

EDA AGENDA
CITY OF LINDSTROM
Tuesday, April 11, 2023
Closed Meeting
7:30 A.M.
CITY COUNCIL CHAMBERS
13292 Sylvan Ave., Lindstrom, MN

CALL TO ORDER/PLEDGE:

CALL OF ROLL:

CONSIDERATION OF AGENDA:

Additions:

Deletions:

CONSIDERATION OF MINUTES

1. Tuesday, April 11, 2023, minutes (pgs. 2-4)

CLOSE MEETING

BUSINESS ITEMS:

1. O'Jay Juice Factory (pgs. 5-6)

ADJOURNMENT:

EDA Meeting Minutes
April 11, 2023

Members Present: Chair Greg Krueger; Vice Chair Judy Chartrand; Members Carline Bengtsson, Greg Shaleen, Mike Hursh

Members Remote: Vice Chair Judy Chartrand; Member Keith Carlson

Members Absent: None.

Also Present: Interim City Administrator Melissa Glenna, Communications Coordinator Miranda Olson, City Attorney James Monge, City Economic Development Consultant Kirstin Chatfield, Nancy Hoffman Chisago County HRA/EDA

Call to Order / Pledge: Vice Chair Chartrand called the meeting to order at 7:30a.m.

Vice Chair Chartrand stated her room number was 1406. She stated that Member Krueger could more effectively lead the meeting, as he was physically present at the meeting. Member Krueger accepted.

Consideration of the Agenda:

Motion by Shaleen, second by Carlson, to approve the agenda as presented; Motion passed 6-0; Carlson aye, Bengtsson aye, Krueger aye, Hursh aye, Shaleen aye, Chartrand aye.

Consideration of the Minutes:

Motion by Carlson, second by Chartrand, to approve the February 14, 2023, minutes; Motion passed 6-0; Carlson aye, Bengtsson aye, Krueger aye, Hursh aye, Shaleen aye, Chartrand aye.

Business Items:

1. Appoint Chair and Vice Chair

Interim City Administrator Glenna explained that since Mayor Chartrand was appointed Mayor last month, and the Chair is normally not the Mayor, the EDA now needs to nominate a Chair and Vice Chair.

Member Carlson nominated Member Krueger to the position of EDA Chair. Member Krueger accepted.

Motion by Carlson, second by Shaleen, to appoint Greg Krueger as Chair of the EDA Commission. Motion passed 5-0; Carlson aye, Shaleen aye, Chartrand aye, Bengtsson aye, Hursh aye, Stenson aye; Member Krueger abstained.

Member Carlson nominated Mayor Chartrand to the position of EDA Vice Chair. Mayor Chartrand accepted.

Motion by Carlson, second by Shaleen, to appoint Judy Chartrand as Vice Chair of the EDA Commission. Motion passed 5-0; Carlson aye, Shaleen aye, Hursh aye, Bengtsson aye, Krueger aye. Mayor Chartrand abstained.

2. Open Seat

Interim City Administrator Glenna explained that now that City Council Member Greg Krueger is now on the EDA as a Council Member, there is now an open seat. She stated that interviews are typically conducted.

City Attorney Monge entered the meeting at 7:37a.m.

Members discussed the candidates that were recently interviewed in December of 2022 for the previously open EDA position. Members noted the amount of candidates that showed interest in the recently open City Council seats. City Economic Development Consultant Chatfield clarified that the EDA bylaws state that the Mayor appoints and the City Council ratifies the EDA representative. She recommended posting the EDA vacancy, the previous applicants could reapply, and the EDA could choose to not re-interview the previously interviewed candidates or offer those candidates the option of not interviewing again. City Attorney Monge clarified that the Council appoints EDA Members, and the Council could choose not to do interviews over again. Member Hursh noted that he was never interviewed when he was appointed by the Council to the EDA. Member Bengtsson noted she was interviewed. Staff noted that the current Council's process has been to interview. City Economic Development Consultant Chatfield recommended that the EDA recommend to the Mayor that the EDA position be filled, and then Mayor Chartrand has the discretion to determine how that will take place. And to bring the candidate forward to the City Council for approval. She clarified that the Mayor also has the discretion as to whether the open seat would be re-posted.

Motion by Shaleen, second by Bengtsson, to move forward with filling the open EDA seat. Motion passed 6-0; Shaleen aye, Bengtsson aye, Carlson aye, Chartrand aye, Krueger aye, Hursh aye.

3. Old Fire Hall RFP

Interim City Administrator Glenna explained the RFP was put on hold, and the old fire hall is anticipated to be vacated at the end of June or early July. Members discussed possibly putting the RFP on hold until there is a clearer time frame.

Motion by Carlson to not send out an RFP. Motion died due to lack of a second.

Staff clarified that the RFP date previously discussed by the EDA was July 31, 2023. Members discussed the Police Hall. Member Shaleen recommended that if the EDA goes out for an RFP that the EDA consider getting an appraisal. He noted the EDA could also request an RFQ. City Economic Development Consultant Chatfield clarified that each City has their own process for selling or redevelopment of property. She explained that the City owns additional property on that block, and recommended clarifying the long term plan for that site. She noted the City could choose to sell or lease the property based upon what works best. Members discussed possibly having a workshop with the EDA and City Council to discuss this site. Interim City Administrator Glenna

clarified a meeting takes place annually that includes the City Council and all City Commissions, which is likely to take place next month.

Motion by Shaleen, second by Bengtsson, to table going out for an RFP on the Old Fire Hall until after the City Council concludes their work session regarding the Police Hall. Motion passed 6-0; Shaleen aye, Bengtsson, Hursh aye, Carlson aye, Chartrand aye, Krueger aye.

Member Shaleen left the meeting at 8:05a.m.

4. Development Updates

Interim City Administrator Glenna did not give a verbal update in the interest of time, as some of the Members had time constraints.

5. CLOSED BUSINESS ITEM: O'Jay Juice Factory

Chair Krueger read the following statement regarding open meeting law: "The EDA Board is closing the meeting pursuant to Minnesota Statute § 13D.05 subd. 3(c) to review confidential or protected nonpublic appraisal data and to consider offers for the purchase of real property located at 13229 St. Croix Avenue, Lindstrom, Minnesota."

Meeting closed for confidential and nonpublic appraisal review discussion by Chair Krueger at 8:06a.m.

Member Bengtsson left the meeting at 8:54a.m.

Motion by Krueger, second by Chartrand, to reopen the meeting at 9:01a.m. Motion passed 4-0; Krueger aye, Chartrand aye, Carlson aye, Hursh aye.

Adjournment:

Motion by Krueger, second by Chartrand, to adjourn the meeting at 9:01a.m. Motion passed 3-0; Krueger aye, Chartrand aye, Carlson aye, Hursh aye.

Respectfully submitted,

Miranda Olson,
Communications Coordinator/Receptionist/Administrative Assistant

I. Open Meeting Law

The EDA Board may close a meeting to review appraisal data and to develop or consider offers or counter offers pursuant to Minnesota Statutes § 13D.05 subd. 3(c). The procedure to close the meeting is as follows:

1. Before closing the meeting, the EDA Board must state on the record the specific grounds for closing the meeting, describe the subject to be discussed, and identify the particular property that is the subject of the meeting. The EDA Board Chairperson should read the following statement into the record prior to closing the meeting:

“The EDA Board is closing the meeting pursuant to Minnesota Statutes Section 13D.05 subd. 3(c) to review confidential or protected nonpublic appraisal data and to consider offers for the purchase of real property located at 13229 St. Croix Avenue, Lindstrom, Minnesota.”
2. The meeting must be recorded and the property must be identified on the recording. The recording must be preserved for eight years, and must be made available to the public after all property discussed at the meeting has been purchased or sold or the EDA has abandoned the purchase.
3. A list of EDA Board members and all other persons present at the closed meeting must be made available to the public after the closed meeting.
4. The actual purchase price of the property must be approved at an open meeting and the purchase price is public data.

EDA Board members have a fiduciary duty to the City to keep the information they receive and the discussions they have at the closed meeting confidential until such future date when the data become public. The content of the meeting becomes public after the EDA purchases the property or abandons the purchase.

II. Data Practices Act

Under Minn. Stat. § 13.44 subd. 3, appraisals and appraisal data are classified as confidential or protected nonpublic. That classification means the appraisal is not accessible by members of the public or the subject of the data (i.e. the property owner). EDA Board Members have access to the appraisal data because their duty as Board Members reasonably requires that they be given access to the appraisal. However, EDA Board Members have a fiduciary duty to the City to not share the appraisal data with members of the public or the property owner until the data becomes public. Appraisal data becomes public when the negotiating parties enter into an agreement for the purchase and sale of the property.

STAFF REPORT

MEETING DATE: May 9, 2023

SUBMITTED BY: EDA Consultant Chatfield

ITEM: OJ Juice Offer Consideration Discussion

Kirstin Chatfield, City Economic Development Consultant, will lead the discussion on the negotiation process regarding the purchase of the OJ Juice property located at 13229 St. Croix Avenue, Lindstrom, Minnesota. Nancy Hoffman Chisago County EDA/HRA, will also assist with the discussion.

After discussion, the meeting will be opened to approve the actual purchase price of the property.