

City of Dayton Economic Development Authority (EDA)

May 18, 2021- 7:30 a.m.

Agenda

1. Call to Order
2. Approve Agenda
3. Approval of Minutes-April 20, 2021
4. Review Updated Bylaws
5. Update on Signage Code revisions
6. Discussion on City Owned Property
7. Development Update
 - a. Residential
 - b. Industrial/Commercial
 - i. Update on activity in SW Dayton
8. Adjourn

The mission of the EDA is to promote economic growth in the City of Dayton through the attraction of new business, retention of existing business and promotion of managed growth and redevelopment of key areas by providing resources that enable development and enhance the quality of life in Dayton.

MINUTES OF THE APRIL 20, 2021 ECONOMIC DEVELOPMENT AUTHORITY
MEETING

Chair Bernens called the April 20, 2021 EDA to order at 7:30 AM.

Roll Call

Present: EDA members Gustafson, Huttner, Bernens, Berge, Fisher

Absent:

Also, in attendance: Tina Goodroad, City Administrator/Development Director

Approval of the Agenda

Motion to approve the agenda by Bernens seconded by Berge, all ayes. Motion Passed.

Approval of EDA Minutes from February 16, 2020

Motion to approve the minutes by Bernens, seconded by Fisher; all ayes; the motion passed.

AGENDA ITEMS

Approval of 2021 Goals

Final goals were reviewed. Motion to approve by Bernens, second by Gustafson; no discussion on the final version of 2021 goals; all ayes, motion passed.

Discussion on Signage-

Goodroad updated that it would be best to hire a consultant to update the sign code along with other ordinances.

Fisher- is there something we can address outside of the consultant to address height.

Huttner – would like EDA to have an opportunity to provide input in sign limits in different districts.

Goodroad responded that yes, we can influence items such as height; use of pylon versus monument, digital; amount of wall sign, technology of digital signs- brightness levels but not specific on type of technology- be flexible in type of digital.

Create flexibility to meet all business needs.

Berge added that direct consumer businesses is where digital signs are most appropriate.

Industrial uses do not typically attract drive by traffic.

Consensus on hiring a firm to update the sign ordinance.

Branson, MO example

Discussion on Business Visits-

Huttner updated on his visits to businesses on Balsam Lane.

Organize visits and tours in the Fall

King Solutions
Spears

Bernes – would be willing to help with the outreach. Would like a list and priority of who we want to visit. Start this fall.

Development Update

Non-Residential- Goodroad updated the EDA regarding all the development activity in south Dayton.

Discussion on Wright County EDA- may not be a lot of benefit but Dayton could sign as a support. Berge motions EDA to support the request and approve the resolution to participated in Wright Co EDA; seconded by Bernes.

Future Meeting Schedule

Huttner requested that we meet monthly. Group consensus supports this if there are agenda items.

Bylaws- Huttner requested consideration of changing the bylaws to add an additional business representative.

ADJOURN

Motion by Gustafson and seconded by Berge to adjourn at 9:00 a.m. All ayes; the motion passed.

Respectfully submitted,
Tina Goodroad, City Administrator/Development Director

**By-Laws of the
Economic Development Authority of the City of Dayton**

Article I

Purpose

The Economic Development Authority of the City of Dayton (hereinafter the “Dayton EDA”) is a public body politic and corporate and a political subdivision of the State of Minnesota. The primary purpose of the Dayton EDA is to serve as an economic development authority and as a housing redevelopment authority pursuant to Minnesota Statutes 469. The Dayton EDA shall be governed by the requirements of said statute, the Enabling Resolution passed by the Dayton City Council and any amendments to the Enabling Resolution (hereinafter “the Resolution”) which may be enacted. The affairs of the Dayton EDA shall include, but not be limited to, promoting growth and development of commercial, residential, and industrial concerns in the City of Dayton.

Article II

Office and Boundaries

1. The principle office shall be at the City Hall of the City of Dayton, Counties of Hennepin and Wright, Minnesota.
2. The territory in which operations of the corporation are principally to be conducted consists of the corporate municipal boundaries of the City of Dayton, Minnesota.

Article III

Board of Commissioners

1. The management of all of the affairs, property and business of the Dayton EDA shall be vested in a Board of Commissioners, consisting of ~~five (5)~~ six (6) persons. At least two (2) City Council members shall serve as commissioners of the Dayton EDA while the remaining four (4) shall represent local businesses.
2. Council representative terms shall concur with council terms of office, and may not exceed six years without formal reappointment. Any commissioners that do not serve on the City Council shall be appointed by the City Council and shall initially have terms of 3, 4, and 5 years respectively. Thereafter all commissioners with the exception of City Council members shall be appointed for six year terms.

3. The Board of Commissioners may exercise all powers of the Dayton EDA and do all such lawful acts and things as are required or permitted to be done pursuant to law, the Resolution or pursuant to these By-Laws.
4. Meetings of the Board of Commissioners shall be held monthly at the Dayton City Hall. At least three (3) days notice shall be given to the Commissioners for special meetings called. Said meetings shall also be posted pursuant to Open Meeting Law.
5. A quorum at all meetings of the Board of Commissioners shall consist of a simple majority of the whole board, but in no case shall a quorum be less than ~~two (2)~~ three (3) Commissioners. Less than a quorum may, however, adjourn any meetings, which may be held on a subsequent date without further notice, provided a quorum be present at such deferred meeting.
6. All meetings of the Dayton EDA shall be open to the public.

Article IV

Officers

1. The officers of the corporation shall be a President, Vice President, Secretary, Treasurer and Assistant Treasurer. The City Clerk shall serve as the Secretary, Assistant Treasurer and as an ex-officio member of the Board of Commissioners. Offices of president, Vice president and Treasurer shall be appointed to one year term. They shall hold office until their successors are elected and qualified. The President, Vice President and Treasurer shall be members of the Board of Commissioners.
2. The President shall preside at all meetings of the Dayton EDA, shall be in charge of the day-to-day operations, shall sign or countersign all certificates, contracts and other instruments of the Dayton EDA as authorized by the Board of Commissioners, shall make reports to the Board of Commissioners, and shall perform all such other duties as are incident to the office or are properly required of the officer by the Board of Commissioners.
3. The Vice President shall exercise the functions of the President during the absence or disability of the President.
4. The Secretary shall issue notice for all meetings, shall keep minutes of all meetings, shall have charge over the Dayton EDA books, and shall make such reports and perform such other duties as are incident to this office, or are properly required by the Board of Commissioners.
5. The Treasurer shall perform all duties incidental to the office which are properly required of the Treasurer by the Board of Commissioners.

6. In the case of the absence or the inability of any officer of the Dayton EDA to act, the Board of Commissioners may from time to time delegate the powers or duties of such officer to any other such officer, or any Commissioner whom it may select.
7. Vacancies in the office arising from any cause may be filled by the Commissioners.
8. The fees, if any, of all contracted agents of the Dayton EDA shall be fixed by the Board of Commissioners.

Article V

Removal and Expenses

1. A commissioner may be removed by the city council for inefficiency, neglect of duty, or misconduct in office. A commissioner shall be removed only after a hearing. A copy of the charges must be given to the commissioner at least ten days before the hearing. The commissioner must be given an opportunity to be heard in person or by counsel at the hearing. When written charges have been submitted against a commissioner, the city council may temporarily suspend the commissioner. If the city council finds that those charges have not been substantiated, the commissioner shall be immediately reinstated. If a commissioner is removed, a record of the proceedings, together with the charges and findings, shall be filed in the office of the city clerk.
 - 1.A. Absence from any three meetings in a year, unless excused in advance by the President, constitutes a vacancy. In the event of any vacancy, the President of the Authority shall notify the Council promptly of any vacancies and the Council shall appoint a person to complete the unexpired term of the original appointment.
(Amended by Resolution 32-2015- May 12, 2015)
2. Commissioners and officers shall be entitled to reimbursement for all reasonable travel and related expenses incurred in the performance of duties on behalf of the Dayton EDA. Schedules of reimbursable expenses shall be established by the Dayton EDA from time to time.
3. Commissioners shall be compensated at a rate of \$25/per official meeting.

Article VI

Finance and Administration

1. The monies of the Dayton EDA shall be deposited in the name of the Dayton EDA in official city depositories, and shall be drawn out only by a check signed by the Mayor and City Clerk-Treasurer.

2. The fiscal year of the Dayton EDA shall be the same as the fiscal year of the City of Dayton.
3. The nature, number and qualification of the staff required by the Dayton EDA to conduct its business according to these By-Laws shall comply with Minnesota Statutes 469.
4. The books and records of the Dayton EDA shall be kept at City Hall in the City of Dayton, Minnesota.

Article VII

Powers

1. The Dayton EDA may exercise all of the powers contained in the Enabling Act, Minnesota Statutes, Chapter 469.090-469.1082.
2. The Dayton EDA may exercise all of the powers contained in the Housing Act, Minnesota Statutes, Chapter 469.001-469.047. The Dayton Planning Commission must review for approval any Planning & Zoning related actions initiated by the Dayton EDA.
3. The Dayton EDA may exercise all of the powers of a city contained in the Housing Finance Act, provided it is authorized to do so by ordinance of the City Council pursuant to Section 462C.02, Subdivision 6 of the Housing Finance Act.
4. The Dayton EDA may exercise such powers as may be contained in other laws applicable to economic development authorities or housing and redevelopment authorities not specifically described herein.

Article VIII

Limit of Powers

The following limitations shall apply to the Dayton EDA and its operation:

1. The acquisition of property, sale of property, sale of bonds or other obligations issued and the levying of taxes for economic development purposes shall be approved and conducted by the Dayton EDA.
2. The Dayton EDA shall follow the budget process for City Departments in accordance with City policies, ordinances, and resolutions.

3. Development and redevelopment plans of the Dayton EDA shall be consistent with the Comprehensive Plan for the City of Dayton and the official controls implementing said Comprehensive Plan.
4. The Dayton EDA must submit its plans for development and redevelopment to the City Council for approval in accordance with City planning procedures and law.
5. The administrative structure and management practices and policies of the Dayton EDA must be approved by the City Council of the City of Dayton.

Article IX

Annual Report and Budget

1. The Dayton EDA will have available for the City's auditor a summary of the preceding year's revenues and expenditures, within 30 days after the close of the fiscal year. The purpose of this and any other data the auditor may require is to allow the auditor to proceed in a timely manner in preparing the annual financial report.
2. The Dayton EDA shall prepare an annual report describing its activities and providing an accurate statement of its financial condition, together with additional matters and recommendations it deems advisable for the economic development of the city. Said report shall be prepared and submitted to the City of Dayton by May 1 of each year.
3. The Dayton EDA shall prepare an annual budget projecting anticipated expenses and sources of revenue. Said report shall be prepared and submitted to the City of Dayton by August 1 of each year.

Article X

Notices

1. The Secretary shall notify each member of the time, place and purpose of any and all meetings by phone, written notice or personally.

Article XI

Staff

1. The City Administrator/Development Director of the City of Dayton shall also serve as the executive director for the Dayton EDA.

2. The Dayton EDA may employ technical experts and agents, and other employees as it may require, and determine their duties, qualifications and compensation.
3. The Dayton EDA may contract for the services of consultants, agents, public accountants, and other persons needed to perform its duties and exercise its powers.
4. The Dayton EDA may use the services of the City Attorney, or hire a general counsel for its legal needs. The City Attorney or general counsel, as determined by the Dayton EDA, is its chief legal advisor.
5. The City of Dayton may furnish offices, structures and space, and stenographic, clerical, engineering, or other assistance to the Dayton EDA.
6. The Dayton EDA may delegate to one or more of its agents or employees powers or duties as it may deem proper.

Article XII

Seal

1. The Dayton EDA shall not have an official seal.

Article XIII

Indemnification

1. The Dayton EDA shall have the power to indemnify officers, Commissioners, and employees, acting for or on behalf of the Dayton EDA in respect to any and all matters or actions for which and to the extent that indemnification is permitted by the laws of the State of Minnesota.
2. In its discretion the Dayton EDA may purchase insurance in conjunction with the indemnification provisions of Section 1 above.

Article XIV

Amendment of By-Laws

1. Alterations, amendments or repeal of the By-Laws may be made by a majority of the Commissioners entitled to vote at any meeting.

Article XV

Miscellaneous

1. All meetings of the Dayton EDA shall be governed by Robert's Rules of Order, as revised.
2. Except as authorized in Minnesota Statute 471.88, a Commissioner, officer, or employee of the Dayton EDA must not acquire any financial interest, direct or indirect, in any project or in any property included or planned to be included in any project, nor shall the person have any financial interest, direct or indirect, in any contract or proposed contract for materials or service to be furnished or used in connection with any project.