

**APPENDIX I:**

**RESOLUTION AND REPORTS**

**CITY OF JORDAN  
RESOLUTION NO. 2-12-2019**

**RESOLUTION AUTHORIZING SUBMITTAL OF THE 2040 COMPREHENSIVE PLAN  
TO THE METROPOLITAN COUNCIL FOR REVIEW**

**WHEREAS**, Minnesota Statutes section 473.864 requires each local governmental unit to review and, if necessary, amend its entire comprehensive plan and its fiscal devices and official controls at least once every ten years to ensure its comprehensive plan conforms to metropolitan system plans and ensure its fiscal devices and official controls do not conflict with the comprehensive plan or permit activities that conflict with metropolitan system plans; and

**WHEREAS**, Minnesota Statutes sections 473.858 and 473.864 require local governmental units to complete their “decennial” reviews by December 31, 2018; and

**WHEREAS**, the City of Jordan received from the Metropolitan Council an extension of the December 31, 2018 deadline to February 28, 2019, to allow for more time for public process; and

**WHEREAS**, the City Council, Planning Commission, and the City Staff have prepared a proposed Comprehensive Plan intended to meet the requirements of the Metropolitan Land Planning Act and Metropolitan Council guidelines and procedures; and

**WHEREAS**, pursuant to Minnesota Statutes section 473.858, the proposed Comprehensive Plan was submitted to adjacent governmental units and affected special districts and school districts for review and comment on June 19, 2019, and the statutory six-month review and comment period has elapsed; and

**WHEREAS**, the Planning Commission has considered the proposed Comprehensive Plan and all public comments, and thereafter submitted its recommendations to this Council; and

**WHEREAS**, the City conducted public hearing(s) on June 12, 2018 and February 12, 2019 relative to the adoption of the proposed Comprehensive Plan; and

**WHEREAS**, the City Council has reviewed the proposed Comprehensive Plan and those recommendations, public comments, and comments from adjacent jurisdictions and affected districts; and

**WHEREAS**, Minnesota Statutes section 473.858 requires a local governmental unit to submit its proposed comprehensive plan to the Metropolitan Council following recommendation by the planning commission and after consideration but before final approval by the governing body of the local governmental unit.

**WHEREAS**, based on its review of the proposed Comprehensive Plan and Planning Commission and staff recommendations, the City Council is ready to submit its proposed plan to the Metropolitan Council for review pursuant to Minnesota Statutes section 473.864; and

**NOW THERE, BE IT RESOLVED BY THE CITY COUNCIL OF JORDAN,  
MINNESOTA, AS FOLLOWS:**

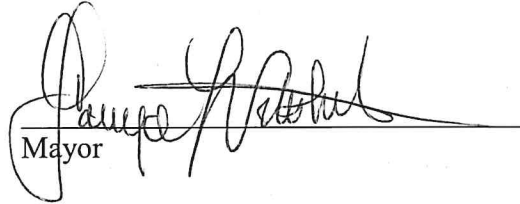
1. The City Planner is directed to distribute said Comprehensive Plan to the Metropolitan Council by February 28, 2019, pursuant to Minnesota Statutes section 473.864.

Adopted by the City Council of Jordan on February 19, 2019.

Attest:



City Administrator



Mayor



**CITY OF JORDAN****AGENDA****TUESDAY, FEBRUARY 19, 2019**

6:30 p.m.

JORDAN HISTORY CENTER

1.0 CALL TO ORDER2.0 PLEDGE OF ALLEGIANCE3.0 MINUTES OF PREVIOUS MEETING

## A. February 4, 2019 Regular Session

3A February 4, 2019 Regular Session B. February 4, 2019 Work Session3B February 4, 2019 Work Session Minutes 4.0 SET AGENDA5.0 PUBLIC COMMENTA. Steven Jenson - Annual Update on Community Ed. Rec Programs & the CERCA. Steven Jenson - Annual Update on Community Ed. Rec Programs & the CERC 6.0 ADMINISTRATOR'S REPORT

## A. Resolution 02-06-2019 Resolution Approving a Proposal/Agreement for the 169 Interchange Preliminary Design and Environmental Documentation Work with Kimley-Horn

6A Resolution Approving a Proposal/Agreement for 169 Interchange Prelim Design and Environmental Documentation Work B. Resolution 02-07-2019 Resolution Approving a Scott County Cooperative Agreement for 169 Interchange Design and Environmental Documentation Work

6B Scott County Cooperative Agreement for 169 Interchange Prelim Design and Environmental Work

- C. Resolution 02-08-2019 Resolution Supporting the Repeal of House File 2851 Enabling the State of Minnesota and the Metropolitan Council to Study all Commuter Rail Line Options Including Evaluation of the Merits of the Light Rail Corridor Commonly Referred to as the Dan Patch Line

6C Resolution Supporting the Repeal of House File 285 Dan Patch Ban

- A. Steven Jenson - Annual Update on Community Ed. Rec Programs & the CERC

6.0 ADMINISTRATOR’S REPORT

7.0 ATTORNEY’S REPORT

- A. Second Reading of an Ordinance 2019-01 Amending Section 150.114 Issuance of Permit

A. Second Reading of an Ordinance 2019-01 Amending Section 150.114 Issuance of Permit

- B. Resolution 02-09-2019 Authorizing Summarization of Ordinance 2019-01 Amending Section 150.114 for Notice Purposes

B. Resolution 02-09-2019 Authorizing Summarization of Ordinance 2019-01 Amending Section 150.114 for Notice Purposes

- C. Resolution 02-10-2019 - Amendment to the Stonebridge of Jordan 3rd Addition & 4th Addition Developer’s Agreement

C. Resolution 02-10-2019 - Amendment to the Stonebridge of Jordan 3rd Addition & 4th Addition Developer’s Agreement

8.0 ENGINEER’S REPORT

- A. SCADA System Improvements

A. SCADA System Improvements

9.0 FINANCE REPORT

- A. January 2019 Finance Report

A. January 2019 Finance Report

## 10.0 PLANNER'S REPORT


- A. Resolution 02-11-2019 IUP for Gravel Parking Lot in the C-2

A. Resolution 02-11-2019 IUP for Gravel Parking Lot in the C-2 

A. Resolution 02-11-2019 IUP for Gravel Parking Lot in the C-2 - slides 

## 11.0 POLICE REPORT

- A. January 2019 Police Report

A. January 2019 Police Report 

- B. Request for Additional Handicap Parking Stall on First Street

B. Request for Additional Handicap Parking Stall on First Street 


## 12.0 PUBLIC WORKS REPORT

## 13.0 CONSENT AGENDA


- A. Bills

A. Bills 

- B. Resolution 02-12-2019 Authorize Submittal of 2040 Comp Plan to the Met Council

B. Resolution 02-12-2019 Authorize Submittal of 2040 Comp Plan to the Met Council 

- C. Liquor License Renewals

C. Liquor License Renewals 

- D. Commercial Refuse Hauler License Renewals

D. Commercial Refuse Hauler License Renewals 

- E. One Day Consumption Liquor License - St. John's

E. One Day Consumption Liquor License - St. John's 

## 14.0 COMMITTEE REPORTS

- A. Planning Commission Minutes – January 8, 2019

A. Planning Commission Minutes - January 8, 2019 

15.0 MAYOR COMMENTS

16.0 COUNCIL COMMENTS

17.0 CLOSED SESSION – ASSESSMENT APPEAL PURSUANT TO MINN. STAT. SEC. 429.081 REGARDING 350 VALLEY VIEW DRIVE, JORDAN, MINNESOTA (COURT FILE NO. 70-CV-18-6490)

18.0 ADJOURNMENT

**MINUTES OF THE PROCEEDINGS  
OF THE CITY COUNCIL OF THE CITY OF JORDAN  
IN THE COUNTY OF SCOTT  
FEBRUARY 19, 2019**

**TUESDAY, FEBRUARY 19, 2019**

6:30 P.M.

JORDAN HISTORY CENTER

1.0 CALL TO ORDER: Present: Robert Whipps, Amanda Schuh, Jeremy Goebel, Mayor Tanya Velishek, Terry Stier, Bill Heimkes, and Jeff Will. Also present: Administrator Nikunen, Police Chief Empey, Attorney Wisdorf, Finance Director Schaefer, City Engineer Waltman, Planner Meyers. Absent: Public Works Director Haas.

2.0 PLEDGE OF ALLEGIANCE

3.0 MINUTES OF PREVIOUS MEETING

A. February 4, 2019 Regular Session

**Motion Stier to approve meeting minutes. Second Heimkes. Vote ayes: Schuh, Goebel, Velishek, Stier, Heimkes, Will. Whipps abstains. Motion carried.**

B. February 4, 2019 Work Session

**Motion Whipps to approve meeting minutes. Second Schuh. Vote all ayes. Motion carried.**

4.0 SET AGENDA

Addition of 13E One Day Consumption Liquor License

**Motion Stier to set the agenda with the addition of 13E. Second Whipps. Vote all ayes. Motion carried.**

5.0 PUBLIC COMMENT

A. Steven Jenson - Annual Update on Community Ed. Rec Programs & the CERC

Steven Jensen, Community Education and Recreation (CERC) Director, Jordan Public Schools, is presenting the 2019 Annual Report. There has been a lot of transition for the CERC in the last 7 months. Steve is the new director; Jayme is the new administrative assistant; and Laura is the new facilities & rental assistant for the CERC and all the parks. They have updated facilities policy.

Jordan is a healthy community as the numbers of all sectors of memberships keep climbing. The July 1, 2017 - June 30, 2018 budget year showed



membership revenue of \$197,336, and city contribution of \$54,000. Total expenses for the year were \$184,289 yielding a net gain of \$67,046.

Youth recreation was split into half years to track usage. Jensen was happy to see enrollment over 2,500 registrations for youth programs. Burnsville, where he came from with a much larger population, was hard to get this amount of participation. Jordan families are investing in CERC programs. Expand exercise equipment & replace worn out equipment

Going forward, the CERC will track registrations separately to know what is working and what is not. Youth recreation budget for July 1, 2018 through January 31, 2019 had revenues of \$22,612 with City contribution of \$29,000 for total revenue of \$51,612. Expenses were \$51,380 with a large portion going toward football replacement needs.

Anticipated CERC costs include exercise equipment, curtains for glass windows, speaker cages, maintenance, and worn out youth equipment. CERC goals are to increase fitness on-demand streaming of classes available online, continue to increase memberships, and expand recreation opportunities for youth and adult.

Goebel: loves on-line classes. Does CERC have a say in how the revenue is spent. Jensen stated community education monies are separated out from school district programs. Revenue that is generated by CERC rec programs will stay in CERC program. Goebel loves the curtain idea.

Schuh asked why the jump in membership from 2017 to 2018. Jensen is: not sure, perhaps more people are learning about CERC. Schuh inquired about childcare options. Jensen said CERC currently offers child care for age 3+ during the day. The 3:45 yoga class has great turnout class as it offers daycare covered by staff. He would like to figure out how to offer more evening daycare options. Nikunen said the Joint Powers tried to get volunteers for evening childcare without much success.

Will inquired about rental revenue. Jensen stated there is some rental revenue which is now being tracked separately by the facilities assistant for better reporting. Will was told there would be lots of rental income. Jensen said that they have doubled the rental income; it was \$10,000 and now it's over \$20,000 directly due to the implementation of policy. Will would like to see it as a line item when reporting revenues. For youth rec what does \$21,000 consulting buy? Jensen said coaches, YMCA camps, fees, instructors. Stier asked if the costs are offset by the fees charged for classes. Jensen stated that some fees are covered but he is changing these.

Whipps asked Nikunen if he is getting sufficient data to make better decisions as Whipps has a hard time giving CERC \$50,000 when the impact is unknown.

Nikunen feels this will provide what the City was looking for. Is this what the Council is looking for? Will stated that separating rental income will demonstrate if the program is self-supporting. Whipps asked if the flooring is covered by the Joint Powers agreement. Nikunen thought the flooring might be outside that scope but he is discussing financing options with Nate. They will discuss at next meeting. Will expressed huge improvement in reporting over prior years although he is unsure of the accuracy of the numbers being reported. Jensen affirmed that his numbers are accurate.

Mayor Velishek stated that the Joint Powers fees are assigned that should not inhibit family participation. They have increased membership fees but modestly and consider which expenses to incur. Goebel expressed that CERC should not be a money maker. It should provide a service to the community. All the revenues generated should go back into the CERC programs, not to the City. Whipps stated that the cash flowing is much better and huge improvement over last year. Separation of fees and rental revenues are crucial in evaluating how the program is progressing. Schuh inquired about renewal vs new memberships and if it's trackable. Jensen stated he cannot currently track but thinks that tracking going forward may be possible. Stier inquired if the rental fees go to the district fund or the CERC fund. Jensen stated they are kept separate and clarified that the rental fees do not go into the school fund. Whipps asked if rents are equal for all sports. Jensen said facility policy dictates rates according to the tier so school districts are not charged rental fees. Fees are charged according to association, non-profit, for profit. The website outlines tiers and facility policy.

Bill Thill, resident at 845 Hickory Pl and 312 2<sup>nd</sup> St E, is attending to talk about the gravel parking lot located in C2 zoning. He considers this as blight and it has been this way for 15 years, potentially 17 years if the request is passed. With so many businesses like the brewery, boutique and Pickled Pig striving to clean up their property, I think as a main intersection in town, this shouldn't be allowed. It is like a slap in the face for those improving their property. There have been 15 years of hopes and promises for this property. Meanwhile gravel continues to spill out onto the streets creating additional maintenance. Please consider putting tighter restrictions on this. Thank you.

## 6.0 ADMINISTRATOR'S REPORT

- A. Resolution 02-06-2019 Resolution Approving a Proposal/Agreement for the 169 Interchange Preliminary Design and Environmental Documentation Work with Kimley-Horn

The first part of this was never intended to give all the answers. After this project is done, we will have a more finalized design to be able to apply for funding. We are hopeful this will allow for a more competitive bid after this is completed. If Jordan wants an interchange at 282 and 169, working with Scott

County and MnDOT will help us gain the federal funding needed for this project.

**Motion Goebel to approve Resolution 02-06-2019 authorizing Mayor Velishek and Nikunen enter into the agreement allowing the preliminary design. Second Stier.**

Will asked if the 6-8 stakeholders oppose this, will council get this information and can council change direction. Nikunen stated that all information will be given to council. Council will still direct the process. Will doesn't want to waste money. If the stakeholders were against the project, how much of the information would be usable for a different design. Nikunen stated we can't say for certain the previous design won't be scrapped, we do feel a more firm conclusion for which direction is the right direction to go. We are looking at all the designs but looking more in-depth at design 1. A lot of the design work will be reusable. Nikunen stated that some of the aspects look closely at 1A, but all designs will be examined as they are similar and within mapping area.

**Vote ayes: Whipps, Schuh, Goebel, Velishek, Stier, Heimkes. Vote nays: Will. Motion carried.**

- B. Resolution 02-07-2019 Resolution Approving a Scott County Cooperative Agreement for 169 Interchange Design and Environmental Documentation Work

Resolution 02-07-2019 (6B) essentially pays for Resolution 02-06-2019 (6A). Scott County has agreed to work with us to find potential funding for the design work in Resolution 02-07-2019 (6A). If this is approved, we would like to thank Scott County for helping us with the next phase of the interchange design and environmental work.

**Motion Stier to pass Resolution 02-07-2019 with a letter of thank you to Scott County. Second Whipps. Vote ayes: Whipps, Schuh, Goebel, Velishek, Stier, Heimkes. Vote nays: Will. Motion carried.**

- C. Resolution 02-08-2019 Resolution Supporting the Repeal of House File 2851 Enabling the State of Minnesota and the Metropolitan Council to Study all Commuter Rail Line Options Including Evaluation of the Merits of the Light Rail Corridor Commonly Referred to as the Dan Patch Line

This is a SCALE initiative and one of their larger projects. With 40% of Scott County residents driving to and from work, transportation is a vital artery for our businesses and community. An issue has been the ban of all discussion by MnDOT to even discuss the Dan Patch Line. We would like to Support the City of Savage and all of Scott County on this initiative if approved by the

Council to at least discuss rail options for commuters and possible pedestrians and bikers.

Stier likes the whole concept. It would be a vital connection for City of Jordan to have residents be able to live out here with more commuting options.

**Motion Stier to pass Resolution 02-08-2019. Second Mayor Velishek.** Will asked if Silage is in favor of this. Mayor Velishek replied that they are. Will asked if they initially didn't want further studies. Nikunen said that is incorrect. They were studying a line ran into a few areas that didn't want the line. So their legislator passed a ban preventing discussion by MnDot or the State of MN. Will was under the impression that Savage wasn't in favor or the line. Mayor Velishek stated that Savage would like the opportunity to study this.

**Vote all ayes. Motion carried**

#### 7.0 ATTORNEY'S REPORT

- A. Second Reading of an Ordinance 2019-01 Amending Section 150.114 Issuance of Permit

**Motion Whipps to approve the Second Reading of Ordinance 2019-01. Second Schuh.** Will has a question about what screening entails and why the gas pipes are exposed in the right of way near Radermacher's. Stier thinks the gas pipes aren't screened due to safety issues which is similar to fire hydrants. Nikunen stated that statutes cover different issues but is certain Radermacher's was installed to MN State Code. If in the future the gas mains are in the way of future City work in our easement, they will have to be moved at their expense. Whipps inquired if the City wanted to add screening could we. Nikunen said that a 'Welcome to Jordan' sign might look nice in front of the pipes. Wisdorf stated that this is the point of this ordinance that small wireless is being asked to a higher standard than other right of way items. This will also give us teeth going forward with future right of way installations. Will expressed frustration that we have had past screening requirements that aren't being followed. Wisdorf stated that the FCC is asking for equally addressing all items in the ROW.

**Vote ayes: Whipps, Schuh, Goebel, Velishek, Stier, Heimkes. Vote nays: Will. Motion carried**

- B. Resolution 02-09-2019 Authorizing Summarization of Ordinance 2019-01 Amending Section 150.114 for Notice Purposes

This is asking Council permission to publish a summary of Resolution 02-09-2019 to provide notice to the general public as to the nature of the ordinance

and direct those interested to the full reading of the ordinance. This is to reduce costs of publishing the full reading of the ordinance.

**Motion Whipps to adopt Resolution 02-09-2019 to publish a summary of Resolution 02-09-2019. Second Schuh.** Stier inquired if this is a proper publication. **Vote all ayes. Motion carried.**

C. Resolution 02-10-2019 - Amendment to the Stonebridge of Jordan 3rd Addition & 4th Addition Developer's Agreement

The City of Jordan and Stonebridge of Jordan LLC is party to a Developer's Agreement for both Stonebridge's Additions 3 and 4 dated April 2018 covering both additions. The Agreement addresses the required SAC and WAC to be paid at the time of final plat approval for 4<sup>th</sup> addition. The preliminary plat is set to expire March 29, 2019. The developer is requesting that SAC and WAC charges be pushed back until the notice to proceed is reached. Nikunen stated that this will also save the City the time to re-do the preliminary plat.

Whipps wants to understand the benefit to the developer. Nikunen stated this is a common request which the City has honored for others. Whipps asked if we drafted this. Nikunen said yes and they will pay us for the our time on this.

**Motion Will to approve Resolution 02-10-2019. Second Schuh. Vote all ayes. Motion carried.**

## 8.0 ENGINEER'S REPORT

### A. SCADA System Improvements

Public Works Director Haas and City Engineer Waltman have evaluated the Supervisory Control and Data Acquisition (SCADA) system for the City. SCADA is responsible for communication between controls equipment at all critical locations of the City's water system and automatically controls pumps and equipment to maintain adequate water pressure. In addition to controlling the water system, the SCADA system communicates information to system operators on how each component is operating, or for that matter not operating, tracks system performance, and serves as an emergency alarm system.

Staff is recommending replacement of the Siemens SCADA system be completed to prevent major water supply, storage, or distribution failures and to save on future maintenance costs. Four options have been identified for the Council's consideration:

1. Receive a proposal, including scope of work and associated fee, from Automatic Systems, the controls integrator who is most familiar with the City's existing facilities. City Staff and Bolton & Menk would critique this quote and present the proposal to City Council. Automatic Systems has

- been responsive to the City's needs in a timely manner. This option would likely best position the City with respect to any future maintenance needs.
2. Utilizing the scope of work prepared by Automatic Systems, receive fee proposals from Automatic Systems and its competitor, In Control, for consideration by the Council.
  3. Hire an electrical engineer for critique of the scope of work prepared by Automatic Systems, and then proceed with options 1 or 2. A specific fee would need to be requested by Staff, but the estimated additional cost of this effort is \$15,000.
  4. Have plans and specifications prepared by Bolton & Menk and an electrical engineer to receive bids from controls integrators like Automatic Systems and In Control. A specific fee would need to be requested by Staff, but the estimated additional cost of this effort is as much as \$75,000.

Stier inquired about the automated system and commented that they become obsolete and getting parts are difficult. In my experience getting an upgrade vs replacing parts, in the long run, saves money. Will agrees with Stier. Why was this replacement not on the CIP. We should be planning for this. Waltman stated that it was on the CIP as a \$200,000 item. This request is addressing the bandaid issue Stier is referring to. I can work with staff to identify available funding scenarios. This has been an evolving issue. Will stated if this has been an evolving issue, why haven't we heard about this before. We just had sewer increases and now we have additional expenses. Nikunen stated that it was in the CIP but staged over years. Will is concerned where the \$300,000 will come from. Stier expressed frustration that the board hasn't budgeted for this expense. Nikunen stated that this is a budgeted item, but it was budgeted over time and not all at once. The water plant was just redone in 2008 for \$45,000. It was disappointing that we were told that we can't get parts for this anymore. That was a surprise. Stier stated it is expected to electronic systems become obsolete. Will stated he can understand obsolete, he is concerned where the money will come from. Schaefer stated that in 2017 and 2018, the City budgeted \$27,500 from both water and sewer for a total of about \$50,000 per year with roughly \$100,000 allocated.

Stier inquired about the total costs of the options listed. Nikunen stated that Scott is comfortable with options 1 or 2 but want Council to make the choice. Whipps asked how much will be spent on bandaging. Also inquired about updates to water system and dewatering bags need updating. Nikunen stated they didn't feel this would affect the debug system. Waltman stated that additional systems to meet the growing needs of the City will come with their own SCADA systems. Nikunen said that the \$25-\$30,000 per year saved on the dewatering bag may help pay for this. Stier wants to ensure that the system will accommodate the future interceptor addition.

**Motion Will to approve option 2 to direct staff to receive proposals from ASC and a competitor. Second Schuh.** Whipps stated that option 2 refers

ASC to send their solution to a competitor for a bid. Will stated that is not what he wants. He wants competitive bids from 2 separate companies. Waltman stated he can do that. **Will rescinds previous motion. Motion Will to direct staff to obtain 2 separate bids from competitors for proposals on what the City needs and how much it will cost.** Waltman said he will still share the scope with the bidders to ensure an apple-to-apple estimate. Will prefers not to do that. He wants two completely independent opinions of analysis and solutions with associated costs without any information sharing. Goebel stated that after the bids are complete, then they can inquire if bids are different. Nikunen stated that often bid undercutting occurs but not in these situations. Waltman stated these are professionals and do not assess that way. I believe it is in the best interest of the City to share the scope of the design. Nikunen also stated that paying for this over 2 budget years is a good strategy for the City. Whipps also doesn't want to deplete the little bit of money saved up either.

Stier suggests that Haas understands what is needed better than anyone else. I support what Haas is suggesting which is option 2. Whipps said it is zero cost to us to exercise option 2 but he wants to have different competitors make independent recommendations. Stier asked if standard procedure is 3 bids for government contracts. Nikunen said the City is not required to get 2 bids. These companies were recommended to us.

Wisdorf recapped **Will's motion: to direct staff to obtain 2 bids from two separate companies regarding scope and price.** Nikunen stated they will. **Second Schuh. Vote all ayes. Motion carried.**

## 9.0 FINANCE REPORT

### A. January 2019 Finance Report

January spent 6% of the general fund budget. 17 building permits were issued, 4 were new homes/townhomes, valued at \$1,255,000 with permit revenue of \$32,519. Water fund collections were \$127,617, an increase of \$25,280 over last year with water fund expenditures increased \$32,098 over last year. Sewer fund collections were \$117,556, an increase of \$16,352 over last year and sewer fund expenditures \$129,143 over last year due to debt service. The Storm Sewer fund was \$20,029, an increase of \$4,122 over last year with Storm Sewer expenditures decreased by \$2,088 over last year. Cash and Investment balance for all funds was \$5,393,963, down \$2,384,783 from the previous month due to debt service payments and budgeted expenditures.

## 10.0 PLANNER'S REPORT

### A. Resolution 02-11-2019 IUP for Gravel Parking Lot in the C-2

In the fall of 2018, the City Council approved an ordinance allowing off-street parking as a principal use in the C-2 (Central Business District) through the

issuance of an Interim Use Permit (IUP). After passing the ordinance, the City Council directed staff to look at other properties in the C-2 District which may be required to obtain an IUP. A property owner would be required to obtain an IUP for their property if the city can document that the property began being used as a parking lot when it was not permitted.

The property at 101 Broadway St S has been used as a gravel parking lot since sometime between September of 2003 and December of 2004. A single family home was previously located at this property and a permit was issued to have the house removed and temporarily located at the old Jordan Brewery site just further south on Highway 21. Therefore, when the principal use was removed, the Zoning Ordinance no longer allowed the property to be used for 2 parking. In order for the property to be legitimately used for parking under the Zoning Ordinance, an IUP to allow the parking lot is required. Staff contacted the property owner and the owner has submitted an application requesting the IUP.

**PLANNING COMISSION RECOMMENDATION:**

At their regular meeting on February 12, 2019, the Planning Commission recommended approval of the requested IUP. Regarding the requirement that a physical barrier be installed to prevent vehicles from encroaching into the public right of way, the Planning Commission was agreeable to allowing the applicant to remove the limestone block from the site during the winter months as long as the City Attorney believes this will not create any liability for the City. The City Attorney has indicated that removal of the block during the winter months does not create any liability for the City. The Planning Commission did not define “winter months” so staff has proposed that the barrier be installed between April 15 and November 15. The Planning Commission held the public hearing and there were no members of the public, other than the applicant, present to comment on the request.

**STAFF RECOMMENDATION:**

Staff recommends the City Council make a motion to adopt Resolution 2-11-2019 to approve the Interim Use Permit to allow for a gravel parking lot as a principal use at 101 Broadway St S, subject to the following conditions:

1. The interim use permit shall be terminated following 2 years from the date of issuance or upon issuance of a building permit for construction of a principal building on the site, whichever occurs first.
2. There shall be no storage, display, sales, rental, or repair of motor vehicles or any other goods, or the storage of inoperable vehicles on the property.
3. A physical barrier consisting of limestone block shall be installed along the north side of the parking lot to prevent vehicle encroachment into the public right-of-way. The barrier shall be installed between April 15 and November 15.

Mayor Velishek asked for clarification on the blocks and if they are storage. Meyers stated the City if requesting blocks as a physical barrier into the right-



of-way. Stier inquired if applicant was originally going to put a structure on the property. Nikunen stated that is correct. Stier said it has been 15 years with no plan of putting up a building. Meyers stated that is why the request for a parking lot is on the agenda. Goebel said he was here when this took place. The City was excited at the prospect of a new building with rentals, etc., with many promises made. Those promises were not fulfilled. Everytime I drive by this is staring at me. This is the first time we have a chance to fix this one. I'm not in favor with this IUP, especially if he intends to keep this as a parking lot. The fact that this has been 15 years is exactly why this shouldn't be approved. This is a main intersection of the City.

Will stated this is here because the school got torn down. If you require this be paved then St. John's must pave their gravel lot. Goebel said that St. John's is asking for a couple of months, not 15 years. While they are the same, they are also not the same. The ordinance required the need for application and approval from the City. Whipps stated this removes grandfathering of the gravel status and offers a sunset with a resolution within 2 years. Mayor Velishek said that the blocks won't be able to be moved. Whipps stated they can be moved because he is requesting that the blocks be moved in the winter for plowing purposes which is another violation of the City code. Mayor Velishek asked what his plan is for the lot in 2 years. Whipps stated that the owner purchased the white house going up 282 and potentially could do something with that. But the number one reason to agree to this is that it will get rid of the argument that this is grandfathered in. This will end that status and ultimately will end this in 2 years.

Goebel asked why Council didn't require the lot to be tarred. Meyers stated the staff report doesn't show that he needed this lot to meet parking requirements for the Jordan Center. Goebel asked if he could get rid of the lot without impacting the Jordan Center. Meyers confirmed this. Whipps' understanding of the lot was a compromise because he didn't have enough parking. Nikunen stated it was gravel before the Jordan Center. Meyers stated that the City never allowed parking as a principal use in C2 either. Goebel inquired if the EDA has looked into this. Nikunen stated that he wants to develop the lot. Mayor Velishek said it has been 15 years. Whipps said he just bought the neighboring property.

Wisdorf wanted to clarify former discussion regarding parking but there was no council action or document indicating that we agreed to fulfill that parking obligation regarding the Jordan Center. Wisdorf discussed this in a conversation with Mr. Terwedo as well. Whipps sees that this was a positive light on the status of the lot. Mayor Velishek asked if it had to be 2 years. Could it be one year. Meyers stated it could be one. Schuh asked if this was discussed at the planning meeting. Will said no because staff was recommending a 2 year. Plus we talked about the block situation. Mayor Velishek is concerned with a 2 year and would like to see a 1 year agreement.

Heimkes agrees with Mayor Velishek. There was much discussion about the use of the blocks. Will asked when the IUP expires. Meyers stated that the IUP is valid for 2 years or a upon application of a building permit, unless the term is reduced to 1 year. Stier inquired about physical barrier year round. Meyers states “a physical barrier to prevent encroachment into the public right-of-way” and does not specify duration or what barriers are acceptable.

**Motion Velishek to adopt Resolution 2-11-2019 thereby approving the request for an Interim Use Permit to allow for an off-street gravel parking lot at 101 Broadway Street S with changes that it expires in one year and maintains that the block barriers, or other types of barriers, remain continuously in place from April 2019 through April 2020. Second Stier.**

Whipps is asking for barriers on all sides of the lot have barriers. **Mayor Velishek agreed to amend motion to include all sides of the right-of-way. Second Stier.** Wisdorf suggests that the timeframe be effective immediately and terminate on April 30<sup>th</sup>, 2020. Velishek agrees to the changes.

**Motion Velishek to adopt Resolution 2-11-2019 thereby approving the request for an Interim Use Permit to allow for an off-street gravel parking lot at 101 Broadway Street S with changes that it expires in one year and maintains that the block barriers, or other types of barriers, remain continuously in place for all sides of the right-of-way effective immediately through April 30, 2020. Second Stier. Vote all ayes. Motion carried.**

Schuh inquired if other properties required an IUP. Meyers did not find any. There were other properties that did appear to have gravel parking lots but it is unclear when they began.

## 11.0 POLICE REPORT

### A. January 2019 Police Report

Schuh inquired if was a January to January comparison or the whole year. It is for the month only.

### B. Request for Additional Handicap Parking Stall on First Street

The Total Health Advantage business is requesting an additional Handicap Parking stall in the northeastern most parking stall due there business which attracts more people requiring handicap parking. Although the City meets the handicap requirement for parking, Total Health states that many clients have to park a block away to the nearest handicap parking and walk to their facility. This was brought to the safety committee and they feel it is a reasonable request. We sent a letter to surrounding businesses to get feedback and received none. \$200 is estimated for a sign and pole to be installed. No curb work is needed as it is next to Broadway Market.

**Motion Stier to approve additional handicap parking stall. Second Schuh.** Schuh inquired if Chief Empey verified with Total Health that the location of the handicap stall met their needs. Empey stated they approved with the location. Will inquired about parking in the rear. Empey stated he didn't believe there was parking in the rear. Nikunen stated the parking in the rear is for staff. Whipps said most businesses are accessed through the front door. **Vote: all ayes. Motion carried.**

## 12.0 PUBLIC WORKS REPORT

No public works report

Goebel has been contacted regarding the heating of the Marvin House and the other one since lessons are being hosted. Nikunen stated that would not be a problem.

## 13.0 CONSENT AGENDA

- A. Bills
- B. Resolution 02-12-2019 Authorize Submittal of 2040 Comp Plan to the Met Council
- C. Liquor License Renewals
- D. Commercial Refuse Hauler License Renewals
- E. One-Day Consumption Liquor License – St. John's

**Motion Stier to approve Consent Agenda items A, B, C, D & E. Second Whipps. Vote: all ayes. Motion carried.**

## 14.0 COMMITTEE REPORTS

- A. Planning Commission Minutes – January 8, 2019

## 15.0 MAYOR COMMENTS

Mayor Velishek suggests that the City of Jordan pass a Resolution to honor him on his birthday which is May 4<sup>th</sup>. May 4<sup>th</sup> is also a big celebration for the Cinco de Mayo. Stier questions if one day is enough. Perhaps have a week celebration. Nikunen said his daughter thought that would be nice. Stier thinks a week celebration for Dick Ames would be good. Mayor Velishek suggested May 4<sup>th</sup> to May 11<sup>th</sup>. They will bring to next council meeting.

## 16.0 COUNCIL COMMENTS

Schuh wanted to thank Chief Empey and Public Works Director Hass for giving her a tour of all the facilities in town. They spent a lot of time doing that. And also congratulations to Councilmember Whipps for graduating fire school.

17.0 CLOSED SESSION – ASSESSMENT APPEAL PURSUANT TO MINN. STAT. SEC. 429.081 REGARDING 350 VALLEY VIEW DRIVE, JORDAN, MINNESOTA (COURT FILE NO. 70-CV-18-6490)

The City Council moved into closed session at 9:08 p.m.

The City Council reconvened at 9:36 p.m.

18.0 ADJOURNMENT

**Motion Stier to adjourn the meeting. Second Schuh. The meeting was adjourned at 9:36 p.m. Vote: all ayes. Motion carried.**

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Tanya Velishek  
Honorable Mayor

ATTEST:

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Tom Nikunen  
City Administrator

**DATE:** February 12, 2019  
**TO:** Members of the Planning Commission  
**FROM:** Lucinda Meyers, City Planner



**AGENDA ITEM:** Review of Draft Comprehensive Plan Update

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**ACTION REQUESTED:**

- Review recommended changes to the comprehensive plan based on the comments received

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**BACKGROUND:**

The City's Comprehensive Plan is required by the Met Council to be updated every 10 years. The plan was last updated in 2008.

In 2016, the former City Planner Laura Holey and consultant Joanne Foust of Municipal Development Group (MDG) began the process of updating the City's Comprehensive Plan starting with the future land use chapter and map. In 2017 however, Joanne Foust left MDG and Laura Holey resigned from the City of Jordan. Since that time, the draft of the comprehensive plan update has continued to be updated by City Staff and Bolton & Menk, starting from the draft plan and maps that were produced previously. An updated draft plan was completed in Spring 2018, reflecting staff and community input.

Prior to a city submitting their comprehensive plan for formal review, the Metropolitan Council requires a six-month comment period for interjurisdictional review. In the case of Jordan, this involved notifying the following jurisdictions of plan availability:

- Sand Creek Township
- St. Lawrence Township
- Scott County
- Jordan School District 717
- Scott County Watershed Management Organization
- Scott County Parks
- Minnesota Department of Transportation (MnDOT)
- Minnesota Department of Natural Resources (MN DNR)

The plan was reviewed by the Planning Commission on June 12, 2018 at a meeting that included a public hearing, and was approved for release by City Council on June 18, 2018. The six-month comment period lasted from June 19 to December 19, 2018. During that time, the draft plan was also sent to the Metropolitan Council for an optional informal review, so that the city would have feedback on what issues to address in advance of the formal review step.

At the end of the comment period, all comments from jurisdictions and the Metropolitan Council were received were compiled and reviewed. They were sorted into ones that indicated the plan was incomplete (did not meet requirements), versus those that were advisory. The plan document was then updated based on the comments. Attached is a spreadsheet that tracks comments and recommended responses, which have been incorporated into the accompanying plan document. The vast majority of the comments involve either clarifying language or adding some additional description or required content. Some major themes of the comments included:

- Incorporate current revised growth forecasts for the city, as agreed upon between the City and the Metropolitan Council.
- Clarifications on how land use calculations are presented and described
- Added references to natural resource management

- Expanded descriptions of what housing tools may be considered by the City
- Clarifications regarding regional park names and characteristics
- Updating the transportation element to ensure consistency with the Scott County comprehensive plan, including TAZ data, descriptions of past projects, functional and jurisdictional class, bicycle and pedestrian facilities, and transit.
- Update with current information on transit services.
- 
- Include additional required documentation in surface water management plan, and expand upon the level of detail in the implementation plan.
- Add detail to the implementation chapter regarding the estimated timeline for implementation on various steps.
- Correction of minor typos and enhanced language to prevent or address misunderstandings.

For the plan to be ready for submittal, the City must have a public hearing at the Planning Commission and authorization by the City Council to submit the plan to the Metropolitan Council for review through the adoption of a resolution. While the original submittal deadline for the plan was December 31, 2018, the City obtained an extension from the Metropolitan Council through February 28, 2018 to allow for additional public process around the plan’s development. According to Metropolitan Council staff, fewer than half of the communities in the region submitted their draft comprehensive plans by the original December 31 deadline.

Once the plan has been submitted to the Metropolitan Council, it has 15 business days to determine completeness. At that time, the Metropolitan Council will provide the City with feedback on any final changes needed before it can be approved. Once the plan is found complete for review, the Metropolitan Council will have 120 days to complete their review and take final action on the plan. After the Metropolitan Council’s action, the City Council will approve the comprehensive plan, and it will go into effect and replace the current plan.

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**FISCAL IMPACT:**

There are no direct financial impacts associated with this discussion. However, the Comprehensive Plan will provide guidance to identify areas for evaluation in more detail in the future.

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**STAFF RECOMMENDATION:**

Recommend the plan for approval to the City Council.

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**PRAC ACTION:**

Motion: \_\_\_\_\_  
 Approved: \_\_\_\_\_

Second: \_\_\_\_\_  
 Disapproved:  
 Tabled:

Other: \_\_\_\_\_  
 \_\_\_\_\_

**MINUTES OF THE PROCEEDINGS  
OF THE PLANNING COMMISSION OF THE CITY OF JORDAN  
IN THE COUNTY OF SCOTT  
FEBRUARY 12, 2019**

1.0 CALL TO ORDER

Present: Tom Sand, Jane Bohlman, Jesse Masloski, Bob Bergquist, Robert Whipps, Jeff Will

Also Present: Addison Lewis, Planner/Economic Development Specialist, Lucinda Meyers, Planner

Absent: Sally Schultz

Meeting called to order at 6:30

2.0 ADOPT AGENDA

Motion Bohlman second Whipps to approve agenda. Vote all ayes. Motion approved.

3.0 APPROVAL OF MINUTES

A. January 8, 2019 Meeting Minutes

Motion Bergquist, second Bohlman to approve minutes as presented, Vote all ayes.  
Motion approved.

4.0 NEW BUSINESS

A. PUBLIC HEARING: Comp Plan Update

Planner Meyers provided overview of comprehensive planning process. The 6-month adjacent community review has ended. The city received comments from other organizations which are attached. The city is required to respond to received comments. Majority of comments requested clarifying language or expanding content. The city's growth forecasts were increased and needed to be updated.

City still waiting on data from County that is required for transportation chapter. The next step is for the council to authorize staff to submit the plan to the Met Council for review. Met Council has 120 days to review the comp plan once it is deemed complete. Met Council has 15 days to determine if it is complete. Once Met Council approves the plan, the city adopts a resolution formally adopting the plan.

Councilmember Whipps inquired whether we know when we'll receive the data from Scott County. Planner Meyers stated that a date has not been provided, but staff can contact the county. Whipps commented that it seems silly to submit when we know it is incomplete.

Councilmember Will commented on a comment provided by Scott County regarding the construction of pedestrian infrastructure on both sides of county roads. Will stated that two bridges within the city will soon be reconstructed by MnDOT, and inquired how the city will ensure the construction of pedestrian infrastructure on these projects.

Chair Sand opened the public hearing at 6:45p.m., and closed public hearing at 6:45p.m. No members of the public were present for the hearing.

Motion Masloski, second Bergquist to recommend submittal of the 2040 comp plan to the Met Council for their review. Vote all ayes. Motion approved.

**B. PUBLIC HEARING: Request for Interim Use Permit to Allow for a Gravel Off-street Parking Lot as a Principal Use in the C-2 Central Business District**

Planner Lewis presented the request for an interim use permit from James Terwedo, property owner of 101 Broadway St. S, to allow for a temporary gravel off-street parking lot as a principal use in the C-2 district. The parking lot has been in use since 2004 when a house was moved off the property. The parking lot is utilized to meet the demand of weekend services at St. John's church to the north. The permit would be good for two years while the applicant works toward developing the property. At the end of two years, the applicant is eligible to reapply for a new permit if they have not found a developer. Applicant proposes the use of limestone blocks to satisfy the requirement to install a barrier for purposes of preventing the encroachment of vehicles into the right-of-way.

Chair Sand opens public hearing at 6:57p.m.

James Terwedo addressed the commission, requesting their consideration for his proposal to provide the barrier during the winter months only, due to liability concerns and snow plowing issues. He proposed the limestone because of the cost of curb stops, \$2,820 for seven, was significantly more expensive than the donated (free) limestone from St. John's. Terwedo informed the commission that he intends to redevelop the property in the future and has recently purchased the property to the east.

Chair Sand closes the public hearing at 7:10p.m.

Commissioner Bergquist asked whether there are any maintenance issues. Planner Lewis indicated that there are none that staff are aware of. The commission discussed



the code requirement for barrier installation. Chair Sand inquired whether there is an issue with seasonal installation as opposed to year-round, and the unique material proposed. Lewis responded that the code does not specify duration, or material. Councilmember asked whether the ordinance in discussion was the one that was recently passed. Staff indicated it was. Will asked whether the intent of the barrier was to make the church plant trees. Lewis indicated it was not- the purpose of the requirement is to prevent vehicles from encroaching into the right of way. Commissioner Bohlman objected to the applicant's assertion that people would trip over the limestone barrier during the winter months, as they would be used to its presence come winter. Councilmember Whipps voiced concern over the potential liability the city could face not enforcing its code in this instance by allowing the barrier to be in place for half of the year as opposed to the duration of the permit.

Motion Whipps, second Bohlman to recommend approval of the permit for the two-year period, with the limestone blocks for a barrier, subject to the attorney's review to ensure the city is not creating any liability if permitting property owner to remove the barriers during the winter months. Vote all ayes, motion approved.

## 5.0 OLD BUSINESS

### A. Review Conditional Use and Interim Use Permits

Planner Lewis presented the list of CUP and IUP's to the commission. To the knowledge of staff, all permits on the list are active, and none of the properties have received complaints.

Councilmember Whipps inquired whether the Cedar Auto, located east of County Road 9, is still in business or otherwise active, noting he has not seen many cars there for a number of years. The business likely ceased operations 5-8 years ago. Whipps requested that staff determine the status of the property, and noted that it might be a good site for commercial development.

Motion Whipps, second Bohlman to recommend approval of the CUP and IUP list. Votes all ayes. Motion passed.

## 6.0 PLANNERS REPORT

Planners provided an update on current projects, developments and construction.

## 7.0 CITY COUNCIL MEMBER UPDATE

Councilmember Will paid tribute to Dick Ames, who recently passed away.

Councilmember Whipps reported that the council recently held a work session on the future ambulance service, which he is excited about. Will indicated that Belle Plaine may add a second full-time ambulance, which could possibly be located in Jordan instead. Whipps indicated that there is potential for the City to have a full time ambulance down the road. In the meantime, it is likely to be on-call during peak hours.

8.0 COMMISSION MEMBER REPORT

There was no commission member report.

9.0 ADJOURNMENT

Motion by Whipps, second by Bergquist to adjourn at 7:46pm

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Tanya Velishek  
Mayor

ATTEST:

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Tom Nikunen  
City Administrator