

1. **7:00 PM**:

- Call to Order
- Pledge of Allegiance
- Roll Call
- Approve Agenda
- 2. **7:03 PM**: Consent Agenda:
 - a) Approve City Council Meeting Minutes of July 13, 2021, and August 23, 2021 Open House Minutes.
 - b) Financial Report: Approve Treasurer's Report, and Claims dated September 8, 2021 through October 5, 2021, and 3rd Quarter Financials.
 - c) Resolution 2021-31 Certifying the Assessment for the Ebony & Garnet Road Project
 - d) Resolution 2021-32 Certifying the Assessment for the Rogers Lake Area Road Project
 - e) Resolution 2021-33 Approving the Anoka County Elections Joint Powers Agreement-2021
 - f) Resolution 2021-34 Approving Annual Generator Power Systems Maintenance Agreement
 - g) Resolution 2021-35 Approving 2022 Anoka County SCORE Contract #C0008795
- 3. **7:05 PM:** Floor Items
- 4. 7:25 PM: Sheriff's Report
- 5. 7:45 PM: Engineering
 - a) Toft/CST Development Agreement, Letter of Credit and Road Construction
- 6. **8:15 PM:** Planning & Zoning
 - a) Dryden
 - i. **Public Hearing** Amended CUP for excavating business
 - ii. **Public Hearing** Variance for Zero lot line driveway setback
 - iii. Preliminary Plat, CUP for deferral of street paving & Variance
 - iv. Recommendation to Table Decision on Requested Amended CUP
 - b) Ward Preliminary & Final Plat, 6789 Old Viking Blvd. (2 lots on Basalt St.)
 - c) Jones IUP Home Extended Business 'Primocraft', 6167 Viking Blvd.
 - d) Accessory Building Ordinance 2021-04
 - e) Plumbing Code Ordinance 2021-05
- 7. **8:45 PM**: Public Works
 - a) RCA Sodium Street, walking trail, street improvements
- 8. **9:30 PM:** Council
 - a) Discuss Hiring Committee to fill City Clerk Position
- 9. **10:00 PM**: Adjourn

MINUTES Nowthen City Council July 13, 2021 @ 7:00 PM

Members attended: Mayor Pilon, Councilmember Alders, Councilmember Blake, Councilmember Greenberg, Councilmember Rainville

Also in attendance: City Clerk, Lori Streich; Admin Assistant, Lisa Lorensen; City Planner, Liz Stockman; Anoka County Sheriff Commander, Wayne Heath; Fire Chief, Dave Schmidt; and Assistant Fire, Chief Joe Lawrence

Pilon requested to amend the Agenda by adding to 6. For the Good of the Council, approval to go to the Mayor's Conference in September. Blake requested to move Consent Agenda Item 1.f to Item 6 also.

MOTION BY RAINVILLE TO APPROVE THE AMENDED AGENDA; 2ND BY BLAKE. ALL IN FAVOR; MOTION CARRIED.

- 1. **7:00 PM**: Consent Agenda:
 - a) Approve City Council Meeting Minutes of 05-11-2021
 - b) Financial Report: Approve Treasurer's Report, and Claims dated June 2, 2021 through July 6, 2021.
 - c) Quarterly Financial Report
 - d) RCA Lakeside Cabinet use of Golf Carts & Temporary Road Closure September 25, 2021
 - e) RCA Replacement of refrigerator & tables in the Nowthen Memorial Park Pavilion
 - f) moved to Item 6.
 - g) Engineer's Memo Name Brand Storage Releasing escrow.

MOTION BY GREENBERG TO APPROVE THE AMENDED CONSENT AGENDA; 2^{ND} BY ALDERS. ALL IN FAVOR. MOTION CARRIED.

- 2. 7:15 PM: Floor Items NO FLOOR ITEMS
- 3. **7:25 PM**: Sheriff's Report

Commander Heath briefly reviewed the calls for service, noting an increase in alarm calls, and responding to different mediation issues and citizen needs. Presented the option of setting a limit to the increasing false alarm calls, charging residents once the limit is reached, and educating residents regarding false alarm calls. Sheriff Stewart and Commander Heath will be in attendance at the August 5, 2021 Council Workshop to discuss the potential 2022 Contract for Law Enforcement, and he encouraged Council to bring their ideas and questions to that meeting.

Commander Heath, Mayor Pilon, and Attorney Ruppe attended a meeting with Bar None on June 30, 2021. It was supposed to be a Community notification meeting to let the residents know about the programs available. Heath did not see any residents in attendance, but mostly members of other social service agencies, etc. that have interest in sending kids to Bar None. Heath thought it was a good meeting, as he was able to reinforce issues at Bar None, asking about the programming, and talking about the issues. VOA and Bar None were a little shocked to learn that not only do they have issues to be addressed with the Department of Social Services, but they also have to address issues with the City of Nowthen. Any different services being offered, changes to the programs, and changes to the use at Bar None need to be approved by the City of Nowthen. Pilon said that Bar None says they are working with the City, but history has not proven that to be true. Building permit approvals are a completely different thing, and Attorney Ruppe was very clear that they did not have permits to have the school and other things. They were treating the meeting as more of a social call, and they were surprised to realize that they were jeopardizing their whole operation if they do not get the issues with the City straightened out. A follow-up meeting is scheduled on August 19, 2021 with Pilon and Blake and Bar None/VOA representatives. The City is hearing one thing from DHS and another from Bar None, because not everyone is in the same room at the same time. Heath said that right now Bar None is contesting the violations with the Department of Human Services, and until that gets resolved, he doesn't believe the City will get anything resolved either. He recommended waiting until that moves along before getting involved. He also presented a suggestion to have the Fire Department present at the meeting with Bar None to address complaints about their services. New Administration at Bar None said they wanted to work to resolve issues, but Commander Heath said he has heard these words many times

13, 2021 Page 2

before. Only actions will continue to move this forward. Bar None has inexperienced staff and high turnover, so they have challenges there as well. Attorney Ruppe explained that the City is not interested in granting any new permits until Bar None can demonstrate that they have their facility under control and have addressed the issues present.

Pilon said that the entire council and staff were invited to attend the August 5, 2021 meeting. Stockman said that if not everyone is aware of these meetings that are going on, they cannot be there. Someone needs to coordinate these meetings, and it won't happen on its own. Pilon said he would like to go through a "courtesy call" with Blake one more time and then coordinate with staff to present all that is needed. Streich disagreed and said that staff should be involved in the process. Staff was not aware of the August 5th meeting and has been involved up to this point. If Bar None is not communicating well, the City should not set that as a precedence as well. There should be more than just the mayor at the meetings. Planner Stockman and the City Office staff should be involved so there is consistency with communication. Staff is just hearing all of this for the first time at this meeting. Pilon said staff was copied on the invitation, but Rainville checked the email and confirmed that staff was not included in that email invitation and neither was Councilmember Alders. Blake agreed that the staff should be included, so that everyone is on the same page. Heath said that should be a standing order, that any Bar None communication where Commander Heath is invited, City staff, City Planner, and the Fire Department should also be invited. Blake recommended that Clerk Streich be notified when anyone gets an invitation to meet with Bar None, as she will know who to include in that meeting and notify all parties.

Appreciation was expressed for Sheriff Department presence in Nowthen. Cancelled calls are not included in the calls for service.

4. 7:45 PM: Fire Department

a) RCA Hiring of Firefighters

Chief Schmidt presented the RCA proposal requesting approval to hire up to 8 more firefighters. The current status of twelve (12) Firefighters is not sustainable. They have heard that there may be pretrained firefighters in the area who are interested in making the switch over to Nowthen, with two names on file already, so he would like to mix in some new and some pre-trained or pre-certified firefighters in this hiring addition. Upon approval, they would immediately begin recruiting and advertising, with typical application period open for 30 days. Pre-employment screening takes 30-60 days. This group hire would most likely miss the Anoka County Fire Academy, so they would be sent to Emergency Medical Technician training first, and then catch the next Academy. The entire process to onboard new Firefighters takes 12-14 months, from in the door to actually serving as a qualified Firefighter. Alders asked how they determined that 20 Firefighters would be needed. Schmidt explained that there is no good number for a paid, on-call fire department that is competing with people's personal time, work time, family time, church time, etc. St. Francis has a staff of 25, which seems to be fairly reliable. Schmidt thinks that 20 is a workable number, while balancing cost of salary, pension, benefits, etc. with call demand. Initial analysis was done by Capstone Fire Consultant, Jerry Streich, developing a formula to determine the optimal number for the City of Nowthen, based on population, call history, and demand. Discussed cost per candidate, estimated to be \$1600-\$1900, with EMT and Fire Academy training reimbursable from the State of MN, and turnout gear expenses qualifying for reimbursement from the MN State Fire Department Association grant money available upon application approval. Chief Schmidt is hoping the bottom-line expense to the City will be as close to zero as possible, but he cannot guarantee that at this time. Currently, there are seven (7) SCBA air packs available for the entire department. With a staff of 12, if all were to show up and operate in the City, there are not enough air packs available to work in the hot zones. They are hoping to purchase loose equipment to supplement those needs present at the Fire Department at this time, which is part of the second RCA. Chief Schmidt does not want to keep coming back to the Council for funding Fire Department needs, and he believes they have found a mechanism to address that with this request to purchase mission sensitive equipment needs in order to function successfully long term. Discussed information regarding Fire Department recruitment to be added to the Newsletter, Facebook groups, Farmers Market, Heritage Festival, and the Car Show. Schmidt said that even if some of these items are missed, it still benefits the department that residents see the department growing and visible. Discussed connecting with MNFire Hire as a great resource.

MOTION BY RAINVILLE TO AUTHORIZE HIRING UP TO EIGHT (8) ADDITIONAL FIRE FIGHTERS; 2ND BY BLAKE. ALL IN FAVOR; MOTION CARRIED.

b) RCA Purchase of Tanker Truck

Chief Schmidt presented the 2nd RCA requesting approval to spend up to \$600K to purchase a new Tanker Tender. The current tanker is a 1989, 2-seat vehicle, currently with a non-operational pump, which was not shared with St Francis Fire during the transition process. Due to the age, conditions and limitations of this vehicle, both Chief Schmidt and Asst Chief Lawrence agree that making any more investments to make this vehicle operational is not a wise use of funds. The

proposal is from Fire Safety USA, who typically deals with E-1 Fire Apparatus, owned by the Rey Group, which has financing options available. This proposal also allows the Fire Department to purchase the loose equipment alluded to earlier, as part of the vehicle purchase, including SCBA, hose, rescue tools, saws, nozzles, positive pressure fans, generator, water rescue equipment, lighting, toolboxes, traffic control, tool clamps, hangers, medical equipment including AEDs and LUCAS devices, and miscellaneous tools. Schmidt hopes to bring the cost down, but presented this as a Mission Critical purchase, as build time for these vehicles is 12-15 months. Discussed potential of utilizing items from the existing tanker, expansion of the department, and insufficient quality and quantity of tools currently available. This new vehicle will seat 4 and will operate as an engine as well as a pumper or as a tender. Approval of this request will outfit the Tanker completely, but it will also outfit the needs for the entire fleet. Hoping to have 15-18 SCBA packs available for Fire Fighter usage and backup. Alders asked if they knew what the cost would be to replace the pump in the existing tanker. Schmidt said they do not know that cost, partially because the value in the current tanker is not there, and he believes that making investment in this would most likely require the discussion to be approached again in a few years. He also stated that because of other limitations of the vehicle, the NFPA would not recognize it as a structurally rated fire apparatus/vehicle. Estimated repairs to be between \$5K-\$20. The proposed tanker has a 2,000 gallon capacity, which keeps it under the dual axle threshold and helps keep the price down a little, has a 1250 structurally rated pump, has the ability to operate as a fire engine as well as the ability to shuttle water to the fire. Discussed potential for tools purchased to be available before the truck is available, and financing potential for bonding vs. REV financing. Clerk Streich stated that she had started investigation into possibly including this in the Road Improvement bonding. With the previous JPA, Nowthen Fire had backup equipment available with Ramsey Fire. Now that the City of Nowthen is building its own standalone Fire Department, everything available to Nowthen Fire is in that building.

Alders asked where the tankers are filled up, and Chief Schmidt responded that currently they are utilizing Elk River or St Francis and filling directly from the municipal water supply. So, if there is a fire, they need to go to Elk River or St Francis to fill tanks, depending on which is closer. Blake asked regarding the Council's decision last Fall to authorize \$80,000 to put in a well to fill up the tanker trucks. Pilon said that discussion is still out there. Blake said that it was authorized, and asked Clerk Streich about the minutes for that. Clerk Streich said that October, 2020, \$80,000 was approved for putting in the well. Blake asked why it did not get done. Clerk Streich said that in December, 2020, she was asked to put it on hold. Blake asked Pilon why the City has not moved forward with the well. Pilon responded that during the transition, the Chief was asked to prioritize, and discussed well companies, resident offers to participate and cut costs, etc. Blake said that all she knows is that the decision was made by Council to put in the well. She had never heard about all of this other discussion regarding the hold up. When did it happen, and why wasn't the Council informed about it? Pilon said the \$70,000 authorized was not going to be an actual number, based on the well company's recommendation for a test well, so the Chief decided other priorities were ahead of the well. Blake asked Chief Schmidt if he decided he didn't need the well, and he said that he did not say that. Discussed the need to prioritize during the transition period, insufficient information regarding geology and placement of the well, and water availability. They are still looking for the best placement for the well and will pursue getting it done. Blake said that her point is that all of this happened without anything coming back to the council and wanted to know why the full council was not informed and who was making the call regarding this. Blake said that the full council should be communicated with and in agreement with this decision. Chief Schmidt did not know that \$80,000 was authorized in October, 2020 for installing the well. Blake said that Pilon knew, and if this was authorized in October, the Fire Department should have a well by now. She wants to know who decided to hold off on the well without telling the Council, as there was never a discussion with the full Council regarding this. Pilon said there was no plan, just the funds allocated, and no location was agreed upon. Blake said that was because it never came back to the Council for discussion. Alders agreed, saying that things should go first to Clerk Streich so that the full Council can be informed. He wasn't involved because it was in October before he was elected, but the bottom line is that the City Council approved a well to be installed for the new Fire Station. Months later it is not done, and Council is now just learning that the brakes have been pumped for all the right reasons, but only Pilon and the Chief knew about it. That is the problem. The communication piece needs to roll through Clerk Streich, who will inform the entire Council so they will be aware of what is happening. Rainville reiterated Pilon's comments, but Blake and Alders said that the point is that the Council was not being communicated with regarding this being put on hold, and someone is making the call without the Council being involved. That is the problem. Chief Schmidt asked that the Council clarify what the line is regarding what needs to be presented to Council.

Pilon asked what was approved in October, 2020. Rainville said that \$80,000 was approved to install a well for the new Fire Department. Blake agreed. Pilon said that Fire Consultant Jerry Streich was the only one with documents about the well, but Clerk Streich confirmed that all of Consultant Streich's communications, including the recommended well placement, were shared with the entire Council. Pilon asked which vendor was approved to install the well, and Clerk Streich said that it never got to that point because Pilon said to put the brakes on everything. She has the email

documenting that, as well as Trout Co. from St. Cloud contacting her, ready with a permit in place to get started. At that time she contacted Pilon to see which direction to go, and was told to put it on hold. She told the company to put it on hold but should have contacted the rest of the Council to see if they agreed with that decision. Blake agreed, saying the Mayor should not be making decisions for the whole Council. Alders said that going forward, Fire Chief Schmidt and Asst Chief Lawrence should be flowing all of their information to Clerk Streich, whether it is purchase decisions, hours of operation, etc. Pilon said the Contract states that they report to the Council. Blake said that the only way they can do that is to go through Clerk Streich, unless they contact each Councilmember individually. Discussed Chain of Command. Pilon said the Contract the Attorney drafted states that the Fire Chief is to report to the Council. Streich agreed, saying that all staff report to Council, but they need to communicate with the entire Council when they have questions and need answers — they should have all of Council, not just one person. The rest of the Council is not getting the information. More discussion about what happened to delay the well, budgeted funds and council discussion. Alders said that the well was delayed, and Pilon needs to own the fact that he made the call to stop it and it did not go back to the Council, for a lot of the right reasons. But at the end of the day, that is not how the Council needs to work together.

Admin Assistant Lorensen said that she has been observing and noting that what is needed is to establish a communication network. Pilon said this is not the time for that discussion, as there is a motion on the truck. Improving communication was discussed last February and the previous February, and everyone agrees that improvement is needed but the Council has not gotten back to the topic. Council communication is not on the agenda tonight, but it could be added to an upcoming agenda. If there is confusion because of how this got stopped, and the whole Council did not have a chance to vote on it, that can be remedied. At this point, there is no vendor approved for a well, and options have not been investigated regarding cost.

MOTION BY RAINVILLE TO AUTHORIZE THE FIRE DEPARTMENT TO SPEND UP TO \$600,000 TO PURCHASE A TANKER TENDER AND INCIDENTAL EQUIPMENT AS DISCUSSED IN THE BACKGROUND AND NOTED IN SUPPLEMENTAL INFORMATION PRESENTED ON THE RCA, INCLUDING AUTHORIZING STAFF TO INVESTIGATE ALTERNATIVE FINANCING OPTIONS; 2ND BY

BLAKE. The yearly payments will need to be worked into the budget and the Capital Improvement Plan has a plan for replacing Fire trucks and has allocated \$125,000 for the truck. Alders asked if the City determines how to finance the Fire Truck elsewhere, could the \$125,000 be allocated to purchase the snowplow truck that Council determined is needed to buy as well. Pilon said that a good time to discuss that would be at the Capital Improvement workshop on July 20, 2021. Alders also asked regarding repairing the existing tanker to help with redundancy until the new tanker is ready. Schmidt said they could certainly go down that road, but it is not mission critical if it does not get done because they are using Auto Aid out of St Cloud to cover capacity and ability. Greenberg asked if the old tanker was something that could be resold. Asst Chief Lawrence responded that St Francis had a truck on auction for extended period of time, and it eventually sold for \$200-\$300. Pilon asked if it would be of value to keep the old tanker in the Maintenance Department, possibly to help with hockey rink filling, and as redundant redundancy. Schmidt said he would defer that to the Public Works department if they want it. Rainville asked if the Twin Lakes Park well is operational. Chief Schmidt said it is operational, but the capacity is unknown, and the location is not the best at the boat launch. **ALL IN FAVOR. MOTION CARRIED.**

5. 8:20 PM: Planning & Zoning

PUBLIC HEARING CLOSED at 8:25 PM.

- a) **Public Hearing:** CST Industrial Bldg (PID 24-33-25-12-0005): A Conditional Use Permit is being requested to allow exception to the building material requirements as outlined in Section 11-5-3.K of the City Code, per recommendation of the Planning and Zoning Commission on June 22, 2021.
- b) CST Industrial Bldg (PID 24-33-25-12-0005): Interim Use Permit for Outdoor Storage Planner Stockman shared a revised plan that included Planning & Zoning Commission recommendations regarding wainscotting around the structure: 4' around the main building and 3' around the office section. Siding is a higher quality

PUBLIC HEARING OPENED. Clerk confirmed that notices were published. No Comments.

material than typical sheet metal, insulated and embossed to look like stucco.

Planner Stockman recommends approval of the CUP to allow deviation from the building materials requirement and the Variance to allow Outdoor Storage. Specific limitations were given regarding the number of truck/trailer combinations on site. The plat will come back to the Council at the August meeting.

RAINVILLE MADE THE MOTION TO APPROVE THE CONDITIONAL USE PERMIT FOR PID 24-33-25-12-0005 REQUESTING TO ALLOW EXEMPTION TO THE BUILDING MATERIALS REQUIREMENTS, AND TO ALLOW AN INTERIM USE PERMIT TO ALLOW OUTDOOR STORAGE AS DETAILED IN THE FINDINGS OF FACT; 2ND BY ALDERS. Greenberg asked regarding hours of operation, and Stockman said that typically is not limited in an Industrial Zone, and they are not abutting a residential district. ALL IN FAVOR. MOTION CARRIED.

c) 199th Avenue Paving - Allied Blacktop Company Quote
Allied Blacktop Co was awarded the bid for paving the apron on 199th Ave approaching MN State Hwy 47. Council had requested a bid from the contracted company for paving up to the 2nd driveway at 5340 199th Ave NW. The bid came in at \$32,303, which excludes the cost of the apron/approach being covered by MNDOT. Discussion about the bid, getting better bids at a later date, and the fact that no plan was in place to cover the cost. Residents on the road would like the business owners to pay for that stretch, but if residents are assessed for it they are not interested.

Discussion about the recent IUP for 5340 199th Ave NW that was approved, and how most of the requirements that were stipulated are not being met, from individual signage being random all across the building, siding not being completed on all sides, and at least 8-10 individuals currently operating business there, with the exterior not being done, making it look haphazard at this point. Neither business on 199th Ave is abiding by its permitted process. The 15-foot apron access onto Hwy 47 should solve the problem of potholes at the stop sign. Stockman responded that the property owner at 5340 199th Ave NW is still working on his property and has open permits. She will follow up on all of the items discussed. The property owner on the north side of 199th has done extensive clean up and has a new tenant with virtually no outdoor storage. She did verify that when that building was approved, the house was already there. That owner is working with the building official to get a Certificate of Occupancy for the Industrial building and is very close to getting things where they should be. Discussion about the size of the apron. Recommendation to wait until the State gets the apron done before the Council makes a decision to proceed further in paving more of the road. Stockman said that the idea can be tabled, but the bid needs to be denied or approved.

MOTION BY RAINVILLE TO DENY THE ALLIED BLACKTOP BID, TO ALLOW THE STATE OF MN TO FINISH THE APRON ON 199TH AVE APPROACH TO HWY 47, AND TO HAVE PUBLIC WORKS STAFF WATCH THAT AREA FOR NEEDED MAINTENANCE GOING FORWARD; 2ND BY BLAKE. Alders said that going another 20 feet of pavement would solve the problem, since it is on a slope where gravel and pavement meet as vehicles are trying to accelerate as they get on Hwy 47. Greenberg agreed, but wherever the cement edge meets the gravel there will be problems. At least with a 20-foot extension, cars would be on asphalt when they accelerate to get on Hwy 47. AYES: BLAKE, RAINVILLE, PILON; NAY: ALDERS, GREENBERG. MOTION CARRIED.

d) Ordinance 2021-02: Grading, Landscaping & Erosion Control Escrow
Planner Stockman brought this back after Council direction last month, with the recommended changes and clarifications. Single-Family New Construction and Single-Family Alterations are considered Low Priority Uses, and all other uses are High Priority Uses. \$200 Inspection fee per lot for a single-family new construction; and a \$2000 per lot escrow. Grading and Landscaping Escrow Agreement was clarified to reflect those amounts. Expectations are outlined, including the inspection site checklist which includes recommendations from City Engineer based on the MS4 requirements coming. Two (2) inspections (pre-construction and during construction) unless non-compliance requires additional staff visits. If a resident goes beyond the three (3) total inspections, costs would be covered using some of the escrow. The final inspection is at the end of the process.

Discussion about cement and paint washout areas which are not required for single family dwellings, and erosion control; included in packet for Council information. Stockman recommended Council discussion with Engineer Nelson about this, especially with MS4 enforcement getting more stringent. Suggestions made regarding numbering each of the checklist items, page numbers, document numbers, and including revision number and date. Council commended Planner Stockman on the checklist that was presented, as very understandable and clear. Tree planting requirements are only applicable in RRT Districts.

This packet of information will be given to applicants for new single-family construction when they pick up their building permits. They will submit the fee and escrow at that time, and then the process starts. Actual erosion control measures will be required to be shown on the plans, so that everyone is clear up front regarding what is required and can be verified in the field. Discussion about engaging residents in the process to verify that it is understandable. After the first couple of

projects using the checklist and packet with applicants, Stockman offered to come back to Council with any questions or comments that were received.

Stockman is in the process of refining packets for Single-Family Development, what is needed to be submitted for plan approval. There are separate informational sheets on accessory buildings, lot buildability, all the types of questions Planner Stockman fields are written down, available and given to applicants as part of the Intake Meeting. Blake asked if there would be a comparison with other cities' costs available. Stockman said that is possible. Building permits are based on applicant's value of home, but other fixed fees (escrow & grading) could be itemized. Packets should be available online for potential builders to investigate and evaluate potential costs. Decision to move forward with this Low Priority Checklist and Intake Packet to use immediately, and the High Priority packet will be finalized in the Fall when Engineer Nelson is available to input and new MS4 guidelines can be included.

MOTION BY RAINVILLE TO ADOPT ORDINANCE 2021-02 WITH CHANGES DISCUSSED, NUMBERING CHECKLIST ITEMS, AND LIMITING TREE PLANTING ITEMS TO THE RRT DISTRICT; 2ND BY GREENBERG. Alders asked regarding a timeline for implementation. Planner said she would like to implement the Low-Priority checklist and Packet immediately and get feedback from applicants. ALL IN FAVOR. MOTION CARRIED.

e) Ordinance 2021-03: Interim Moratorium on Commercial Development (and Resolution)
Pilon said this is something that he initiated and worked on with Planner Stockman and Attorney Ruppe. He presented that the Council has never discussed what they want the Commercial District to look like, as the Architectural Review Committee has not met. The City has had some inquiries that would begin to shape the Commercial District. Pilon is requesting a moratorium on further development in Commercial Districts for one year until Planning & Zoning and City Council can come up with a definition of Architectural standards and criteria for commercial appearance and aesthetics. This moratorium is not to exceed a year unless Planning & Zoning is unable to establish these standards and criteria.

Planner Stockman explained that the discussion about a moratorium initially came up during talks about industrial storage facilities, so this was a surprise to her when it was switched over to Commercial. When the email request from Dollar General was shared with Council it raised concerns. Stockman thoroughly understands what the Council wants to see in the Commercial District, and her first two questions to Dollar General were 1) Have you ever done a building with different architecture? And 2) Are you willing to subdivide? The answers to both questions were Yes and Yes. Stockman is not completely oblivious to the Council's desires, but she is not sure where this moratorium came from, other than the Dollar General request, because it does not include any Industrial. She wonders if it should include Industrial Development, to cover "2 birds with 1 stone." If the Council is looking at Architectural standards, there were concerns about the Industrial areas, which typically have lesser standards than Commercial areas because they are generally not on main roads. Pilon said that there is nothing in place to prevent things that Council might object to currently from happening again. He wants buildings on the main streets to have a sense of continuity. Some companies are less flexible than others. Greenberg asked Alders how often the Planning and Zoning reviewed Commercial projects and offered suggestions regarding better looking exteriors. Alders agreed with Planner Stockman that this hit him out of left field, because what was discussed 2 months ago was regarding limiting storage buildings in Nowthen. This proposed moratorium has absolutely nothing to do with that issue in his opinion. The idea was to put a moratorium on storage buildings past Name Brand. In Planning & Zoning the Commission did quite a bit of recommendations for better looking exteriors. Alders said that if this could be done quickly, fine, but a year is a long time to impose a moratorium. Pilon said that standard issuance for a moratorium is one year, but can be less. Alders asked if he could call Attorney Ruppe and direct him draft a copy to be brought back to the City Council, or does the City Council say this is what we should do, then direct Ruppe to draft it up so Council can discusses it. He said it feels like Staff was directed to go after a moratorium on no more storage facilities, and what came back was something from left field requesting to halt everything for a full year on a completely different Commercial thing.

Rainville said she sees the two, storage moratorium and Commercial District moratorium, as separate issues. This moratorium being presented was brought forward by an inquiry that she has never seen Dollar General look any different than their model. This moratorium Resolution gives Council opportunity to determine what it wants the city to look like.

Blake asked if this should have been a Request for Council Action instead of a Resolution. Pilon responded that he put it together as a request to the Attorney asking for legal input. Attorney Ruppe took it and ran it as a Resolution, worked with Planner Stockman regarding the Ordinance aspect, and it took on a life of its own because of the inquiries pending. Blake repeated her question regarding if the proper way to have done this would have been a Request for Council Action. The response was Yes, it should have. Blake then said that now there is a problem, because all of this was being done without the entire Council having any input. Greenberg asked Planner Stockman for a guess regarding how many C-1 businesses

would be affected with a one-year moratorium. Stockman guessed maybe 1 or 2, but there is a way to request an exception within the moratorium if they can prove they are coming forward with a design and an architecture that's acceptable to the Council. It could be granted, but the bigger question is, what is the goal. She doesn't think they need to be as detailed as an historic town, but they could have just some basics regarding what they like in some of the existing buildings, and what they don't want. There is a fine line between squelching design abilities versus requesting certain architecture. It is doable in less than a year, but it depends on who is tasked with the work. TPC has experience with this. With the newly zoned Commercial land on Viking Blvd, the City needs to be careful to not stifle interest in development there, but it would be easier with a handout or manual to guide development. Greenberg presented that if this moratorium were passed, Planner Stockman could explain to interested Commercial developers about the current moratorium and assure them that the Council is open to listening to any request and will examine it, clarifying with them the guidelines the Architectural Committee may establish and request them to be included in developer's building plans.

Alders does not completely disagree with the idea of establishing Architectural standards, but he totally disagrees with the process regarding this so far. The Council directed the team to go in one direction and Pilon came up with his own Ordinance that the Council is now reviewing. That is not what should be done as a team. Pilon said he did not direct the Ordinance, and Alders challenged him on that, asking if Pilon didn't just admit that he had worked with Attorney Ruppe to come up with what was presented at this meeting. Pilon said Planner Stockman came up with the Ordinance. Alders asked Pilon if he directed Stockman to develop the Ordinance. Stockman said that she did not come up with the Ordinance. Alders asked who drafted what was in front of the Council. Pilon said he asked Ruppe how to present this and was told that he needed to draft a Resolution, which should have been attached to an RCA. After Ruppe and Stockman got it, Pilon said that he was expecting it to come back as a Request for Council Action (RCA). Stockman asked how she would be able to do an RCA when Pilon had initiated it. Alders agreed. Stockman said that is not how it works, and Pilon knows very well that he directed Attorney Ruppe to draft an Ordinance and a Resolution. When Ruppe called her the Friday before the 4th of July weekend, this was already in process. Stockman agrees that there should be something in place to guide Architectural design. However, the point is that when this moratorium discussion first came about, it was regarding limiting requirements to a particular property owner. She thought that was very inappropriate and should regulate all Commercial Districts or none at all. Alders stated that he is extremely frustrated when staff is instructed to specifically do something without the full Council's knowledge of it. This could easily have been discussed at a Council meeting, and a motion could have been made to draft an Ordinance regarding a Moratorium. This discussion is being had now anyway, and that's the way it needs to work. Blake agreed that is the way a City Council should work – all members get in on the information.

Greenberg said it sounds like legally it needs to be drafted as it was presented if the Council is going to be looking at limiting certain entities from building in the City. He likes the option that entities can still work through the moratorium if they still want to build. However, he thinks the standards could become grandiose and the process could take a very long time. He thinks a way to get around that is to implement methods currently being used by the city, in reviewing other cities' guidelines for architecture, and maybe that will help get things halfway done. He thinks it will be a long process for the Architectural Review Committee to hash this out and agree. Blake wanted to clarify that once the standards are in place, if an entity wants to come in and build and agrees to the standards, the Council will be able to vote on it. Alders said yes, the Council would be allowed to vote on it. Blake asked if this was an effort to limit certain kinds of businesses in the City. Stockman assured her that legally that is not allowed. The type/use of the business allowed is guided by the Zoning Ordinance, but the brand of business cannot be restricted if it is a permitted use in that district. Discussion about finding building design likes and dislikes in various communities. Stockman said it can be difficult and time consuming, as one thing leads to another. Discussions about the look of the boulevard can lead to defining tree placement, which direction delivery doors face, parking lot aesthetics, etc. Discussion about including both Industrial and Commercial building in this moratorium. Original discussions were regarding storage buildings, and Alders asked if this moratorium even addressed that issue. Pilon said that a City can limit the number of similar businesses, the separation between similar businesses, and limit the location of similar businesses. Industrial is allowed within Commercial Districts, so the architectural standards may also want to address the standards for industrial businesses on a main city street.

MOTION BY RAINVILLE TO APPROVE THE RESOLUTION ADOPTING INTERIM ORDINANCE 2021-03 ENACTING A ONE-YEAR MORATORIUM ON NEW INDUSTRIAL AND COMMERCIAL DEVELOPMENT IN ALL INDUSTRIAL AND COMMERCIAL ZONING DISTRICTS, PENDING THE STUDY OF POSSIBLE LEGISLATIVE ACTION; $2^{\rm ND}$ BY PILON FOR DISCUSSION.

3, 2021 Page 8

Stockman's recommendation is to do this as a unit, including both Industrial and Commercial Zoning Districts. New products are available which should be considered higher grade materials. Discussion about "tip up" concrete walls vs. the current standards for Industrial buildings. Stockman said that Nowthen has a niche that attracts smaller startup businesses, and if the standards get too fancy or stringent it will scare them away. Part of the reason they are attracted to Nowthen is because of the smaller lot sizes and the lack of stringent standards. Alders asked if this moratorium applied to the business that was recently approved on Iguana. Stockman responded that the builder is on hold for 6 months because his material costs went up, but the building he has is something the Council likes. He could request the waiver and come forward anyway. Discussion about current businesses that are not presenting architectural standards that are well liked by neighbors and Council and how to avoid these issues going forward.

Greenberg said that if the Council is going to pass this, it should at least include addressing the original intent – that of limiting storage units and their number and capacity. He also recommended finding a like-sized city who has architectural standards in place that the Council likes, as a foundation for the standards. Businesses already in Nowthen that are well constructed and aesthetically appealing could be recommended to entities to use as ideas to guide their designs. He fears this process could go on and on for a very long time. Blake asked if new standards can be enforced with existing businesses. Stockman said no, unless they do a renovation, an addition, or a change to the site. Outdoor storage is never grandfathered in. Alders asked to include the storage facilities, and Stockman said that the current motion will cover that currently, as it limits all I-1 uses and provides time to amend the Ordinance to specifically address storage units. Discussion about limiting the "more or where" regarding storage unit usage, and if Council should redirect staff to develop a storage unit moratorium.

ALL IN FAVOR. MOTION CARRIED.

Regarding the storage unit moratorium, Stockman's opinion is that this moratorium covers the storage unit concerns as well, but the goals for the moratorium need to be listed regarding the number, location and separation of various uses. These can be included in the motion that was just passed. The Council is still allowing room to amend the Ordinance. Architectural standards, the number of types of uses and the location of those uses and their separation can all be in the Ordinance as part of the full moratorium, because Council does not have to approve any for a full year.

Rainville said that to keep things clear, Council should redirect Planner Stockman to continue the direction she was given to bring back the moratorium regarding like businesses. All agreed to get back on that track. Alders clarified that the Council is asking Stockman to bring to the Council at the August 10, 2021, Council meeting, how many like businesses are desired in a certain distance from each other – number, location, and separation from each other.

10:00 PM – MOTION BY RAINVILLE TO TABLE ITEMS F & G UNDER PLANNING & ZONING, AND QUICKLY ASK THE MAYOR TO EXPLAIN THE CITY FINANCIAL NEWSLETTER, BECAUSE IT IS TIME-SENSITIVE. COUNCIL AGREED; 2ND BY PILON. Motions to table are not debatable.

- f) Ordinance 2021-04: Accessory Building Clarifications
- g) Zoning Application Fee Structure, Process Diagram and Checklists

6. For the Good of the Council

a) RCA - City Financial Newsletter - from 1.f) Consent Agenda

Pilon requested to include four (4) items in the Fall Newsletter: 1) tax rate comparisons to other cities, 2) residential tax dollars, 3) commercial tax dollars, and 4) a pie chart regarding the tax dollars that actually do come into Nowthen and percentages for City services supported by the tax levy. Alders asked Clerk Streich if this was doable. Streich responded that it was not doable to get all that done for the Fall Newsletter, but she could do items 2, 3 & 4 requested. The tax rate comparison with other cities is a huge task that takes hours and hours to do.

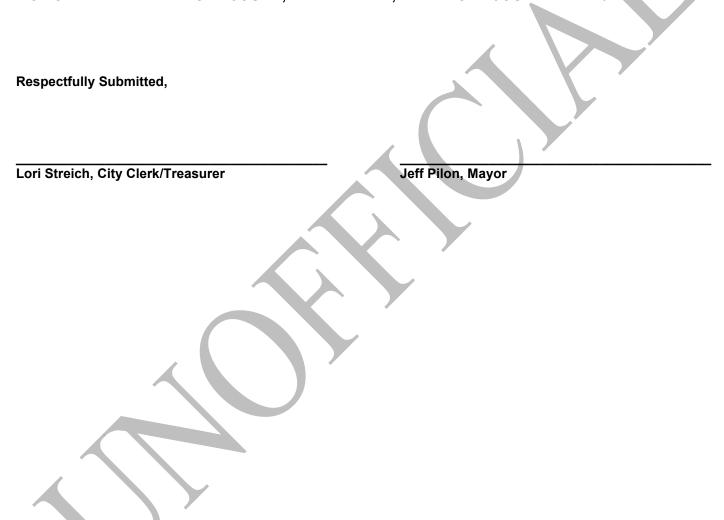
MOTION BY ALDERS TO INCLUDE RESIDENTIAL, COMMERCIAL AND NOWTHEN TAX DISTRIBUTION INFORMATION IN THE FALL NEWSLETTER; 2ND BY RAINVILLE. Greenberg asked Clerk Streich is the Council could see a mockup of the Newsletter before it goes to print. Clerk Streich said everything is on deadlines and getting sent to Council delays the process. Discussion about fuzzy pictures in the last issue. Clerk Streich said this request could be incorporated in the future, and timelines would need to be backed up. Rainville suggested giving Council 2 days to review the Newsletter, and no response is approval. Councilmembers voiced various complaints regarding the last Newsletter

issue, and Clerk Streich said that she had not heard any of those complaints. Pilon said that is part of improving the communication. **ALL IN FAVOR. MOTION CARRIED.**

b) Request to attend Annual Mayors Conference Pilon requested approval to attend the Mayors Annual Conference in September in St Joseph, total cost including conference, overnight stay, and mileage will be about \$350.

MOTION BY RAINVILLE TO APPROVE MAYOR PILON'S ATTENDANCE AT THE ANNUAL MAYOR CONFERENCE WITH APPROVED EXPENDITURES NOT TO EXCEED \$375; 2ND BY BLAKE. ALL IN FAVOR. MOTION CARRIED.

MOTION BY RAINVILLE TO ADJOURN; 2ND BY BLAKE; MEETING ADJOURNED AT 10:12 PM.



Nowthen City Council Open House – 181st & Baugh St Proposal Minutes August 23, 2021

Meeting Opened at 6:00

Council Members attended: Mayor Pilon, Councilmember Alders, Councilmember Blake, Councilmember Greenberg, Councilmember Rainville

Planning & Zoning Commission Members attended: Chairman Dale Ames, Martin Bies, Lars Carlson, Dan Haapala, Kelly Pearo, Rob Schiller, and Harold Jorgensen

Also in attendance: City Clerk/Treasurer, Lori Streich; City Planner, Liz Stockman

OPEN HOUSE began at 6:00 PM. – no sound on recording until Planner Stockman began speaking at 6:07.

Planner Stockman presented the Rademacher proposal. 110 acre parcel is being purchased by Rademacher from Kent Roessler. 100 acres are planned as residential low density, with parks and trails included. 10 acres on the corner of 181st Ave & Baugh St. are proposed to be rezoned commercial for the purpose of building a Bill's Gas Station and Convenience Store and G-Will Liquors. This differs from the 2017 concept in several ways – 74+ acres were proposed to be rezoned commercial in comparison with the current proposal to only rezone 10 acres. Only 11 Single family homes with higher density/townhomes were proposed before, compared to 20 at 5-acre density, averaging in the wetlands, in this proposal.

In order to plan a city, all the impacts and neighboring concerns regarding a particular site are taken into consideration. Met Council policies and requirements also have an impact. The Land Use Plan need to match Zoning Ordinances and the Zoning Map. Nowthen's 2040 Comprehensive Plan was just adopted last year, 2020. Comp Plan Amendments have a particular process, which requires approval by the Met Council before a site can be rezoned. The City Council would have to adopt a Resolution to request approval from Met Council to rezone a particular site. Written policies are reviewed and considered regarding the advantage and impact on the city and adjoining developments. Modifications need to prove that they are in the best interest of the community. All development is analyzed on an individual basis to determine the most appropriate uses. The use needs to add value to not only the local residents, but also serve the broader regional market.

If the City Council agrees to move forward the proposed plan and the Met Council approves the 10-acre change to a commercial designation in the Land Use Plan, then the applicant would need to make application for rezoning to the C1 Commercial zoning district. That is what limits the particular uses within that zone. With this proposal, there is only one business/user, as opposed to having open-ended or unknown users like in the previous proposal with such a large designation. If this proposal would move forward, the City Council would enforce the standards that are in place to present a high quality and attractive commercial development. The City Council determines its own path using the Comprehensive Plan and Zoning, and controls development consistent with the Comp Plan. Compatibility with the neighboring areas can be attained with well-planned streets, proper design, screening, landscaping, and parking, loading and lighting limitations. Those are all called Performance Standards and are part of the Zoning Ordinance.

Please NOTE that this is not a "Done Deal" because the Commercial portion of the plan is not moved forward. However, the 100 acres does meet the current Comprehensive Plan and Zoning designation. The City Council will determine rezoning for their community on a case-by-case basis. Residents should ask themselves if this is a reasonable request with a rational bases for it based on the fact of current increased traffic and busy roads, adjacent land uses growing incompatible with increase traffic, etc. Though it is currently not in agreement with the 2040 Comprehensive Plan, is there potential for separation for separation of uses. Stockman believes there is potential for separation of uses by the existence of a very busy road and also potential establishment of buffers or transition areas. Council also needs to consider long-standing effects in setting precedence with any decision. Discussed Spot Zoning, which often benefits one owner to the detriment of other owners in the area

Residents were invited to present positive factors and negative aspects as well, and requested to indicate whether they were in favor or against this development proposal – all of it or just part of it, identify concerns, and state what they would like to see in regard to the residential development. Most important to consider the facts of the request, the characteristics of the land, size of the parcel (in this case 10 acres), the degree of public benefit, and how is the City treating similarly situated lands.

Mr. Grant Rademacher, Rademacher Families, LTD; 15920 St Andrews Lane, Ramsey, MN

Rademacher said that the 2017 proposal created a lot of the resentment and negativity based on the unknown of so many acres that were not determined by Mr. Roessler, as there were a lot of moving parts. Rademacher came back to this project determined to purchase the whole 110 acres. He is not a home builder, but he has friends that are builders and do a nice job. The Company plan is to develop within the City Zoning regulations, but they need to know if they can proceed or if they should look elsewhere. He wants honest feedback and input in order to make a sound decision. If the proposal doesn't move forward at this time, they will try again in 4 years. The plan is to move the Commissary up here out of Oak Grove and move the Corporate office out of Andover. The company needs larger facilities so they can close the Brooklyn Park facilities and move out here. He has lived in Ramsey and raised his family there, and the goal is to move the corporate operations up north to this area. The Concept he presented had 19-20 improved driveways, still to be determined based on City Regulations, horse trails around the perimeter of the property with berms and landscaping to tie into the horse trails that are on the east side of the road. Details yet to be worked out. Buildings depicted would match the other stone & brick buildings in other Bill's locations. He is proposing a 2nd liquor store as it is what people want, and that decision is up to the city and its residents. He showed the Concept Plan with Bill's Superette, the commissary where the food items are made, a warehouse, and a corporate daycare center for their employees. It has been difficult to find daycare availability since COVID, and Rademacher Families want to help their employees be able to keep working and provide a safe area for their children. Gas canopies would be on the east and the liquor store on the west side of the property.

Resident Input:

Clayton Connolly - 9030 184th Ave NW

Connolly asked Rademacher if diesel pumps would be included, and Rademacher responded yes. Connolly asked regarding the current moratorium and how this affects this plan. He thinks there is commercial space already zoned where this plan could go. Pilon said that the moratorium in effect was to study and advise on design and aesthetics of the community as well as the function of the business. There are provisions within the moratorium that if applicants are meeting the intention of the moratorium, it could be waived. Changes like this take time, subject to the review and approval/comment from Met Council and neighboring cities. Connolly supports Rademacher's business, but he is opposed to this proposal because it goes against the current Comprehensive Plan. He chose his home location based on that and doesn't want another gas station and liquor store. His biggest concern is police coverage.

Julie Johnson, 8863 184th Ave NW

Johnson asked if these residential lots were going to be 5 acres lots or averaging 5 acre lots. Response, current proposal is that most lots are 2.5 acres to 3.98 acres, with none over four acres. Stockman said that the average is five acres, using the previously mentioned formula to determine the average: Gross acreage (100 acres) divided by 5 (minimum acreage allowed) = 20 lots available. Johnson asked if this averaging thing was new, because when she moved to Burns Township it was 5 acre minimums. In many planned developments and plats there may be a variation of lot sizes within the plat or development, based on wetlands and buildability requirements. Johnson does not approve of this proposal, when she can drive to another Bill's Gas station within 2 miles.

Lvnn Seacord, 8783 190th Ave NW

Seacord thanked Rademacher for his presentation, as it helped him understand some of the information. Generally he thinks this presentation is just a remake of the 2017 plan. Does not approve of the lot sizes, as they are too small to have horses to use the horse trails that are planned, and horses cannot cross Baugh St safely. He does not think a gas station and liquor store are compatible with housing development. Creating 2.5 acre lots under a major power line on the border of the city is not a good look. The pending Hwy 169 development project will push traffic right into this neighborhood, and he is concerned about current road conditions. He is aware of plans to widen 181st and Hwy 22 and possibly making it concrete. He asked if Rademacher had donated campaign contributions to any of the members present, and he said probably, but he doesn't remember. When Seacord watched the July 27, 2021 Planning & Zoning Commission meeting it seemed like toward the end of the discussion there were some members that were falling all over each other with thinking this is a great idea. Seacord does not agree. He thinks the spot zoning will open the door for anyone to do anything in Nowthen.

Becky Hagan, 9525 187th Ave NW

Hagan lives on the border on the north side, so this proposal doesn't directly impact her lot. Her family is fully invested in the city and she is speaking on behalf of her husband and children. The Comp Plan does not allow for this commercial zoning, and she wants the city to follow the Comp Plan. A plan without action is a dream. If action is not taken to make the City desired to come true, then why have the plan? Hagan agrees with much of what Seacord stated. She can view the

ust 10, 2021 Page 3

area under the power lines that is wetland and doesn't understand how it can be considered for a park, and she said it feels wrong to include that in the 5-acre lot sizes.

Dan Valerius, 9500 187th Ave NW

He just moved into the area last June, and his backyard abuts the north edge of the proposed Concept plan. They moved here because they grew up in the country, and wanted a country living experience for their family. This proposal will create a house for him to have to look at from his back yard instead of watching deer, turkeys, etc. That is not what he expected 15 months ago.

Planner Stockman clarified regarding the lot sizes. There is some misunderstanding. Any plot that is platted, the lots are allowed to go down to go down to 2.5 acres, as long as the overall average is 5 acres. This is not being treated any differently than any other plat in the city, including the current developments (Breyens Bend), and open spaces or wetlands are averaged into the total. Even though that corner is designated as park, that does not mean the City will accept it as park land. The City most likely would not accept that as park land as it is so wet, but it still can be averaged into the overall acreage.

Ron & Randy West, 17960 Ermine Blvd, Ramsey

The Wests have lived there since 1972 and have seen lots of changes, some good, and some not so good. The traffic on 181st and Baugh has increased tremendously. People blow through the stop signs all the time. His opinion is that the best use for that land is single family homes. He would approve the 2.5 acres to 5 acres per lot in a heartbeat. That corner for a gas station has no city sewer, water or city services, and they want to put in a daycare, and all the businesses listed. He thinks that is wrong. He thinks this is the wrong location for a gas station, and suggested moving it north more to allow traffic to flow in and out. He complimented Rademacher on Bill's Superette doing a great job with great people.

John Lyrenmann, 9360 181st Ave NW, Ramsey

Lyrenmann said they are directly across the road from the proposed gas station. He spoke in 2017 against the last proposal and still against it at this time. He would approve the residential area development. Commercial areas in the other parts of the city is where this should be kept. All the amenities this would provide are available within 5-10 minutes. His neighbor sent a letter, which he read:

Matt & Heidi Habben, 9390 181st Ave NW, Ramsey

Dear Mayor and all City Council Members,

I am writing regarding the Open House you are having tonight regarding the Rademacher Companies' proposal. I regret not being able to attend in person. That said, Matt Habben, and I very much oppose a proposal and any rezoning. We support you terminating the project. There is not need for a gas station, commissary or liquor store in this area. There is gasoline and liquor available 3.4 miles north in Nowthen, 2.5 miles west in Elk River, and 5.5 miles south at Hwy 10. IN addition, a liquor store and gas station in this area are not a good fit, as everything around it is residential. People look at City zoning and future plans when they purchase their property. They move into areas not expecting a liquor store and gas station with the additional traffic to be put in next door. My husband and I are against this and encourage you to terminate this project.

Sincerely, Matt & Heidi Habben

Brandon Ebert, 9157 Burns Parkway.

Most of his questions are probably to Mr. Rademacher himself. He asked if he were planning to purchase the 100 acres whether this concept goes through or not. Rademacher responded that it is yet to be decided. There has been no determination yet as to whether this is a feasible project or not, as he is not a house builder. Rick Nelson is his house builder in Oak Grove. It could very well happen. Ebert commended Rademacher on his quality business, but he is worried about the City getting sued if it doesn't bend to the developer's wants. Rademacher said no. Ebert asked him if the purchase doesn't go through, the city would still have to deal with Kent Roessler. Rademacher said he doesn't speak for Roessler. Ebert asked if there has been a study of service station vs high voltage power lines, as this is the 3rd largest KVA line in the state. He has concern for electric interference, etc. Rademacher said they contacted the power company and they said that as long as they stay way from their easement, which is 150 feet, they would be fine. No additional study has been done regarding that. Ebert is against the commercial side of it, but definitely is in favor of the residential side. He doesn't necessarily favor the 2.5 acre lot sizes and giving swamp land as park land, as that would be tax revenue lost for the city. He asked if it will be private streets and park preserve. Rademacher said that has not been determined. In Oak Grove, Rademacher Families built them, and the City owns and maintains them. Ebert asked about the trail plan, if it would encompass the whole 100 acres. Rademacher demonstrated on his illustration that the trail and 80 foot easement

is around the entire perimeter and then comes up and across the power line easement and then back down to Baugh St on the south side. Ebert said it would be nice to also add trails between the properties, and to add some sort of impervious surface to the trails so they hold their shape. The concept shows the entrance to Bill's very close to Baugh St, and he wondered if it would be moved. Rademacher agreed and would move it to the west to get more of a turning radius. The concept is not precise. Ebert summarized that he is against the commercial part, and for the residential part if they can keep the trails and park designated areas as part of the tax base.

Andrea Buettner, 9115 Burns Parkway

Buettner is happy to see that the change has brought in some residential. She didn't move to Nowthen for conveniences, but for the country. She is willing to drive 20 minutes to a gas station, but it is available within 5 minutes. She and her children actually walk down Baugh. She also is concerned that corporate headquarters would be located there, as that would assume items needing to be trucked from there, which would increase the noise to the residents. She does not agree that commercial designations are attractive, as she doesn't want to look out her window and see that. She would rather look at a barn. Services should maintain health and welfare to the residents, and she doesn't think this concept fits that requirement. Spot zoning will begin to set a precedence, and there have been other properties that have come up for sale that have tried to be rezoned commercial. This is a horse community. She would be more than happy to support residential instead of rezoning to commercial.

Rosina Christie, Ramsey

She is not really in favor of this, but her main concern is that if you do decide to go ahead with it, the traffic is already bad. She does not want a stop light at that corner. She would like to see a plan for a round-about, and have the space there, even if you can't install it right away. It would make it much safer. Right now, it is hard to get through that intersection with the current traffic levels.

Mike Stimart, 8960 184th Ave

Stimart is for the residential side of things, but he has a couple questions regarding land use. In the initial plan there was area was designated for park area. He read through the City Code, and read Chapter 10-3-8, subset i. "Wetlands, ponding areas, and drainage ways accepted by the city shall not be considered in the park land and or cash contribution to the community." That area is already defined as a wetland so should not be proposed as park land for the city. On the commercial side, he is against the rezoning. The 2040 Comp Plan was put into place for a reason. This area was not important enough to be included when the Comp Plan was created. Stimart stated that Mayor Pilon had requested residents to bring data to tonight's discussion for rezoning that area for the proposed land use, but he asked for the data supporting the need for rezoning the area. Any direction you travel in the city, there is a convenience store located on any of those routes, so he thinks there is no need there. He does love Bill's and loves the Royalton Bill's as well.

Chad Jerzak, 9063 Burns Parkway

Before he began, he wanted to state that his thoughts were exactly in agreement with all that has been stated against this rezoning request. At the same time, he wanted to recognize Mr. Rademacher as being a fine businessman, and he runs a great business that Jerzak frequents often. The problem with this plan is not with Mr. Rademacher whatsoever. It is a problem with the way that it is set up. One thing that has not been mentioned is his concern regarding property values, taxes, and the desirability of this area in the future. In addition to the simple fact that it is completely not in agreement with the 2040 Comp Plan. He also brought up potential runoff consideration, especially taking into consideration the proposals for Hwy 22 and Baugh as far as widening and traffic issues. He doesn't think the applicant doesn't have enough information to make an informed decision.

Grant Rademacher

Rademacher thanked residents for their positive comments and the negative input as well. He stated that if it was the same traffic, he would not be looking at this corner. For six years he has looked at traffic counts, sat at this intersection and counted cars and trucks. He has talked with trucking firms from Powel to fuel companies. It is a different traffic base. If it was the same cars, he wouldn't be proposing building here as it would do them no good because it would be the same customers from his other stores. The traffic that comes across Viking Blvd continues straight west to the roundabouts. 85% of that traffic goes straight west and does not come south. The traffic that comes through this intersection comes from County Rd 5 and Armstrong Blvd to the south, and then it funnels into Elk River. Rademacher Families bought 168 acres in Oak Grove last fall. They are proposing a Bill's Superette on that corner, as well as for future development. They have sold 14 of the 28 lots to those neighbors, knowing that there is a Bill's Superette going in on that intersection. He showed some of the homes that were built by Mr. Nelson, present at the meeting also, and he controls the design that would be approved.

Shirley Matuseski, 8840 181st Ave NW

The exact reason Rademacher just stated for wanting to build there is the reason the neighbors do not want him to build the commercial at that intersection. Shoulders on 181st Ave are minimal. They do not want to invite additional trucks on the road. Light pollution is also a consideration, and she does not want to be in an atmosphere with all the bright lights. She would much rather see houses than commercial buildings.

David Johnson 8863 184th Ave NW

Johnson said that the difference between the Oak Grove plan and this proposal is that people there are buying the houses knowing there will be a Bill's there, as opposed to the Nowthen landowners living here and then adding the Bill's. If the Council allows the Commercial to move forward, they care nothing about the residents, because this is the 3rd time they are here protesting this.

Mark Tokar, 9067 194th Lane NW

He is happy that Rademacher wants to do business within Nowthen but thinks he should stay within the existing Commercial zones. Tokar is against the proposed zoning change to commercial. No recommendation by the Planning Commission has been made to date. Council wanted to hear what the residents had to say and proposed the Open House. No decision has been made, as this is purely a Concept Plan at this time. Public Hearings will still be required for this application to move forward.

Glenn Yoder, 9163 184th Ave NW

Yoder spoke on behalf of Bobby Reedy and Jeannie Herbst, one of the reasons they moved up to Nowthen a year and a half ago was to get out of the city and get into the country. He grew up on a farm, and he would rather not sit out by the fire and hear, "Go ahead pump four..." They can hear the traffic from the corner. Regarding the horse trail – great concept. That horse trail on the right side of the road does not have an entrance to cross over the road. There is a fence that goes around the property. It would be dangerous to have horses on that road. Yoder agrees with the concept of putting houses in but thinks the lots are too small, especially if the goal is to have a horse community. The lots do not lend themselves to barns and adequate space for animals. He is opposed to the commercial part of this concept.

Catherine Master, 8783 190th Ave NW

Her only question to Rademacher was, "Why this property? Why do you want to come where the residents are so passionately opposed?"

Grant Rademacher

Rademacher's answer to that question was that the customers that he has spoken to at Bill's Superette are not against this idea. He follows the traffic. Baugh St. has been semi-funded by the County and that is already going to be in the works, roundabouts to Armstrong and Alpine. The road infrastructure is coming this way, whether you like it or not. He just follows the traffic. Rademacher Families started in Brooklyn Center 50 years ago, and now they are up in this area because the follow the traffic and the homes and schools. That is what they do. Someone said that doesn't make it right, and he agreed saying that the residents have the right as citizens to express their thoughts. If they say no, then Rademachers go some place else.

Ladonna Hartack, 18825 Iman St

Hartack agreed that property owners have the right to develop their own land. She is not in favor of a gas station there, and is concerned about light pollution and sound pollution. She is not in favor of a roundabout at this intersection because of the lights on them and the jake braking from large trucks, etc.

Greg Peterson, Old Viking Blvd

Peterson said there is one thing that no one has mentioning regarding this. What happens if Mr. Rademacher decides to go across the street to the corner of Ramsey? What happens if he buys Gordon's Gardens 15 acres? What happens if he buys the house behind it with 30 acres and goes to Ramsey? Ramsey will welcome him with open arms. Maybe he will do more than a gas station. Maybe he will build a commercial park and start building more buildings. Residents need to think about the big picture here. He's looking for a gas station, but what if he goes across the street to Ramsey? Ramsey will offer him whatever he wants, Peterson guaranteed. He has no vested interest in what happens here, but he encouraged residents to look at the other side of things. If he goes across the street to Ramsey, you will still have lights and traffic, but what you don't have is the tax revenue. It is pretty simple business. You can deny him and he will take his money and go somewhere else. Food for thought.

Brandon Ebert

Ebert said that Ramsey's 2040 Land Use plan has no intention of having commercial industrial on that corner. He has talked with many of the residents there who are not interested in selling. Ebert said that if Rademacher offered him millions of dollars he would sell his land to him, but Rademacher said he was not on the right corner. Regarding the comment about following traffic studies, Ebert asked if Rademacher was also following future traffic studies once 169 and 22 are redefined. Rademacher said they can only guess at this point, as the state, county and city are all involved. Changes to Hwy 47 and Cty Rd 22 have been discussed for 25 years and each election the rules change. They try to plan five to seven years in advance, and it takes 2-3 years to get through city procedures. That is where they are now, and he said they follow schools and homes mostly, along with traffic studies. Ebert suspects the traffic counts will go down once the Hwy 10 and 169 road projects are finished, so he asked if Rademacher will close the store. Rademacher responded that they have never closed a store in 50 years, and he does not plan on it. This proposed store is a Royalton – 12,000 sq ft store and a mini grocery store. They will most likely sell the one in Brooklyn Park, but he said he is not a fortune teller to predict future success or failure.

Councilmember Jason Alders asked how big the Bill's in Nowthen is currently. Rademacher said it is 7,000 sq ft. and Oak Grove is 10,000 sq ft. The new proposal is 12,000 sq ft. A resident asked about paved area on the site, and Rademacher responded that parking lots must meet certain requirements – one parking stall for each 150 feet of sales floor.

Chad Jerzak, 9063 Burns Parkway

Jerzak also asked about plowing and drainage. Rademacher said they have bonding for those issues and take them into consideration in the site plan. Pilon said most of those concerns are regulated by state law and City Code. The biggest decision is the Comp Plan change at this time. Jerzak asked about the effect on property taxes. City of Nowthen takes the least percentage of property taxes per resident. The city gets a larger proportion of commercial taxes than it does from residential properties.

Grant Rademacher

Rademacher addressed the concern regarding the wetland and/or park area and larger lot sizes to accommodate horses. His 19-lot concept plan showed larger parcels on the top edge of the plan with 10.69 acres, 18.49 acres, and 9.54. Some of the changes that were requested in the last meeting were incorporated in this revised concept. They still have the horse trail and easements going around the perimeter, but those are horse-size, and he doesn't know what they require. One of the lots goes up to 19.5 acres.

Mark Tokar

Tokar asked Rademacher if he had considered moving his corporate office and processing facility to some other portion of Nowthen that is already designated commercial/industrial. Rademacher said no, and that if it does not go on this location, it will be going to Oak Grove. That building will be built. It's designed to work together so they can leave the southern facility.

Dale Ames, Planning & Zoning Chairman

Ames reminded the residents present that the 30 people present at this meeting are a small percentage of the entire population of Nowthen. What the Planning Commission and the City Council need to do is take the whole city into consideration. This is a big decision the Council has to make, and it is very important. The City Code is in place to address most of the concerns mentioned at this meeting. Spot zoning is something that can be done anytime, even though it was not included in the Comprehensive Plan. Any landowner can request what Mr. Rademacher has requested. Met Council is not easy to deal with and may approve or deny this request. Whenever something comes up in the city that affects a resident directly, they show up at a meeting, and have every right to be there. There have been some good things pointed out tonight, and they could be incorporated into the plan if it goes through. Things have changed a great deal in the 57 years since he has lived here – some changes he likes and some he doesn't like. He does not want to lose Mr. Rademacher's business to Oak Grove.

Nowthen currently has 4,500 homes and 4,536 residents according to the most recent Census.

Yvonne Lyrenmann, 9360 181st Ave NW, Ramsey

Lyrenmann said that fewer people at this meeting may be due to it being an Open House, and thinks that the percentages would still be not in favor of the commercial, even taking into consideration the entire population of Nowthen.

Chad Jerzak, 9063 Burns Parkway

Jerzak again commented that the 2040 Comp Plan would be disregarded if this zoning were changed.

Ron West, 17960 Ermine Blvd, Ramsey

West had two comments: He has seen City of Ramsey police in that area a number of times, but never has seen Anoka County Sheriff there. His house backs up to Elk River, across the street is Nowthen, and he is in Ramsey. A call to the Fire Department gets lost because they all don't know who should come. He also reiterated his suggestion to move the gas station north instead of right on the corner.

Planner Stockman reiterated that this proposal is still in the Concept Plan Review stage. No decision at all has been made. Resident and City governing body thoughts are just input for the applicant to use in deciding if he will move forward with an application. Whomever comes forward with an application, the City is required to hear it. Also, the City of Nowthen has had other Comprehensive Plan Amendments that have been approved by the City Council – she can think of 2 or 3 that have been approved. Discussion about the Comp Plan Amendments that have been approved in the past.

Clayton Connolly – 9030 184th Ave NW

Connolly requested to open the discussion to the City Council to give a fair shot to Mr. Rademacher regarding their support or lack of support. The traffic increase is due to the weigh scale on Hwy 10, according to his law enforcement background experience. He recommends having commercial vehicle inspection to increase traffic enforcement revenue for Nowthen. He also commented regarding the number of Sheriff squad cars at Bill's recently.

Councilmember Mary Rainville responded that the City receives nothing from traffic enforcement revenue. Regarding the four squads that were at Bill's, the sheriff reported that a vehicle was towing a vehicle and the towed vehicle was halfway off. It was a moving violation, not a criminal offense. Sheriff reports regularly, and Rademacher encourages Anoka County Sheriffs to frequent his business to discourage criminal activity.

Mayor Jeff Pilon responded that the purpose this meeting was to collect data, and to ask the Council to weigh in publicly on this proposal was premature. City Attorney instructed the Council that they not express their opinions publicly before all the information has been presented, as his job is to keep the City out of court. A public Open House is not the place to state their opinions, and they do not even have the current information available.

Brandon Ebert asked about the proposed Anoka County Sheriff contract. It includes 12-hour coverage, 7 days a week, 50% more coverage; conditions stay the same for all the cities they cover; advantage of housing a car within the City of Nowthen increase coverage time and helps coordinate between all the public safety services; not purchasing a squad car. Ebert asked Rademacher if he would consider housing the sheriff squad car at his proposed facility, and Rademacher responded, "Absolutely!" Ebert stated that if the Council decides to go ahead with this project, it would be great to have Anoka County Sheriff sitting right across the street from his house.

Respectfully Submitted by:		
respectant casimilea by.		
Lori Streich, City Clerk/Treasurer	Jeff Pilon, Mayor	

Appreciation expressed for the participation and comments. Meeting Dismissed at 7:55 PM

TY OF NOWTHI	EN TREASU	JRER'S	REPORT			S	eptember 30, 2021
CASH:				Submitted By: Lo	ori Streid	eh .	
DATE	Loc	ATION	ACCT. TYPE	Interest Earned			BALANCE
9/30/2021	Pine River	r State Bank	Checking Acct.	\$4.42			\$131,281.89
9/30/2021	Eco Deve	wthen nomic elopme Fund	PRSB Checking	NA		\$	2,489.02
9/30/2021	Fina	PMA ancial twork	CD's	\$226.85			\$1,479,900.00
9/30/2021	86	, 4MP GO ands	Money Market Fund	\$17.92			\$665,218.58
						\$	2,278,889.49
		Y	TD Outstanding Chks	as of 09/30/2021	5.71	\$	40,572.27
				Adjusted Bank	Total	\$	2,238,317.22
				Unreconciled		\$	110.77
		00/3	0/2021 <u>SCHEDULE 1</u>	Ending Balance:		\$	2,238,206.45

*Cash Balances

				Transf	fers			
Fund	2021 Begin Balance	Receipts	Disbursements	Rec/Disb	Journal Entries	JE Payroll	Balance	
10100 Checking								
100 General Fund	\$661,050.57	\$1,242,730.99	\$1,128,473.87	\$0.00	\$17,371.54	(\$163,408.00)	\$629,271.23	In Bal
205 Farmers Market	\$0.00	\$0.00	\$1,270.00	\$0.00	\$0.00	\$0.00	(\$1,270.00)	In Ba
210 CARES Act Fund	\$85,265.54	\$450,839.25	\$277,395.00	\$0.00	(\$17,371.54)	\$0.00	\$241,338.25	In Ba
222 Economic Develop	\$2,489.02	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,489.02	In Ba
305 Basalt St Debt Ser	v \$1,066.39	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,066,39	In Ba
306 Grader Debt Servi	\$2,941.89	\$15,376.63	\$28,868.00	\$0.00	\$0.00	\$0.00	(\$10,549.48)	In Ba
311 2012A Refunding	B \$99,008.70	\$41,792.59	\$83,275.00	\$0,00	\$0.00	\$0.00	\$57,526.29	In Bal
312 Fire Engine Debt S	\$23,899.24	\$12,128.68	\$21,215.00	\$0.00	\$0.00	\$0.00	\$14,812.92	In Bal
313 2021A GO Improv	e \$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	In Bal
315 2019A Improveme	n \$393,303.88	\$40,275.25	\$133,925.00	\$0.00	\$0.00	\$0.00	\$299,654.13	In Bal
320 2021A GO Improv	e \$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	In Bal
404 Park Capital & Dev	\$218,434.75	\$37,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$255,934.75	In Ba
406 Road & Bridge Equ	ui \$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	In Ba
407 Fire Equipment Fu	n \$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	In Bal
408 Turn Out Gear Fur	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	In Bal
409 Burns Town Cente	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	In Bal
410 Building Capital Im	p \$168,921.76	\$9,345.84	\$3,089.80	\$0.00	\$0.00	\$0.00	\$175,177.80	In Bal
414 Street Renewal Im	p \$1,311,840.79	\$39,074.52	\$0.00	\$0.00	\$0.00	\$0.00	\$1,350,915.31	In Bal
415 Pinnaker Lk Road	P (\$24,218.23)	\$2,510.04	\$0.00	\$0.00	\$0.00	\$0.00	(\$21,708.19)	In Bal
416 2019 Road Improv	e \$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	In Bal
417 2020 Road Improv	e (\$616,408.54)	\$5,759.21	\$474,932.68	\$0.00	\$0.00	\$0.00	(\$1,085,582.01)	In Bal
420 Tree Replacement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	In Bal
603 Recycling Center	\$27,618.05	\$24,022.52	\$13,292.38	\$0.00	\$0.00	(\$14,971.13)	\$23,377.06	In Bal
701 Equipment Replac	e \$257,107.22	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$257,107.22	In Bal
802 Minestone Ponds	\$839.99	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$839.99	In Bal
803 Quiet Meadows	\$3,865.04	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,865.04	In Bal
804 Barr Engineering C	\$1,440.73	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,440.73	In Bal
805 ROW Security Dep	\$2,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,500.00	In Bal
806 Breyens Bend	\$40,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$40,000.00	In Bal
	\$2,660,966.79	\$1,921,355.52	\$2,165,736.73	\$0.00	\$0.00	(\$178,379.13)	\$2,238,206.45	



4M Fund Monthly Statement City of Nowthen

Please Note:

THE FUND WILL BE CLOSED OCTOBER 11TH IN OBSERVANCE OF THE COLUMBUS DAY HOLIDAY

Activity Summary (35442-101) General

9/1/2021 - 9/30/2021

Investment Pool Summary	4M	4MP
Beginning Balance	\$8,199.19	\$806,774.62
Dividends	\$0.04	\$17.88
Purchases	\$300,226.85	\$0.00
Redemptions	(\$300,000.00)	(\$150,000.00)
Ending Balance	\$8,426.08	\$656,792.50
Average Monthly Rate	0.010%	0.030%
Share Price	\$1.000	\$1.000
Total	\$8,426.08	\$656,792.50
Total Fixed Income		\$1,479,900.00
Account Total		\$2,145,118.58

Your PMA Representative Laura Hamacher (612) 509-2563

Ihamacher@pmanetwork.com

City of Nowthen Lori Streich 8188 199th Avenue NW Nowthen, MN 55330



PMA Financial Network 2135 CityGate Lane, 7th Floor Naperville, IL 60563



City of Nowthen

Transaction Activity (35442-101) General

4M 9/1/2021 - 9/30/2021

Transaction	Trade Date	Settle Date	Description	Redemption	Purchase	Share Price	Shares this Transaction
1853632	09/14/2021	09/14/2021	Fund Purchase from FRI Maturity, CD-285379-1 FIELDPOINT PRIVATE BANK & TRUST, CT	\$0.00	\$150,000.00	\$1.000	150,000.000
1853633	09/14/2021	09/14/2021	Fund Purchase from FRI Interest, CD-285379-1 FIELDPOINT PRIVATE BANK & TRUST, CT	\$0.00	\$226.85	\$1.000	226,850
10112312	09/15/2021	09/15/2021	Transfer Purchase	\$0.00	\$150,000.00	\$1.000	150,000.000
10112313	09/15/2021	09/15/2021	Phone ACH Redemption	(\$300,000.00)	\$0.00	\$1,000	(300,000.000)
10117286	09/30/2021	09/30/2021	Dividend Reinvest	\$0,00	\$0.04	\$1.000	0.040
				(\$300,000.00)	\$300,226.89		226.890

Beginning Balance: \$8,199.19 | Ending Balance: \$8,426.08



City of Nowthen

Transaction Activity (35442-101) General

4MP 9/1/2021 - 9/30/2021

Transaction	Trade Date	Settle Date	Description	Redemption	Purchase	Share Price	Shares this Transaction
10112312	09/15/2021	09/15/2021	Transfer Redemption	(\$150,000.00)	\$0.00	\$1,000	(150,000.000)
10116942 09	09/30/2021	09/30/2021	Dividend Reinvest	\$0.00	\$17.88	\$1.000	17.880
				(\$150,000.00)	\$17.88		(149,982.120)

Beginning Balance: \$806,774.62 | Ending Balance: \$656,792.50



City of Nowthen

Fixed Income Investments

Maturities 9/1/2021 - 9/30/2021

Туре	Holding Id	Trade Date	Settle Date	Maturity Date	Description	Cost	Rate	Face/Par
CD	CD-285379-1	09/14/2021	09/11/2020	09/14/2021	CD-285379-1 FIELDPOINT PRIVATE BANK & TRUST, CT	\$150,000.00	0.150%	\$150,226.85
						\$150,000.00		\$150,226.85

9/30/2021 | 06:47:34 PM

Questions: (866) 922-2849



City of Nowthen

Fixed Income Investments

Interest 9/1/2021 - 9/30/2021

Туре	Holding Id	Trade date	Description	Interest
CD	CD-285379-1	09/14/2021	CD-285379-1 FIELDPOINT PRIVATE BANK & TRUST, CT	\$226.85
				\$226.85

9/30/2021 | 06:47:34 PM Questions: (866) 922-2849



City of Nowthen

Current Portfolio 9/30/2021

Туре	Code	Holding Id	Trade Date	Settle Date	Maturity Date	Description	Cost	Rate	NAV	Face/Par	Market Value
4M				09/30/2021		4M Account Balance	\$8,426.08	0.010%	\$1.000	\$8,426.08	\$8,426.08
4MP				09/30/2021		4MP Account Balance	\$656,792.50	0.030%	\$1.000	\$656,792,50	\$656,792.50
CD	N	286660-1	11/30/2020	11/30/2020	10/12/2021	286660-1 THIRD COAST BANK, SSB, TX	\$246,000.00	0.204%		\$246,434.35	\$246,000.00
CD	N	286744-1	12/07/2020	12/07/2020	01/11/2022	286744-1 FINANCIAL FEDERAL BANK, TN	\$240,000.00	0.150%		\$240,394.52	\$240,000.00
CD	N	291237-1	08/25/2021	08/25/2021	04/12/2022	291237-1 PREFERRED BANK, NY	\$249,700.00	0.102%		\$249,860.78	\$249,700.00
CD	N	289561-1	04/30/2021	04/30/2021	05/02/2022	289561-1 WESTERN ALLIANCE BANK / TORREY PINES BANK, CA	\$245,000.00	0.204%		\$245,502.54	\$245,000.00
CD	N	291236-1	08/25/2021	08/25/2021	07/12/2022	291236-1 SERVISFIRST BANK, FL	\$249,700.00	0.110%		\$249,941.58	\$249,700.00
CD	N	291235-1	08/25/2021	08/25/2021	10/11/2022	291235-1 GREENSTATE CREDIT UNION, IA	\$249,500.00	0.170%		\$249,978.77	\$249,500.00
							\$2,145,118.58			\$2,147,331.12	\$2,145,118.58

Time and Dollar Weighted Average Portfolio Yield: 0.149%

Weighted Average Portfolio Maturity: 198.34 Days

Note: Weighted Yield & Weighted Average Portfolio Maturity are calculated using "Market Value" and are only based on the fixed rate investments (excluding SDA investments).

Portfolio Summary

Туре	Allocation (%)	Allocation (\$)	Description
4M	0.393%	\$8,426,08	4M Account
4MP	30.618%	\$656,792.50	4MP Account
CD	68.989%	\$1,479,900.00	Certificate of Deposit

Index

Cost is comprised of the total amount you paid for the investment including any fees and commissions.

Rate is the average monthly rate for liquid investments or the rate on the last business day of the month for SDA investments or the yield to maturity or yield to worst for fixed term investments. Face/Par is the amount received at maturity.

9/30/2021 | 06:47:34 PM

Questions: (866) 922-2849

Market Value reflects the market value as reported by an independent third-party pricing service. Certificates of Deposit and other assets for which market pricing is not readily available from a third-party pricing service are listed at "Cost".

Deposit Codes

Single FEIN

9/30/2021 | 06:47:34 PM

Questions: (866) 922-2849

4M MONTHLY STATEMENT DISCLAIMER

4M and 4M Plus Activity Summary

This section shows all of the activity in the 4M and 4M Plus shares. The Average Rate represents the average net interest rate over the previous month which is then annualized. Income Summary represents the interest earned for the Month and Fiscal Year to Date,

Information regarding the 4M Fund investment objectives, risks, charges and expenses can be found in the 4M Fund Information Statement, which can be obtained at www.4MFund.com or by calling PMA at the phone number

An investment in 4M and 4M Plus is not insured or guaranteed by the FDIC or any other governmental agency. Although the 4M and 4M Plus seek to maintain a stable value of \$1.00 per share, it is possible to lose money by investing in the 4M and 4M Plus.

Securities and municipal advisory brokerage services (investments purchased with proceeds from a municipal securities issuance), and investments cleared through our clearing firm, Pershing LLC, are offered through PMA Securities, LLC, a broker-dealer and municipal advisor registered with the SEC and MSRB, and a member of FINRA and SIPC. All other products and brokerage services are generally provided by PMA Financial Network, LLC. Thus, certificates of deposit ("CD"), savings deposit accounts ("SDA") and commercial paper ("CP") may be executed through either PMA entity, as applicable, depending on whether the investment was purchased with proceeds derived from municipal securities, PMA Securities, LLC and PMA Financial Network, LLC are operated under common ownership and are affiliated with PMA Asset Management, LLC.

Fixed Rate Investment Activity

This section shows all of the fixed term investments purchased and sold, maturities, interest received, and activity. This will include all CD, SDA, CP, securities and money market funds purchased through PMA Financial Network. LLC or PMA Securities, LLC as applicable. It also shows the approximate market value of each security whose price is obtained from an independent source believed to be reliable. However, PMA cannot guarantee their accuracy, This data is provided for informational purposes only. Listed values should not be interpreted as an offer to buy or sell at a specific price. CD's and CP are listed at their original cost. Redemption of a CD prior to maturity may result in early withdrawal penalties, Market values are based on the last day of the month for which this report date range is ending, If the run date of this report is prior to the end of the current month, the market values are listed as equivalent to the cost values.

Money Market Fund

The Rate shown for the money market fund represents the average net interest rate over the previous month which is then annualized, Information regarding the money market fund's investment objectives, risks, charges and expenses can be found in the money market fund's prospectus, which can be obtained by calling PMA at the phone numbers listed. The performance data featured represents past performance, which is no quarantee of future results. Investment returns will fluctuate. Current performance may be higher or lower than the performance data quoted. Please call PMA for the most recent performance figures.

The performance data featured represents past performance, which is no guarantee of future results. Investment returns will fluctuate. Current performance may be higher or lower than the performance data quoted. Please call PMA for the most recent performance figures.

Additional Disclosures

All funds, and/or securities are located and safe kept in an account under the client's name at their custodial bank. Any certificates of deposit listed are located in the client's name at the respective bank, Any money market fund shares are held directly with the money market fund. It is recommended that any oral communications be re-confirmed in writing to further protect your rights, including rights under the Securities Investor Protection Act.

Debt Securities

Some debt securities are subject to redemption prior to maturity. In the event of a partial or whole call of a security, the securities call will be automatically selected on a random basis as is customary in the securities industry. The probability that your securities will be selected is proportional to the amount of your holdings relative to the total holdings, Redemption prior to maturity could affect the yield represented. Additional information is available upon

A financial statement of PMA Securities, LLC is available for inspection at its office or a copy will be mailed to you upon written request.

Questions: (866) 922-2849

PLEASE ADVISE PMA AND OUR CLEARING FIRM, PERSHING LLC, IMMEDIATELY OF ANY INACCURACY OR DISCREPANCY ON YOUR STATEMENT, FOR A CHANGE OF ADDRESS OR QUESTIONS REGARDING YOUR ACCOUNT, PLEASE NOTIFY YOUR PMA REPRESENTATIVE, ANY ORAL COMMUNICATIONS SHOULD BE RE-CONFIRMED IN WRITING.

How to Contact PMA

Please call (630) 657-6400 or write to us at PMA, 2135 CityGate Lane, 7th Floor, Naperville, Illinois 60563.

How to Contact Pershing, LLC

Please call (201) 413-3330 or write to Pershing, LLC, One Pershing Plaza, Jersey City, New Jersey, 07399

In accordance with FINRA Rule 2267, PMA Securities, LLC is providing the following information in the event you wish to contact FINRA. You may call (301) 590-6500 or write to FINRA at 1735 K Street NW. Washington, D.C. 20006-1500. In addition to the public disclosure number (800) 289-9999, FINRA provides an investor brochure which describes their Public Disclosure Program. Additional information is also available at www.finra.org.



City of Nowthen

PMA Financial Network

2135 CityGate Lane 7th Floor Naperville, IL 60563 Phone: 630-657-6400 Fax: 630-718-8701

Monthly Activity Summary

9/1/2021 - 9/30/2021

Class	Account	Beginning Balance	Contributions	Interest	Checks Paid	Other Withdrawals	Month End Balance
4M	35442 - 101 General	\$8,199.19	\$300,226.85	\$0.04	\$0.00	(\$300,000.00)	\$8,426.08
4MP	35442 - 101 General	\$806,774.62	\$0.00	\$17.88	\$0.00	(\$150,000.00)	\$656,792.50
		\$814,973.81	\$300,226.85	\$17.92	\$0.00	(\$450,000.00)	\$665,218.58

Questions: (866) 922-2849

Payments

Payments Batch Oct12AP-2021 \$641	,181.59			
Refer 2103383 WEX Fleet Card	_			
Cash Payment E 100-42210-212 Operating Supplies: M Invoice 73748257 8/31/2021	Noto Account Number	er: 0496-00-228157-	4	\$51.43
Transaction Date 9/16/2021	Checking	10100	Total	\$51.43
Refer 2103384 Cintas Corporation	_			
Cash Payment E 100-43110-415 Rentals	Public Works D	Dept		\$29.38
Invoice 4095761711 9/14/2021				
Cash Payment E 100-43110-415 Rentals	Public Works D	Dept		\$33.13
Invoice 4096420316 9/21/2021	Fine Dent			604.0 7
Cash Payment E 100-42210-415 Rentals Invoice 4096420171 9/21/2021	Fire Dept			\$34.67
Cash Payment E 100-43110-440 Gravel, Rock, Etc.	Public Works D)ent		\$29.38
Invoice 4097086091 9/28/2021	T abile Works E	,ορι 		Ψ20.00
Cash Payment E 100-42210-415 Rentals	Fire Dept			\$34.67
nvoice 4097758260 10/5/2021	·			
Cash Payment E 100-43110-415 Rentals	Public Works			\$33.13
nvoice 4097758385 10/5/2021				
Fransaction Date 9/16/2021	Checking	10100	Total	\$194.36
Refer 2103386 Century Link	_			
Cash Payment E 100-42210-321 Communications: Tele	eph 763-441-2472 7	761		\$195.35
Invoice				
Fransaction Date 9/22/2021	Checking	10100	Total	\$195.35
Refer 2103387 <i>Menard</i> s	_			
Cash Payment E 100-43110-215 Operating Supplies: S	Sho Public Works S	Supplies, Account 31	250257	\$32.06
Invoice 38832				
Cash Payment E 603-43220-215 Operating Supplies: S	Sho Recycle Center	r Supplies, Account	31250257	\$72.73
Invoice 38832	"			
Cash Payment E 100-45210-218 Operating Supplies: I	Par Park Supplies,	Account 31250257		\$1.00
Invoice 38832 Cash Payment E 100-43110-224 Repair and Maintenar	no Poodo Accoun	st 24250257		\$19.15
nvoice 39260	ice Roads, Account	11 3 1230237		φ19.10
Cash Payment E 100-45210-218 Operating Supplies: I	Par Park Supplies.	Account 31250257		\$8.17
Invoice 39260	,			**
Cash Payment E 100-41710-201 Office Supplies: Acce	sso Office Supplies	, Account 31250257	•	\$27.36
Invoice 39260				
Fransaction Date 9/22/2021	Checking	10100	Total	\$160.47
Refer 2103388 CENTURY COLLEGE	_			
Cash Payment E 100-42210-435 Training	- Class Registrat	tion		\$175.00
Invoice 879547 9/20/2021				
Fransaction Date 9/22/2021	Checking	10100	Total	\$175.00
Refer 2103389 Commercial Asphalt Co.				
Cash Payment E 100-43110-440 Gravel, Rock, Etc.	Office Ref 3470)		\$131.06
Invoice 210915 9/15/2021				
Fransaction Date 9/22/2021	Checking	10100	Total	\$131.06
Refer 2103390 A&B Welding & Construction Inc				

Payments

Checking	10100	Total	
- Cnecking	10100	rotai	
-			\$508.00
D 1 0 1			***
Recycle Center			\$69.00
01 1:	10100	Total	
Checking	10100	rotai	\$69.00
-			
eg Legal Notices - Pu 1168450	blic Hearings, Ad	Number	\$43.00
eg Legal Notices - Pu 1168446	blic Hearings, Ad	Number	\$48.38
eg Legal Notices - Pu 1168442	blic Hearings, Ad	Number	\$53.75
e Recycle - Ad Numi	ber 1166622		\$100.00
Oh a akin u	40400	Total	
Checking	10100	TOLAI	\$245.10
Labels			\$105.9
Ob a state or	10100	Total	
Checking	10100	TOLAI	\$105.95
ANSI Class 2 Safe	ty Pocket T		\$144.00
01 1:	10100	Total	
Checking	10100	ıotai	\$144.00
-			
			\$2,401.36
a.	10100	- . 	
Checking	10100	I otal	\$2,401.36
-			
E Job Number 2982	1		\$4,005.68
Checking	10100	Total	\$4,005.65
-			
nd Monthly Contract			\$1,099.25
Checking	10100	Total	\$1,099.25
-			
Concept Plan Escr	ow Refund		\$364.00
Checking	10100	Total	\$364.00
	eg Legal Notices - Pu 1168446 eg Legal Notices - Pu 1168442 e Recycle - Ad Numi Checking - Labels Checking - ANSI Class 2 Safe Checking - Checking	Legal Notices - Public Hearings, Ad 1168450 Eg Legal Notices - Public Hearings, Ad 1168446 Eg Legal Notices - Public Hearings, Ad 1168442 E Recycle - Ad Number 1166622 Checking 10100 - Labels Checking 10100 - ANSI Class 2 Safety Pocket T Checking 10100 - Checking 10100	ag Legal Notices - Public Hearings, Ad Number 1168450 ag Legal Notices - Public Hearings, Ad Number 1168446 ag Legal Notices - Public Hearings, Ad Number 1168442 ag Legal Notices - Public Hearings, Ad Number 1168442 ag Legal Notices - Public Hearings, Ad Number 1168442 ag Legal Notices - Public Hearings, Ad Number 1168442 ag Legal Notices - Public Hearings, Ad Number 1168446 ag Legal Notices - Public Hearings, Ad Number 1168446 ag Legal Notices - Public Hearings, Ad Number 1168446 ag Legal Notices - Public Hearings, Ad Number 1168446 ag Legal Notices - Public Hearings, Ad Number 1168446 ag Legal Notices - Public Hearings, Ad Number 1168446 ag Legal Notices - Public Hearings, Ad Number 1168446 ag Legal Notices - Public Hearings, Ad Number 1168446 ag Legal Notices - Public Hearings, Ad Number 1168446 ag Legal Notices - Public Hearings, Ad Number 1168446 ag Legal Notices - Public Hearings, Ad Number 1168446 ag Legal Notices - Public Hearings, Ad Number 1168446 ag Legal Notices - Public Hearings, Ad Number 1168446 ag Legal Notices - Public Hearings, Ad Number 1168446 ag Legal Notices - Public Hearings, Ad Number 1168446 ag Legal Notices - Public Hearings, Ad Number 1168446 ag Legal Notices - Public Hearings, Ad Number 1168446 ag Legal Notices - Public Hearings, Ad Number 1168446 ag Legal Notices - Public Hearings, Ad Number 1168446 ag Legal Notices - Public Hearings, Ad Number 116844 ag Legal Notices - Public Hearings, Ad Number 116844 ag Legal Notices - Public Hearings, Ad Number 116844 ag Legal Notices - Public Hearings, Ad Number 116844 ag Legal Notices - Public Hearings, Ad Number 116844 ag Legal Notices - Public Hearings, Ad Number 116844 ag Legal Notices - Public Hearings, Ad Number 116844 ag Legal Notices - Public Hearings, Ad Number 116844 ag Legal Notices - Public Hearings, Ad Number 116844 ag Legal Notices - Public Hearings, Ad Number 116844 ag Legal Notices - Public Hearings, Ad Number 116844 ag Legal Notices - Public Hearings, Ad Number 116844 ag Legal Notices - Publ

Payments

Cash Payment Invoice 149350	E 100-42210-221 Repair and Maintenance	e Fire Department			\$33,427.00
Transaction Date		Checking	10100	Total	\$33,427.00
Refer 21034	400 JEFFERSON FIRE & SAFETY	_			
Cash Payment	E 100-42210-221 Repair and Maintenance	e Fire Department, C 132332	ustomer ID 05777,	, Ofder #	\$214.20
Invoice IN13311	9/16/2021				
Transaction Date	e 9/23/2021	Checking	10100	Total	\$214.20
Refer 2103	401 Blaine Lock & Safe, Inc.	-			
Cash Payment Invoice 26246	E 603-43220-405 Repair/Maint-Contractual 9/23/2021	al Recycle Center, Cu	ıstomer ID: CNT		\$175.00
Transaction Date	e 9/28/2021	Checking	10100	Total	\$175.00
Refer 21034 Cash Payment Invoice 2491	405 ROYAL SUPPLY E 100-42210-215 Operating Supplies: Sho 9/28/2021	- o Fire Department			\$100.00
Transaction Date	e 9/30/2021	Checking	10100	Total	\$100.00
Refer 21034 Cash Payment Invoice 8772	406 MNSPECT LLC E 100-42410-310 Professional Services 9/30/2021	-			\$20,137.87
Transaction Date		Checking	10100	Total	\$20,137.87
Refer 21034	407 Connexus Energy				
Cash Payment Invoice	E 603-43220-381 Utility Services: Electric	Acct 303167 Recyc	ele Street Light		\$3.60
Cash Payment Invoice	E 100-42210-381 Utility Services: Electric	Acct 303167 Fire S	treet Light		\$3.59
Cash Payment Invoice	E 100-45210-381 Utility Services: Electric	Acct 178679 Twin L	_akes		\$47.47
Cash Payment Invoice	E 100-41710-381 Utility Services: Electric	Acct 179210 City H	all		\$112.48
Cash Payment Invoice	E 100-42210-381 Utility Services: Electric				\$345.44
Cash Payment Invoice	E 100-41710-381 Utility Services: Electric				\$20.84
Cash Payment Invoice	E 603-43220-381 Utility Services: Electric	Acct 254434 Recyc	cle Center		\$32.59
Cash Payment Invoice	E 100-41710-381 Utility Services: Electric	Acct 294586 Shop	& Office		\$424.83
Cash Payment Invoice	E 100-42210-381 Utility Services: Electric	Acct 311409 Ice Ri	nks		\$14.50
Transaction Date	e 9/30/2021	Checking	10100	Total	\$1,005.34
Refer 21034	408 CenterPoint Energy	-			
Cash Payment Invoice	E 100-42210-383 Utility Services: Gas Util 9/20/2021	lit Fire 7618235-1			\$25.44
Cash Payment Invoice	E 100-41710-383 Utility Services: Gas Uti 9/20/2021	lit City Hall 7627764-9	9		\$16.86
Cash Payment Invoice	E 100-41710-383 Utility Services: Gas Util 9/20/2021	lit Public Wks 763282	20-2		\$31.34

Payments

Transaction Dat	te 9/30/2021	Checking	10100	Total	\$73.64
Refer 2103	409 CenterPoint Energy	-			
Cash Payment	E 100-42210-383 Utility Services: Gas I	Utilit Fire 7618235	-1		\$28.47
Invoice	10/20/2021				
Cash Payment	E 100-41710-383 Utility Services: Gas I	Utilit City Hall 7627	764-9		\$17.12
Invoice	10/20/2021				
Cash Payment	E 100-41710-383 Utility Services: Gas I	Utilit Public Wks 76	632820-2		\$36.42
Invoice	10/20/2021				
Transaction Dat	te 9/30/2021	Checking	10100	Total	\$82.01
Refer 2103	410 Hakanson Anderson Associates,	-			
Cash Payment	E 100-41910-303 Professional Services	s: E Breyens Bend	l		\$471.76
Invoice 46779	9/27/2021				
Cash Payment	E 100-41910-303 Professional Services	s: E Toft 1st Additi	on		\$3,283.75
Invoice 46780	9/27/2021				
Cash Payment	E 100-41910-303 Professional Services	s: E Toft 2nd Addit	ion		\$1,070.00
Invoice 46781	9/27/2021				
Cash Payment	E 100-41910-303 Professional Services	s: E Misc Site Rev	iew		\$293.40
Invoice 46782	9/27/2021				
Cash Payment	E 417-41910-303 Professional Services	s: E Ebony and Ga	arnet Street		\$8,352.74
Invoice 46783	9/27/2021			oject 2021	
Cash Payment	E 417-41910-303 Professional Services	s: E Rogers Lake <i>i</i>		-	\$10,931.02
Invoice 46784	9/27/2021			oject 2021	
Cash Payment	E 100-41910-303 Professional Services	s: E General Engir	neering for City		\$226.00
Invoice 46785	9/27/2021				
Transaction Dat	te 9/30/2021	Checking	10100	Total	\$24,628.67
Refer 2103	411 TASC SERVICE	_			
Cash Payment	E 100-41710-310 Professional Services	Compliance F 0877-7619	ee Assessment, TASC	C ID 4017-	\$250.00
Invoice IN2120	711 8/20/2021				
Transaction Dat	te 9/30/2021	Checking	10100	Total	\$250.00
Refer 2103	412 US Bank Equipment Finance	_			
Cash Payment	E 100-41710-405 Repair/Maint-Contrac	tual Ricoh Lease -	Equip ID 127157		\$311.00
Invoice 453594	186 10/15/2021				
Transaction Date	te 9/30/2021	Checking	10100	Total	\$311.00
Refer 2103	421 Plaisted Companies Inc.				
Cash Payment	E 100-43110-440 Gravel, Rock, Etc.	-			\$9,056.64
Invoice	2 100 10110 110 Gravol, 1100k, 210.				ψ0,000.01
Transaction Date	te 10/4/2021	Checking	10100	Total	\$9,056.64
Refer 2103	422 Earl F. Anderson				
Cash Payment	E 100-43110-226 Repair and Maintenar	- nce Order 014241	2		\$114.35
Invoice 012770			_		***********
Transaction Date		Checking	10100	Total	\$114.35
Refer 2103	423 MACQUEEN EMERGENCY	_			
Cash Payment	E 100-42210-240 Small Tools and Mind	or E Customer #N	OWTH001		\$478.55
Invoice P00557					,
Transaction Date		Checking	10100	Total	\$478.55
		- ·····ع			,

Payments

Refer 2103424 ADAMS PEST CONTROL	-			
Cash Payment E 100-42210-310 Professional Services Invoice 3359651 9/30/2021				\$110.00
Transaction Date 10/4/2021	Checking	10100	Total	\$110.00
Refer 2103425 Kims Kleaning				411 0100
Cash Payment E 100-41710-438 Miscellaneous: Cleaning	- na 09-13 & 09-27 Cle	aning-City Hall		\$150.00
Invoice 7948 10/4/2021	.g 00 10 0 00 <u>-</u> 1 0.0	ag G.t.,a		4.00.00
Cash Payment E 100-42210-438 Miscellaneous: Cleaning	ng 09-13 & 09-27 Cle	aning-Fire Dep	artment	\$150.00
Invoice 7948 10/4/2021				
Transaction Date 10/4/2021	Checking	10100	Total	\$300.00
Refer 2103429 The Planning Company LLC	-			
Cash Payment E 100-41810-310 Professional Services				\$8,303.36
Invoice 10/2/2021				
Transaction Date 10/5/2021	Checking	10100	Total	\$8,303.36
Refer 2103430 Knife River Corporation-North	_			
Cash Payment E 417-43121-403 Repairs and Maintenan	c Rogers Lake Area			\$353,315.27
Invoice 10/1/2021			Project 2021	
Transaction Date 10/5/2021	Checking	10100	Total	\$353,315.27
Refer 2103431 MOLNAU TRUCKING	-			
Cash Payment E 417-43121-403 Repairs and Maintenan	c Ebony and Garnet			\$172,918.15
Invoice 10/4/2021			Project 2021	
Transaction Date 10/5/2021	Checking	10100	Total	\$172,918.15
Refer 2103432 ADVANCED FIRST AID INC	-			
Cash Payment E 100-42210-240 Small Tools and Minor I	E LIFEPAK 1000 AE Fire Department	D GRAPHICAL	_ DISPLAY,	\$2,180.00
Invoice 0921-599 9/28/2021				
Transaction Date 10/5/2021	Checking	10100	Total	\$2,180.00
Refer 2103433 CASCADE ELECTRIC, INC.	_			
Cash Payment E 100-42210-404 Repairs and Maintenand	c Fire Station			\$720.10
Invoice 7/7/2021				
Transaction Date 10/5/2021	Checking	10100	Total	\$720.10
Refer 2103434 Couri & Ruppe, P.L.L.P.	-			
Cash Payment E 100-41610-316 Civil Attorney				\$2,861.25
Invoice 9/30/2021				
Transaction Date 10/5/2021	Checking	10100	Total	\$2,861.25
Refer 2103435 Little Falls Machine, Inc.	_			
Cash Payment E 100-43110-221 Repair and Maintenance	e Order #00046181			\$347.41
Invoice 361847 9/29/2021				
Transaction Date 10/5/2021	Checking	10100	Total	\$347.41
Refer 2103436 Metro Sales	-			
Cash Payment E 100-41710-405 Repair/Maint-Contractus	al Copies Contract			\$401.71
Invoice INV1896399 9/27/2021				
Transaction Date 10/5/2021	Checking	10100	Total	\$401.71
Refer 2103437 Cardmember Service	_			

Payments

Cash Payment	E 100-41420-322 Communicati	ons: Postag	Stamps.com			\$17.99
Invoice Cash Payment	9/27/2021 E 100-41420-203 Office Supplie	es: Printed	Copier Paper-F	Amazon		\$66.82
Invoice	9/27/2021					*****
Cash Payment	E 100-45210-218 Operating Su	pplies: Par	Key Me Locksn	nith		\$18.82
Invoice	9/27/2021					
Cash Payment	E 100-43110-223 Repair and M	aintenance	COOP's Locks	mith (Heritage Festiv	al Keys)	\$12.86
Invoice	9/27/2021	aintananaa	Kay Ma Laakar	n ith		Ф7 БО
Cash Payment Invoice	E 100-43110-223 Repair and M 9/27/2021	amteriance	Key Me Locks	niun		\$7.52
Cash Payment	E 100-42210-491 Misc		USPS (St. Fran Chief)	ncis) Mailing Lock Bo	xes (Fire	\$22.50
Invoice	9/27/2021					
Cash Payment	E 100-42210-435 Training		Prescription for (Fire Chief)	Exposure Event 09-	11-2021	\$60.00
Invoice	9/27/2021					
Cash Payment	E 100-42210-215 Operating Su	pplies: Sho	(Cambridge) M Chief)	enards, Ratchet Tie	Downs (Fire	\$21.55
Invoice	9/27/2021					
Transaction Date	e 10/5/2021		Checking	10100	Total	\$228.06
Fund Sum	nmary					
i dila Gali	mary		10100 Checking	ı		
100 Genera	al Fund		\$91,613.84			
417 2020 F	Road Improvements		\$545,517.18			
603 Recycl	ing Center		\$4,458.57	_		
			\$641,589.59			
Pre-Written		9	\$0.00]
Checks to b	e Generated by the Computer	\$641,58	39.59			
	Total	\$641,58				

Memorandum

Date: 10/06/21

To: Mayor and Councilmembers

From: Lori Yager – RTY Consulting

RE: September 2021 Financial Report

Attached are financial reports for the period ending September 30, 2021 along with some comparative information. After **brief** analysis, some general comments can be made regarding the quarterly reports for the City.

GENERAL FUND REVENUES

General fund revenues are up in all categories except interest earnings. Overall revenues are up 16% or \$165,000 over last year at this time.

GENERAL FUND DISBURSEMENTS

General fund operating expenditures are up 12% or \$61,000 over last year. All departments are within original budgets. Personal Services are up 17% or \$44,000 as a result of the new fire department and more detailed coding of expenses from Ramsey. Professional Services are up \$71,000 due to higher planning & zoning, engineering, building inspection and Ramsey contract final payments. General government maintenance expenditures are up about \$20,000. Over the last four years the city consistently uses fund balance for operations during the first nine months of each year. This is normal for most cities of this size because of the timing of tax distributions. The city received American Rescue Plan grant funds which need to be appropriated by December 31st, 2024.

OTHER GOVERNMENTAL FUNDS

The City is currently using reserves in Road and Bridge Improvement funds and Debt Service.

RECYCLING FUNDS

The City Recycling funds reflect operating loss this year compared to previous years. County grant funds have not been received yet.

GENERAL COMMENTS

Total cash and investments are down about (\$477,000) compared to September 30, 2020 primarily as a result of road improvements. Returns on investments are poor.

2021 FINANCIAL REPORT - SEPTEMBER

GENERAL FUND

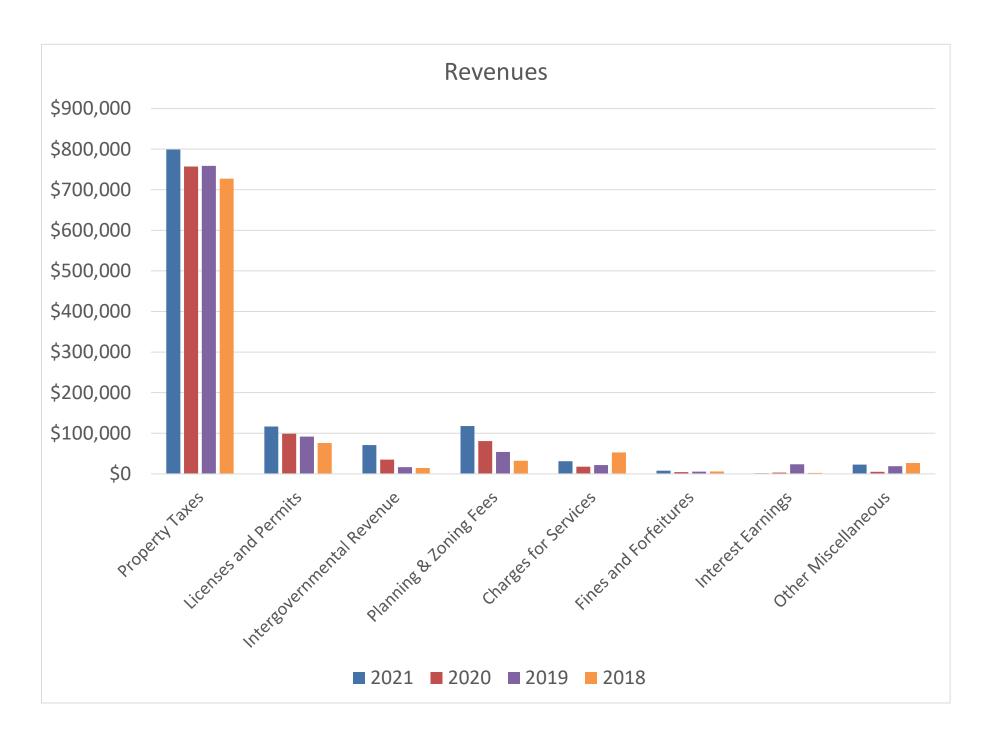
Year To Date 9 Months 75% of Year

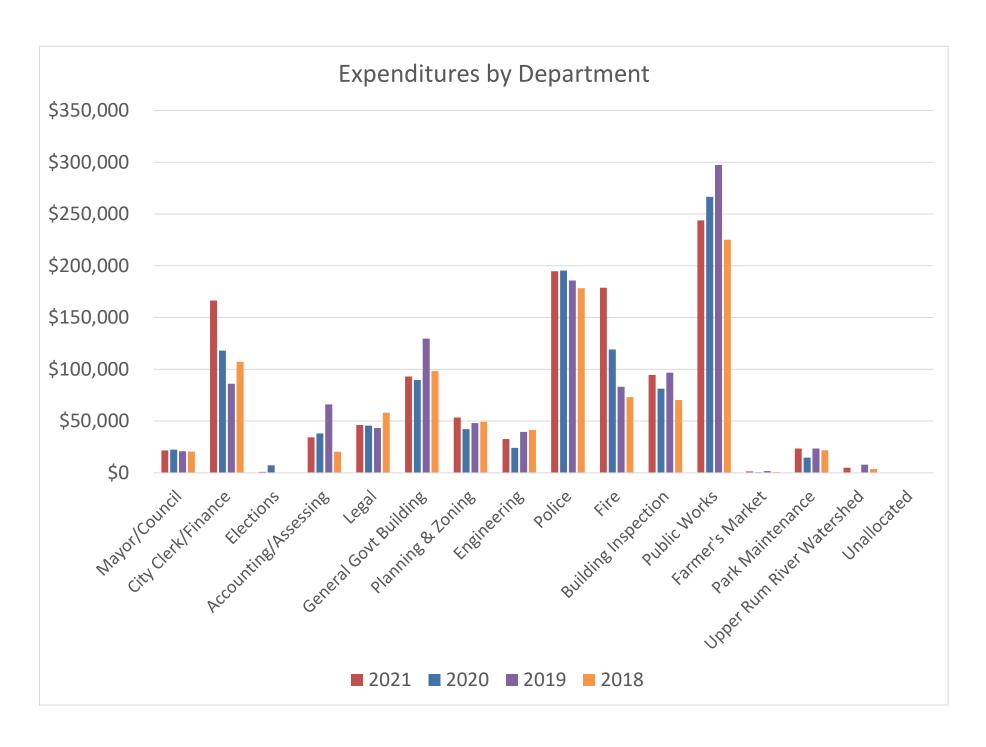
<u>Receipts</u>		2020 Budget		Year to Date	Percentage Received/ Expended <u>2020</u>
Property Taxes Licenses and Permits Intergovernmental Revenue Planning & Zoning Fees Charges for Services Fines and Forfeitures Interest Earnings Other Miscellaneous		1,471,635 101,605 77,105 76,500 24,795 8,800 5,200 9,500	\$	\$799,059 116,784 70,818 117,661 31,003 7,801 1,631 22,894	54.30% 114.94% 91.85% 153.81% 125.04% 88.65% 31.37% 240.99%
Total	\$	1,775,140	\$	1,167,651	65.78%
<u>Disbursements</u>					
Mayor/Council City Clerk/Finance Elections Accounting/Assessing Legal General Govt Building Planning & Zoning Engineering Police Fire Building Inspection Public Works Farmer's Market Park Maintenance Upper Rum River Watershe Unallocated	\$ ed -	31,570 270,730 0 48,250 67,000 97,350 74,700 35,000 259,695 308,955 98,075 408,295 1,500 38,175 9,770 15,000	\$	21,509 166,438 926 34,232 46,184 92,970 53,489 32,488 194,771 178,773 94,587 243,867 1,270 23,459 4,884	68.13% 61.48% 70.95% 68.93% 95.50% 71.61% 92.82% 75.00% 57.86% 96.44% 59.73% 84.67% 61.45% 49.99% 0.00%
Total	\$	1,764,065	\$	1,189,847	67.45%
Net Transfers	-	106,500	_	79,875	75.00%
Sources (Uses) of Fund Balance		(\$95,425)		(\$102,071)	106.96%

FOUR YEAR COMPARATIVE FINANCIAL REPORT FOR THE PERIOD ENDING SEPTEMBER 30, 20XX

GENERAL FUND

Receipts _	2021	2020	2019	2018
Dranarty Tayon	\$700.0E0	\$756.060	¢759.660	#707 220
Property Taxes Licenses and Permits	\$799,059 116,784	\$756,960 99,024	\$758,660 91,683	\$727,320 76,007
	•	35,178	16,594	
Intergovernmental Revenue	70,818		54,060	14,615
Planning & Zoning Fees Charges for Services	117,661	80,662 17,533		32,088
Fines and Forfeitures	31,003 7,801	17,533 4,321	21,695 5,601	52,948 5,770
Interest Earnings	1,631		23,579	2,409
Other Miscellaneous		3,051 5,211		
Other Miscellaneous	22,894	5,211	18,752	26,805
Total	\$1,167,651	\$1,001,940	\$990,624	\$937,962
Disbursements	2021	2020	2019	2018
Mayor/Council	\$21,509	\$22,301	\$20,864	\$20,482
City Clerk/Finance	166,438	117,969	86,023	107,146
Elections	926	7,124	0	0
Accounting/Assessing	34,232	37,945	66,037	20,375
Legal	46,184	45,486	43,241	58,114
General Govt Building	92,970	89,555	129,659	98,271
Planning & Zoning	53,489	42,204	48,055	49,196
Engineering	32,488	24,029	39,448	41,401
Police	194,771	195,378	185,737	178,326
Fire	178,773	119,053	83,055	73,024
Building Inspection	94,587	81,250	96,753	70,286
Public Works	243,867	266,642	297,320	225,141
Farmer's Market	1,270	480	1,688	775
Park Maintenance	23,459	14,584	23,421	21,691
Upper Rum River Watershed	4,884	0	7,763	3,640
Unallocated	0	0	0	0
Total	\$1,189,847	\$1,064,000	\$1,129,064	\$967,868
Transfers Out	79,875	140,625	76,141	126,209
Sources (Uses) of Fund Balance	(\$102,071)	(\$202,685)	(\$214,581)	(\$156,115)

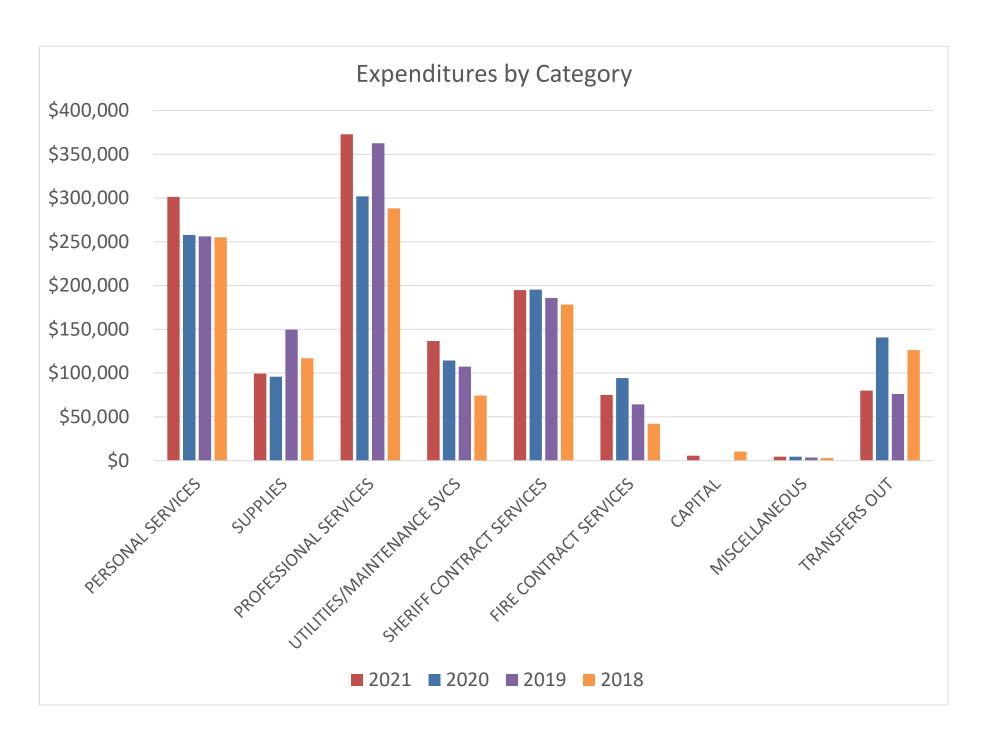




FOUR YEAR COMPARATIVE FINANCIAL REPORT FOR THE PERIOD ENDING SEPTEMBER 30, 20XX

GENERAL FUND

Receipts	2021	2020	2019	2018
Property Taxes	\$799,059	\$756,960	\$758,660	\$727,320
Licenses and Permits	116,784	99,024	\$91,683	\$76,007
Intergovernmental Revenue	70,818	35,178	\$16,594	\$14,615
Planning & Zoning Fees	117,661	80,662	\$54,060	\$32,088
Charges for Services	31,003	17,533	\$21,695	\$52,948
Fines and Forfeitures	7,801	4,321	\$5,601	\$5,770
Interest Earnings	1,631	3,051	\$23,579	\$2,409
Other Miscellaneous	22,894	5,211	\$18,752	\$26,805
Total	\$1,167,651	\$1,001,940	\$990,624	\$937,962
Disbursements	2021	2020	2019	2018
PERSONAL SERVICES	\$301,442	\$257,846	\$256,216	\$255,113
SUPPLIES	99,334	95,932	149,654	116,800
PROFESSIONAL SERVICES	372,805	301,894	362,571	288,168
UTILITIES/MAINTENANCE SVCS	136,557	114,308	107,314	74,205
SHERIFF CONTRACT SERVICES	194,772	195,378	185,737	178,326
FIRE CONTRACT SERVICES	75,069	94,243	64,123	42,038
CAPITAL	5,469	0	0	10,238
MISCELLANEOUS	4,399	4,399	3,449	2,980
TRANSFERS OUT	79,875	140,625	76,141	126,209
Total	\$1,269,722	\$1,204,625	\$1,205,205	\$1,094,077
Sources of Fund Balance	(\$102,071)	(\$202,685)	(\$214,581)	(\$156,115)



2021 FINANCIAL REPORT - SEPTEMBER

STATUS OF CASH BALANCES

<u>Fund</u>		Beginning Balance 1/1/2021	<i>Balance</i> 9/30/2021	Dollar <u>Difference</u>	Balance 9/30/2020
General Fund	\$	652,828	\$ 567,257	\$ (85,571)	\$ 775,867
CARES Act Fund		85,266	258,710	173,444	0
Park Capital Fund		218,435	255,935	37,500	219,439
Road & Bridge Improvement Fund		671,214	243,625	(427,589)	946,256
Debt Service funds		520,220	362,510	(157,710)	329,088
Capital Improvement Funds		168,922	175,178	6,256	124,822
Equipment Funds		257,107	257,107	0	255,205

CASH AND INVESTMENTS - ALL FUNDS 9/30/2021 9/30/2020

Total City Cash & Investments \$ 2,239,206 \$ 2,716,119 \$ (476,913)

General fund cash is down until tax distribution in December

Road & Bridge is cash is down as a result of 2021 road improvements.

Debt is paid in August and levy and assessments are received in December.

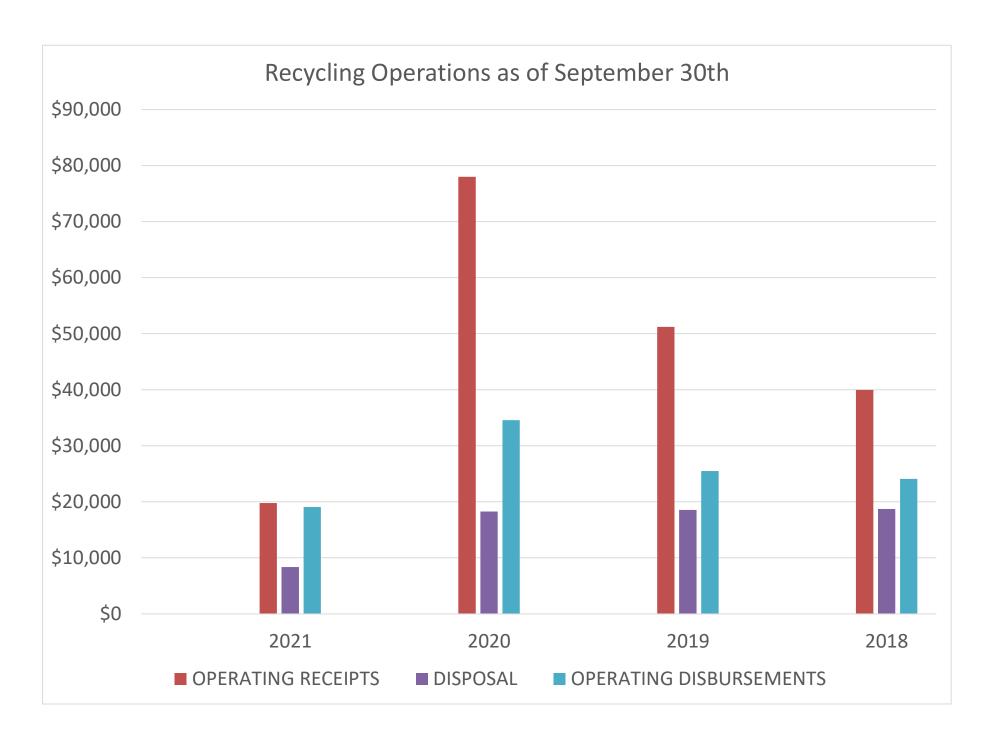
2021 FINANCIAL REPORT - SEPTEMBER

RECYCLING FUND Year to Date, SEPTEMBER 30, 20XX

Receipts	_	2021	2020	2019	2018
County Reimbursement Recycling Proceeds	_	\$0 19,758	\$68,856 9,124	\$35,688 15,513	\$25,632 14,329
Total Revenue		19,758	77,980	51,201	39,961
Disbursements					
Personal Services Supplies Professional Utilities/Maintenance Recycling Hauler Capital	_	14,127 450 0 4,489 8,354 0	4,467 319 23,905 5,878 18,262	10,516 749 390 13,824 18,542	8,521 226 0 15,349 18,706
Total Expenditures		27,420	52,831	44,021	42,802
Operating Income (loss)		(7,662)	25,149	7,180	(2,841)
Non-Operating Revenue (Expense)		0	0	0	0
Net Income (Loss)	\$	(7,662)	25,149	7,180	(2,841)
Capital Outlay		0	0		
Cash Balance 9/30/20	\$	32,067			
Cash Balance 9/30/21	\$	23,377			
Cash Variance		(8,690)			
Explanation of Cash					

Variances

Have not received county grant yet.



CURRENT CASH & INVESTMENTS

For the Quarter Ending SEPTEMBER 30, 2021

	2021	MATURITY DATE 2022	ES2023	TOTAL
CHECKING ACCOUNT 4M MONEY MKT FUND CERTIFICATE OF DEPOSIT TOTAL	\$131,282 \$665,219 \$246,000 \$1,042,501	\$1,233,900 \$1,233,900	\$0 \$0	\$131,282 \$665,219 \$1,479,900 \$2,276,401
	9/30/2021	9/30/2020	INCREASE/ DECREASE	
CHECKING ACCOUNT 4M MONEY MKT FUND CERTIFICATE OF DEPOSIT TOTAL	\$131,282 \$665,219 \$1,479,900 \$2,276,401	\$271,536 \$430,350 \$2,014,500 \$2,716,386	(\$140,254) \$234,869 (\$534,600) (\$439,985)	

GOVERNMENTAL FUNDS BALANCE SHEET AS OF SEPTEMBER 30, 2021

	GENERAL FUND	CARES ACT FUND	PARK ACQUISITION FUNDS	DEBT FUNDS	EQUIPMENT FUNDS	ROAD & BRIDGE FUND	CAPITAL FUNDS	RECYCLING FUND	TOTAL GOVERNMENTAL FUNDS
ASSETS CASH & INVESTMENTS Prepaid expenditures TOTAL ASSETS	\$628,001 \$16,500 \$644,501	\$241,338	\$255,935	\$362,510	\$257,107	\$243,625	\$175,178	\$23,377	\$2,187,071
LIABILITIES Payables Compensated Asenses TOTAL LIABILITIES	302 16,100 16,402			0			0	0	
FUND BALANCE RESTRICTED ASSIGNED UNASSIGNED	611,599	\$241,338	255,935	362,510	257,107	\$243,625	175,178	23,377	2,187,071
TOTAL FUND BALANCE	\$611,599	\$241,338	\$255,935	\$362,510	\$257,107	\$243,625	\$175,178	\$23,377	\$2,187,071
TOTAL LIABILITIES AND FUND BALANCE	\$628,001	\$241,338	\$255,935	\$362,510	\$257,107	\$243,625	<u>\$175,178</u>	\$23,377	\$2,187,071



REQUEST FOR COUNCIL ACTION

rigonuu room //	Engineering	October 12, 2021	g 2	Shane Nelso	n, City Engine	eer				
TITLE OF ISSUE: Ebony & Garnet Road Project - Adopt Assessment Roll										
	AND SUPPLEMENT			1 (1.41		4				
	arnet Road project is cur culvert replacement and									
benefitting proper	*	vase correction costs at	iu assess ju	170 OI HIE IC	maming cos	is to the				
concinuing properties.										
	incurred \$135,697 in con									
	8 in construction costs at									
1 5	dition, the City has incurasted to complete the pro		~ ~							
	osts. Therefore, the total				,000 18 88111	nated for				
7 Millimonation 20	included the country and country	Torocusion project cost	πο ψυ τυ,ου.	.						
	00% of the culvert replace									
	he remaining costs of \$2			ount of \$7,0	000 per parc	el. An				
updated Final Ass	sessment Roll is attached	1 for the City's consider	ration.							
Assessments, Bor										
_	OUNCIL ACTION:	an Adaptina Aggaggman	.4							
Monon to Approv	ve the attached Resolution	on Adopung Assessmen	ll							
For Clerk's Use:		SI	IDDODTED I	DOCUMENT	TS ATTACHI	7D				
Motion By:				DOCUMENT	is at tacin					
-		Resolution	Ordinance	Contract	Minutes	Plan Map				
Second By:										
Vote Record: Ay										
	Alders Blake	Other (specify)								
	Greenberg									
	Pilon									
	Rainville									

Administration Department Use:	
Consent Regular	Refer to:

Property List and Assessment Summary Ebony & Garnet Road Improvement Project

Project Cost Assessed to Benefitting Properties Number of Benefitting Properties - Direct Access

20

\$140,000.00

Assessment Amount - Direct Access \$ 7,000.00

Benefitting Property	Parcel Identification Number	Taxpayer Name	Mailing .	Address	Total	Assessment
1	34-33-25-24-0009	PORTER LONA L & JEFF A SR	18630 GARNET ST NW	ANOKA, MN 55303	\$	7,000.00
2	34-33-25-24-0008	CHAD THOMPSON	14316 284TH AVE NW	ZIMMERMAN, MN 55398	\$	7,000.00
3	34-33-25-24-0007	MEYER CHRIS M & TERESA A	18680 GARNET ST NW	ANOKA, MN 55303	\$	7,000.00
4	34-33-25-21-0015	LOVE CHARLES E & LINDA H	18730 GARNET ST NW	NOWTHEN, MN 55303	\$	7,000.00
5	34-33-25-21-0014	BROZAK TRUSTEE LUANN & BROZAK TRUSTEE MARK	18790 GARNET ST NW	ANOKA, MN 55303	\$	7,000.00
6	34-33-25-21-0013	HADLEY CHAD W & DAWN M	18850 GARNET ST NW	ANOKA, MN 55303	\$	7,000.00
7	34-33-25-21-0012	LANG EUGENE	18870 GARNET ST NW	NOWTHEN, MN 55303	\$	7,000.00
8	34-33-25-21-0011	BEBEAU KRISTEN J	18887 GARNET ST NW	NOWTHEN, MN 55303	\$	7,000.00
9	34-33-25-21-0010	BRUNN TYRONE A & KARIN RAE	18843 GARNET ST NW	ANOKA, MN 55303	\$	7,000.00
10	34-33-25-21-0009	PALM MARK S & LYNN M	18793 GARNET ST NW	ANOKA, MN 55303	\$	7,000.00
11	34-33-25-21-0008	POMBART THIERRY	18745 GARNET ST NW	ANOKA, MN 55303	\$	7,000.00
12	34-33-25-24-0006	REIGHARD PAUL	18711 GARNET ST NW	NOWTHEN, MN 55303	\$	7,000.00
13	34-33-25-13-0010	GEGEN PATRICK & BRENDA	18670 EBONY ST NW	ANOKA, MN 55303	\$	7,000.00
14	34-33-25-12-0008	CASEY WILLIAM A & KELLY R	18720 EBONY ST NW	ANOKA, MN 55303	\$	7,000.00
15	34-33-25-12-0007	KAISER-MOE CURTIS J & PAMELA S	18800 EBONY ST NW	ANOKA, MN 55303	\$	7,000.00
16	34-33-25-12-0006	KLISCH STEPHEN A & JEAN R	18781 EBONY ST NW	ANOKA, MN 55303	\$	7,000.00
17	34-33-25-12-0005	STONE ANGELA	18733 EBONY ST NW	NOWTHEN, MN 55303	\$	7,000.00
18	34-33-25-13-0009	MERSCHMAN MICHAEL P & C J	18667 EBONY ST NW	ANOKA, MN 55303	\$	7,000.00
19	34-33-25-13-0008	RYAN JERROLD D	18623 EBONY ST NW	NOWTHEN, MN 55303	\$	7,000.00
20	34-33-25-13-0007	GUSTAFSON JOEL J & LORI A	18563 EBONY ST NW	ANOKA, MN 55303	\$	7,000.00

CITY OF NOWTHEN COUNTY OF ANOKA STATE OF MINNESOTA

RESOLUTION 2021-31

CERTIFICATION OF ASSESSMENT

I, Lori Streich, the Clerk/Treasurer for the City of Nowthen, Anoka County, Minnesota, hereby certify that the attached Resolution Adopting Assessment for the improvements to the Ebony & Garnet Road Project in the City of Nowthen, Anoka County, Minnesota is a true and correct assessment roll to be spread upon the tax rolls of the property located in the City of Nowthen, Anoka County, Minnesota.

WITNESS my hand as Clerk for the City of Nowthen, Anoka County, Minnesota this 12th day of October 2021.

Lori Streich, City Clerk/Treasurer

CITY OF NOWTHEN COUNTY OF ANOKA STATE OF MINNESOTA

RESOLUTION NO. 2021-31

RESOLUTION ADOPTING ASSESSMENT

WHEREAS, pursuant to proper notice duly given as required by law, the Nowthen City Council has met and heard and passed upon all objections to the proposed assessment for the construction and improvements to Ebony & Garnet Road Project in the City of Nowthen.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NOWTHEN, ANOKA COUNTY, MINNESOTA:

- 1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
- 2. The assessment levied by this Resolution shall be payable in equal annual principal installments extending over a period of 10 years, the first of the installments to be payable on or before the first Monday of January, 2022 and shall bear interest at a rate of two point eight seven percent (2.87%) per annum from the date of this Resolution. To each subsequent installment when due shall be added interest for one year on all unpaid installments.
- 3. The owner of any property so assessed may, at any time prior to the certification of the assessment to the County Auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Clerk, except that no interest shall be charged if the entire assessment is paid within thirty (30) days from the adoption of this Resolution; and he or she may, at any time thereafter, pay to the City Clerk the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the next succeeding year. If an owner decides not to prepay the assessment before the date given above the rate of interest that will apply is of two point eight seven percent (2.87%) per year. The right to partially prepay the assessment is not available.

4.	The Clerk shall forthwith transmit a certified duplicate of this assessment roll to the County Auditor to be extended on the property tax lists of the County, and such assessment shall be collected in the same manner as property taxes.
	ADOPTED by the Nowthen City Council this 12 th day of October, 2021.



REQUEST FOR COUNCIL ACTION

Agenda Item #	Engineering	October 12, 2021	ing Date.	Shane Nelson	n, City Engine	er				
TITLE OF ISSUE:										
Rogers Lake Area Road Project - Adopt Assessment Roll										
BACKGROUND AND SUPPLEMENTAL INFORMATION:										
The Rogers Lake Road project is currently under construction. We understand that the City proposes to pay 100% of the culvert replacement and base correction costs and assess 50% of the remaining costs to the benefitting properties.										
In 2020, the City incurred \$55,834 in construction costs for correcting the sub-base. In 2021, the City has incurred \$537,142 in construction costs and another \$105,000 in costs are forecasted to complete the project. In addition, the City has incurred \$76,262 of engineering / geotechnical costs and another \$38,000 in costs are forecasted to complete the project, \$18,088 in financing costs, and another \$5,000 is estimated for Administration costs. Therefore, the total forecasted project cost is \$835,326.										
If the City pays 100% of the 2020 base correction costs (\$55,834) and 100% of the 2021 culvert replacement and base preparation costs (\$199,092) and assesses 50% of the remaining costs of \$580,400, it yields an assessment amount of \$5,300 per parcel for the 52 parcels and \$7,300 per parcel for the 2 parcels on 185 th Ave NW. An updated Final Assessment Roll is attached for the City's consideration.										
SOURCE OF FU Assessments, Bon										
REQUESTED COUNCIL ACTION: Motion to Approve the attached Resolution Adopting Assessment										
For Clerk's Use:		SU	PPORTED	DOCUMENT	TS ATTACHE	ED				
Motion By:		Resolution	Ordinance	Contract	Minutes	Plan Map				
Second By:										
Vote Record: Ay	Alders Blake Greenberg Pilon	Other (specify) _								
	Rainville									

Administration Department Use:	
Consent Regular	Refer to:

Property List and Assessment Summary 2021 Street Improvement Project Rogers Lake Area

Project Cost Assessed to Benefitting Properties
Number of Benefitting Properties - Direct Access
Number of Benefitting Properties - 185th Ave NW
Assessment Amount - Direct Access
Assessment Amount - 185th Ave NW

52 2 \$ 5,300.00 \$ 7,300.00

\$290,200.00

Benefitting Property	Parcel Identification Number	Taxpayer Name	Mailing A	Address	Tota	l Assessment
1	36-33-25-41-0015	VAN KREVELEN MELISSA M	4920 183RD LN NW	ANOKA, MN 55303	\$	5,300.00
2	36-33-25-41-0003	HOFFMANN WERNER J	4900 184TH AVE NW	ANOKA, MN 55303	\$	5,300.00
3	36-33-25-41-0005	DULLUM TRUSTEE LAWRENCE & DULLUM TRUSTEE SUSAN	4940 183RD LN NW	OAK GROVE, MN 55303	\$	5,300.00
4	36-33-25-41-0006	LANGUM MARY L	4960 183RD AVE NW	ANOKA, MN 55303	\$	5,300.00
5	36-33-25-41-0008	LUMSDEN KAITLYN L & WILLIAM D	4941 183RD LN NW	BURNS, MN 55303	\$	5,300.00
6	36-33-25-42-0001	PISARCHYK IVAN	5001 183RD LN NW	ANOKA, MN 55303	\$	5,300.00
7	36-33-25-42-0002	WIEBUSCH JR LARRY	5021 183RD LN NW	NOWTHEN, MN 55303	\$	5,300.00
8	36-33-25-42-0003	HALVERSON MARK & JACKIE	5041 183RD LN NW	NOWTHEN, MN 55303	\$	5,300.00
9	36-33-25-42-0004	ANDERSON ANDREW & KENDRA	18401 WACO ST NW	NOWTHEN, MN 55303	\$	5,300.00
10	36-33-25-42-0005	HULTBERG CAROL A	5040 184TH AVE NW	NOWTHEN, MN 55303	\$	5,300.00
11	36-33-25-42-0006	SCOTT ROBINSON I & DIANE M	5020 184TH AVE NW	ANOKA, MN 55303	\$	5,300.00
12	36-33-25-42-0007	RAINES RONALD A & LORALEE	5000 184TH AVE NW	ANOKA, MN 55303	\$	5,300.00
13	36-33-25-41-0009	WEISS BRENDAN & LYNDA	4950 184TH AVE NW	ANOKA, MN 55303	\$	5,300.00
14	36-33-25-41-0007	CRONKY KIMBERLY P & MICHAEL D	4923 183RD LN NW	ANOKA, MN 55303	\$	5,300.00
15	36-33-25-42-0008	GENG DENNIS & CHERYL	5010 183RD LN NW	ANOKA, MN 55303	\$	5,300.00
16	36-33-25-42-0009	HALVERSON MARIA & MICHAEL	5030 183RD LN NW	NOWTHEN, MN 55303	\$	5,300.00
17	36-33-25-42-0010	ERICKSON DAVID E	5050 183RD LN NW	ANOKA, MN 55303	\$	5,300.00
18	36-33-25-42-0011	HAUBRICK TODD R & MARY B	18330 WACO ST NW	ANOKA, MN 55303	\$	5,300.00

Benefitting Property	Parcel Identification Number	Taxpayer Name	Mailing <i>I</i>	Address	Tota	l Assessment
19	36-33-25-42-0012	JOHNSON LOIS & KIM	18350 WACO ST NW	ANOKA, MN 55303	\$	5,300.00
20	36-33-25-42-0013	MORLEY THOMAS J & LINDA K	18410 WACO ST NW	ANOKA, MN 55303	\$	5,300.00
21	36-33-25-42-0014	GRIEP JACQUELINE D	18430 WACO ST NW	NOWTHEN, MN 55303	\$	5,300.00
22	36-33-25-42-0015	PRICKETT KYLE & YOUNG NICOLE	18450 YAKIMA ST NW	NOWTHEN, MN 55303	\$	5,300.00
23	36-33-25-42-0016	KELLY ROBERT B & JANE A	18500 YAKIMA ST NW	ANOKA, MN 55303	\$	5,300.00
24	36-33-25-13-0001	CULBERTSTON S E & CULBERTSON T	18520 YAKIMA ST NW	NOWTHEN, MN 55303	\$	5,300.00
25	36-33-25-42-0017	ZULEGER JOSHUA LEE	18450 WACO ST NW	NOWTHEN, MN 55303	\$	5,300.00
26	36-33-25-13-0014	MCCLELLAN SCOTT D	18501 YAKIMA ST NW	ANOKA, MN 55303	\$	5,300.00
27	36-33-25-13-0015	BENEKE DEBRA & ANDERSON D M	5110 185TH LN NW	ANOKA, MN 55303	\$	5,300.00
28	36-33-25-13-0016	MARKER SHANDA	18530 WACO ST NW	NOWTHEN, MN 55303	\$	5,300.00
29	36-33-25-13-0017	BEIDLEMAN DALE B & KIMBERLY J	18510 WACO ST NW	ANOKA, MN 55303	\$	5,300.00
30	36-33-25-13-0002	CICHANOWSKI PAUL	18540 YAKIMA ST NW	NOWTHEN, MN 55303	\$	5,300.00
31	36-33-25-13-0003	PEICKERT GERALD L	18600 YAKIMA ST NW	ANOKA, MN 55303	\$	5,300.00
32	36-33-25-13-0004	LINDBERG PERRY A & SUSAN M	18640 YAKIMA ST NW	ANOKA, MN 55303	\$	5,300.00
33	36-33-25-13-0005	LINDBERG PERRY A & SUSAN M	18640 YAKIMA ST NW	ANOKA, MN 55303	\$	5,300.00
34	36-33-25-13-0006	GARTNER TROY V	18660 YAKIMA ST NW	ANOKA, MN 55303	\$	5,300.00
35	36-33-25-13-0012	KATNIS JEFFREY & MARCOTTE JULIE	18681 YAKIMA ST NW	NOWTHEN, MN 55303	\$	5,300.00
36	36-33-25-13-0011	PEINOVICH STEVE	18661 YAKIMA ST NW	ANOKA, MN 55303	\$	5,300.00
37	36-33-25-13-0010	OLAVSON DAVID & SPEAKE MARY	18641 YAKIMA ST NW	ANOKA, MN 55303	\$	5,300.00
38	36-33-25-13-0009	PETERSON LEON B & ELLEN S	18621 YAKIMA ST NW	ANOKA, MN 55303	\$	5,300.00
39	36-33-25-13-0008	GUETZKO ROBERT & KATHERINE	18601 YAKIMA ST NW	ANOKA, MN 55303	\$	5,300.00
40	36-33-25-13-0007	WEIGEL TRUSTEE MICHAEL & WEIGEL TRUSTEE DEBORAH	18541 YAKIMA ST NW	ANOKA, MN 55303	\$	5,300.00
41	36-33-25-13-0013	ERICKSON KEVIN M & KIMBERLY	5021 185TH LN NW	ANOKA, MN 55303	\$	5,300.00

Benefitting Property	Parcel Identification Number	Taxpayer Name	Mailing A	Address	Tota	l Assessment
42	36-33-25-14-0005	DERETICH SAM & ELIZABETH J	4941 185TH LN NW	ANOKA, MN 55303	\$	5,300.00
43	36-33-25-14-0004	KUEHN MICHAEL	4931 185TH LN NW	NOWTHEN, MN 55303	\$	5,300.00
44	36-33-25-14-0006	MAIBORN CURT	4948 185TH LN NW	ANOKA, MN 55303	\$	5,300.00
45	36-33-25-13-0018	MARSHALL JAMY REED	5018 185TH LN NW	ANOKA, MN 55303	\$	5,300.00
46	36-33-25-42-0019	SIEBRECHT STEVEN P	5031 184TH AVE NW	ANOKA, MN 55303	\$	5,300.00
47	36-33-25-42-0018	MCGILLIVRAY GARY J & K	5011 184TH LN NW	ANOKA, MN 55303	\$	5,300.00
48	36-33-25-41-0013	DAUFFENBACH DAVID M & P L	4959 184TH AVE NW	ANOKA, MN 55303	\$	5,300.00
49	36-33-25-41-0012	WARNER NATHAN	4941 184TH AVE NW	ANOKA, MN 55303	\$	5,300.00
50	36-33-25-41-0011	WESTPHAL RICKY A & MARIA L	4921 184TH LN NW	ANOKA, MN 55303	\$	5,300.00
51	36-33-25-41-0001	GILBERTSON BRYCE & SNELLING TAYLOR	18410 SALISH CIR NW	NOWTHEN, MN 55303	\$	5,300.00
52	36-33-25-41-0002	CLEMMER KAY ANN & JAMES W	18321 183RD AVE NW	ANOKA, MN 55303	\$	5,300.00
53	36-33-25-24-0002	WANDER TRUSTEE MICHAEL & WANDER TRUSTEE DEBORAH	5255 185TH LANE NW	ANOKA, MN 55303	\$	7,300.00
54	36-33-25-24-0003	SALMON PREDITTA & CURTIS J	5260 185TH AVE NW	ANOKA, MN 55303	\$	7,300.00

CITY OF NOWTHEN COUNTY OF ANOKA STATE OF MINNESOTA

RESOLUTION 2021-32

CERTIFICATION OF ASSESSMENT

I, Lori Streich, the Clerk/Treasurer for the City of Nowthen, Anoka County, Minnesota, hereby certify that the attached Resolution Adopting Assessment for the improvements to the Rogers Lake Area Road Project in the City of Nowthen, Anoka County, Minnesota is a true and correct assessment roll to be spread upon the tax rolls of the property located in the City of Nowthen, Anoka County, Minnesota.

WITNESS my hand as Clerk for the City of Nowthen, Anoka County, Minnesota this 12th day of October 2021.

Lori Streich, City Clerk/Treasurer

CITY OF NOWTHEN COUNTY OF ANOKA STATE OF MINNESOTA

RESOLUTION NO. 2021-32

RESOLUTION ADOPTING ASSESSMENT

WHEREAS, pursuant to proper notice duly given as required by law, the Nowthen City Council has met and heard and passed upon all objections to the proposed assessment for the construction and improvements to Rogers Lake Area Road Project in the City of Nowthen.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NOWTHEN, ANOKA COUNTY, MINNESOTA:

- 1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
- 2. The assessment levied by this Resolution shall be payable in equal annual principal installments extending over a period of 10 years, the first of the installments to be payable on or before the first Monday of January, 2022 and shall bear interest at a rate of two point eight seven percent (2.87%) per annum from the date of this Resolution. To each subsequent installment when due shall be added interest for one year on all unpaid installments.
- 3. The owner of any property so assessed may, at any time prior to the certification of the assessment to the County Auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Clerk, except that no interest shall be charged if the entire assessment is paid within thirty (30) days from the adoption of this Resolution; and he or she may, at any time thereafter, pay to the City Clerk the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the next succeeding year. If an owner decides not to prepay the assessment before the date given above the rate of interest that will apply is of two point eight seven percent (2.87%) per year. The right to partially prepay the assessment is not

4.	The Clerk shall forthwith transmit a certified duplicate of this assessment roll to the County Auditor to be extended on the property tax lists of the County, and such assessment shall be collected in the same manner as property taxes.
	ADOPTED by the Nowthen City Council this 12 th day of October, 2021.
ATTE	Jeff Pilon, Mayor ST TO:
Lori S	treich, City Clerk/Treasurer

available.

CITY OF NOWTHEN ANOKA COUNTY STATE OF MINNESOTA

RESOLUTION NO. 2021-34

A RESOLUTION APPROVING THE GENERATOR POWER SYSTEMS CONTRACT

BE IT RESOLVED, that the City of Nowthen City Council hereby approves the Generator Power Systems Contract for the period November, 2021 through October, 2022, providing preventative Maintenance and Repairs on Generator owned by the City of Nowthen.

Passed this 12 th day of October 2021.		
	Jeffrey Pilon, Mayor	
ATTEST:		
Lori Streich, Clerk		



DATE: 8/23/2021

PRODUCT/SERVICE: GENERATOR MAINTENANCE

CONTRACT PERIOD: November 2021 THROUGH October 2022

CUSTOMER: City of Nowthen

8188 199th Ave. NW Elk River, MN 55330

PHONE: 763-274-1347

CONTACT NAME: Lori Streich

SCOPE: To provide preventative Maintenance and Repairs on Generator owned by the City of Nowthen.

PREVENTATIVE MAINTENANCE SERVICES AND REPAIR SERVICES:

- A. Provide Preventative Maintenance Service on the generator in November unless otherwise requested by the customer on all items listed on the pricing sheet. Generator Power Systems, LLC shall provide the first preventative maintenance in November of 2021. Service shall include all labor, parts, supplies, permits, disposal of all fluids per EPA standards, travel time, parking, etc. as necessary to accomplish the satisfactory completion of preventative maintenance for the generator. All parts and fluids are to be OEM or OEM equivalent.
- B. If during the Preventative Maintenance Service, it is determined that repairs are needed, other than those included in this Preventative Maintenance Service Contract, the customer will be provided with a detailed list of those repairs and a cost estimate to perform them.
- C. Generator Power Systems, LLC shall invoice for time and materials and include a one-year warranty on parts and labor. Travel time in both directions will be charged at contract rate, there will not be any mileage charges.
- D. The Customer will be notified a minimum of 5 days prior to performing the work. Generator Power Systems LLC shall have access to the generator and premises between 7:00 am and 5:00 pm, Monday through Friday on normal working days.
- E. At the completion of each preventative maintenance or repair visit, Generator Power Systems, LLC will complete and forward a written report to the customer.
- F. Generator Power Systems, LLC agrees to respond to repair calls with in two hours and complete repairs within a reasonable time period. It is intended that time period will not exceed two working days depending upon the availability of the part(s) required for the repair.



More power to you

City of Nowthen Generator Maintenance

GENERATOR SPECIFICATIONS:

A. LOCATION: Maintenance Facility
MAKE & MODEL: IGLC100-2G
SERIAL NUMBER: P1212110002

SIZE: 97KW

B. LOCATION: Fire Hall

MAKE & MODEL: Coleman/P220100 SERIAL NUMBER: F30112458A

SIZE: 20 KW

PRICES: Prices shall be firm for the life of the contract.

BILLING: Invoices will be submitted to the Customer within 10 days of service performed and are Due Upon Receipt. For any accounts past due 30 days interest will accrue at 1 1/2% month



City of Nowthen Generator Maintenance

A. B.	ATTACHMENT A: ATTACHMENT B:	Price: Price:	\$1,355.00 \$1,210.00
ъ.	ATTAGINIERT D.	Total 2021 Price:	\$2,565.00
c.	Repair Service for work not covered by	Preventative Maintenance S	Services:
	LABOR RATES a. Standard Hourly Rate		1-Year Labor Ra
	(Weekdays Monday through Fric	day 7:00am to 5:00pm)	\$125.00/hour
	 b. Overtime Hourly Rate (Weekdays after 5:00pm and all- 	day Saturday to 11:59nm)	\$187.50/hour
	c. Sundays and Holidays Hourly Ra		\$250.00/hour
	2. PARTS:	77	
	Any parts needed for repairs not covered unwill be billed at our cost-plus mark up. MARK UP ON MATERIAL COST	nder the preventative mainte	nance services in this cont
	DRIVE TIME: Drive time will be charged for both ways of	travel. No mileage will be cha	arged.

through October 202	2.		
by		by	Generator Power Systems, LLC
by		by	Ryan Smith
Title		Title _	General Manager
(signature)	(date)	(signa	ature) (date)

ATTACHMENT B

CONTRACT DATE 8/23/2021
LOCATION Fire Hall
MAKE & MODEL Coleman/P220100
SERIAL NUMBER F301/12458A
SIZE 20 KW

SERIAL NUM

Inspect Engine Lube x Inspect Coolant System x Inspect Coolant System x Inspect Coolant System x Inspect Engine India System x Inspect Starting System x Inspect Extrusts System x Inspect Extrusts System x Inspect Extrusts System x Inspect Coolant Filter x Inspect Coolant Filter x Inspect Coolant Filter x Inspect Starting System x Inspect Starting System x Inspect Coolant Filter x Inspect Coolant Filter x Inspect Coolant Filter x Inspect Starting System x I	Н	Level 2	l evel 3	Similar in the same	Sillouiou	rings or villes	Simon	Windings	Detailed Generator	Detailed Switch	
stem A A which Test which Test yestem EPA		7 10 10 10 10 10 10 10 10 10 10 10 10 10		2	The same	1	***				
per A A witch Test yistem EPA				revel 4	revel 5	Level 6	Level 7	Level 8	Level 9	Level 10	
per A A witch Test yystem EPA		* >									
per A A witch Test Vystem EPA		< ×					×				
Per A witch Test Old Battery system EPA	E T	×				×					
ch Test ed Battery em A	1	×									
A witch Test Yystem EPA		×									
A witch Test Vold Battery System EPA		×	×				-				
A witch Test Cold Battery ystem EPA		×						×			
A witch Test Old Battery system EPA		× >									
A witch Test Old Battery Sestem EPA		× >	,	,	Monthly		,				
A witch Test Old Battery ystem EPA		×			mount)	4	*	ĸ	×	×	
A witch Test Old Battery ystem EPA		×									
A witch Test Old Battery ystem EPA		×									
		×									
		×									
		×									
		×									
		× :									
Removal And Disposal Of Old Battery Removal And Disposal Of Old Battery Drain and Refill Coolant System Disposal of Old Fluid per EPA Replace Coolant Hoses		×	×	×	×	×	×	×	×	×	
Orain and Refill Coolant System Disposal of Old Fluid per EPA Replace Coolant Hoses			× :								
Disposal of Old Fluid per EPA Replace Coolant Hoses			×								
Replace Coolant Hoses							×				
f							×				
Kepiace Inermostat							×				
Belts							* >				
One Year Monitoring					×		4				
Replace Spark Plugs						×					
Replace Ignition Wires						×					
Load Banking Test				×							
Megohmeter Test	*				1			×			
Inspection of Slip Ring and Brushes									×		
Grease Rear Generator Bearing									×		
Inspection of Generator Wiring									×		
nspection of Stator and Rotor									×		
nspection of Generator Space Heater									×		
Inspection of Couplings and Guards									×		
nspection of Meters & Voltage Reg.									×		
Adjust Engine Intake and Exhaust Val.									×		
Calibrate Injectors	1								×		
Check Engine Timing Where Applicable									×		
Check Tubo Endplay									×		
Chear I ransier Switch										×	
Replace PLS/ATS Battery										×	
Check Voltage Drop					Î					×	
Replace Faulty Lamps										×	
lest Bypass isolation										×	
Check Imers										×	
Check Remote Start Contacts										×	
Check In-Phase Monitor										×	
Charle Earl and Teminal Delana										×	
Check For Loose Terminals/Relays										×	
Check For Arribo and Hotspots										×	
										×	
_			-								
Nov-21 \$		485.00	\$ 180,00	- 5	. \$	\$	\$ 545.00			5	1,210.00

CITY OF NOWTHEN ANOKA COUNTY STATE OF MINNESOTA

RESOLUTION NO. 2021-35

A RESOLUTION APPROVING ANOKA COUNTY 2022 SCORE CONTRACT #C0008795

BE IT RESOLVED, that the City of Nowthen City Council hereby approves Anoka County SCORE Contract #C0008795, the 2022 Agreement for Residential Recycling Program Grant Reimbursement Funds not to exceed \$50,257.00.

Passed this 12 th day of October 2021.		
	Jeffrey Pilon, Mayor	
ATTEST:		
Lori Streich, Clerk		



October 4, 2021

City of Nowthen Attn: Lori Streich 8188 199th Ave NW Elk River, MN 55330

Dear Ms. Streich:

Enclosed is your 2021 contract with Anoka County. Please review the contract and complete the signature portion using DocuSign. If applicable and ready, please attach the necessary insurance information using the attachment link in the DocuSign document. If insurance is not ready and you will be sending this information at a later date, please send to:

Angela.Rodine@co.anoka.mn.us

or

Angie Rodine County of Anoka 2100 3rd Avenue, 5th Floor Anoka, MN 55303

PLEASE NOTE: The following information is required as part of your contract. If the contract is signed and executed without receiving this information in a timely manner, it may be referred to the County Attorney's Office for possible Breach of Contract and/or payments may be withheld until information is received.

CERTIFICATE OF LIABILITY INSURANCE - Required

No insurance information is needed for this contract.

CONTRACTOR INFORMATION SHEET - Required

Cengie Kostine

Please update/complete and sign this page and return with your contract.

DocuSign will automatically forward a copy of the signed contract to you, once completed. If you have questions regarding the contract, please call your Contract Manager, Sue Doll, at 763-324-3482.

Sincerely,

Angie Rodine

Administrative Secretary, Planning and Operations Support Services

2022 AGREEMENT FOR RESIDENTIAL RECYCLING PROGRAM

THIS AGREEMENT made and entered into on the 1st day of January 2022, notwithstanding the date of the signatures of the parties, between the COUNTY OF ANOKA, State of Minnesota, hereinafter referred to as the "COUNTY", and the CITY OF NOWTHEN, hereinafter referred to as the "MUNICIPALITY".

WITNESSETH:

WHEREAS, the County will receive funding from the State of Minnesota pursuant to Minn. Stat. § 115A.557 (hereinafter "SCORE funds") during 2022 which must be used to encourage and improve recycling and a portion must be specifically directed to recycling source -separated compostable materials; and

WHEREAS, the County will also receive funding pursuant to Minn. Stat. § 473.8441 (hereinafter "LRDG) funds") during 2022 and

WHEREAS, the County also has additional budgeted program funding available to supplement SCORE and LRDG funds for solid waste recycling programs, so that the available amount for the Residential Recycling Program is \$1,618,207.50.

WHEREAS, the County Solid Waste Management Master Plan 2018 (Master Plan 2018) and MPCA Metropolitan Solid Waste Management Policy Plan 2016-2036 state that MSW generated in the County that is not reused, recycled or composted, will be processed to the extent that processing capacity is available; and

WHEREAS, the Master Plan 2018 was developed with the participation of a representative from the Municipality staff, and the Municipality is required to develop and implement programs, practices, or methods designed to meet waste abatement goals by Minn. Stat. § 115A.551, Subd 2a. (b).

WHEREAS, the County wishes to assist the Municipality in meeting recycling goals established by Anoka County by providing said SCORE, LRDG, and County budgeted program funds to cities and townships in the County for solid waste recycling programs.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained in this Agreement, the parties mutually agree to the following terms and conditions:

1. **PURPOSE AND CONTRACT DOCUMENTS.** The purpose of this Agreement is to provide for cooperation between the County and the Municipality to implement solid waste recycling programs in the Municipality which will help the County and member municipalities meet the goals set in the current Anoka County Solid Waste Management Master Plan. The County and the Municipality agree that the information provided in the recitals above is to be incorporated into the purpose of this agreement.

The Contract Documents include: the **Anoka County Municipal Waste Abatement Grant Funding Application** submitted by the Municipality for the current contract year,

and the **Grant Funding Award** issued by Anoka County for the current contract year. These documents are incorporated into this agreement by reference and are components of the entire contract package. The order of precedence of these documents in the event of inconsistency or ambiguity shall be resolved in the following order: 1) this **Agreement for Residential Recycling Program**; 2) **Grant Funding Award**; and 3) **Anoka County Municipal Waste Abatement Grant Funding Application.**

- 2. **TERM.** The term of this Agreement is from January 1, 2022 through December 31, 2022 unless earlier terminated as provided herein.
- 3. **DEFINITIONS.** Defined terms contained in this Agreement and all the attachments are found in Minn. Stat. §§ 115A.03; 115A.471; and 115A.552. The use of capitalization for defined terms has no special effect. For convenience, a full list of defined terms is included with the Municipal Waste Abatement Grant Funding Application. Additionally:
 - a. "Full-Service Recycling Drop-off Center" means centralized permanent drop-off center that is open at least two times a week and accepts at least four types of materials beyond traditional curbside recyclables, i.e.: mattresses, appliances, scrap metal, furniture, source-separated compostable materials, electronics, etc.
 - b. "Multi-family dwellings" means households within apartment complexes, condominiums, townhomes, mobile homes and senior housing complexes.
 - c. "Quasi-municipal event" means community festivals which appear to the public to be supported and run by the Municipality but in fact are sponsored or co-sponsored by an independent non-profit 501c (3) organization, for example: the Anoka Halloween Parade.
- 4. **ELIGIBILITY FOR FUNDS.** The Municipality is entitled to receive reimbursement for eligible expenses, less revenues or other reimbursement received, for eligible activities up to the project maximum, which shall not exceed \$50,257.00.

The County reserves the right to reduce the funding provided in the event the Municipality does not complete the additional Grant Projects referenced in the Anoka County Municipal Waste Abatement Grant Funding Application.

The County also reserves the ability to assess the programs and reallocate unused SCORE and/or, LRDG funds mid-year if any participating municipality demonstrates the need for the funding and funds are available. The Municipality shall be provided documentation of the funding award determination and rationale as indicated by the 2022 Grant Funding Award.

- 5. **PROGRAM.** The Municipality shall develop and implement a residential solid waste recycling program adequate to meet the Municipality's annual recycling goal of 513 tons of recyclable materials as established by the County. The Municipality shall ensure that the recyclable materials collected are delivered to processors or end markets for recycling.
 - a. The Municipal recycling program shall include the following components:
 - i. Each household (including both single and Multi-family dwellings) in the Municipality shall have the Opportunity to Recycle at least four broad types of

- materials, including but not limited to, paper (including cardboard/paperboard cartons), glass, plastic and metal.
- ii. The recycling (including any organics) program shall be operated in compliance with all applicable federal, state, and local laws, ordinances, rules and regulations.
- iii. The Municipality shall implement a public information program that contains at least the following components:
 - (1) One promotional mailing to each household focused exclusively on the Municipality's recycling and source-separated compostable materials program;
 - (2) One promotional advertisement detailing recycling and organics opportunities available for residents included in the Municipality's newsletter or local newspaper; and
 - (3) Two community outreach activities at Municipal or Quasi-municipal events to inform residents about recycling and source-separated compostable materials opportunities.
- iv. The public information components listed above shall focus on all recyclable materials and the various opportunities to recycle and compost source-separated compostable materials within the Municipality. The Municipality shall incorporate County/regional/State campaigns and images and use the toolkits provided by the County when preparing promotional materials. The Municipality, on an ongoing basis, shall identify new residents and provide detailed information on the recycling opportunities available to these new residents. The County shall work with the Municipality on promotional materials to coordinate messages. The Municipality shall provide promotional materials to the County for review prior to publication to ensure accuracy.
- v. The Municipality shall regularly attend the bi-monthly Solid Waste Abatement Advisory Team (SWAAT) meetings per year.
- vi. The Municipality shall offer a minimum of one spring and/or fall recycling drop-off event(s) where items not normally accepted at the curb are collected for recycling. If the Municipality is hosting a monthly drop-off as described below, the spring/fall recycling drop-off events may be included within that program.
- b. The Municipality is encouraged to expand its recycling program to include one or more of the following components in order to receive additional funding.
 - i. Organize monthly/quarterly recycling drop-off events which can be held in conjunction with a neighboring municipality(ies) on a cooperative basis for the citizens of both/all municipalities.
 - ii. Provide a community event recycling program, which at a minimum would consist of providing recycling opportunities at all Municipal sponsored or Quasi-municipal events and festivals as required by Minn. Stat. § 115A.151. The feasibility of

- adding organics collection at the event will be explored, and if feasible, implemented as an enhancement to the waste abatement program.
- iii. Provide the opportunity for citizens to engage in recycling activities at Municipal and Quasi-municipal facilities as required by Minn. Stat. § 115A.151 such as athletic fields and public centers.
- iv. Organize and manage a Full-Service Recycling Drop-off Center.
- v. Develop enhanced recycling promotion and assistance for Multi-family dwellings.
- vi. Develop additional opportunities for source-separated compostable materials collection.
- vii. Develop and implement additional opportunities to recycle bulky and problem materials (e.g. appliances, batteries, carpet pad, electronics, fluorescent lamps, mattresses, oil, scrap metal, etc.) from residents on an on-going basis either curbside or at a drop-off.
- c. If the Municipality's recycling program did not achieve the Municipality's recycling goals as established by the County for the prior calendar year, the Municipality shall work with the County to prepare a plan to achieve the recycling goals set forth in this Agreement.
- d. The Municipality's recycling program shall be limited to residential programming for funding reimbursements under this Agreement. The County will not reimburse business recycling programming or household hazardous waste programming by the Municipality. Any inquiries or requests regarding these topics should be sent to the County for response.
- e. In addition to the above requirements designed to increase residential recycling opportunities, the Municipality shall provide recycling opportunities in all municipal buildings including but not limited to, city offices, public meeting rooms and parks, as required by Minn. Stat. § 115A.151. If items collected through the Municipal recycling program prove to be contaminated or not recyclable, those items shall be treated as public entity waste and shall be processed at a resource recovery facility unless the waste has been certified as unprocessible. Minn. Stat. §§ 115A.46, 115A.471 and 473.848. See page 44, 47-48, 51, and p. 67 of the 2018 Anoka County Solid Waste Management Master Plan regarding the requirements for Public Entity Waste.
- f. If the Municipality requests reimbursement for park/public entity recycling/organics/trash waste systems/containers, the Municipality needs to work with the County before an order is placed to make sure the containers are consistent with the requirements set forth by the County for colors e.g. (blue for recycling, green for organics and gray or black for trash), openings and labels.
- g. Pursuant to Minn. Stat. §§ 115A. 46, 115A.471 and 473.848, all waste generated by municipal government activities (including city/town halls, public works and public safety buildings, parks, and libraries, and for municipalities that arrange for waste services on behalf of their residents (organized collection)) shall be

delivered to a waste processing plant for disposal as long as capacity is available. Failure to comply with this provision shall constitute a breach of this Agreement resulting in the loss of all Grant Funding unless, pursuant to statute, the Municipality has conferred with the County and developed a plan to comply within a reasonable period of time.

- 6. **REPORTING.** The Municipality shall submit the following reports semi-annually to the County no later than the third Friday in July 2022 and the second Friday in January 2023.
 - An accounting of the amount of waste which has been recycled as a result of the a. Municipality's activities and the efforts of other community programs, redemption centers and drop-off centers. For recycling programs, the Municipality shall certify the number of tons of each recyclable material which has been collected and the number of tons of each recyclable material which has been marketed. For recycling programs run by other persons or entities, the Municipality shall also provide documentation on forms provided by the County showing the tons of materials that were recycled by the Municipality's residents through these other The Municipality shall keep detailed records documenting the disposition of all recyclable materials collected pursuant to this Agreement. The Municipality shall also report the number of cubic yards or tons of yard waste and source-separated compostable materials collected for composting, chipping, or land spreading, together with a description of the methodology used for calculations. Any other material removed from the waste stream by the Municipality, i.e. tires and used oil, shall also be reported separately.
 - b. Information regarding any revenue received from sources other than the County for the Municipality's recycling programs, i.e. revenue taken in from the sale of recyclables and fees collected from residents, shall be reported.
 - c. Copies of all promotional materials that have been prepared by the Municipality during the term of this Agreement to promote its recycling and organics collection programs.
 - d. The Municipality agrees to support County efforts in obtaining hauler reports by ensuring compliance through ordinance, contract or license requirements and the ability to exercise punitive actions, if needed.
 - e. The Municipality agrees to furnish the County with additional reports in form and at frequencies requested by the County for financial evaluation, program management purposes, and reporting to the State of Minnesota.
- 7. **BILLING AND PAYMENT PROCEDURE.** The Municipality shall submit itemized invoices semi-annually to the County for abatement activities no later than the third Friday in July 2022 and the second Friday in January 2023. The invoices shall be paid in accordance with standard County procedures, subject to the approval of the Anoka County Board of Commissioners.
- 8. **PUBLICATIONS.** The Municipality shall acknowledge the financial assistance of Anoka County on all promotional materials, reports and publications relating to the activities funded under this Agreement, by including the following acknowledgement: "Funded by the Anoka County Board of Commissioners and State SCORE (Select Committee On

Recycling and the Environment) funds." The Municipality shall provide copies of all promotional materials funded by this grant.

The County shall provide all printed public information pieces about County programs. A Municipality shall not modify County publications related to business recycling, household hazardous waste management or the County compost sites.

Information about the County's business recycling program, household hazardous waste management program or County compost sites that a Municipality plans to publish in a Municipal communication, printed or electronic, shall be provided to the County for review and approved by the County prior to publication to ensure accuracy and consistency.

9. **INDEMNIFICATION.** The County agrees to indemnify, defend, and hold the Municipality harmless from all claims, demands, and causes of action of any kind or character, including the cost of defense thereof, resulting from the acts or omissions of its public officials, officers, agents, employees, and contractors relating to activities performed by the County under this Agreement.

The Municipality agrees to indemnify, defend, and hold the County harmless from all claims, demands, and causes of action of any kind or character, including the cost of defense thereof, resulting from the acts or omissions of its public officials, officers, agents, employees, and contractors relating to activities performed by the Municipality under this Agreement.

The provisions of this subdivision shall survive the termination or expiration of the term of this Agreement.

10. **GENERAL PROVISIONS.**

- a. In performing the provisions of this Agreement, both parties agree to comply with all applicable federal, state or local laws, ordinances, rules, regulations or standards established by any agency or special governmental unit which are now or hereafter promulgated insofar as they relate to performance of the provisions of this Agreement. In addition, the Municipality shall comply with all applicable requirements of the State of Minnesota for the use of SCORE funds provided to the Municipality by the County under this Agreement. The Municipality shall also comply with all relevant portions of the current Anoka County Solid Waste Management Master Plan and shall participate in the preparation of the successor Master Plans.
- b. If the Municipality utilizes the services of a subcontractor for purposes of meeting requirements herein, the Municipality shall be responsible for the performance of all such subcontracts and shall ensure that the subcontractors perform fully the terms of the subcontract. The agreement between the Municipality and a subcontractor shall obligate the subcontractor to comply fully with the terms of this Agreement.
- c. It is understood and agreed that the entire agreement is contained herein, and that this Agreement supersedes all oral and written agreements and negotiations between the parties relating to the subject matter hereof.

- d. Any amendments, alterations, variations, modifications, or waivers of this Agreement shall be valid only when they have been reduced to writing, duly signed by the parties.
- e. The provisions of this Agreement are severable. If any paragraph, section, subdivision, sentence, clause or phrase of this Agreement is for any reason held to be contrary to law, such decision shall not affect the remaining portion of this Agreement.
- f. Nothing in this Agreement shall be construed as creating the relationship of copartners, joint venturers, or an association between the County and the Municipality, nor shall the Municipality, its employees, agents or representatives be considered employees, agents, or representatives of the County for any purpose.
- g. The Municipality shall maintain financial and other records and accounts in accordance with requirements of the County and the State of Minnesota. The Municipality shall maintain strict accountability of all funds and maintain records of all receipts and disbursements. Such records and accounts shall be maintained in a form which will permit the tracing of funds and program income to final expenditure. The Municipality shall maintain records sufficient to reflect that all funds received under this Agreement were expended in accordance with Minn. Stat. § 115A.557, Subd. 2, for residential solid waste recycling purposes. The Municipality shall also maintain records of the quantities of materials recycled. All records and accounts shall be retained as provided by law, but in no event for a period of less than five years from the last receipt of payment from the County pursuant to this Agreement.
- h. Pursuant to Minn. Stat. § 16C.05, the Municipality shall allow the County or other persons or agencies authorized by the County, and the State of Minnesota, including the Legislative Auditor or the State Auditor, access to the records of the Municipality at reasonable hours, including all books, records, documents, and accounting procedures and practices of the Municipality relevant to the subject matter of the Agreement, for purposes of audit. In addition, the County shall have access to the project site(s), if any, at reasonable hours.
- 11. **TERMINATION.** This Agreement may be terminated by mutual written agreement of the parties or by either party, with or without cause, by giving not less than seven (7) days' written notice, delivered by mail or in person to the other party, specifying the date of termination. If this Agreement is terminated, assets acquired in whole or in part with funds provided under this Agreement shall be the property of the Municipality so long as said assets are used by the Municipality for the purpose of a landfill abatement program approved by the County.

(SIGNATURE PAGE TO FOLLOW)

CITY OF NOWTHEN

IN WITNESS WHEREOF, the parties hereunto set their hands.

By: Cindy Cesare, Division Manager Anoka County Human Services Division Title: Date: Date: By: Municipality's Clerk By: _ Rhonda Sivarajah County Administrator Date: Date: Approved as to form and legality: Approved as to form and legality: By: _____ Kathryn M. Timm Assistant County Attorney Date:

COUNTY OF ANOKA

Date:

ANOKA COUNTY MUNICIPAL WASTE ABATEMENT GRANT FUNDING APPLICATION

ANNUAL | 2021

City of Nowthen

Once you have saved this form, you can export and print it. Click on the "Export" button found on the top right corner of the form and select your preferred export option. Click here for more details on Exporting your Survey responses. See below for General Instructions and User Tips.

Applications are due August 1, 2021.

City of Nowthen is requesting the following funding for their 2022: Anoka County municipal waste abatement program efforts.

General Instructions

This application is provided to each municipality in Anoka County for the purpose of applying for Select Committee on Recycling and the Environment (SCORE) funds to support and increase recycling activities and programs within the municipality.

The funds allocated in this application are based on the number of households in the municipality. The number of households is determined using the most current Met Council household data available. For calendar year 2022, 2019 Met Council has been used to determine the number of households for this application.

There are three sections in this SCORE funding application:

- · Base Funding
- Enhancement Funding
- Supplemental Funding

The Enhancement Funding section of the application also has three parts:

- Drop-off
- General Enhancement
- Organics Program Funding

Please complete each section of the grant application. A number value must be entered in each field before submitting the application. If no funds are being requested for any given field, enter a zero. If a completed funding application isn't submitted by August 1, 2021, the municipality will not be eligible for SCORE funding.

In a separate Re-TRAC form, reimbursement requests will be submitted twice a year.

USER TIPS

To contact support from within this form: Click "Support" at the top of the screen or "Program Support Request" in the green bar at the top of the form.

To print this form: Click the "Export" button found on upper top right corner of the form. You must save the form before you can export it.

To see eligible expenses within each section: Click "view eligible expense" in each section.

To print a full list of the eligible expenses: Select the "click here for more details on Exporting your Survey responses" option.

To save this form while working on it: Click "Save" at the bottom of the form and select "Save as Draft".

To submit this form: Click "Save" at the bottom of the form and if there are no errors, click the "Mark as Complete" option. Note that once you mark the form as complete, you cannot make changes to it.

Eligible Expenses

The following items are examples of eligible expenses allowed for reimbursement.

<u>Collection Expenses:</u> If residents are charged recycling fees for curbside or recycling events, waste abatement funds will reimburse the difference between the fees collected and the cost of recycling or composting the materials.

Equipment: The cost to purchase, maintain and repair equipment that is used exclusively to operate the recycling or composting program.

Containers: The cost for recycling or organics containers.

<u>Promotion:</u>The entire cost of a publication if totally dedicated to waste reduction, recycling or composting information or a percentage of the cost for the portion of a municipal publication dedicated to waste management information.

<u>Staffing:</u> Salary and labor directly related to recycling program administration and implementation may be funded up to 75% of total SCORE funding allocation. See staffing & labor section below for more information.

Ineligible Expenses

The following general operating expenses should NOT be submitted for reimbursement.

<u>Standard Operational Expenses/Building Overhead:</u> Since most of the municipal recycling coordinators are part-time positions and staff serve multiple roles at the municipality, standard operating expenses including office space rental, leasing office equipment and general office supplies, are not eligible for reimbursement.

<u>Project Expenses:</u> Specific to transportation, energy or ground water protection.

<u>Collection Costs:</u>The costs for general waste and recycling collection at municipal buildings, trash costs when advertised as being accepted at a recycling/cleanup day, and costs associated with road side cleanup of illegally dumped materials should not be included in this application.

General Municipal Staff: Staff time related to standard municipal operations (city administrator, office administration, facilities management, finance and legal staff) are not eligible for reimbursement. If municipal staff do not assist the recycling coordinator directly on activities to help the municipality achieve its recycling goal, e.g. communications and collecting, processing or marketing recyclable materials and organics, their time will not be reimbursed.

Click here to download the full Eligible Expenses document.

2022 Total Funding Allocation



Your Community has access to the following funds for \$ 30,257.00 (An additional \$20,000 in discretionary funds may be available through the 2022:

Supplemental Funding section.)

2022 BASE Funding Allocation

All municipalities are eligible for base waste abatement grant funding. When completing this application, base funding requests should fall under one of the following categories:

- regular curbside collection,
- general operations of a drop-off center,
- costs for spring and fall recycling days,
- basic promotion,
- yard waste collection and

• percentage of time the recycling coordinator spends on waste abatement activities.

Base Funding is \$10,000.00 base, plus \$5.00/household (household counts are based on 2019 Met Council estimates)

Municipality Name:

City of Nowthen

MANAGE ONLY

of households

1,578

Base Funding (minimum)

10,000.00

Base Funding Additional (based on \$5/household)

7,890.00

Base Funding Allocation (Max Amount Available)

\$ 17,890.00

Curbside Collection

Complete ALL required fields below, if value is zero, enter "0.00".

Collection Service Provider Expenses * \$ 0.00

Contamination Fees *

0.00

Containers *

0.00

Curbside Collection Expense Subtotal

\$ 0.00

View Eligible Expenses

Estimated Revenue *

0.00

Curbside Collection Expenses

\$ 0.00

General Operations of a Drop-Off Center/Spring or Fall Recycling Day(s)

Complete ALL required fields below, if value is zero, enter "0.00".

Collection Service Provider Expenses * \$ 5,500.00

Equipment * \$ 1,000.00

Facility Expenses * \$ 4,000.00

View Eligible Expenses

Please enter Labor & Staffing expenses in Labor & Staffing section below.

General Operations of a Drop-off Expense Subtotal \$ 10,500.00

Estimated Revenue * \$ 0.00

General Operations of a Drop-off Expenses \$ 10,500.00

Promotion -- Base Funding

Complete ALL required fields below, if value is zero, enter "0.00".

Printing * \$ 2,000.00

Postage * \$ 0.00

Advertising * \$ 0.00

Volunteer Incentives * \$ 0.00

Educational Entertainment * \$ 0.00

View Eligible Expenses

Promotion -- Base Funding Expenses \$ 2,000.00

Yard Waste/Tree Waste

Complete ALL required fields below, if value is zero, enter "0.00".

Collection Service Provider Expenses * \$ 0.00

Equipment * \$ 0.00

View Eligible Expenses

Yard Waste/Tree Waste Expenses Subtotal \$ 0.00

Estimated Revenue * \$ 0.00

Yard Waste/Tree Waste Expenses \$ 0.00

Problem Materials

Complete ALL required fields below, if value is zero, enter "0.00".

Collection Service Provider Expenses * \$ 4,000.00

View Eligible Expenses

Estimated Revenue * \$ 4,000.00

Problem Material Expenses \$ 0.00

Program Administration -- Base Funding

Complete ALL required fields below, if value is zero, enter "0.00".

Office supplies * \$ 0.00

Training * \$ 0.00

Mileage * \$ 0.00

Membership Dues, Periodicals * \$ 0.00

Professional Services * \$ 0.00

View Eligible Expenses

Please enter Labor & Staffing expenses in Labor & Staffing section below.

Program Administration- Base Funding Expenses \$ 0.00

Total BASE Funding requested

\$ 12,500.00

2022 ENHANCED Funding Allocation

The purpose of the Anoka County Municipal Waste Abatement grant funding program is to increase recycling and organics diversion and help the County achieve the State mandated goal of 75% recycling/composting by 2030. The County recognizes that this funding is needed to support established infrastructure costs that exceed the Base and each communities funding. To be eligible for grant funds, municipalities <u>must apply</u> for these funds. Applicants must itemize expenditures within each of the three grant sections, Drop-off, General Enhancement and Organics Program, below and calculate the total grant request for each category.

Drop-off Grant

This grant is allocated to cover additional drop-off center costs or events beyond the regularly scheduled spring and fall recycling days.

The grant maximum for this section is \$10,000.00 for municipalities with up to 4,999 households and \$15,000.00 for municipalities with household counts 5,000 and over.

Examples of materials that can be collected for reuse, recycling or composting:

<u>Standard Reusable or Recyclable Materials Collected at Drop-off Centers or Events:</u>

Appliances, Electronics, Automotive Products, Fluorescent Bulbs, Bicycles**, Household Batteries, Carpet Pad, Mattresses*, Clothing**, Scrap Metal, and Confidential Papers

Additional Items:

Block n Shape Polystrene, Film Plastics, Furniture*, Small Household Goods*, Source Separated Organics, and Yard Waste

- * None of these materials should be advertised as being collected on a Recycling Day and then disposed of as trash
- ** Items that should be evaluated for reuse prior to recycling



Drop-off Grant Maximum Amount Available

\$ 10,000.00

Permanent Drop-off Center Improvements

Complete ALL required fields below, if value is zero, enter "0.00".

Collection Service Provider Expenses * \$ 0.00

New Equipment & Supplies * \$ 0.00

New Construction * \$ 0.00

View Eligible Expenses

Please enter Labor & Staffing expenses in Labor & Staffing section below.

Permanent Drop-off Center Improvements Expenses \$ 0.00

Monthly or Quarterly Drop-off Events

Complete ALL required fields below, if value is zero, enter "0.00".

Collection Service Provider Expenses * \$ 10,000.00

New Equipment & Supplies * \$ 6,000.00

User Coupon Incentives * \$ 0.00

View Eligible Expenses

Please enter Labor & Staffing expenses in Labor & Staffing section below.

Monthly or Quarterly Drop-off Events Expense \$ 16,000.00

Subtotal

Estimated Revenue * \$ 6,800.00

Monthly or Quarterly Drop-off Event Expenses \$ 9,200.00

Total Drop-off Grant Requested

\$ 9,200.00

General Enhancement Grant

The grant maximum for this section is \$1.00/household.

General Enhancement Grant Maximum Amount Available \$ 1,578.00

Park Recycling

Complete ALL required fields below, if value is zero, enter "0.00".

Collection Service Provider Expenses * \$ 0.00

Recycling Containers * \$ 0.00

Recycling Bags * \$ 0.00

View Eligible Expenses

Please enter Labor & Staffing expenses in Labor & Staffing section below.

Park Recycling Expenses \$ 0.00

Special Municipal Event Recycling - Please list any organics expenses in organics section.

Complete ALL required fields below, if value is zero, enter "0.00".

Collection Service Provider Expenses * \$ 0.00

Supplies & Containers * \$ 0.00

View Eligible Expenses

Please enter Labor & Staffing expenses in Labor & Staffing section below.

Special Municipal Event Recycling Expenses \$ 0.00

Special Curbside Recycling Pickups

Complete ALL required fields below, if value is zero, enter "0.00".

Collection Service Provider Expenses * \$ 0.00

Subsidy to Resident * \$ 0.00

View Eligible Expenses

Special Curbside Recycling Expenses \$ 0.00

Multi-Family Recycling Outreach

Complete ALL required fields below, if value is zero, enter "0.00".

Supplies & Containers * \$ 0.00

View Eligible Expenses

Please enter Labor & Staffing expenses in Labor & Staffing section below.

Multi-Family Recycling Outreach Expenses

Promotion -- Enhanced Funding

Complete ALL required fields below, if value is zero, enter "0.00".

Printing * \$ 233.09

Postage * \$ 233.09

Advertising * \$ 0.00

Volunteer Incentives * 0.00

Educational Entertainment * \$ 0.00

View Eligible Expenses

Promotion -- Enhanced Funding Expenses \$ 466.18

Total General Enhancement Grant Requested

\$ 466.18

Organics Program Grant

The grant maximum for this section is \$0.50/household if additional curbside or drop-off grant programs are not offered to residents or \$1.00/household if curbside or drop-off organics programs are offered to residents.

0.00

Does your municipality offer curbside or drop-off organics programs to your residents? *

Yes

No

Maximum Amount Available \$ 789.00

Organics/Food Waste Program Expenses

Complete ALL required fields below, if value is zero, enter "0.00".

Collection Service Provider Expenses * \$ 0.00

Organics Equipment * \$ 0.00

Organics Only - Promotion * \$ 224.00

View Eligible Expenses

Please enter Labor & Staffing expenses in Labor & Staffing section below.

Organics/Food Waste Program Expenses

\$ 224.00

Supplemental Funding Request

Supplemental grant funding is currently available to help support municipal waste abatement programs and/or new program development.

Supplemental funding, however, should not be depended on for long-term program sustainability. Before requesting supplemental additional grant program dollars, it is critical that your municipality is willing to support and sustain the services before implementation.

Please be aware that there is a limited amount of supplemental funding available for this section. If the County receives more funding requests than funds, the funds may be reduced or denied for a municipalities supplemental funding request. Grants will be evaluated based on which projects best help the County meet the State mandated goal of 75% by 2030.

The maximum supplemental grant available may be up to \$20,000.00 per municipality.

Do you need additional funds to grow existing waste abatement programs? *

In the box below, please include the following information:

- · Identify need for supplemental funding;
- Describe project scope and design;
- Describe how the project may benefit multiple municipalities or the County as a whole;
- $\bullet \ \mathsf{Note} \ \mathsf{key} \ \mathsf{stakeholders} \ \mathsf{participating} \ \mathsf{in} \ \mathsf{project} \ \mathsf{activities}, including \ \mathsf{project} \ \mathsf{collaborators}; \\$
- Quantify and list expected outcomes, such as, new materials to be collected, projected amount to be collected, percentage increase of currently collected materials if supplemental grant funding is approved.

A Recycle Center Attendant has been recently hired to be present during all hours the Recycling Center is OPEN. This has already served to deter vandalism, illegal drop-offs, and contamination. A Weather protected station for outside attendant use is needed to provide this service year round. (Quotes obtained for Pricing) Nowthen Recycle Center serves all of Anoka County residents and this improvement will serve to help educate residents and increase accountability.

Project Budget

List all project elements that require funding. Use the ADD button to add elements to the chart.

PROJECT ELEMENT *	EXPENSE *
Part-time Recycle Center Attendant Labor	6,700.00
Weather Protected Station for Outside Attendant	13,300.00

Total Supplemental Funding Requested \$ 20,000.00

Labor & Staffing (All Programs)

Salary and labor directly related to recycling program administration and implementation may be funded up to 75% of total SCORE funding allocation.

General Program Administration * \$ 13,000.00 50% of Max Available Funding (Not including Supplemental Funding)

Program Implementation * \$ 7,000.00 25% of Max Available Funding (Not including Supplemental Funding)

View Eligible Expenses

Labor & Staffing (All Programs) Expenses \$ 20,000.00

Summary of Funding Requested

Base Funding Requested \$ 12,500.00

Enhancement Funding Requested

Drop-off Grant Requested \$ 9,200.00

General Enhancement Grant Requested \$ 466.18

Organics Grant Requested \$ 224.00

Total Enhancement Funding Requested \$ 9,890.18

Supplemental Funding Requested \$ 20,000.00

Labor & Staffing Funding Requested \$ 20,000.00

Total Funding Requested \$ 62,390.18

Date: * 08/02/2021

Name: * Lori Steich

Title: * City Clerk

Total Funding Granted

MANAGE ONLY

Base Funding Granted 12,500.00

MANAGE ONLY

Drop-off Funding Granted \$ 9,200.00

MANAGE ONLY

General Enhancement Funding Granted \$ 466.18

MANAGE ONLY

Organics Funding Granted \$ 224.00



MANAGE ONLY

Office Use Only

Received By: Sue Doll

Date: 08/02/2021

Manager Notes for Reporters:

Had to adjust the staffing amount since the city was only eligible for \$7,886.82 in staffing costs. Added \$6,466.18 in drop-off and enhancement funding costs so that community would receive the amount requested.

Response created on: Jul 1, 2021 at 08:32 AM CDT by Robin.Wodziak@co.anoka.mn.us

Response last updated on: Sep 10, 2021 at 02:36 PM CDT by Robin.Wodziak@co.anoka.mn.us

2022 Anoka County Municipal Waste Abatement Grant Funding Award Letter

The Municipality of Nowthen is eligible for a total of \$30,257.00 for their Municipal program abatement efforts in 2022, plus if awarded upon request up to an additional \$20,000.00.

The total funding for the 2022 Residential Recycling Program is based on the budgeted amounts stated in the Municipal Waste Abatement Grant Funding Application.

CI		1 1 .
(hec	k ane	below:

x (08-02-2021) The grant application was received on or before August 2, 2021.

_____ The grant application was not received on or before August 2, 2021.

Therefore, the municipality is only eligible for the Base Funding Allocation.

The Grant Funding Award for Nowthen is as follows:

	Amount Eligible		Amo	ount Requested	Amount Awarded		
Base Funding Allocation	\$	17,890.00	\$	12,500.00	\$	12,500.00	

Beginning in 2022, expenses for Labor and Staffing will only be allowed up to 75% of total program grant. See the calculation matrix in the application packet: the amount requested by the Municipality of Nowthen for Labor and Staffing was \$20,000.00, the amount allowed is \$20,000.00.

Enhancement Funding Gra	ant				
	Am	nount Eligible	Amo	ount Requested	Amount Awarded
Drop-off Grant	\$	10,000.00	\$	9,200.00	\$ 9,200.00
General Enhance-ment					
Grant	\$	1,578.00	\$	466.18	\$ 466.18
Organics Grant	\$	789.00	\$	224.00	\$ 224.00
Additional Grant	\$	20,000.00	\$	20,000.00	\$ 20,000.00
Labor & Staffing					\$ 7,866.82
TOTAL					\$ 37,757.00

Total Funding Award (Base + Enhancement Funding) \$ 50,257.00

To the extent that the Municipality requested funds in excess of the total eligible amount, the excess amount in any category is denied.

Reviewed by: Jill Curran	Dated:	09/10/2021	
·			

Approved by: Alison Peterson Dated: ___9/14/2021_____

Contract # C0008795

Contract#	

ANOKA COUNTY HUMAN SERVICES CONTRACTOR INFORMATION SHEET

<u>Please review the following information for accuracy and completeness, indicate any changes, sign and return to:</u>

Angie Rodine

Anoka County Human Services

2100 3rd Ave, Suite 500 Anoka, MN 55303

LEGAL NAME FOR CONTI (Legal name and name on Cert Contract.)		ıst be exactly the same in	order for County Signatures to be o	btained on the
Doing Business As:				
Business/Corporate Add	ress:			
National Provider Identif	fication (NPI) #:			
of 1976 and Minn. Stat 270.66	ID/Social Security Num i. This information will al Revenue Service, and	be shared with the Minne the U.S. Department of H	oses as mandated by Section 1211 osota Department of Revenue, the Mealth, Education and Welfare for the rograms.	linnesota Department
			the contract and to act as the practices act (Minn. Stat.	-
Name:	Phone:	Fax:	Email:	
Signature (Required):			Date:	
Insurance Agency:		Name	of Agent:	
Telephone Number of In	surance Agent:			
Person Completing this F	Form:			
Name:		Title:		
Phone:	Fax:		Email:	

DocuSign[®]

Certificate Of Completion

Envelope Id: 74CA5D80529A4B548AE500FA1F9D0314

Subject: City of Nowthen SCORE C0008795

Source Envelope:

Document Pages: 21 Signatures: 0 En Certificate Pages: 5 Initials: 0 An

AutoNav: Enabled

Envelopeld Stamping: Enabled

Time Zone: (UTC-06:00) Central Time (US & Canada)

Envelope Originator:

Angie Rodine

Status: Sent

Anoka County Government Center

2100 3rd Avenue Anoka, MN 55303

angela.rodine@co.anoka.mn.us IP Address: 156.98.106.233

Record Tracking

Status: Original Holder: Angie Rodine Location: DocuSign

10/4/2021 9:32:25 AM angela.rodine@co.anoka.mn.us

Security Appliance Status: Connected Pool: StateLocal

Storage Appliance Status: Connected Pool: HS-Public Health & Environmental Services Location: DocuSign

Signer Events Signature Timestamp

Lori Streich Sent: 10/4/2021 9:39:39 AM

Istreich@nowthenmn.net

Security Level: Email, Account Authentication

(Optional)

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Jeff Pilon

jeffreympilon@gmail.com

Security Level: Email, Account Authentication

(Optional)

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Cindy Cesare

Cindy.Cesare@co.anoka.mn.us

Security Level: Email, Account Authentication

(Optional)

Electronic Record and Signature Disclosure:

Accepted: 10/4/2021 12:12:05 PM ID: 7e4976bb-b0ff-4f2b-9922-f8ffaaf9eaa2 Company Name: Anoka County

Rhonda Sivarajah

Rhonda.Sivarajah@co.anoka.mn.us

Security Level: Email, Account Authentication

(Optional)

Electronic Record and Signature Disclosure:

Accepted: 2/16/2021 11:11:49 AM ID: c34328cc-2ab0-46f4-a66e-f9c54cf527c4 Company Name: Anoka County

Kathryn Timm

Kathryn.Timm@co.anoka.mn.us

Security Level: Email, Account Authentication

(Optional)

Electronic Record and Signature Disclosure:

Accepted: 10/4/2021 1:51:50 PM

ID: a987fdb1-3001-4fb5-a3a9-25fb6cbadd69

Company Name: Anoka County

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Angie Rodine angela.rodine@co.anoka.mn.us Security Level: Email, Account Authentication (Optional)		
Electronic Record and Signature Disclosure: Accepted: 1/8/2021 1:44:58 PM ID: 6e2d50ad-740c-4672-beb3-aa4bab51e013 Company Name: Anoka County		
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Mary Rainville	CODIED	Sent: 10/4/2021 9:39:38 AM
maryrainv@gmail.com	COPIED	Viewed: 10/6/2021 5:19:35 AM
Security Level: Email, Account Authentication (Optional)		
Electronic Record and Signature Disclosure: Not Offered via DocuSign		
Jill Rykhus		
Jill.Rykhus@co.anoka.mn.us		
Security Level: Email, Account Authentication (Optional)		
Electronic Record and Signature Disclosure: Not Offered via DocuSign		
Jill Rykhus		
Jill.Rykhus@co.anoka.mn.us		
Security Level: Email, Account Authentication (Optional)		
Electronic Record and Signature Disclosure: Not Offered via DocuSign		
Glenna Anderson		
Glenna Anderson Glenna.Anderson@co.anoka.mn.us		

Security Level: Email, Account Authentication

(Optional)

Electronic Record and Signature Disclosure:Not Offered via DocuSign

Robin Wodziak

Robin.Wodziak@co.anoka.mn.us

Security Level: Email, Account Authentication (Optional)

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	10/4/2021 9:39:38 AM

Payment Events Status Timestamps

Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

The following information constitutes Anoka County's (we, us or Company) written notices or disclosures relating to your use of DocuSign in relation to Anoka County's license. Described below are the terms and conditions for providing notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (30 days) after the documents are first sent to you. At any time, if you request paper copies of any documents, you may be charged a fee. You may request paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices, disclosures and documents from us electronically, you may change your mind and tell us that going forward you want to receive documents only in paper format. Please note, processing time will be slowed down dramatically as we will be required to print and send the document through the mail and await your return of the documents. The process to change the method of receipt is described below.

All notices and disclosures will be sent to you electronically

Upon your acceptance to receive electronic notifications, all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you will be provided electronically through the DocuSign system. All of the required documents will be provided to you at the address that you have given us.

How to contact Anoka County:

You may change your preferred method of contact whether electronically, or paper copies, or change your email address. You may also request paper copies of certain information from us, or withdraw your prior consent to receive documents. Please use the contact information below for your request and in the body of your correspondence, identify your desired action. If you are

changing an email address, please include your prior email address as well as your new address. If you no longer wish to receive future documents in electronic format, please include that request in the body of your email.

Email: helpdesk@co.anoka.mn.us

Phone: (763) 324-4110

Address: Anoka County Government Center

Attn: Information Technology, #300

2100 3rd Avenue Anoka, MN 55303

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: https://support.docusign.com/guides/signer-guide-signing-system-requirements.

ACKNOWLEDGEMENT

To confirm your access to the electronic notices and disclosures, which will be similar to other electronic notices and disclosures that we may provide to you, please acknowledge that you have read this ERSD by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify Anoka County as described above, you consent to receive
 exclusively through electronic means all notices, disclosures, authorizations,
 acknowledgements, and other documents that are required to be provided or made
 available to you by Anoka County during the course of your relationship with Anoka
 County.

COURI & RUPPE, P.L.L.P

Michael C. Couri* Robert T. Ruppe** Attorneys at law
705 Central Avenue East
PO Box 369
St. Michael, MN 55376-0369
(763) 497-1930
(763) 497-2599 (FAX)
www.couriruppe.com

*Also Licensed in Illinois

**Also Licensed in California

October 4, 2021

VIA EMAIL & FIRST CLASS MAIL

<u>chad@cstcompanies.com</u> <u>megan@cstcompanies.com</u>

CST Companies, LLC 11717 205th Avenue NW Elk River, MN 55330

Re: City of Nowthen; Toft Development First Addition; Notice of Violation

Dear Mr. and Mrs. Toft,

This office represents the City of Nowthen. I am in receipt of a letter from Shane Nelson, Nowthen City Engineer, that your company has been performing work on the Plat of Toft First Addition in violation of the City Code prior to the City receiving the signed Developer's Agreement, Letter of Credit in the amount of \$690,000 and escrow in the amount of \$20,000 and failure to attend a pre-construction meeting with the City Engineers. I have attached a copy of Mr. Nelson's letter for your convenience.

The City approved your development's Final Plat and Developer's Agreement on September 14, 2021. The Resolution approving the Final Plat specifically states that the City's approval is "contingent upon the applicant's entering into a Developer's Agreement with the City and satisfaction of all items outlined therein and referenced in these findings." This includes, but is not limited to, holding a pre-construction meeting with the City Engineers as a pre-requisite to any construction of public improvements commencing. Further, you are required to notify the City Engineers one week prior to the initiation of road construction to coordinate review of construction activities.

This letter to request that you immediately submit to the City an executed Developer's Agreement, Letter of Credit, Escrow and attended a pre-construction meeting with the City Engineers prior to resuming work on the Plat. Any work performed prior to these requirements being met is considered by the City to be unauthorized work and may

CST Companies, LLC October 4, 2021 Page 2

prevent the platted road right-of-way from being accepted by the City thereby making it a private road that will not be maintained by the City. *Town of Red Rock v. County of Mower*, 250 N.W. 2d 827, 831 (Minn. 1977). The City also requires that the items raised in paragraphs 6 and 9 of Mr. Nelson's letter be timely addressed.

Although the City prefers to work cooperatively with its developers, the City expressly reserves any rights that it may have under its City Code and Minnesota law including, but not limited to, seeking a court ordered injunction stopping any further work on the Plat until such time as the City's requirements are satisfied. Further, your failure to abide by the terms of the of Plat approval process places future phases of your development including Toft Second Addition in jeopardy. Section 10-5-3 of the City Code authorizes the City to withhold future plat approvals if the developer has previously defaulted on work or commitments with regard to previous developments. Without the items identified in this letter being completed to the satisfaction of the City, I will recommend to the City Council that they withhold approvals for this new Plat while your company is in default.

Your cooperation and courtesy in this matter is greatly appreciated. If you have any questions, please do not hesitate to contact this office or Mr. Nelson at (763) 862-0479.

Sincerely.

Robert T. Ruppe

Couri & Ruppe, P.L.L.P.

Enclosure

Cc: City of Nowthen (via email) Shane Nelson (via email) Liz Stockman (via email)



Main Office:

3601 Thurston Avenue, Anoka, MN 55303 Phone: 763/427-5860 www.haa-inc.com



October 4, 2021

Bob Ruppe, Nowthen City Attorney Couri & Ruppe, P.L.L.P. 705 Central Avenue PO Box 360 St. Michael, MN 55376-0369

Re: Toft First Addition

Dear Mr. Ruppe:

As you are aware, the Toft First Addition was recently approved by the City Council, subject to conditions as outlined in Findings & Decision dated September 14, 2021.

On September 22, 2021, I drove by the proposed development of Toft First Addition and observed the Contractor working on the public improvements. Specifically, I observed that the stormwater pond was excavated, the storm sewer/culverts were installed, and grading had been performed for the proposed 204th Avenue NW.

Through phone conversations with the City Planner, I had been informed that there was no Development Agreement, Financial Security, and/or payment of fees and escrows in place. Further, through the same conversations we were informed that the Contractor stated that he was not going to stop work as he had deliveries scheduled for the building construction of the CST Site, and that if the road was not constructed to at least a gravel surface the "trucks would sink to their axles".

Our office then made arrangements to make inspections on the subgrade. On Tuesday, September 28, 2021 Jon Halter from my office attended a test roll on the subgrade. The subgrade failed the test roll. The Contractor then chose to continue with the road construction and installed geotextile fabric and the Class 5 Aggregate Base.

On Thursday, September 30, 2021 the Contractor informed us that they plan on paving 204th Avenue NW. In response, we verbally informed the Contractor that we would no longer perform inspections on the road and any further work completed on the road may be unauthorized work. On October 1, 2021, I had a similar conversation with Megan Toft and urged her to cure the defaults.

We understand that the Development Agreement still remains to be executed and that delivery of the Development Agreement, with the required counterparts such as the Financial Security, Cash Escrow, and payment of City fees must be completed as a pre-requisite to continuing the construction of the public improvements. In addition to these pre-requisites, my office recognizes the following items as requiring attention:

 The Developer / Engineer shall make revisions to the Construction Plans as per the September 7, 2021 Engineering Review from my office

- The Developer / Contractor shall submit the Moisture Density Test Method (Proctor) results to my office for review
- The Developer / Contractor shall submit the Field Moisture Test results to my office for review
- The Developer / Contractor shall submit the Field Density Test results for the 204th Avenue NW subgrade to my office for review
- The Developer / Contractor shall submit the proposed corrective action for the failure of the subgrade roll test to my office for review
- The Developer / Contractor shall submit the Class 5 Aggregate Gradation Tests to my office for review
- The Developer / Contractor shall submit the Class 5 Field Density Tests to my office for review
- Under normal circumstances, we would have been onsite during storm sewer construction to
 inspect the joints and ensure they have been constructed such that they are watertight. The
 Developer / Contractor shall propose an acceptable manner for inspection of the storm sewer
 and culvert joints, which will likely include lamping the lines/televising the lines and
 performing a hydrostatic (air) test in the presence of a City representative
- After the above items have been submitted with ample time for review, the Developer /
 Contractor shall schedule a meeting to discuss the schedule and expectations for the remaining
 construction

At this time, there is no way of knowing if the tests as discussed above have been performed or will be conforming to the City's standards and specifications. If the work completed to date does not conform to the City's standards and specifications, additional work may have to be performed.

If for some reason the Developer chooses to continue with the construction without addressing the items as discussed above, we will be unable to recommend acceptance of the proposed public improvements to the City, including 204th Avenue NW. To further complicate matters, the Developer has submitted a proposed development entitled "Toft Second Addition". Said second addition is depicted with its only access point being 204th Avenue NW. Please advise on whether or not the application for the Toft Second Addition can be reviewed and/or processed at this time.

Lastly, the Toft First Addition requires the construction of a turn lane on Highway 47 at the Developer's expense. We request that the permit be provided when approved.

If you have any questions, please feel free to contact me at 763-852-0479 (direct) or shanen@haa-inc.com.

Sincerely,

Hakanson Anderson

Shane M. Nelson, P.E.

Vice President



MMT Holdings LLP

October 4, 2021

Re: Toft's 1st Addition - 5160 204th Ave NW, Nowthen MN 55330

City of Nowthen:

See attached for:

- Bid for Right of Way work, submitted from Stotko Speedling Construction to Shane Nelson on September 2, 2021
- Security Estimate, submitted from Shane Nelson to City of Nowthen on September 7, 2021
- Sworn Construction Statement for Project

We are seeking a reduction in our security, to closer reflect the actual project cost and not an estimate. We feel the cost used in the estimate would be closer to a Federal road project cost.

Additionally we are concerned with putting this over estimated amount into an account where our reimbursement is at the sole discretion of the City Engineer. We have concerns regarding the response time of the City Engineer. Our attorney, Brandi Kerber of Larkin Hoffman, is finalizing her comments for the City attorney regarding the Developer Agreement.

We would be available to meet at your convenience on this matter. Thanks in advance for your consideration.

Regards,

Megan M Toft

Chief Operating Officer

Submitted to Share via Stocko on 9/2/21

CST Companies Bid for Right of Way Work 5160 204th Avenue Nowthen, MN 55330

02 Site Work									
Excavation and Fill	LS	1.00	87,870.50	0.00	0.00	0.00	87,870.50	0.00	87,870.50
Turn Lane Saw Cutting	LF	500.00	5.00						2,500.00
Traffic Control	LS	1.00	3,800.00						3,800.00
Class 5 for turn lane	CY	220.00	33.00						7,260.00
Select Sand for turn Lane	CY	300.00	15.00						4,500.00
Strip Top Soil 204th Avenue	LS	1.00	10,000.00						10,000.00
Class V 204th Avenue	CY	900.00	33.00						29,700.00
Silt Fence	LF	450.00	1.19						535.50
Erosion Control Blankets	SF	17,500.00	1.69						29,575.00
Storm Drainage	LS	1.00	16,070.00	0.00	0.00	0.00	16,070.00	0.00	16,070.00
18" RCP Storm	EA	110.00	32.50						3,575.00
18" FES	EA	2.00	1,950.00						3,900.00
24" RCP Storm	LF	60.00	48.25						2,895.00
24" FES	EA	2.00	1,950.00						3,900.00
Rip Rapp (9" thick)	CY	20.00	90.00						1,800.00
Paving	LS	1.00	91,856.50	0.00	0.00	0.00	91,856.50	0.00	91,856.50
204th Avenue	SY	2,149.00	26.00						55,874.00
Right Turn Lane	SY	778.00	46.25						35,982.50
Site Signage	LS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
						SUBTO	TAL - 02 Site	Work	195,797.00

MMT Holdings, LLC Building Site Sworn Construction Statement

Project Owner: MMT Holdings, LLC
Property At: 5160 204th Avenue NW, Nowthen, MN 55330
Project Contractor: Stotko Speedling Construction, Inc.

T.D.	No	
E.S.	No	

Balan	e Required for Construction	
Exper	es	
Total	Complete	
Loan(et)	
	nal Amount Paguired	١

STATEMENT CHECKED AND NECESSARY AMOUNTS AVAILABLE

CLOSER

A	В	C	D	E	F	G	н	1	J	K	- 4	M
Description	Contractor or Supplier	Original Contract Sum	Change Orders to Contract	Contract Sum to Date	Total Earned (Compl. and Stored) to date	Retention	Total Earned Less Retention	Previous Requests	Current Payment Due	% Completed	Balance to Finish (-) Retainage	Balance to Finish
General Conditions	Stotko Speedling Const.	\$ 145,100		145,100	Totoled) to date	e .	& Retention	Requests	e Due	0%	145,100.00	145,100.00
Survey	Rehder Associates	\$ 16,300		16.300					•	0%	16,300.00	16,300.00
Testing	Chosen Valley	\$ 15,000		15,000		•	•		•	0%	15,000.00	15,000.00
	Gustafson Excavating	\$ 296,821		296,821		.	•		D -	0%	296,821.00	296,821.00
	Traut Companies					a	a -					
		4 100,274		133,244		5 -	• -		5 -	0%	133,244.00	133,244.00
	Century Fence	\$ 132,850		132,850		5 -	\$ -		\$ -	0%	132,850.00	132,850.00
	Ohman Brothers	\$ 306,500		306,500		5 -	\$ -		\$ -	0%	305,500.00	306,500.00
	RJ's Property Maintenance	\$ 105,553		105,553		\$ -	\$ -		\$ -	0%	105,553.00	105,553.00
	Summit Concrete & Masonry	\$ 584,150		584,150		\$ -	\$ -		\$ -	0%	584,150.00	584,150.00
	BOE Iron	\$ 91,800	\$	91,800		\$ -	\$ -		\$ -	0%	91,800.00	91,800.00
	Nucor	\$ 603,577	\$	603,577		\$ -	\$ -		\$ -	0%	603,577.00	603,577.00
	Jarman Structures	\$ 318,620	\$	318,620		5 -	\$ -		\$ -	0%	318,620.00	318,620.00
	Solid	\$ 31,787	\$	31,787		S -	\$ -		\$ -	0%	31,787.00	31,787.00
Siding	TBD	\$ 22,500	\$	22,500		s -	s -		\$ -	0%	22,500.00	22,500,00
Insulation	AMD	\$ 80,426		80,426		s -	\$ -		s -	0%	80,426.00	B0,426.00
Caulking	The Caulkers	\$ 35,000		35,000		5 -	s -		s -	0%	35,000.00	35,000.00
Doors and Hardware	Twin City Hardware	\$ 23,615		23,615		8 -	s -		\$ -	0%	23,615,00	23,615.00
	Overhead Door Company	\$ 71,127	•	71,127		s -	•		\$	0%	71,127.00	71,127.00
	Capital City Glass/Pella	\$ 15,697		15,697			•			0%	15,697.00	15,697.00
	Freidges Drywall	\$ 123,693		123,693			•			0%	123,693,00	123,693.00
	Protouch	\$ 27,850		27,850		Φ -			•	0%		
	V-1-10 0.316					5 -	\$ -		5 -		27,850.00	27,850.00
	Concrete Treatments	\$ 6,500		6,500		5 -	5		5 -	0%	6,500.00	6,500.00
	Grazzini	\$ 8,780		8,780		5 -	\$ -		S -	0%	8,780,00	8,780.00
	TBD	\$ 13,230		13,230		\$ -	\$ -		\$ -	0%	13,230.00	13,230.00
	Grazzini	\$ 8,535		8,535		\$ -	\$ -		\$ -	0%	8,535.00	8,535.00
	Bartley Sales	\$ 2,750		2,750		\$ -	5 -		\$ -	0%	2,750.00	2,750.00
	Overhead Door Company	\$ 9,839		9,839		\$ -	S -		\$ -	0%	9,839.00	9,839.0
	Escape Fire	\$ 103,300	\$	103,300		\$ -	\$ -		\$ -	0%	103,300.00	103,300.00
	B&D Plumbing	\$ 165,228	\$	165,228		\$ -	\$ -		\$ -	0%	165,228.00	165,228.0
Mechanical	B&D Heating	\$ 101,835	\$	101,835		\$ -	\$ -		S -	0%	101,835.00	101,835.0
Electrical	Miller Electric	\$ 204,500	\$	204,500		S -	s .		\$ -	0%	204,500.00	204,500.0
Architect Fees	David Harris Architect	\$ 10,230		10,230		s -	s -		s -	0%	10,230.00	10,230.0
	Rehder & Associates	\$ 9,100		9,100		s -	\$.		\$ -	0%	9,100.00	9,100.0
	Blanchard Engineering	\$ 7,000		7,000			ė .		•	0%	7,000.00	7,000.0
	Stotko Speedling	\$ 105,000		105,000					9	0%	105.000.00	105,000.0
SUBTOTAL	Grant Sharening	\$ 3,937,037		3,937,037		s -	8		\$	0%	3,937,037.00	3,937,037,0
	Stotko Speedling	\$ 27,300		27,300			•			0%	27,300.00	27,300.0
	Stotko Speedling	\$ 11,812		11,812		-	•					
	Stotko Speedling Construction					•	a -		5 -	0%	11,812.00	11,812.0
		\$ 201,193		201,193		5 -	3 -		\$ -	0%	201,193.00	201,193.0
TOTAL	Contract Amount	\$ 4,177,342	\$	4,177,342		\$ -	\$ -		5 -	0%	4,177,342.00	4,177,342.0

The undersigned being first duly swom, each for himself, as contractor and owner of the property at the address shown above hereof, disposes and says that the foregoing are the names of all parties having contracts or subcontracts for specific portions of the work on said property and building or material entering into the construction thereof, and the amounts due and to become due to each of said parties, that the items mentioned include all labor and material required to complete said buildings according to plans and specifications, that there are no other contracts outstanding; and that there is nothing due or to become due to any person for material, labor or other work of any kind done upon said building other than as above stated.

The undersigned further disposes and says that no increase in the cost of construction will be made under any circumstances without furnishing information on same to Title Company with additional deposits to cover such increases: that in the event of any such increases, no orders or claims will be made on said company until such information and additional deposits shall have been completed: that the purpose of said statement is to induce said company to pay out the proceeds of a loan of \$\frac{\text{secured by a mortgage on said property: and that, upon payment of the specific unpaid items isted herein, the undersigned contractor hereby agrees to waive all claims of priority to said mortgage and both parties herein will save said company harmless as to any other claims of priority of lien for any labor or material, furnished or to be furnished, for completion of construction.

Subscribed and sworn to before me this_

20 2

(Contractor)

MANOW

Minnesota



9/15/2021

TOFT 1ST ADDITION CITY OF NOWTEHN FINANCIAL SECURITY ESTIMATE SEPTEMBER 7, 2021

ITEM NO.	ITEM DESCRIPTION	QTY	UNIT	UNIT PRICE	EXTENSION
1	MOBILIZATION	1	LS	\$10,000.00	\$10,000.00
2	STRIP TOPSOIL	1	LS	\$10,000.00	\$10,000.00
3	COMMON EXCAVATION	90000	CY	\$1.85	\$166,500.00
4	AGGREGATE BASE CLASS 5	2000	TON	\$18.00	\$36,000.00
5	TYPE SP 9.5 WEARING COURSE MIXTURE (2,C)	315	TON	\$70.00	\$22,050.00
6	TYPE SP 12.5 NON WEARING COURSE MIXTURE (2,C)	392	TON	\$65.00	\$25,480.00
7	BITUMINOUS MATERIAL FOR TACK COAT (0.05 GAL/SY)	120	GAL	\$5.00	\$600.00
8	6" PERFORATED DRAINTILE W/ GEOTEXTILE	457	LF	\$8.00	\$3,656.00
9	18" RCP CLASS V	108	LF	\$60.00	\$6,480.00
10	24" RCP CLASS III	102	LF	\$100.00	\$10,200.00
11	18" RC FLARED END SECTION	2	EA	\$1,500.00	\$3,000.00
12	24" RC FLARED END SECTION	4	EA	\$1,800.00	\$7,200.00
13	OUTLET CONTROL STRUCTURE	1	EA	\$6,000.00	\$6,000.00
14	CLASS III RIP RAP	200	CY	\$95.00	\$19,000.00
15	GEOTEXTILE FILTER FABRIC	150	SY	\$2.00	\$300.00
16	CLEANOUTS	5	EA	\$350.00	\$1,750.00
17	TRAFFIC CONTROL	1	LS	\$1,000.00	\$1,000.00
18	SILT FENCE	800	LF	\$1.50	\$1,200.00
19	INLET PROTECTION	3	EA	\$150.00	\$450.00
20	ROCK CONSTRUCTION ENTRANCE	1	EA	\$3,000.00	\$3,000.00
21	SEEDING	8	ACRE	\$3,000.00	\$24,000.00
22	EROSION CONTROL BLANKETS	17500	SF	\$1.69	\$29,575.00
23	TYPE III BARRICADES	2	EA	\$450.00	\$900.00
24	STREET SIGNS	2	EA	\$300.00	\$600.00
	HWY 47 TURN LANE				
1	REMOVE BITUMINOUS PAVEMENT	55	SY	\$5.00	\$275.00
2	SAWING BITUMINOUS PAVEMENT	500		\$5.00	\$2,500.00
3	REMOVE CMP CULVERT	40	LF	\$5.00	\$200.00
4	SELECT GRANULAR	300	CY	\$15.00	\$4,500.00
5	AGGREGATE BASE CLASS 5	220	CY	\$33.00	\$7,260.00
6	TYPE SP12.5 WEARING COURSE MIXTURE (3,C)		TN	\$170.00	\$15,300.00

TOFT 1ST ADDITION CITY OF NOWTEHN FINANCIAL SECURITY ESTIMATE SEPTEMBER 7, 2021

7	TYPE SP12.5 NON WEARING COURSE MIXTURE (3,C)	110	TN	\$170.00	\$18,700.00
8	CONNECT TO EXISTING STORM SEWER	1	EA	\$1,000.00	\$1,000.00
9	24" CMP CULVERT	80	LF	\$50.00	\$4,000.00
10	24" CMP APRON	3	EA	\$1,200.00	\$3,600.00
11	TRAFFIC CONTROL	1	LS	\$4,500.00	\$4,500.00
12	TRAFFIC SIGNS	2	EA	\$300.00	\$600.00
13	4" SOLID WHITE MULTI COMPONENT GROUND IN	780	LF	\$5.00	\$3,900.00
14	PREFORM TURN LANE ARROW GROUND IN	2	EA	\$1,000.00	\$2,000.00
	TOTA	ESTIMATED	CONST	RUCTION COST	\$457,276.00
				ROUNDING	\$2,724.00
	REC	UIRED FINA	NCIAL SE	ECURITY (150%)	\$690,000.00



Stotko Speedling Construction

1303 Eddy Street Hastings, MN 55033 P: (651) 480-0055 F: (651) 480-0079

Bid Quote Take-Off

Project:

CST Development

Location:

5160 204th Avenue NW Nowthen MN 55330

Area:

0

Architect Number:

Print Date:

10/05/2021

Bid Date:

11/30/-0001

Revision:

Original

Owner Contact: Megan Toft

Description	Unit	Qty	Unit \$	Alt \$	Labor	Material	Sub	Misc	Total
01 General Conditions									
Surveying	LS	1.00	23,300.00	0.00	0.00	0.00	23,300.00	0.00	23,300.00
General Costs	LS	0.00	1,000.00	0.00	0.00	0.00	0.00	0.00	0,00
Contingency	LS	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Engineering Fees	LS	0.00	73,000.00	0.00	0.00	0.00	0.00	0.00	0.00
GC Preconstruction Design	LS	0.00	12,220.00	0.00	0.00	0.00	0.00	0.00	0.00
Superintendent	LS	0.00	24,000.00	0.00	0.00	0.00	0.00	0.00	0.00
Project Vehicle	HR	0.00	5.00	0.00	0.00	0.00	0.00	0.00	0.00
Testing	LS	1.00	15,000.00	0.00	0.00	0.00	15,000.00	0.00	15,000.00
Temp Water	МО	0.00	35.00	0.00	0.00	0.00	0.00	0.00	0.00
Temp Toilet	МО	2.00	150.00	0.00	0.00	0,00	0.00	300.00	300.00
Temp Office	МО	0.00	400.00	0.00	0.00	0.00	0.00	0.00	0.00
PM Software	LS	0.00	1.75	0.00	0.00	0.00	0.00	0.00	0.00
Plan Reproduction	LS	0.00	500.00	0.00	0.00	0.00	0.00	0.00	0.00
					SU	BTOTAL -	01 General Co	nditions	38,600.00
02 Site Work									
Excavation and Fill	LS	1.00	198,961.50	0.00	0.00	0.00	198,961.50	0.00	198,961.50
Turn Lane Saw Cutting	LF	500.00	5.00						2,500.00
Traffic Control	LS	1.00	3,800.00						3,800.00
Class 5 for turn lane	CY	220.00	33.00						7,260.00
Select Sand for turn Lane	CY	300.00	15.00						4,500.00
Strip Top Soil 204th Avenue	LS	1.00	10,000.00						10,000.00
Class V 204th Avenue	CY	900.00	33.00						29,700.00
Silt Fence	LF	450.00	1.19						535.50
Erosion Control Blankets	SF	26,200.00	1.69						44,278.00
NURP POND excavation	EΑ	1.00	88,588.00						88,588.00
Geo Road fabric	EΑ	1.00	7,800.00						7,800.00
Storm Drainage	LS	1.00	37,564.25	0.00	0.00	0.00	37,564.25	0.00	37,564.25
18" RCP Storm	LF	121.00	32.50						3,932.50
18" FES	EΑ	2.00	1,950.00						3,900.00
24" RCP Storm	LF	127.00	48.25						6,127.75
24" FES	EA	4.00	1,950.00						7,800.00
24" CMP	LF	40.00	44.00						1,760.00
15" CMP FES	EA	4.00	280.00						1,120.00
15" CMP	LF	108.00	28.00						3,024.00
Outlet Structure	EA	1.00	7,200.00						7,200.00
Rip Rapp (9" thick)	CY	30.00	90.00						2,700.00

Paving	LS	1.00	91,856.50	0.00	0.00	0.00	91,856.50	0.00	91,856.50
204th Avenue	SY	2,149.00	26.00						55,874.00
Right Turn Lane	SY	778.00	46.25						35,982.50
Site Signage	LS	1.00	1,525.00	0.00	0.00	0.00	1,525.00	0.00	1,525.00
						SUI	STOTAL - 02 S		

Total\$368,507.25 urden \$0.00 **Labor Burden** \$0.00 Sales Tax

General Liability \$1,474.04

Permit Cost \$0.00

Sub Total\$369,981.29

OH & P \$37,775.11

Project Total\$407,756.40

Cost/Sq. Ft. \$0.00

GUSTAFSON EXCAVATING, INC. COMMERCIAL PROPOSAL



PROJECT NAME / LOCATION	GENERAL CONTRACTOR / OWNER INFO
CST Property In Nowthen MN	
	Greg Stotko
	Contact: 651-329-2021

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL	
SITE					
Mobilization	1.00	LS	\$19,800.00	\$19,800.00	
Rock Entrance	1.00	EA	\$2,500.00	\$2,500.00	
Silt Fence	2100.00	LF	\$3.50	\$7,350.00	
Strip Topsoil	1.00	LS	\$36,000.00	\$36,000.00	
Replace Topsoil/Final Grade	1.00	LS	\$9,500.00	\$9,500.00	
Common Excavation (Includes Nurp Basin 1, grading, holdown)	1.00	LS	\$88,588.00	\$88,588.00	
Grade Sidewalks	1.00	LS	\$1,500.00	\$1,500.00	
Excavate Footings	1.00	LS	\$6,000.00	\$6,000.00	
Backfill Buildings/Grade Floors	1.00	LS	\$8,400.00	\$8,400.00	
Select For Building Pad	800.00	CY	\$15.00	\$12,000.00	
				\$191,638.00	
UTILITIES					
24" RCP Storm	50.00	LF	\$48.25	\$2,412.50	
24" FES 2	1.80	EA \$19	50 \$2,100.00	\$2,100.00	
24" CMP 40	50.00	LF	\$44.00	\$2,200.00	\$1760
15" CMP 108	130.00	LF	\$28.00	\$5,540.00	
15" CMP FES 4	2.60	EA	\$280.00	\$500.00	\$1120
15" HDPE	250.00	LF	\$25.00 %	\$6,250.00	
12" HDPE	90.00	LF	\$24.00	\$2,160.00	
24" HDPE	175.00	LF	\$36.00	\$6,300.00	
18x12 WYE	1.00	EA	\$450.00	\$450.00	
CB'S	7.00	EA	\$3,200.00	\$22,400.00	
Rip Rap	30.00	CY	\$90.00	\$2,700.00	
Grease tank 5,000 GAL	1.00	LS	\$13,000.00	\$13,000.00	
6" HDPE	500.00	LF	\$15.00	\$7,500.00	
Sand for 6" Pipe	1.00	LS	\$2,000.00	\$2,000.00	
Outlet Control Structure 60"	1.00	LS	\$7,200.00	\$7,200.00	
Casting Assemblies	7.00	EA	\$550.00	\$3,850.00	
24" FES HDPE/CMP	2.00	EA	\$280.00	\$560.00	
8" Fire Line brought into the building	1.00	LS	\$4,150.00	\$4,150.00	
				\$89,432.50	\$110,70
TURN LANE					
Sawcutting	500.00	LF	\$5.00	\$2,500.00	
Traffic Control	1.00	LS	\$3,800.00	\$3,800.00	
C5 for turn lane/road	220.00	CY	\$33.00	\$7,260.00	
Select Sand	300.00	CY	\$15.00	\$4,500.00	
	2 2			\$18,060.00	

PO BOX 788 • NORTH BRANCH, MN 55056 • PHONE: 651-674-7430 • FAX: 651-674-2106 www.gustafsonexcavating.com

GUSTAFSON EXCAVATING, INC. COMMERCIAL PROPOSAL

204TH AVE					
18" RCP Storm	121	110.00	LF	\$32.50	\$3,575.00 \$
18" FES		2.00	EA	\$1,950.00	\$3,900.00
24" RCP Storm	77	60.00	LF	\$48.25	\$2,825.00 \$
24" FES		2.00	EA	\$1,950.00	\$3,900.00
Strip Topsoil		1.00	LS	\$10,000.00	\$10,000.00
C5		900.00	CY	\$33.00	\$29,700.00
Geo Road Fabric		1.00	LS	\$7,800.00	\$7,800.00
					\$61,770.00 \$6
SEPTIC SYSTEM AS FOLLOWS:					
It-II (2) 1500 callen centic tanks					
install (2) 1500 gallon septic talks					
Install 1000 gallon pump tank pump and alarm					
Install 1000 gallon pump tank pump and alarm					
Install 1000 gallon pump tank pump and alarm 10x50 mound system with 2.5 clean sand under					
Install 1000 gallon pump tank pump and alarm 10x50 mound system with 2.5 clean sand under Covered in topsoil, excludes seed and mulch					\$15,600.00
Install (2) 1500 gallon septic tanks Install 1000 gallon pump tank pump and alarm 10x50 mound system with 2.5 clean sand under Covered in topsoil, excludes seed and mulch ADD ALT					\$16,600.00
Install 1000 gallon pump tank pump and alarm 10x50 mound system with 2.5 clean sand under Covered in topsoil, excludes seed and mulch		4500.00	СУ	\$4.00	\$16,600.00 \$18,000.00
Install 1000 gallon pump tank pump and alarm 10x50 mound system with 2.5 clean sand under Covered in topsoil, excludes seed and mulch ADD ALT Export		4500.00	СУ	\$4.00	
Install 1000 gallon pump tank pump and alarm 10x50 mound system with 2.5 clean sand under Covered in topsoil, excludes seed and mulch ADD ALT		4500.00	Marie de la constant	\$4.00	

WE PROPOSE hereby to furnish material and labor-complete in accordance with above specifications based on the submitted plans and specifications at the time of bid, for the sum of:

Three Hundred Ninety Five Thousand Five Hundred Dollars and Fifty Cents

This proposal may be withdrawn by Gustafson Excavating if not accepted within 30 days.

Gustafson Excavating is not responsible for staking, dewatering or necessary permits. Any extra quantities exceeding the amounts specified will incur additional cost, and be invoiced accordingly.

Removal of unsuitable soil, including frost, will be billed as an extra cost.

Any alterations or deviation from the above specifications resulting in additional costs will require executed change order, and become an additional cost over and above this proposal. Any future plan changes may result in additional cost, and require executed change order to proceed.

PROGRESS PAYMENTS REQUIRED

	scope of work, conditions and terms described above, and authorize completion of the work specified.
ACAITHUY DAY ADDITCATIONS.	YES / NO , If YES, monthly due date:
	YES / NO (Please include an electronic copy with returned acceptance)
EMAIL:	
.PHONE:	
ADDRESS:	
CONTACT:	
ORGANIZATION / NAME:	

Omann Contracting Companies Inc.

6551 La Beaux Ave. NE ²O Box 120 Albertville, Mn. 55301

Phone # (763)-497-8259

Fax # (763)-497-8261



& Excavating

ATT.: Grea Stotko

Toft Development Road								
		3.22	Salesman					
Job number	Nowthen	, MN	Scott Omann					
Asphalt Paving per site plan C1 dated 8-16-21	Modified							
Base to be compacted and at proper elevation	by others.							
2149 SY road section.								
Fine grade existing base.								
2.5" SPNWB230C base course. Tack coat.								
2" SPWEA240C wear course.								
\$55,900.00.								
000,000.00.								
Turn Lane: 778 SY area.								
ine grade existing base.								
2.5" SPNWB230C base course.								
Mill 12" overlap.								
Tack coat. 2" SPWEA240C wear course.		-6						
Stripe lines and arrows per plan. Ground in.	Epoxy and thermoplastic. Per plans	dated 8-4-21.						
ADD \$35,900.00.								
*Assumes Turn lane paving complete in 2021	. Road wear course in 2022.							
Accounted Farmione parting sampless								
*Bid does not include:	Ol III I Describe was Winte	s conditions Troff	is control Tonsoil					
Saw cutting, Removals, Testing, Base import,	Shouldering, Prevailing wage, winter	r conditions, Trail	ic control, Topson					
shoulder., Permits, Bond.								
*Bid with current asphalt and fuel costs. Price	subject to change pending date of a	ward and schedul	e.					
*Due to material shortage, turn lane painting r	not guaranteed completion in 2021.							
Wear course price based on current asphalt of	oil plus 5% If asphalt oil increases m	ore then 5% in 20	22 a price adjustment will					
be made.	in plus 676. Il deplicit dii indicacco iii	010 (1101) 070 11, 20						
be made.								
	fuel prices, fuel surcharges may apply above and beyond this		is that time					
	d within 15 days of date as listed below. Unless a standard cor							
ACCEPTANCE OF PROPOSAL & GUARANTEE OF P accepted. I verify there are no current liens or judgmen made as outlined per contract. In the event that a contra	ts on above said property. You are authorized	to do the work as spe	actory and are nereby cified. Payment will be					
Authorized Signature	Signature		Date					
(olease print)			-					



PERMANENT SIGN QUOTATION

DATE: 9/29/2021

LETTING DATE:

PROJECT: Toft's Development

LOCATION: Nowthen

Nickcornell@safetysigns-mn.com SAFETY SIGNS IS A CERTIFIED DBE/WBE/TGB CONTRACTOR.								
ITEM#	DESCRIPTION	SIZE	QTY		PRICE		EXT	
	Sign Panels Type C Right Lane Must Turn Right Stop Sign		15.25 1 1	SF	\$	100.00	\$	1,525.00
7	Parking Lot Signage Handicap Parking Van Accessible		1 2 1	LS	\$	300.00	\$	300.00

TOTAL \$ 1,825.00

Safety Signs LLC
No Bond No Retainage. All Items Tied Unless Arrangements Are Made To Split Items Off.
The Above Prices Include Sales Tax. Please Sign Below To Acknowledge Approval.

Mail or Fax Back So Material Or Supplies Needed Can Be Ordered So Installation Will Not Be Delayed
Quote Only Valid For 25 Days. Thank You. Nick Cornell
An Equal Opportunity Employer

NAME

DATE

19784 Kenrick Ave. • Lakeville, MN 55044 • Phone (952) 469-6700 • Fax (952) 469-6689 Offices located in Lakeville, Rogers, Blaine, Rochester, Mankato & Duluth





RIGHT TUNNE 2047# AVE.

Toft Property Nowthen Mn

Standard Silt Fence w/steel posts Approx. 450lf @ \$1.19lf =

\$ 535.50

Erosion Control Blanket Cat3 w25-131 Seed Approx. 17,500sy @ \$1.69sy =

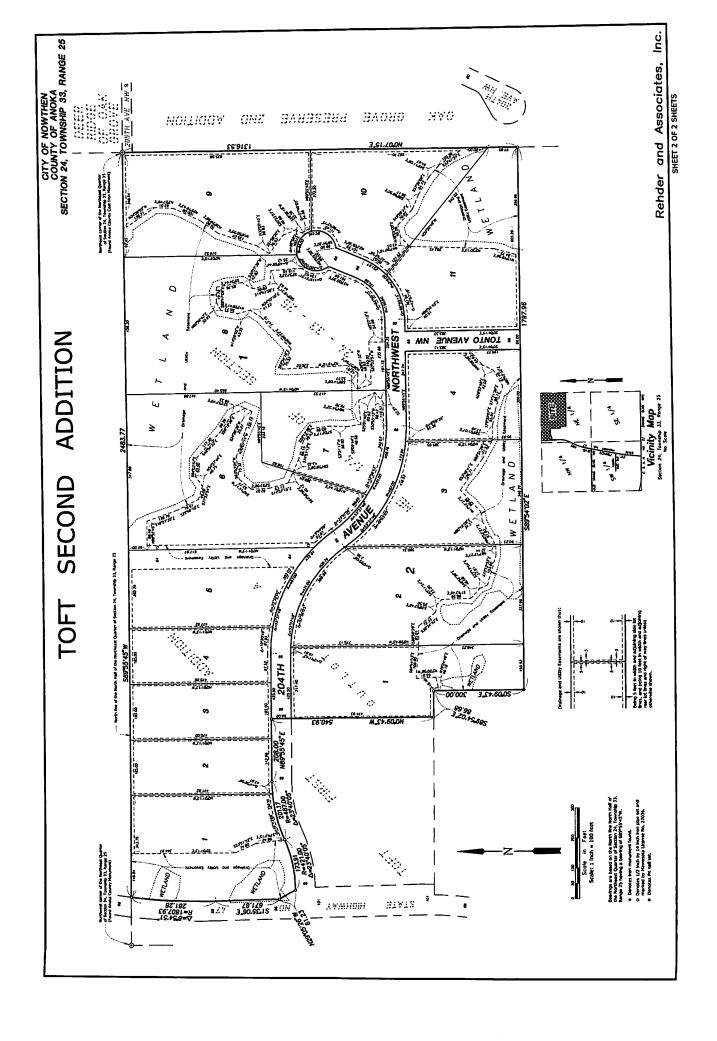
\$29,575.00

Pond Area Erosion Blanket Approx. 8700sy @ \$1.69sy =

\$14,703.00

The quantities above are estimates payment will be based on actual amounts installed.

The quote is good for the installation only, maintenance and removal are not included in the quote.



Megan Toft

From: Greg Stotko < greg@stotkospeedling.com>

Sent: Tuesday, October 5, 2021 1:36 PM

To: Megan Toft

Subject: RE: Right of Way Costs

This is for the right turn lane, Nurp Pond, and 204th Avenue to east side of your site where we have the turnaround at end of road. This should include everything within the right of way for Hwy 47 and 204th Avenue NW.

Greg Stotko

Stotko Speedling Construction, Inc. Hastings, MN Cell 651-329-2021 www.stotkospeedling.com

From: Megan Toft < Megan@cstcompanies.com>

Sent: Tuesday, October 5, 2021 1:21 PM
To: Greg Stotko <greg@stotkospeedling.com>

Subject: RE: Right of Way Costs

Is this for just the turn lane or the whole road project?

Megan M. Toft

Chief Operating Officer / President
CST Distribution, LLC / CST Transportation, Inc / CST Companies, LLC
11717 205th Ave NW
Elk River, MN 55330

Phone: 763-515-6660 ext 406 Fax: 763-276-7401

Email: megan@cstcompanies.com URL: www.cstcompanies.com

From: Greg Stotko < greg@stotkospeedling.com >

Sent: Tuesday, October 5, 2021 1:05 PM
To: Megan Toft < Megan@cstcompanies.com >

Subject: Right of Way Costs

Megan here is what I have along with the sub proposals to me. On Gustafson's proposal I highlighted in yellow what would be considered the ROW work.

I did include surveying and independent testing. I did not include some general conditions costs that I will include in our separate contract to you for this work. Let me know if you need anything else.

Greg Stotko

Stotko Speedling Construction, Inc. Hastings, MN Cell 651-329-2021 www.stotkospeedling.com
 From:
 Dan Hanson

 To:
 Liz Stockman

 Cc:
 Deb Dryden; "Info"

 Subject:
 RE: Dryden Plat

Date: Monday, October 4, 2021 10:44:26 AM

Attachments: <u>image001.png</u>

image002.png

DRYDEN ACRES SHEET 2.pdf DRYDEN ACRES SHEET 1.pdf

Liz,

See attached for updated Preliminary Plat. The work on the Final Plat cannot be submitted until the road issues are completed.

I will have the Final Plat ready and reviewed by the County Surveyor as soon as I have all updated documents.

Thank you,

Daniel S. Hanson

P.L.S. #52140

www.egrud.com

MAIN: (651) 361-8241 FAX: (651) 361-8701

ADDRESS:

6776 Lake Drive NE, Suite 110 Lino Lakes, MN 55014



The electric data is transmitted for your convenience and is the sole property of E. G. Rud & Sons, Inc. By accepting, the recipient agrees to indemnify, hold harmless, and defend E. G. Rud & Sons, Inc., from and against any and all damages, liabilities, claims, losses and expenses (including attorney's fees) arising from the use of this data. This electronic data is subject to change and updates are the responsibility of the recipient. E. G. Rud & Sons, Inc., is not responsible for updating the data or for compatibility with recipient's hardware and / or software. Please check this file for virus contamination prior to use.

Item 6a(i-iii)

CITY OF NOWTHEN ANOKA COUNTY, MINNESOTA

CITY COUNCIL

FINDINGS & DECISION

PRELIMINARY PLAT – 3 lots and 1 outlot CONDITIONAL USE PERMIT – Deferral of Street Paving VARIANCES – Lot 3 lot width and driveway setback

APPLICANTS: Randy and Deb Dryden, 6660 and 6700 Viking Blvd.

(PID 27-33-25-12-0003, 27-33-25-12-0004 and 27-33-25-14-0003)

APPLICATION: Request for approval of a 4-lot Preliminary Plat, a CUP to allow deferral of street construction requirements, Variance from lot width requirements on Lot 3 and Variance for a zero lot line setback for an existing driveway on Lot 3.

CITY COUNCIL MEETING: October 12, 2021

FINDINGS: Based upon review of the application and evidence received, the City Council of the City of Nowthen now makes the following findings of fact:

1. The legal description of the property is: THE S1/2 OF NE1/4 OF SEC 27 TWP 33 RGE 25, EX N 120 FT OF W1/2 OF SW1/4 OF SD 1/4, SUBJ TO EASE OF REC

And

E1/2 OF E1/2 OF NW1/4 OF NE1/4 SEC 27-33-25; EX RD; SUBJ TO EASE OF REC And

W1/2 OF E1/2 OF NW1/4 OF NE1/4 SEC 27-33-25; EX RD; SUBJ TO EASE OF REC;

- 2. The subject site is zoned RRA, Rural Residential Agriculture;
- 3. The applicant owns three (3) parcels encompassing 96.07 acres and containing two existing homes;
- 4. The applicants wish to split off and sell the house on Parcel 1, create one new buildable lot for themselves (Parcel 2) and split off +/-10-acres shown as Parcel 3 to sell to their son.

 Outlot A (previously Parcel 4) will remain as agricultural land;
- 5. Right-of-way is being dedicated for CSAH 22 (75 feet to centerline) and for a future local street along the property's western border;
- 6. The new local street requires a CUP to allow deferral of street paving construction requirements and adherence with Section 10-3-3.C of the City Code is required.

Street surfacing requirements may be deferred for local streets through approval of a

Conditional Use Permit by the City Council, subject to the following:

- a. The property is residentially zoned.
- b. The division involves no more than three (3) buildable lots which front upon and gain direct driveway access to the right-of-way required in Section 10-3-3.C.4 below, excluding outlots that may be reserved for future development.
- c. Divisions containing an existing principal residential structure which relies upon direct lot frontage or driveway access to the right-of-way required in Section 10-3-3.C.4 below, to meet all applicable City, County or State regulations, shall be considered one (1) of the three (3) lots.
- d. Right-of-way is dedicated for public use in accordance with the width requirements contained in Section 10-3-2.
- e. The right-of-way shall be considered a shared driveway until such time as the City agrees by resolution to accept and maintain the dedicated right-of-way as a public street, provided:
 - i. <u>Construction Standards</u>. The shared driveway is constructed to meet street base and subbase requirements required by Section 10-3-3.B.
 - ii. <u>Emergency Access</u>. The driveway access requirements of Section 11-6-2.J are met and shown on approved plans.
 - iii. Maintenance of Shared Driveway. Until such time as the shared driveway is constructed to City road bituminous standards and accepted by the City as a public road, property owners shall agree on behalf of themselves, their successors and assigns, that maintenance of the shared driveway shall be the sole responsibility of property owners fronting on the dedicated right-of-way and/or gaining access from the shared driveway unless otherwise agreed to in writing by the City. A shared driveway maintenance agreement shall be required, is subject to review and approval of the City Attorney and shall be recorded against all impacted properties.
 - iv. <u>Deed Restriction Required</u>. Until such time as the shared driveway is constructed to City road bituminous standards and accepted by the City as a public road, property owners shall agree on behalf of themselves their successors and assigns, that no additional property subject to the shared driveway agreement shall be further subdivided or platted without the City's express written consent. Further, the property owners shall acknowledge on behalf of themselves, their successors and assigns, that the properties may be subject to a future assessment pursuant to Minnesota Statute Chapter 429 or other relevant statute for the future improvement of the shared driveway, as constructed to City bituminous road standards, once the right-of-way is accepted by the City. The deed restriction is subject to review and approval of

the City Attorney and shall be recorded against all properties impacted.

- 7. A private shared driveway will be allowed on an interim basis until such time as a public road is constructed and accepted by the City under Section 10-3-3.C of the City Code;
- 8. The applicant agrees that no future divisions will be permitted without the written approval of the Nowthen City Council until such time as a public street is constructed and accepted by the City;
- 9. The driveway standards of City Code Section 11-6-2.J.4 shall be required as outlined herein;
- 10. The Conditional Use Permit criteria from Section 11-10-3 of the Nowthen City Code have been considered and satisfactorily met;
 - a. Limiting the height, size, or location of buildings.

Comment: The location of a single-family home on Lot 2, Block 1 is reasonable based on the lot meeting size and buildability requirements. Detailed review of specific house elevation and placement will occur at the time of building permit review.

b. Controlling the location and number of vehicle access points.

Comment: Anoka County shall review and approve the shared driveway access onto Viking Blvd. and a shared driveway agreement will be required as outlined in subsequent sections of this report.

c. Providing for a sufficient number of off-street parking spaces.

Comment: Not applicable.

d. Limiting the number, size, location, or lighting of signs.

Comment: Not applicable, except that an address placard will be required where the driveway intersects with Viking Blvd. to indicate the house numbers of all parcels sharing the driveway.

e. Requiring diking, fencing, screening, landscaping, or other facilities to protect adjacent or nearby property.

Comment: A finding was made that this is not necessary.

- 11. The Variance criteria from Section 11-11 have been met:
 - a. "Practical difficulties" means that the property owner proposes to use the property in a reasonable manner not permitted by this Chapter and include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

Comment: The City Council must find that the proposed lot configuration represents a reasonable use of the property that will not have a negative influence upon the neighborhood in which it's located or cause hardship for future subdivisions.

- b. The application for Variance shall also demonstrate that the request satisfies the following criteria:
 - i. That the Variance is consistent with the Comprehensive Plan.

Comment: The low-density residential use of the property is consistent with the City's Comprehensive Land Use Plan and the proposed use is permitted under the terms of the City Code.

ii. That the Variance would be in harmony with the general purposes and intent of the City's Zoning Ordinance.

Comment: Other than the lot width for which the Variance is requested, Parcel 3 meets all lot size requirements and is a reasonably-shaped parcel which needs to incorporate the driveway and other existing elements.

iii. That the plight of the landowner is due to circumstances unique to the property not created by the landowner.

Comment: The request for a Variance is based upon preexisting conditions where the existing house location and irregular lot configuration may justify deviation from the strict application of Zoning Ordinance regulations and be a reasonable alternative to providing public road access farther into the property for a single lot.

iv. That the purpose of the Variance is not an exclusively economic consideration.

Comment: The applicant's request for a Variance is unrelated to economics.

v. That the granting of the Variance will not alter the essential character of the neighborhood in which the parcel of land is located.

Comment: Adjacent properties will not be negatively impacted by the deviation in lot width.

vi. That the requested Variance is the minimum action required to eliminate the practical difficulty.

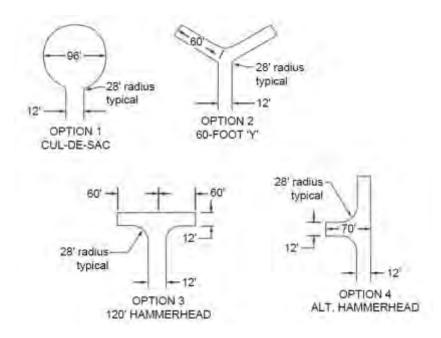
Comment: The City Council shall make a determination as to whether the request for a lot width Variance seems reasonable given the circumstances and physical configuration of the site.

- 12. The Planning Report dated September 20, 2021 prepared by the City Planner, The Planning Company LLC, is incorporated herein;
- 13. The Nowthen Planning and Zoning Commission held a public hearing at their regular meeting on September 28, 2021 preceded by a public notice and letters to affected property owners, to consider the Preliminary Plat, CUP for deferral of street paving and for the lot width Variance and recommended by a vote of 5-0 to approve the requests.
- 14. A public hearing was held at the October 12, 2021 City Council meeting to consider a second Variance on Lot 3 to allow the existing driveway with a zero (0) lot line setback.

DECISION: Based on the foregoing information and applicable ordinances, the City Council hereby approves the Preliminary Plat of Dryden Acres, a Variance for 139 foot lot width on Lot 3, Variance for zero lot line driveway setback on Lot 3, and CUP for deferral of street construction subject to the following conditions:

1. The subdivision and access to CSAH 22 shall require review and approval by Anoka County.

- 2. Doug and Norma Hough dedicate 33 feet to the City in the form of a Permanent Road, Utility and Drainage Easement, to be reviewed and approved by the City Engineer and recorded with Anoka County.
- 3. A Lot Split Agreement is drafted by the City Attorney, signed and recorded which prohibits any further subdivision of the lots contained in the Dryden Subdivision until such time as the public street is built to the full width of proposed parcels and accepted by the City. Applicants shall comply with the terms and conditions contained in the Lot Split Agreement, which shall be recorded against all properties within the plat.
- 4. Drainage/utility easements and buffers shall be shown around all wetlands as required under state law and wetland buffer signs shall be installed at locations shown on Exhibit _____. Wetland buffers as shown on the survey are established and maintained. No wetlands may be impacted during construction or grading activities. Buffers require that unmowed areas adjacent to wetlands are maintained with non-invasive vegetation for the purpose of filtering pollutants before they enter the wetland, reducing erosion, and minimizing human impacts.
 - a. A shared driveway maintenance agreement shall be required, is subject to review and approval of the City Attorney and shall be recorded against all impacted properties.
- 5. The driveway requirements of Section 11-6-2.J.4 are met:
 - a. The driveway shall be a minimum of twelve (12) feet in width for single dwellings, or two dwellings which share a driveway, and shall be designed to accommodate the maneuvering and turnaround of emergency vehicles and fire apparatus in accordance with Section 503 of the International Fire Code.
 - b. The driveway shall be a minimum of twenty (20) feet in width for three or more dwellings sharing a driveway access.
 - c. A driveway turnaround shall be required for all properties which do not meet the standards established in Section 4e of this subsection:



- d. Overhead clearance shall be no less than 13 feet, 6 inches for the passage of fire vehicles beneath trees, power lines, property entrances, and any other building overhangs, appurtenances, or site features between the public road and principal structure(s).
- e. The distance as measured from the driveway or public street to all sides of the principal structure(s) must be within 250 feet to allow fire hose access.
- 7. The existing driveway(s) on Lot 3 meet the turn-around requirements of Item 5c of this section. Site plans for construction of the home on Lot 2 shall include a means of turn-around for emergency vehicles as outlined herein.
- 8. Outlot A is exempt from park and trail dedication requirements; one park and trail dedication fee of \$2,500 PER LOT (for Lot 2) shall be paid prior to the City signing final documents, before recording.
- 9. No structures shall be permitted on Outlot A.
- 10. Screening is not necessary based on the separation of the two new lots from Viking Boulevard, distance from existing homes and limited impacts to adjacent properties.
- 11. Individual septic system design is required at the time of building permit application and may require fill to create the necessary separation.
- 12. Building permits shall be required for the new home(s) which requires submittal of a certificate of survey for individual lots, lowest floor elevations noted and custom grading/erosion control plans which are subject to review and approval of the City Engineer, Building Official and City Planner.
- 13. Prior to issuance of the certificate of occupancy for structures within the subdivision, a permanent address placard must be placed at the driveway entrance so that it's visible from the public road.
- 14. The applicant must have deeds drafted, for review by the City Engineer, that reflect the new legal descriptions and easement designations for road ROW which shall be submitted to the City of Nowthen for approval prior to recording at Anoka County.
- 15. Any change involving structural alterations, enlargement, intensification of use, or similar change not specifically permitted by the conditional use permit issued shall require an amended conditional use permit. Said permit will be processed in the same manner as a new application.
- 16. The City Council may hold a public hearing to revoke a conditional use upon the happening of any of the following events, whichever occurs first:
 - 1. Upon violation of conditions under which the permit was issued;
 - 2. The use or operation is discontinued for a period of one (1) year;

17.	If no other time is specified in the Conditional Use Permit, a conditional use approved by the
	City Council must be exercised or put into effect within one (1) year of the date of approval,
	by fulfilling each and every condition attached thereto, or the City Council may hold a public
	hearing to revoke the conditional use unless a request is submitted to the City in writing no
	less than thirty (30) days prior to the deadline. The City Zoning Administration may approve
	an extension which shall not exceed ninety (90) days whereafter consideration by the City
	Council may require reapplication and subsequent approval of a conditional use.

18. All costs associated with the review of the submitted surveys, plats, conditional use permits, variances and any other costs generated by the City or its representatives are the responsibility of the applicants.

MOTION BY:	
SECOND BY:	
ALL IN FAVOR:	
THOSE OPPOSED:	
ADOPTED by the City Council of the C	City of Nowthen this 12th day of October 2021.
	CITY OF NOWTHEN
E	Ву:
	Mayor Jeff Pilon
Attest:	
Lori Streich, City Clerk	

CITY OF NOWTHEN ANOKA COUNTY, MINNESOTA

PLANNING & ZONING COMMISSION

FINDINGS & RECOMMENDATION

PRELIMINARY PLAT

CONDITIONAL USE PERMIT

VARIANCE

APPLICANTS: Randy and Deb Dryden, 6660 and 6700 Viking Blvd.

(PID 27-33-25-12-0003, 27-33-25-12-0004 and 27-33-25-14-0003)

APPLICATION: Request for approval of a 4-lot Preliminary Plat, a CUP to allow deferral of street construction requirements and Variance from lot width requirements.

PLANNING & ZONING COMMISSION MEETING: September 28, 2021

FINDINGS: Based upon review of the application and evidence received, the Planning and Zoning Commission of the City of Nowthen now makes the following findings of fact:

1. The legal description of the property is: THE S1/2 OF NE1/4 OF SEC 27 TWP 33 RGE 25, EX N 120 FT OF W1/2 OF SW1/4 OF SD 1/4, SUBJ TO EASE OF REC

And

E1/2 OF E1/2 OF NW1/4 OF NE1/4 SEC 27-33-25; EX RD; SUBJ TO EASE OF REC And

W1/2 OF E1/2 OF NW1/4 OF NE1/4 SEC 27-33-25; EX RD; SUBJ TO EASE OF REC;

- 2. The subject site is zoned RRA, Rural Residential Agriculture;
- 3. The applicant owns three (3) parcels encompassing 96.07 acres and containing two existing homes;
- 4. The applicants wish to split off and sell the house on Parcel 1, create one new buildable lot for themselves (Parcel 2) and split off +/-10-acres shown as Parcel 3 to sell to their son. Parcel 4 will remain as agricultural land;
- 5. Right-of-way is being dedicated for CSAH 22 (75 feet to centerline) and for a future local street along the property's western border;
- 6. The new local street requires a CUP to allow deferral of street paving construction requirements and adherence with Section 10-3-3.C of the City Code is required.

Street surfacing requirements may be deferred for local streets through approval of a Conditional Use Permit by the City Council, subject to the following:

- a. The property is residentially zoned.
- b. The division involves no more than three (3) buildable lots which front upon and gain direct driveway access to the right-of-way required in Section 10-3-3.C.4 below, excluding outlots that may be reserved for future development.
- c. Divisions containing an existing principal residential structure which relies upon direct lot frontage or driveway access to the right-of-way required in Section 10-3-3.C.4 below, to meet all applicable City, County or State regulations, shall be considered one (1) of the three (3) lots.
- d. Right-of-way is dedicated for public use in accordance with the width requirements contained in Section 10-3-2.
- e. The right-of-way shall be considered a shared driveway until such time as the City agrees by resolution to accept and maintain the dedicated right-of-way as a public street, provided:
 - i. <u>Construction Standards</u>. The shared driveway is constructed to meet street base and subbase requirements required by Section 10-3-3.B.
 - ii. <u>Emergency Access</u>. The driveway access requirements of Section 11-6-2.J are met and shown on approved plans.
 - iii. Maintenance of Shared Driveway. Until such time as the shared driveway is constructed to City road bituminous standards and accepted by the City as a public road, property owners shall agree on behalf of themselves, their successors and assigns, that maintenance of the shared driveway shall be the sole responsibility of property owners fronting on the dedicated right-of-way and/or gaining access from the shared driveway unless otherwise agreed to in writing by the City. A shared driveway maintenance agreement shall be required, is subject to review and approval of the City Attorney and shall be recorded against all impacted properties.
 - iv. <u>Deed Restriction Required</u>. Until such time as the shared driveway is constructed to City road bituminous standards and accepted by the City as a public road, property owners shall agree on behalf of themselves their successors and assigns, that no additional property subject to the shared driveway agreement shall be further subdivided or platted without the City's express written consent. Further, the property owners shall acknowledge on behalf of themselves, their successors and assigns, that the properties may be subject to a future assessment pursuant to Minnesota Statute Chapter 429 or other relevant statute for the future improvement of the shared driveway, as constructed to City bituminous road standards, once the right-of-way is accepted by the City. The deed restriction is subject to review and approval of the City Attorney and shall be recorded against all properties impacted.

- 7. A private shared driveway will be allowed on an interim basis until such time as a public road is constructed and accepted by the City under Section 10-3-3.C of the City Code;
- 8. The applicant agrees that no future divisions will be permitted without the written approval of the Nowthen City Council until such time as a public street is constructed and accepted by the City;
- 9. The driveway standards of City Code Section 11-6-2.J.4 shall be required as outlined herein;
- 10. The Conditional Use Permit criteria from Section 11-10-3 of the Nowthen City Code have been considered and satisfactorily met;
 - 1. Limiting the height, size, or location of buildings.

Comment: The location of a single-family home on Lot 2, Block 1 is reasonable based on the lot meeting size and buildability requirements. Detailed review of specific house elevation and placement will occur at the time of building permit review.

2. Controlling the location and number of vehicle access points.

Comment: Anoka County shall review and approve the shared driveway access onto Viking Blvd. and a shared driveway agreement will be required as outlined in subsequent sections of this report.

3. Providing for a sufficient number of off-street parking spaces.

Comment: Not applicable.

4. Limiting the number, size, location, or lighting of signs.

Comment: Not applicable, except that an address placard will be required where the driveway intersects with Viking Blvd. to indicate the house numbers of all parcels sharing the driveway.

5. Requiring diking, fencing, screening, landscaping, or other facilities to protect adjacent or nearby property.

Comment: A finding was made that this is not necessary.

11. The Variance criteria from Section 11-11 have been met:

a. "Practical difficulties" means that the property owner proposes to use the property in a reasonable manner not permitted by this Chapter and include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

Comment: The City Council must find that the proposed lot configuration represents a reasonable use of the property that will not have a negative influence upon the neighborhood in which it's located or cause hardship for future subdivisions.

- b. The application for Variance shall also demonstrate that the request satisfies the following criteria:
 - i. That the Variance is consistent with the Comprehensive Plan.

Comment: The low-density residential use of the property is consistent with the City's

Comprehensive Land Use Plan and the proposed use is permitted under the terms of the City Code.

ii. That the Variance would be in harmony with the general purposes and intent of the City's Zoning Ordinance.

Comment: Other than the lot width for which the Variance is requested, Parcel 3 meets all lot size requirements and is a reasonably-shaped parcel which needs to incorporate the driveway and other existing elements.

iii. That the plight of the landowner is due to circumstances unique to the property not created by the landowner.

Comment: The request for a Variance is based upon preexisting conditions where the existing house location and irregular lot configuration may justify deviation from the strict application of Zoning Ordinance regulations and be a reasonable alternative to providing public road access farther into the property for a single lot.

iv. That the purpose of the Variance is not an exclusively economic consideration.

Comment: The applicant's request for a Variance is unrelated to economics.

v. That the granting of the Variance will not alter the essential character of the neighborhood in which the parcel of land is located.

Comment: Adjacent properties will not be negatively impacted by the deviation in lot width.

vi. That the requested Variance is the minimum action required to eliminate the practical difficulty.

Comment: The City Council shall make a determination as to whether the request for a lot width Variance seems reasonable given the circumstances and physical configuration of the site.

- 12. The Planning Report dated September 20, 2021 prepared by the City Planner, The Planning Company LLC, is incorporated herein;
- 13. The Nowthen Planning and Zoning Commission held a public hearing at their regular meeting on September 28, 2021 preceded by a public notice and letters to affected property owners.

RECOMMENDATION: Based on the foregoing information and applicable ordinances, the Planning and Zoning Commission <u>recommends approves approval of the Preliminary Plat of Dryden Acres, a Variance for lot width <u>on Lot 3, Variance for driveway setback on Lot 3, and CUP for deferral of street construction subject to the following conditions:</u></u>

- 1. The subdivision and access to CSAH 22 shall require review and approval by Anoka County.
- Doug and Norma Hough dedicate 33 feet to the City in the form of a Permanent Road, Utility and Drainage Easement, to be reviewed and approved by the City Engineer and recorded with Anoka County.

- 3. A Lot Split Agreement is drafted by the City Attorney, signed and recorded which prohibits any further subdivision of the lots contained in the Dryden Subdivision until such time as the public street is built to the full width of proposed parcels and accepted by the City. Applicants shall comply with the terms and conditions contained in the Lot Split Agreement, which shall be recorded against all properties within the plat.
- 4. The wetland boundaries are amended to include the two changes shown in Exhibit H. Drainage/utility easements and buffers shall be shown around all wetlands as required under state law and wetland buffer signs shall be installed at intervals shown on the Preliminary Plat. Wetland buffers as shown on the survey are established and maintained. No wetlands may be impacted during construction or grading activities. Buffers require that unmowed areas adjacent to wetlands are maintained with non-invasive vegetation for the purpose of filtering pollutants before they enter the wetland, reducing erosion, and minimizing human impacts.

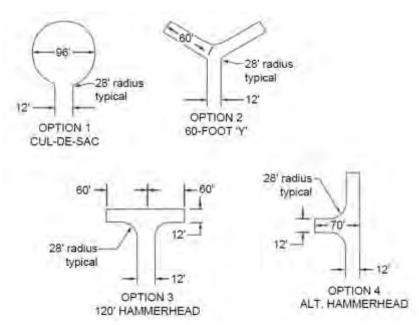
5. The requirements of Section 10-3-3.C are met:

- a. <u>Construction Standards</u>. The shared driveway is constructed to meet street base and subbase requirements required by Section 10-3-3.B.
- b. <u>Emergency Access</u>. The driveway access requirements of Section 11-6-2.J are met and shown on approved plans.
- c.a. Maintenance of Shared Driveway. Until such time as the shared driveway is constructed to City road bituminous standards and accepted by the City as a public road, property owners shall agree on behalf of themselves, their successors and assigns, that maintenance of the shared driveway shall be the sole responsibility of property owners fronting on the dedicated right of way and/or gaining access from the shared driveway unless otherwise agreed to in writing by the City. A shared driveway maintenance agreement shall be required, is subject to review and approval of the City Attorney and shall be recorded against all impacted properties.
- d. <u>Deed Restriction Required</u>. Until such time as the shared driveway is constructed to City road bituminous standards and accepted by the City as a public road, property owners shall agree on behalf of themselves their successors and assigns, that no additional property subject to the shared driveway agreement shall be further subdivided or platted without the City's express written consent. Further, the property owners shall acknowledge on behalf of themselves, their successors and assigns, that the properties may be subject to a future assessment pursuant to Minnesota Statute Chapter 429 or other relevant statute for the future improvement of the shared driveway, as constructed to City bituminous road standards, once the right ofway is accepted by the City. The deed restriction is subject to review and approval of the City Attorney and shall be recorded against all properties impacted.

6.5. The driveway requirements of Section 11-6-2.J.4 are met:

- a. The driveway shall be a minimum of twelve (12) feet in width for single dwellings, or two dwellings which share a driveway, and shall be designed to accommodate the maneuvering and turnaround of emergency vehicles and fire apparatus in accordance with Section 503 of the International Fire Code.
- b. The driveway shall be a minimum of twenty (20) feet in width for three or more dwellings sharing a driveway access.

c. A driveway turnaround shall be required for all properties which do not meet the standards established in Section 4e of this subsection:



- d. Overhead clearance shall be no less than 13 feet, 6 inches for the passage of fire vehicles beneath trees, power lines, property entrances, and any other building overhangs, appurtenances, or site features between the public road and principal structure(s).
- e. The distance as measured from the driveway or public street to all sides of the principal structure(s) must be within 250 feet to allow fire hose access.
- 7. The cul-de-sac on the south end of the ROW and the turn-around 'bulb' must be constructed to City standards to allow for emergency access. existing driveway(s) on Lot 3 meet the turn-around requirements of Item 5c of this section. Site plans for construction of the home on Lot 2 shall include a means of turn-around for emergency vehicles as outlined herein.
- 8. The landlocked parcel behind Lot 3 is eliminated or Lot 4 is designated as an Ooutlot A which is exempt from park and trail dedication requirements. No structures shall be permitted on Outlot A.
- 9. The south line of Lot 3 is amended to meet the required 15 foot setback from driveways or a VA public hearing notice is posted for a second Variance is approved allowing the driveway as shown or at a lesser setback. to consider allowance of the existing driveway on Lot 3 with a zero (0) lot line setback. The public hearing shall be held at the October 12, 2021 City Council meeting.
- 10. The City Council shall comment on the need for screening or may waive this requirement Screening is not necessary based on the separation of the two new lots from Viking Boulevard, distance from existing homes and limited impacts on to adjacent properties.
- 11. Individual septic system design is required at the time of building permit application and may require fill to create the necessary separation.

- 12. Building permits shall be required for the new home(s) which requires submittal of a certificate of survey for individual lots, lowest floor elevations noted and custom grading/erosion control plans which are subject to review and approval of the City Engineer and City Planner.
- 13. Prior to issuance of the certificate of occupancy for structures within the subdivision, a permanent address placard must be placed at the driveway entrance so that it's visible from the public road.
- 14. The applicant must have deeds drafted, for review by the City Engineer, that reflect the new legal descriptions and easement designations for road ROW which shall be submitted to the City of Nowthen for approval prior to recording at Anoka County.
- 15. The park and trail dedication fee of \$2,500 PER LOT (for Lot 2 the two new lots) shall be paid prior to the City signing final documents, before recording. Credit for one lot shall be given in future years when the Lot 4 is further divided. As an alternative, Lot 4 can be designated as an outlot, not subject to park/trail dedication or lot buildability.
- 17. Any change involving structural alterations, enlargement, intensification of use, or similar change not specifically permitted by the conditional use permit issued shall require an amended conditional use permit. Said permit will be processed in the same manner as a new application.
- 18. The City Council may hold a public hearing to revoke a conditional use upon the happening of any of the following events, whichever occurs first:
 - 1. Upon violation of conditions under which the permit was issued;
 - 2. The use or operation is discontinued for a period of one (1) year;
- 19. If no other time is specified in the Conditional Use Permit, a conditional use approved by the City Council must be exercised or put into effect within one (1) year of the date of approval, by fulfilling each and every condition attached thereto, or the City Council may hold a public hearing to revoke the conditional use unless a request is submitted to the City in writing no less than thirty (30) days prior to the deadline. The City Zoning Administration may approve an extension which shall not exceed ninety (90) days whereafter consideration by the City Council may require reapplication and subsequent approval of a conditional use.
- 20. All costs associated with the review of the submitted surveys, plats, Lot Split Agreement and any other costs generated by the City or its representatives are the responsibility of the applicants.

MOTION BY: Rob Schiller			
SECOND BY: Lars Carlson			
ALL IN FAVOR: 5 (Pearo and Bies absent)			
THOSE OPPOSED: 0			
ADOPTED by the Planning and Zonir September 2021.	ng Com	mission of the City of Nowthen this 28	th day of
	Ву:	Chair Dale Ames	
Attest:			
Lori Streich, City Clerk			

Any other conditions stipulated by the City Council.

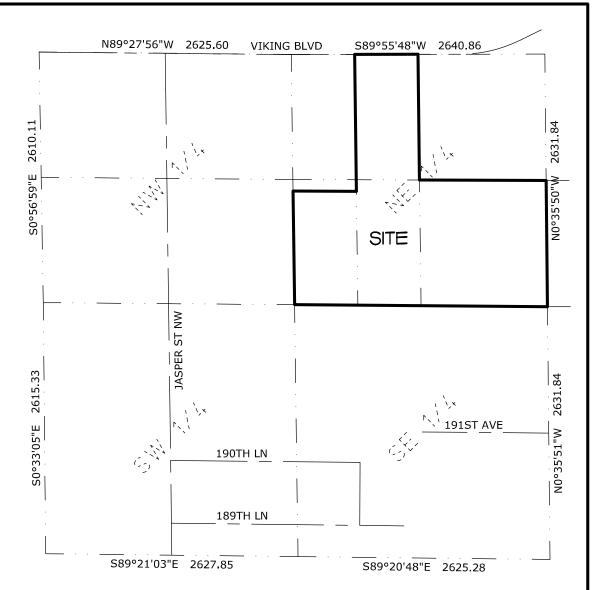
21.

PRELIMINARY PLAT

~for~ DEB & RANDY DRYDEN ~of~ DRYDEN ACRES

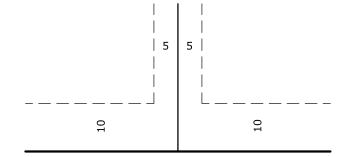
VICINITY MAP

SEC. 27, TWP. 33, RNG. 25



ANOKA COUNTY, MINNESOTA (NO SCALE)

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



BEING 10 FEET IN WIDTH TO RIGHT OF WAY LINES, AND 5 FEET IN WIDTH TO ADJOINING LOT LINES UNLESS OTHERWISE SHOWN ON THIS PLAT.

EXISTING LEGAL DESCRIPTION

The East Half of the Northwest Quarter of the Northeast Quarter, all in Section 27, Township 33, Range 25, Anoka County, Minnesota.

Abstract

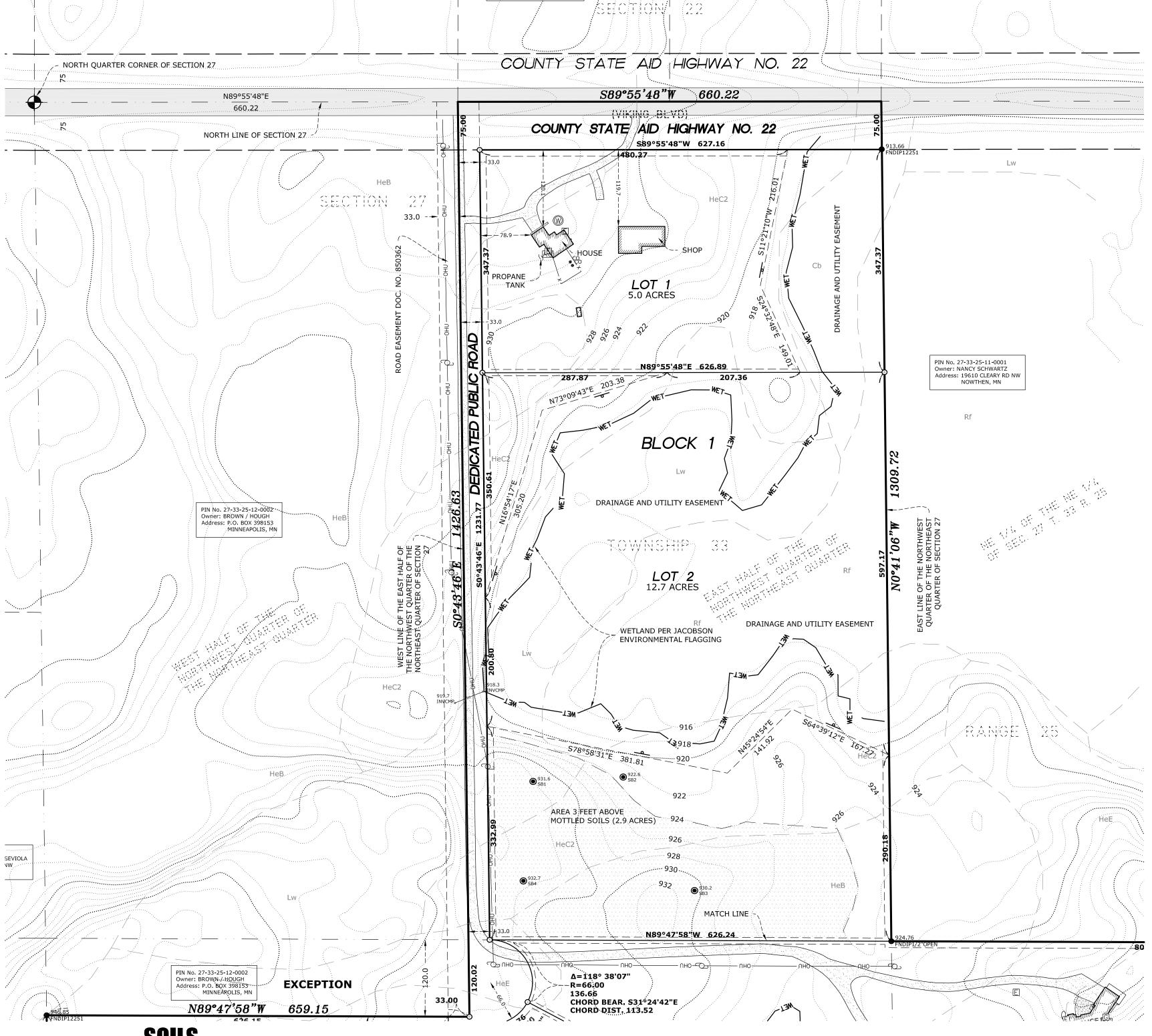
The Southeast Quarter of the Northeast Quarter of Section 27, Township 33, Range 25; and the East **One-Half of the Southwest Quarter of the Northeast** Quarter of Section 27, Township 33, Range 25, Anoka County, Minnesota.

Torrens

The West One-Half of the Southwest One-Quarter of the Northeast Quarter of Section 27, Township 33, Range 25, Anoka County, Minnesota, EXCEPT the North 120 feet of the West Half of the Southwest Quarter of the Northeast Quarter of Section 27, Township 33, Range 25.

Torrens





PIN No. 22-33-25-43-0005

NOWTHEN; MN

Address: 6633 VIKING BLVD NW NOWTHEN, MN

SOILS

Cathro muck Heyder fine sandy loam, 2 to 6 percent slopes, eroded Heyder fine sandy loam, 6 to 12 percent slopes, eroded Heyder fine sandy loam, 12 to 18 percent slopes

Heyder fine sandy loam, 12 to 18 percent slopes

PIN No. 22-33-25-43-0007

Owner: BROWN / HOUGH Address: P.O. BOX 398153

Lake Beaches Loamy wet land

Rifle mucky peat

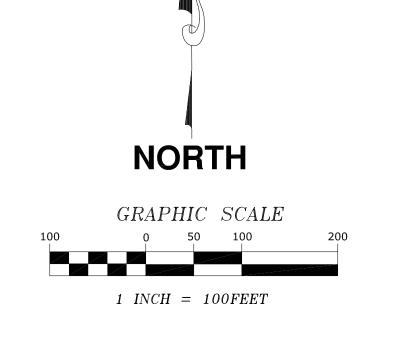
PROPOSED OUTLOT:1

DEVELOPMENT DATA

TOTAL BOUNDARY AREA (3 PARCELS) = 4,234,522 S.F. (97.21 ACRES) = 1,230,568 S.F. (28.25 ACRES) = 2,902,200 S.F. (66.63 ACRES PROPOSED ROAD RIGHT OF WAY = 101,754 S.F. (2.34 ACRES) SMALLEST PROPOSED LOT = 5 ACRES

ZONING INFORMATION

EXISTING ZONING: Rural Residential Agriculture (RRA) PROPOSED ZONING: Rural Residential Agriculture (RRA)



LEGEND

DENOTES IRON MONUMENT FOUND AS LABELED DENOTES IRON MONUMENT SET, MARKED RLS# 52140 DENOTES ANOKA COUNTY CAST IRON MONUMENT DENOTES AIR CONDITIONING UNIT

DENOTES ELECTRICAL BOX **DENOTES GAS METER DENOTES POWER POLE**

> DENOTES WETLAND BUFFER SIGN DENOTES TEST PIT BY TRADEWELL SOIL TESTING

DENOTES LIDAR CONTOURS DENOTES FENCE DENOTES RETAINING WALL DENOTES OVERHEAD UTILITY

DENOTES BITUMINOUS SURFACE DENOTES CONCRETE SURFACE DENOTES GRAVEL SURFACE

DENOTES ADJACENT PARCEL OWNER INFORMATION (PER ANOKA COUNTY TAX INFORMATION)

NOTES

- 1. Field survey was completed by E.G. Rud and Sons, Inc. on 07/16/21 & 09/02/21.
- 2. Fee ownership is vested in Deb & Randy Dryden Parcel ID Number: 27-33-25-12-0003. Parcel ID Number: 27-33-25-12-0004.

PIN No. 17-119-22-14-0008

Owner: City of X

PIN No. 22-33-25-44-0001 Owner: CHRIS & LYDIA SCHEIBER

Address: 6433 VIKING BLVD NW NOWTHEN, MN

Fee ownership is vested in Cole Dryden Parcel ID Number: 27-33-25-14-0003.

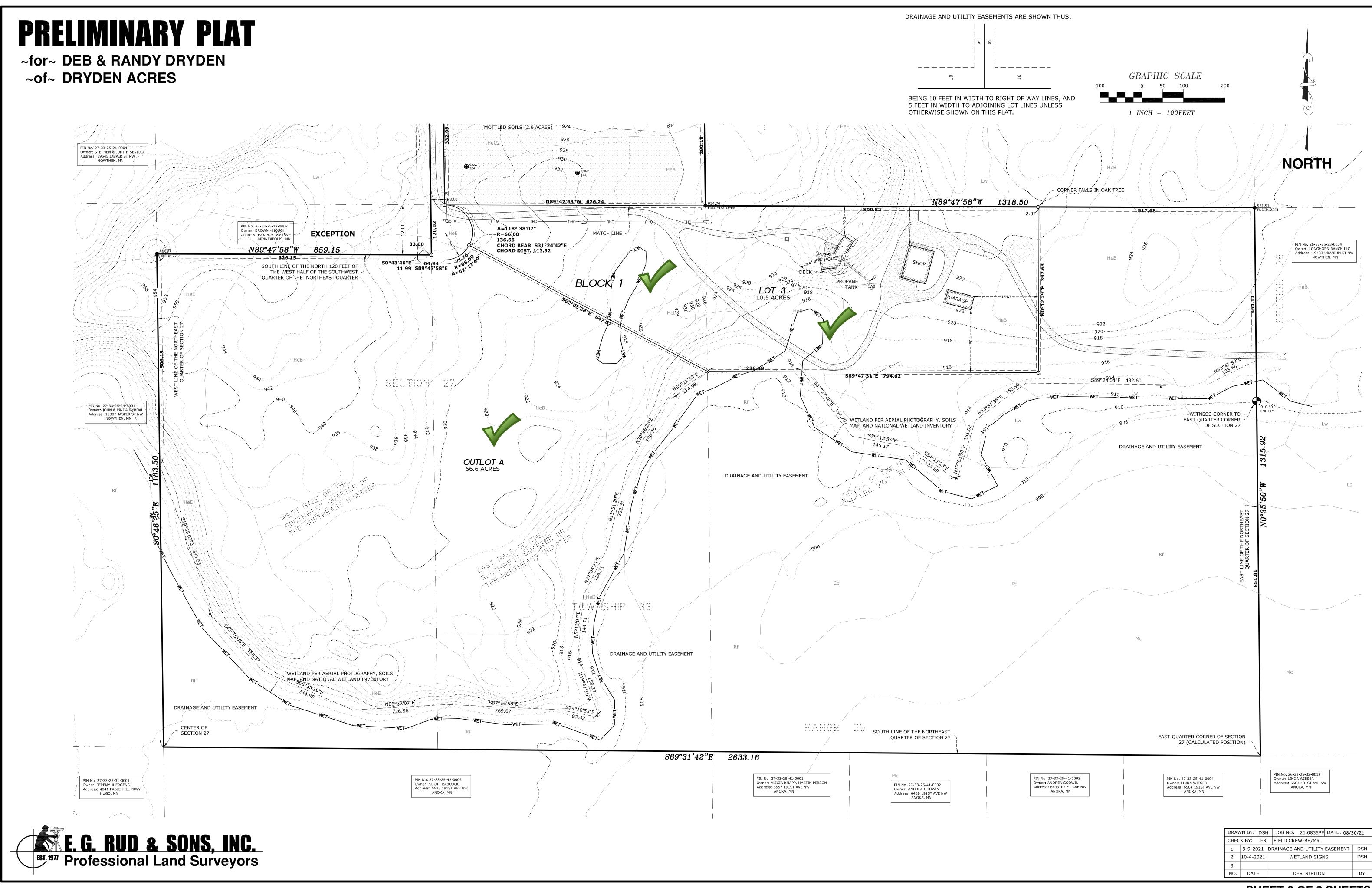
- 3. Address of the surveyed premises: 6660 & 6700 Viking Blvd NW, Nowthen, MN 55303
- Bearings shown hereon are based on the Anoka County Coordinate System.
- Surveyed premises shown on this survey map is in Flood Zone X (Areas determined to be outside the 0.2% annual chance floodplain.), according to Flood Insurance Rate Map Community No. 270908 Panel No. 0155 Suffix E by the Federal Emergency Management Agency, effective date December 16, 2015 and according to Flood Insurance Rate Map Community No. 270908 Panel No. 0158 Suffix E by the Federal Emergency Management Agency, effective date December 16, 2015
- 6. All 4 lots contain at least 1.5 acres of contiguous land, as part of the lot, at the proposed building site, that meets standards as specified by the City as a residential building site.
- 7. Contours information is LIDAR from MnTOPO
- 8. Wetland information from sources specified on the drawing.
- 9. A wetland buffer of at least 30 feet is encompassed within the proposed drainage and utility easements.
- 10. The intent of this plat is to reconfigure the two parcels adjacent to Viking BLVD from a North-South Split to a an East-West split and to encompass the currently improved area of the South Half of the Northeast Quarter. Engineering plans are not part of this submittal as at this time no new construction of roads or buildings are planned on site.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.



Date: 10-04-2021 License No. 52140

I	DRAWN BY: DSH JOB NO: 21.0835PP DATE: 08/30/21				
I	CHECK BY: JER FIELD CREW:BH/MR				
I	1	9-9-2021 DRAINAGE AND UTILITY EASEMENT DSH			
I	2	10-4-2021	021 WETLAND SIGNS		
3					
I	NO.	DATE	DESCRIPTION	BY	

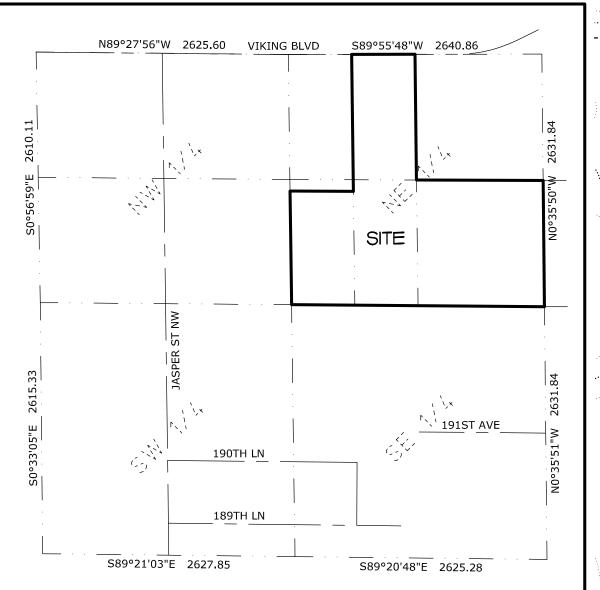


PRELIMINARY PLAT

~for~ DEB & RANDY DRYDEN ~of~ DRYDEN ACRES

VICINITY MAP

SEC. 27, TWP. 33, RNG. 25



ANOKA COUNTY, MINNESOTA (NO SCALE)

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:

BEING 10 FEET IN WIDTH TO RIGHT OF WAY LINES, AND 5 FEET IN WIDTH TO ADJOINING LOT LINES UNLESS OTHERWISE SHOWN ON THIS PLAT.

EXISTING LEGAL DESCRIPTION

The East Half of the Northwest Quarter of the Northeast Quarter, all in Section 27, Township 33, Range 25, Anoka County, Minnesota.

Abstract

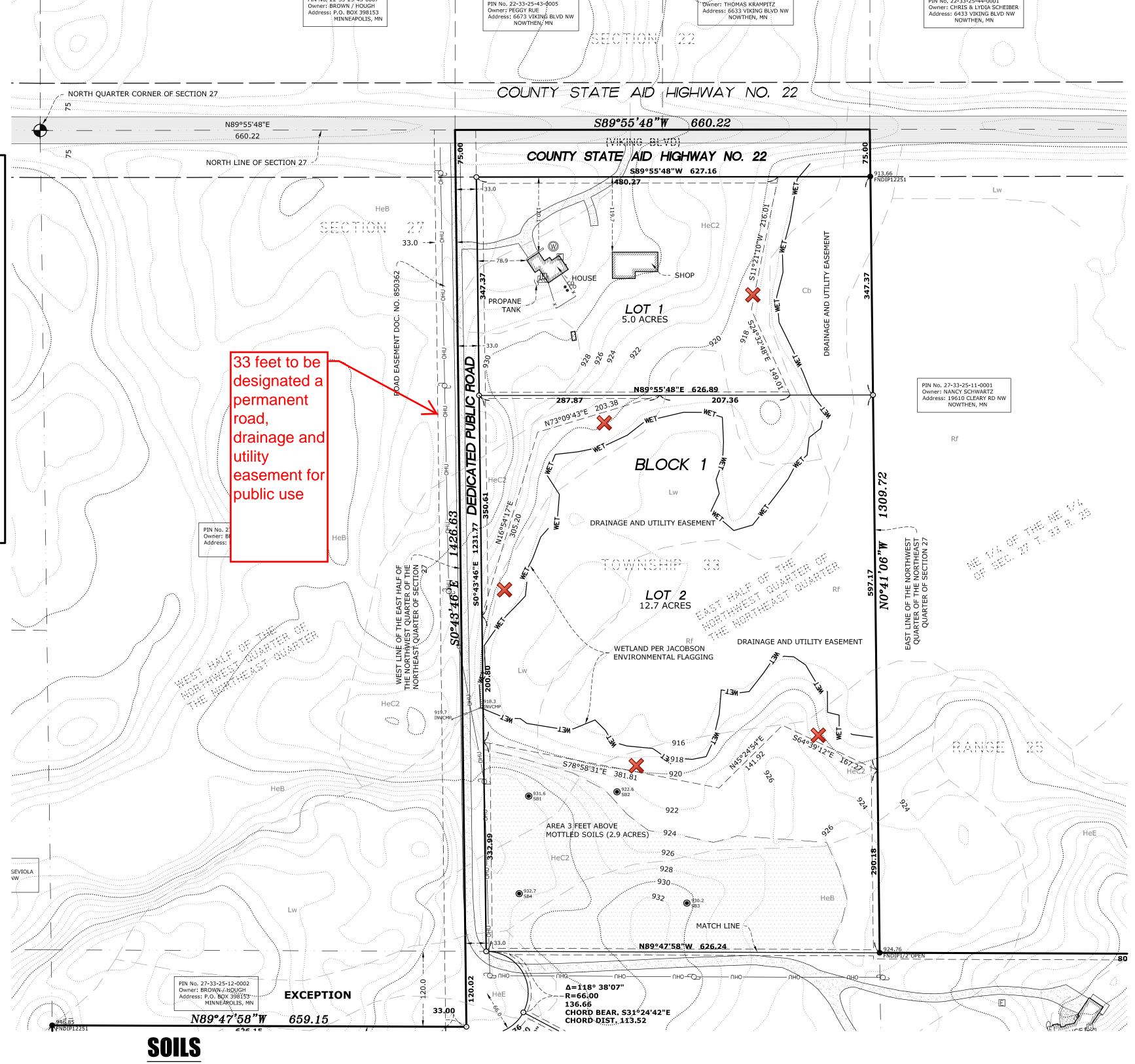
The Southeast Quarter of the Northeast Quarter of Section 27, Township 33, Range 25; and the East **One-Half of the Southwest Quarter of the Northeast** Quarter of Section 27, Township 33, Range 25, Anoka County, Minnesota.

Torrens

The West One-Half of the Southwest One-Quarter of the Northeast Quarter of Section 27, Township 33, Range 25, Anoka County, Minnesota, EXCEPT the North 120 feet of the West Half of the Southwest Quarter of the Northeast Quarter of Section 27, Township 33, Range 25.

Torrens





PIN No. 22-33-25-43-0005

Cathro muck Heyder fine sandy loam, 2 to 6 percent slopes, eroded Heyder fine sandy loam, 6 to 12 percent slopes, eroded Heyder fine sandy loam, 12 to 18 percent slopes

Heyder fine sandy loam, 12 to 18 percent slopes

PIN No. 22-33-25-43-0007

Lake Beaches Loamy wet land

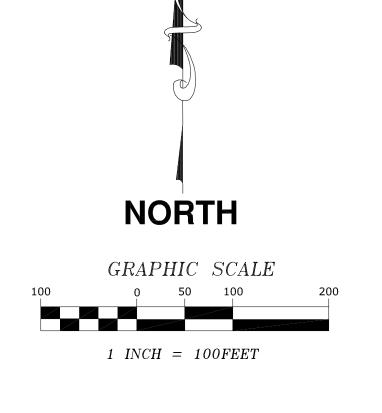
Rifle mucky peat

DEVELOPMENT DATA

TOTAL BOUNDARY AREA (3 PARCELS) = 4,234,522 S.F. (97.21 ACRES) = 4,132,768 S.F. (94.87 ACRES) PROPOSED ROAD RIGHT OF WAY = 101,754 S.F. (2.34 ACRES) SMALLEST PROPOSED LOT = 5 ACRES

ZONING INFORMATION

EXISTING ZONING: Rural Residential Agriculture (RRA) PROPOSED ZONING: Rural Residential Agriculture (RRA)



LEGEND

DENOTES IRON MONUMENT FOUND AS LABELED DENOTES IRON MONUMENT SET, MARKED RLS# 52140 DENOTES ANOKA COUNTY CAST IRON MONUMENT

DENOTES AIR CONDITIONING UNIT DENOTES ELECTRICAL BOX **DENOTES GAS METER** DENOTES POWER POLE

DENOTES WELL DENOTES TEST PIT BY TRADEWELL SOIL TESTING **DENOTES LIDAR CONTOURS**

DENOTES FENCE DENOTES RETAINING WALL DENOTES OVERHEAD UTILITY DENOTES BITUMINOUS SURFACE DENOTES CONCRETE SURFACE

DENOTES GRAVEL SURFACE

DENOTES ADJACENT PARCEL OWNER INFORMATION (PER ANOKA COUNTY TAX INFORMATION)

NOTES

- 1. Field survey was completed by E.G. Rud and Sons, Inc. on 07/16/21 & 09/02/21.
- 2. Fee ownership is vested in Deb & Randy Dryden Parcel ID Number: 27-33-25-12-0003. Parcel ID Number: 27-33-25-12-0004.

PIN No. 17-119-22-14-0008

Owner: City of X

PIN No. 22-33-25-44-0001 Owner: CHRIS & LYDIA SCHEIBER

Fee ownership is vested in Cole Dryden Parcel ID Number: 27-33-25-14-0003.

- 3. Address of the surveyed premises: 6660 & 6700 Viking Blvd NW, Nowthen, MN 55303
- Bearings shown hereon are based on the Anoka County Coordinate System.
- Surveyed premises shown on this survey map is in Flood Zone X (Areas determined to be outside the 0.2% annual chance floodplain.), according to Flood Insurance Rate Map Community No. 270908 Panel No. 0155 Suffix E by the Federal Emergency Management Agency, effective date December 16, 2015 and according to Flood Insurance Rate Map Community No. 270908 Panel No. 0158 Suffix E by the Federal Emergency Management Agency, effective date December 16, 2015
- 6. All 4 lots contain at least 1.5 acres of contiguous land, as part of the lot, at the proposed building site, that meets standards as specified by the City as a residential building site.
- 7. Contours information is LIDAR from MnTOPO
- 8. Wetland information from sources specified on the drawing.
- 9. A wetland buffer of at least 30 feet is encompassed within the proposed drainage and utility easements.
- 10. The intent of this plat is to reconfigure the two parcels adjacent to Viking BLVD from a North-South Split to a an East-West split and to encompass the currently improved area of the South Half of the Northeast Quarter. Engineering plans are not part of this submittal as at this time no new construction of roads or buildings are planned on site.

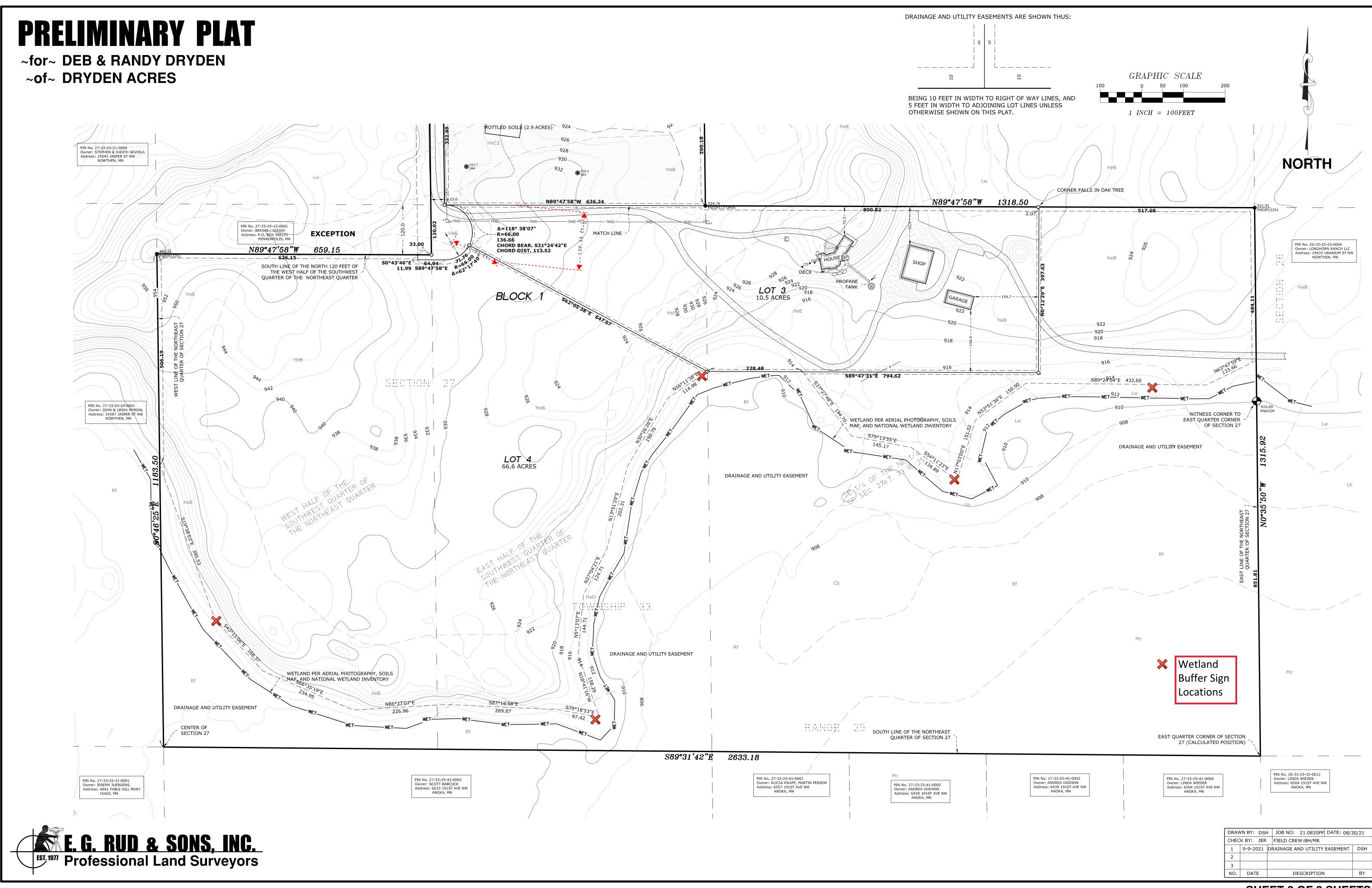


I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

DANIEL S. HANSON

Date: <u>9-9-2021</u> License No. 52140

DRAWN BY: DSH JOB NO: 21.0835PP				DATE: 08/3	30/21	
CHEC	CHECK BY: JER FIELD CREW:BH/MR					
1	9-9-2021 DRAINAGE AND UTILITY EASEMENT DSH					
2						
3						Н
NO.	DATE		DI	SCRIPTION		BY



3601 Thurston Avenue Anoka, MN 55303 763.231.5840 TPC@PlanningCo.com

MEMORANDUM

TO: Nowthen Mayor and City Council

FROM: Elizabeth Stockman

DATE: October 5, 2021

RE: Nowthen – Randy, Deb and Jason Dryden - Interim Use Permit Home Business

6700 Viking Blvd. (PID# 27-33-25-14-0003)

FILE NO: 122.02 – 21.26

Background

Randy and Deb Dryden have lived at 6700 Viking Boulevard for many years and have been operating Dryden Excavating from an 80-acre parcel. They've recently pursued subdivision of their land to create another buildable lot for themselves and to create a 10-acre parcel to sell to their son Jason, who will continue operation of the excavating business. It was noted as part of the plat review that the outdoor storage for the business does not comply with the conditions of approval of the 2001 Conditional Use Permit which was approved on February 14, 2001.

Application was made for an Amended CUP for which a public hearing will be held at the October 12, 2021 City Council meeting. A Conditional or Interim Use Permit is required to allow a Home Extended Business in the RRA, Rural Residential Agriculture District. The property is guided Permanent Rural Residential by the City's 2040 Land Use Plan.

Recommendation to Table Decision on the Requested Amended CUP

As of today (Tuesday, October 5th, 2021) Jason Dryden was not aware of the Amended CUP having been requested. The application does not contain his signature as the land owner and staff needs additional time to set up a meeting to discuss/define the parameters of the current business operation. In addition, the final plat cannot be submitted until a new document is received from the Hough's for the 33-foot easement, so Final Plat of Dryden Acres approval will occur on or after the November City Council meeting. For these reasons, it is recommended that decision on the Dryden Amended CUP is tabled until the November 9th City Council meeting, or sent to Planning and Zoning Commission in October for a recommendation. The City will need additional information to be able to define conditions on the Amended CUP which address the specifics of

Item 6a(iv)

the existing operation, ie: number of trucks, number of trailers, defined area for outdoor storage, site plan, etc.

2001 Conditional Use Permit

A 2001 Conditional Use Permit was approved by the Burns Town Board on February 14, 2001 to allow operation of an excavating business, with the following conditions:

- 1. Hours to be 6:30 am to 8:00 pm seven days a week;
- 2. Three full-time employees, two part-time that pickup trucks/equipment;
- 3. No customers, clients or business-related visitors in a typical week;
- 4. Two UPS or truck deliveries per week;
- 5. Outside storage only in the winter and then parked behind the barn;
- 6. Any other business conducted on this property, other than what is stated at this time, requires the re-opening of the Conditional Use Permit;
- 7. A Conditional Use Permit may be revoked if there is a showing of non-compliance of conditions, after notice and hearing.

C: Lori Streich, City Clerk
Ellen Lendt, Deputy Clerk
Lisa Lorensen, Admin. Asst.
Randy and Deb Dryden, Owner



October 5, 2021

Randy and Deb Dryden 6660 Viking Blvd. Nowthen, MN 55303

Jason Dryden 6700 Viking Blvd. Nowthen, MN 55303

RE: Nowthen – Dryden Amended CUP

TPC FILE: 122.02 – 21.26

Dear Mr. and Mrs. Dryden,

This office serves as the City Planner for the City of Nowthen. The City received application for an Amended Conditional Use Permit (CUP) on September 29, 2021 associated with the existing excavating business at 6700 Viking Blvd. The City Council has 60 days in accordance with Minnesota Statute 15.99 to consider the application and take action to approve or deny the request. The Statute also allows the City to extend the review period an additional 60 days if needed to complete its investigation of the application and make a decision.

This letter represents notification that the application is incomplete and a few items are needed from you. There should be no problem reviewing the application within the 60-day timeline and the public hearing will occur at the October 12, 2021 City Council meeting. <u>City Staff would</u> like to meet with you regarding the following:

- Signature of Jason Dryden on the application
- Set up a meeting with one or more of you to define the parameters of the current business, ie: # trucks, # trailers, limits of outdoor storage, growth potential, etc. The City needs specific limits that are measurable and enforceable.
- It is imperative that Jason, as the new property owner, understands the CUP and the conditions attached thereto, as he is responsible for conformance.

I am recommending that decision on the Amended CUP be delayed until the November 9, 2021 City Council meeting. The Final Plat request is likely delayed until that date as well. The official deadline for City Council action on the request shall be **November 28, 2021**.

Thank you for working with the City of Nowthen and please contact me for any assistance you require regarding the application or with any questions regarding this notice.

Sincerely,

Elizabeth Stockman

THE PLANNING COMPANY LLC

c. Lori Streich, City Clerk
Ellen Lendt, Deputy Clerk
Lisa Lorensen, Admin. Asst.



CONDITIONAL & INTERIM USE PERMITS

8188 199TH AVENUE NW, NOWTHEN, MN 55330 (763) 441-1347

RETURN To: PERMITS@NOWTHENMN.NET

CONDITIONAL USE PERMIT INTERIM USE PERMIT Base Fee: \$200 fees \$200 fees \$1,000 Public Hearing Fee: \$250 fee Recording Fee: \$46 Total Amt. Due: \$1,496 City Amt. Paid: CC/Check# CC/Check#	***FOR OFFICE USE ONLY *** FOR OFFICE USE ONLY*** Date Application Received:				
Property Information Street Address: 6700	Viking Blud NW 9.27-21				
Property Identification Number (PIN#): Legal Description (Attach full description of Metes & Bounds if necessary):					
Type of Business or Use Reques	ted: Excavating				
Zoning Designation:					
Applicant Information					
Name(s): Randy A	Deh Dryden + Son Jason Dryden				
Business Name: Dryde	n Excavating Inc				
Mailing Address: 6700	Viking Blud NW				
N (1	State: Mn Zip Code : 55303				
City: Nowthen	State: Zip Code :				
Cell Phone: (el 2-221-1905)	119@amail.com				
e-mail: aedaryaen	1174 y mapping				

	rty Owner Information (If other than applicant):
	Name: Jason Dryden Business Name: DX
	Name:
	City: Novether State: Zip Code:
	Cell Phone: 612 868-1021 Alternate Phone:
	e-mail:
Descri	ption of Request (attach additional sheets as necessary) To change Just the wording on eyesting CUP to Equipt Existing Use of Property: Storage all year in Stead of went Description of Proposed Use:
	Description of Proposed Use:
	Reason(s) to Approve Request:
Please	describe any previous applications pertaining to the subject site:
	Project Name: Date of Application:
	Nature of Previous Request :
Existin	g Building Sizes:
	RESIDENTIAL LOTS: House (main floor/footprint of living area):SF
	Garage 1: 3 ("aw SF(attached/detached?) Garage 2SF(attached/detached?)
	COMMERCIAL/INDUSTRIAL LOTS: Main Building(s): 70 x 80 SFSF
	Office Area: N houses ; Warehouse/Storage:SF; Manufacturing:SF
	ALL LOTS: Accessory Buildings: (type/size) 34 × 70 / SF:SF
	/ SF: / SF; / SF

APPLICATION FEES AND EXPENSES: We the application provide to the City, in cash or certified check, for deposit is as partial payment for all fees and estimated future City affees incurred in processing this request. If the escrow a monies as requested by the City within 10 days of such utilized from this escrow fund shall be returned to me, we the City have been satisfied. All fees and expenses a or denied.	in an escrow fund, the amount of \$ administrative, planning, legal and engineering mount is depleted, I agree to furnish additiona n request. I understand that any amounts not ithout interest, when all financial obligations to
I understand and agree that all City-incurred profession processing of this request and enforcing the terms of attorney's fees are my responsibility as the property own billing by the City in the event the escrow fund is depleted property owner I must make said payment within 10 days the 10 days of request for payment by the City shall accrif I fail to pay said amounts when due, then the City may by me within the City limits for collection with the real est to recover such costs and I agree that the City shall be incurred by the City as a result of such legal action. I appeal said certification of such expenses against metals and the content of the content o	this agreement including, but not limited to mer and will be promptly paid by myself uponed. I further understand and agree that as the of the date of the invoice. Bills not paid within the ue interest at the rate of 6% per year. Further, certify such costs against any property owned that taxes and/or take necessary legal action be entitled to attorney's fees and other costs knowingly and voluntarily waive all rights to
Statutes.	Date: <u>9-29-21</u>
Applicant:	Date:Date:
Property Owner:	Date:
I, the undersigned, hereby apply for the considerations designed and materials submitted in support of this application are ordinance requirements and are complete to the best of multiple of the design of the des	e in compliance with adopted City policy and my knowledge. In accordance with established City review it is determined to be complete. Pursuant to a within fifteen (15) days from the filing date of the application. Failure on my part to supply the cause for denying this application.
Signature of Applicant:	Date: <u>9-29-21</u>
Signature of Property Owner:	Date:
Signature of Property Owner:	Date:
Signature of Property Owner:	Date:

ATTN: Tonya (publicnotice@apgecm.com). 6 point font

Please run the following item in the Legal Section of the October 1, 2021 issue of the Anoka County Union Herald and Star News.

NOTICE OF PUBLIC HEARING CITY OF NOWTHEN COUNTY OF ANOKA STATE OF MINNESOTA

TAKE NOTICE, that pursuant to the requirements of Minnesota Law, a public hearing shall be held before the Nowthen CITY COUNCIL on TUESDAY, OCTOBER 12, 2021 at 7:00 P.M. at Nowthen Historic Town Hall located at 19800 Nowthen Boulevard NW, Nowthen, Minnesota.

Randy and Deb Dryden, 6660 and 6700 Viking Boulevard (PID 27-33-25-12-0003, 27-33-25-12-0004 and 27-33-25-14-0003), are requesting approval of the following applications:

- AMENDED 2001 CONDITIONAL USE PERMIT to operate an excavating business.
- A VARIANCE allowing existing driveway to remain at a lesser setback.

At such hearing both written and oral comments will be heard. The City Council will act on this request at its October 12, 2021 regular meeting. Contact the City of Nowthen at 763-441-1347 with any questions or concerns.

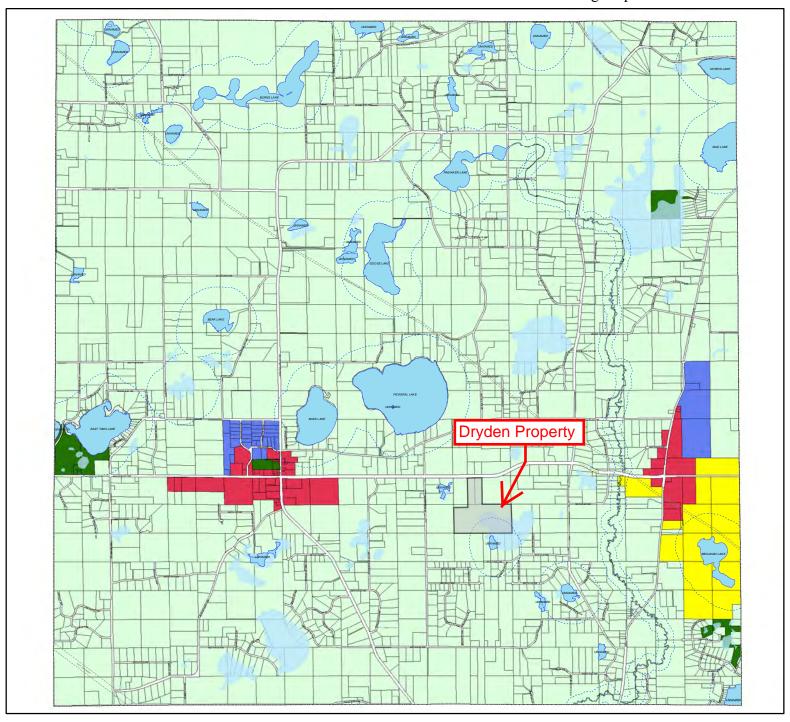
Dated: September 29, 2021 Lori Streich City Clerk City of Nowthen

Published in the Anoka County Union Herald on Friday, October 3, 2021

Thank you and please bill to: City of Nowthen 8188 199th Avenue NW Elk River, MN 55330

CITY OF NOWTHEN

Zoning Map



ZONING



I-1 - Industrial District (220 acres / 1.04%)

CON - Conservancy District (156 acres / 0.74%)

RRA - Rural Residential Agriculture (19,897 acres / 94.20%)

RRT - Rural Residential Transition (478 acres / 2.26%)

___ Shoreland Overlay District

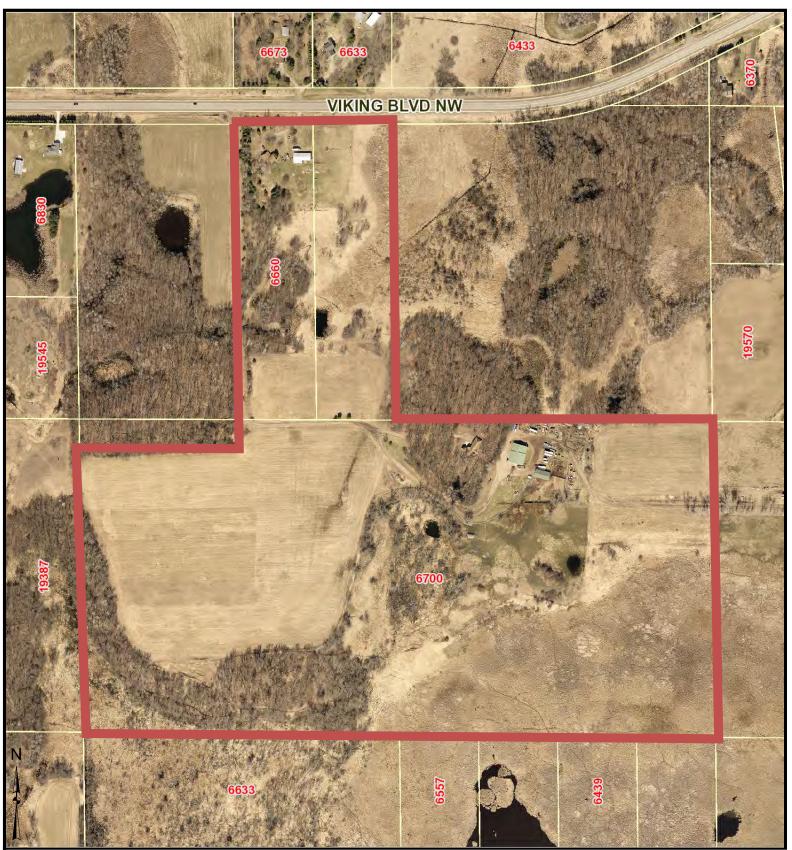




SOURCES: CITY OF NOWTHEN, ANOKA COUNTY, MN DNR, HAA, TPC

Adopted: Aug 11, 2020
K:\GIS\Projects\Municpial\NT901\2019\LandUse2040

Dryden Property





Parcel Information: 27-33-25-12-0003 6660 VIKING BLVD NW NOWTHEN MN 55303 Approx. Acres: 9.33

Commissioner: MATT LOOK

Plat:

Anoka County GIS 1:4,800 Date: 9/20/2021

Owner Information:

Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

2017 Aerial Photo





Parcel Information: 27-33-25-14-0003 6700 VIKING BLVD NW NOWTHEN MN 55303 Approx. Acres: 77.4

Commissioner: MATT LOOK

Anoka County GIS 1:600 Date: 9/20/2021

Owner Information:

Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

2020 Aerial Photo





Parcel Information: 27-33-25-14-0003 6700 VIKING BLVD NW NOWTHEN MN 55303 Approx. Acres: 77.4

Commissioner: MATT LOOK

Anoka County GIS 1:600 Date: 9/20/2021

Owner Information:



CITY OF NOWTHEN ANOKA COUNTY, MINNESOTA

CITY COUNCIL

FINDINGS & DECISION PRELIMINARY & FINAL PLAT

APPLICANT: Matt Ward, 6789 Old Viking Blvd. NW (PID 22-33-25-13-0003)

APPLICATION: Request for approval of a two lot Preliminary Plat with direct street frontage on Basalt Street NW; request for approval of a two lot Final Plat.

CITY COUNCIL MEETING: October 12, 2021

FINDINGS: Based upon review of the application and evidence received, the City Council of the City of Nowthen now makes the following findings of fact:

- 1. The legal description of the subject property is E 524.84 FT OF THAT PRT OF GOVT LOT 3, SEC 22 TWP 33 RGE 25 LYG N OF S 436.40 FT OF SD GOVT LOT, EX RD, SUBJ TO EASE OF REC.
- 2. The subject site is guided by the Comprehensive Plan's permanent rural residential land uses through the year 2040. The proposed lot configuration is compatible with the surrounding area rural residential and large lot development.
- 3. The subject site is zoned RRA, Rural Residential Agriculture and all proposed lots exceed the 2.5 acre minimum lot size and five (5) acre overall average.
- 4. The property was split in prior years by the same owner which necessitates platting of the pending split per Section 10 of the City Code, Subdivision Ordinance.
- 5. The Ward property will result in two new parcels upon which residential structures will be built.
- 6. The two new lots front upon and gain access from Basalt Street, an existing local street; no public improvements are involved with this plat.
- 7. A park and trail dedication fee was paid for the existing 10 acre lot, thus one new park/trail fee will be required as part of this plat.
- 8. The Planning Report dated September 21, 2021, prepared by the City Planner, The Planning Company LLC., is incorporated herein.
- 9. The Nowthen Planning and Zoning Commission held a public hearing and considered the request at their regular meeting on September 28, 2021, preceded by a published and mailed notice. The Commission voted 5-0 in favor of the request with two members absent.

DECISION: Based on the foregoing information and applicable ordinances, the City Council of the City of Nowthen hereby **approves the Ward Acres Preliminary and Final Plat** subject to the following conditions:

- 1. Individual septic system design is required at the time of building permit application and may require fill to create the necessary separation.
- 2. Building permits shall be required for the new home(s) which requires submittal of a certificate of survey for individual lots, lowest floor elevations noted and custom grading/erosion control plans which are subject to review and approval of the City Engineer and City Planner.
- 3. The applicant must have deeds drafted, for review by the City Engineer, that reflect the new legal descriptions and easement designations for road ROW which shall be submitted to the City of Nowthen for approval prior to recording at Anoka County.
- 4. The applicant is responsible for recording the necessary documents at Anoka County following approval by the City; all property taxes must be paid in full for the year.
- 5. The park and trail dedication fee of \$2,500 PER LOT (for one new lot) shall be paid prior to the City signing final documents, before recording.
- 6. All costs associated with the review of the submitted survey(s) and any other costs generated by the City or its representatives are the responsibility of the applicants, including legal, administrative, and professional costs incurred through consideration of the lot split request.

e City of Nowthen this 12th day of October 2021
CITY OF NOWTHEN
By:
Mayor Jeff Pilon

MOTION BY:

CITY OF NOWTHEN ANOKA COUNTY, MINNESOTA

PLANNING & ZONING COMMISSION

FINDINGS & RECOMMENDATION WARD PRELIMINARY PLAT

APPLICANT: Matt Ward, 6789 Old Viking Blvd. NW (PID 22-33-25-13-0003)

APPLICATION: Request for approval of a two lot Preliminary Plat with direct street frontage on Basalt Street NW.

PLANNING & ZONING COMMISSION MEETING: September 28, 2021

FINDINGS: Based upon review of the application and evidence received, the Planning and Zoning Commission of the City of Nowthen now makes the following findings of fact:

- 1. The legal description of the subject property is E 524.84 FT OF THAT PRT OF GOVT LOT 3, SEC 22 TWP 33 RGE 25 LYG N OF S 436.40 FT OF SD GOVT LOT, EX RD, SUBJ TO EASE OF REC.
- 2. The subject site is guided by the Comprehensive Plan's permanent rural residential land uses through the year 2040. The proposed lot configuration is compatible with the surrounding area rural residential and large lot development.
- 3. The subject site is zoned RRA, Rural Residential Agriculture and all proposed lots exceed the 2.5 acre minimum lot size and five (5) acre overall average.
- 4. The Ward property will result in two new parcels upon which residential structures will be built.
- 5. The Planning Report dated September 21, 2021, prepared by the City Planner, The Planning Company LLC., is incorporated herein.
- 6. The Nowthen Planning and Zoning Commission held a public hearing and considered the request at their regular meeting on September 28, 2021, preceded by a published and mailed notice.

RECOMMENDATION: Based on the foregoing information and applicable ordinances, the Planning & Zoning Commission of the City of Nowthen hereby recommends **approval of Ward Acres Preliminary Plat** subject to the following conditions:

1. Individual septic system design is required at the time of building permit application and may require fill to create the necessary separation.

- 2. Building permits shall be required for the new home(s) which requires submittal of a certificate of survey for individual lots, lowest floor elevations noted and custom grading/erosion control plans which are subject to review and approval of the City Engineer and City Planner.
- 3. The applicant must have deeds drafted, for review by the City Engineer, that reflect the new legal descriptions and easement designations for road ROW which shall be submitted to the City of Nowthen for approval prior to recording at Anoka County.
- 4. The applicant is responsible for recording the necessary documents at Anoka County following approval by the City; all property taxes must be paid in full for the year.
- 5. The park and trail dedication fee of \$2,500 PER LOT (for one new lot) shall be paid prior to the City signing final documents, before recording.
- 6. All costs associated with the review of the submitted survey(s) and any other costs generated by the City or its representatives are the responsibility of the applicants, including legal, administrative, and professional costs incurred through consideration of the lot split request.
- 7. Any other conditions as required by the City Council.

MOTION BY: Dan Haapala

SECOND BY: Harold Jorgensen

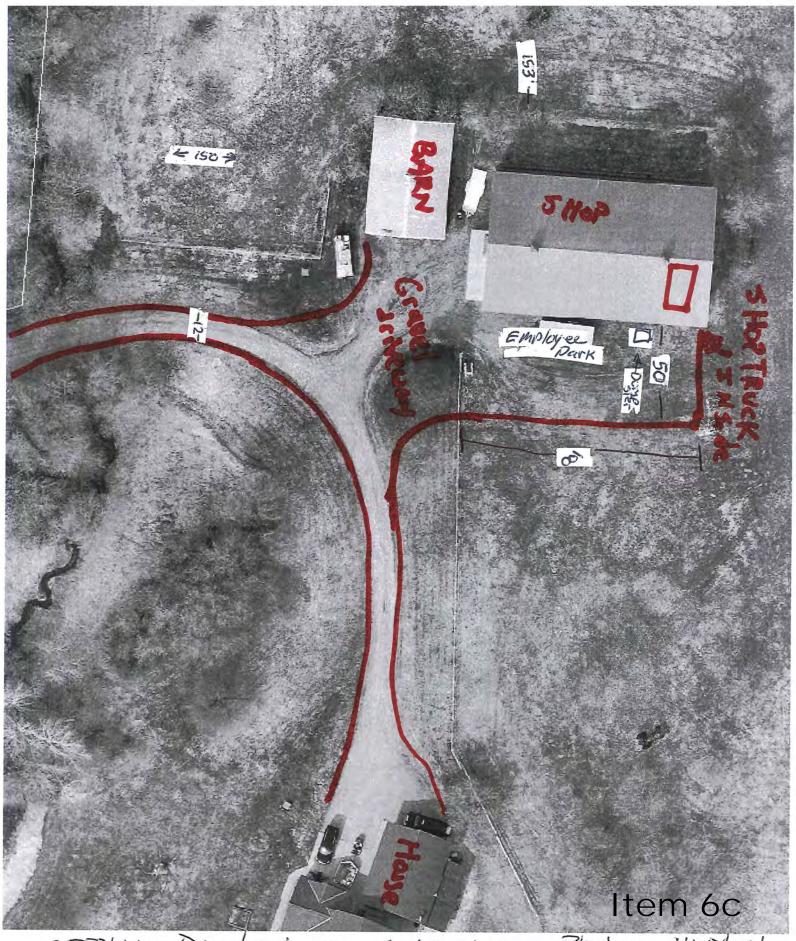
ALL IN FAVOR: 5 (Pearo and Bies absent)

THOSE OPPOSED: 0

ADOPTED by the Planning and Zoning Commission of the City of Nowthen this 28th day of September 2021.

CITY OF NOWTHEN

	By:	
	Chair Dale Ames	
Allerd		
Attest: Lori Streich, City Clerk		



SITEPLAN - DOUGLAS JOINES 6167 UIKING BLUD NOWTHEN Revised 9-29-21

CITY OF NOWTHEN ANOKA COUNTY, MINNESOTA

CITY COUNCIL

FINDINGS & DECISION INTERIM USE PERMIT

APPLICANT: Douglas and Sharon Jones, 6167 Viking Boulevard

APPLICATION: Request for approval of an Interim Use Permit to allow an Extended Home Occupation to operate Primocraft Cabinetry Business; PID# 23-33-25-31-0009.

CITY COUNCIL MEETING: October 12, 2021

FINDINGS: Based upon review of the application and evidence received, the City Council of the City of Nowthen now makes the following findings of fact:

- 1. The legal description of the property is THE S 632 FT OF E1/2 OF NE1/4 OF SW1/4 OF SEC 23 TWP 33 RGE 25, TOG/W SE1/4 OF SD SW1/4, EX PRT PLATTED AS BETTINGER ADD, EX RD, SUBJ TO EASE OF REC
- 2. The subject site is guided by the Comprehensive Plan permanent rural residential land uses through the year 2040.
- 3. The subject site is zoned RRA, Rural Residential Agriculture.
- 4. The Jones property encompasses 20.55 acres and has direct access to Viking Boulevard, a paved roadway.
- The Jones property contains two existing accessory buildings, the largest of which will house the woodworking operation, materials, tools and equipment to be contained in the 6,000 SF accessory building.
- 6. Most sales are accomplished online, as this is a specialized custom cabinetry business creating home wood bars which are shipped and installed in pieces.
- 7. The proposed Home Extended Business is subject to the regulations contained in Section 11-10-1 of the City Code:
 - a. Limiting the height, size, or location of buildings.
 - b. Controlling the location and number of vehicle access points.
 - c. Providing for a sufficient number of off-street parking spaces.
 - d. Limiting the number, size, location, or lighting of signs.
 - e. Requiring diking, fencing, screening, landscaping, or other facilities to protect adjacent or nearby property.

- 8. The proposed Home Extended Business is subject to the regulations as contained in Section 11-4-3.B of the City Code:
 - a. Extended home occupations shall be carried on by one or more members of the property owner's family residing in the dwelling unit. If the extended home occupation is on property that is fully accessed by bituminous roads, up to two (2) full-time or (4) part-time on-site employees may be permitted on site.
 - b. Extended home occupations may be permitted within either the principal structure or within accessory structures. The number and sizing of accessory structures shall be as defined in Section 11-4-2 of this Chapter.
 - c. The leasing of space to another person or firm requires an Interim Use Permit and must be obtained by the property owner, not the lessee. The rental of space for the storage of boats, vehicles, etc. are considered as extended home occupations and are subject to the interim use provisions.
 - d. Retail sales related to extended home occupations shall be limited to minor products that are ancillary to a home occupation service. Such minor retail sales shall be similar to:
 - i. Hair care products ancillary to home beauty or hair care occupations;
 - ii. Spare or replacement parts ancillary to a small engine or a small machine (motorcycle, lawn mower, snow blower or snowmobile) repair occupation.
 - e. An extended home occupation may be identified by one sign, without lights or illumination and of maximum twelve (12) square foot size. All signs shall be subject to review by the Zoning Administrator. With the exception of any such permitted sign there shall be no exterior displays. No exterior indication of a home occupation or any variation from the residential character of the principal structure shall be permitted.
 - f. Objectionable noise, vibration, smoke, dust, electrical disturbance, odors, heat, or glare shall not be produced. No hazardous or toxic chemical/wastes shall be generated, or discharged.
 - g. If the extended home occupation is located on and has access totally from bituminous surfaced streets, the use shall not create vehicular traffic that would cause unusual damage to the road or create excessive traffic volumes with the determination of unusual damage or excessive volume totally by the City Council on a specific cost permit basis.
 - h. Outside storage of materials and equipment used for extended home occupations may be permitted if such storage conforms to the setback, location and maximum size requirement for accessory structures. All outside storage shall be screened from view. If such storage is within one hundred (100) feet of the property line or one hundred twenty (120) feet from any current or potential abutting property residence, it shall be screened by opaque fencing.
- 9. The Planning Report dated September 20, 2021 prepared by the City Planner, The Planning Company LLC., is incorporated herein.
- 10. The Nowthen Planning and Zoning Commission held a public hearing, preceded by a published and mailed notice, and considered the request at their regular meeting on September 28, 2021. The Commission voted 5-0 in favor of the request with two members absent.

DECISION: Based on the foregoing information and applicable ordinances, the City Council <u>hereby approves</u> the **Jones Interim Use Permit and Extended Home Occupation for Primocraft** subject to the following conditions:

- 1. Hours of operation are limited to Monday through Saturday 7:00 AM to 5:00 PM. Deliveries involving trucks larger than a Class 6 vehicle such as a UPS, FedEx or box truck shall be limited to the designated hours.
- 2. No more than two (2) full-time or (4) part-time on-site employees or subcontractors may be permitted on the property at any given time, excluding family members.
- 3. There shall be no outdoor storage on site with the exception of one (1) box truck, two (2) enclosed trailers, employee's vehicles and the refuse/recycling containers. The refuse/recycling containers must be fully screened from view of neighboring properties and the public street with opaque fencing.
- 4. Manufacturing, fabrication and operation of power equipment is to be conducted inside the pole shed. The overhead doors may be open during appropriate weather unless complaints are received by the City or adjacent land owners, at such time the overhead doors shall be closed and remain so.
- 5. No excessive or objectionable noise, vibration, smoke, dust, electrical disturbance, odors, heat, or glare shall be produced. No hazardous or toxic chemical/wastes shall be generated or discharged.
- 6. The proposed 2'x3' sign shall be incompliance with the following:
 - a. One (1) sign is allowed per lot, to be located 10 feet or more from lot lines.
 - b. The area of a sign may not exceed twelve (12) square feet each side in the case of free-standing signs.
 - c. The maximum height of the sign if free standing shall be (12) feet.
 - d. The sign shall not be illuminated.
- 7. There shall be no retail sales on the subject property and no regular retail traffic except for an occasional customer who may wish to meet with employees to plan or preview products.
- 8. The existing gravel driveway shall be improved to be no less than twelve (12) feet in width, as soon as possible, with overhead clearance of 13'6", an area for trucks to turn around and a parking area for employees or the occasional customer.
- 9. Any change or intensification of the property use, or activities not permitted by the Interim Use Permit issued shall require an amended IUP. The nature of the business and declaration of typical activities to be conducted on the property have been clearly indicated in the application, letter of intent and Planning Report dated September 20, 2021 prepared by the City Planner, The Planning Company LLC.

10.	The property shall be periodically reviewed for compliance upon notification by the Zoning
	Administrator or Building Official or according to a review frequency as may be established by
	the City Council.

- 11. Termination of the IUP will occur at the time the property is sold outside of the family, upon violation of any condition, following discontinuation of the business or use for one (1) year, or a change in regulation by the City Council.
- 12. If an interim use approved by the City Council is not exercised or put into effect within one (1) year of the date of approval, by fulfilling each and every condition attached thereto, it shall terminate unless a request is submitted to the City in writing no less than thirty (30) days prior to the deadline. The City Zoning Administrator may approve an extension which shall not exceed ninety (90) days where after reapplication and approval of the interim use by the City Council will be required.
- 13. The applicants are responsible for all costs associated with the processing of this request.

MOTION BY:	
SECOND BY:	
ALL IN FAVOR:	
OPPOSED:	
ADOPTED by the City Council of the	ne City of Nowthen this 12th day of October 2021.
	CITY OF NOWTHEN
	By: Mayor Jeff Pilon
Attest:	
Lori Streich, City Clerk	

Jones Interim Use Permit
6167 Viking Boulevard
PID# 23-33-25-31-0009
Public Hearing held September 28, 2021
Approved by the City Council on October 12, 2021

I/We hereby understand and agree to the Permit.	ne conditions of approval established by th	is Interim Use
	Douglas D. Jones, Property Owner	
	Sharon D. S. Jones, Property Owner	
STATE OF MINNESOTA)		
) ss. COUNTY OF ANOKA		
The foregoing instrument was acknowle Douglas D. Jones, property owner.	edged before me this day of	2021, by
NOTARY PUBLIC		

STATE OF MINNESOTA)
COUNTY OF ANOKA) ss.)
The foregoing instrumer by Sharon D. S. Jones, pr	nt was acknowledged before me this day of 2021, roperty owner.
N(OTARY PUBLIC

DRAFTED BY:

Elizabeth Stockman The Planning Company LLC 3601 Thurston Avenue Anoka, MN 55303 (651) 441-1347

CITY OF NOWTHEN ANOKA COUNTY, MINNESOTA

PLANNING & ZONING COMMISSION

FINDINGS & RECOMMENDATION INTERIM USE PERMIT

APPLICANT: Douglas and Sharon Jones, 6167 Viking Boulevard

APPLICATION: Request for approval of an Interim Use Permit to allow an Extended Home Occupation to operate Primocraft Cabinetry Business; PID# 23-33-25-31-0009.

PLANNING & ZONING COMMISSION MEETING: September 28, 2021

FINDINGS: Based upon review of the application and evidence received, the Planning and Zoning Commission of the City of Nowthen now makes the following findings of fact:

- 1. The legal description of the property is THE S 632 FT OF E1/2 OF NE1/4 OF SW1/4 OF SEC 23 TWP 33 RGE 25, TOG/W SE1/4 OF SD SW1/4, EX PRT PLATTED AS BETTINGER ADD, EX RD, SUBJ TO EASE OF REC
- 2. The subject site is guided by the Comprehensive Plan permanent rural residential land uses through the year 2040.
- 3. The subject site is zoned RRA, Rural Residential Agriculture.
- 4. The Jones property encompasses 20.55 acres and has direct access to Viking Boulevard, a paved roadway.
- The Jones property contains two existing accessory buildings, the largest of which will house the woodworking operation, materials, tools and equipment to be contained in the 6,000 SF accessory building.
- 6. Most sales are accomplished online, as this is a specialized custom cabinetry business creating home wood bars which are shipped and installed in pieces.
- 7. The proposed Home Extended Business is subject to the regulations contained in Section 11-10-1 of the City Code:
 - a. Limiting the height, size, or location of buildings.
 - b. Controlling the location and number of vehicle access points.
 - c. Providing for a sufficient number of off-street parking spaces.
 - d. Limiting the number, size, location, or lighting of signs.
 - e. Requiring diking, fencing, screening, landscaping, or other facilities to protect adjacent or nearby property.

- 8. The proposed Home Extended Business is subject to the regulations as contained in Section 11-4-3.B of the City Code:
 - a. Extended home occupations shall be carried on by one or more members of the property owner's family residing in the dwelling unit. If the extended home occupation is on property that is fully accessed by bituminous roads, up to two (2) full-time or (4) part-time on-site employees may be permitted on site.
 - b. Extended home occupations may be permitted within either the principal structure or within accessory structures. The number and sizing of accessory structures shall be as defined in Section 11-4-2 of this Chapter.
 - c. The leasing of space to another person or firm requires an Interim Use Permit and must be obtained by the property owner, not the lessee. The rental of space for the storage of boats, vehicles, etc. are considered as extended home occupations and are subject to the interim use provisions.
 - d. Retail sales related to extended home occupations shall be limited to minor products that are ancillary to a home occupation service. Such minor retail sales shall be similar to:
 - i. Hair care products ancillary to home beauty or hair care occupations;
 - ii. Spare or replacement parts ancillary to a small engine or a small machine (motorcycle, lawn mower, snow blower or snowmobile) repair occupation.
 - e. An extended home occupation may be identified by one sign, without lights or illumination and of maximum twelve (12) square foot size. All signs shall be subject to review by the Zoning Administrator. With the exception of any such permitted sign there shall be no exterior displays. No exterior indication of a home occupation or any variation from the residential character of the principal structure shall be permitted.
 - f. Objectionable noise, vibration, smoke, dust, electrical disturbance, odors, heat, or glare shall not be produced. No hazardous or toxic chemical/wastes shall be generated, or discharged.
 - g. If the extended home occupation is located on and has access totally from bituminous surfaced streets, the use shall not create vehicular traffic that would cause unusual damage to the road or create excessive traffic volumes with the determination of unusual damage or excessive volume totally by the City Council on a specific cost permit basis.
 - h. Outside storage of materials and equipment used for extended home occupations may be permitted if such storage conforms to the setback, location and maximum size requirement for accessory structures. All outside storage shall be screened from view. If such storage is within one hundred (100) feet of the property line or one hundred twenty (120) feet from any current or potential abutting property residence, it shall be screened by opaque fencing.
- 9. The Planning Report dated September 20, 2021 prepared by the City Planner, The Planning Company LLC., is incorporated herein.
- 10. The Nowthen Planning and Zoning Commission held a public hearing, preceded by a published and mailed notice, and considered the request at their regular meeting on September 28, 2021.

RECOMMENDATION: Based on the foregoing information and applicable ordinances, the Nowthen Planning and Zoning Commission <u>recommends approval</u> of the **Jones Interim Use Permit and Extended Home Occupation for Primocraft** subject to the following conditions:

- 1. Hours of operation are limited to Monday through Friday Saturday 7:00 AM to 5:00 PM and Saturday 7:00 AM to 5:00 PM? Deliveries involving trucks larger than a Class 6 vehicle such as a UPS, FedEx or box truck shall be limited to the designated hours.
- 2. No more than two (2) full-time or (4) part-time on-site employees or subcontractors may be permitted on the property at any given time, excluding family members.
- 3. There shall be no outdoor storage on site with the exception of <u>one (1) box truck, two (2) enclosed trailers</u>, employee's vehicles and the refuse/recycling containers. <u>The refuse/recycling containers</u> which must be fully screened from view of neighboring properties and the public street with opaque fencing.
- 4. Manufacturing, fabrication and operation of power equipment is to be conducted inside the pole shed. The overhead doors may be open during appropriate weather unless complaints are received by the City or adjacent land owners, at such time the overhead doors shall be closed and remain so.
- 5. No excessive or objectionable noise, vibration, smoke, dust, electrical disturbance, odors, heat, or glare shall be produced. No hazardous or toxic chemical/wastes shall be generated or discharged.
- 6. The proposed 2'x3' sign shall be incompliance with the following:
 - a. One (1) sign is allowed per lot, to be located 10 feet or more from lot lines.
 - b. The area of a sign may not exceed twelve (12) square feet each side in the case of free-standing signs.
 - c. The maximum height of the sign if free standing shall be (12) feet.
 - d. The sign shall not be illuminated.
- 7. There shall be no retail sales on the subject property and no regular retail traffic except for an occasional customer who may wish to meet with employees to plan or preview products.
- 8. The existing gravel driveway shall be improved to be no less than twelve (12) feet in width, <u>as soon as possible</u>, with overhead clearance of 13'6", an area for trucks to turn around and a parking area for employees or the occasional customer.
- 9. The Planning and Zoning Commission shall make a recommendation regarding the need for additional screening and/or landscaping?
- 10.9. Any change or intensification of the property use, or activities not permitted by the Interim Use Permit issued shall require an amended IUP. The nature of the business and declaration of typical activities to be conducted on the property have been clearly indicated in the

application, letter of intent and Planning Report dated September 20, 2021 prepared by the City Planner, The Planning Company LLC.

- <u>41.10.</u> The property shall be periodically reviewed for compliance upon notification by the Zoning Administrator or Building Official or according to a review frequency as may be established by the City Council.
- <u>12.11.</u> Termination of the IUP will occur at the time the property is sold outside of the family, upon violation of any condition, following discontinuation of the business or use for one (1) year, or a change in regulation by the City Council.
- 13.12. If an interim use approved by the City Council is not exercised or put into effect within one (1) year of the date of approval, by fulfilling each and every condition attached thereto, it shall terminate unless a request is submitted to the City in writing no less than thirty (30) days prior to the deadline. The City Zoning Administrator may approve an extension which shall not exceed ninety (90) days where after reapplication and approval of the interim use by the City Council will be required.
- 14.13. The applicants are responsible for all costs associated with the processing of this request.
- 15.14. Any other conditions as stipulated by the City Council.

MOTION BY: Harold Jorgensen

SECOND BY: Dan Haapala

ALL IN FAVOR: 5 (Pearo and Bies absent)

OPPOSED: 0

ADOPTED by the Planning & Zoning Commission of the City of Nowthen this 28th day of September 2021.

CITY OF NOWTHEN

	By:	
	Dale Ames, Commiss	ion Chair
Allerd		
Attest:		
Lori Streich, City Clerk		

Jones Interim Use Permit
6167 Viking Boulevard
PID# 23-33-25-31-0009
Public Hearing held September 28, 2021
Approved by the City Council on October 12, 2021

Approved by the City Council on Octo	ober 12, 2021	
I/We hereby understand and agree to Permit.	o the conditions of approval established by this	Interim Use
		
	Douglas D. Jones, Property Owner	
	Sharon D. S. Jones, Property Owner	
STATE OF MINNESOTA)		
) ss. COUNTY OF ANOKA)		
The foregoing instrument was acknown Douglas D. Jones, property owner.	wledged before me this day of	2021, by
NOTARY PUBLI	 IC	

STATE OF MINNESOTA)
COUNTY OF ANOKA) ss.)
The foregoing instrumer by Sharon D. S. Jones, pr	nt was acknowledged before me this day of 2021, roperty owner.
N(OTARY PUBLIC

DRAFTED BY:

Elizabeth Stockman The Planning Company LLC 3601 Thurston Avenue Anoka, MN 55303 (651) 441-1347

DRAFT_9/7/21

CITY OF NOWTHEN ANOKA COUNTY, MINNESOTA

ORDINANCE NO. 2021-04

AN ORDINANCE AMENDING CHAPTER 11 OF THE CITY CODE REGARDING ACCESSORY STRUCTURES WITHIN THE FRONT YARD

The City Council for the City of Nowthen hereby ordains:

SECTION 1. City Code Section 11-4-2, Accessory Structures, is hereby amended to read as follows:

11-4-2: ACCESSORY STRUCTURES:

- A. Detached accessory structures shall be located in the side or rear yards.
 - 1. <u>Accessory structures They</u> shall comply with all setback requirements of the principal structure.
 - 2. They Accessory structures shall not be located nearer the front lot line than the principal structure or three hundred (300) feet setback from the centerline of local, collector or arterial streets.
 - 2.3. If the pPrincipal sStructure is closer to the front lot line or a public road than the required setback, any additional accessory structure shall comply with the setback requirements for the be setback a distance equal to or behind the principal structure, except that provided no accessory structure is permitted closer than thirty-five (35) feet from the front property line or side property line (in the case of corner lots) or 70 feet from the street centerline, whichever is greater.
 - 4. O—ene (1) accessory structure may be located in the front <u>yard (OR side</u> yard <u>in the case of corner lots, but not both)</u>, closer to the front <u>OR side</u> lot line than the principal structure, provided: <u>it meets the following criteria:</u>
 - a. The structure is not closer than thirty-five (35) feet from the front property line (or side property line in the case of corner lots) or 70 feet from the street centerline, whichever is greater.
 - 1. The accessory structure shall comply with the minimum setback requirements for the principal structure.

Item 6d

- 2. <u>b.</u> The overall floor area of the accessory structure may shall not exceed eight hundred (800) square feet, with sidewall height not to exceed ten (10) feet.
 - c. 3.—The exterior color and materials, such as roofingshingles, siding, roof pitch, door/window style, wainscot, trim and other design elements and trim of the accessory structure must be similar in color and materials to match the principal structure, as well as the roof pitch and other design elements.
 - d. Pole style accessory buildings with sheet metal siding shall not be permitted unless the principal structure incorporates this style/material.
- 4. <u>e.</u> The building may not be located more than sixty (60) feet from the principal structure, nor directly in front of it. ????
- B. An Accessory Structure shall not be constructed on any lot prior to the principle principal structure. Color and design is toshall compliment the principle principal structure, and unpainted galvanized metal shall not be used. A minimum 3/12-roof pitch is required. Elliptical roof shapes are only permitted for agricultural uses (as defined in this Chapter).
- C. Number of Accessory Structures:
 - 1. On lots ten (10) acres or more, there is no limit to the number or maximum square footage of accessory structures.
 - 2. On lots of five (5) acres but less than ten (10), a maximum of three (3) accessory structures are allowed, with a total floor area not to exceed six thousand four hundred (6,400) square feet in size, and maximum height of thirty (30) feet.
 - 3. On lots two and one half (2.5) acres but less than five (5) acres, a maximum of two (2) accessory structures are allowed, with a total floor area not to exceed three thousand two hundred (3,200) square feet in size and a maximum height of twenty-five (25) feet.
 - 4. On lots less than two and one half (2.5) acres, a maximum of one (1) accessory structure is allowed, with a total floor area not to exceed two thousand four hundred (2,400) square feet in size and a maximum height of twenty-five (25) feet.

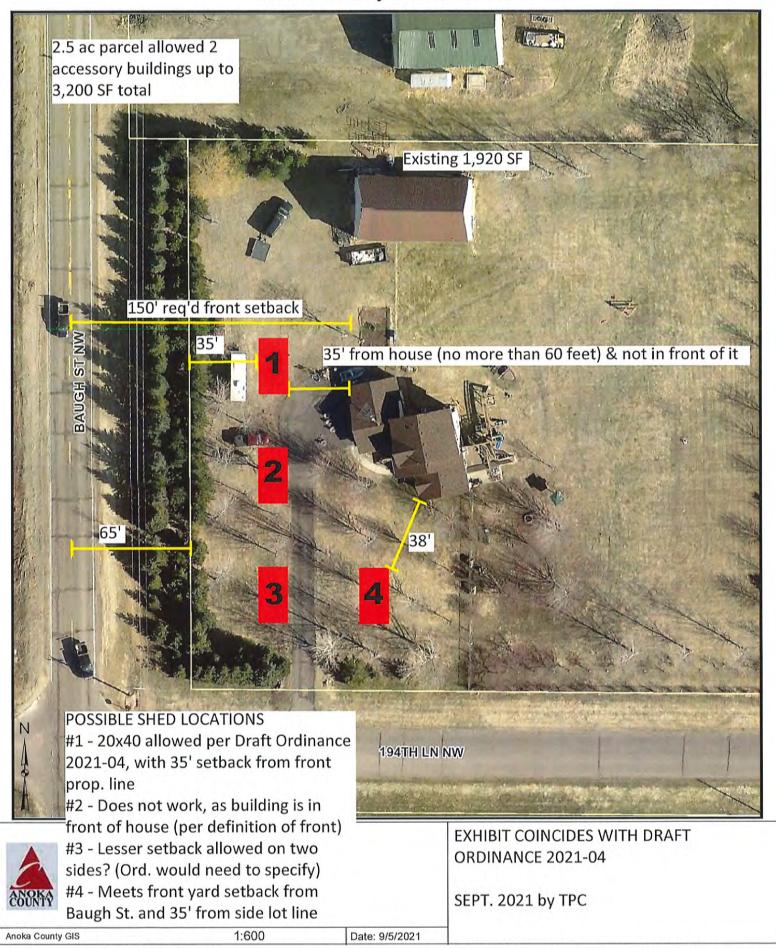
- 5. On lots in Planned Unit Developments a maximum of one (1) accessory structure is allowed with a total floor area not to exceed one thousand six hundred (1,600) square feet in size and twenty-five (25) feet in height.
- 6. One (1) additional garden shed/playhouse type structure, not exceeding one hundred twenty (120) square feet is permitted.
- D. If property is split with existing buildings, the size of any parcel must be large enough to accommodate the number and square footage of accessory structures as stated previously inpermitted by this Section. (Ordinance #3, adopted November 9, 2010)

SECTION 4. This Ordinance shall be effective immediately upon its passage and publication.

Passed and adopted this 14th day of September 2021 by the City Council of the City of Nowthen.

	Jeff Pilon, Mayor	
ATTEST:		

Anoka County Parcel Viewer



Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.



REQUEST FOR COUNCIL ACTION

Submission Date:	Department:	Requested Council Meeting Da	te: Submitt	ed By:	
TITLE OF ISSU	E:		·		
BACKGROUNI	O AND SUPPLEMENT	FAL INFORMATION:			
SOURCE OF FU	JNDING:				
REQUESTED C	OUNCIL ACTION:				
For Clerk's Use:			TED DOCUM	ENTS ATTACHE	ED
		Resolution Ordina	ance Contrac	et Minutes	Plan Map
	Alders Blake Greenberg Pilon Rainville	Other (specify)			
Administration Dep	artment Use:				
Reg	ular				

CITY OF NOWTHEN ANOKA COUNTY, MINNESOTA

ORDINANCE NO. 2021-05

AN ORDINANCE AMENDING SECTION 9-1-1 OF THE NOWTHEN CITY CODE TO INCORPORATE BY REFERENCE THE STATE PLUMBING CODE WHICH ALLOWS FOR PLAN REVIEWS, INSPECTIONS, TESTING AND PERMITS BY APPROPRIATELY LICENSED INDIVIDUALS, OTHER THAN STRICTLY STATE INSPECTORS, WHICH MAY INCLUDE THE CITY'S CONTRACTED BUILDING OFFICIAL.

The City Council for the City of Nowthen hereby ordains:

SECTION 1. City Code Section 9-1-1.B, is hereby amended to read as follows:

9-1-1: BUILDING CODE:

- A. The Minnesota State Building Code, established pursuant to Minnesota Statutes 326B.101, including all of the amendments, rules and regulations established, adopted, and published from time to time by the Minnesota Commissioner of Administration, through the Building Codes and Standards Division is hereby adopted by reference as to the building code for this jurisdiction, excepting of the optional chapters unless specifically adopted in Section 9-1-1.B of this Chapter. The code is hereby incorporated in this Section as if fully set out herein.
- B. The Minnesota State Building Code, established pursuant to Minnesota Statutes 326B.101 allows the Municipality to adopt by reference and enforce certain optional chapters of the most current edition of the Minnesota State Building Code. The following optional provisions identified in the most current edition of the State Building Code are hereby adopted and incorporated as part of the building code for this Municipality—:

1. Reserved

MN Plumbing Code Section 1300.0215, subparts 1-6, allowing commercial plumbing projects to be submitted, reviewed, approved and inspected by the Municipality.

- i. Exceptions. Pursuant to Minn. Stat. § 326B.43, subd. 2(n), plumbing plans and specifications for the following projects must be submitted to the Minnesota Department of Labor and Industry for a full plan review:
 - a. State-licensed facilities as defined in Minn. Stat. § 326B.103, subd. 13;

- b. Public buildings as defined in Minn. Stat. § 326B.103, subd. 11; and
- c. Projects of a special nature for which department review is requested by either the municipality or the state.

	requested by ourier the manioipanty of the state.
SECTION 2. Thi	s Ordinance shall be effective immediately upon its passage and publication.
Passed and adop	pted this 12th day of October 2021 by the City Council of the City of Nowthen.
ATTEST:	Jeff Pilon, Mayor
Lori Streich, City	· Clerk

1300.0215 PLUMBING.

Subpart 1. Inspections, testing, and permits.

- A. For purposes of this part, "administrative authority" is defined in part 4714.0203.
- B. Except as provided in item C, new plumbing systems or parts of existing plumbing systems that have been altered, extended, or repaired shall be tested and approved by the administrative authority before the plumbing system is put into use. The administrative authority shall perform the final inspection and witness the test. The administrative authority shall approve the plumbing system if the system complies with the requirements of this code, any permit requirements, and the requirements of any plan approved pursuant to subpart 6. Plumbing system tests shall comply with chapter 4714.
- C. Unless the plumbing work poses an unsanitary or hazardous condition, the administrative authority is authorized to waive the permit, inspection, and testing requirements for the following plumbing work performed in one- and two-family dwellings:
- (1) the reconnection of an existing water supply line to a replacement appliance that does not involve the replacement or alteration of the existing water supply line;
- (2) replacement of the internal working components of existing water closets, faucets, or valves;
- (3) replacement of sink faucets when the work does not include alterations to the existing plumbing piping system; or
- (4) replacement or resetting of water closets when the work does not include alterations to the existing plumbing piping systems.
- D. The administrative authority is permitted to waive testing requirements for plumbing work that does not include any addition to or replacement, alteration, or relocation of any water supply, drainage, or vent piping, if it does not create a hazardous or unsanitary condition.
 - Subp. 2. [Repealed, 39 SR 91]
- Subp. 3. **Covering of work.** No building drainage or plumbing system or part thereof shall be covered until it has been inspected, tested, and approved as herein prescribed.

If any building drainage or plumbing system or part thereof is covered before being regularly inspected, tested, and approved, as herein prescribed, it shall be uncovered upon the direction of the proper administrative authority.

- Subp. 4. **Building sewer.** The building sewer shall be inspected by the proper administrative authority to ensure compliance with the provisions of the code.
- Subp. 5. Certificate of approval. Upon the satisfactory completion and final inspection of the plumbing system, a certificate of approval shall be issued by the proper administrative authority.
- Subp. 6. **Plans and specifications.** Prior to the installation by any person, corporation, or public agency, of a system of plumbing that serves the public or that serves any considerable number of persons, or any plumbing system that shall affect the public health in any manner, complete plans and specifications, together with any additional information that the commissioner of labor and industry may require, shall be submitted and approved by the commissioner. The appraisal of the commissioner shall reflect the degree to which these plans and specifications affect the public health and conform to the provisions of the Minnesota Plumbing Code. No construction shall proceed except in accordance with approved plans and specifications. Any material alteration or extension of the existing system shall be subject to these same requirements. This rule shall not apply to cities of the first class, except those plumbing installations in state-licensed health care facilities or in buildings in these cities owned by the state government.

Except as approved in chapter 4714, there shall be no physical connection between water supply systems that are safe for domestic use and those that are unsafe for domestic use. There shall be no apparatus through which unsafe water may be discharged or drawn into a safe water supply system.

Statutory Authority: MS s 14.388; 16B.59 to 16B.75; 326.37 to 326.45; 326B.02; 326B.101 to 326B.194; 326B.43 to 326B.49

History: 17 SR 1279; 23 SR 686; L 2007 c 140 art 4 s 61; art 6 s 15; art 13 s 4; L 2008 c 337 s 64; 36 SR 1289; 39 SR 91; 40 SR 71

Published Electronically: April 1, 2016

CHAPTER 4714

MINNESOTA PLUMBING BOARD

PLUMBING CODE

NOTE: In this chapter, the changes adopted at 45 SR 1007 on March 22, 2021, are effective December 27, 2021.

4714.0050	TITLE; INCORPORATION BY REFERENCE.
4714.0100	BASIC PLUMBING PRINCIPLES.
4714.0101	CONFORMANCE WITH CODE.
4714.0203	TERMS DEFINED BEGINNING WITH A.
4714.0204	TERMS DEFINED BEGINNING WITH B.
4714.0205	TERMS DEFINED BEGINNING WITH C.
4714.0206	TERMS DEFINED BEGINNING WITH D.
4714.0207	TERMS DEFINED BEGINNING WITH E.
4714.0210	TERMS DEFINED BEGINNING WITH H.
4714.0214	TERMS DEFINED BEGINNING WITH L.
4714.0218	TERMS DEFINED BEGINNING WITH P.
4714.0220	TERMS DEFINED BEGINNING WITH R.
4714.0221	TERMS DEFINED BEGINNING WITH S.
4714.0225	TERMS DEFINED BEGINNING WITH W.
4714.0301	SECTION 301.0 GENERAL.
4714.0307	LOCATION.
4714.0311	INDEPENDENT SYSTEMS.
4714.0312	PROTECTION OF PIPING, MATERIALS, AND STRUCTURES.
4714.0313	HANGERS AND SUPPORTS.
4714.0315	JOINTS AND CONNECTIONS.
4714.0317	FOOD-HANDLING ESTABLISHMENTS.
4714.0319	MEDICAL GAS AND VACUUM SYSTEMS.
4714.0405	PROHIBITED FIXTURES.
4714.0407	LAVATORIES.
4714.0408	SHOWERS.
4714.0409	BATHTUBS AND WHIRLPOOL BATHTUBS.
4714.0410	BIDETS.
4714.0412	URINALS.
4714.0414	DISHWASHING MACHINES.
4714.0415	DRINKING FOUNTAINS.
4714.0416	EMERGENCY EYEWASH AND SHOWER EQUIPMENT.
4714.0417	FAUCETS AND FIXTURE FITTINGS.
4714.0418	FLOOR DRAINS.

Minnesota Department of Labor and Industry Construction Codes and Licensing Division Plumbing Plan Review 443 Lafayette Road North St. Paul, MN 55155 Phone: (651) 284-5063 www.dli.mn.gov



Plumbing Plan Review Agreement Application

Under Minnesota Statutes, section 326B.43, subd. 2, the commissioner of the Department of Labor and Industry (DLI) may enter into an agreement with a municipality, in which the municipality agrees to perform plan review and specifications of plumbing systems in their jurisdiction subject to statutory requirements. Certain types of plans must still be submitted to DLI.

To request a formal plumbing plan review agreement, this application and all requested documents must be completed and submitted to: Judy.Tacheny@state.mn.us. Incomplete application will be rejected.

	1.	MUNICI	PALITY INFORMA	TION
MUNICIPALITY NAME Nowthen				DATE
ADDRESS 8188 199th Ave NW				EMAIL lstreich@nowthenmn.net
			ZIP CODE 55330	PHONE 763-441-1347
BUILDING OFFICIAL NAME Scott Qualle	***			
MAILING ADDRESS 235 First Street W				PHONE 952-442-7520
1.701		TATE MN	ZIP CODE 55387	E-MAIL scott@mnspect.com
APPROVED PLUMBING PLAN R	EVIEWER(S). I	f reviewer is	contracted through a privat	e company, check here and submit contract for review.
NAME Dale Engelmann	1000000	LICENSE # PM062282		E-MAIL/PHONE dale@mnspect.com
NAME	LICENSE#			E-MAIL/PHONE
				Annual Surface and Caleban

2. REQUIRED DOCUMENTS THAT MUST BE ADOPTED BY ORDINANCES

Submit copies of following relevant ordinances:

- The ordinance in which the municipality adopts the Minnesota Plumbing Code.
 (Adoption of the Minnesota State Building Code by ordinance includes adoption of the Minnesota Plumbing Code, Chapter 4714.)
- 2. The ordinance that requires plumbing plans and specifications to be submitted, reviewed, and approved by the municipality. The ordinance must clearly state exceptions for projects listed in Minnesota Statutes, section 326B.43 subd. 2(n) as listed below as those must be submitted to DLI for plan review. Plumbing plans and specifications for the following projects shall be submitted to DLI for plan review.
 - State-licensed facilities (as defined in section 326B.103, subd. 13).
 - b) Public buildings (as defined in section 326B, 103, subd. 11).
 - Projects of a special nature for which department review is requested by either the municipality or the state.
- The ordinance that authorizes the municipality to perform plumbing inspections required by the Minnesota Plumbing Code. (Plumbing inspections, testing, and permits are subject to Minn. Rules, part 1300.0215, subparts 1 through 5.)
- The ordinance that authorizes the municipality to administer and enforce the Minnesota Plumbing Code in accordance with Minnesota Statutes, section 326B.121. (Enforcing the Minnesota State Building Code by ordinance automatically includes and requires enforcement of the Minnesota Plumbing Code.)

Copies of the above required ordinances must be submitted with this application to be considered.

3. AGREEMENT

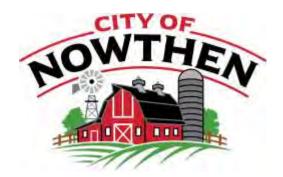
Upon approval of the application by the commissioner, the municipality agrees (see Minn. Stat. § 326B.43, subd. 2):

- To review plumbing plans and specifications for all construction for which requires review and approval of plumbing plans and specifications per Minnesota Rules, part 1300.0215, subpart 6, except all plumbing plans and specifications for the following types of projects (state) within the municipality must be forwarded to the DLI for review:
 - a) State-licensed facilities (See Minn.Stat. § 326b.103, subd. 13);
 - b) public buildings (See Minn.Stat. § 326b.103, subd. 11); and
 - e) projects of a special nature for which department review is requested by either the municipality or the state. (E.g., Dialysis facilities are an example of projects of a special nature that is reviewed by the state.)

Where the municipality forwards to the state for plan review, the municipality shall not collect any fee for plan review, and the commissioner shall collect all applicable fees for plan review.

- 2. The plan review will:
 - a) Reflect the degree to which the plans and specifications affect the public health and conform to the provisions of the plumbing code;
 - b) ensure that there is no physical connection between water supply systems that are safe for domestic use and those that are unsafe for domestic use; and
 - c) ensure that there is no apparatus through which unsafe water may be discharged or drawn into a safe water supply system.
- Individuals who perform the plumbing plan reviews for the municipality have passed a competency assessment reviewing plans and specification, are approved by the commissioner and are:
 - a) Licensed master plumbers;
 - b) licensed professional engineers; or
 - individuals who are working under the supervision of a licensed professional engineer or licensed master plumber and who are licensed master or journeyman plumbers or hold a postsecondary degree in engineering.
- 4. To perform all inspections for projects in which they plan review, Individuals who conduct the plumbing inspections for the municipality are licensed master or journeyman plumbers, or inspectors meeting the competency requirements established in rules adopted under section 326B.135, except for individuals who conduct plumbing inspections for the DLI (state) projects listed in item 1 above must be licensed plumbers.
- Individuals who conduct inspections and the plumbing plan reviews for the municipality shall not have any conflict of interest in conducting the inspections and the plan reviews.
- 6. To enforce in its entirety the plumbing code on all projects.
- 7. To keep official records of all documents received, including plans, specifications, surveys, and plot plans, and of all plan reviews, permits and certificates issued, reports of inspections, and notices issued in connection with plumbing inspections and the review of plumbing plans. These records shall be maintained in the official records of the municipality for the period required for the retention of public records under Minnesota Statutes, section 138.17, and shall make these records readily available for review at the request of the commissioner.
- That the municipality does not have in effect the plumbing code or any of ordinances described in Section 2 above at any time after the agreement has been approved, the municipality will notify the commissioner in writing in advance or within 10 days of the changes if advance notice is not possible.
- If the commissioner determines that the municipality is not properly administering and enforcing the plumbing code or is otherwise not complying
 with the agreement the commissioner may terminate the agreement in accordance with Minnesota Statutes, section 326B.43, subd. 2(l).
- 10. Not to revoke, suspend, or place restrictions on any plumbing license issued by the state.

Agreement Acknowledgement:		4 04 04
Scott Qualle		MUNICIPAL BUILDING OFFICIAL SIGNATURE
NAME	DATE	MUNICIPAL BUILDING OFFICIAL SIGNATURE
NAME	DATE	CITY ADMINISTER OR CITY CLERK SIGNATURE
	in different forms, such as large print, Braill	le or on a tape. To request, call 1-800-342-5354.



October ____, 2021

Mike Westemeier Plumbing & Engineering Unit Construction Codes & Licensing Division Minnesota Department of Labor & Industry 443 Lafayette Road North St. Paul, MN 55155

Dear Mr. Westemeier:

This letter is intended to respond to your request for evidence and assurances from the City	of
Nowthen regarding our request for approval to require and perform plumbing plan review.	

We have enclosed a copy of Ordinance _____, Chapter _____ from the City of Nowthen indicating that the plumbing code has been adopted.

The City of Nowthen hereby agrees to enforce the provisions of the Minnesota Plumbing Code, Minnesota Rules, Chapter 4714 in its entirety on all projects, including requiring submittal of plans and specifications for proposed installations of a system of plumbing that serves the public or that serves a considerable number of persons, or any plumbing system that shall affect the public health in any manner. This also includes field inspection of underground, rough-in, and final plumbing, as well as requiring tests of all installations for compliance with the requirement of the Minnesota Plumbing Code.

- MNSPECT, LLC, our contracted building official, will be performing the plumbing plan review.
 It is our understanding that Dale Engelmann, a master plumber employed by MNSPECT, LLC,
 has met your requirements for performing this work, and that others from the firm may be
 approved by your office in the future. We assure you that any individual approved by the
 state to perform such work shall not be allowed to engage in any activities that might
 represent a conflict of interest.
- 2. We agree to enforce in its entirety the plumbing code on all projects.
- 3. We agree to keep official records of all documents received, including plans, specifications, surveys, and plot plans, and all plan reviews, permits, and certificates issued, reports of inspections, and notices issued in connection with plumbing inspections and the review of plumbing plans. These records shall be maintained in the official records of the municipality for the period required for the retention of public records under Minnesota Statutes, 138.17, and

shall make these records readily available for review at the request of the commissioner.

- 4. We understand that this agreement is a privilege, and as such, understand that if the performance that is expected is not satisfactory, could result in modification or revocation of this agreement.
- 5. We understand that failure to enforce these provisions could result in the termination of the agreement to allow plumbing plan review to be conducted by the City.

Thank you for your participation in this approval process. We look forward to a successful relationship with your department as the future unfolds.

Sincerely,

Lori Streich City Clerk

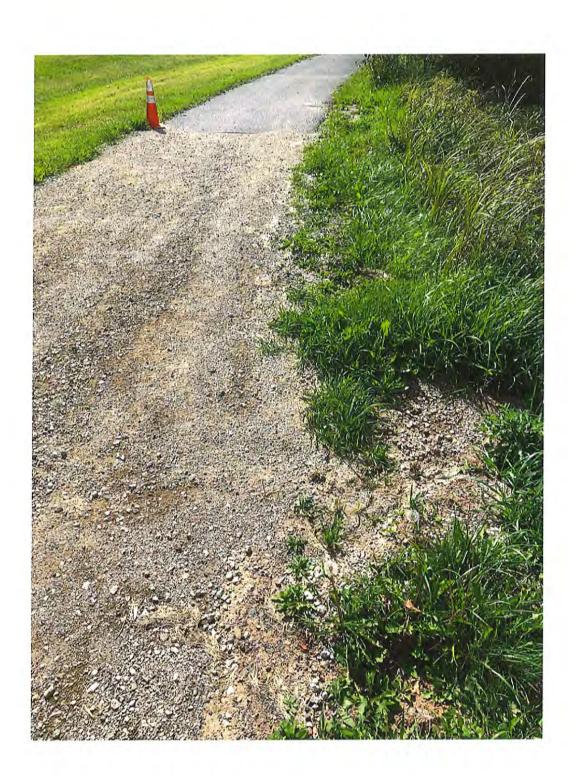
Scott Qualle MNspect

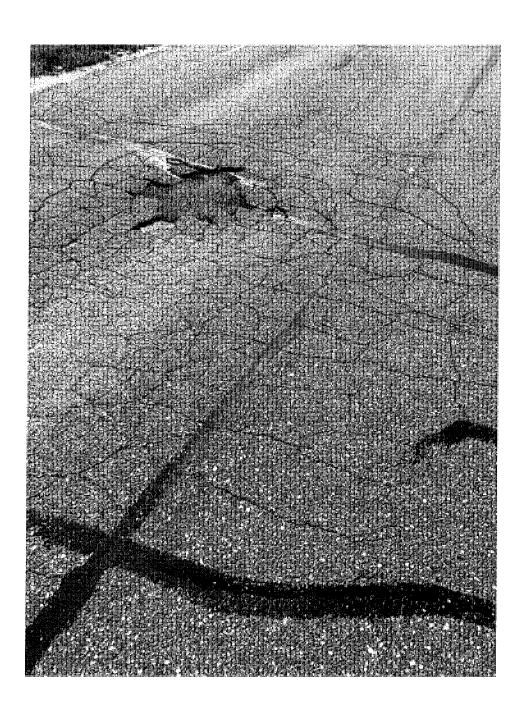


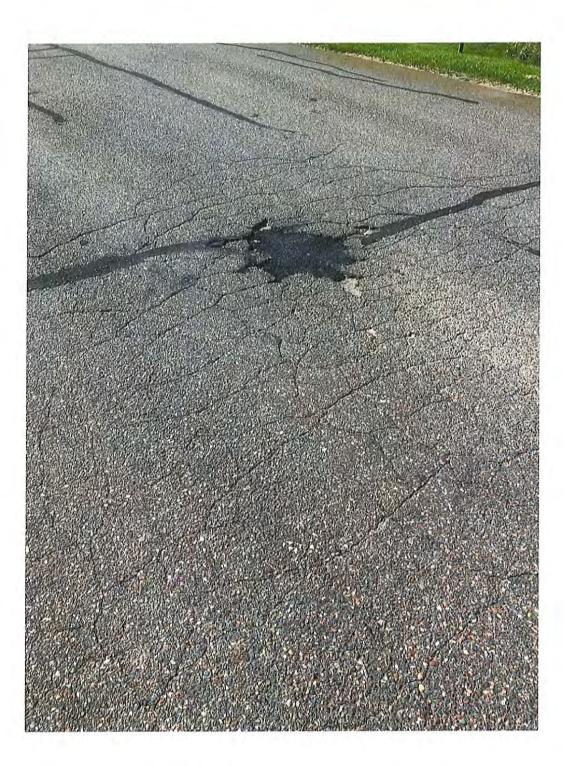
REQUEST FOR COUNCIL ACTION

Agenda Item #	Department: Public Works	Requested Council Meeting Date: October 12, 2021	Submitted By: Lori Streich		
TITLE OF ISS Sodium Street w	UE: ralking trail & road fro	ontage from trail			
The walking trainasphalt, as well a	I located on Sodium S as a portion where the ald create an injury to	ENTAL INFORMATION: Street is an asphalt trail, and has son asphalt was removed completely. anyone walking, biking, skate board			
SOURCE OF F					
I would like to re	equest council's appro 3' patch on Sodium S	oval to engage North Valley Inc. to	complete the repairs of the walking		
For Clerk's Use: Motion By:			SUPPORTED DOCUMENTS ATTACHED		
Second By:		Resolution Ordinance	: Contract Minutes Plan Map		
Vote Record: Aye Alders Blake Greenberg Pilon Rainville		Other (specify)			
	partment Use: nsent gular	Tabled Until	ŧ		











20015 Iguana Street NW, Suite 100 Nowthen, MN 55330 (763) 274-2580 Fax (763) 274-2584

Contact:

STEWART PACKER

Phone:

763-274-2580

Fax:

763-274-2584

Quote To:

CITY OF NOWTHEN

ERIC MADSON

Job Name: Date of Plans: SODIUM STREET TRAIL REPAIR

Phone:

612-685-3980

Revision Date:

8/13/2021 10/4/21

Fax:

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
10	PREP OF TRAIL	1.00	LS	1,215.65	1,215.63
20	3" BITUMINOUS WEAR COURSE (46 SY)	10.00	TN	273.40	2,734.00
30	STREET PATCH	1.00	TN	500.00	500.00

GRAND TOTAL

\$4,449.65

NOTES:

BOND IS INCLUDED, CANNOT DEDUCT FOR ONE

NO TRAFFIC CONTROL

PRICE INCLUDES TAX

RETAINAGE HELD PER OWNERS SPECIFICATIONS

THIS QUOTE IS PER THE AGC STANDARD SUB-CONTRACT AGGREEMENT FOR HIGHWAY/HEAVY-

INDUSTRIAL DIVISION (1956 EDITION, REVISED 1966, REVISED 1980 AND RIDER 1986 REVISION)

UPON REQUEST, NORTH VALLEY, INC. SHALL BE PROVIDED WITH THE LEGAL DESCRIPTION OF THE PROPERTY, THE NAME AND ADDRESS OF THE OWNER.

NORTH VALLEY, INC. SHALL NOT BE OBLIGATED TO COMMENCE OR CONTINUE SUBCONTRACT WORK UNLESS ADEQUATE ASSURANCE OF PAYMENT IS RECEIVED.

QUOTE MAY BE WITHDRAWN IN TEN DAYS.

RESPONSIBLE CONTRACTOR DOCUMENTATION AVAILABLE UPON REQUEST.

BID GOOD FOR ITEMS AND MATERIALS QUOTED ABOVE ONLY

INCLUDES 1 SMALL PATCH FILLED IN TRAIL AND 1 3'X 3' PATCH FILLED IN STREET





BILL TO:

City of Nowthen c/o City of Nowthen attn: Lori Streich (763-274-1927) 8188 199th Ave. NW Nowthen, MN 55330 JOB SITE:

City of Nowthen 19800 Nowthen Blvd Elk River, MN 55330 PROPOSAL:

Prop# 21.2075 Date 8/25/2021

Terms Net 30 Days

Valid May be withdrawn after 30 days

Qty	UM	Item		Amount
504 SF	SF	Shape and Pave		\$4,900.00
		Grade existing base material.		
		2. Pave 3" compacted depth asphalt wear lift MV3R.		
		This includes the trail and a 6x6 pothole patch in road.		
		Not responsible for and damage to the grass.		
		Note		
			Total	\$4,900.00

ACS excludes landscape repairs, sod restoration, permits, bonds, testing, engineering/surveying, dewatering, removal of hazardous materials, disposal of pavement fabric, unforeseen sub-terrain failure, damage to unmarked electric, sewer, water, irrigation systems, telephone lines, cable T.V. lines located on or near the construction area. It will be at no expense to the ACS to move or tow vehicles in the construction zone after the job has been scheduled. If area is not accessible due to any of these exclusions a re-mobilization or additional charges may be assessed. 1.5% slope is required for proper drainage, if the slope is less than 1.5% ACS will not be responsible for any ponding of water. ACS will not guarantee sealcoating from failure due to tree coverage, sap or low areas that hold water. ACS is not responsible for damage to garage doors that are not left open during driveway or apron replacement. DO NOT SALT NEW CONCRETE FOR 1 YEAR.

RESPECTFULLY SUBMITTED BY	CUSTOMER ACCEPTANCE		
Tom Kemp tom@acsasphalt.com	Authorized Signature		
763-234-5783	Title	Date	