

# PUBLICNOTICES

### NOTICE OF GENERAL ELECTION

INDEPENDENT SCHOOL DISTRICT NO. 720  
SHAKOPEE PUBLIC SCHOOLS  
STATE OF MINNESOTA

NOTICE IS HEREBY GIVEN, that the general election has been called and will be held in and for Independent School District No. 720, Shakopee, State of Minnesota, on Tuesday, the 5th day of November, 2013, for the purpose of electing (four) school board members for four year terms. The ballot shall provide as follows:

Put an (X) in the square opposite the name of each candidate you wish to vote for.

#### SCHOOL BOARD MEMBER VOTE FOR UP TO FOUR

- Shawn Hallett
  - Scott Swanson
  - Chuck Berg
  - Mary Romansky
  - Jeremy Casper
- \_\_\_\_\_ write-in, if any
- \_\_\_\_\_ write-in, if any
- \_\_\_\_\_ write-in, if any

The combined polling places for this election and the precincts served by those polling places will be as follows:  
For Shakopee School District voters in Jackson, Louisville and Sand Creek Townships

Combined Polling Place: Jackson Township  
1091 130th Street West, Shakopee, MN 55379  
Head Judge: To be determined

For Shakopee School District voters in Prior Lake P-5 and Prior Lake P-7

Combined Polling Place: Shakopee P-11 – Cross of Peace Lutheran Church  
1506 Wood Duck Trail E, Shakopee, MN 55379  
Head Judge: Appointed by the City of Shakopee  
To be determined

Any eligible voter residing in the school district may vote at said election at the polling place designated above for the precinct in which he or she resides. The polls for said election will open at 7:00 o'clock a.m. and will close at 8:00 o'clock p.m. on the date of said election.

A voter must be registered to vote to be eligible to vote in this election. An unregistered individual may register to vote at the polling place on election day.

Dated: 9/9/13

BY ORDER OF THE SCHOOL BOARD  
*M. Angela Tucker*  
School District Clerk

(Published in the Shakopee Valley News on Thursday, October 17, 24, and 31, 2013; No. 5294)

### NOTICE OF MORTGAGE FORECLOSURE SALE

THE RIGHT TO VERIFICATION OF THE DEBT AND IDENTITY OF THE ORIGINAL CREDITOR WITHIN THE TIME PROVIDED BY LAW IS NOT AFFECTED BY THIS ACTION.

NOTICE IS HEREBY GIVEN that default has occurred in the conditions of the following described mortgage:

DATE OF MORTGAGE: August 31, 2004

MODIFICATION OF MORTGAGE: None

ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE: \$525,000.00

MORTGAGOR(S): Joseph Saba and Susana Saba, husband and wife

MORTGAGEE: Capital Bank  
DATE AND PLACE OF FILING MORTGAGE: October 19, 2004 – Doc. No. A 675402, Scott County Recorder

DATE AND PLACE OF FILING MODIFICATION OF MORTGAGE: None

ASSIGNMENTS OF MORTGAGE: None

TRANSACTION AGENT: None

TRANSACTION AGENT MORTGAGE IDENTIFICATION NUMBER: None

LENDER OR BROKER: None

RESIDENTIAL MORTGAGE SERVICER: None

LEGAL DESCRIPTION OF PROPERTY: Lots 1 and 2, Block 16, East Shakopee, according to the recorded plat thereof.

COUNTY IN WHICH PROPERTY IS LOCATED: Scott County

PROPERTY ADDRESS: 901 and 911 1st Avenue East, Shakopee, MN 55379

TAX PARCEL ID NO'S: 27-004-105-0 and 27-004-106-0

THE AMOUNT CLAIMED TO BE DUE ON THE MORTGAGE ON THE DATE OF THE NOTICE: \$468,463.78.

THAT all pre-foreclosure requirements have been complied with; that no action or proceeding has been instituted at law or otherwise to recover the debt secured by said mortgage, or any part thereof.

PURSUANT to the power of sale contained in said mortgage, the above described property will be sold by the Sheriff of said county as follows:

DATE AND TIME OF SALE: October 31, 2013 – 10:00 a.m.

PLACE OF SALE: Scott County Law Enforcement Center, 301 Fuller Street South, Shakopee, MN 55379.

To pay the debt secured by said mortgage and taxes, if any, on said premises and the costs and disbursements, including attorneys fees allowed by law, subject to redemption within six (6) months from the date of said sale by the mortgagor(s) or their personal representatives or assigns.

DATE TO VACATE PROPERTY: If the real estate is an owner-occupied, single-family dwelling, unless otherwise provided by law, the date on or before which the mortgagor(s) must vacate the property if the mortgage is not reinstated under section 580.30 or the property is not redeemed under section 580.23 is 11:59 p.m. on May 1, 2014.

\*THE TIME ALLOWED BY LAW FOR REDEMPTION BY THE MORTGAGOR, THE MORTGAGOR'S PERSONAL REPRESENTATIVES OR ASSIGNS, MAY BE REDUCED TO FIVE WEEKS IF A JUDICIAL ORDER IS ENTERED UNDER MINNESOTA STATUTES SECTION 582.032 DETERMINING, AMONG OTHER THINGS, THAT THE MORTGAGED PREMISES ARE IMPROVED WITH A RESIDENTIAL DWELLING OF LESS THAN FIVE UNITS, ARE NOT PROPERTY USED FOR AGRICULTURAL PRODUCTION, AND ARE ABANDONED.

Dated: September 4, 2013.

CAPITAL BANK, Mortgagee JONATHAN FAY, P.C.

BY: /s/ Jonathan R. Fay  
Jonathan R. Fay, ID #173721  
Attorneys for Mortgagee  
PO Box 764  
Detroit Lakes, MN 56502-0764  
(701) 293-9190

THIS IS A COMMUNICATION FROM A DEBT COLLECTOR

(Published in the Shakopee Valley News on Thursday, September 12, 19, 26 and October 3, 10, 17, 2013; No. 5276)

### NOTICE OF MORTGAGE FORECLOSURE SALE

THE RIGHT TO VERIFICATION OF THE DEBT AND IDENTITY OF THE ORIGINAL CREDITOR WITHIN THE TIME PROVIDED BY THIS ACTION.

NOTICE IS HEREBY GIVEN, that default has occurred in the conditions of the following described mortgage:

DATE OF MORTGAGE: 10/12/2005

MORTGAGOR(S): Ahmed Ali,

### OF MORTGAGE FORECLOSURE SALE

NOTICE IS HEREBY GIVEN, that the above Mortgage Foreclosure Sale is hereby postponed to Tuesday, May 28, 2013, at 10:00 a.m., Scott County Sheriff's Office, Civil Unit, 301 Fuller Street S., City of Shakopee in said County and State. Dated: January 08, 2013

The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificateholders of the CWABS, Inc., Asset-backed Certificates, Series 2005-AB5

Assignee of Mortgagee Peterson, Fram & Bergman, P.A.

By: Steven H. Bruns  
Attorneys for:  
The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificateholders of the CWABS, Inc., Asset-backed Certificates, Series 2005-AB5

Assignee of Mortgagee Peterson, Fram & Bergman, P.A.

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Assignee of Mortgagee Peterson, Fram & Bergman, P.A.

by said Mortgage, and taxes, if any, on said premises, and the costs and disbursements, including attorneys' fees allowed by law subject to redemption within 6 months from the date of said sale by the mortgagor(s), their personal representatives or assigns.

DATE TO VACATE PROPERTY: The date on or before which the mortgagor must vacate the property if the mortgage is not reinstated under Minnesota Statutes section 580.30 or the property redeemed under Minnesota Statutes section 580.23 is 10/30/2013 at 11:59 p.m.

If the foregoing date is a Saturday, Sunday or legal holiday, then the date to vacate is the next business day at 11:59 p.m.

MORTGAGOR(S) RELEASED FROM FINANCIAL OBLIGATION ON MORTGAGE: NONE

THE TIME ALLOWED BY LAW FOR REDEMPTION BY THE MORTGAGOR, THE MORTGAGOR'S PERSONAL REPRESENTATIVES OR ASSIGNS, MAY BE REDUCED TO FIVE WEEKS IF A JUDICIAL ORDER IS ENTERED UNDER MINNESOTA STATUTES SECTION 582.032, DETERMINING, AMONG OTHER THINGS, THAT THE MORTGAGED PREMISES ARE IMPROVED WITH A RESIDENTIAL DWELLING OF LESS THAN FIVE UNITS, ARE NOT PROPERTY USED IN AGRICULTURAL PRODUCTION, AND ARE ABANDONED.

Dated: February 25, 2013

U.S. Bank National Association, as Trustee for MASTR Asset Backed Securities Trust 2005-HE2, Mortgage Pass Through Certificates, Series 2005-HE2

Assignee of Mortgagee Peterson, Fram & Bergman, P.A.

By: Michael T. Oberle  
Attorneys for:  
U.S. Bank National Association, as Trustee for MASTR Asset Backed Securities Trust 2005-HE2, Mortgage Pass Through Certificates, Series 2005-HE2

Assignee of Mortgagee Peterson, Fram & Bergman, P.A.

By: Michael T. Oberle  
Attorneys for:  
U.S. Bank National Association, as Trustee for MASTR Asset Backed Securities Trust 2005-HE2, Mortgage Pass Through Certificates, Series 2005-HE2

Assignee of Mortgagee Peterson, Fram & Bergman, P.A.

By: Michael T. Oberle  
Attorneys for:  
U.S. Bank National Association, as Trustee for MASTR Asset Backed Securities Trust 2005-HE2, Mortgage Pass Through Certificates, Series 2005-HE2

Assignee of Mortgagee Peterson, Fram & Bergman, P.A.

By: Michael T. Oberle  
Attorneys for:  
U.S. Bank National Association, as Trustee for MASTR Asset Backed Securities Trust 2005-HE2, Mortgage Pass Through Certificates, Series 2005-HE2

Assignee of Mortgagee Peterson, Fram & Bergman, P.A.

By: Michael T. Oberle  
Attorneys for:  
U.S. Bank National Association, as Trustee for MASTR Asset Backed Securities Trust 2005-HE2, Mortgage Pass Through Certificates, Series 2005-HE2

Assignee of Mortgagee Peterson, Fram & Bergman, P.A.

By: Michael T. Oberle  
Attorneys for:  
U.S. Bank National Association, as Trustee for MASTR Asset Backed Securities Trust 2005-HE2, Mortgage Pass Through Certificates, Series 2005-HE2

Assignee of Mortgagee Peterson, Fram & Bergman, P.A.

By: Michael T. Oberle  
Attorneys for:  
U.S. Bank National Association, as Trustee for MASTR Asset Backed Securities Trust 2005-HE2, Mortgage Pass Through Certificates, Series 2005-HE2

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By: Michael T. Oberle  
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U.S. Bank National Association, as Trustee for MASTR Asset Backed Securities Trust 2005-HE2, Mortgage Pass Through Certificates, Series 2005-HE2

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Assignee of Mortgagee Peterson, Fram & Bergman



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**PUBLICNOTICES**

continued from previous page

1. List the exact assumed name under which the business is or will be conducted: Shakopee Area Catholic School

2. Principal Place of Business: 2700 17<sup>th</sup> Ave E Shakopee MN 55379

3. List the name and complete street address of all persons conducting business under the above Assumed Name, OR if an entity, provide the legal corporate, LLC, or Limited Partnership name and registered office address: Parish of Saints Joachim and Anne of Shakopee - 2700 17<sup>th</sup> Ave E Shakopee MN 55379

4. I, the undersigned, certify that I am signing this document as the person whose signature is required, or as agent of the person(s) whose signature would be required who has authorized me to sign this document on his/her behalf, or in both capacities. I further certify that I have completed all required fields, and that the information in this document is true and correct and in compliance with the applicable chapter of Minnesota Statutes. I understand that by signing this document I am subject to the penalties of perjury as set forth in Section 609.48 as if I had signed this document under oath.

Dated: 9-13-2013  
Reverend Peter Wittman - Pastor  
Diane Lee - Contact Name  
952-445-3387 x141

Date Filed: September 20, 2013  
(Published in the Shakopee Valley News on Thursday, October 10 and 17, 2013; No. 5292)

**MINUTES OF THE SHAKOPEE PUBLIC UTILITIES COMMISSION (Regular Meeting)**

President Helkamp called the regular session of the Shakopee Public Utilities Commission to order at the Shakopee Public Utilities meeting room at 5:00 P.M., September 16, 2013.

MEMBERS PRESENT: Commissioners Helkamp, Mars, Joos and McGowan. Also present, Liaison Clay, Utilities Manager Crooks, Finance Director Schmid, Planning & Engineering Director Adams, Line Superintendent Athmann, Water Superintendent Schemel and Marketing/Customer Relations Director Ambach. Commissioner Yost was absent as previously advised.

Motion by Mars, seconded by Joos to approve the minutes of the September 3, 2013 meeting. Motion carried.

There were no Communications items.

President Helkamp offered the agenda for approval.

Motion by McGowan, seconded by Joos to approve the agenda as presented. Motion carried.

President Helkamp stated that the Consent Items were: item 9b: Smart Home/ELC Update; item 10a: August 2013 Financials; and item 11b: Commissioner Compensation Increase Request.

Motion by Mars, seconded by Joos to approve the Consent Business agenda as presented. Motion carried.

The warrant listing for bills paid September 16, 2013 was presented.

Motion by Joos, seconded by McGowan to approve the warrant listing dated September 16, 2013 as presented. Motion carried.

Liaison Clay presented his report. It was pointed out that the Commission pay increase is on Consent Business for the Council Agenda on September 17. Utilities Manager Crooks will attend the meeting. Mr. Clay also thanked Planning and Engineering Director Adams for attending the Development Review Committee meetings and updated the Marshall Road project.

Water Superintendent Schemel provided a report of current water operations. The inspection, cleaning, both inside and outside, of Water Towers 2 and 3 will take place in the next few weeks. Staff has been busy with construction inspections and therefore the hydrant flushing will take place later this year.

Line Superintendent Athmann provided a report of current electric operations. A fault in the underground line serving Eaglewood caused an outage and was repaired by replacing 350' of new cable. The Electric crews have been kept busy with the installation of temporary services to several of the new projects in Shakopee.

Item 9b: Smart Home/ELC Update was received under Consent Business.

Item 10a: August 2013 Financials was received under Consent Business.

Mr. Athmann detailed the work that went into the repair of the Service Center roof support wood beams. Measures were taken to eliminate the moisture issue with the beams in the future. The Commission was also asked if there were any Service Center issues they would like to address in 2014. Commissioner Joos said the front landscaping needed attention and Commissioner Mars would like to see additional signage on the front entrance side of the building.

Utilities Manager Crooks reviewed the Strategic Planning process to date. Commission consensus was to keep on the schedule, as presented, and not to resubmit a second round of the SWOT Analysis. Also, the Strategic Planning Retreat will take place off site.

Item 11b: Commissioner Compensation Increase Request was received under Consent Business.

The tentative commission meeting dates of October 7 and October 21 were noted.

Motion by McGowan, seconded by Mars to adjourn to the October 7, 2013 meeting. Motion carried.

Commission Secretary: John R. Crooks  
(Published in the Shakopee Valley News on Thursday, October 17, 2013; No. 5295)

**NOTICE OF SALE**

The personal property described as follows, to-wit: One 1998 Chevrolet Topkick truck, VIN No. 1GBJ6H1C9WJ112930 will be sold at public auction by the Sheriff of Scott County on the 3<sup>rd</sup> day of December, 2013, at 11:00 o'clock a.m., at 11075 225<sup>th</sup> Street East, Lakeville, County of Scott, State of

Minnesota, to pay and satisfy a lien which is claimed to be due thereon from Hauling for Hope, Inc as the owner thereof to Sauber Equipment Services in the sum of \$9,187.11 Dollars computed to the last day of said sale, exclusive of the expenses of said sale and of the advertising thereof, together with the necessary expenses of advertising and making said sale; and that the grounds of said lien are as follows, to-wit: Parts, Labor and Storage, Finance Charges. Terms of sale are cash.

Dated: October 9, 2013  
Sauber Equipment Services  
4166 Boulder Circle  
Webster, MN 55088  
Phone Number: 952-215-9500  
(Published in the Shakopee Valley News on Thursday, October 17, 24 and 31, 2013; No. 5296)

**OFFICIAL PROCEEDINGS OF THE SHAKOPEE CITY COUNCIL REGULAR SESSION SHAKOPEE, MINNESOTA SEPTEMBER 17, 2013**

Mayor Tabke called the meeting to order at 7:00 p.m. and roll call was taken.

Present: Mayor Brad Tabke, Councilmembers, Jay Whiting, Matt Lehman, Steve Clay and Pat Heitzman

Staff Present: Mark McNeill, City Administrator; Kris Wilson, Assistant City Administrator; R. Michael Leek, Community Development Director; Bruce Loney, Public Works Director/Engineer; Julie A. Linnihan, Finance Director/City Clerk; Samantha DiMaggio, Economic Development Coordinator; and Jim Thomson, City Attorney

Mr. McNeill advised Council that item 10.E.1, Appeal of Penalty for Unauthorized Tree Removal Assessment for Eternity Homes - 1995 Evergreen Lane, should be removed from the agenda, and deferred to the October 1, 2013 meeting. Added to the agenda was 10.F.1, Shutterfly Subordination Agreement.

Clay/Heitzman moved to approve the agenda as amended. Motion carried 5-0.

Cncl. Heitzman asked to remove 4.F.4, Request for Pay Increase for Shakopee Public Utilities Commissioners - Resolution No. 7358.

Cncl. Whiting asked to remove 4.F.6, Valley Fair Alcohol License Action.

Cncl. Clay asked to add to the consent agenda 10.A.1, Planned Unit Development Amendment for Saint Francis Regional Medical Center - Res. No. 7361, and 10.A.2, Planned Unit Development Amendment for Shakopee Valley Market Place - Res. No. 7362.

Lehman/Whiting moved to approve the Consent Agenda as amended. Mr. McNeill read the Consent items. Motion carried 5-0.

Lehman/Whiting offered Resolution No. 7360, A Resolution Setting the Public Hearing Date to Consider the Vacation of Drainage and Utility Easement. (Motion carried under the Consent Agenda)

Lehman/Whiting moved to authorize the appropriate City officials to sign the easement agreement with Betaseed for the Valley View Road Project. (Motion carried under the Consent Agenda)

Lehman/Whiting offered Resolution No. 7353, A Resolution Accepting Work on the 2012 Bituminous Overlay, Project No. 2012-1, and moved its adoption. (Motion carried under the Consent Agenda)

Lehman/Whiting offered Resolution No. 7356, which ordered a Preliminary Engineering Report for the Hilldale Drive Improvements. (Motion carried under the Consent Agenda)

Lehman/Whiting offered Resolution No. 7355, A Preliminary Engineering Report for the 2014 Street Reconstruction Project; authorize the appropriate City officials to execute an agreement with ITCO Allied Engineering Company to perform soil borings; and authorize the appropriate City officials to execute an agreement with Bolton & Menk, Inc. to perform engineering services. (Motion carried under the Consent Agenda)

Lehman/Whiting offered Resolution No. 7354, A Resolution Declaring the Amount to be Assessed, Ordering the Preparation of Proposed Assessments, and Setting the Public Hearing Date for Delinquent Refuse Bills; also directing a \$45 administrative fee penalty to be added to assessment amounts for City costs. (Motion carried under the Consent Agenda)

Lehman/Whiting moved to authorize the appropriate officials to enter into a contract extension with the Minnesota Municipal Utilities Association (MMUA) for the provision of a Safety Management Program, at a cost not to exceed \$24,400. (Motion carried under the Consent Agenda)

Lehman/Whiting offered Resolution No. 7357, A Resolution Amending the Personnel Handbook for Employees of the City of Shakopee. (Motion carried under the Consent Agenda)

Lehman/Whiting moved to recognize Janna Grassel's successful completion of the required probationary period and grant her full-time, regular status in the position of Crime Prevention Specialist. (Motion carried under the Consent Agenda)

Lehman/Whiting moved to recognize Philip Sendelbach's successful completion of the one-year probationary period and grant him full-time, regular status as a Police Officer (Motion carried under the Consent Agenda)

Lehman/Whiting moved to approve the bills in the amount of \$1,518,715.01 and electronic transfers in the amount of \$386,286.97 for a total of \$1,905,001.98. (Motion carried under the Consent Agenda)

Lehman/Whiting moved to approve the City Council minutes from September 03, 2013. (Motion carried under the Consent Agenda)

Lehman/Whiting moved to approve the application and grant a massage therapist license to Mary Wolf. (Motion carried under the Consent Agenda)

Lehman/Whiting moved to designate Tuesday, December 10th, 7:00 p.m., to be the time and date for a workshop presented by the Urban Land Institute of Minnesota,

entitled "Navigating the New Normal". (Motion carried under the Consent Agenda)

Lehman/Whiting offered Resolution No. 7361, a Resolution of the City of Shakopee, Minnesota, Approving an Amendment to the Planned Unit Development for South Valley Health Campus. (Motion carried under the Consent Agenda)

Lehman/Whiting offered Resolution No. 7362, A Resolution of the City of Shakopee, Minnesota, Approving An Amendment to the Planned Unit Development for Shakopee Valley (Motion carried under the Consent Agenda)

Mayor Tabke asked if there was anyone in the audience who wished to speak on an item noted on the agenda.

Troy Boegeman, 1995 Evergreen Lane, acknowledged that 10.E.1, Appeal of Penalty for Unauthorized Tree Removal Assessment for Eternity Homes - 1995 Evergreen Lane was removed from the agenda and deferred to the October 1st meeting, but stated that he would like to see the penalty enforced, and stated that he would like the Council to deny the appeal.

Clay/Whiting moved to open the public hearing. Motion carried 5-0.

Whiting/Clay moved to close the public hearing. Motion carried 5-0.

Whiting/Heitzman offered Resolution No. 7359, Authorizing the Issuance, Sale, and Delivery of the Health Care and Housing Facilities Revenue Refunding Note (Benedictine Health System Obligated Group), Series 2013 in Three Series and Related Documents. Motion carried 5-0.

Clay/Whiting offered Resolution No. 7358, a resolution establishing a rate of pay for Commissioners of the Shakopee Public Utilities Commission, and move its adoption. Discussion followed.

Mayor Tabke asked for a vote on the motion. Motion carried 3-2 with Cncl. Lehman and Cncl. Heitzman in dissent.

Lehman/Heitzman moved to accept the admission of Valley Fair for a first-time alcohol sales violation, and impose a \$1,000 fine and a suspension of one-day of sales of alcohol privileges, with \$500 and the one-day suspension being stayed, if no further violations take place before October 6, 2013. Discussion followed.

Mayor Tabke asked for a vote on the motion. Motion carried 5-0.

Clay/Heitzman moved to recess for the Economic Development Authority Meeting. Motion carried 5-0.

Mayor Tabke reconvened the meeting at 8:25 p.m.

Whiting/Clay offered Resolution No. 7364, Resolution Approving Subordination Agreement and Authorizing the Execution and Delivery of the Subordination Agreement and a Certification Letter to Dean Lakes I, LLC. Motion carried 5-0. Motion carried 5-0.

Mayor Tabke presented Shannon Fiecke, reporter for the Shakopee Valley News, with a card and wished her well on her new endeavors.

Whiting/Heitzman moved to adjourn to Tuesday, October 1, 2013 at 7:00 p.m. Motion carried 5-0.

Meeting ended at 8:34 p.m.

Julie A. Linnihan  
Finance Director/City Clerk  
Kim Weckman  
Recording Secretary

(Published in the Shakopee Valley News on Thursday, October 17, 2013; No. 5298)

**OFFICIAL PROCEEDINGS OF THE SHAKOPEE CITY COUNCIL REGULAR SESSION SHAKOPEE, MINNESOTA OCTOBER 1, 2013**

Mayor Tabke called the meeting to order at 7:00 p.m. and roll call was taken.

Present: Mayor Brad Tabke, Councilmembers, Jay Whiting, Matt Lehman, Steve Clay and Pat Heitzman

Staff Present: Mark McNeill, City Administrator; Kris Wilson, Assistant City Administrator; R. Michael Leek, Community Development Director; Bruce Loney, Public Works Director/Engineer; Julie A. Linnihan, Finance Director/City Clerk; Samantha DiMaggio, Economic Development Coordinator; Jamie Polley, Parks, Recreation & Natural Resource Director; Jeff Tate, Police Chief; Jacob Busiahn, Natural Resources Technician; and Jim Thomson, City Attorney

The Pledge of Allegiance was led by Corey and Steve Rachek of the Boy Scouts.

Mr. McNeill said that items 10.A.1, Resolution 7368, A Resolution Issuing a Negative Declaration of Need for an Environmental Impact Study and 10.A.2, Resolution No. 7365, A Resolution Approving the Final Plat of Valley Park Business Center 2nd Addition, could be moved to the Consent Agenda per the City Attorney.

Whiting/Lehman moved to approve the agenda as amended. Motion carried 5-0.

Cncl. Whiting asked to remove 4.C.2, Request from Ryland Homes, Inc. for Extended Work Hours on the Dakota Crossings Subdivision Project. Cncl. Clay asked to add 10.F1, Workshop Date-October 23rd.

Lehman/Heitzman moved to approve the Consent Agenda as amended. Mr. McNeill read the Consent items. Motion carried 5-0.

Lehman/Heitzman moved to approve Ordinance No. 875, an ordinance approving the rezoning of approximately 40-acres of land from Light Industrial (I-1) zoning to Highway Business (B-1) zoning, and move its adoption. (Motion carried under the Consent Agenda)

Lehman/Heitzman Resolution No. 7366, a resolution setting the public hearing date to consider the vacation of public right-of-way/drainage and utility easements. (Motion carried under the Consent Agenda)

Lehman/Heitzman offered Resolution No. 7367, a resolution ordering abatement of hazardous conditions at 6079 Oxford Road N., and move its adoption. (Motion carried under the Consent Agenda)

Lehman/Heitzman moved to authorize the Payment of \$16,247.61 to Scott County for the CR 83 and 12th Avenue Signal Modifications. (Motion carried under the Consent Agenda)

Lehman/Heitzman moved to authorize the Execution of Construction Cooperative Agreement with Scott County on the TH169 & CR69 Interchange Project. (Motion carried under the Consent Agenda)

Lehman/Heitzman moved to authorize staff to utilize the re-purchase agreement with Ag Power Enterprises, Inc. on unit #135 a 2012 John Deere 1445 Mower for the price of \$5,027.40 with the funds to be expended from the Internal Service Equipment Fund. (Motion carried under the Consent Agenda)

Lehman/Heitzman moved to accept and approve the low quote from Bituminous Roadways, Inc. for the price of \$24,445.00 for the 2013 Trail Overlay Project, with funding to be expended from the Park and Recreation Asset Internal Service Fund. (Motion carried under the Consent Agenda)

Lehman/Heitzman moved to approve a motion authorizing the Purchase of Outlot B, Whispering Oaks. (Motion carried under the Consent Agenda)

Lehman/Heitzman moved to authorize the appropriate officials to enter into contracts with Medica and authorize the continuation of current employer contribution levels for 2014 employee health insurance. (Motion carried under the Consent Agenda)

Lehman/Heitzman moved to authorize the hiring of Alex Sharpe for the position of Planner 1, at Step F of Grade 6 of the 2013 Non-Union Pay Plan, contingent upon successful completion of the required background check and pre-employment physical and drug test. (Motion carried under the Consent Agenda)

Lehman/Heitzman moved to approve the construction of baseball dugout roofs at Green Meadows Park. (Motion carried under the Consent Agenda)

Lehman/Heitzman moved to approve the bills in the amount of \$1,025,926.47 and electronic transfers in the amount of \$405,168.22 for a total of \$1,431,094.69. (Motion carried under the Consent Agenda)

Lehman/Heitzman moved to approve the transfer of Crossroads Liquor of Shakopee LLC Liquor and Tobacco Licenses to 471 Marshall Road South. (Motion carried under the Consent Agenda)

Lehman/Heitzman offered Resolution No. 7363, A Resolution Appointing Judges of Election and Establishing Rates of Compensation. (Motion carried under the Consent Agenda)

Lehman/Heitzman Offer Resolution No. 7368, a Resolution Declaring the Adequacy of

the Environmental Assessment Worksheet for Valley Park Business Center 2nd Addition. (Motion carried under the Consent Agenda)

Lehman/Heitzman offered Resolution No. 7365, approving the Final Plat for Valley Park Business Center 2nd Addition. (Motion carried under the Consent Agenda)

Lehman/Heitzman moved to call for a joint meeting on Wednesday, October 23rd with the Planning Commission and EDAC, to discuss the Shakopee 101 Corridor issues. (Motion carried under the Consent Agenda)

Mayor Tabke asked if there was anyone in the audience who wished to speak on an item noted on the agenda. No one responded.

Heitzman/Whiting moved to re-open the public hearing. Motion carried 5-0.

Clay/Lehman moved to close the public hearing. Motion carried 5-0.

However, Clay/Heitzman moved to approve a suspension of City Code Sec. 10.60, Noise Elimination and Noise Prevention, Subd. 3, Hourly Restrictions on Certain Operations, D, allowing work to start at 8:00 AM on Saturday's for the remainder of 2013 and directing staff to publish notice of the suspension terms with the conditions as recommended by staff. Motion carried 3-2 with Cncl. Whiting and Lehman in dissent.

Lehman/Clay moved to recess for an Economic Development Authority meeting. Motion carried 5-0.

Mayor Tabke reconvened the City Council meeting at 7:23 p.m.

Whiting/Clay moved to adopt City Ordinance Number 873, an Ordinance of the City of Shakopee, Minnesota, adding Section 6.46 to the Shakopee City Code regarding pet store licensing and regulation; and, Ordinance Number 874, an Ordinance of the City of Shakopee, Minnesota, amending the City's adopted 2013 fee schedule to add a pet store license fee. Motion carried 5-0.

Clay/Heitzman moved to uphold staff's recommendation for a financial penalty of \$18,500 for the unauthorized tree removal assessment at 1995 Evergreen Lane. Discussion followed.

Mayor Tabke asked for a vote on the motion.

Motion carried 3-2 with Cncl. Lehman and Cncl. Whiting in dissent.

Clay/Heitzman moved to direct staff to formalize an appeals process for issues relating to woodland preservation issues. Motion carried 5-0.

Whiting/Clay moved to adjourn to Tuesday, October 15, 2013 at 7:00 p.m. Motion carried 5-0.

Meeting ended at 8:27 p.m.

Julie A. Linnihan  
Finance Director/City Clerk  
Kim Weckman  
Recording Secretary

(Published in the Shakopee Valley News on Thursday, October 17, 2013; No. 5299)

**The Public Notice deadline for the Shakopee Valley News is at 4:00pm on Thursday for the following week's issue.**

**Faxes not accepted.**

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