# EMPIRE CITY COUNCIL AGENDA
## June 23, 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 6/9/2026 City Council Meeting; 6/22/2026 Park & Rec. Committee Meeting
D.2 Bill List as of 6/23/2026
D.3 Cash Balance Report as of 6/18/2026

**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**

**Law Enforcement**

**Park & Rec**

**Engineering**
1. Engineering Report
2. Request from Deer Creek Dev. LLC for Letter of Credit Reduction for 2nd Addition

**Planning**

**Administrator Report**
1. Clerk-Administrator Report

**G. Old Business**

**H. New Business**
H.1 Farmington Fire Department Update
H.2 Consider Adopting Resolution 2026-6A, Identifying the Need for Funding to Complete The 2050 Comprehensive Plan Update and Authorizing an Application for Planning Assistance Grant Funds
H.3 Request to Waive Watering Citation (19148 Claremont Dr.)

**I. Meetings: City Council Budget Work Session 6/30/2026, 5:30 PM; Independence Day Holiday (Observed) 7/3/2026; Planning Commission Meeting 7/7/2026, 8PM; Park & Rec. Commission Meeting 7/13/2026, 7PM**

**J. FYI**

J.1 2026 Empire Candidate Notice of Filing

**K. Adjournment**

**MEMORANDUM**

| | |
|---|---|
| **Date:** | June 23, 2026 |
| **To:** | Empire City Council |
| **From:** | Charles Seipel-Teng, Clerk-Administrator |
| **RE:** | Minutes of the 6/9/2026 City Council Meeting; 6/22/2026 Park & Rec. Committee Meeting |

*Attachment(s):* *6 9 26 Council Minutes.pdf*
*PR Minutes 6 22 26.pdf*

CITY OF EMPIRE

# Empire City Council Meeting Minutes
# June 9, 2026

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 (7:01 PM); Marla Vagts; Mark Page. Also present were Brian Hilgardner, Consulting Engineer with Bolton & Menk (via Teams); Jenni Faulkner, Consulting Planner with Bolton & Menk; 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**

Marla Vagts made a motion to approve. Mark Page seconded. Motion carried 5-0

**D. Consent Agenda**

**D.1 Minutes of the 5/26/2026 City Council Meeting; 6/2/2026 Planning Commission Meeting; 6/8/2026 Park & Rec. Commission Meeting**

**D.2 Bill List as of 6/9/2026**

**D.3 Profit & Loss / Budget Comparison Report as of 6/5/2026**

The item to Consider Letter of Support for Farmington Fire Department SAFER Grant Application was moved to New Business.

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

**E. Visitors**

None.

**F. Committee Reports:**

**Maintenance / Sewer and Water / Road and Bridges**

1. **Request from City of Farmington to Use Trail From 205th Street West to Farmington Site**
   Jerod Waltman reported that The City of Farmington is requesting to use the pedestrian/bike trail that runs from 205th Street West into the City of Farmington to

conduct hauling of street sweeping chips and fill from water repairs to a parcel that they own at the end of the path. If approved, hauling would take place via dump truck on an intermittent basis, for up to one day at a time, and generally during the non-winter months. Farmington would be posting trail closed signs at each end of the trail when hauling is taking place.

The City of Empire has this trail in its trail improvement plan to repave in 2027, and the City should determine if it is comfortable allowing Farmington to drive on the trail in its current condition.

If Farmington needs to continue using the trail going forward, it would be ideal for the trail to be reconstructed as a wider trail to allow truck traffic and to construct the trail in a way that will allow it to accommodate heavier traffic. In that case, Farmington is open to a cost share agreement for construction and maintenance of the trail. Staff does not believe there is enough ROW width to construct a trail that would be wide enough to have a traffic lane and a pedestrian/bike lane. The trial would need to continue to be closed during the times that trucks use it for hauling.

John Powell, Public Works Director with the City of Farmington, noted that Farmington has been avoiding driving on the trail to get to the site, however they are running out of room for storage on other parcels that the City of Farmington owns. Intermittent hauling could be a half day or full day.

It was the consensus of the City Council that truck traffic should not be permitted on the trail until both cities enter into a maintenance and reimbursement agreement. The agreement would spell out the requirements for allowing trucks on the trail in it's current condition as well as future cost share requirements for future maintenance and improvements.

Jenni Faulkner noted that the City should include requirements that the storage of materials on site need to meet MPCA requirements.

**Law Enforcement**

1. **Statistics Reports for May 2026**
   Deputy Martin provided information on the statistics reports for May. She noted that if there were stops or incident responses on the border with other cities or townships, they will not show up on the report. She will be on vacation in July and the deputy filling in will make contact with Seipel-Teng.

**Park & Rec**

Eric Hanson reported that the food truck night was very well attended with over 1,000 attendees. The Park & Rec. Commission meet the new Deputy Clerk, Shannon Coyne, and welcomed her. The Dakota County Library in Farmington has provided the city with materials for this year's book walk along the trial. Summer entertainment is lined up.

## Engineering

1. **Engineering Report**
   Brian Hilgardner reported that the first lift of bituminous pavement has been placed in Deer Creek Phase 2 and final wear course will be placed in Phase 1 later this summer.

   John Powell with the City of Farmington has provided preliminary information for staff to review on a proposed water interconnect with Farmington on the north side of 190th Street. The final interconnect documents should be ready to review by the end of July.

   A sink hole has formed in the backyard of a property on 198th Street. The hole seems to be because of a partially collapsed drain tile. The City has no record of the drain tile on the as-built plans for the subdivision and the tile is not in a utility easement. It might be possible that the developer installed the drain tile without the knowledge of staff. One of the homeowners in the area has witnessed water going into the structure once in the past 30 years.

   Jerod Waltman noted that there appears to be other drain tiles in this development that are not on the development plans and not in the easement, however just one property appears to currently have the issue with the collapsed tile. Staff could replace the damaged tile relatively easily, however because it is not in a utility easement, the City may want to obtain a right-of-entry if the City was agreeable to replacing it. The line could also be televised to check for other issues along the line. City Council directed staff to conduct a drainage calculation to determine if the drain tile serves a purpose before proceeding with fixing or replacing it.

## Planning

1. **Planning Update**
   Jenni Faulkner reported that at last week's Planning Commission Meeting, the Commission received an update from Brand Farms on operations and their first tulip festival. The Commission discussed the CUP for Glenhaven and indicated that if building permits are issued by December, the project will be considered in compliance with the CUP. Council directed staff to verify with legal that there are no issues with this interpretation. The auto dealership on Chippendale Ave. has changed hands and is currently operating without a permit. The Planning Commission is giving the applicant until the end of June to submit an IUP application for the business.

2. **Request for Discussion on Proposed Interim Ordinance for Moratorium on Data Center Permitting**
   Councilmember Mark Page provided a memo regarding data centers and a recommendation for adopting an interim ordinance establishing a moratorium on permitting them. Jenni Faulkner noted that currently data centers are not permitted in any district with the existing language in the Zoning Ordinance. Establishing a moratorium on data centers commits the City to studying their potential impacts. She has seen where some projects are getting approved with zoning codes that provide no clear definition of warehouses and some data centers being categorized as such. The city's ordinance does not define data centers or warehouses. If City Council wanted to, it could amend the ordinance to provide more robust language defining these items. Eric Hanson noted that the Council will want to make

sure that by identifying data centers, it is not opening the door to them and other things in the future that the city might not want. Council directed staff to provide some draft zoning ordinance language that would make it clear that data centers are not permitted in any zoning district, for consideration.

**Administrator Report**

1. **Administrator Update**
   Charles Seipel-Teng provided a tentative Budget Adoption Schedule for the 2027 Budget. Staff should have a draft ready to review for discussion by the end of June. City Council recommended setting June 30 at 5:30 PM to hold a 90-minute discussion on the draft budget.

   Seipel-Teng noted that he has information prepared for a draft code of conduct and visioning statement. He is working with SAFE Assure, the City's loss control consultant, to put together a draft safety plan for all city facilities. This information should be ready to review for discussion after June.

**G. Old Business**
None.

**H. New Business**

**H.1 Consider Setting August 11, 2026, City Council Meeting to new Date and Time**
City Council recommended setting this meeting date for Tuesday, August 18 at 7:00 PM.

**H.2 Consider Letter of Support for Farmington Fire Department SAFER Grant Application**
The Farmington Fire Department is requesting a letter of support for this year's SAFER Grant application through FEMA. If awarded, grant proceeds will be used to help cover the costs of hiring full-time employees on the department. Fire Chief, Matt Price, will be present at the June 23rd City Council Meeting to provide an update on Fire Department staffing and operations.

Melanie Lee made a motion to send a letter of support for the Farmington Fire Dept. SAFER grant application. Danny Rubio seconded. Motion carried 5-0.

**I. Meetings: Juneteenth Holiday 6/19/2026 (City Hall Closed); Park & Rec. Commission Meeting 6/22/2026, 7PM; City Council Meeting 6/23/2026, 7PM**

**J. FYI**

**J.1 Metropolitan Council - 2025 Annual Population Estimates**

**K. Adjournment**

Eric Hanson made a motion to adjourn. Marla Vagts seconded. Motion carried 5-0. The City Council Meeting ended at 8:22 PM.

_____

Melanie Lee, Mayor

_____

Charles Seipel-Teng, Clerk - Administrator

**Empire Park and Recreation Minutes**

June 22nd, 2026, 7:00 PM

The meeting was called to order by Chair Fahey. Present were Kacie Fahey, Nicole Bower, Lisa Klemmensen, Abraham Morales, Amanda Stender, Mark Page, and Shannon Coyne.

The Carpenter Nature Center was a success and saw 55 attendees to kick off our Sunday Night Entertainment! The weather was beautiful and the kids were very interested in the new critters on display! This was a nice combination of animals and provided a wider variety than singular organizations.

The next Sunday Night Entertainment will be at 7pm on Sunday, July 12th and will feature farm animals.

The Bike with Deputies, Pedals and Pals, event was cancelled due to rain. Deputy Martin is working to reschedule the event. More details to come!

The Committee began its initial review of the Empire Celebration checklist. Planning is underway!

Shannon pulled a list of existing sandwich board signs and banners that are reusable. She'll reach out for quotes on the signs we're still in need of.

The meeting was adjourned at 8:30 PM.

**MEMORANDUM**

| | |
|---|---|
| **Date:** | June 23, 2026 |
| **To:** | Empire City Council |
| **From:** | Charles Seipel-Teng, Clerk-Administrator |
| **RE:** | Bill List as of 6/23/2026 |

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

**City of Empire**

**Claims List for Approval (June 10- June 23, 2026)**

*Invoices Paid Previous to Claims List Batch*

| | | | | |
|---|---|---|---|---|
| 15-Jun-26 | 28822 | Minnesota Energy Resources | Natural Gas | 132.82 |
| 16-Jun-26 | EFT | United States Treasury | Federal Withholding | 5,106.38 |
| 16-Jun-26 | EFT | Minnesota Dept. of Revenue | State Withholding | 2,765.35 |
| 16-Jun-26 | EFT | PERA | Retirement | 965.25 |
| 18-Jun-26 | 28823 | Dakota Co. Property Tax & Rec. | To Record McNamara and Fischer | 92.00 |
| | | **SEE ATTACHED CLAIMS REGISTER REPORT** | | **45,328.97** |

| | |
|---|---|
| Subtotal | 54,390.77 |
| Payroll | 13,483.14 |
| **Total** | **67,873.91** |

# CITY OF EMPIRE

## *Claim Register©

**062326PAY**

**JUNE 2026**

**Claim Type**

Claim# 6421 *CIT* Ck# 028831 6/23/2026

Cash Payment E 101-41000-300 Professional Services Microsoft 365 Subscription $214.20
Invoice 516752

Cash Payment E 101-41000-300 Professional Services July Service Contract $153.60
Invoice 517086

Transaction Date 6/23/2026 Due 0 Checking 10100 **Total** $367.80

Claim# 6422 *Kennedy & Graven, Chartered* Ck# 028836 6/23/2026

Cash Payment E 101-41610-304 Legal Fees Legal Services $120.00
Invoice

Transaction Date 6/23/2026 Due 0 Checking 10100 **Total** $120.00

Claim# 6423 *Campbell Knutson* Ck# 028827 6/23/2026

Cash Payment E 101-41610-304 Legal Fees Prosecuting Attorney $2,150.75
Invoice

Transaction Date 6/23/2026 Due 0 Checking 10100 **Total** $2,150.75

Claim# 6424 *RENT N SAVE* Ck# 028838 6/23/2026

Cash Payment E 101-45000-415 Rental - Other May Portable Restrooms $374.16
Invoice 87821

Transaction Date 6/23/2026 Due 0 Checking 10100 **Total** $374.16

Claim# 6425 *AT & T* Ck# 028825 6/23/2026

Cash Payment E 101-43000-321 Telephone Maint. Cell Phone $25.56
Invoice

Cash Payment E 600-49400-321 Telephone Maint. Cell Phone $25.55
Invoice

Transaction Date 6/23/2026 Due 0 Checking 10100 **Total** $51.11

Claim# 6426 *CHARTER COMMUNICATIONS* Ck# 028830 6/23/2026

Cash Payment E 101-41000-321 Telephone Phone / Internet Service $242.32
Invoice

Transaction Date 6/23/2026 Due 0 Checking 10100 **Total** $242.32

Claim# 6427 *Inspectron, Inc.* Ck# 028835 6/23/2026

Cash Payment E 101-41000-300 Professional Services May 2026 Inspections $13,912.43
Invoice

Transaction Date 6/23/2026 Due 0 Checking 10100 **Total** $13,912.43

Claim# 6428 *Anderson Rock & Lime, Inc.* Ck# 028824 6/23/2026

Cash Payment E 101-43000-224 Street Maintenance Materi Street Maint. Gravel $581.60
Invoice 60206

Cash Payment E 101-43000-224 Street Maintenance Materi Street Maint. Gravel $11,736.00
Invoice 60469

Transaction Date 6/23/2026 Due 0 Checking 10100 **Total** $12,317.60

Claim# 6429 *Bolton & Menk Inc.* Ck# 028826 6/23/2026

Cash Payment E 101-41000-310 Planner Fees Planning Services $11,051.00
Invoice

Transaction Date 6/23/2026 Due 0 Checking 10100 **Total** $11,051.00

Claim# 6430 *Signart Co. Inc.* Ck# 028840 6/23/2026

Cash Payment R 101-41000-34103 Zoning and Subdivision Site Plan Escrow Balance $898.00
Invoice

# CITY OF EMPIRE

## *Claim Register©

**062326PAY**

**JUNE 2026**

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Transaction Date | 6/23/2026 | Due 0 | Checking | 10100 | | **Total** | $898.00 |
| Claim# | 6431 *Carquest Auto Parts Stores* | | Ck# 028828 6/23/2026 | | | | |
| Cash Payment | E 101-41000-215 Shop Materials | | Shop Supplies | | | | $47.43 |
| Invoice | | | | | | | |
| Transaction Date | 6/23/2026 | Due 0 | Checking | 10100 | | **Total** | $47.43 |
| Claim# | 6433 *Xcel Energy* | | Ck# 028843 6/23/2026 | | | | |
| Cash Payment | E 101-41000-381 Electric Utilities | | 51-6291687-0 City Hall | | | | $0.00 |
| Invoice | | | | | | | |
| Cash Payment | E 101-41000-381 Electric Utilities | | 51-9344076-7 Maint. Bldg. | | | | $0.00 |
| Invoice | | | | | | | |
| Cash Payment | E 101-45000-381 Electric Utilities | | 51-0203701-8 Ballfield | | | | $0.00 |
| Invoice | | | | | | | |
| Cash Payment | E 101-43000-381 Electric Utilities | | 51-6005472-6 Street Lgt. | | | | $0.00 |
| Invoice | | | | | | | |
| Cash Payment | E 101-43000-381 Electric Utilities | | 51-8372975-3 Street Lgt. | | | | $0.00 |
| Invoice | | | | | | | |
| Cash Payment | E 600-49400-381 Electric Utilities | | 51-7928991-1 Well | | | | $0.00 |
| Invoice | | | | | | | |
| Cash Payment | E 600-49400-381 Electric Utilities | | 51-5015068-6 Well | | | | $0.00 |
| Invoice | | | | | | | |
| Cash Payment | E 600-49400-381 Electric Utilities | | 51-4664833-7 Tower | | | | $0.00 |
| Invoice | | | | | | | |
| Cash Payment | E 600-49450-381 Electric Utilities | | 51-6960047-5 Lift Station | | | | $0.00 |
| Invoice | | | | | | | |
| Cash Payment | E 101-43000-381 Electric Utilities | | 51-001330188-0 170th St. Roundabout | | | | $70.19 |
| Invoice | | | | | | | |
| Transaction Date | 6/18/2026 | Due 0 | Checking | 10100 | | **Total** | $70.19 |
| Claim# | 6434 *USAble Life* | | Ck# 028842 6/23/2026 | | | | |
| Cash Payment | E 101-41510-133 Life | | Life & Disability Ins. | | | | $75.94 |
| Invoice | | | | | | | |
| Cash Payment | E 101-45000-133 Life | | | | | | $688.46 |
| Invoice | | | | | | | |
| Cash Payment | E 101-43000-133 Life | | | | | | $107.94 |
| Invoice | | | | | | | |
| Cash Payment | E 600-49400-133 Life | | | | | | $107.94 |
| Invoice | | | | | | | |
| Transaction Date | 6/23/2026 | Due 0 | Checking | 10100 | | **Total** | $980.28 |
| Claim# | 6435 *Midwest Machinery Co.* | | Ck# 028837 6/23/2026 | | | | |
| Cash Payment | E 101-45000-221 Equipment Parts | | Parks Equip. Parts | | | | $103.86 |
| Invoice | 10927316 | | | | | | |
| Transaction Date | 6/23/2026 | Due 0 | Checking | 10100 | | **Total** | $103.86 |
| Claim# | 6436 *Delta Dental of Minnesota* | | Ck# 028832 6/23/2026 | | | | |
| Cash Payment | E 101-41510-132 Dental | | Admin Dental | | | | $135.54 |
| 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 | | | | | | | |

# CITY OF EMPIRE

## *Claim Register©

**062326PAY**

**JUNE 2026**

| | | | | | | |
|---|---|---|---|---|---|---|
| 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 | 6/23/2026 | Due 0 | Checking | 10100 | **Total** | $445.40 |
| Claim# | 6437 *Safe-Fast, Inc.* | | Ck# 028839 6/23/2026 | | | |
| Cash Payment | E 600-49450-402 Repair & Maintenance | | Calibration Service | | | $99.00 |
| Invoice | 326615 | | | | | |
| Transaction Date | 6/23/2026 | Due 0 | Checking | 10100 | **Total** | $99.00 |
| Claim# | 6438 *Hawkins Water Treatment* | | Ck# 028833 6/23/2026 | | | |
| Cash Payment | E 600-49400-216 Chemical Products | | Chlorine Cylinder | | | $30.00 |
| Invoice | 7458542 | | | | | |
| Transaction Date | 6/23/2026 | Due 0 | Checking | 10100 | **Total** | $30.00 |
| Claim# | 6439 *Independent Black Dirt* | | Ck# 028834 6/23/2026 | | | |
| Cash Payment | E 101-43000-224 Street Maintenance Materi | | Blvd. Tree Patching | | | $135.00 |
| Invoice | 001601 | | | | | |
| Transaction Date | 6/23/2026 | Due 0 | Checking | 10100 | **Total** | $135.00 |
| Claim# | 6440 *Sunbelt Rentals, Inc.* | | Ck# 028841 6/23/2026 | | | |
| Cash Payment | E 101-43000-224 Street Maintenance Materi | | Stump Grinder for Blvd. Trees | | | $407.80 |
| Invoice | 185264436-0001 | | | | | |
| Transaction Date | 6/23/2026 | Due 0 | Checking | 10100 | **Total** | $407.80 |
| Claim# | 6441 *Central Pro Supply 650* | | Ck# 028829 6/23/2026 | | | |
| Cash Payment | E 101-45000-404 Equipment Repairs | | Stelzel Field Irrigation Nozzles | | | $1,524.84 |
| Invoice | 65012459-00 | | | | | |
| Transaction Date | 6/23/2026 | Due 0 | Checking | 10100 | **Total** | $1,524.84 |

| **Claim Type** | **Total** | **$45,328.97** |
|---|---|---|

| | |
|---|---|
| Pre-Written Checks | $45,328.97 |
| Checks to be Generated by the Compute | $0.00 |
| Total | $45,328.97 |

**MEMORANDUM**

| | |
|---|---|
| **Date:** | June 23, 2026 |
| **To:** | Empire City Council |
| **From:** | Charles Seipel-Teng, Clerk-Administrator |
| **RE:** | Cash Balance Report as of 6/18/2026 |

*Attachment(s): Cash Account Balances 2026.pdf*

| **CITY OF EMPIRE CASH BALANCES** | | **CITY OF EMPIRE CASH BALANCES** | | |
|---|---|---|---|---|
| *1/1/2026* | | *AS OF 6/23/2026* | | |
| GENERAL FUND | | GENERAL FUND | | Int. Rate |
| GENERAL CHECKING | $21,165.66 | GENERAL CHECKING | $37,879.34 | 0.05% |
| GENERAL SAVINGS | $1,699,470.40 | GENERAL SAVINGS | $486,357.67 | 0.75% |
| TOTAL GENERAL | **$1,720,636.06** | TOTAL GENERAL | **$524,237.01** | |
| | | | | |
| ROAD & BRIDGE SAVINGS | **$255,704.50** | ROAD & BRIDGE SAVINGS | **$256,019.75** | 0.50% |
| | | | | |
| CERTIFICATES OF DEPOSIT (MATURITY) | | CERTIFICATES OF DEPOSIT | | |
| 12 MONTH CD (1/24/27) | $1,723,388.67 | 12 MONTH CD | $4,771,158.40 | 3.90% |
| | $1,723,388.67 | 24 MONTH CD | $699,531.77 | 4.00% |
| | $1,723,388.67 | 24 MONTH CD 2 | $699,531.77 | 4.00% |
| 24 MONTH CD (12/13/27) | $693,376.86 | MN 4M FUND (1/29/31) | $500,390.02 | 3.90% |
| 24 MONTH CD 2 (12/13/27) | $693,376.86 | | | |
| TOTAL CD | **$6,556,919.73** | TOTAL CD | **$6,670,611.96** | |
| | | | | |
| **TOTAL CHECKING & SAVINGS** | **$8,533,260.29** | **TOTAL CHECKING & SAVINGS** | **$7,450,868.72** | |
| | | | | |
| ESCROW CHECKING | $16,809.65 | ESCROW CHECKING | $23,309.65 | |
| ESCROW SAVINGS | $10,108.17 | ESCROW SAVINGS | $10,110.66 | 0.10% |
| **TOTAL ESCROW** | **$26,917.82** | **TOTAL ESCROW** | **$33,420.31** | |
| | | | | |
| FLEX CHECKING | **$1,562.71** | FLEX CHECKING | **$1,371.23** | 0.05% |
| | | | | |
| 12 MONTH CD (SOLAR ESCROW 5 | **$132,987.46** | 12 MONTH CD (SOLAR ESCROW | **$135,705.04** | 4.10% |
| | | | | |
| **TOTAL** | **$8,694,728.28** | **TOTAL** | **$7,621,365.30** | |
| | | | | |
| **DEBT** | | **DEBT** | | |
| 2019 STREET GO BOND | $1,200,000.00 | 2019 STREET GO BOND | $915,000.00 | |
| **TOTAL DEBT** | **$1,200,000.00** | **TOTAL DEBT** | **$915,000.00** | |
| | | | | |
| **TOTAL EQUITY** | **$7,494,728.28** | **TOTAL EQUITY** | **$6,706,365.30** | |

**MEMORANDUM**

| | |
|---|---|
| **Date:** | June 23, 2026 |
| **To:** | Empire City Council |
| **From:** | Brian Hilgardner, Consulting Engineer |
| **RE:** | 1. Engineering Report |

*Attachment(s): 20260623 Empire CC Report.pdf*

# City Engineer's Staff Report
# June 23, 2026

**Date: June 18, 2026**

**To: Honorable Mayor & City Council Members**

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

***Updates:***

## 1) Deer Creek Phase 2

John Anderson requested a Letter of Credit Reduction since a large majority of work was completed. I reviewed the completed pay applications against the Developer's Agreement and recommend reducing the Letter of Credit to $314,813. Please see the attached supplemental information Charlie pulled together explaining the reduction.

***Motion: Approve Letter of Credit Reduction for Deer Creek 2nd Addition***

## 2) 198th Street Rear Yard Drainage

From last meeting:

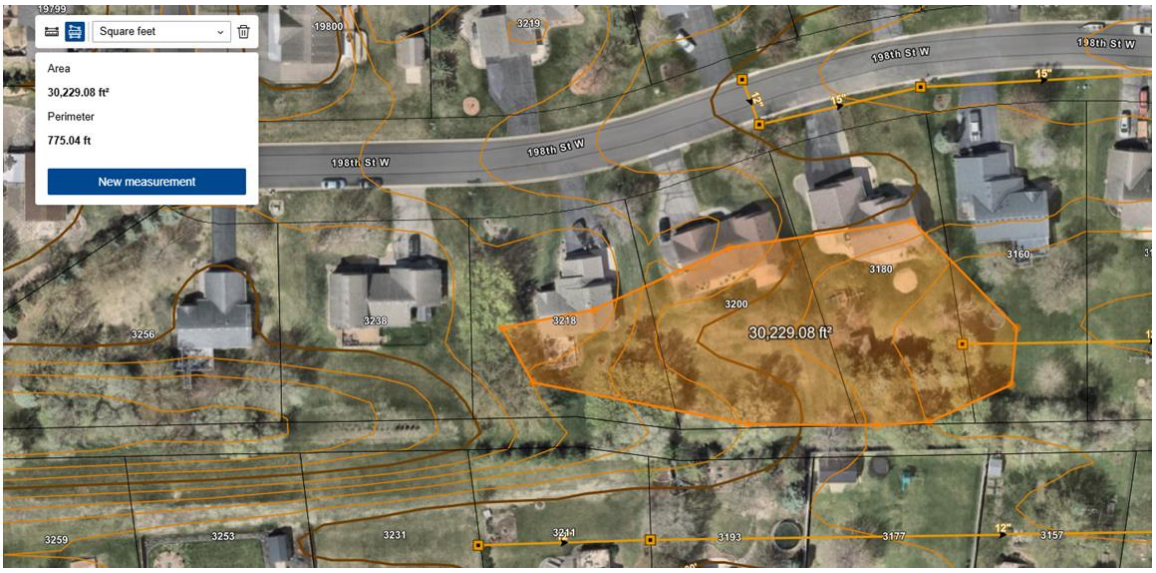
*A resident along 198th street between Canada Ave. and Calgary Trail noticed a sink hole forming in their rear yard. After Jerod completed a site visit, it was discovered that a catch basin inlet structure was located in the rear lot between 3160 & 3180 198th Street (see attached GIS figure). However, the plat shows a 20' dedicated park easement and a 40' drainage and utility easement in the rear years. There is a natural gas line that utilizes the park easement. The construction plans only show storm sewer being constructed in between lots 10 & 11 on the plat (see attached Empire Glen plat and construction plans). The storm sewer that is being infiltrated (likely a joint separation) was either constructed privately or done at the time of construction. There are no records of change-orders or as-builts that indicate the city authorized this work. In addition, the structure and storm sewer do not appear to be in the easement and therefore the city would not be authorized to complete any work without obtaining a right-of-entry.*

*One of the homeowners in this area was a former contractor and does not believe this structure provides any drainage relief, after only witnessing water enter the structure once in 30+ years living there. Jerod and Charlie have been involved in communications and can comment as well. At this time, engineering recommendation would be to allow the homeowners to fill in the structure or assist in capping this line with proper*

*easements. We wanted City Council direction prior to authorizing any further expenditures into this matter.*

We reviewed the topography and drainage directed at the catch basin in the rear yard described and discussed last week. It appears that this catch basin is not at a low point and was only intended to catch water traveling through the gradual swale. The catch basin only has 0.75 acres of drainage upstream of the structure which is a somewhat insignificant amount of flow (2.4 cfs in 100-year storm event). The structure in the rear lots between lots 10 & 11 is the actual low point structure and is designed to capture this 0.75 acres of water. If there were any concerns about the capacity of the inlet structure between lots 10 & 11 (low point), it would be far easier and less expensive to add an additional structure at this low point. I do not anticipate this to be necessary.

With this information, I recommend allowing the homeowner to plug the pipe (or assist in repairing the pipe with permission) and acknowledge this is considered a private pipe as it is not within a drainage & utility easement and thus it is not the City's responsibility to maintain.




***Seeking further input from City Council***

**MEMORANDUM**

| | |
|---|---|
| **Date:** | June 23, 2026 |
| **To:** | Empire City Council |
| **From:** | Charles Seipel-Teng, Clerk-Administrator |
| **RE:** | 2. Request from Deer Creek Dev. LLC for Letter of Credit Reduction for 2nd Addition |

Deer Creek Dev. LLC is requesting a reduction in their letter of credit as security for public improvements in Phase 2. Based on review of the improvements, staff recommends the reduction in the letter of credit from $935,003.75 ($738,803.00 base improvements) to $314,813 ($251,850 base improvements).

**Section 29 of the Development Agreement states**; "Upon receipt of proof satisfactory to the City that work has been completed and financial obligations to the City have been satisfied, and unless noted elsewhere in this Contract, with City approval the Security may be reduced from time to time by ninety percent (90%) of the financial obligations that have been certified as complete by the Developer's engineer and such certification has been verified by the City. Ten percent (10%) of the amounts so certified and verified shall be retained as Security until all Improvements have been completed, all financial obligations to the City satisfied, the required "as constructed" plans have been received by the City, a warranty Security is provided, and the public improvements are accepted by the City Council."

**Current Security Breakdown:**

| **DEVELOPER SECURITY TYPE** | **CALC** | **TOTAL** |
|---|---|---|
| Sanitary Sewer | $108,143.00 | |
| Watermain | $156,998.00 | |
| Storm Sewer/Drain Tile | $223,004.00 | |
| Streets | $250,658.00 | |
| **Total Construction** | | **$738,803.00** |
| | | |
| Monument Install | $300 per Lot | $4,200.00 |
| Tree Preservation | | |
| Street Light | $2,500 per Light | $5,000.00 |
| Construction | | $738,803.00 |
| *Construction Sub-Total* | | *$748,003.00* |

| | | |
|---|---|---|
| **Total Bank Security** | **125%** | **$935,003.75** |

## Proposed reduced Security Breakdown:

Work completed to date:

| | |
|---|---|
| Sanitary Sewer | $113,310 |
| Watermain | $112,537 |
| Storm Sewer | $152,982 |
| Streets | $98,440 |
| Trail | $18,884 |
| **Total** | **$496,153** |

**$748,003 - $496,153 = $251,850**

**LOC can be reduced to:**

**$251,850 x 1.25 = $314,813**

*Attachment(s): LETTER OF CREDIT.pdf*

**IRREVOCABLE LETTER OF CREDIT**

No. 36561-30
Date: April 16, 2026

TO: City of Empire
3387 197th Street W
Farmington, Minnesota 55024

Dear Sir or Madam:

We hereby issue, for the account of DEER CREEK DEV LLC, a Minnesota limited liability company and in your favor, our Irrevocable Letter of Credit in the amount not to exceed $935,004, subject to the below and less any amounts paid under this Letter of Credit, available to you by your draft drawn on sight on the undersigned bank prior to the expiration hereof, solely in connection with DEER CREEK DEV LLC's performance under that certain Development Contract and Planned Unit Development Agreement between DEER CREEK DEV LLC and you dated January 13, 2026, (the "Contract").

The draft must:

a) Bear the clause, "Drawn under Letter of Credit No. 36561-30, dated April 16, 2026, of Riverland Bank".

b) Be signed by the City Clerk-Administrator of the City of Empire.

c) Be in writing and received by Riverland Bank, 700 Seville Drive, Suite 100, Jordan, MN 55352, on or before 4:00 p.m. on the expiration date.

d) Be accompanied by a copy of this Letter of Credit.

e) Certify that: 1) DEER CREEK DEV LLC Inc. has failed to perform under the Contract, describe the failure and certify that the funds requested are necessary to cure such failure; 2) the Security (as defined in the Contract) has been allowed to lapse prior to the expiration of the required term under the Contract; or 3) the required public improvements under the Contract are not complete at least thirty (30) days prior to the expiration of the Security.

This Letter of Credit shall expire on November 30, 2026, provided that it shall automatically renew for successive one-year terms unless, at least forty-five (45) days prior to the next annual renewal date (which shall be November 30 of each year), the Bank delivers written notice to the Clerk-Administrator that it intends to modify the terms of, or cancel, this Letter of Credit. Written notice is effective if sent by certified mail, postage prepaid, and deposited in the U.S. Mail, at least forty-five (45) days prior to the next annual renewal date addressed as follows: City of Empire, 3387 197th Street W, Farmington, MN 55024and is actually received by the Clerk-Administrator at least thirty (30) days prior to the renewal date. Notwithstanding anything to the contrary, this Letter of Credit shall expire upon completion and receipt by DEER CREEK DEV LLC of a letter verifying acceptance by the City of the improvements that are the subject of the Contract and satisfaction of the additional applicable terms and conditions for release of this Letter of Credit under the Contract.

This Letter of Credit sets forth in full our understanding which shall not in any way be modified, amended, amplified, or limited by reference to any document, instrument, or agreement, whether or not referred to herein. Notwithstanding the foregoing, pursuant to Section 29 of the Contract, the City shall from time to time, provided that the City has received satisfactory proof that work has been completed

and financial obligations to the City have been satisfied, and unless noted in other Sections of the Contract, submit duly signed approvals of reductions in the amount of this Letter of Credit of ninety percent (90%) of the financial obligations associated with work completed in accordance with the Contract, based on the financial calculations set forth in the Contract.

This Letter of Credit is not assignable. This is not a Notation Letter of Credit. More than one draw may be made under this Letter of Credit.

This Letter of Credit shall be governed by the most recent revision of the Uniform Customs and Practice for Documentary Credits, International Chamber of Commerce Publication No. 600.

We hereby agree that a draft drawn under and in compliance with this Letter of Credit shall be duly honored upon presentation prior to the expiration hereof.

Riverland Bank

BY: _____

Its EVP

**MEMORANDUM**

| | |
|---|---|
| **Date:** | June 23, 2026 |
| **To:** | Empire City Council |
| **From:** | Charles Seipel-Teng, Clerk-Administrator |
| **RE:** | 1. Clerk-Administrator Report |

**2027 Budget**

Jerod and I have been working to finalize a draft budget. We have also sought feedback from Brian and Jenni on engineering and planning related items. The draft will be sent to Council this week.

**Water Citations**

With the dry spring we have had, staff have been on the lookout for seasonal watering restriction violations.

So far, we have sent out six first-time violations for the season. Reminders of the regulations will be published in the summer newsletter. I have received contact from two residents that desire to contest their citation.

For reference, the citation sheet that we send out is attached. Ordinance 510- Public Utility Ordinance states:

*Annual Watering Restrictions*

*An odd-even outdoor water usage restriction based on street addresses is in effect from April 15th to November 1st each year. Residents with odd numbered addresses shall only water outdoor plants and lawns or irrigate properties on odd numbered calendar days, and residents with even numbered addresses shall only water outdoor plants and lawns or irrigate properties on even numbered days.*

*City water cannot be used for the purposes of irrigating properties or watering outdoor plants and lawns between ten o'clock (10:00) a.m. and six o'clock (6:00) p.m. daily.*

Since it has been some time since the letter outlining policy was produced, Council may want to review it and discuss if any amendments are recommended.

**Farmington use of 205th Street Trial**

I have put together a draft agreement that outlines agreement items for the trail in its current condition as well as for when future improvements are made. Staff is currently reviewing and will be sent to legal counsel for review.

**Safety Plan Update**

I have worked with our safety compliance contractor (Safe Assure) to draft a safety plan for Empire facilities. Staff is currently finalizing it and then will send it to DCSO for review.

**Meetings with Neighbors**

I had a great meeting with Lynn Gorski, Administrator for the City of Farmington. We covered a variety of topics. I look forward to making contact with our other neighboring cities, townships, and school districts soon.

**Highway 66 Cell Tower**

The company installing the tower (Vertical Bridge) has notified staff that the tower has now come on line. They are setting up a appointment to conduct RF testing at the nearest residential property. I reached out to OWL Engineering prior to this and he noted that he will conduct testing at another resident in close proximity to the tower at no additional charge.

*Attachment(s): Administrative Water Use Restriction Citation.pdf*

# Administrative Citation

Water Use Restrictions

***The Undersigned States:***

On the _____ day of _____, 20_____, at _____o'clock ____AM ____PM

***A violation of the City's Water Use Restrictions Policy was observed at:***

Acct#:____ Name:_____

_____Farmington, MN 55024

Address

Wrong Day:_____ Wrong Time of Day:_____

Notes:_____

_____

## READ CAREFULLY

The penalty for violating the Water Use Restrictions Policy is **$25** for the first offense in a calendar year and **$50** for each subsequent offense in the same calendar year. You have ten (10) business days from the issuance of this notice to remit the penalty set forth below. If you wish to contest this citation, you must appear before the Empire City Council which meets at Empire City Hall at 7:00 pm on the 2nd and 4th Tuesdays of the month within 10 business days.

Your penalty for this violation of the Water Use Restriction Policy is:

_____**$25** – First offense in calendar year

_____**$50** – Second offense in calendar year

**Failure to pay the penalty imposed or request an administrative hearing within ten (10) business days will result in the penalty amount being applied to your City utility bill.**

I understand that by paying this penalty I am admitting to violating the City's Water Use Restrictions Policy. I also understand that I have a right to an administrative hearing, and I waive that right.

_____

Signature Address Date

**MAKE CHECKS PAYABLE TO: City of Empire** (a charge of $20.00 will be assessed for all returned checks)
Send check or money order only. Do not mail cash.
**Mail to:** City of Empire, 3385 197th Street West, Farmington, MN 55024
**Deliver in person to:** Empire City Hall Monday – Thursday 8:00AM to 4:30PM; Friday 8:00AM to 11:00AM.

**MEMORANDUM**

| | |
|---|---|
| **Date:** | June 23, 2026 |
| **To:** | Empire City Council |
| **From:** | Charles Seipel-Teng, Clerk-Administrator |
| **RE:** | Farmington Fire Department Update |

Farmington Fire Chief, Matt Price, will provide updates on the operations of the Fire Department, including the hiring of full-time firefighters. He will be available to answer questions that the City Council may have.

**MEMORANDUM**

| | |
|---|---|
| **Date:** | June 23, 2026 |
| **To:** | Empire City Council |
| **From:** | Charles Seipel-Teng, Clerk-Administrator |
| **RE:** | Consider Adopting Resolution 2026-6A, Identifying the Need for Funding to Complete The 2050 Comprehensive Plan Update and Authorizing an Application for Planning Assistance Grant Funds |

The City must start work on the development of it's 2050 Comprehensive Plan next year. The draft 2027 Budget will include this work as part of the the Planning expenditure item. Development of the Plan is anticipated to cost the City approximately $100-150K.

For the update, the Met Council provides a Planning Assistance Grant. Empire is eligible for a non-competitive grant for planning assistance of up to $40,000 to assist with the comprehensive plan update. The City just needs to apply for the grant and include the attached resolution to get started with the application process.

More information about the Planning Assistance Grant and a draft Resolution is attached.

*Attachment(s):* *Empire.pdf*
*Resolution 2026-6A.pdf*

April 17, 2026
City of Empire
3385 197th St W
Farmington, MN 55024

**Subject: 2050 Planning Assistance Grant Program - Notice of Eligibility**

Dear Clerk-Administrator Seipel-Teng,

The Metropolitan Council is pleased to inform you that Empire is eligible for a Planning Assistance Grant to support your 2050 Comprehensive Plan update. These non-competitive grants are intended to provide direct financial assistance to communities with greater need for planning resources and more limited staff capacity to support comprehensive plan development.

If you want to receive these grant funds, a grant application including a local resolution and work plan is necessary. The online application portal will open on **May 11, 2026**. Applications must be submitted by November 6, 2026, at 3:00 p.m. Applications are reviewed and processed on a rolling, monthly basis following submission. All eligible communities that submit a complete application by the deadline will receive funding. Once your application is processed, you are eligible for the first half-payment of the base grant amount to help support initiation of your planning process.

Your community is eligible for a base grant amount of: $40,000

In addition to the base grant, communities may choose to pursue additional incentive funding opportunities. These optional incentives provide funding in addition to the base grant amount for communities that complete their plans early or demonstrate leadership in advancing regional priorities.

- **Early Plan Completion Incentive ($4,000)** - *Communities must submit their 2050 Comprehensive Plans by October 10, 2028, and have them deemed complete by Met Council staff by October 31, 2028, to qualify for the Early Plan Completion Incentive Grant.*

- **Advancing Regional Goals Incentive ($10,000)** - *through the comprehensive plan update, identify strategies to intentionally advance people-centered regional goals in Imagine 2050.*

A variety of resources are available to assist your community throughout the application and planning process, including:

- The 2026 Planning Assistance Grant Guide
- Application templates (work plan, resolutions, and budget)
- The Local Planning Handbook
- Ongoing technical assistance from your Sector Representative

We encourage you to begin preparing early by identifying staff responsible for completing the application and reviewing program materials.

If you have any questions about eligibility, the application process, or available resources, please contact:

Emma Dvorak, Senior Planner
Local Planning Assistance
(651) 602-1399
emma.dvorak@metc.state.mn.us

We look forward to supporting your community in developing a strong and effective 2050 Comprehensive Plan.

Sincerely,



Angela R. Torres, AICP, Senior Manager
Local Planning Assistance
Metropolitan Council

CC: Wendy Wulff, Metropolitan Council District No. 16
Patrick Boylan, Sector Representative
Emma Dvorak, Program Manager

*https://metcmn.sharepoint.com/sites/2050PlanningAssistanceProjects/Shared Documents/Planning Assistance Grants/Letters/Letters/Planning Assistance Grant Letter Template.docx*

CITY OF EMPIRE

**RESOLUTION NO. 2026-6A**

**CITY OF EMPIRE, MINNESOTA**

**RESOLUTION IDENTIFYING THE NEED FOR FUNDING TO COMPLETE THE 2050 COMPREHENSIVE PLAN UPDATE AND AUTHORIZING AN APPLICATION FOR PLANNING ASSISTANCE GRANT FUNDS**

**WHEREAS** the City of Empire must review and update its comprehensive plan as required by the "decennial" review provision of Minnesota Statutes section 473.864 , subdivision 2; and

**WHEREAS**, on **December 17 2025**, the Metropolitan Council adopted need-based eligibility criteria for awarding available local planning assistance grant funds and established maximum grant amounts, including bonus incentive grants, for eligible grantees to help grantees review and update their comprehensive plans as required by the "decennial" review provisions of Minnesota Statutes section 473.864, subdivision 2; and

**WHEREAS**, the City is an eligible city, county, or town in the metropolitan area as defined in Minnesota Statutes section 473.121; AND

**WHEREAS**, planning assistance grant funds will be made available to eligible applicants subject to terms and conditions contained in Metropolitan Council grant agreements.

**NOW THEREFORE BE IT RESOLVED** that, after appropriate examination and due consideration, the governing body of the City:

Authorizes its Clerk-Administrator to:

1) submit on behalf of the City an application to the Metropolitan Council for Local Planning Assistance grant funds for the decennial review and update of the City's local comprehensive plan required under Minnesota Statutes section 473.864; and
2) execute on behalf of the City a grant agreement with the Metropolitan Council for planning assistance grant funds.

Adopted this 23rd day of June 2026.

_____ _____

Mayor Clerk-Administrator

**MEMORANDUM**

| | |
|---|---|
| **Date:** | June 23, 2026 |
| **To:** | Empire City Council |
| **From:** | Charles Seipel-Teng, Clerk-Administrator |
| **RE:** | Request to Waive Watering Citation (19148 Claremont Dr.) |

A letter from the resident making the request, as well as the violation letter provided to residents, are attached.

*Attachment(s):* *Water Violation Waive Request Letter.pdf*
*Administrative Water Use Restriction Citation.pdf*

Hi Charlie,
We spoke on the phone earlier as I had received a fine for $25 based on having sprinklers on at 10:41am on June 8th. I am hoping you can give this to the council as I see the meeting is next week and I have to work. My husband has been relocating sprinklers from outside of our fence line in our backyard and he had to test the zones which caused sprinklers to be on at certain times during the wrong time of day but we had to get the corrections done when we were off work. I'm asking for this to be taken into consideration and to remove the penalty as we have lived here since 2018 and never have had a violation. Additionally, we rarely use our sprinklers in an effort to be conscientious and conserve water and keep our bill low.

Thank you,

Jaime Dreher
651-398-1097

# Administrative Citation

Water Use Restrictions

***The Undersigned States:***

On the _____ day of _____, 20_____, at _____o'clock ____AM ____PM

***A violation of the City's Water Use Restrictions Policy was observed at:***

Acct#:____ Name:_____

_____Farmington, MN 55024

Address

Wrong Day:_____ Wrong Time of Day:_____

Notes:_____

_____

## READ CAREFULLY

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Your penalty for this violation of the Water Use Restriction Policy is:

_____**$25** – First offense in calendar year

_____**$50** – Second offense in calendar year

**Failure to pay the penalty imposed or request an administrative hearing within ten (10) business days will result in the penalty amount being applied to your City utility bill.**

I understand that by paying this penalty I am admitting to violating the City's Water Use Restrictions Policy. I also understand that I have a right to an administrative hearing, and I waive that right.

_____

Signature Address Date

**MAKE CHECKS PAYABLE TO: City of Empire** (a charge of $20.00 will be assessed for all returned checks)
Send check or money order only. Do not mail cash.
**Mail to:** City of Empire, 3385 197th Street West, Farmington, MN 55024
**Deliver in person to:** Empire City Hall Monday – Thursday 8:00AM to 4:30PM; Friday 8:00AM to 11:00AM.

**MEMORANDUM**

**Date:** June 23, 2026

**To:** Empire City Council

**From:** Charles Seipel-Teng, Clerk-Administrator

**RE:** 2026 Empire Candidate Notice of Filing

*Attachment(s): City of Empire Candidate Filing Notice 2026.pdf*

# CITY OF EMPIRE
# NOTICE OF FILING

NOTICE IS HEREBY GIVEN, filing for affidavits of candidacy will be open for Mayor and City Council of the City of Empire for the following seats:

**One (1) – Mayor (Two Year Term)**
**Two (2) – Councilmember Seats (Four Year Terms)**

Filing will open on July 14, 2026, and close on July 28, 2026, at 5:00 PM.

Forms are available at Empire City Hall, 3385 197th Street, Farmington, MN.

Charles Seipel-Teng
*Clerk-Administrator*

*Notice Posted on June 18, 2026*
*Published in the Dakota County Tribune on June 26, 2026*