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## MEMORANDUM

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TO: Mayor Walker and Councilors  
FROM: M McPherson, City Administrator  
SUBJECT: **Annexation Request by Rick Schwartz, Second Reading of Ordinance 802**  
DATE: April 6, 2021

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### **Background:**

This item was tabled by the City Council on February 11, 2021 for 60 days. Staff contacted the applicant regarding this issue and he has requested in writing that it remain on the table indefinitely and that no action be taken.

### **Analysis:**

The February discussion noted that the applicant is still meeting with developers to determine which parcels would be developed. The alternative would be to deny the annexation and require the applicant to start the process over again. However, the alternative places additional costs on the city as applicants for annexation do not pay a fee, so the costs for certified mail, publication notices and the fee to the State are borne by the City.

As the applicant is requesting the indefinite tabling, there would be no 60-day violation of MN Statute 15.99.

### **Recommendation:**

Staff recommends that the second reading of Ordinance 802 remain tabled until written notice from the applicant requesting action is received.