(s): Cash Account Balances 2026.pdf

CITY OF EMPIRE CASH BALANCES

1/1/2026

GENERAL FUND	
GENERAL CHECKING	$21,165.66
GENERAL SAVINGS	$1,699,470.40
TOTAL GENERAL	**$1,720,636.06**
ROAD & BRIDGE SAVINGS	**$255,704.50**
CERTIFICATES OF DEPOSIT (MATURITY)	
12 MONTH CD (1/24/27)	$1,723,388.67
	$1,723,388.67
	$1,723,388.67
24 MONTH CD (12/13/27)	$693,376.86
24 MONTH CD 2 (12/13/27)	$693,376.86
TOTAL CD	**$6,556,919.73**
TOTAL CHECKING & SAVINGS	**$8,533,260.29**
ESCROW CHECKING	$16,809.65
ESCROW SAVINGS	$10,108.17
TOTAL ESCROW	**$26,917.82**
FLEX CHECKING	**$1,562.71**
12 MONTH CD (SOLAR ESCROW 5	**$132,987.46**
TOTAL	**$8,694,728.28**
DEBT	
2019 STREET GO BOND	$1,200,000.00
TOTAL DEBT	**$1,200,000.00**
TOTAL EQUITY	**$7,494,728.28**

CITY OF EMPIRE CASH BALANCES

AS OF 5/26/2026

GENERAL FUND		Int. Rate
GENERAL CHECKING	$56,830.71	0.05%
GENERAL SAVINGS	$661,357.67	0.75%
TOTAL GENERAL	**$718,188.38**	
ROAD & BRIDGE SAVINGS	**$256,019.75**	0.50%
CERTIFICATES OF DEPOSIT		
12 MONTH CD	$4,771,158.40	3.90%
24 MONTH CD	$699,531.77	4.00%
24 MONTH CD 2	$699,531.77	4.00%
MN 4M FUND (1/29/31)	$500,390.02	3.90%
TOTAL CD	**$6,670,611.96**	
TOTAL CHECKING & SAVINGS	**$7,644,820.09**	
ESCROW CHECKING	$16,809.65	
ESCROW SAVINGS	$10,110.66	0.10%
TOTAL ESCROW	**$26,920.31**	
FLEX CHECKING	**$1,371.23**	0.05%
12 MONTH CD (SOLAR ESCROW	**$134,361.79**	4.10%
TOTAL	**$7,807,473.42**	
DEBT		
2019 STREET GO BOND	$915,000.00	
TOTAL DEBT	**$915,000.00**	
TOTAL EQUITY	**$6,892,473.42**	

MEMORANDUM

Date:	May 26, 2026
To:	Empire City Council
From:	Jerod Waltman, Maintenance
RE:	1. Information on Existing Water Tower Rehabilitation

Dewey Prinzing with KLM will review with Council a cost analysis on the proposed rehab project for the inside and outside of the existing water tower. This project will entail sandblasting the inner tank, coating the tank, maintenance to drains, rebuilding ladders and entrances to be OSHA compliant, cleaning and repainting the outside of the tower, and more. The project will take approximately eight weeks to complete and is in the CIP to take place in 2027 at a cost of $450,000.

Staff will also have color swatches for the proposed paint color to review.

A detailed inspection report for items to be worked on is attached.

Attachment(s): Inspection Report 2025.pdf



Empire, Minnesota

Inspection Report:
300,000-Gallon Capacity
Tower Number One

Prepared by:

KLM Engineering, Inc.
1976 Wooddale Drive, Suite 4 | Woodbury, MN 55125
651.773.5111 | www.klmengineering.com

December 2025

Project No.: 3831-25

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APPENDIX A: Photographs

APPENDIX B: Inspection and Evaluation Methods

1.0| PROJECT INFORMATION

KLM Project No.:	3831-25	**Customer P.O. Number:**	N/A
Tank Owner:	Empire, Minnesota	**Phone:**	651-319-6317
Street/City/State/Zip:	3385 197th Street W., Farmington, MN 55024		
Owner Contact:	Jerod Waltman, Public Works Director		
Tank Designation:	Tower Number One		
Tank Description:	Single Pedestal		
Tank Location:	19651 Chippendale Ave. W., Farmington, MN 55024		
Capacity:	300,000 gallons		
Type of Construction:	Welded	**Construction Drawings:**	Available to KLM
Manufacturer:	Maguire Iron, Inc.	**Construction Date:**	1999
Serial No.:	N/A	**Design Code:**	AWWA D100-96
Tank Diameter:	46'-6"		
Tank Height:	Overall 132'-11 7/16"		
Height to:	HWL 125'-0"	LWL 94'-0"	
Purpose of Inspection:	Condition Assessment		
Date of Inspection:	December 1, 2025		
Inspected By:	Devin Severson, NACE #78234		
Type of Inspection:	KLM Standard ROV Evaluation		
Previous Inspection Records:	KLM 2019 repairs and 2022 evaluation		

EXISTING COATING INFORMATION

	Interior Wet	Interior Dry	Exterior
Date Last Coated	1999	1999	1999, 2023
Full or Spot Repair	Full/New	Full/New	Full/New, Clean
Coating Contractor	Maguire Iron, Inc.	Maguire Iron, Inc.	Maguire Iron, Inc., Slack Painting
Surface Preparation	SSPC-SP 10	SSPC-SP 10	SSPC-SP 10, Pressure Wash
Paint System	Epoxy	Epoxy	Epoxy/Urethane, N/A
Paint Manufacturer	Tnemec	Tnemec	Tnemec, N/A
Paint Chip Samples	N/A	N/A	N/A

Empire, Minnesota

300,000–GALLON CAPACITY
TOWER NUMBER ONE

2.0| REFERENCES

The tank interior and exterior areas were evaluated in conformance with the following:

a. KLM Engineering, Inc. Proposal.

b. General guidelines of AWWA Manual M42 Appendix C “Inspecting and Repairing Steel Water Tanks, and Elevated Tanks for Water Storage.”

c. KLM "Procedures and Guidelines for Inspecting Existing Steel and Concrete Water Storage Tanks."

d. AWWA Standard D100; Welded Carbon Steel Tanks for Water Storage.

e. Great Lakes – Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers; Recommended Standards for Water Works 2018 Edition.

3.0| COATINGS EVALUATION

3.1| Lead and Chromium Content Analysis

The total lead and chromium content of the interior and exterior coatings was not analyzed. Based on the 1999 construction date of the tank, and regulations in effect at that time limiting the use of lead or chromium-based coatings, KLM anticipates that neither the interior nor exterior coatings are lead or chromium-based paints and will not generate hazardous waste during reconditioning.

3.2| Interior Wet Coating

The tower was constructed and originally painted in 1999 by Maguire Iron, Inc. The interior wet coating is in good to fair condition above the high-water line HWL with less than two percent visible coating failures. Failures consist of pinhole corrosion on the dollar plate and along roof weld seams, and surface corrosion on the overflow weir box and upper ladder rungs. The coating below the HWL is in very good condition with less than one percent visible coating failures. Failures consist of randomly located pinhole corrosion on the shell and bowl and surface corrosion on the ladder rungs. Moderate sediment accumulation has developed in the bowl area since the 2022 cleanout. See photos in Appendix A.

3.3| Interior Dry Coating

The interior dry coating is excellent condition with coating failures limited to areas susceptible to condensation, such as the drywell tube, bowl, and landings (sweating areas). The sweating areas have less than two percent visible coating failures. Failures consist of surface corrosion on the drywell tube ladder and widespread pinhole corrosion on the overflow pipe, drywell tube, and bowl. Spray foam insulation has been applied to surfaces in the base cone, hindering visibility of the coating. The insulation is in excellent condition with no visible failures. See photos in Appendix A.

3.4| Exterior Coating

Records indicate the exterior surfaces were power washed in 2023 by Slack Painting. The exterior coating is in good condition with less than one percent visible coating failures observed throughout the tower. Failures consist of surface corrosion on the ventilation manway and pedestal to bowl transition ring, and typical wear on the roof handrail and painter's railing. See photos in Appendix A.

3.5| Replacement Coating Systems

When the next full reconditioning is required, KLM recommends preparing surfaces in accordance with NACE guidance and applying a coating system for each area according to the following.

3.5.1| Interior Wet Coating

Surface preparation should be performed according to SSPC-SP10 Near White Metal Blast criteria.

Apply a two-coat system:

1. moisture cured zinc-rich
2. NSF 61 certified epoxy

3.5.2| Interior Dry Coating

Surface preparation should be performed according to SSPC-SP6 Commercial Blast Clean criteria.

Apply a three-coat system:

1. moisture cured zinc-rich
2. polyamidoamine epoxy
3. polyamidoamine epoxy

3.5.3| Exterior Coating

Surface preparation should be performed according to SSPC-SP6 Commercial Blast Clean criteria.

Apply a four-coat system:

1. moisture cured zinc-rich
2. polyamidoamine epoxy
3. aliphatic acrylic urethane
4. fluoropolymer

4.0| STRUCTURE MODIFICATIONS

Structure modifications and repairs serve to bring the tank into compliance with OSHA regulations, AWWA standards, and Minnesota Department of Health regulations. They also improve areas of the tank that are prone to premature development of corrosion, repair surface defects resultant from tank construction, remove abandoned and unnecessary equipment, and improve tank maintenance capabilities.

The following is a list of recommended modifications and repairs to be included during the next reservoir reconditioning. Detailed information important to each item will be determined when developing the project specifications. Additional minor modifications, not impacting on the estimated project cost, may be identified, and incorporated at that time. Photographs referred to in this section are in Appendix A.

4.1| Interior Wet Modifications

4.1.1 Remove and replace the interior wet ladder in its entirety that is attached to the drywell tube. The rungs are not seal welded, which is not compliant with AWWA D100 standards. Install an anchor point on the underside of the roof adjacent to the access manway. Include a self-retracting lifeline (SRL) to allow for safe access while ascending and descending the ladder. See photo 14.

4.1.2 Replace the gasket on the bowl manway. See photos 17, 26, and 29.

4.1.3 Grind off all weld spatter and erection scab marks for compliance with AWWA D100.

4.2| Interior Dry Modifications

4.2.1 Install half-moon cable brackets inside the drywell tube and pedestal for the attachment of electrical and coaxial cables. Remove all unused clamps, brackets, etc. Move cables and conduit from the side of the ladders to the cable brackets to bring the ladders into OSHA compliance. See photos 21 through 26, 29, 33, 34, and 37.

4.2.2 Install a pressure style manway in the drywell tube. This will improve the ventilation during reconditioning and bring the tank into compliance with OSHA confined space entry requirements. Include a manway step-off platform and hand grabs.

4.2.3 Convert the top landing of the pedestal into a condensate ceiling by seal welding patch plates over the openings. Install a penetration with curb for routing electrical and coaxial cables. Install a drain in the low point of the landing with a connecting line to the overflow pipe. This will prevent condensation from running down the pedestal, exacerbating defects in the coating, and leading to corrosion and additional painting and maintenance costs. See photos 31 and 32.

4.2.4 Install ports in the center of each of the pedestal landings to facilitate the containment system used during the next reconditioning. See photos 31, 32, 35, and 36.

4.3| Exterior Modifications

4.3.1 Install a climb assist on the exterior (roof side) of the drywell tube to improve safety while transitioning in and out of the tube. See photo 40.

4.3.2 Replace the existing ventilation manway with a new aluminum pressure pallet style vent. The new vent and vent screen design should meet AWWA D100 and Minnesota Department of Health regulations. The removable top will improve ventilation, provide access to the tank interior during reconditioning, and aid in compliance with OSHA confined space entry requirements. See photo 42

4.3.3 Replace the double aviation light with a new double LED style aviation light. Remove the existing bracket and install the new aviation light on a new bracket attached to the roof handrail. See photos 41 and 43.

4.3.4 Install one hinge-covered ventilation manway on the roof outside the handrail. isTh will provide additional ventilation during the interior surface preparation and coating. See photo 47 and 48.

4.3.5 Replace the stainless-steel assembly and perforated screen on the overflow pipe outlet with a new screen retainer and screens meeting Minnesota Department of Health regulations. Use corrosion-resistant, heavy-gauge, No. 4, and No. 24 mesh screens (#4 installed downstream of #24). See photo 56.

4.4| Cathodic Protection (CP) System

4.4.1 The tower does not have a cathodic protection system, and one is not required if the coating is applied and maintained properly.

5.0| PROPERTY CONSIDERATIONS

5.1| Site and Environmental Considerations

5.1.1 The site includes the tank, a pumphouse, and an isolated fire hydrant in an open area. The tower and fire hydrant are enclosed by a fence and gravel surfacing.

5.1.2 In conformance with Minnesota Department of Health regulations, an analysis has been performed to determine the methods of pollution control required for this storage structure during reconditioning. To maintain air quality and to prevent the drift of dust and fugitive emissions, full containment will be required, including impervious ground cover, a top cover or bonnet and negative air dust collection.

5.2| Telecommunications Considerations

5.2.1 The tower has some telecommunications equipment, including antennas, coaxial cables, support brackets and other miscellaneous equipment. The Owner is advised to maintain accurate records of each of the antenna sites on the tower, including as-built drawings, site manager and owner contact information, upgrades performed, and plans for future antenna installations or upgrades. These records will help facilitate the future reconditioning with a minimal amount of effort on the Owner's part.

5.2.2 Working around and protecting the telecommunications equipment, including antennas, coaxial cables, support brackets, and other miscellaneous equipment during future reconditioning will incur additional costs. The antenna owner(s) should be responsible for these expenses under clause(s) in the antenna lease agreements. These costs are not included in the cost estimate, as they vary considerably from tower to tower.

5.2.3 Prior to reconditioning, in accordance with the lease requirements of each antenna owner, the Owner should notify the telecommunications owners or manager of the work to be performed. The Owner should also determine whether: a) the antenna owners will pay the additional costs to work around and protect the antennas; b) the antenna owners will temporarily remove their antennas and associated equipment to facilitate reconditioning; or c) the Owner will have to pay for these costs themselves.

6.0| RECONDITIONING SUMMARY

6.1| Reconditioning Summary and Cost Estimate

Due to age and conditions, and corrosion rates since the 2022 inspection, KLM recommends performing the noted structure modifications and replacing the interior and exterior coatings in the next five to seven years. Fully reconditioning the tower will help extend its service life and bring the structure into compliance with OSHA, AWWA, and Department of Health regulations.

The costs for structure modifications and replacing the interior and exterior coatings are estimated to be between $650,000 and $700,000. This estimate is based on current pricing and does not include costs for engineering and/or inspection services.

An experienced tank-coating contractor with the proper crew and equipment should be able to complete the project in eight weeks. At the time of reconditioning, the tower will need to be drained and remain off-line

during interior structure modifications, abrasive blasting, and painting. However, most of the exterior structure modifications can be performed prior to draining, with the tank in-service.

KLM ENGINEERING, INC.

Report prepared by:

Perry Seidel

Perry Seidel
Project Manager
NACE Coating Inspector No. 106688

Report reviewed by:

Rodney Ellis

Rodney Ellis
Vice President/COO
NACE Certified Coatings Inspector No. 1686
AWS/CWI 0404031

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APPENDIX A

PHOTOGRAPHS



Photo No. 1
Overall view of the tower



Photo No. 2
Roof coating conditions



Photo No. 3
Roof coating conditions



Photo No. 4
Roof coating conditions

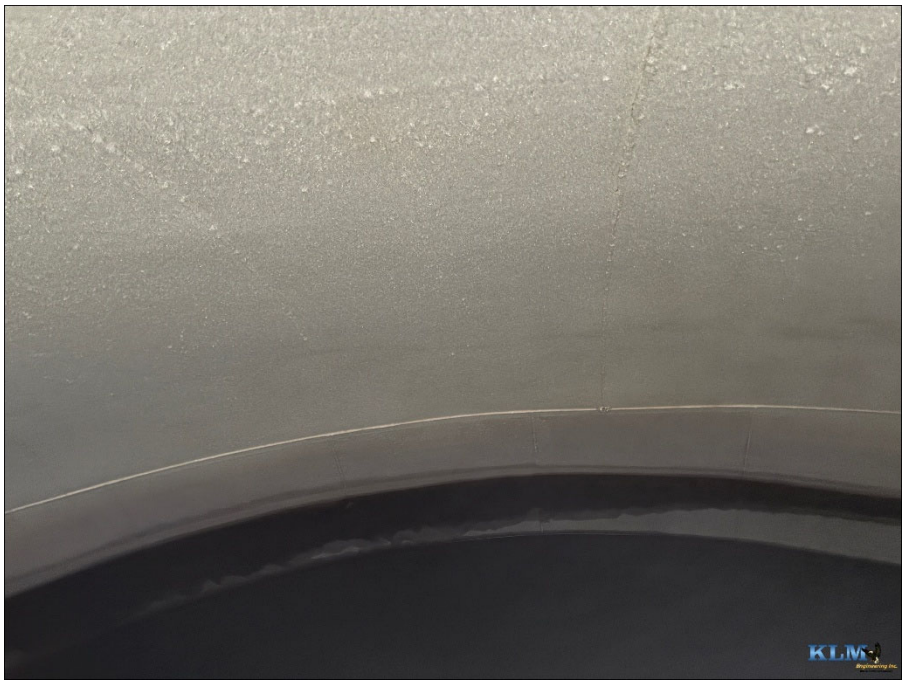


Photo No. 5
Roof coating conditions



Photo No. 6
Roof to drywell tube connection



Photo No. 7
Drywell tube and overflow weir box conditions

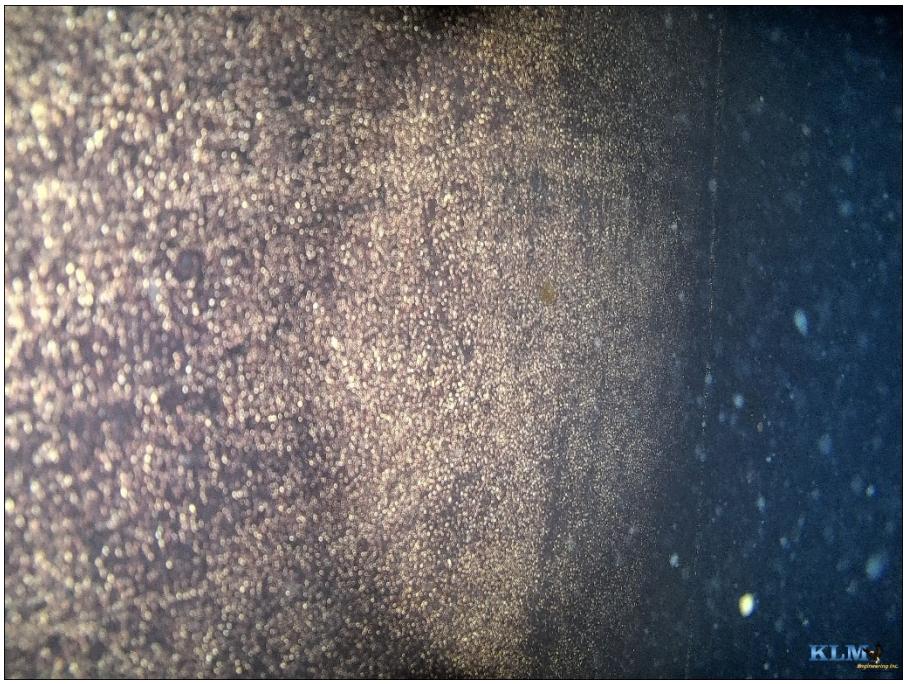


Photo No. 8
Shell coating conditions

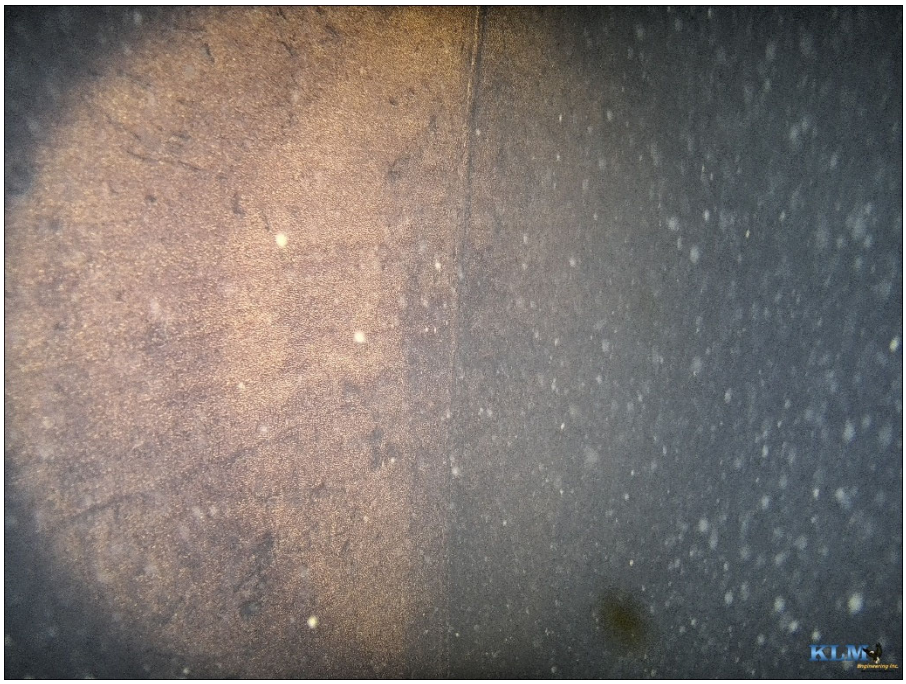


Photo No. 9
Shell coating conditions



Photo No. 10
Shell coating conditions

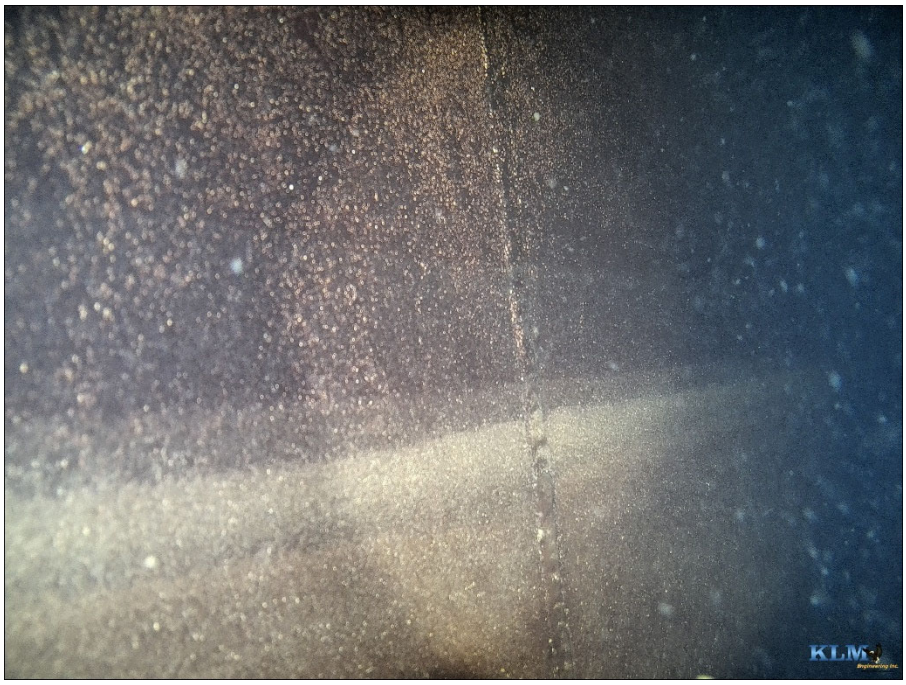


Photo No. 11
Shell coating conditions



Photo No. 12
Bowl coating conditions



Photo No. 13
Drywell tube conditions

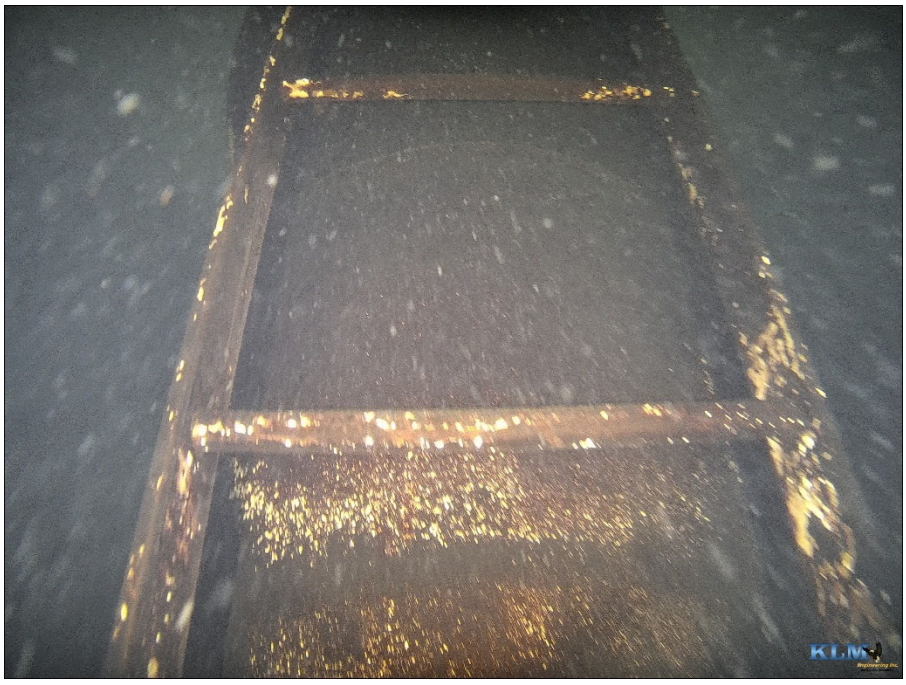


Photo No. 14
Drywell tube ladder conditions



Photo No. 15
Fill pipe with circulation line



Photo No. 16
Fill pipe with circulation line

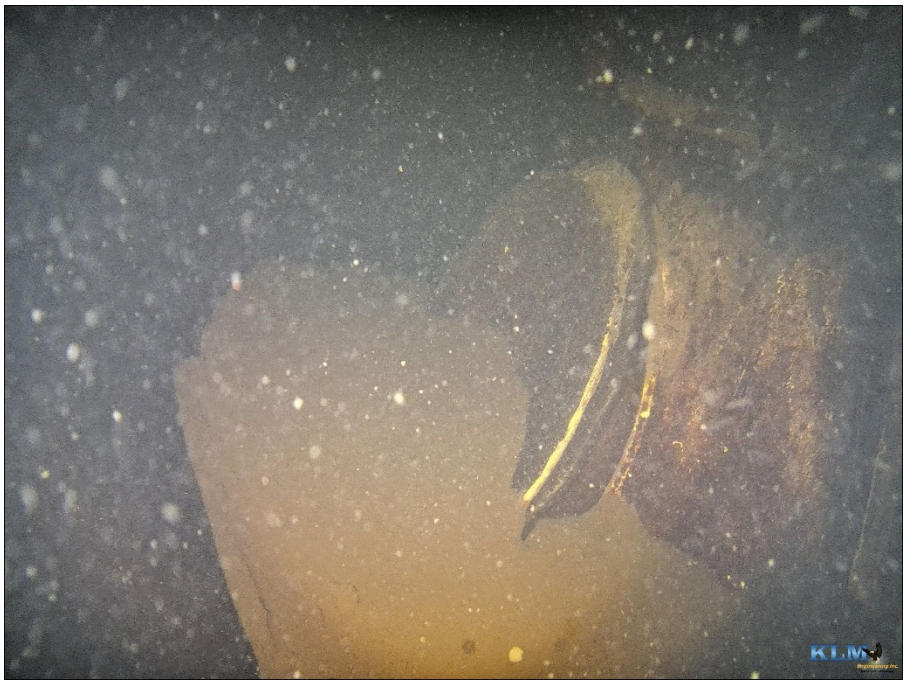


Photo No. 17
Bowl access manway conditions
Note: Amount of sediment



Photo No. 18
Bowl conditions
Note: Amount of sediment



Photo No. 19
Bowl conditions
Note: Amount of sediment

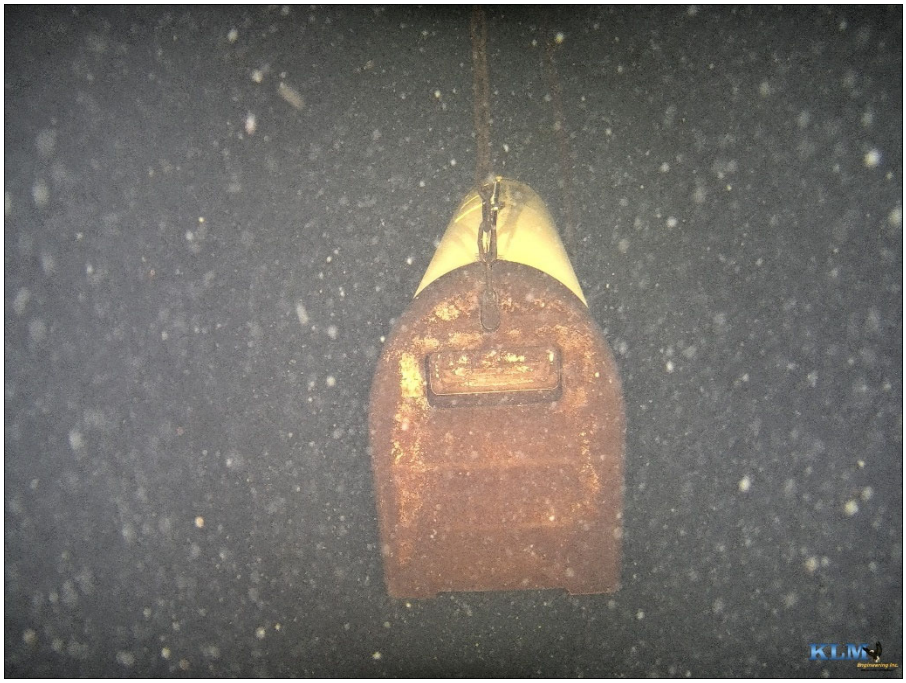


Photo No. 20
Mixer conditions



Photo No. 21
Drywell tube looking down



Photo No. 22
Top of drywell tube



Photo No. 23
Drywell tube ladder coating conditions



Photo No. 24
Drywell tube coating conditions



Photo No. 25
Drywell tube and ladder coating conditions



Photo No. 26
Overall view of bowl conditions



Photo No. 27
Bowl drain valve



Photo No. 28
Bowl coating conditions



Photo No. 29
Bowl manway access conditions



Photo No. 30
Manway access to exterior painter's railing



Photo No. 31
Top landing coating conditions



Photo No. 32
Underside of top landing coating conditions



Photo No. 33
Pedestal coating conditions (looking down)



Photo No. 34
Pedestal coating and ladder conditions (looking up)



Photo No. 35
Bottom landing coating conditions



Photo No. 36
Underside of bottom landing with view of condensation drain to overflow pipe



Photo No. 37
Overall view of base cone



Photo No. 38
Base cone conditions



Photo No. 39
Base cone control room



Photo No. 40
Drywell tube manway

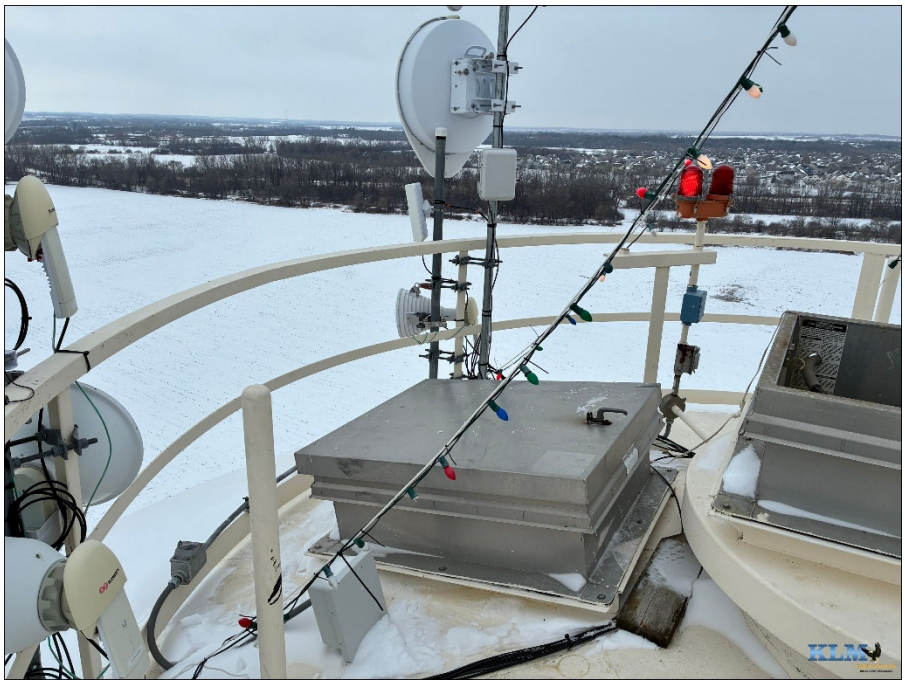


Photo No. 41
Wet access manway



Photo No. 42
Ventilation manway



Photo No. 43
Aviation light conditions

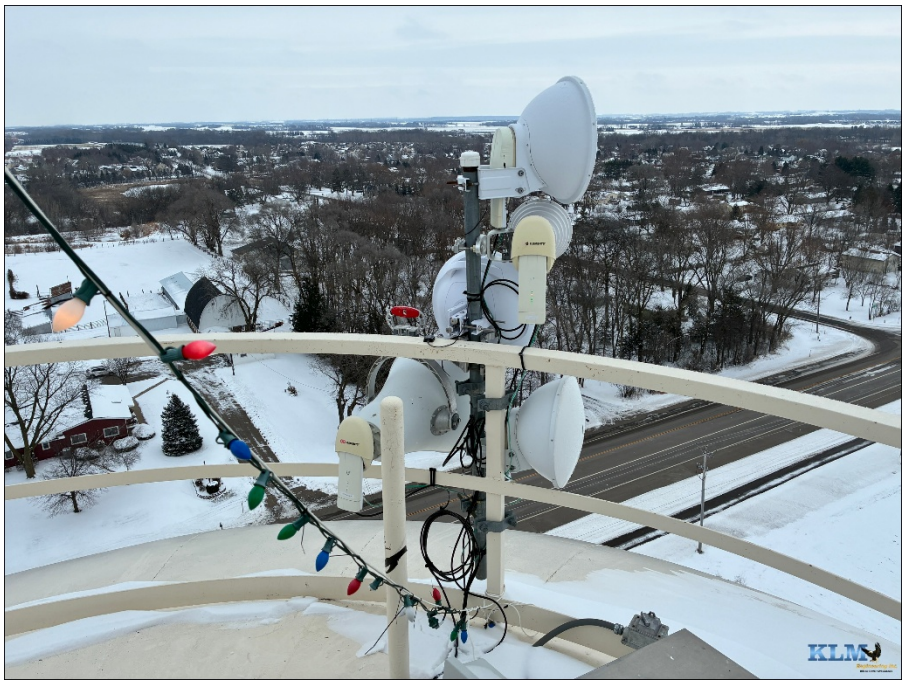


Photo No. 44
Handrail with antenna equipment



Photo No. 45
Handrail with antenna equipment



Photo No. 46
Handrail with antenna equipment



Photo No. 47
Roof coating conditions



Photo No. 48
Roof coating conditions



Photo No. 49
Bowl and painter's rail conditions



Photo No. 50
Pedestal conditions



Photo No. 51
Water compartment



Photo No. 52
Lettering conditions



Photo No. 53
Bowl and top of pedestal coating conditions



Photo No. 54
Pedestal conditions



Photo No. 55
Base cone



Photo No. 56
Overflow pipe outlet and splash pad with catch basin

APPENDIX B

INSPECTION AND EVALUATION METHODS

1.0| INSPECTION AND EVALUATION METHODS

Some or all of the following procedures were performed as applicable.

1.1| Methods

1.1.1 The inspection of the base metal and coatings on interior and exterior surfaces included only areas accessible without scaffolding or special rigging. Where possible, the base metal and coating on the interior wet surfaces were examined from either a rubber raft while the tank was being drained, by a Remote Operated Vehicle (ROV) with the tower in service, or with both.

1.1.2 Tank plate thickness was measured at random locations on the liquid holding shell. The overall structural condition of the tank was visually examined.

1.1.3 No structural analysis was done to determine if the tank design complies with the AWWA D100-11 Standard for "Welded Carbon Steel Tanks for Water Storage." However, any observed non-conformance to the AWWA D100-11 standard is noted in this report.

1.1.4 Although compliance with OSHA regulations was not a part of this inspection, any unsafe conditions or violations of current OSHA regulation that were observed are noted in this report.

1.2| Examination and Evaluation Techniques

Some or all of the following procedures were performed as applicable.

1.2.1| Site

The tank site was evaluated for proper drainage conditions affecting access and lead paint abatement during reconditioning.

Also, the following site dimensions were obtained: distance to fence(s), power lines, owner buildings, public property, private property/buildings, school/playgrounds, public parks, and other property.

1.2.2| Foundations

The tank concrete foundation(s) were/was visually examined for cracks, spalling, conditions of grout, indications of distress/settlement, and elevation above grade.

1.2.3| Tank Plate Thickness

Plate thickness measurements were taken using ultrasonic methods (UTM). The readings were taken using a digital readout Elcometer MTG6 Ultrasonic Thickness Gage that has a dual element probe (transducer). The probe's transmitter element sends a short ultrasonic pulse through the material. The pulse gets reflected as an echo from the opposite side of the plate and returns to the probe's receiver element. The round-trip time is directly related to the material's thickness.

1.2.4| Coating Thickness

Interior and exterior coatings, where accessible, were tested in accordance with Steel Structures Painting Council SSPC-PA2-18 "Procedure for Determining Conformance to Dry Coating Thickness Requirements" using PosiTector-6000-F1 Type 2 gages.

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1.2.5| Coating Adhesion

Adhesion testing of the coating to the steel, and inner coat adhesion, was performed by ASTM D-3359: Shear Adhesion Test, Measuring Adhesion by Tape Test. In addition, subjective coating adhesion evaluation was performed using a penknife.

1.2.6| Coating Serviceability

The estimated remaining coating life or serviceability evaluation was performed using a wide variety of inspection instruments such as dry film thickness gauge, pen knife, Tooke gauge, adhesion tester(s), 30x microscope and serviceability evaluation experience (minimum experience 10 years).

The instrument inspection was combined with a close visual inspection of all accessible coatings. This was done to detect any holidays (misses), skips, runs, sags, surface containments, overspray, dry spray, poor coating cohesion, inter-coat delamination, loss of adhesion to the substrate, adverse conditions of the steel underneath the coating, or any other defects affecting the intended service.

1.2.7| Coating Lead and Chromium Content Analysis

Samples may have been taken of the various types of coatings present on the interior and exterior surfaces. GPI Laboratories, Inc. of Grand Rapids, Michigan tests these coatings in conformance with ASTM D-3335 Standard Test Methods for Concentrations of Lead and Chromium in Paint.

MEMORANDUM

Date:	May 26, 2026
To:	Empire City Council
From:	Charles Seipel-Teng, Clerk-Administrator
RE:	2. Proposed Animal Crossing Signs on 197th Street

At the May 12th City Council Meeting, a resident requested animal crossing signs to be installed on 197th Street, between Calgary Trail and Canada Ave. to help slow traffic in the hopes of reducing geese and other animals from being hit by vehicles near a pond area.

The City could consider placing two of these signs, on the east and west bound lanes, before traffic enters the pond area.

It is anticipated that the cost to purchase and install the signs would be approximately $40 per sign. An example sign is attached.

The City's ordinances do not having any language pertaining to such signage, other than the general conditions below:

1. Unless approved by the City all aboveground appurtenances shall be located no closer than ten feet (10') to City hydrants, waterline valves, manholes, lift stations and catch basins; not in front of or within usual sight lines of any City sign, monument or amenity for facilities or parks; and no closer than two feet (2') from sidewalks and trails;

- **Signing**
- Design Standards..... MMUTCD
- Sheathing Type..... Type IX Diamond Grade (DG3)
- Sign Posts..... U-Channel Steel Post
- Retroreflective Barricades with "Future Thru

Street" Sign..... Required at all temporary dead-ends

Attachment(s): Sign Example.pdf


SLOW
WILDLIFE
CROSSING

MEMORANDUM

Date:	May 26, 2026
To:	Empire City Council
From:	Brian Hilgardner, Consulting Engineer
RE:	1. Engineering Report

Attachment(s): *20260526 Empire CC Report.pdf*
Empire Access Spacing Option 1.pdf

City Engineer's Staff Report
, 2026 City Council Meeting

Date: May 26, 2026

To: Honorable Mayor & City Council Members

From: Brian Hilgardner, P.E., City Engineer

Updates:

1) Deer Creek Phase 2

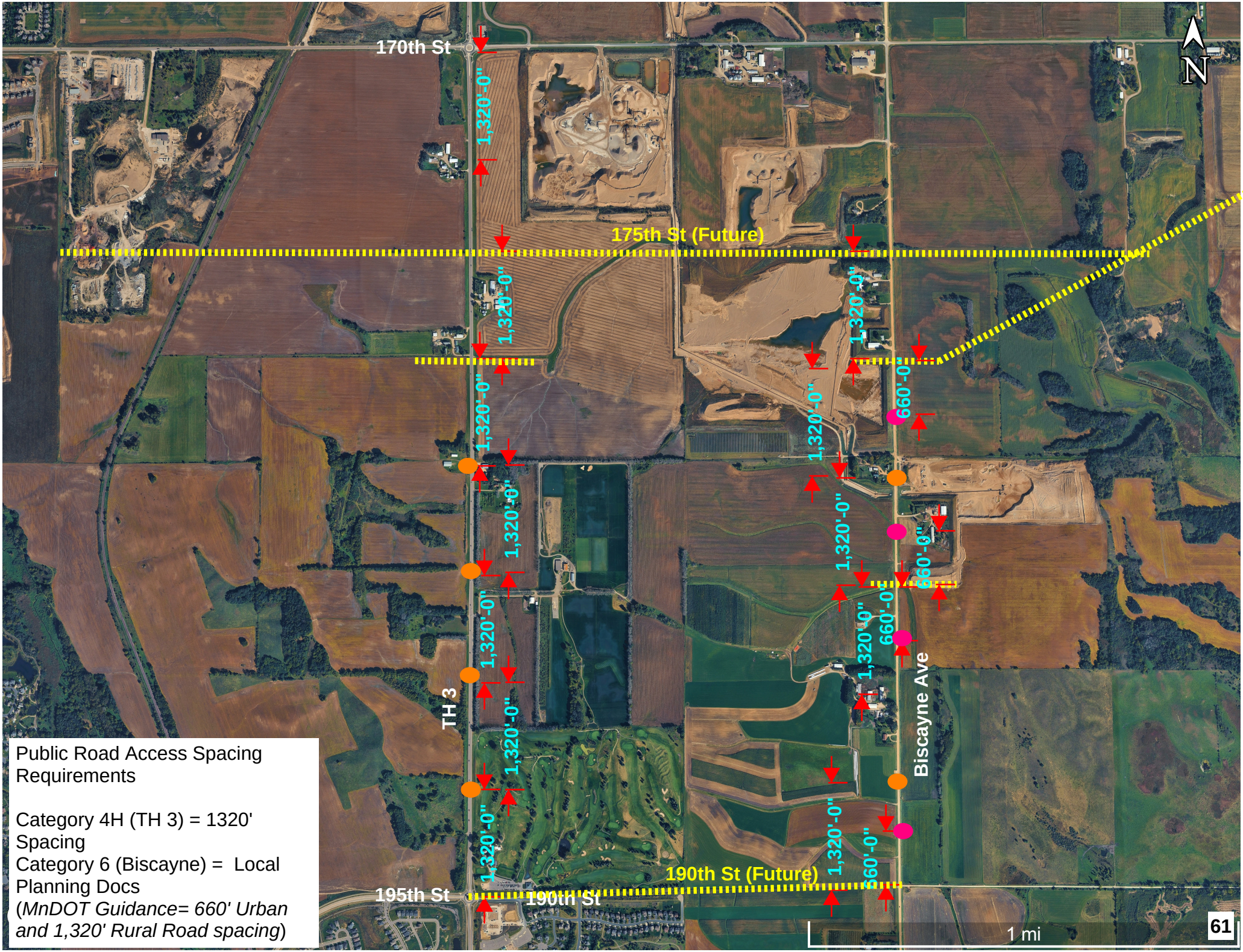
It's been a great start to the construction season so far! The contractor has completed all utility work, and the road has class 5 aggregate base course placed, as well as the concrete curb & gutter placed. The trails are nearing completion of having the class 5 aggregate base course placed as well. The fist lift of bituminous pavement is expected to be placed next week. At that point, there will be a gap in the primary contractor's work while private utilities are installed. Then, later this summer the final restoration will be completed and the bituminous wear course for Deer Creek Phase 1.

Informational

2) Water Tower/Well (Finnegan Property)

A few meetings back we were asked to evaluate what the primary access locations along the AUAR area, specifically the Finnegan property to begin, would look like. Our transportations staff has put a figure together illustrating proposed access points based on MnDOT, County and local access spacing guidelines. These locations are not final and several will need to be shifted slightly to accommodate geography and sightlines. This will be helpful for developers as they begin to lay out ghost plats and preliminary plats for these properties.

Informational



Public Road Access Spacing Requirements

Category 4H (TH 3) = 1320' Spacing
Category 6 (Biscayne) = Local Planning Docs
(*MnDOT Guidance= 660' Urban and 1,320' Rural Road spacing*)

MEMORANDUM

Date:	May 26, 2026
To:	Empire City Council
From:	Jenni Faulkner, Consulting Planner
RE:	1. Planning Updates / Update on Vertical Bridge Cell Tower

Attachment(s): *Tower Memo.pdf*
Vertical Bridge IUP (Signed).pdf

MEMORANDUM

Date: September 23, 2025

To: City of Empire City Council

From: Madison Richard, Consulting Planner
Jenni Faulkner, Consulting Planner

Hearing: Interim Use Permit to Allow the Construction and Operation of a Telecommunications Tower

Property Location: 2180 200th Street W (PID 1202800-30013)

Action Requested

The City Council is asked to make a determination on the request for an Interim Use Permit (IUP) to allow the construction and operation of a telecommunications tower and associated equipment in the Agricultural Preservation (AG) district.

The applicant has waived the 120-day review timeline an additional 30 days, until October 17, 2025 to accommodate the rescheduling of meetings and locating additional requested information.

Background

FastSun 19, LLC. and Dakota County Solar One, LLC. both operate wholesale solar electric systems on portions of the site under existing IUPs.

At the July 1, 2025, Planning Commission meeting, the Commission held a public hearing, where members of the public expressed their concern for the location of the proposed tower. The Commission continued the public hearing until July 15th and requested additional information from the applicant, as noted in the attached email, related to the site selection, potential alternatives, coverage, and health and safety information.

At the July 15, 2025, Planning Commission meeting, the Commission continued the public hearing, where members of the public were present and expressed their concern for the location of the proposed tower. The Commission continued the public hearing until August 19, at the request of the applicant to accommodate collecting the requested information and scheduling conflicts.

At the August 19, 2025, Planning Commissiong meeting, the Commission held the public hearing, where members of the public were present and expressed their concern and opposition for the location of the proposed tower. The applicant provided the requested information, as follows:

- Information on why this site was selected, including information from Verizon's Radio Frequency Engineer's (RFE) (as reviewed in the Consultant City Engineer's report) and a map provided noting which property owners were contacted as potential locations (this information was provided to the Planning Commission at their August 19 meeting and has been requested to be non-public from the applicant).
- Information on potential alternatives, as discussed at the August 19 meeting, where the applicant's engineer detailed the lack of alternative structure options.
- An updated map showing all telecommunication towers in the area and explanations on why those towers are not feasibly to show coverage, as noted both in Verizon's RFE report and the report from the Consultant City Engineer.
- Safety/health information that the City Engineer provided for the radio waves generated for the various heights of towers.

Proposed Development

The applicant is requesting an IUP to construct an approximately 165.5 foot telecommunications pole at 2180 200th Street W, approximately 300 feet sound of 200th Street W.

Existing Conditions

Lot Size:	~115.27 acres
Existing Land Use:	Agriculture; Wholesale Solar Energy Systems
2040 Future Land Use:	Agricultural
Zoning	Agricultural Preservation (AG)

Proposed Use

The applicant is proposing to construct and operate a telecommunication tower. The application notes the proposal will ensure the health and safety of the residents by providing necessary coverage and capacity for emergency services. All of the proposed work takes place within the lease area. The proposed plan is attached to this report.

Additional aggregate surface will be added to extend the access into the site. This surface will match the existing gravel drive that provides access off 200th Street W.

Performance Standards

Performance standards for this use include setbacks, structure height, building materials, among other standards. Performance standards specific to the AG district are listed in Section 5.05, F. General performance standards for multiple uses are found in Chapter 6, with Communication Towers in Section 6.17. These standards, and how they are applied to this proposal, are listed in the table below.

Standard	Ordinance Requirement	Proposal	Compliance with Ordinance Requirement
Setbacks:			
Front	130'	253.72'	Meets requirement.
Side	10'	220.91' and 253.72'	Meets requirement.
Rear	30'	735'	Meets requirement.
Right-of-Ways	Equal to height of tower and antenna	303.72 (north property line)	Meets requirement.

Property Lines	Equal to height of tower and antenna	281.71' (west property line) 786.67 (east property line)	Meets requirement.
Structures	Equal to height of tower and antenna	~331' (solar panels) ~296' (single-family home)	Meets requirement.
Height of Structure	<200 feet	165.5'	Meets requirement.

Co-Location Requirements

Per Code, new towers or antennae must be co-located on existing structures in the City, unless it can be determined that it is impractical. The applicant states there are no co-locatable structures in the area, and provided a map showing the nearest co-locatable structure approximately 2.88 miles from the proposed location. The two other noted tower locations in the City are approximately 3.59 miles and 4 miles from the proposed location.

New antennas or towers must be designed to permit the construction of future co-locations for other wireless communications services. The number of co-locations required is dependent upon the height of the structure. With a proposed height of greater than 160 feet, two additional users are required to be accommodated. Per the applicant, the structure is designed to allow for the co-location of two future tenants and the lease agreement will not impact future co-location users from entering into a lease at the site. For reference the Clear Channel tower located on 170th Street is 120.25 feet tall.

Design and Building Materials

Per Code, towers and antennae shall be located and designed to blend into the surrounding environment to the maximum extent possible and shall be painted in a color best determined by the City to blend into the particular environment. The tower is steel and not proposed to be painted. The steel color is similar to the existing appearance of structures in the City, Staff are looking for a recommendation from the Commission on the proposed design and whether a different color would better blend to the surrounding environment.

Per Code, all equipment must be enclosed within a building and designed compatible with surrounding structures of natural environment. The application includes: 1) an approximately 17.2 square foot enclosed generator on a 32 square foot concrete pad, 2) two equipment cabinets, approximately 8.7 and 10.2 square feet in size, 3) two utility boxes, approximately 2.4 and 3.5 square feet in size, and 4) and ice bridges connecting the equipment to the tower.

Staff have added a condition that all equipment be located inside an enclosed building or cabinet, with the exception of an ice bridge and cables connecting the equipment to the tower itself. Any buildings or cabinets shall match the color of the tower.

Security

A six-foot chain link fence, topped with a foot of barbed wire, will surround the tower and associated equipment, as required by Code. The entrance gate on the fence will have a chain lock to prevent unauthorized access.

Signage

The proposed signs include an identification sign, providing the owner name and contact information, and two warning signs about the radio frequency at the site. The signs will be located on the entrance gate. Staff have added a condition that no additional signage is proposed or permitted at the site.

Landscaping

Per the Zoning Ordinance, all new development activities, including site modifications or use intensifications, shall be subject to landscaping improvements. Staff reviewed the submission for the IUP and found it was inconsistent with the criteria established for IUP districts.

For an IUP, the required number of overstory trees, deciduous or coniferous trees, is 8 trees or 1 tree per 3,000 square feet of site area, whichever is greater. For this site – with an area of 10,000 square feet – a minimum of 8 overstory trees are required. Within the proposed site area, there are no trees proposed. Staff have added a condition that the applicant provide an updated landscape plan noting at a minimum of 8 overstory trees are placed around the security fence, to meet the requirement and act as screening for the ground equipment.

Lighting

No lighting specifications or photometric plan was provided by the applicant but there are lights noted on the equipment elevations. Staff have added a condition that the equipment lighting be removed, and the communication facility antennae shall not be lit unless approved by City staff and required by state or federal regulations.

Noise

The application must meet PCA guidelines for noise, which state during the one-hour daytime period of monitoring, noise levels cannot exceed the 65 dBA limits for more than 10 percent, or 6 minutes, of the time or 60 dBA levels for more than 50 percent, or 30 minutes, of the time. Nighttime limits are 55 dBA and 50 dBA. Staff have added a condition that the applicant provide information sheets on the amount of noise produced from the tower and associated equipment, to ensure the noise is below the permitted maximum.

Engineering Review

The City Engineer are currently reviewing the submitted grading plan and an updated impervious surface calculations, to confirm whether Stormwater Management will need to be evaluated. The City engaged an engineer that specialized in communication towers to review the request and provide recommendations. His report notes that the location conforms to the city code, and the RF frequencies are not expected to cause interference or expected to be hazardous. The report is attached.

Interim Use Permit

Interim uses are intended to allow uses that may be appropriate in certain zoning districts on a temporary basis, provided specific conditions are placed upon the use to guarantee compatibility with other uses and to guarantee compliance with specific performance standards.

In making a recommendation to the City Council, the Planning Commission must consider the findings listed in Section 7.06, D of the Zoning Ordinance. Suggested findings are included in ***bold italics***, as follows:

1. The proposed use is temporary in nature.

   The term of the IUP will be valid for the duration of the lease agreement between the current property owner and the applicant. Change in ownership will cause the IUP to be terminated and will require removal of the facility or a new application.

2. The proposed use will not negatively impact the public health, safety and welfare.

   The proposed construction will be done according to applicable ordinances and is not anticipated to negatively impact the public health, safety or welfare.

3. The proposed use is consistent with the Comprehensive Plan and this Ordinance.

   This property is identified for Agricultural uses on the Comprehensive Plan. The Agricultural Preservation district permits communication towers as an IUP.

4. The proposed use can be adequately served by utilities and essential services, including fire and police protection.

   Public utilities are not required to serve this facility. The use will not increase the need for fire and police protection. Further the proposed use will provide improved cellular communication in the immediate area and allow for two additional carriers to co-locate on the tower.

5. The proposed use will be harmonious with surrounding uses.

   The facility can be painted and screened to minimize impact on surrounding uses.

6. The proposed use can be adequately served by the existing transportation system or mitigated effectively by the applicant.

   The property is adjacent to 200th Street W, and the use will generate minimal traffic. No additional access is proposed.

7. The proposed use will meet all relevant performance standards of this Ordinance.

   The proposed use will be consistent with the standards of the Zoning Ordinance.

8. The potential for any impacts on adjacent properties or the environment can be mitigated by conditions of the permit.

   Conditions of approval include requirements for obtaining building permits, providing updated impervious surface calculations and grading to the City Engineer, and additional landscaping. These conditions will effectively mitigate any potential negative impacts.

9. Activities within the proposed use will not create a public nuisance.

   The use will not create a public nuisance.

10. The applicant agrees to the conditions the City deems appropriate for issuance of the conditional use permit.

    The applicant must agree to and comply with conditions of approval.

Planning Commission Discussion

The Planning Commission had questions about the review from the Consulting Engineer and the coverage map for the proposed tower. The Planning Commission recommended approval of the application, adding a condition that require RF radiation testing be conducted once the tower is constructed and operational to ensure that the tower meets health and safety guidelines.

Multiple members of the public were present and voiced their concerns about the project location. The applicant recommended the application be pushed to the September 23, 2025 City Council meeting, so the Consulting Engineer can be in attendance.

IUP Recommendation

The proposed IUP would allow the construction and operation of a telecommunications tower. Approval of the IUP should be subject to the following conditions, and any additional conditions the City Council finds appropriate to mitigate negative impacts:

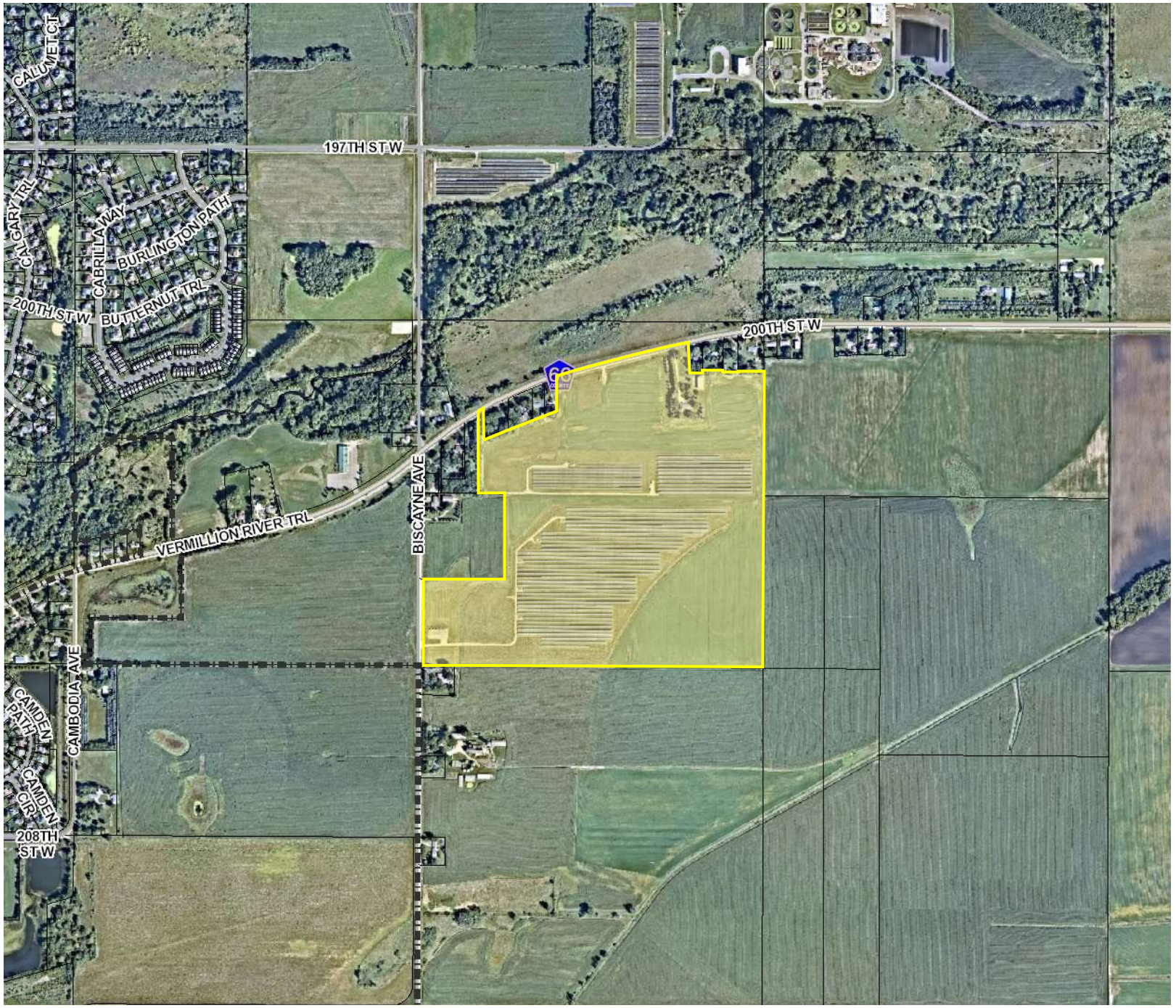
1. Approval of the IUP does not eliminate the requirement for obtaining any other subsequent permits and approvals as may be required by the City, watershed, county, state, or federal laws, rules, or ordinances, and policies, including but not limited to, grading permits, building permits, electrical permits, stormwater permits, sign permits, and site plan approval.
2. All construction and operation of the proposal shall require full compliance with federal, state, and local laws, rules, ordinances, and regulations.
3. The applicant shall construct the communication facility consistent with the Plans, except as modified herein or according to subsequent modifications, as approved in writing by the City.
4. Building permits are required for all new construction and are subject to independent permit applications and approvals.
5. The operation of the communication facility shall be consistent with all federal rules and regulations regarding interference with the operation of any other communication devices, radio or television transmissions, electronic equipment or similar devices.
6. There shall be no signage associated with the communication facility, except for identification signs, equipment signs, warning signs, and emergency information signs. No allowable sign shall exceed three square feet in area, unless required by applicable code.
7. The applicant must reserve space on the monopole to permit the future co-location of, at minimum, two (2) other commercial wireless telecommunication services. The applicant must provide adequate access to the tower site and space within the owned or leased area to accommodate co-location user's equipment needs.
8. The equipment lighting on the documents shall be removed, and the communication facility antennae shall not be lit unless approved by City staff and required by state or federal regulations.
9. The applicant shall provide an updated landscape plan noting a minimum of 8 overstory trees are placed around the security fence.
10. All equipment shall be located inside an enclosed building or cabinet, with the exception of an ice bridge and cables connecting the equipment to the tower itself. The buildings or cabinets shall match the color of the tower.
11. The applicant shall provide information sheets on the amount of noise produced from the tower and associated equipment, to ensure the noise is below the permitted maximum allowed by the PCA.
12. The applicant shall conduct post-construction R.F. radiation testing and provide the information to the City, to ensure that the tower is in compliance with federal R.F. radiation emission standards. At the city's request, the tower owner shall provide on an annual basis proof of compliance with federal R.F radiation emissions standards. If the owner does not promptly provide such proof with annual testing in accordance with federal R.F. radiation

emission standards, the city may retain a qualified testing engineer, the cost of which shall be borne by the tower owner to assure compliance.

13. The applicant shall submit a grading plan and updated survey noting the existing and proposed impervious surface, to the satisfaction of the City Engineer.
14. The applicant shall allow access to the site by Empire's representatives, or other local, state, or federal officials and agents, upon reasonable notice and in the company of a competent site representative, to inspect the site, at intervals chosen by Empire.
15. The applicant shall remove all of its communication facility improvements, equipment and materials from the Property and shall restore the Property to its pre-use condition within four (4) months of termination of the IUP, unless otherwise approved in writing by the City.
16. Construction of all improvements must begin within twelve (12) months of approval of the IUP. Failure to do so will render the IUP null and void.
17. No other use of the site or intensification of the use of the site is allowed without amendment to the IUP.
18. This permit is not assignable or transferable.
19. Prior to receiving building permit approval, the applicant shall reimburse the City for its out-of-pocket expenses incurred in the issuance of the IUP, including but not limited to reasonable planning, engineering, and legal fees.
20. After issuance of the building permits, the applicant shall reimburse the City for its out-of-pocket expenses incurred in the continued enforcement of the IUP, including but not limited to reasonable planning, engineering, and legal fees.

Attachments

1. Location Map
2. Application
3. Co-Location Letter & Map
4. Survey & Legal Descriptions
5. Submission
6. Owl Engineering Report
7. Draft IUP Amendment Document



Empire

Legend

- Township Limits
- Roads
  - U.S. Trunk Highway
  - Minnesota Trunk Highway
  - County Highway
  - Ramp
  - Local Roads
- Parcels 06/27/2024

Vertical Bridge IUP Location Map

0 1,053 Feet

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BOLTON & MENK

Real People. Real Solutions.

Disclaimer:

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. Empire Township is not responsible for any inaccuracies herein contained.

CITY OF EMPIRE
DAKOTA COUNTY, MINNESOTA

Vertical Bridge VBTS, LLC.

Telecommunications Tower Interim Use Permit
Construction and Operation
September 23, 2025

This Agreement, dated September 23, 2025, is by and between Vertical Bridge VBTS, LLC., a Minnesota corporation, and City of Empire (hereafter "Empire").

The parties agree as follows:

1. The City of Empire, a Minnesota municipal corporation (hereafter "Empire"), received a complete application from Vertical Bridge VBTS, LLC., a Minnesota corporation (hereafter "Vertical Bridge"), dated May 6, 2025, for an Interim Use Permit (hereafter "IUP") to construct and operate an IUP for a telecommunications tower and associated equipment (hereafter "Proposal").
2. The application was found to be incomplete, and revised plans were submitted on May 20, 2025, which included legal descriptions, a survey, and co-location information.
3. The application was deemed complete on May 20, 2025. The 60-day review ends of July 19, 2025, and the 120-day review, if necessary, ends on September 17, 2025.
4. The applicant waived the 120-day statutory review period an additional 30 days until October 17, 2025.
5. The Proposal is located at 2180 200th Street West on approximately 0.230 acres of property owned by Gregory Feely (hereafter "Property") and legally described as:

   Part of the Northwest 1/4 of Section 28, Town 114 North, Range 19 West, Dakota County, Minnesota, described as: Commencing at the Northeast corner of the Northwest ¼ of said Section; thence South 89°48'16" West along the North line of Section 28 a distance of 1213.60 feet; thence South 00°28'42" East a distance of 372.24 feet to the Southerly right of way of 200th street West (C.S.A.H. 66) (120' wide/public); thence continuing South 00°28'42" East a distance of 203.91 feet; thence South 14°52'40" East a distance of 96.21 feet; thence South 75°07'20" West a distance of 60.00 feet to the Point of Beginning; thence continuing South 75°07'20" West a distance of 100.00 Feet; thence North 14°52'40" West a distance of 100.00 feet; thence North 75°07'20" East a distance of 100.00 feet; thence South 14°52'40" East a distance of 100.00 feet to the Point of Beginning. Containing 10.000 square feet or 0.230 acres.

6. The Property is zoned AG Agricultural Preservation and allows wireless telecommunication services with a interim use permit and subject to the requirements of Section 6.17 of the Zoning Ordinance.
7. The Empire Planning Commission held a public hearing on July 1, 2025 to consider establishing the IUP for Vertical Bridge, which was tabled to request additional information from the applicant.

8. The Empire Planning Commission held a public hearing on July 15, 2025 to consider establishing the IUP for Vertical Bridge, which was tabled by request of the applicant.
9. The Empire Planning Commission held a public hearing on August 19, 2025 to consider establishing the IUP for Vertical Bridge.
10. The Planning Commission recommended approval of the IUP on September 2, 2025.
11. On September 23, 2025, the City Council considered the IUP as shown on attached Plan A, and by the recommendation of the Planning Commission.

FINDINGS OF FACT

1. The term of the IUP will be valid for the duration of the lease agreement between the current property owner and the applicant, or after 20 years from building permits being issued, whichever period is greater. Change in ownership will cause the IUP to be terminated and will require removal of the facility or a new application.
2. The proposed construction will be done according to applicable ordinances and is not anticipated to negatively impact the public health, safety or welfare.
3. This property is identified for Agricultural uses on the Comprehensive Plan. The Agricultural Preservation district permits communication towers as an IUP.
4. Public utilities are not required to serve this facility. The use will not increase the need for fire and police protection. Further the proposed use will provide improved cellular communication in the immediate area and allow for two additional carriers to co-locate on the tower.
5. The facility can be painted and screened to minimize impact on surrounding uses.
6. The property is adjacent to 200th Street W, and the use will generate minimal traffic. No additional access is proposed.
7. The proposed use will be consistent with the standards of the Zoning Ordinance.
8. Conditions of approval include requirements for obtaining building permits, providing updated impervious surface calculations and grading to the City Engineer, and additional landscaping. These conditions will effectively mitigate any potential negative impacts.
9. The use will not create a public nuisance.
10. The applicant must agree to and comply with conditions of approval.

CONDITIONS

Based upon the above **Findings of Fact,** the Planning Commission recommends the issuance of an IUP to Vertical Bridge, subject to the following Conditions which incorporate relevant prior IUP Conditions:

1. Approval of the IUP does not eliminate the requirement for obtaining any other subsequent permits and approvals as may be required by the City, watershed, county, state, or federal laws, rules, or ordinances, and policies, including but not limited to, grading permits, building permits, electrical permits, stormwater permits, sign permits, and site plan approval.
2. All construction and operation of the proposal shall require full compliance with federal, state, and local laws, rules, ordinances, and regulations.
3. The applicant shall construct the communication facility consistent with the Plans, except as modified herein or according to subsequent modifications, as approved in writing by the City.

4. Building permits are required for all new construction and are subject to independent permit applications and approvals.
5. The operation of the communication facility shall be consistent with all federal rules and regulations regarding interference with the operation of any other communication devices, radio or television transmissions, electronic equipment or similar devices.
6. There shall be no signage associated with the communication facility, except for identification signs, equipment signs, warning signs, and emergency information signs. No allowable sign shall exceed three square feet in area, unless required by applicable code.
7. The applicant must reserve space on the monopole to permit the future co-location of, at minimum, two (2) other commercial wireless telecommunication services. The applicant must provide adequate access to the tower site and space within the owned or leased area to accommodate co-location user's equipment needs.
8. The equipment lighting on the documents shall be removed, and the communication facility antennae shall not be lit unless approved by City staff and required by state or federal regulations.
9. The applicant shall provide an updated landscape plan noting a minimum of 8 overstory trees are placed around the security fence.
10. All equipment shall be located inside an enclosed building or cabinet, with the exception of an ice bridge and cables connecting the equipment to the tower itself. The buildings or cabinets shall match the color of the tower.
11. The applicant shall provide information sheets on the amount of noise produced from the tower and associated equipment, to ensure the noise is below the permitted maximum allowed by the PCA.
12. The applicant shall conduct pre- and post-construction R.F. radiation testing, including testing at the nearest residential property line to the west, and provide the information to the City, to ensure that the tower is in compliance with federal R.F. radiation emission standards. The testing prior to tower construction shall occur after an application has been submitted for a building permit, but before the building permit is issued. Testing after tower construction shall occur within 30 days after the tower, with its antenna, is put into service. At the city's request, the tower owner shall provide on an annual basis proof of compliance with federal R.F radiation emissions standards. If the owner does not promptly provide such proof with annual testing in accordance with federal R.F. radiation emission standards, the city may retain a qualified testing engineer, the cost of which shall be borne by the tower owner to assure compliance.
13. The applicant shall submit a grading plan and updated survey noting the existing and proposed impervious surface, to the satisfaction of the City Engineer.
14. The applicant shall allow access to the site by Empire's representatives, or other local, state, or federal officials and agents, upon reasonable notice and in the company of a competent site representative, to inspect the site, at intervals chosen by Empire.
15. The applicant shall remove all of its communication facility improvements, equipment and materials from the Property and shall restore the Property to its pre-use condition within four (4) months of termination of the IUP, unless otherwise approved in writing by the City.
16. Construction of all improvements must begin within twelve (12) months of approval of the IUP. Failure to do so will render the IUP null and void.
17. No other use of the site or intensification of the use of the site is allowed without amendment to the IUP.
18. This permit is not assignable or transferable.

19. The term of the IUP will be valid for the duration of the lease agreement between the current property owner and the applicant, or after 20 years from building permits being issued, whichever period is greater. The Applicant shall provide the City a copy of the lease, prior to Building Permits being issued. The IUP may be extended with an extension of the lease, through an IUP amendment.
20. Prior to receiving building permit approval, the applicant shall reimburse the City for its out-of-pocket expenses incurred in the issuance of the IUP, including but not limited to reasonable planning, engineering, and legal fees.
21. After issuance of the building permits, the applicant shall reimburse the City for its out-of-pocket expenses incurred in the continued enforcement of the IUP, including but not limited to reasonable planning, engineering, and legal fees.
22. The tower height may be increased to 199 feet to accommodate a minimum of three (3) other commercial wireless telecommunication services. In which case, Condition #7 shall be modified to require a minimum of 3 co-location antenna. Such plan shall be reviewed and approved by the City Council prior to issuance of a building permit.

DECISION

The City Council of Empire accepts the above Findings of Fact, recommended by the Planning Commission on September 2, 2025, and approves the IUP to Vertical Bridge, on this 23rd day of September 2025, subject to the above Conditions recommended by the Planning Commission.

CITY OF EMPIRE

ATTEST:

Melanie Lee, Mayor

Charles Seipel-Teng, Clerk-Administrator

STATE OF MINNESOTA)
) SS
COUNTY OF DAKOTA)

This agreement was acknowledged before me this 3rd day of October, 2025, by Melanie Lee, on behalf of City of Empire, a Minnesota municipal corporation, and pursuant to the authority granted by its City Council.

CHARLES ALBERT SEIPEL-TENG
NOTARY PUBLIC
MINNESOTA
My Commission Exp. Jan 31, 2027

Notary Public

STATE OF MINNESOTA)
) SS
COUNTY OF DAKOTA)

MELANIE DAWN MCCRACKEN
NOTARY PUBLIC
MINNESOTA
My Commission Exp. Jan 31, 2027

This agreement was acknowledged before me this 10th day of October, 2025, by Charles Seipel-Teng, on behalf of City of Empire, a Minnesota municipal corporation, and pursuant to the authority granted by its City Council.

Melanie Dawn McCracken
Notary Public

The undersigned user agrees to the conditions set forth in the permit.

VERTICAL BRIDGE, VBTS, LLC.

By: Tim Tuck
Vice President - Lease Administration

STATE OF ~~MINNESOTA~~ Florida)
) SS
COUNTY OF Palm Beach)

This agreement was executed before me this 13th day of October, 2025, by Tim Tuck, on behalf of Vertical Bridge, VBTS, LLC.

SANDRA MARQUARDT
Notary Public - State of Florida
Commission # HH 604437
My Comm. Expires Oct 17, 2028
Bonded through National Notary Assn.

Sandra Marquardt
Notary Public

MEMORANDUM

Date:	May 26, 2026
To:	Empire City Council
From:	Charles Seipel-Teng, Clerk-Administrator
RE:	Information & Discussion on Safety at City Hall and at City Council Meetings

Safety Protocol for City Hall & Council Chambers

Councilmember Vagts has inquired about existing safety protocols at City Hall, including at City Council meetings.

The City does not have a formal safety protocol policy.

I have reached out to the League of MN Cities and the Dakota County Sheriff's Department to see what resources are available to help the City of Empire ensure safety.

Attached is an article published by the League of Minnesota Cities on safety at City Hall as well as an Emergency Response Guide from Carver County and a List from the League of MN Cities on things you can do to make City Hall / Council Chambers safer.

Below is a written response from a representative from OSHA on things to consider when considering safety at City Hall, specifically City Council Meetings:

- *Does the council demonstrate proper decorum during public meetings, such as city council meetings? The council often sets the tone for meetings. If council members are disrespectful toward each other or the audience, it may encourage similar behavior from attendees.*
- *If certain individuals tend to escalate disagreements, council members and public officials may also want to consider their vulnerability outside of city council chambers, including at their homes. (Melissa Hortman and her husband, Mark, were killed, and State Senator John Hoffman and his wife, Yvette, were wounded in targeted shootings at their homes.)*

Policies are an important first step. However, if disrespectful behavior has been allowed to continue for a long period of time, implementing a policy alone may not be effective. In addition, if policies are not applied consistently to council members and the public, and there are no consequences for violations, the policies may have limited effectiveness.

In relation to this, attached is an article from the League of MN Cities regarding Code of Conduct and Ethics that discusses how two other cities in Minnesota developed a code of ethics. **Attached is a draft template Code of Ethics policy that I put together as an example of what this might look like.**

Captain Iliff, with the Dakota County Sheriff's Office will be present at the City Council meeting to help guide discussion.

Staff thoughts and recommendations are: There is a long list of safety measures and protocols that have been implemented at city halls around the state, and one size does not fit all. Things to consider are the size of the city, staffing, the layout of City Hall etc.

We can look at measures that we do have in place and then look at additional measures to improve safety.

Some measures that the City already has in place are:

- Cameras in the City Council Chambers
- Key card controls on City Hall doors
- The availability of having law enforcement at meetings at which controversial topics might be discussed
- A wall and window separating the public from staff at City Hall
- Chairs are arranged so the City Council can see who is entering or leaving the meeting room
- Employee training on how to minimize violence and de-escalate potentially violent situations

Some items that the City can consider:

- City Hall staff having a direct phone number to call for someone nearby that can assist or call 911 if needed
- Emergency push button
- Bullet Proof glass at public entry at City Hall / bullet proof material at council chambers seating area
- Develop an Emergency Response Plan

Based on discussion, the City Council should determine if staff should be directed to develop a policy relating to safety at City Hall, a code of conduct and ethics policy (draft example attached), and other measures that the City may want to consider implementing at City Hall. As the City grows, the City will need to consider expanded or new facilities as well. This will likely expand the types of physical safety measures that the City can consider implementing.

Attachment(s): *City Hall Security - MN Cities Magazine 2016.pdf*
Things You Can do to Make Your City Hall Safer.docx
Example - Emergency Response Guide - Copy.pdf
Does Your City Have a Code of Conduct.pdf
CITY OF EMPIRE CODE OF CONDUCT FOR COUNCILMEMBERS.docx

MINNESOTA CITIES
MAR APR 2016
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Police Project

A policing research project in Brooklyn Park seeks to build trust and reduce crime. PAGE 18

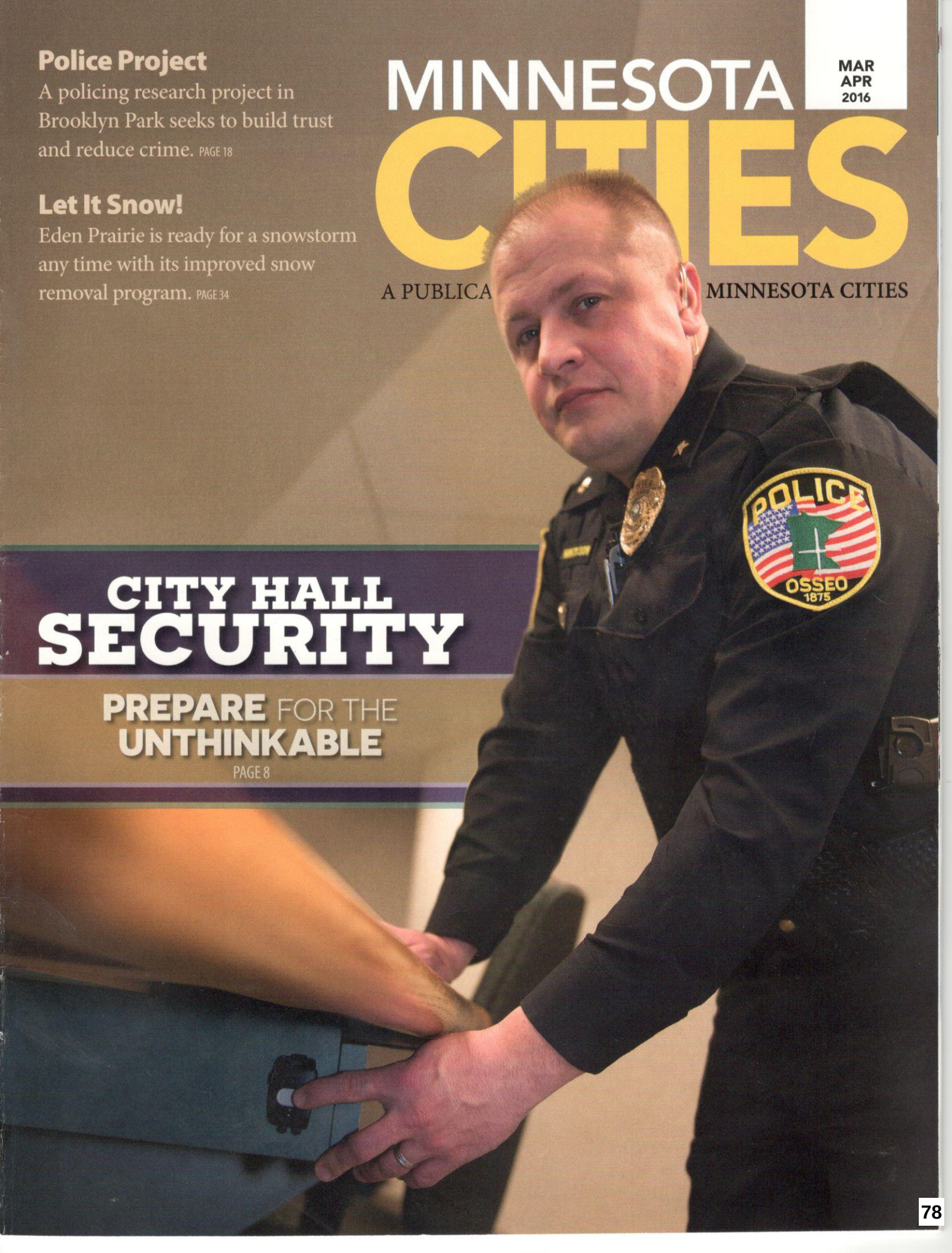
Let It Snow!

Eden Prairie is ready for a snowstorm any time with its improved snow removal program. PAGE 34

CITY HALL SECURITY

PREPARE FOR THE UNTHINKABLE

PAGE 8



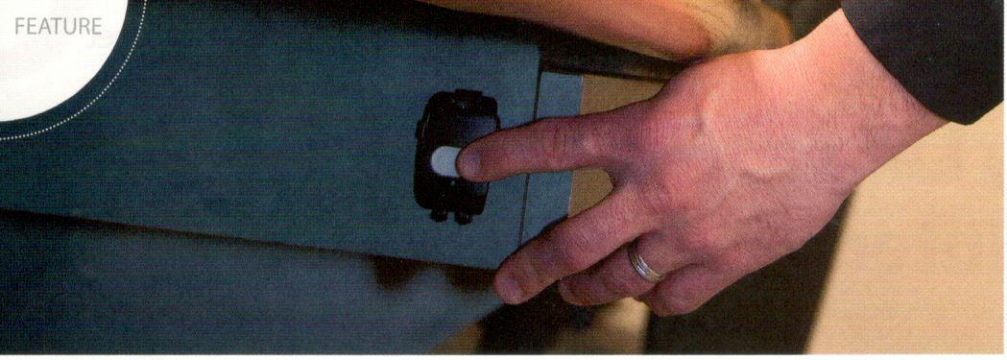


PHOTO BY KATHRYN FORSS

CITY HALL SECURITY

PREPARE FOR THE UNTHINKABLE

BY MARY JANE SMETANKA

Behind the soaring windows and sleek facade of Forest Lake's elegant new city center are other state-of-the-art design features: bulletproof glass service windows, hidden panic buttons on the City Council dais, and security cameras inside and out.

The possibility of violence is a fact of life for government officials around the country, including those in Minnesota. In January 2015, a man walked into the New Hope City Hall with a shotgun during a Council meeting, resulting in the wounding of two police officers before he was killed. In 2011, a man who had been convicted of sexual assault in Cook County returned to the courthouse with a gun and shot two people, including the county attorney.

While such high-profile incidents are rare, security concerns are widespread among Minnesota cities. A request from city clerks in southwestern Minnesota led the League of Minnesota Cities (LMC) to offer training sessions for officials who want to try to avoid violence—and learn how to make city buildings safer if the unthinkable happens.

The sessions were presented at the LMC Regional Meetings around the state last fall. This spring, the League of Minnesota Cities Insurance Trust (LMCIT) Safety and Loss Control Workshops will include information on how to spot disgruntled and troubled employees and citizens, strategies for making city buildings safer, and tips on what to do if violence erupts.

RECOGNIZE THE SIGNS AND BE PREPARED

"It's about stopping the incident before it happens; recognizing the hazards," says Troy Walsh, an LMCIT loss control consultant with a background in firefighting and public works. "It's knowing the potential is there."

Walsh presents League workshops with Tracy Stille, an LMCIT loss control consultant who is a retired Maple Grove police captain. Stille says education is needed. Some city officials, for example, don't realize that they can't prohibit people from carrying guns into public buildings if those people have a permit.

"A lot of [city officials] are surprised to find that out," Stille says. "The question is who should be carrying or not carrying, and do we need police at meetings where hot topics are coming up. Cities need an emergency plan and an evacuation plan."

Stille and Walsh say city officials have shared stories about residents who stomp into city hall to harangue them about water bills, or show up at their homes to rant about snowplowing. That's scary for clerks who work alone at city hall, and for councilmembers who find an angry resident pounding on their door at night.

Distinguishing a one-time outburst from chronic behavior is key, Walsh says. Many of the people involved in violent incidents were known to be troubled beforehand. The New Hope shooter had many contacts with police departments over the years, repeatedly called 911, and was hospitalized for mental issues.

"If someone is calling with complaints constantly … are they getting worse? Are they complaining to you in public, meeting you at your place of worship or in the grocery store? If the trends are getting more severe, that's what we want people to recognize," Walsh says. "Law enforcement should be tracking things and thinking about what [the person] might do. If we can recognize it ahead of time, we might stop them."

Some of the same behavior patterns may identify troubled employees: constantly blaming others for workplace issues, extended periods of being withdrawn or depressed, out-of-ordinary behavior, and obsessive discussion about violent incidents elsewhere.

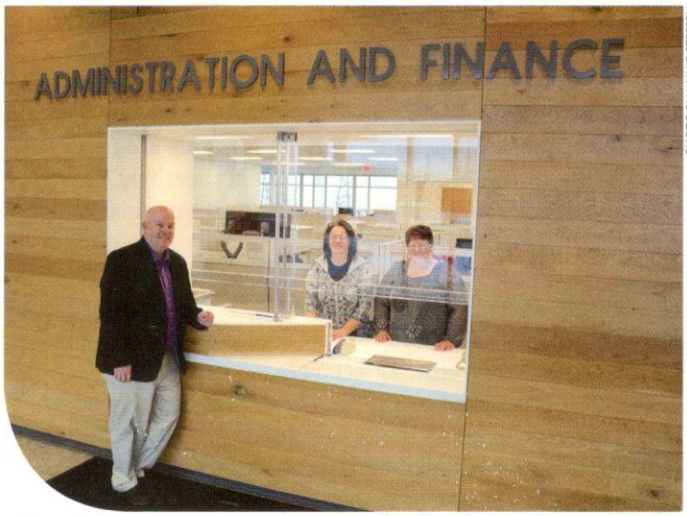


PHOTO BY LAINIE STEFFEN

Forest Lake City Administrator Aaron Parrish at the Administration and Finance service counter with accounting clerks Trena Blume (left) and Becky Gestson. The glass panels at the service counter are bulletproof.

SECURITY MEASURES

Not all security measures are expensive. Walsh and Stille suggest having police at meetings when controversial topics are on the agenda. In small cities, clerks who are concerned about a visit from an angry citizen should arrange to have an open phone line to a neighbor, like a nearby business, so that someone can come over or call the police if something seems wrong.

When Walsh was working for the City of Victoria, the City Hall front desk was walled off from offices. A portable door bell was installed under the desk to alert other employees if a second person was needed at the front desk. Access to city buildings can be limited by locking doors if there are multiple entrances or allowing conversations with irate residents only through a window.

Even rearranging chairs and tables in meeting rooms so that city councilmembers can see who is entering the room is helpful. Of course, you want to have open government and to be welcoming to the public, but that has to be balanced with safety to employees and officials, Stille says.

CITY ACTIONS

After the New Hope incident, Osseo officials began having discussions about how to protect their City Council and staff at their 1980s City Hall. The wood front of the Council dais was replaced with bulletproof material to protect councilmembers if they had to hit the floor. Wireless panic buttons were also installed in the Council chambers and at the receptionist's desk. When pushed, they alert an alarm company and then police. The police station is next to City Hall.

The bulletproofing cost about $8,500. The security system was about $300 for installation with ongoing costs of about $10 per month, says Shane Mikkelson, police chief for the city of 2,400 residents. He says the city talked about adding bulletproof glass atop the dais but councilmembers rejected that because of the unfriendly message it would send.

"They wanted some protection and peace of mind, but not the outward projection to residents that they can't come here," Mikkelson says. "We've really worked hard to keep it a small town. You have to be on guard for big-town issues because we're in the metro, but we want to have [a friendly] face, too."

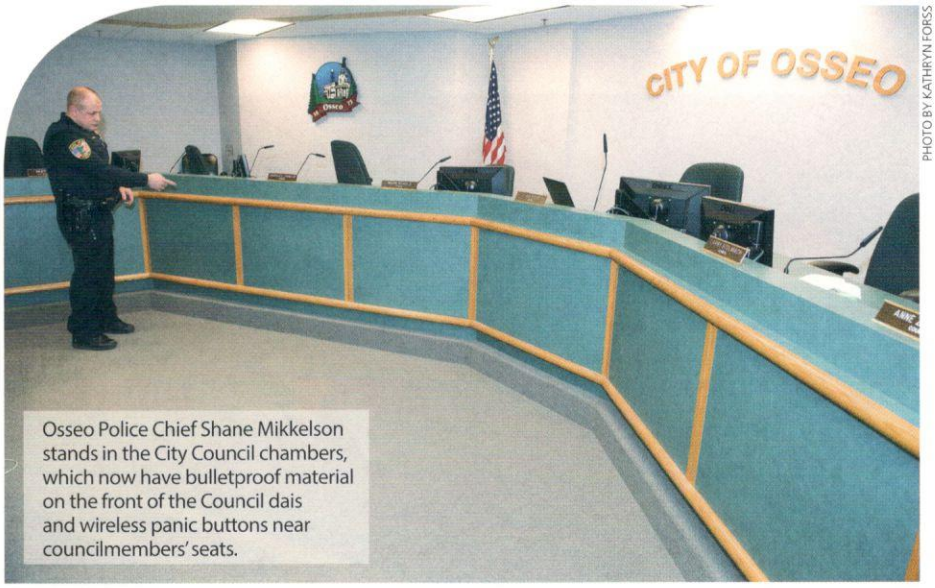


PHOTO BY KATHRYN FORSS

Osseo Police Chief Shane Mikkelson stands in the City Council chambers, which now have bulletproof material on the front of the Council dais and wireless panic buttons near councilmembers' seats.

When Forest Lake (population 19,000) began building its new $18 million city hall-police-fire complex in 2013, officials had security in mind. It has 11 exterior cameras and some interior cameras, all linked to a monitor in the Police Department.

"We see everyone who walks through the doors, in an unobtrusive way," says City Administrator Aaron Parrish. The city put up signs establishing a safe "swap spot" in the parking lot for Craigslist transactions and custody exchanges, where people know they are on camera.

Service counters in each city department are fronted by two panels of bulletproof glass. One glass panel hangs from the ceiling; the other rises from the counter. The two are offset by a roughly three-inch gap that lets people talk without raising their voices. A tray allows exchange of documents.

"There was a discussion about how to balance openness with security," Parrish says. "I thought people might think it was a little more impersonal than just coming over the counter, but they haven't reacted that way."

LEARN MORE ABOUT THIS TOPIC AT THE **2016 SAFETY & LOSS CONTROL WORKSHOPS**. REGISTER: **WWW.LMC.ORG/SAFETY16**

Conference rooms to the side of the counters allow longer conversations with builders and others who need time with city officials. There are separate locked doors for the public and employees. Access to most of the rest of the building is controlled by key cards.

Wireless panic buttons were installed at the City Hall counter, police counter, and the City Council dais, which is made of bulletproof material.

The key card access system cost $45,000, and the security cameras about $35,000. Bulletproof materials and the button system totaled about $46,250.

"We deal with some challenging things here, whether it be code enforcement, permits, or wetland issues," Parrish says. Security measures have "provided some reassurance for staff; there have been negative situations where it made them feel more secure."

EMERGENCY PLANNING

Even with such measures, Stille believes every city should be proactive in figuring out how to handle a violent incident. Cities need an emergency plan and should consider an active-shooter drill.

"It's good training to have. What if it happened here? What do we do? Do we have escape routes? How do we get police here?" Stille says.

"Somebody who is bent on pulling off an active-shooter incident is going to do it," he adds. "You need to prepare for the worst and hope for the best." MC

Mary Jane Smetanka is a Minneapolis-based freelance writer.

Things You Can do to Make Your City Hall/ Council Chamber Safer

1. Make Office space closed off to the public
    a. Place a wall or counter in front reception area to separate the public entry way from city hall staff's desks and offices
    b. Bullet-resistant glass/counters in closed off reception area
    c. Install keycard access controls to non-public spaces

2. Council Chambers
    a. Security doors behind council seating
    b. Limited unlocked doors for public entry into the chamber (make the rest "exit only" so you are not limiting the public's means of egress should an emergency occur)
    c. Install bullet-resistant panels and panic buttons into city council desks
    d. If you feel it is needed, and If staffing allows, City Officials and Council members may have a Police Officer present at council meetings
        i. At least, consider doing this when a particularly contentious issue is up for discussion

3. Other Security Measures
    a. Building wide security cameras
        i. Find a balance between security and the perception of openness and accessibility
    b. Have an Emergency Response Plan
        i. Involve all partnerships (Police/Fire/EMS)
        ii. Train city employees how to minimize violence and de-escalate potentially violent situations
        iii. Active Shooter
            1. homeland security video – (search run hide fight on YouTube) https://www.youtube.com/watch?v=5VcSwejU2D0
                a. **Run** – if safely possible, escape the building
                b. **Hide** – if escape is impossible, find a place out of site to hide, barricade yourself in if possible
                c. **Fight** – as a last resort, prepare to fight to defend yourself, improvise weapons and commit to your actions

4. Things All Employees Should Know
    a. Roughly how many people are in the building?
    b. When is the building unlocked?
    c. Who has access and where?
    d. Who knows you're there?

EMERGENCY GUIDE

Emergency Number: 911 *(on a county desktop phone, dial 9 before 911)*

Facility Services: 952-361-1557

Media Relations: County Administrator David Hemze 952-361-1526

CARVER COUNTY

ANGER/VIOLENCE

WHAT TO LOOK FOR

Increasing belligerence, tense muscles, fidgeting, rapid and/or confused speech, profanity, and obscene gestures

DEALING WITH AN ANGRY CUSTOMER

- STAY CALM, DO NOT ARGUE
- Keep a positive attitude
- Repeat the customer's concerns and tell them you understand
- Determine what they want / offer a solution
- BUY TIME if things get heated / tell them you will help them present their side of the story
- Tell them "You have a good point, let me see what I can do."
- Get help

WHEN ANGER TURNS TO *VIOLENCE*

- **YELL** FOR HELP
- **LEAVE** THE AREA**.** Go to a safe room and lock the doors.
- **CALL** 911
- Follow law enforcement's instructions

FIRE

IF YOU FIND FIRE OR SMOKE

- STAY CALM
- Pull the fire alarm
- Exit the building
- Call 911 with the EXACT location
- If smoke is present, stay low, place a shirt or wet cloth over your nose and mouth
- STOP, DROP, COVER FACE, AND ROLL if you catch fire

DURING EVACUATION

- Know your way out beforehand
- Do not use the elevators
- If able, close your door but do not lock it
- Whenever possible, do not open doors
- Help others evacuate if it is safe
- Upon exit, get to your designated evacuation area

IF YOU CANNOT GET OUT

- Get to an area where people can hear / see you
- Ward off smoke, close doors, and cover vents and cracks
- Stay as low as possible to avoid smoke

FIRE EXTINGUISHER

- Exit the building do not try to fight fire

MEDICAL EMERGENCIES

IN CASE OF MEDICAL EMERGENCY

- **STAY CALM and CALL 911**
- Stay with the person until emergency responders arrive
- **DO NOT MOVE THE PERSON**
- If possible, a second person should meet emergency responders
- Do not drive the person to the hospital
- Do not allow person to convince you that they do not need emergency help

IN THE EVENT OF CARDIAC ARREST

- CALL 911
- Begin CPR if you are able
- Tell another person to get AED if possible and follow AED's automated instructions until emergency responders arrive

FIVE TYPES OF MEDICAL EMERGENCIES

- **CHEST PAIN/HEART ATTACK**: Most heart attacks start slowly, with mild pain or discomfort. CALL 911.
- **DIZZINESS/FAINTING:** Ask person's condition. If unresponsive, CALL 911 and begin CPR.
- **CHOKING:** If person is coughing, they're breathing. Encourage to KEEP COUGHING. If person is unable to speak, cough, or breathe, begin Heimlich Maneuver.
- **EXCESSIVE BLEEDING**: As feasible, apply pressure to bleeding area. First Aid Kits are available.
- **SEIZURE:** Help the person sit or lie down. DO NOT try to restrain the person or insert objects into their mouth. CALL 911.

SEVERE WEATHER/UTILITY OUTAGE

TYPES OF WEATHER ALERTS

- **Advisory:** Weather condition is likely/imminent
- **Watch:** Be prepared to act and take shelter
- **Warning:** Take shelter in predesignated area or lowest possible point

LIGHTNING: Seek shelter if lightning is present
FLOOD: Avoid flood waters and seek high ground
POWER OUTAGE: Do not use elevators. Using a flashlight, head to the safe area. Notify Facility Services Department.
GAS LEAK: Evacuate building immediately. Avoid using electronics around the leak. Do not turn lights on or off. Call 911 then notify Facility Services Department.
WATER MAIN BREAK: Avoid the area and notify the Facility Services Department

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CARVER COUNTY

ACTIVE SHOOTER

GUNFIRE OUTSIDE THE FACILITY

- Find cover and call 911
- Notify others around you and stay out of the line of sight
- Lock the doors, turn out the lights, and stay away from windows and doors

GUNFIRE INSIDE THE FACILITY

RUN IF SAFE EXIT EXISTS

- Take a cell phone if possible, but leave everything else
- Exit the facility, notifying others along the way
- Keep your hands up, visible, and fingers apart
- Do not stop to help injured, just GET OUT and GET FAR AWAY

HIDE IF NO SAFE EXIT EXISTS

- Head to a lockable area, lock doors, shut blinds, and turn off the lights
- Hide behind a desk or cabinet, do not speak
- Turn cell phone to 'silent' mode
- If safe to speak, call 911
- Do not answer the door unless directed by law enforcement
- Stay low and away from doors and windows

FIGHT WHEN ALL ELSE FAILS

BOMB THREAT

TELEPHONE BOMB THREAT

- Stay calm, and silently alert a co-worker. Instruct them to call 911.
- Don't act hostile, and try to get information by keeping the caller talking. Ask about the bomb—its size, location, when it is set to go off, why it was placed there
- Examine caller ID and write down the number
- Make note of the callers gender, voice/accent, and background noises
- Do not hang up, even if the caller does
- Keep the line open, and do not use the line to call out
- Wait for further instructions

IN PERSON BOMB THREAT

- Let the assailant leave as soon as possible
- Evacuate as soon as possible
- CALL 911 as soon as you are able (but not around the device/package)

IN WRITING BOMB THREAT

- DO NOT HANDLE
- Save the envelope, as it is EVIDENCE
- CALL 911

LOCKDOWN/EVACUATION

LOCKDOWN—ACTIVE EVENT

- See HIDE under Active Shooter section

LOCKDOWN—POTENTIAL EVENT

- Close blinds and lock exterior doors
- Limit movement in building and around exterior windows

BUILDING EVACUATION

- See evacuation under FIRE Section

CAMPUS EVACUATION

- In the case of an active shooter, bomb threat or other threats where it is not safe to remain on the campus, employees should get far away from the campus as quickly as possible
- Each evacuation will be different. Sometimes it is ok to evacuate in a vehicle. Other events will require you to leave on foot.
- Evacuation locations will be sent to employees via the Employee Alert System. All evacuated employees must report to the location provided.

COMMUNICATION

- The Employee Alert System will be the primary tool of communication during a lockdown and evacuation
- If possible, keep your cell phone with you and put it on silent mode

SUSPICIOUS PACKAGES / UNATTENDED ITEMS

A PACKAGE IS SUSUPICIOUS IF

- It is left unattended or out of place
- It is an unusual shape, lumpy, or leaking
- Writing is illegible or has misspellings
- It has an unusual number of bindings or taping
- It emits a strange odor or has electrical wiring showing
- It's marked personal, private, or confidential

IF YOU DISCOVER A SUSPICIOUS PACKAGE

- DO NOT TOUCH OR MOVE IT
- Do not try to clean, adjust, or open it
- Do not use a cell phone, computer, or radio near area
- CALL 911
- Evacuate and notify others to leave as well
- Wait for first responders to arrive
- If you've been in contact with the package, stay away from others and wash with soap for 15 mins

Does Your City Have a Code of Conduct?

Facebook, opens in a new windowLinkedIn, opens in a new windowX, opens in a new windowEmail, opens in a new window



MARTY SCHULTZ
CITY ADMINISTRATOR
ALEXANDRIA (POPULATION 14,861)

The City of Alexandria adopted a Code of Conduct for Elected Officials in February 2016. At that time, the City Council was having challenging conversations related to how to conduct itself in dealings with staff, media, city boards/commissions, and each other. As a result, League of Minnesota Cities staff were invited by the Council to make a presentation on best practices for council conduct.

While the City Council had disagreements at that time, they did agree there was a need for a code of conduct. Staff searched for examples from other communities and found one particularly good one from a city in Colorado. Staff and Council built our code of conduct from this template and also added specific references back to the home rule charter, city code, and other reference documents often used by the city, such as the LMC *Handbook for Minnesota Cities* and *Minnesota Mayors Handbook*.

Since its adoption, the code has become a key document in the orientation process for new council members. In 2021, the City Council also decided to formally adopt the code of conduct at the first meeting each year.

The Council spent considerable time on the section that discusses sanctions for violations of the code of conduct, and emphasized the importance of having a process for code violations. This section details the role of the mayor, council members, and staff in these situations. A process for investigating violations by the mayor or council members was adopted, with consequences like reprimand or censure, both requiring Council approval. The City Council has tested this procedure twice since adopting the code of conduct.

It is my view that this document provides an excellent foundation for new council members. It not only provides details on charter provisions and public hearing protocol, but it also contains aspirational statements that council members should "serve as a model of leadership and civility to the community," "inspire public confidence in Alexandria government," and "demonstrate honesty and integrity in every action and statement." The document also supports the notion that council members should conduct themselves in a civil and nonpartisan manner with staff.

I also would note that the simple act of adopting this at the first meeting each year is a strong reminder of the City Council's commitment to each other and the community.



SAM SOLARZ
CITY COUNCIL MEMBER
MONTROSE (POPULATION 3,775)

The City of Montrose adopted its Code of Conduct and Ethics to foster better working relationships between city staff and elected officials, and foster greater transparency in local government.

I developed the code, along with Mayor Kirby Moynagh and City Administrator Jessica Bonniwell. In creating the code, we thoroughly researched other cities' codes of conduct to identify best practices that aligned with Montrose's needs. This involved comparing how other cities structured their guidelines for ethical conduct, conflict

resolution, and transparency, as well as examining relevant state laws and statutes that would shape the final document.

We also consulted city staff, our lawyers, and other local officials to ensure the code was legally sound and practically applicable. By integrating this research, we were able to create a set of guidelines that would improve collaboration and build a respectful, positive culture at City Hall.

One key element in Montrose's code prohibits council members and staff from publicly criticizing each other on social media. This provision is intended to avoid public conflicts that could harm the city's credibility and encourages resolving disagreements privately and respectfully.

Other key elements include robust conflict of interest guidelines that require officials to abstain from decisions where personal or financial interests might compromise their impartiality, as well as strict adherence to the Open Meeting Law to ensure that city business is conducted transparently and remains accessible to the public.

The code is included in the orientation process for new councilors and staff and sets the tone for professionalism in both public and private interactions. Violations are addressed through a transparent process aimed at correction rather than punishment.

The impact of the code has been significant. It has contributed to a healthier, more cooperative atmosphere at City Hall, reinforcing trust between city leadership and the community. By promoting respect, integrity, and collaboration, Montrose has enhanced its ability to serve residents effectively, strengthening the government's credibility and fostering a culture rooted in transparency and accountability. These core values ensure that officials act ethically and openly while working together for the greater good. The code of conduct has become a cornerstone in building a positive, resident-focused environment within the city, where trust and professionalism are prioritized.

CITY OF EMPIRE CODE OF CONDUCT FOR COUNCILMEMBERS

A. All councilmembers shall assist the chair to preserve order for the efficient operation of the meeting.

B. No councilmember shall engage in conduct which delays or interrupts the meeting, or which hinders honest, respectful discussion and debate.

C. City council meetings shall be conducted in a courteous manner that recognizes differing points of view and promotes democratic discussion and debate free of insult, slander, and personal attacks and threats.

D. City councilmembers shall conduct themselves at council meetings in a manner consistent with the following:

1. No councilmember shall engage in private conversation or pass private messages during the meeting.

2. No councilmember shall make any disturbance while a vote is being taken or announced.

3. No council member shall use profane or obscene language or threaten harm or violence toward another person during a council meeting.

4. No council member shall speak on any other subject than the subject in debate.

5. Councilmembers may only speak after being recognized by the chair.

6. No councilmember shall interrupt the speech of another council member.

7. No councilmember shall engage in disorderly conduct that disturbs or disrupts the meeting.

8. A councilmember may remove themselves from a meeting until they can observe the Code of Conduct.

Consequences: The meeting's chair is authorized to:

1. Declare when a councilmember's actions are out of order.
2. Not allow a councilmember who is out of order to speak until the Code of Conduct is observed.
3. Any council member (including the mayor), may make a motion to adopt a resolution expressing disapproval of such conduct and noting the council member's conduct.
4. Order removal from the council chambers by law enforcement until the council member agrees to abide by the Code of Conduct.

Adopted on -------

_____
Melanie Lee, Mayor

ATTEST:

_____
Charles Seipel-Teng, Clerk-Administrator