



CITY OF SPRING PARK
SPECIAL MEETING AGENDA
SEPTEMBER 17, 2018 – 6:00 PM
SPRING PARK CITY HALL

(Discussion times are approximate)

1. 6:00 – DANIEL GREGERSON – GREGERSON, ROSOW, JOHNSON, & NILAN
2. 6:30 – MATTHEW BROKL – CAMPBELL & KNUTSON
3. 7:00 – CITY ATTORNEY DISCUSSION
4. MISCELLANEOUS
5. 7:15 – ADJOURN



*PROPOSAL FOR LEGAL SERVICES
FOR THE CITY OF SPRING PARK*

August 23, 2018

Daniel R. Gregerson
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I. LAW FIRM BACKGROUND

A. History

Gregerson, Rosow, Johnson & Nilan, Ltd. dates its inception back to the mid-1950’s when Robert Lang formed a partnership with Daniel Fiedt. Roger Pauly joined them in 1961, and upon Mr. Fiedt’s retirement, the firm was renamed Lang and Pauly. The firm’s name was changed to its current designation in 2002. There are eleven attorneys working for the firm (seven partners, and four associates). An additional associate is expected to join the firm within two weeks of this proposal.

Gregerson, Rosow, Johnson & Nilan, Ltd. has represented municipal governments since 1978, beginning with our representation of the City of Eden Prairie. We have represented both SouthWest Metro Transit Commission and the City of Delano since 1986. We have represented the City of Savage since 2004. We also represent the Housing and Redevelopment Authority in and for the City of Eden Prairie, Economic Development Authorities in and for the Cities of Delano and Savage, Fire Relief Associations for both Eden Prairie and Delano, the Delano Water, Light, and Power Commission, the Pine River Area Sanitary District, the Excelsior Fire District. We

also provide legal services to the Minneapolis Park Board. In our representation of these entities, we provide municipal legal services on an everyday basis.

All of the attorneys in the firm are engaged in the general civil practice of law, including: corporate, municipal, transportation, general litigation, fidelity and surety, estate planning, probate, and real estate.

In the public sector (municipal representation), the firm's historical experience includes: land use development, zoning, transportation, environmental matters, public and private real estate matters, public and private construction disputes, statutory and ordinance interpretation, estate planning and probate, the firm provided prosecution services to the City of Eden Prairie from 1978 to 2009; and from 2013 to today.

In the private sector, the firm's historical experience includes representation of individuals in personal business matters, and numerous partnerships and closely held corporations; representation to a number of national surety and fidelity companies which write construction, license, and fidelity bonds; representation of a number of insurers which issue, CGL, D&O and E&O policies; individual probate and estate clients; and general litigation.

B. Office Location

The firm maintains one office location at:

100 Washington Avenue South
Suite 1550
Minneapolis, MN 55401
Phone: (612) 338-0755
Fax: (612) 349-6718
www.grjn.com

II. STAFFING

A. Complete list of Attorneys

David R. Gregerson-Shareholder
Richard F. Rosow-Shareholder
Mark J. Johnson-Shareholder
Joseph A. Nilan-Shareholder
Daniel R. Gregerson-Shareholder
Joshua A. Dorothy-Shareholder
Daniel A. Ellerbrock - Shareholder
Margaret Neuville – Associate
T. James Power – Associate
Jacob T. Merkel – Associate
Jesse D. Berglund – Associate

B. Lead Attorney: Daniel R. Gregerson

Daniel R. Gregerson

Daniel Gregerson graduated with a B.A. in History from Lawrence University in 1997, and a J.D. *cum laude* from Hamline University School of Law in 2004. Mr. Gregerson joined the firm in 2004. Mr. Gregerson primarily practices in the areas of suretyship and municipal law. Mr. Gregerson routinely assists Mr. Rosow (the lead attorney for the Cities of Eden Prairie, Savage, SouthWest Metro Transit Commission, and the Minneapolis Park Board) in the day-to-day representation of the City of Eden Prairie and the City of Savage. Mr. Gregerson attends Council meetings when Mr. Rosow is unavailable. Mr. Gregerson's municipal practice includes experience in eminent domain, hazardous building enforcement, code enforcement, general municipal matters, review of government contracts, and easements for municipal purposes and utility easements. If the firm is retained as counsel for the City of Spring Park, Mr. Gregerson would be able to provide personal attention to the City's legal needs. In situations where Mr. Gregerson was not immediately available, Margaret Neuville or Joshua Dorothy would be the City's alternative contacts. Having multiple attorney contacts within our office facilitates prompt service when one of the designated attorneys is in court, or otherwise unavailable.

C. Other Attorneys Supplying Services for the City of Spring Park

Joshua A. Dorothy

Mr. Dorothy graduated with a B.A. in history from Denison University in 2000 and a J.D., *summa cum laude*, from the Hamline University School of Law in 2008. Mr. Dorothy served as a judicial clerk to the Honorable Jill Flaskamp Halbrooks and the Honorable Louise Dovre Bjorkman at the Minnesota Court of Appeals from 2008-2009. Mr. Dorothy joined the firm in 2009. Mr. Dorothy maintains a robust general business practice and insurance coverage practice. Mr. Dorothy often performs supporting legal services for Ric Rosow, the lead attorney for the City of Eden Prairie, the City of Savage, and SouthWest Metro Transit Commission. Mr. Dorothy is experienced in advising clients with respect to a variety of municipal employment matters including but not limited to: wage-and-hour issues, labor agreements, labor grievances, employee discipline, severance agreements, and personnel policies.

Daniel A. Ellerbrock

Dan Ellerbrock graduated *summa cum laude* from Saint Louis University in 2004 and earned his J.D. from the University of Minnesota Law School in 2007, where he was inducted into the Order of the Coif. Mr. Ellerbrock served as a judicial clerk to Justice David Stras at the Minnesota Supreme Court, and as a judicial clerk to Judge Harry Leinenweber in the United States District Court for the Northern District of Illinois. Mr. Ellerbrock joined the firm in 2012. Mr. Ellerbrock's practice is predominantly in the area of civil litigation, and he has appeared on behalf of clients in both state and federal courts, at both the trial and appellate level. Mr. Ellerbrock also regularly advises and assists clients with matters that the parties wish to resolve prior to or outside

of litigation. His experience includes the review of issues relating to insurance, construction disputes, and other contracts, statutes, and regulations.

Margaret L. Neuville

Margaret L. Neuville graduated from Arizona State University in 2005 with a B.A degree in Psychology and from William Mitchell College of Law with a J.D. in 2009. Ms. Neuville served as a judicial clerk to the Honorable Margaret Chutich at the Minnesota Court of Appeals from 2012-2013, and as judicial clerk to the Honorable John Scherer at the Stearns County District Court from 2010 to 2012. Ms. Neuville joined the firm in 2013. Ms. Neuville regularly performs legal services for the Cities of Eden Prairie, Savage and Delano, and the Minneapolis Park Board. Ms. Neuville directly assists Mr. Rosow in the day-to-day representation of the firm's municipal clients. Ms. Neuville attends Council and Commission meetings when the designated lead attorney is unavailable and is experienced in advising public bodies in public forum. Ms. Neuville's legal practice includes experience in the areas of: land use development, zoning and platting, enforcement of zoning code provisions, drafting of municipal ordinances and resolutions, municipal code recodification, and code revisions. Ms. Neuville's practice also includes experience in real estate including drafting and negotiating lease agreements, acquisition of residential property, commercial purchase agreements and closings, and Torrens registration and proceeding subsequent actions.

D. Proposed Allocations of Work

The primary responsibility for representing the City Spring Park would be delegated to Mr. Gregerson who would attend the regular and special meetings of the City. Other attorneys in the firm are called on where their expertise would be helpful and cost effective to the City.

E. Conflict of Interest

1. We represent the Cities of Eden Prairie, Delano, and Savage, the SouthWest Metro Transit Commission, and the Minneapolis Park Board. We are aware of no other conflicts with respect to other clients the firm has or currently represents that may conflict with our ability to serve as the City of Spring Park's attorney.
2. The firm represents the entity which operates Lord Fletcher's restaurant, which is located within Spring Park. We do not recall ever having represented Lord Fletcher's before the City of Spring Park.
3. Because of the size of our firm we do not often find ourselves in conflict situations. However, prior to the acceptance of a new client, we determine whether we are representing any other entity in an adverse position to the new client. We conduct a conflicts check through our client data base maintained as part of our time and billing system. In addition, when a new file is opened, a notice is circulated to all the attorneys in the firm which identifies the new client and adverse parties. If a conflict is found, the new representation is normally not undertaken, absent consent of the existing client pursuant to the rules governing professional responsibility. Similarly, if a conflict arises involving two current clients of the firm, absent written consent from the clients pursuant to the rules of

professional responsibility, the firm would decline to represent either party with respect to that matter.

III. SCOPE OF WORK

Scope of General Legal Services

The firm has represented municipal governments for nearly 30 years beginning in 1978 with the City of Eden Prairie. The firm has provided the civil legal services to the City of Eden Prairie since 1978. The firm provided criminal legal services to Eden Prairie from 1978 to 2009, and again from 2013 to the present time. Attorney Jesse Berglund currently serves as the dedicated municipal prosecutor for the City of Eden Prairie. Since 1986, the firm has represented the City of Delano and Southwest Metro Transit Commission, a joint powers body organized by the cities of Chaska, Chanhassen and Eden Prairie. We have represented the City of Savage since 2004.

All of the items addressed in this section are matters currently performed by the firm for its other municipal clients, including Eden Prairie, Savage and/or Delano.

1. The firm attends all City Council meetings for its municipal clients as requested. If for some reason the lead attorney is unable to attend, another attorney from the firm will attend the meeting. At request of the client, the firm also attends various Commission meetings and workshops.
2. The firm attends weekly office hours for its municipal clients as requested. The firm can accommodate requests for office hours.
3. For the past 30+ years, the firm has regularly drafted ordinances, resolutions, and reviewed meeting agenda items and minutes and take part in staff meetings.
4. The firm works with its municipal clients to keep their respective City Codes current.
5. We customarily review most of the contracts entered into by the entities we represent and, in fact, encourage such review to prevent difficulties from arising.
6. We have conducted court proceedings related to land use violations, including building and zoning violations, hazardous building violations, condemnations, conditional use permit violations, as well as nuisance violations. We have a sense of the balance involved between effective public policy and effective public relations in such matters.
7. The firm regularly conducts research and submits legal opinions on matters requested by all of its governmental clients. The formality of the response, whether it be oral or written, is normally dictated by the request of the client.
8. The firm is experienced in providing litigation services to its governmental clients. Many of the litigation matters are covered by insurance and in such situations, extensive representation is not necessary. We have found, however, that our governmental clients

request that we monitor the representation provided by counsel selected by the insurance company. Frequently litigation matters involve both claims that are covered and claims that are not covered by insurance. In such situations, the insurance company defends on all claims but is responsible for indemnifying only for covered claims. It is often important then to monitor the conduct of the case to protect the client against a judgment on a claim that is not covered by insurance.

9. The firm is accustomed to reviewing surety bond and insurance requirements for municipal contracts and/or activities.
10. The firm has initiated eminent domain proceedings for public improvement projects for its municipal clients.
11. The firm has prosecuted and resolved several land use violations for its municipal clients.
12. We have negotiated and enforced numerous development agreements.

IV. FEES

The firm generally does not utilize a retainer or require monthly minimum billing increments for its municipal clients. Consistent with our other municipal clients, the City would be billed based on an hourly billing rate for all legal services. This includes attendance to City Council meetings, workshops, and office hours. The firm has found this billing method to work best with its other municipal clients.

The firm proposes the following hourly fee schedule for city attorney services:

General Legal Services: 2018-2020

\$180.00 per hour for shareholder

\$175.00 per hour for associates

\$85.00 per hour for paralegal and law clerk

Developer-Reimbursed Project Rates: 2018-2020.

\$275.00 per hour for shareholders

\$195.00 per hour for associates

The firm does not bill for support staff services.

We believe our fee arrangements provide benefit to the City. Our general legal services rates are competitive, and the developer-reimbursed project rates make it possible for the City to reimburse itself for a significant portion of the attorneys' fees on developer-requested projects.

The firm's fee schedule is as follows: copy charge is \$0.20 per page; postage charges are based on current USPS rates and is dependent on frequency of usage; WESTLAW charges are dependent on usage. We do not bill municipal clients for mileage. Actual expenses incurred as a

necessary part of the client's representation will be billed to the client, with a clear and specific explanation of that expense.

The firm uses a billing program, TABS, which is capable of providing as much detail as desired. Our bills will clearly identify the matter or case which is the subject of the billing, the attorney or other staff member performing the work, the type of work performed, and the amount of time expended. We will list the names of the specific clients and client employees with whom contact is made on the case, and also provide a detailed list of costs and expenses. Particular billing needs and requests can normally be accommodated.

Submitted by:



Daniel R. Gregerson
Gregerson, Rosow, Johnson & Nilan, Ltd.
100 Washington Avenue South
Suite 1550
Minneapolis, MN 55401



CAMPBELL KNUTSON

PROFESSIONAL ♦ ASSOCIATION

Thomas J. Campbell*
Roger N. Knutson
Elliott B. Knetsch
Joel J. Jamnik
Andrea McDowell Poehler
Soren M. Mattick
Henry A. Schaeffer, III
Alina Schwartz
Shana N. Conklin
Amy B. Schutt
James J. Mongé, III
Jerome M. Porter
David S. Kendall
Matthew K. Brokl
Kurt S. Fischer

*Of Counsel

August 20, 2018

Via Email to:
dtolsma@ci.spring-park.mn.us

City of Spring Park
Attention: City Administrator
4349 Warren Avenue
Spring Park, MN 55384

Re: Request for Proposals / Civil Legal Services

Dear Mr. Tolsma:

In response to the City's request, attached please find our firm's proposal to provide civil legal services to the City of Spring Park.

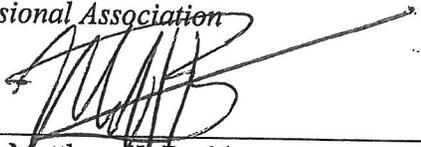
Campbell Knutson has a long standing reputation of efficiently providing quality legal services to municipal governments throughout the metropolitan area and greater Minnesota. We are very interested in providing civil legal services to the City of Spring Park.

Thank you for the opportunity to submit this proposal. We look forward to meeting with you and your staff to further expand on our qualifications based on the City's specific needs. If you have any questions or require any additional information, please do not hesitate to contact me.

Very truly yours,

CAMPBELL KNUTSON
Professional Association

By: _____


Matthew K. Brokl

Grand Oak Office Center I
860 Blue Gentian Road
Suite 290
Eagan, Minnesota 55121
Main: 651-452-5000
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MKB:slc
Attachment

City of Spring Park

Provision of Civil Attorney Legal Services



CAMPBELL KNUTSON

PROFESSIONAL ♦ ASSOCIATION

August 20, 2018

**Contact: Matt K. Brokl
Grand Oak Office Center I
860 Blue Gentian Road, Suite 290
Eagan, Minnesota 55121
Telephone: (651) 452-5000
Email: mbrokl@ck-law.com
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CIVIL LEGAL SERVICES PROPOSAL

THE FIRM

Founded in 1986, Campbell Knutson, Professional Association, has provided municipal clients with competent, prompt and cost conscious legal services for over 30 years. Our firm has forged lasting and highly successful relationships with cities as diverse as Elko New Market and Edina. The firm employs 15 attorneys and 10 legal assistants. 14 of our 15 attorneys exclusively represent public-sector clients. Over 90% of the firm's revenue is generated by our public-sector clients. As a result, our attorneys and staff are well versed in the issues facing cities of all sizes at every stage of development. The firm does not represent any real estate developers.

One of the hallmarks of Campbell Knutson's municipal practice has been the ability to combine our municipal law expertise with service carefully crafted to match each city's unique structure and governance style. It is this flexibility and proven adaptability that set Campbell Knutson apart and make our firm a good match for Spring Park.

OUR CLIENTS

Our firm provides high quality, cost-effective legal representation to the following municipalities and public organizations:

- ❖ Arden Hills for 4 years
- ❖ Big Lake for 19 years
- ❖ Braham for 16 years
- ❖ Burnsville for 28 years
- ❖ Cannon Falls for 27 years
- ❖ Chanhassen for 28 years
- ❖ Edina for 10 years
- ❖ Elk River for 4 years
- ❖ Elko New Market for 25 years
- ❖ Falcon Heights for 20 years
- ❖ Farmington for 19 years
- ❖ League of MN Cities Insurance Trust for 28 years
- ❖ Lakeville for 28 years
- ❖ Lindström for 20 years
- ❖ Lonsdale new this year
- ❖ Monticello for 15 years
- ❖ Montrose new this year
- ❖ Mora for 19 years
- ❖ North Saint Paul for 9 years
- ❖ Orono for 12 years
- ❖ Plymouth for 23 years
- ❖ St. Louis Park for 21 years
- ❖ Shafer new this year
- ❖ Stacy for 1 year
- ❖ Stillwater Township for 28 years
- ❖ Woodland for 11 years
- ❖ Zimmerman for 14 years



CITY ATTORNEY

Matt K. Brokl. If Campbell Knutson is selected, Matt will serve as the Spring Park primary city attorney. He will provide all general legal services, including meeting attendance, legal analysis and risk assessment, and project management. One hundred percent of Matt's time is allocated to civil municipal representation.

Matt has many years of experience with Campbell Knutson representing municipal clients. He is currently the primary attorney for the cities of Lonsdale and Montrose, and is the principal back up attorney for the city of Burnsville and many of our other clients. He previously served as the primary attorney for the cities of Burnsville, Big Lake, Monticello and Orono, and has significant familiarity with Charter and Statutory forms of government.

Matt practiced law with Campbell Knutson from 1995 to 2006, and was a shareholder with the firm. In 2006, Matt accepted a position as Associate General Counsel for Buffalo Wild Wings where he advised the company regarding litigation, liquor licensing, real estate development, construction matters, contracts and more. Matt returned to Campbell Knutson in 2017 and is pleased to resume his career in municipal law.

With his many years representing cities as lead attorney, Matt has a broad knowledge of municipal law. Matt commonly works with cities on matters such as real estate development, land use, zoning, contracts, ordinance preparation, code enforcement, employment issues, and data practices. Matt also has extensive jury trial litigation experience as the lead attorney in the courtroom. Matt has worked with many types of Boards, Commissions, and Advisory organizations such as Economic Development Authorities, Planning Commissions, and Park and Recreation Boards. Many of the cities Matt has worked with have police and fire departments and other highly specialized employees.

While Matt will manage the legal services provided to Spring Park, Campbell Knutson is a partnership in the true sense of the word. We are an open and collaborative group and work as a team to serve each of our clients. All of our attorneys practice municipal law, but each attorney has developed specialties, or has had specific experience with issues, that allows the CK team to provide a depth of knowledge and experience that no single attorney could provide, knowledge and experience Matt can call upon on behalf of Spring Park.

PRINCIPAL BACK UP ATTORNEY

Soren M. Mattick. Soren joined the firm in 2001 after spending five years with the Rice County Attorney's office and is a shareholder of the firm. Soren provides general municipal services for all of the firm's clients and is the lead attorney for the cities of Big Lake, Lindström, North St. Paul, Orono, St. Louis Park, Zimmerman, and Stillwater Township. In addition, Soren handles all aspects of civil litigation on behalf of the firm's clients as well as code enforcement. He has been a land use instructor for Government Training Services.

ASSISTING CITY ATTORNEYS

Other attorneys who may be called upon to serve in their specialized areas or assist Matt are as follows:



Andrea McDowell Poehler. Andrea is a shareholder of the firm and has practiced municipal law with the firm since 1993. Although a generalist in municipal law, Andrea also specializes in the areas of real estate, land use, labor and employment, and economic development. Andrea handles real estate transactions for the firm's clients, including multi-million dollar land sales, acquisitions and leases. Andrea is well-versed in land use development matters and assists firm clients in negotiating and drafting development contracts and related documents for residential and commercial developments as well as redevelopment projects. Andrea is the city attorney for Lakeville and Elko New Market. Andrea serves as an economic development counsel to cities, economic development authorities, and housing and redevelopment authorities, and has prepared development and tax increment agreements, tax abatement agreements, and business subsidy agreements. Andrea will handle real estate matters for Spring Park.

Roger N. Knutson. Roger is a shareholder of the firm and provides general municipal services for all of the firm's clients. He has over 40 years of municipal law experience and is currently city attorney for Chanhassen, Edina, Plymouth, and several small communities. Roger specializes in representing developing or redeveloping suburban cities. Because of his extensive employment law background, Roger will assist Matt in providing Spring Park with legal services in employment and labor matters, data practices and public improvements.

Joel J. Jamnik. Joel is a shareholder of the firm and provides general municipal services for all of the firm's clients. Currently city attorney for Arden Hills, Braham, Burnsville, Farmington, Monticello, Mora, and Woodland. Joel has specialized in representing cities his entire 35-year legal career. Prior to joining the firm in 1999, Joel spent 17 years at the League of Minnesota Cities. At the League, Joel served as Research Assistant, Legislative Representative, Legislative Counsel and Senior Intergovernmental Relations Representative, and was the lead author of the Handbook for Minnesota Cities from 1983 to 1995. In addition to advising on general city legal matters, Joel has developed a focus on telecommunications and franchising matters. He has been a land use instructor for Government Training Services and has served as a Board Member and President of the Minnesota City Attorneys Association.

Amy B. Schutt. Amy is city attorney for the city of Stacy and assists in providing all of the firm's municipal clients with civil legal services. Her work includes a wide range of projects, such as pursuing annexations, drafting ordinances, litigating hazardous buildings, attending council meetings, and drafting development contracts.

David S. Kendall. David practices real estate litigation with an emphasis on eminent domain cases involving government takings of property for road expansion, improvement projects, access takings, and many other purposes. David has tried hundreds of cases before condemnation commissioners, judges, and juries. David also practices general municipal and governmental law, working in the areas of zoning and land use, commercial real estate development, data practices, special assessment appeals, and permitting.

PROFESSIONAL STAFF

Campbell Knutson employs 10 legal assistants who assist the attorneys in providing quality legal and clerical services to our clients. Many of our support staff have been with the firm for over 20 years. Our long-term and experienced staff assists Campbell Knutson in our commitment to serve municipal clients in a timely and



cost-effective fashion. They are critical in contributing to our strength in responding quickly to our clients' needs regarding deadlines. If selected, we will assign Spring Park projects to our current support staff.

SCOPE OF WORK/APPROACH TO CIVIL SERVICES

Campbell Knutson offers a wealth of municipal experience and legal expertise in the areas crucial to cities. More importantly, our size and dedication to customized legal service promise to exceed expectations. We work hard to understand and represent the views of the community we represent rather than employing a standardized system carried over from one community to the next. If selected as the Spring Park City Attorneys, we will work with the City Council and its Administrator to determine the best structure for communications and project assignments.

Availability and Response Time. The keys to a successful attorney-city relationship are accessibility and regular contact. For Matt and other members of the firm, this means quick email responses and virtually continuous availability via phone or cell phone. Matt makes it a priority to immediately return the City's phone calls and never later than the same day. On the rare occasions when Matt will be unavailable, the city can turn directly to any other attorney in our office for an immediate response. Other cities we represent have mentioned that our turn-around time is faster than any other law firm they have dealt with.

Educating Our Clients. Driven both by professional dedication and personal interest, Matt keeps a close watch on all pending and passed legislation of import to local governments. Matt delivers timely updates and cogent analysis to all his clients. As a result, he will keep the Spring Park Code and procedures fully up to date. We do not bombard clients with useless information. We send out updates on an individualized basis. The firm also regularly provides training to the City Council, Planning Commission, Boards, and city staff on land use and assorted legal issues.

Meetings. Matt is available to attend all City Council meetings as well as other commission or committee meetings as needed. Matt is the principal attorney for Lonsdale which holds its meetings on the second and fourth Thursday of the month. As the Montrose attorney Matt attends meetings once a month on the second Monday. Matt is familiar with parliamentary rules and open meeting laws. We recognize the importance of an immediate answer or update and are committed to preparing for and attending meetings. As needed, Matt will participate in or be available for meetings and discussions with the Mayor, Councilmembers, City Administrator, City Staff, and/or other individuals as requested.

Environmental Review. The firm has extensive experience in the environmental review process, which allows our clients to make informed decisions for their communities. Our experience includes EAW review, the oftentimes contentious public comment period, deciding whether an EIS is needed, navigating the EIS process, and using alternative review procedures.

Employment Law and Labor Relations. The firm has significant experience in labor relations and employment law which allows us to spot problem areas, evaluate issues, and rapidly recommend the best solution, be it policy changes or arbitration. We have handled numerous arbitrations, both interest and grievance. Roger and Andrea assist all of the firm's municipal clients in employment and labor issues and



regularly advise clients on benefit issues. Roger has also drafted many of the employment policies and manuals for firm clients. Andrea handles many of the employment investigations for our municipal clients.

Ordinance and Resolution Drafting. Matt takes a proactive approach toward ordinance review and drafting. More than almost any other area, ordinance drafting can transform a seemingly insignificant word or phrase into a major unforeseen problem. Accordingly, when drafting an ordinance, Matt works and reworks the language, compares it to that found in numerous other city codes, and checks relevant case law. The rigorous process generates ordinances that are easily put into practice and that minimize future risks. The firm has assisted several cities in the process of codifying ordinances and is familiar with code overhauls and maintenance.

Resolutions document the legal basis for many of the City's actions. Our attorneys have extensive experience in drafting resolutions that increase the sustainability of local decisions and which have served as models for the League of Minnesota Cities and other communities.

Document Review. As indicated above, Campbell Knutson has drafted and reviewed all types of contracts, development and redevelopment documents, real estate title and transaction documents, joint powers agreements, municipal policy manuals, municipal governance documents, and more. In responding to a document drafting or review request, we will draw on this vast collection to efficiently and effectively produce a quality product. Our background and municipal experience ready us for changes in the law and wholly novel approaches to achieving client goals.

Real Estate. Matt and Soren facilitate real estate transactions for all of our firm's municipal clients on a day-to-day basis. They have successfully handled multi-million dollar development agreements, park and redevelopment property acquisitions, easements and leases for many of our municipal clients. They know technical requirements as well as the practical mechanics of real estate transactions. Matt and Soren are assisted by experienced paralegals with a thorough knowledge of real estate document preparation and document recording.

Economic Development. Matt and Soren assist clients with economic development. Both have working knowledge of tax increment financing, DEED financing and reporting, loan agreements, pass through agreements, business subsidy agreements, tax abatement and contracts for private development.

Data Practices. Matt and our other city attorneys assist all of the firm's clients in responding to, and are also well versed in, data practices requests and issues. We continually monitor statutory changes in the Minnesota Government Data Practices Act and review the administrative opinions on data practices issues.

Eminent Domain. Matt worked extensively with the City of Burnsville in the redevelopment of the successful "Heart of the City" project which required the acquisition of multiple properties via negotiation and eminent domain proceedings. Although every property acquisition presents distinct issues and calls for its own strategy, Matt attempts to facilitate careful planning at the earliest possible stages of an acquisition and, as a result, a property can often be acquired through astute negotiation. When it cannot, however, David Kendall will acquire the property through formal condemnation and eminent domain processes.



Zoning, Land Use, and Annexation. Zoning and land use law requires meticulous drafting and interpreting skills as well as a broad background in administrative and procedural requirements. By working with the firm's municipal clients, Matt has become highly skilled at navigating through complex state and local zoning issues. Matt has taught courses to municipal staff and city attorneys on zoning and comprehensive plans and their enforcement and coordination. Additionally, Matt has assisted clients in completing cooperative and contested annexations of property.

Code Enforcement. Campbell Knutson also offers both civil and criminal zoning enforcement. Matt and Soren have prosecuted numerous code violations and have often used civil actions to gain compliance. As soon as a code violation is forwarded to our office, we confer with City staff to determine what is needed for compliance and to determine a reasonable time period for achieving code compliance. We keep the staff updated as to the status of each code violation as these are frequently sensitive matters for the neighbors and council members alike.

Public Improvements. Matt and the firm have extensive experience in every aspect of public improvements including real estate acquisition, condemnation, process issues, financing, and special assessments. The firm is involved in numerous projects on an ongoing basis. Matt provides legal advice and guidance in MSA 429 projects ranging from small street maintenance projects to multi-million dollar infrastructure development for residential and commercial areas. One particular project of note is Matt's involvement with the construction of a new bridge across interstate 94 in Monticello for the purpose of facilitating large commercial developments wherein property owners were charged substantial sums via the MSA 429 process.

Allocation of Work. At Campbell Knutson we assess, prioritize, and allocate legal work based on its complexity in order to create cost efficiencies for the City. We assign tasks to our legal assistants and junior attorneys such as initial research, drafting of contracts, development agreements, city code provisions, and real estate documents of many types. Given our extensive representation of municipal clients, our staff is able to begin their work using formats and documents previously developed and used by our other clients. All work is supervised and reviewed by the lead Attorney and attorneys with subject matter expertise.

Finance. Matt and the firm have experience acting as a liaison to finance staff and public/private partnerships, ensuring that timelines are met, verifying the applicability of business subsidies, and analyzing and preparing documentation for the purchase of many types of goods and services. We do not act as bond counsel for any of our clients.

Litigation. Campbell Knutson is retained by the League of Minnesota Cities Insurance Trust (LMCIT) to defend member cities. Led by Soren Mattick, Campbell Knutson has experienced attorneys who have defended numerous cities in a wide variety of lawsuits. Along with this first-rate litigation service, Soren and Matt will scrutinize potential lawsuits, advise the City, and minimize the risks of litigation.

RESEARCH CAPABILITIES AND REFERENCE SUBSCRIPTIONS

Because of Campbell Knutson's municipal focus, our attorneys have ready access to countless research memoranda, ordinances, and contracts and agreements. The firm not only maintains a comprehensive legal



library but also subscribes to virtually every specialty publication relating to municipal practice. The firm makes extensive use of the Westlaw online database. Our experience and our resources allow us to provide incredibly prompt responses.

CONFLICTS OF INTEREST

As our firm focuses on municipal law, we do not represent any real estate developers and thus, we do not take positions contrary to municipal interests either locally or in a broader context through court cases or lobbying.

Campbell Knutson does not represent any clients with current conflicts with Spring Park. While the firm does represent the adjacent city of Orono, it is very unlikely that a situation would arise where the City's interests would be in opposition to those of Orono. If such a situation develops where there is a conflict or perceived conflict we would follow the requirements and processes to provide both parties with proper representation.

In order to identify potential conflicts with prospective clients, we search our electronic database prior to the creation of any attorney-client relationship. In addition, at the time a new file/matter is opened, the parties are checked against a client list that is generated monthly and distributed to all attorneys. The prospective parties are also crosschecked against a list of closed files. This process has worked effectively in identifying potential conflicts. If a conflict is identified, we immediately notify our clients and make a recommendation on how to proceed. We do not accept representation if a perceived conflict exists.

STATEMENT OF COMPLIANCE WITH CIVIL RIGHTS LAWS

The firm is fully compliant with state and federal laws, including EEOC, human rights, and data practices and agrees not to discriminate against any employee or applicant for employment on the basis of race, color, creed, religion, national origin, sex, sexual orientation, age, marital status, status with regard to public assistance or disability and to take affirmative action to assure that all employees are treated equally with respect to training, hiring, rates of pay and other forms of compensation.

INSURANCE

Campbell Knutson will maintain comprehensive liability, professional liability, and workers' compensation insurance on all staff assigned to work for Spring Park. We maintain malpractice insurance through Minnesota Lawyers Mutual and have policy limits of one million dollars per claim and three million dollars aggregate. We have not had any malpractice claims against the firm or any of our attorneys, and no member of the firm has been subject to disciplinary action by the Lawyers Professional Responsibility Board.



City Clients:

Arden Hills

David Perrault, Administrator
(651) 792-7824

Braham

Sally Hoy, Administrator
(320) 396-3383

Cannon Falls

Lanell Endres, Administrator
(507) 263-9300

Edina

Scott Neal, Manager
(952) 826-0401

Elko New Market

Thomas Terry, Administrator
(952) 461-2777

Farmington

David McKnight, Administrator
(651) 280-6801
Adam Kienberger, Community
Development Director
(651) 280-6820

Lindström

John Olinger, Administrator
(651) 257-0625

Mora

Jack L'Heureux, Mayor
(320) 679-1511
Joel Dhein, Administrator (Retired)
(320) 225-4804

Big Lake

Clay Wilfahrt, Administrator
(763) 263-2107

Burnsville

Dana Hardie, Interim Manager
(952) 895-4465

Chanhassen

Todd Gerhardt, Manager
(952) 227-1119

Elk River

Calvin Portner, Administrator
(763) 635-1001
Amanda Othoudt,
Economic Development Director
(763) 635-1042

Falcon Heights

Sack Thongvanh, Administrator
(651) 792-7611

Lakeville

Justin Miller, Administrator
(952) 985-4403
Daryl Morey, Planning Director
(952) 985-4422
David Olson, Community and
Economic Development Director
(952) 985-4421

Monticello

Jeff O'Neill, Administrator
(763) 295-2711

North St. Paul

Dr. Craig Waldron, Interim Manager
(651) 747-2421



Orono
Dustin Rief, Administrator
(952) 249-4601

St. Louis Park
Tom Harmening, Manager
(952) 924-2525

Woodland
James Doak, Mayor
(952) 474-4755

Plymouth
Dave Callister, Manager
(763) 509-5300

Stacy
Sharon Payne, City Clerk
(651) 462-4486

Zimmerman
Randy Piasecki, Administrator
(763) 856-4666

Townships

Stillwater
David Johnson, Board Member
(651) 439-5448

Insurance Defense, Land Use And Zoning

League of Minnesota Cities
Mark Rossow, Claims Manager
Patricia Beety, LMC General Counsel
(651) 281-1200

HRAs and EDAs

Cannon Falls
Dave Maroney, Director
(507) -263-9312

Farmington
Adam Kienberger, Director
(651) 280-6820

Lakeville
David Olson, Director
(952) 4421

Chanhassen
Chelsea Petersen, Asst. Manager
(952) 227-1118

Hastings
John Hinzman, HEDRA Director
(651) 480-2378

St. Louis Park Housing Authority
Tom Harmening, Director
(952) 924-2525

Watershed Management

Elm Creek
Judie Anderson, Administrator
(763) 553-1144

Pioneer-Sarah Creek
Judie Anderson, Administrator
(763) 553-1144



Eagan-Inver Grove Heights

Eric Macbeth, Water Resource
Manager, Eagan
(651) 675-5330

Scott Thureen, Public Works
Director, Inver Grove Heights
(651) 450-2571

Lower Mississippi River

Joe Barten, Administrator
(651) 480-7784

Black Dog

Daryl Jacobson, Administrator
(952) 895-4574



AREAS OF EXPERTISE

Attorney Name		Practice Areas
Brokl, Matt K.	Attorney	General Municipal Land Use Litigation Real Estate
Mattick, Soren M.	Shareholder	General Municipal Litigation/Code Enforcement Land Use Employment/Labor
Poehler, Andrea McDowell	Shareholder	General Municipal Labor and Employment Land Use Real Estate Economic Development
Knutson, Roger N.	Shareholder	General Municipal Land Use Labor and Employment
Jamnik, Joel J.	Shareholder	General Municipal Land Use Telecommunications
Kendall, David S.	Attorney	Eminent Domain Civil Litigation Municipal and Governmental Law Appellate Practice
Schutt, Amy B.	Attorney	General Municipal Forfeitures

RESUMES



MATT K. BROKL

Attorney

mbrokl@ck-law.com
(651) 234-6227



CITY ATTORNEY FOR THE CITIES OF:
Lonsdale and Montrose

PRACTICE AREAS

Matt has 13 years of experience with Campbell Knutson representing municipal clients. Throughout his practice, Matt focused on areas such as real estate development, employment issues, data practices, land use planning, zoning, contracts, and ordinance preparation. Matt also has extensive litigation experience in evaluating cases, designing litigation strategies, defending and conducting depositions, and resolving cases through settlement, mediation, arbitration and trials. Matt has taught courses to municipal staff and city attorneys on zoning and comprehensive plans and their enforcement and coordination.

PROFESSIONAL EXPERIENCE

Matt practiced law with Campbell Knutson from 1995 to 2006, and was a shareholder with the firm. In 2006, Matt accepted a position as Associate General Counsel for Buffalo Wild Wings. Matt returned to Campbell Knutson in 2017 and is pleased to resume his career in municipal law.

PROFESSIONAL MEMBERSHIPS

- Minnesota State Bar Association
- Dakota County Bar Association
 - o President and Officer, 1999 - 2002
- First Judicial District Bar Association

ORGANIZATION

- Epilepsy Foundation of Minnesota, 2015 - Present
 - o Member of the Board of Directors

EDUCATION

University of Minnesota
Law School
J.D., cum laude

St. Cloud State University
B.A., cum laude

BAR ADMISSIONS
Minnesota

U.S. District Court,
District of Minnesota

Eighth Circuit Court of
Appeals



SOREN M. MATTICK

Shareholder

smattick@ck-law.com
(651) 234-6217



CITY ATTORNEY FOR THE CITIES OF:

Big Lake, Lindström, North St. Paul, Orono, St. Louis Park, Stillwater Township, and Zimmerman

PRACTICE AREAS

Soren provides general municipal services for all of the firm's clients. In addition, Soren handles all aspects of civil litigation on behalf of the firm's clients as well as code enforcement. He has been a land use instructor for Government Training Services.

PROFESSIONAL EXPERIENCE

Soren joined the firm in 2001 after spending five years with the Rice County Attorney's office and is a shareholder of the firm. Soren was an Assistant Rice County Attorney from 1997 to 2000, with primary responsibility for land use, waste management, and forfeiture issues.

PROFESSIONAL MEMBERSHIPS

- Minnesota State Bar Association
- Rice and Dakota County Bar Associations

EDUCATION

Hamline University Law School
J.D.

Luther College, B.A.

BAR ADMISSIONS

Minnesota



**ANDREA MCDOWELL
POEHLER**

Shareholder

apoehler@ck-law.com
(651) 234-6224



CITY ATTORNEY FOR THE CITIES OF:

Elko New Market, Farmington EDA, Lakeville, Plymouth HRA

PRACTICE AREAS

Andrea attends Lakeville Planning Commission meetings and acts as an assistant city attorney for all of the firm's clients. Andrea specializes in the following areas of law:

- Real Estate
- Land Use
- Employment Law
- Housing and redevelopment authority law
- Economic development authority law

PROFESSIONAL EXPERIENCE

Before joining the firm, Andrea clerked for the Honorable Jack Davies of the Minnesota Court of Appeals. Andrea has been a member of the firm since 1993 and a shareholder since 2000.

PRESENTATIONS & PUBLICATIONS

- Minnesota Continuing Legal Education Presenter, 2015
 - o Land Use Law
- *Land Use, The Complete Real Estate Lawyer's Quick Answer Book*, 2015

EDUCATION

William Mitchell College
of Law

J.D., cum laude

St. Olaf College, B.A.
(dual major in English and
Mathematics)

PROFESSIONAL

MEMBERSHIPS

- Minnesota Association
of City Attorneys
- Minnesota State Bar
Association, Public
Law Section & Real
Estate Section
- Sensible Land Use
Coalition
- American Planning
Association
- Dakota County Bar
Association
- 2016 Young Lawyer
Mentorship Program

BAR ADMISSIONS

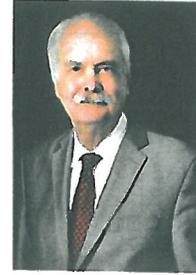
Minnesota



ROGER N. KNUTSON

Shareholder

rknutson@ck-law.com
(651) 234-6215



CITY ATTORNEY FOR THE CITIES OF:

Chanhassen, Edina, Plymouth, Falcon Heights, Cannon Falls, Elk River

PRACTICE AREAS

Roger has extensive experience advising elected and appointed city officials and staff on all aspects of municipal law. Specializing in land use law, Roger has been retained by numerous cities throughout the state for consulting and special projects.

PROFESSIONAL EXPERIENCE

Throughout his entire career, 100% of Roger's legal practice has been dedicated to the representation of public sector clients.

PRESENTATIONS

Roger has lectured to state and national planning associations, the League of Minnesota Cities, the Minnesota Township Association, I.C.M.A., The Sensible Land Use Coalition and attorney groups. His presentations include:

- League of Minnesota Cities, City Attorney Updates
 - o The Environmental Review Process
- Lormar Seminar
 - o Advanced Zoning and Land Use in Minnesota
- Minnesota Board of Peace Officer Standards and Training (POST)
 - o Data Practices Update
- Continuing Legal Education
 - o Overview of Zoning, Planning and Land Development in Minnesota
 - o Religious Land Use and Institutionalized Persons Act
 - o Local Government and the Law
- Ehlers Public Finance Seminar
 - o Development Fees
- Minnesota Association of Townships, Legal Seminar
 - o Making a Sustainable Record in Land Use Matters
- Real Estate Institute
 - o Development Contracts

RECOGNITIONS

Roger is listed in the *Business Guidebook to Law & Leading Attorneys* as a "Super Lawyer."

Martindale-Hubbell Law Directory awarded Roger an "AV" rating, the highest possible rating for legal acumen and ethical practices.

EDUCATION

University of Minnesota
Law School
J.D., cum laude

St. Olaf College
B.A., cum laude

PROFESSIONAL MEMBERSHIPS

- Minnesota Association of City Attorneys, *Past-President*
- American Planning Association
- International Municipal Lawyers Association, *Zoning Law Committee*
- Minnesota State Bar Association Public Law Section
- Dakota County Bar Association
- Sensible Land Use Coalition, *Director*

BAR ADMISSIONS

Minnesota

U.S. District Court,
District of Minnesota



JOEL J. JAMNIK

Shareholder

jjamnik@ck-law.com
(651) 234-6219



CITY ATTORNEY FOR THE CITIES OF:

Arden Hills, Braham, Burnsville, Farmington, Monticello, Mora and Woodland

PRACTICE AREAS

Joel has an extensive background in municipal law, including lobbying, land use planning and development, zoning, contracts, personnel, data practices, and ordinance preparation.

PROFESSIONAL EXPERIENCE

From 1980 to 1997, Joel served as Research Assistant, Legislative Counsel and finally Senior Intergovernmental Relations Representative for the League of Minnesota Cities. Joel was primarily responsible for city-state relations in the areas of land use, environmental law, criminal law, transportation, personnel, public safety and general governmental policy. He was chief author of the Handbook for Minnesota Cities 1983-1995, and frequent presenter for the LMC and Government Training Services.

PROFESSIONAL MEMBERSHIPS

- Minnesota State Bar Association
 - o Public Law Section
- Dakota County Bar Association
- Minnesota Association of City Attorneys
 - o Past President and Board Member
- International Municipal Lawyers Association

EDUCATION

William Mitchell College
of Law

J.D., magna cum laude

St. Cloud State University,
B.A. with honors (dual
major in CJS and Political
Science)

BAR ADMISSIONS

Minnesota

U.S. District Court,
District of Minnesota 1



AMY B. SCHUTT

Attorney

aschutt@ck-law.com
(651) 234-6226



PRACTICE AREAS

Amy serves as the city attorney for the city of Stacy. Amy also handles a wide range of civil legal issues for all of our municipal clients. She drafts ordinances, contracts, and municipal policies. Amy counsels our municipal clients on a variety of special issues, including annexations, forfeitures, hazardous buildings, liquor laws, and contract enforcement. Amy attends Council and staff meetings. She also appears in court on civil matters.

PROFESSIONAL EXPERIENCE

Amy joined the firm in 2014. Before joining Campbell Knutson, Amy served as a judicial law clerk for the Honorable Carol Ronning Kapsner at the North Dakota Supreme Court.

PRESENTATION

- Municipal Clerks and Finance Officers Association, 2016 Clerk's Conference
 - o Social Media Policies and Best Practices

PROFESSIONAL MEMBERSHIPS

- Minnesota State Bar Association
 - o Public Law Section
- Dakota County Bar Association

EDUCATION

University of Minnesota
Law School
J.D., magna cum laude

Minnesota State University
Moorhead
B.S. & B.A., summa cum
laude

RECOGNITION

Amy was elected to Order of the Coif for graduating in the top 10% of her law school class.

BAR ADMISSIONS

Minnesota

U.S. District Court,
District of Minnesota



DAVID S. KENDALL

Attorney

dkendall@ck-law.com
(651) 234-6207



PRACTICE AREAS

David practices real estate litigation with an emphasis on eminent domain cases involving government takings of property for road expansion, improvement projects, access takings, and many other purposes. David has tried hundreds of cases before condemnation commissioners, judges, and juries.

David also practices general municipal and governmental law, working in the areas of zoning and land use, commercial real estate development, data practices, special assessment appeals, and permitting.

PROFESSIONAL EXPERIENCE

David recently joined the firm as a litigation specialist. Prior to joining the firm, David served as judicial law clerk for the Honorable Robert Varco in the Tenth Judicial District from 2000 to 2001; as Assistant Pine County Attorney, Pine City, Minnesota from 2001 to 2004; and as Partner with LeVander, Gillen, and Miller from 2004 to 2017.

PROFESSIONAL MEMBERSHIPS

- Minnesota State Bar Association
- Dakota County Bar Association
- First Judicial District Bar Association
- Minnesota County Attorney Association

ORGANIZATION

Rotary Club, 2009 - Present
Club President, 2014 - 2015

EDUCATION

University of Minnesota
Law School
Juris Doctorate (J.D.)
Cum Laude

Denison University,
Granville, Ohio
Bachelor of Arts (B.A.)

BAR ADMISSIONS

Minnesota



RATE SCHEDULE

CAMPBELL KNUTSON, P.A.
Grand Oak Office Center I
860 Blue Gentian Road, Suite 290
Eagan, Minnesota 55121

Contact Person: Matt Brokl
 Direct Dial: 651-234-6227
 Email: mbrokl@ck-law.com

	2018	2019	2020
Hourly Rate for primary and assisting Attorneys:			
ALL ATTORNEYS	\$155.00	\$157.00	\$160.00
Hourly Rate for Support Personnel:			
ALL SUPPORT Personnel	\$85.00	\$85.00	\$85.00
Itemized fees:			
Photocopies	\$.20/page	\$.20/page	\$.20/page
Color Copies	\$.40/page	\$.40/page	\$.40/page
Westlaw Research		Actual Cost	
Postage over \$.50		Actual Cost	
Minimum increments of time billed for each			
ALL SERVICES	.1 hour	.1 hour	.1 hour
NOTES:			
For all services provided that are paid for by a third party such as developers, we charge at our attorneys' standard rates for 2018 which currently vary between \$250.00 and \$400.00 per hour.			



STAFF MEMO

POTENTIAL LEGAL ITEMS FOR NEXT
CITY ATTORNEY TO ADDRESS

- Nuisance Enforcement – The City recently adopted a comprehensive outdoor storage ordinance for residential properties. Currently the City Administrator handles initial investigations, correspondence, and follow up with the violating property owners. However, it is likely that some of the properties will get to a point where City Attorney involvement will be necessary.
- Tax Forfeited Properties – There are several small areas around the City that have a tax forfeited status. Specifically, two of the larger areas are essentially being used tax-free as private property by the adjacent property owners. The County has updated the status of these areas to show the City as the owner, although final negotiations for transfer to adjacent property owners and/or evictions need to take place.
- Short-term Rentals & Rental Licensing – The City Council has expressed interest in developing a new rental licensing ordinance along with a short-term rental policy due to the large number of rental properties in Spring Park. The City currently has minimal regulations regarding rental properties.
- Re-Codification – There are several areas of the City's code that are outdated, inaccurate, or simply unnecessary as it has been 30+ years since the City last did a major update to the City Code. City Staff would like to see a comprehensive re-codification take place.
- Black Lake Rd – There is a significant deviation between the as-platted road and the as-built road for a segment of Black Lake Road. The City would like to clear this issue up as any major infrastructure/roadway reconstruction projects would be highly challenging until the issue is resolved.
- Easements, Right-of-ways, & Property Lines – Due to the historical development of Spring Park there are numerous issues related to City owned easements, lack of right-of-way, neighbor property disputes, etc. This will be an ongoing issue that continually presents challenges for the City.