



NORTH BRANCH

—Minnesota—

Sara Paul
Chair

Dennis Johnson
Vice Chair

Jessica Thelander
Commissioner

Kevin Schieber
Commissioner

Peter Schaps
Commissioner

**ECONOMIC DEVELOPMENT AUTHORITY
REGULAR AGENDA
TUESDAY, JANUARY 16, 2024
CITY HALL, 6408 ELM STREET, NORTH
BRANCH, MN 55056**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPT AGENDA
5. CONSENT AGENDA
 - a. Approve Meeting Minutes - Economic Development Authority Regular Meeting - December 5, 2023 11:30 AM ACTION
6. PRESENTATIONS
7. REPORTS
 - a. North Branch Area Schools Update VERBAL UPDATE
 - b. Chisago County HRA-EDA Update VERBAL UPDATE
 - c. North Branch Area Chamber of Commerce Update VERBAL UPDATE
 - d. EDA Executive Director Update VERBAL UPDATE
8. NEW BUSINESS
 - a. Appoint Chair and Vice Chair for 2024. ACTION
 - b. Approve the 2024 EDA Meeting Calendar ACTION
9. OLD BUSINESS

- a. Discuss Proposed Amendments to the EDA Bylaws INFO
- b. Discuss the Interstate Business Park and EDA-Owned Land on 400th Street INFO

10. NEXT MEETING - FEBRUARY 20, 2024 @ 11:30 AM

11. CLOSED SESSION

12. ADJOURNMENT

 CITY OF
EST. 1881
NORTH BRANCH *Minnesota*

ECONOMIC DEVELOPMENT AUTHORITY

REGULAR MEETING MINUTES

TUESDAY, DECEMBER 5, 2023 – 11:30 AM

CITY HALL, 6408 ELM STREET, NORTH BRANCH, MN 55056

Sara Paul
Chair

Dennis Johnson
Vice Chair

Peter Schaps
Councilmember

Kevin Schieber
Mayor

Jessica Thelander
Commissioner

**MINUTES OF THE PROCEEDINGS OF THE ECONOMIC DEVELOPMENT
AUTHORITY OF THE CITY OF NORTH BRANCH IN THE COUNTY OF CHISAGO
AND IN THE STATE OF MINNESOTA**

REGULAR MEETING

TUESDAY, DECEMBER 5, 2023

CALL TO ORDER:

The Economic Development Authority met in Regular Session and Chair Sara Paul called the meeting to order at 11:56 AM.

Chair Paul called the meeting to order at 11:56 a.m.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Attendee Name	Title	Status	Arrived
Sara Paul	Chair	Present	
Dennis Johnson	Vice Chair	Present	
Peter Schaps	Councilmember	Present	
Kevin Schieber	Mayor	Absent	
Jessica Thelander	Commissioner	Present	

Members present: Chair Sara Paul, Dennis Johnson, Jessica Thelander and Peter Schaps.

Members absent: Kevin Schieber.

Staff present: EDA Executive Director Jason Ziemer.

ADOPT AGENDA:

Commissioner Thelander moved and Commissioner Johnson seconded the motion to adopt the agenda. Motion passed 4-0.

CONSENT AGENDA:**1. Economic Development Authority - Regular Meeting - Nov 21, 2023 11:30 AM**

Commissioner Johnson moved and Commissioner Thelander seconded the motion to approve the November 21, 2023 meeting minutes. Motion passed 4-0.

RESULT:	ACCEPTED
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PRESENTATIONS:

There were no presentations.

REPORTS:

There were no reports.

OLD BUSINESS:

There was no Old Business.

NEW BUSINESS:**1. Resolution Adopting the Final 2024 EDA Tax Levy for the North Branch Economic Development Authority**

EDA Executive Director Ziemer reviewed the proposed EDA budget and tax EDA and HRA tax levies for Fiscal Year 2024. He reported the tax levies were set at the maximum allowed by State Statute, as directed by the EDA at its November 2023 meeting. The total levy amount was down slightly due to adjustments to the City's total community-wide market value. Ziemer reported the two resolutions included would approve a 2024 EDA levy of \$283,775; the HRA levy of 289,556. Commissioner Schaps expressed concerns regarding cost estimates for proposed studies. Ziemer noted the funding would allow for a Business Park Master Plan, as well as the EDA's participate in a downtown parking analysis as part of a Downtown Master Plan. He explained the approval sets the funding but does not obligate the EDA to do the work. EDA members discussed having the City's financial consultant, Ehlers & Associates, attend the January meeting to discuss the financial workings of the Business Park.

Commissioner Thelander moved and Commissioner Johnson seconded the motion to approve the 2024 EDA Budget and EDA tax levy. Motion passed 3-1.

RESULT:	ADOPTED [3 TO 1]
AYES:	Paul, Johnson, Thelander
NAYS:	Schaps
ABSENT:	Schieber

2. Resolution Adopting the Final 2024 HRA Tax Levy for the North Branch Economic Development Authority

EDA Executive Director Ziemer reiterated the proposed HRA tax levy, per the attached resolution, was \$289,566.

Commissioner Johnson moved and Commissioner Thelander seconded the motion to approve the 2024 EDA Budget and EDA tax levy. Motion passed 3-1.

RESULT:	ADOPTED [3 TO 1]
AYES:	Paul, Johnson, Thelander
NAYS:	Schaps
ABSENT:	Schieber

NEXT MEETING - TUESDAY, JANUARY 16, 2023 @ 11:30 AM:

CLOSED SESSION:

1. Adjourn to a Closed Session to Discuss the Potential Sale of Real Property

Pursuant to Minnesota Statute 13D.05, Subd. 3, (c)(1), Chair Paul announced the EDA would recess to Closed Session for the purpose of discussing the potential sale of real property as owned by the EDA.

Commissioner Schaps moved and Commissioner Johnson seconded the motion to recess to closed session. Motion passed 4-0. The EDA entered closed session at 11:23 a.m.

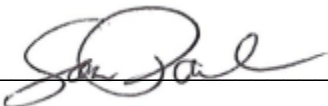
Chair Paul reconvened the open meeting of the EDA at 12:45 p.m.

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Paul, Johnson, Schaps, Thelander
ABSENT:	Schieber

ADJOURN:

Commissioner Thelander moved and Commissioner Johnson seconded the motion to adjourn the December 5, 2023 meeting. Motion passed 4-0. Meeting adjourned at 12:45 p.m.

The meeting was adjourned at 12:45 PM.

APPROVED:  ATTEST: 





Prepared By:
Presenter:
Date: 01/11/2024

Board & Commission: Economic Development Authority

Subject: North Branch Area Schools Update

Overview / Background:

Sara Paul, North Branch Area School District Superintendent, will provide a School District update.

Staff Recommendation:
None.

Recommended EDA Action:
None.

Voting Requirements:
None.

Vikings Pride: Amelia's Story



NORTH BRANCH



Amelia is at the forefront of educational excellent

- First student from NBAHS to be elected as the DECA State President
- Leading over 3,000 DECA members across the state

Amelia is an active Viking

- A purpose-driven scholar
- President of Student Council
- Secretary for the National Honor Society
- NBAHS track & field team for the past three years

Amelia inspires dreams, models integrity & instills hope

- She is a quality role model & human being
- She strives to be the best she can be; inspires others to do the same



Vikings Snapshot



Growing Enrollment

- Families choosing NBAPS
- Families are moving into our community
- We have added staff as our enrollment has increased
- We have the capacity at our sites to meet student needs

Fiscal Responsibility

- Operating within our School Board approved fund balance
- Have not had to cash flow borrow in past three years

Quality Programs

- Updated facilities
- Highly trained staff
- Outstanding leadership

Call to action: Come experience NBAPS!

- Next Patron Tour – Friday, February 2





Prepared By:

Presenter:

Date: 01/11/2024

Board & Commission: Economic Development Authority

Subject: Chisago County HRA-EDA Update

Overview / Background:

Nancy Hoffman, Chisago County HRA-EDA Executive Director, will provide a County HRA-EDA update

Staff Recommendation:

None.

Recommended EDA Action:

None.

Voting Requirements:

None.



CHISAGO COUNTY HRA-EDA

A Natural Resource for Business

DATE: January 16, 2024
TO: North Branch EDA
FROM: Chisago County HRA-EDA
RE: HRA-EDA Updates

The Chisago County Child Care Coalition continues. Recently the Coalition updated its SMART Goals and now is working on a budget including the grants and ARPA funding received. The Small Business Development Center (SBDC) is offering a finance training series to the providers including QuickBooks.

The Chisago County Collaborative is holding two events that members of the EDA are welcome and encouraged to attend. U of M Extension Ben Winchester will present on January 24 at the North Branch School Auditorium. It is for community building. We are also hosting a Grant Writing course for non-profits and local governments on February 15 at the Lakes EMS also in North Branch. You can find registration information on our website www.chisagocounty.org. Scroll down on the home page.

The HRA-EDA participated in the Real Estate Journal's Affordable Housing Summit and will be participating in their Corn Hole Championship in February. These are good ways to get information on housing opportunities in Chisago County cities.

SBDC Consultant Kathy Lindo is putting on a BYOB (Be Your Own Boss) training Wednesday, January 31, 2024. If you know people considering going into business, this is an excellent opportunity. It will be held at the HRA-EDA office in North Branch.



Prepared By:
Presenter:
Date: 01/11/2024

Board & Commission: Economic Development Authority

Subject: North Branch Area Chamber of Commerce Update

Overview / Background:

Christina Huesman and/or Melissa Collins, North Branch Area Chamber of Commerce, provide an update from the Chamber of Commerce.

Staff Recommendation:

None.

Recommended EDA Action:

None.

Voting Requirements:

None.



Prepared By:

Presenter:

Date: 01/11/2024

Board & Commission: Economic Development Authority

Subject: EDA Executive Director Update

Overview / Background:

Jason Ziemer, EDA Executive Director, will provide a brief update.

Staff Recommendation:

None.

Recommended EDA Action:

None.

Voting Requirements:

None.



Prepared By:
Jason Ziemer, Community Development Director
Presenter: Jason Ziemer, Community Development Director
Date: 01/11/2024

Board & Commission: Economic Development Authority

Subject: Appoint Chair and Vice Chair for 2024.

Overview / Background:

EDA bylaws require the annual appointment of a Chair and Vice Chair. This action is to occur at the first meeting of the year. Sara Paul was the Chair and Dennis Johnson the Vice Chair this past year. Bylaws do not permit any sitting Council member to serve as Chair or Vice Chair.

Staff Recommendation:

Appoint a Chair and Vice Chair for 2024.

Recommended EDA Action:

Motion to appoint a Chair and Vice Chair for 2024.

Voting Requirements:

Voting Options Simple Majority



Prepared By:
Jason Ziemer, Community Development Director
Presenter: Jason Ziemer, Community Development Director
Date: 01/11/2024

Board & Commission: Economic Development Authority

Subject: Approve the 2024 EDA Meeting Calendar

Overview / Background

Per EDA bylaws, regular meetings of the EDA shall take place on the third Tuesday of each month at 11:30 a.m., or at such dates and times as determined by the EDA. Based on bylaws all meetings, except for the December meeting, shall occur on the third Tuesday of each month. The December meeting is required on the first Tuesday in order for the EDA to recommend its next year's tax levy to the City Council for approval. The 2024 meeting dates are as follows:

January	16	July	16
February	20	August	20
March	19	September	17
April	16	October	15
May	21	November	19
June	18	December	03

Staff Recommendation:

Staff recommend formal adoption of the 2024 meeting calendar.

Recommended EDA Action:

Motion to set the 2024 EDA meeting calendar.

Voting Requirements:

Voting Options **Simple Majority**



Prepared By:
Jason Ziemer, Community Development Director
Presenter: Jason Ziemer, Community Development Director
Date: 01/11/2024

Board & Commission: Economic Development Authority

Subject: Discuss Proposed Amendments to the EDA Bylaws

Overview / Background:

At the September 2023 EDA meeting, an amendment was approved to Section 3.2 (Regular Meetings) of the EDA's by-laws, changing meetings to the third Tuesday of each month, unless otherwise changed by EDA action. At the time, staff reported several additional necessary updates and revisions were identified and would be brought forward at a future meeting. Section 4.11 of the Bylaws requires a minimum five (5) day notice to be sent to Commissioners prior to the item being brought forward for action. A copy of the by-laws, showing proposed revisions, was emailed to Commissioners on September 25. This item was presented on EDA agendas in October and November, and tabled to subsequent meetings. In November, the item was tabled to the January 2024 meeting. Commissioner Sara Paul has requested this item be tabled to the February EDA meeting.

Here is an overview of the proposed changes.

1. **Section 2:** City staff viewed Officers as they are appointed by the EDA. Thus, reference to Secretary, Treasurer and Executive Director were intentionally removed from this Section 2.2 as these are staff positions. Description of those positions were left (Sections 2.6, 2.7 and 2.9) bylaws for reference as to who is responsible for what.
2. **Section 3.4:** This revision proposes to update language regarding quorum. Current Quorum is 4 with a body of 7. The revision would add a caveat of a quorum of 3 if we have only 5 members due to vacancies.
3. **Section 3.7:** This modification addresses how members add items to the agenda. If approved, any additions to the agenda by Commissioners would require a minimum of two (2) Commissioners to request the agenda item; those Commissioners would need to meet with the EDA Executive Director. Those Commissioners would need to provide information specific to the request but not be

required to provide a report for inclusion, but they may. Same submission deadline. The EDA Executive Director would still have the ability to determine if any agenda item requests are applicable to the EDA.

4. Section 4: Much of this Section is a repeat of State Statute. So long as we claim the EDA has all of the powers as stated in Section 4.3 including these sections are redundant and may create conflict in the future if State Statute changes. Retaining Sections 4.4, 4.5 and 4.11 are advisable, as well as keeping 4.10. As the City Council appoints members, it should have the ability to remove at will. For now, Section 4 appears as currently written.

If tabled to the February meeting, EDA members are asked to submit feedback to Executive Director Ziemer in advance of the meeting. The goal would be to finalize revisions and prepare for adoption at the March meeting.

Staff Recommendation:

Staff recommend further and continued discussion on the proposed by-laws amendments.

Recommended EDA Action:

Motion to table the EDA Bylaws discussion to the February 20, 2024.

Voting Requirements:

Simple majority.

**BYLAWS
OF THE
NORTH BRANCH ECONOMIC DEVELOPMENT AUTHORITY**
~~Amended: March 22, 2022~~ Amended , 2023

1. The Authority

Section 1.1. **Name of Authority.** The name of the Authority shall be the North Branch Economic Development Authority (hereinafter "Authority"), and its governing body shall be called the Board of Commissioners (hereinafter "Board").

Section 1.2. **Office.** The principal office of the Authority shall be at City Hall, 6408 Elm Street, North Branch, Minnesota 55056.

Section 1.3. **Seal.** The Authority shall have an official seal.

2. Organization

Section 2.1 **Members.** The EDA shall consist of a governing body of seven Commissioners. Two (2) of the eCommissioners shall be members of the City Council and serve as Commissioners of the EDA for terms coinciding with their terms as members of City Council. All other appointed members serve a six (6) year term. All commissioners shall be appointed by the Mayor with the approval of City Council.

~~Ex-Officio Members.~~ The EDA Chair shall annually appoint ex-officio members with the approval of the EDA to represent the Chisago County HRA-EDA, North Branch Water & Light Commission, North Branch Chamber of Commerce, and North Branch School District #138.

Commented [c1]: Not sure we need these classified as "Ex-Officio Members." I understand the purpose here is advisory vs. voting.

Section 2.2 **Officers.** The officers of the Authority shall consist of a Chair and ~~a~~ Vice Chair, ~~Chair Pro Tem, a Secretary, a Treasurer, and an Assistant Treasurer.~~ The Chair and ~~Vice Chair, Chair Pro Tem, Treasurer, Assistant Treasurer, and Secretary~~ shall be elected annually, at the ~~annual~~ first meeting of the year. No Commissioner may serve as both Chair or ~~Vice Chair, or Chair Pro Tem~~ at the same time. ~~The offices of Secretary, Treasurer, Assistant Treasurer, and Executive Director need not be held by a Commissioner.~~

Commented [c2]: Changes reflect actual EDA officers. No Chair Pro Tem, Secretary, Treasurer or Assistant Treasurer.

Section 2.3 **Chair.** The Chair shall preside at all meetings of the Board and as such the Chair is responsible for making sure that each meeting is conducted according to these by-laws and that matters are dealt with in an orderly and efficient manner. No City Council member shall be Chair.

Section 2.4 **Vice Chair.** The Vice Chair shall preside at any meeting of the Board in the absence of the Chair and may exercise all powers and perform all responsibilities of the Chair if the Chair cannot exercise or perform the same due to absence or other inability. No City Council member shall be Vice Chair.

Section 2.5 **Chair Pro Tem.** In the event of the absence or inability of the Chair, ~~or Vice Chair to preside at any meeting, the senior most member shall serve as the~~ and the Chair Pro Tem ~~at any meeting, the Board may appoint any remaining Commissioner as Chair Pro Tem~~ to preside at such meeting.

Commented [c3]: Although I removed from list of officers, I left this in so as to provide guidance as to who runs a meeting if both the Chair and Vice Chair are absent.

Section 2.6 **Treasurer.** The Treasurer shall be the Finance Director of the City of North Branch, ~~(the "City"). The Treasurer shall receive and be responsible for Authority money, shall disburse Authority money by check only (in accordance with Section 4.3. herein), keep an account of all Authority receipts and disbursements and the nature and purpose relating thereto. The Treasurer shall file the Authority's financial statements annually as stated in Section 4.4. with its Secretary at least once a year as set by the Authority, and be responsible for the acts of the Assistant Treasurer.~~

Section 2.7 ~~**Assistant Treasurer.** The Assistant Treasurer shall have all the powers and duties of the Treasurer if the Treasurer is absent or disabled.~~

Section 2.78 **Secretary.** The Secretary shall ~~be the Executive Director or his/her designee. The Secretary shall keep or cause to be kept~~ minutes of all meetings of the Board and shall maintain ~~or cause to be maintained~~ all records of the Authority. ~~The Secretary shall also have such additional duties and responsibilities as the Board may from time to time and by resolution prescribe.~~

Commented [c4]: Although removed from the list of officers, I left this in so as to provide clarity of responsibility.

Section 2.89 **Executive Director.** The Executive Director shall be the Community Development Director of the City. The Executive Director shall ~~serve as the primary staff to the EDA, and shall prepare agendas for the EDA and the~~ budget on behalf of the EDA to the City Council, ~~be the primary staff to the EDA, prepare agendas for the EDA and perform all other economic development activities for the Commission. The Executive Director will place the budget on the EDA website for reference.~~

Section 2.910 **Advisory Committee.** The Authority may by resolution establish one ~~(1)~~ or more advisory ~~sub-committees~~ to the Authority, including, ~~but not limited to: the Finance sub-committee, Marketing sub-committee and other sub-committees~~ as ~~may be determined~~ needed.

Section 2.101 **Compensation and Reimbursement.** A Member may be paid for attending each regular meeting of the Authority in an amount to be determined by the North Branch City Council.

3. Procedures of Board of Commissioners

Section 3.1. **Annual Meeting.** The annual meeting of the Board shall be held after appointments made by the Mayor and approved by the City Council at ~~this the City Council's~~ annual organizational meeting, typically the Council's first meeting in January each year and shall be made at their its first meeting in January each year.

Section 3.2. **Regular Meeting.** The Board shall hold regular meetings on the 3rd Tuesday of each month commencing at 11:30 am, or at such other time as the Board may determine.

Section 3.3. **Special Meetings.** Special meetings of the Board may be called by any two (2) Commissioners or by the Executive Director. The Executive Director or City Clerk ~~(this is the actual City process)~~ shall post notice of any special meeting ~~in the principal office of the Authority at City Hall~~ no less than three (3) days prior to such special meeting.

Section 3.4. **Quorum.** A quorum of the Board shall consist of four (4) Commissioners. ~~If due to vacancies, the Board has not more than five (5) Commissioners a quorum shall be three (3).~~ In the absence of a quorum no official action may be taken by, on behalf of, or in the name of the Board or the Authority.

Section 3.5. **Adoption of Resolutions.** Resolutions of the Board shall be deemed adopted if approved by not less than a simple majority of all Commissioners present. Resolutions may, but need not be, read aloud prior to vote taken thereon and may, but need not be, executed after passage.

Section 3.6. **Rules of Order.** The meetings of the Board shall be governed by the most recent edition of Robert's Rules of Order.

Section 3.7 **Meeting Agenda.** Regular meetings of the EDA shall ~~include the generally~~ following agenda ~~format as attached hereto. items: old, business, new business, project updates (whether or not they result in EDA action), informational reports as deemed advisable by the Community Development Director, and public comment.~~

All requests for items on the meeting agenda will include a memo ~~and background information from the Executive Director and/or other City staff.~~ Two (2) members of the EDA may submit to the Executive Director items to be added to the agenda. Members requesting items ~~for Items submitted by, Councilmember, or Commission members for inclusion on the agenda shall meet with the Executive Director to discuss the topic and provide include a written background on said request. Such requests must be submitted no less than one (1) week prior to the agenda posting date for the requested meeting. narrative of the item with background information and the reason for the discussion. The City Council may refer items for consideration by the EDA through the Executive Director.~~ The Executive Director ~~will review the agenda requests and may remove those~~ shall have the authority to remove items items deemed ~~to be in~~not appropriate ~~to~~ or outside the ~~realm of the~~ scope of ~~the~~ Commission's authority. ~~The deadline for requests for items to be included on a meeting agenda must be one (1) week prior to the meeting and be accompanied by written materials to be included in the agenda packet.~~ After the agenda is published, only the Executive Director may add or delete time sensitive items ~~may be added or deleted~~ from the agenda until the day prior to the meeting. After that time, only emergency items may be added. Commissioners may not add items to the agenda during the meeting for discussion and/or action by the EDA.

Section 3.8 **Public Comment.** A limited forum for individuals to speak with the EDA is provided on the agenda. Public comments during the public comment period are subject to these limitations:
1. Speakers must sign up to speak prior to the meeting to be recognized.

- ~~1.2.~~ Speakers must be recognized by the Chair before speaking and are limited to three (3) minutes for comment.
- ~~2.3.~~ When multiple speakers appear to speak on the same topic, comments should not be repetitive. The Chair may request speakers to appoint a spokesperson.
- ~~3.4.~~ Public Comments shall be limited to not more than 10 minutes of the meeting. The Chair may place additional a time limits on the ~~p~~Public ~~e~~Comment, ~~period~~ if necessary to allow for the conduct of City business. If there is not sufficient time at the meeting to hear all public comments, the comment period may be deferred to the next regular ~~Council~~ EDA meeting or at a continued meeting.

4. Miscellaneous

Section 4.1. **Fiscal Year.** The fiscal year of the Authority shall be the same as the City's fiscal year.

Section 4.2. **Treasurer's Bond.** The Treasurer shall give bond to the state conditioned for the faithful discharge of official duties. The bond must be approved as to form and surety by the Authority and be filed with the Secretary and must be for twice the amount of money likely to be on hand at any one time as determined at least annually by the Authority, provided, however, that said bond must not exceed \$300,000.

Commented [c5]: Treasurer – aka finance director – is required to have this for the City.

Section 4.3. **Power and Authority.** The ~~economic development authority~~ EDA has all the power and duties set forth in Minn. Stats. 469.090-469.108 and other laws, except as limited by ~~this chapter~~ these bylaws and City Code. ~~(Note – this is from City Code. New Section 4.3)~~

Commented [c6]: With this paragraph, Sections 4.6 to 4.10 may not be necessary as they essentially replicate State Statute. If the EDA follows the powers as set forth and as stated in 4.3 then we do not need to repeat sections below.

Section 4.4. **Financial Statement.** Financial Statements of the Authority must be prepared, presented, approved and filed in accordance with Minnesota Statutes Sections 469.098 and 469.100 and other relevant statutes as amended or revised.

Commented [c7]: The EDA financials are part of the City's annual audit; not sure we need to include. Note: 469.098 is re: conflict of interest not financial statements.

Section 4.5. **Budget to City.** The City Council ~~of the City of North Branch thru its budgeting process~~ allocates funds yearly for the ~~Economic Development Authority~~ EDA. The EDA shall submit a recommended budget and levy to the City Council in accordance with established City and Statutory timelines.

Section 4.6. **Employees.** The Authority may utilize the services a chief engineer, technical experts and agents and other employees under the employment of the ~~e~~City or under contract with the ~~e~~City as it may require and determine their duties, qualifications, and compensation.

Commented [c8]: Not sure this section is necessary.

Section 4.7. **Services.** The Authority may contract for the services of consultants, agents, public accountants, and others as needed to perform its duties and to exercise its powers. The Authority may also use the services of the City Attorney or hire a general counsel, as determined by the Authority.

Section 4.8. **Supplies, Purchasing, Facilities, and Services.** To the extent included in the Authority's annual budget, the Authority may purchase the supplies and materials it needs in accordance with the City's purchasing policies and procedures.

Commented [c9]: Not sure this section is necessary.

Section 4.9. **Execution of Contracts.** All contracts, notes, and other written agreements or instruments to which the Authority is a party or signatory or by which the Authority may be bound shall be executed by the Chair and the Executive Director. If the Executive Director is absent or otherwise unable to execute a document the City Administrator may execute the document.

Section 4.10. **Standards of Conduct, Removal.** ~~The~~ Commissioners are subject to the standards of conduct as set forth in the City of North Branch policies and procedures manual as revised and updated from time to time. A ~~e~~Commissioner may be removed by the ~~e~~City ~~e~~Council for inefficiency, neglect of duty, or misconduct in office after notification in writing and a hearing as prescribed in Minnesota statues 469.095 subd. 5.

Section 4.11. **Amendment of Bylaws.** These Bylaws may be amended by the Board by simple majority vote of all the Commissioners, provided that any such proposed amendment shall first have been delivered to each Commissioner at least five (5) days prior to the meeting at which such amendment is considered.

Commented [c10]: Need to research this further. This language follows State Statute, but Commissioners are appointed by the City Council. The Council typically reserves the right to remove any person from any commissioner for whatever reason.



Prepared By:
Jason Ziemer, Community Development Director
Presenter: Jason Ziemer, Community Development Director
Date: 01/11/2024

Board & Commission: Economic Development Authority

Subject: Discuss the Interstate Business Park and EDA-Owned Land on 400th Street

Overview / Background:

EDA Chair Sara Paul and Commissioner Peter Schaps requested a discussion regarding land owned by the EDA, notably land adjacent to 400th Street. The item was originally placed on the October 17, 2023 agenda, but was tabled to the November meeting. In November, it was tabled to the January 2024 meeting. In summary, the purpose of this agenda item is to attempt to address questions, etc. associated with the North Branch Business Park – notably land owned by the Economic Development Authority (EDA). There are two parts to this agenda item:

- 1. business park land and previous development inquires, and**
- 2. land adjacent to 400th Street guided and zoned for residential uses.**

Business Park Land

In February 2022, the City of North Branch (City) and Realty Executives – Top Results (Broker) terminated their listing agreement related to the Business Park. The City and Broker entered into an agreement in March 2019, whereby the Broker was hired to assist the City with the sale of land in the Business Park. As part of that cancelled agreement, the City allowed for a “Protected List” (List) of persons, businesses and/or entities identified by the Broker. In other words, if any of those listed were to close on land owned by the EDA, the Broker would be eligible for the commission as per the Listing Agreement. This List is no longer protected/confidential, and with the termination of the Listing Agreement the City and/or EDA are no longer obligated to pay commission related to the sale of any of those entities, should such a transaction occur today.

Per former City Administrator Renae Fry, none of those listed were genuinely interested or worked out for a myriad of reasons. That List does not include efforts by the previous Executive Director and other City staff, including site selector RFP responses. Discovered past staff reports showed the Executive Director provided routine updates as to ongoing business recruitment efforts, in general and for the Business Park. There is no tracking list, or nothing was found.

Attached is the spreadsheet staff currently uses when meeting with prospective developers and businesses interested potentially acquiring land in the Business Park. This spreadsheet details the land price, plus all development-related costs (aka Platting Fees).

Residential Land

Outside of the industrial and commercial land within the Business Park, the EDA previously and currently owns land that is guided and zoned for residential uses. The remaining vacant parcels include:

- 10.91 acres on the north side of 400th Street and adjacent to the railroad tracks; this land is guided/zoned for high-density residential**
- 6.94 acres in between 399th and 400th Street and west of Fletcher Avenue; this land is guided/zoned for medium density residential**
- 12.44 acres adjacent I-35; this land is in holding for the future I-35 interchange**

All of this land was pledged is part of the Prairie Partners Tax Increment Financing (TIF) District; pledged as collateral to support the Habitat Humanity home constructed just south of Heritage Court apartments. The TIF district is tied to affordable housing. TIF generated as a result of the District has supported the extension and construction of municipal utilities and roads in this area. Income standards specific to the TIF District required 20% of the units be available to persons at or below 50% area median income (AMI) or 40% of the units for persons at or below 60% AMI. These are fairly typical standards for housing districts created to support affordable housing construction.

City staff has explored whether the land guided/zoned for high-density residential uses should be reclassified as Commercial or Industrial, or whether there is residential development interest. A significant challenge to residential development on this land is the adjacent industrial zoning, and pending industrial uses. Any change to the land classification would require the land be removed from the TIF District as Commercial/Industrial would not support and meet the affordable housing requirements. The lender would need to concur with such a change due to the pending loss of financial security for the other projects. That is not an immediate consideration.

The 6.94-acre parcel has further restrictions that were included as part of the TIF District. Any development here must meet income restrictions. If owner-occupied, only the first homeowner must satisfy the income restrictions. If rental, the income restrictions are ongoing and must be evaluated annually. An affordable residential developer initially

proposed to acquire this property to construct 18 twin homes (36 units), but opted to pause the project indefinitely. Thus, the purchase agreement was never presented to the EDA for consideration; terms of that agreement remain non-public. The conditions noted here mean the sale or trade would require a partner that specializes in this type of residential development.

Staff Recommendation:

None.

Recommended EDA Action:

None.

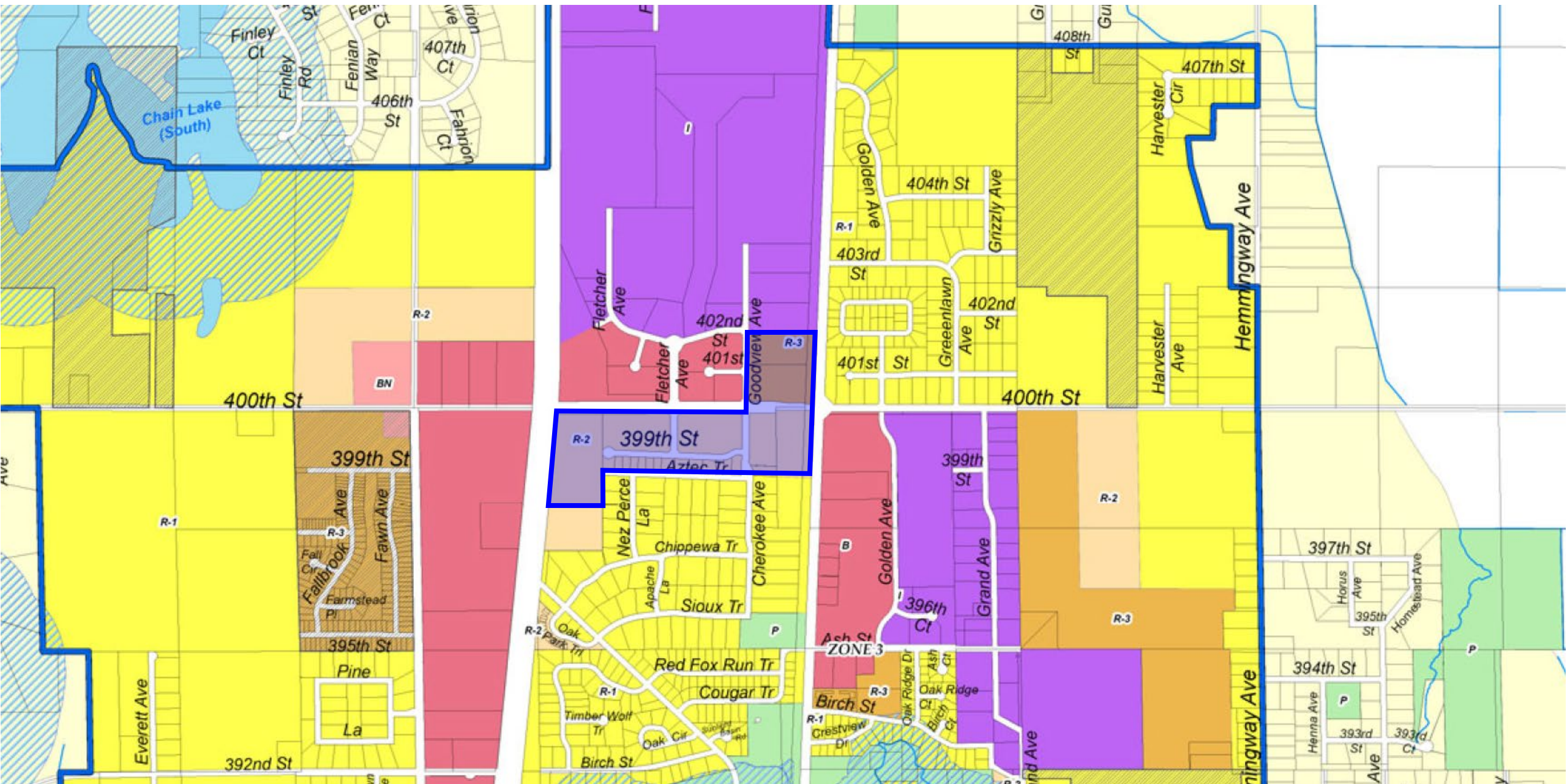
Voting Requirements:

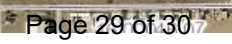
None. Discussion Item.

NORTH BRANCH INDUSTRIAL PARK LEADS / PROTECTED LIST

PROTECTED LIST

- | | |
|---|--|
| 1 Global African Foods | 31 Blacktop Holdings |
| 2 CMCS, LLC (Cold Storage) | 32 Fastenal |
| 3 True North Steel | 33 Catalyst |
| 4 Jalow Trucking, LLC | 34 Pan O Gold Baking Company (Country Hearth Breads) |
| 5 Gel-X/Zela Corporation | 35 North Branch Trailer Sales |
| 6 Advanced Vol All | 36 Activar Industrial Products Group, Inc. / Aztec |
| 7 BJ BAAS Builders | 37 Abstrategy Design |
| 8 Blackhawk Professional Construction Services, Inc. | 38 Fire Ball Fabrication |
| 9 Shawn Kirschner | 39 New Energy Blue |
| 10 LHI Lab | 40 Look Enterprise |
| 11 Sunrise Packaging | 41 Structural Buildings |
| 12 Rink Tech | 42 Lion Electric |
| 13 Vincent Tubbiola | 43 Neil Reynolds (Warehouse Distribution/Light Industrial) |
| 14 Westin Kane / Mid-America Real Estate Corporation | |
| 15 Carvana | |
| 16 S&A Truck Sales | |
| 17 Martin Jones | |
| 18 Jason Spafford (Shipping Containers) | |
| 19 Lindsay Schlagel | |
| 20 Lenny Lunn | |
| 21 Walter Mabururu | |
| 22 Alfred Yeo | |
| 23 Irfan Kahn | |
| 24 Ann Dolan / Minnesota Financial Management Company | |
| 25 Caroline Thompson | |
| 26 Stephen Schuler | |
| 27 Lakes Gas Company | |
| 28 One Life to Lift | |
| 29 Enviro Star | |
| 30 Project Spectrum | |





**CITY OF NORTH BRANCH
INTERSTATE BUSINESS PARK**

DEVELOPMENT INFORMATION		
Property - Acres	-	
Property - Square Feet	-	
Units - WAC / SAC	-	<i>Estimate pending building design.</i>
Lots	1.00	

SECTION 1: LAND	COST	PER	DUE	NOTES
Land Price	1.52	Per SF	-	
Total Land Price			-	

SECTION 2: DEVELOPMENT & PLATTING	COST	PER	DUE	NOTES
Water Trunk	6,350.00	Per Acre	-	
Sanitary Sewer Trunk	4,966.40	Per Acre	-	
Storm Sewer Trunk	0.44	Per SF	-	
Park Dedication - Base	1,800.00	Flat	1,800.00	
Park Dedication	1,000.00	Per Acre	-	
Subtotal Development & Platting Fees			1,800.00	
[List Credits, if Applicable]			-	
Total Development & Platting Fees			1,800.00	

SECTION 3: WATER & SEWER ACCESS	COST	PER	DUE	NOTES
Water Access Charge (WAC)	1,700.00	Per Unit	-	<i>Paid with Building Permit.</i>
Sewer Access Charge (SAC)	2,471.00	Per Unit	-	<i>Paid with Building Permit.</i>
Subtotal Water & Sewer Access Fees			-	
[List Credits, if Applicable]			-	
Total Water & Sewer Access Fees			-	

SECTION 4: TOTAL COST		DUE	NOTES
Section 1: Land		-	
Section 2: Development & Platting		1,800.00	
Section 3: WAC / SAC		-	
Total Land, Development and Access Charges	-	1,800.00	
Total Price Per Acre		#DIV/0!	
Total Price Per Square Foot		#DIV/0!	